

PETITION FOR ZONING RE-CLASSIFICATION AND/OR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, HERBERT KISHTER, legal owner... of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition (1) that the zoning status of the herein described property be re-classified, pursuant to the Zoning Law of Baltimore County, from an DR 3.5, DR 5.5 & DR 16 zone to an IL zone, for the following reasons:

Change in character of neighborhood

See attached description

and (2) for a Special Exception, under the said Zoning Law and Zoning Regulations of Baltimore County, to use the herein described property for...

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above re-classification and/or Special Exception advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract purchaser HERBERT KISHTER Legal Owner
Address 215 Dunkirk Bldg., Balto., Md. 21222
Township, Maryland 21204
Myles F. Friedman
Petitioner's Attorney
Protestant's Attorney
Address 215 Dunkirk Bldg., Balto., Md. 21222

ORDERED By The Zoning Commissioner of Baltimore County, this 30th day of April, 1974, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 23rd day of September, 1974, at 10:00 o'clock.

Zoning Commissioner of Baltimore County

(over)

BALTIMORE COUNTY ZONING ADVISORY COMMITTEE



PETITION AND SITE PLAN

EVALUATION COMMENTS

BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

April 30, 1974

Myles F. Friedman, Esq.
215 Dunkirk Bldg.
Baltimore, Maryland 21222

RE: Reclassification Petition
Item 9 - 7th Cycle
Herbert Kishter - Petitioner

Dear Mr. Friedman:

The Zoning Advisory Committee has reviewed the plans submitted with the above referenced petition and has made an on site field inspection of the property. The following comments are a result of this review and inspection.

These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the appropriateness of the requested zoning.

The subject property is located on the northeast corner of Joppa and Hines Road, in the 11th Election District of Baltimore County. It is presently utilized as a farm and was previously under the ownership of the Bird Farm Dairy.

The Bird Farm facilities exist adjacent to the site on the east, and to the rear and north of the subject property is land presently in pasture use but proposed as townhouse developments (Seven Courts Village). Residences exist opposite the site on Joppa Road and to the west along Joppa Road.

The petitioner is requesting a Reclassification to Business Local for a neighborhood shopping center in conjunction with the aforementioned

Myles F. Friedman, Esq.
Item 9 - 7th Cycle
April 30, 1974

Page 2

Seven Courts Village. He proposes 48,000 square feet of retail floor area with off street parking for 263 cars.

This petition for Reclassification is accepted for filing on the date of the enclosed filing certificate. However, any revisions or corrections to petitions, descriptions, or plats, as may have been requested by this Committee, shall be submitted to this office prior to Monday, June 3, 1974, in order to allow time for final Committee review and advertising. Failure to comply may result in this petition not being scheduled for a hearing. Notice of the hearing date and time, which will be between September 1, 1974, and October 15, 1974, will be forwarded to you well in advance of the date and time.

Very truly yours,

James B. Byrnes, III
JAMES B. BYRNES, III
Chairman,
Zoning Advisory Committee

JMB:JD

Enclosure

cc: M.C.A. Engineering Corp.
1025 Cromwell Bridge Road
Towson, Maryland 21204

Baltimore County, Maryland Department of Public Works COUNTY OFFICE BUILDING TOWSON, MARYLAND 21204

Bureau of Engineering
ELLSWORTH N. DYER, P. E., CHIEF

April 25, 1974

Mr. S. Eric DiNenna
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Re: Item #9 (Cycle VII - April to October 1974)
Property Owner: Herbert Kishter
N/S of Joppa Rd. & N/ES of Hines Rd.
Existing Zoning: D.R. 3.5 & D.R. 5.5 & D.R. 16
Proposed Zoning: B.L.
No. of Acres: 6.2 District: 11th

Dear Mr. DiNenna:

The following comments are furnished in regard to the plat submitted to this office for review by the Zoning Advisory Committee in connection with the subject item.

Highways

Access to this site shall be provided by Joppa Road and Seven Courts Drive which will be improved as 50-foot curb and gutter cross-sections on 70-foot rights-of-way. Hines Road shall also provide access and shall be improved as a 10-foot curb and gutter cross-section on a 60-foot right-of-way.

Sidewalks are required on all public roads adjacent to this site. The walks shall be 5 feet wide and shall be installed to conform with Baltimore County Standards (Detail R-20) which places the back edge of the sidewalk 2 feet off the property line.

The entrance locations are subject to approval by the Department of Traffic Engineering.

Storm Drains

In accordance with the drainage policy, the Petitioner is responsible for the total actual cost of drainage facilities required to carry the storm water run-off through the property to be developed to a suitable outfall.

The Petitioner must provide necessary drainage facilities (temporary or permanent) to prevent creating any nuisances or damages to adjacent properties, especially by the concentration of surface waters. Correction of any problem which may result, due to improper grading or improper installation of drainage facilities, would be the full responsibility of the Petitioner.

Sediment Control

Development of this property through stripping, grading and stabilization could result in a sediment pollution problem, damaging private and public holdings downstream of the property. A grading permit is, therefore, necessary for all grading, including the stripping of top soil.

Item #9 (Cycle VII - April to October 1974)
Property Owner: Herbert Kishter
Page 2
April 25, 1974

Water

Public water exists adjacent to this property.

Sanitary Sewer

Public sanitary sewer will exist adjacent to this property when the sewer, which is now designed has been constructed.

Very truly yours,

Ellsworth N. Dyer
ELLSWORTH N. DYER, P.E.
Chief, Bureau of Engineering

END:EAH:PMK:se

M-W Key Sheet
NE 10 G Topo
37 NE 25 Pos. Sheet
72 Tax Map

BALTIMORE COUNTY, MARYLAND JEFFERSON BUILDING TOWSON, MARYLAND 21204



DEPARTMENT OF TRAFFIC ENGINEERING

EUGENE J. CLIFFORD, P.E.
DIRECTOR

WM. T. NELSEN
DEPUTY TRAFFIC ENGINEER

April 30, 1974

Mr. S. Eric DiNenna
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Re: Item 9 - Cycle Zoning 7 - April 1974 through October 1974
Property Owner: Herbert Kishter
N/S Joppa Road and NE/S Hines Road
B.L.
District 11

Dear Mr. DiNenna:

The subject petition is requesting a change from D.R. 3.5, D.R. 5.5 and D.R. 16 to B.L. of 6.2 acres. This should increase the trip density from 240 to 3,000 trips per day. This trip density can not be handled by the existing road system. Severe capacity problems presently exist at the intersection of Belair and Joppa Roads and more commercial development can only compound those problems, especially when considering the tract next to this property is Zoned commercial and if developed, would create severe problems at the above mentioned intersection.

Very truly yours,

C. Richard Moore
C. Richard Moore
Assistant Traffic Engineer

CRW/pk

BALTIMORE COUNTY, MARYLAND DEPARTMENT OF HEALTH

JEFFERSON BUILDING
TOWSON, MARYLAND 21204

April 10, 1974

DONALD J. ROOP, M.D., M.P.H.
DEPUTY STATE AND COUNTY HEALTH OFFICER

Mr. S. Eric DiNenna, Zoning Commissioner
Office of Planning and Zoning
County Office Building
Towson, Maryland 21204

Dear Mr. DiNenna:

Comments on the following item, Zoning Advisory Committee Meeting April 3, 1974, are as follows:

Property Owner: Herbert Kishter
Location: N/S of Joppa Rd. & NE/S of Hines Rd.
Existing Zoning: D.R. 3.5 & D.R. 5.5 & D.R. 16
Proposed Zoning: B.L.
No. of Acres: 6.2
District: 11

Metropolitan water is available. Sanitary sewer must be extended to the site.

Air Pollution Comments: The building or buildings on this site may be subject to a permit to construct and a permit to operate any and all fuel burning and processing equipment. Additional information may be obtained from the Division of Air Pollution and Industrial Hygiene, Baltimore County Department of Health.

Food Service Comments: Prior to construction, renovation and/or installation of equipment for this food service facility, complete plans and specifications must be submitted to the Division of Food Protection, Baltimore County Department of Health, for review and approval.

Water Resources Administration Comments: If lubrication work and oil changes are performed at this location, revised plans must be submitted showing method providing for the elimination of waste oil in accordance with Water Resources Administration requirements.

Very truly yours,

Thomas Devlin
THOMAS DEVLIN, Director
BUREAU OF ENVIRONMENTAL SERVICES

HVB/cac



MRS ELEANORA HUNT
JOPPA MARSHED CIVIC
1950 9933 HILL TOP DR.
ZONING CHAIR. 21234

PERRY HALL IMP 1950
MRS JOHN BUETTNER 4206
PENON AVE. 21236

Pursuant to the advertisement, posting of property, and public hearing on the above petition and it appearing that by reason of _____

the above Reclassification should be had, and it further appearing that by reason of _____

a Special Exception for a _____ should be granted.

IT IS ORDERED by the Zoning Commissioner of Baltimore County this _____ day of _____, 196____, that the herein described property or area should be and the same is hereby reclassified; from a _____ zone to a _____ zone, and/or a Special Exception for a _____ should be and the same is granted, from and after the date of this order.

Zoning Commissioner of Baltimore County

Pursuant to the advertisement, posting of property and public hearing on the above petition and it appearing that by reason of _____

the above re-classification should NOT BE HAD, and/or the Special Exception should NOT BE GRANTED.

IT IS ORDERED by the Zoning Commissioner of Baltimore County this _____ day of _____, 196____, that the above re-classification be and the same is hereby DENIED and that the above described property or area be and the same is hereby continued as and to remain a _____ zone; and/or the Special Exception for _____ be and the same is hereby DENIED.

Zoning Commissioner of Baltimore County

RE: PETITION FOR RECLASSIFICATION : BEFORE
from D.R. 3.5, D.R. 5.5 and D.R. : COUNTY BOARD OF APPEALS
16 to B.L. zone :
NE corner of Joppa and Hines Roads : OF
11th District :
Herbert Kistler : BALTIMORE COUNTY
Petitioner : No. 75-58-R

ORDER OF DISMISSAL

Petition of Herbert Kistler for reclassification from D.R. 3.5 zone, D.R. 5.5 zone and D.R. 16 zone to B.L. zone, on property located on the northeast corner of Joppa and Hines Roads, in the 11th Election District of Baltimore County.

WHEREAS, the Board of Appeals notified all parties of record in the above entitled matter that this Board considers said case to be moot (copy of said letter is attached hereto).

THEREFORE, this Board, on its own Motion, will dismiss the within named appeal.

IT IS HEREBY ORDERED, this 25th day of January, 1977, that said petition be and the same is declared moot and the petition dismissed.

COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY

Walter A. Reiter, Jr., Chairman
Robert L. Gilland

Robert A. Davis

Baltimore County Fire Department

J. Austin Deitz
Chief



Towson, Maryland 21204
822-7310

Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204

Attention: Mr. Jack Dillon, Chairman
Zoning Advisory Committee

Re: Property Owner: Herbert Kistler

Location: N/S of Joppa Road & NE/S of Hines Road

Item No. 9 Zoning Agenda April 3, 1974

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "x" are applicable and required to be corrected or incorporated into the final plans for the property.

- (X) 1. Fire hydrants for the referenced property are required and shall be located at intervals of 300 feet/stations in addition approved road in accordance with Baltimore County Standards as published by the Department of Public Works.
- (X) 2. A second means of vehicle access is required for the site.
- (X) 3. The vehicle dead-end condition shown at _____ EXCEEDS the maximum allowed by the Fire Department.
- (X) 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operations. Apply NFPA-Standard 13 for sprinkler system design & installation.
- (X) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "The Life Safety Code", 1970 Edition prior to occupancy.
- () 6. Site plans are approved as drawn.
- () 7. The Fire Prevention Bureau has no comments at this time.

Reviewed by: *Paul H. Reinisch* Noted and Approved: *Paul H. Reinisch*
Planning Group Deputy Chief
Special Inspection Division Fire Prevention Bureau

mfs
4/16/73

BOARD OF EDUCATION OF BALTIMORE COUNTY

TOWSON, MARYLAND 21204

Date: April 26, 1974

Mr. S. Eric DiNenna
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Z.A.C. Meeting of: April 3, 1974

Re: Item 9
Property Owner: Herbert Kistler
Location: N/S of Joppa Road & NE/S of Hines Road
Present Zoning: D.R. 3.5 & D.R. 5.5 & D.R. 16
Proposed Zoning: B.L.

District: 11th
No. Acres: 6.2

Dear Mr. DiNenna:

No adverse effect on student population. Would only result in a loss of a few students.

WNP/ml

Very truly yours,
W. Nick Petrovich
Field Representative

THOMAS PARKS, President
KATHLEEN E. WELSH, Vice President
MR. ROBERT L. BENNEY

MARCUS M. ROTUNDO
JAMES W. WAGGONER
ALVIN LOVICK
JOSHUA S. WHEELER, Chairman

FRANK W. MILLER, Jr.
EDWARD W. HOFFMAN, Chairman
MR. WILSON F. HARRIS

WILLIAM V. FROMM
DIRECTOR
S. ERIC DINENNA
ZONING COMMISSIONER



May 10, 1974

Mr. S. Eric DiNenna, Zoning Commissioner
Zoning Advisory Committee
Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204

Dear Mr. DiNenna:

Comments on Item #9, Zoning Cycle VII, April, 1974, to October, 1974, are as follows:

Property Owner: Herbert Kistler
Location: N/S of Joppa Road and NE/S of Hines Road
Existing Zoning: D.R. 3.5 and D.R. 5.5 and D.R. 16
Proposed Zoning: B.L.
No. of Acres: 6.2
District: 11th

This office has reviewed the subject petition and offers the following comments. These comments are not intended to indicate the appropriateness of the zoning in question, but are to assure that all parties are made aware of plans or problems with regard to development plans that may have a bearing on this petition.

The site plan should be revised to show the following:

- a. All exterior lighting in accordance with Section 409 of the Zoning Regulations of Baltimore County.
- b. Screening at all locations where the parking areas are across the street from residential premises

In addition to the above it appears that the parking calculations are based on retail only, if there are to be any other uses, such as restaurants, the parking calculations would have to be revised.

Very truly yours,

John L. Wimbley

John L. Wimbley, Planning Specialist II
Project & Development Planning Division

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING
SUITE 301 JEFFERSON BUILDING 101 WEST CHESAPEAKE AVENUE TOWSON, MARYLAND 21204
AREA CODE 301 PLANNING 454-3211 ZONING 484-3281

494-3180

County Board of Appeals

Room 219, Court House
Towson, Maryland 21204
December 6, 1976

Myles F. Friedman, Esquire
215 Dunkirk Building
Baltimore, Maryland 21222

Re: Case No. 75-58-R
Herbert Kistler, Petitioner

Dear Mr. Friedman:

As the Petitioner, or representative thereof, in the above referenced case, you are hereby advised that said case now pending before the Board of Appeals is considered moot. This decision is based on an opinion of the Baltimore County Solicitor's office concluding that any reclassification case pending before this Board on the date of the adoption of new comprehensive zoning maps (i.e. 10/15/76) is moot.

Therefore, unless you present written objection and/or an amended appeal, where applicable, to the Board within thirty (30) days from the date hereof, an Order of Dismissal shall be executed by this Board.

Very truly yours,

Walter A. Reiter, Jr.
Walter A. Reiter, Jr., Chairman

cc: Mr. Herbert Kistler
Gerard V. Caldwell, Esquire
John W. Hession, III, Esquire
Mrs. Eleanor Hunt
Mrs. John Buettner

OFFICE
NORTHFIELD 87742

Gerard V. Caldwell

ATTORNEY AT LAW
7701 BELAIR ROAD
BALTIMORE, MD. 21206

March 21, 1977

County Board of Appeals
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: Herbert Kistler
File No. 75-58-R

Dear Sir:

Please enter my appearance as attorney for Perry Hall Improvement Association, Inc. in the above-entitled appeal.

I am enclosing questionnaire as requested.

Very truly yours,

Gerard V. Caldwell

GVC:trm
Enc.

Revised 3/24/77
10/6/74

RE: PETITION FOR RECLASSIFICATION : BEFORE THE
NE/ corner of Joppa and Hines Roads : DEPUTY ZONING
11th District : COMMISSIONER
Herbert Kishner - Petitioner :
NO. 75-58-R (Item No. 9) :
: OF
: BALTIMORE COUNTY

This Petition represents a request for a Reclassification from a D.R. 3.5, D.R. 5.5 and D.R. 16 Zones to a B.L. (Business, Local) Zone. The property in question contains 6.2 acres and is situated at the northeast corner of Joppa and Hines Roads, in the Eleventh Election District of Baltimore County. Testimony was presented on behalf of the request by the Petitioner, who is a real estate developer and builder, and experts in the fields of civil engineering, real estate and appraising.

Other testimony and evidence considered in this opinion included that of area residents, who protested the requested Reclassification, and comments from County and State agencies who reviewed the Petitioner's proposed shopping center plans, inspected the property and submitted typewritten comments with regard to plans, problems or conflicts with their individual agencies. Agencies commenting included the Health Department, Fire Department, Department of Traffic Engineering, Bureau of Engineering and Office of Planning and Zoning. Also considered were recommendations of the Baltimore County Planning Board pertaining to whether or not the change in zoning classification should be made.

Testimony on behalf of the request indicated that the Petitioner in owner of a 84.59 acre tract of ground for which a development plan for 340 townhouses has been approved, and construction or installation of sewer and water lines has begun. The 84.59 acre tract is bisected by two streams or floodplain areas which require bridge type culverts for the spine road (Seven Courts Drive) which extends in a northerly direction from its intersection with Joppa Road

through the townhouse project to a point on the northernmost boundary line, providing all access to the 340 townhouses.

The 6.2 acres, which is the subject of this Petition, represents all of the Petitioner's Joppa Road frontage, is bounded on the east by Seven Courts Drive, on the north by one of the two streams, and on the west by Hines Road, a rather narrow residential street that will be widened along the developer's frontage with no access being proposed from this road to the residential portion of his development. Access will, however, be provided to the shopping center from each of the three bounding roads.

The architectural design of the townhouses was described as being European, with the shopping center being an extension of that architectural design. Trash pick-up and loading areas are proposed to take place on the interior of the building by way of a driveway or corridor through the center of the building.

In essence, the Petitioner felt that the shopping center would be a benefit to the area and would provide shopping opportunities for many residents without the necessity of having to traverse Joppa Road. They felt that had the County Council been aware of the population growth that is now taking place in this area, they would have placed commercial zoning on the subject property. It was their opinion that the only logical use of the property, which is bounded on the north by a stream and on the other three sides by roads, would be that of a shopping center. They further stated that the map was in error in that it did not provide proper zoning for this use.

Area residents, who attended the hearing in protest to the requested Reclassification, objected to the change on the basis that the area has remained stable since the adoption of the zoning maps on March 24, 1971. They felt that the residential construction that is now underway does not represent a change in the character of the neighborhood as it was projected on the aforementioned

zoning map. They also disagreed with the Petitioner's contention that additional shopping opportunities are needed in the area. It was their opinion that existing shopping facilities are adequate, and that an adjoining twelve acre commercially zoned tract, which is for the most part undeveloped, could meet future growth needs of the area. A reclassification of the subject property would render this twelve acre tract inefficient, and would further aggravate serious traffic problems that exist on Joppa Road. In support of their contention, they made reference to the following comment by the Assistant Traffic Engineer of Baltimore County:

"The subject Petition is requesting a change from D.R. 3.5, D.R. 5.5 and D.R. 16 to B.L. of 6.2 acres. This should increase the trip density from 240 to 3,000 trips per day. This trip density cannot be handled by the existing road system. Severe capacity problems presently exist at the intersection of Belair and Joppa Roads and more commercial development can only compound those problems, especially when considering the tract next to this property, is zoned commercial and if developed, would create severe problems at the above mentioned intersection."

In recommending that the existing zoning be retained, the Baltimore County Planning Board made the following statements:

"The Planning Board believes that proposed Seven Courts Drive is the logical stopping point for commercial zoning and that to grant commercial zoning for the subject tract would be unwarranted. The low-density character of the adjacent area to the west of Hines Road has been firmly established. In fact, the subject property is totally surrounded by residentially-zoned land. To permit commercial development to take place here, virtually in the front yards of the adjacent single-family dwellings along Hines Road, would defeat the purpose of carefully providing residential transitional areas to buffer commercial uses.

It is the opinion of the Planning Board that the present residential zoning of this property is appropriate, that ample commercial opportunities have been provided to serve this neighborhood, and that the zoning map is correct. To the east, approximately 100 feet away from the subject property, is a 12-acre commercially-zoned, developable tract, vacant except for Berg's Ice Cream Store. The subject site is located approximately 1,200 feet away from the intersection of Belair and Joppa Roads. The Perry Hall Shopping Center is located at the southeast corner. In fact, closely oriented to this intersection are both vacant and developed properties in the B.L.-C.C.C., B.L.-C.S.A., B.L.-C.M.S., B.R., B.M., and B.L. zoning classifications."

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IN THE MATTER OF : BEFORE THE
PETITION FOR ZONING :
RE-CLASSIFICATION : ZONING COMMISSIONER
FOR : OF
SEVEN COURTS :
VILLAGE CENTER : BALTIMORE COUNTY

MEMORANDUM

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

Now comes HERBERT KISHNER, by MYLES F. FRIEDMAN, his attorney, legal owner of the property situate in Baltimore County, at or about Joppa Road and Hines Road, which is describe in the Description and Plat which is a part of these proceedings and hereby petitions that the zoning status of the herein described property be re-classified, pursuant to the Zoning Law of Baltimore County, from an DR 3.5, DR 5.5 & DR 16 zone to an BL zone; and for a Memorandum in support of this request says:

That the property involved consist of 6.2 acres, more or less, and the same is presently vacant land. Your Petitioner proposes to use the land for a "Neighborhood Shopping Center" the area in question is presently bounded by Joppa Road to the south and Hines Road to the West.

CHANGE IN CHARACTER OF NEIGHBORHOOD

A review of the present and existing zoning which surrounds the subject property would find that this acreage is surrounded by BL, BR, and RM zoning. Your Petitioner believes and avers that a re-classification of the subject property would be an appropriate extension of commercial area. The character of the neighborhood has changed to such an extent as to justify re-zoning as herein requested and the establishment of this Neighborhood Shopping Center would be an asset to the entire area in question. The surrounding area to the subject property has definitely

become commercial in nature and any type residences built on the lot in question would be unwise and a wasteful use of the land, if the property were re-zoned to commercial use, the public health, safety and general welfare of the community or surrounding property would not be jeopardized.

POPULATION CHANGE

The substantial development of housing units and the concurrent growth in population lead to the need for additional commercial zoning in this area to supply the wants of the increased population. At the present time, and directly across the street from the subject property there is under construction some nine hundred and eighty (980) apartment units and in addition thereto your Petitioner has proposed three hundred and forty (340) town houses in the area immediately surrounding the subject property. The proposed Neighborhood Shopping Center would be for the accommodation and convenience of the residence of the surrounding area.

PRESENT AND FUTURE TRANSPORTATION PATTERNS

At the present time the proposed site is bounded by Joppa Road, which is a main thoroughfare at this point running between Harford Road to the west and Belair Road to the east. Additionally the property is bounded on the west by Hines Road. The plat which accompanies the Petition herein clearly indicates that your Petitioner intends on widening Joppa Road as well as Hines Road. In addition thereto an access road to be known as Seven Courts Drive is also proposed for the east boundary of the subject property. Your Petitioner believes and avers that the present streets and highways surrounding the proposed site are sufficient to carry the anticipated volume of traffic, but that further with the proposed widening and creation of a new roadway there will be no problem with congestion in the streets.

AVAILABILITY OF FACILITIES

At the present time there is another Shopping Center within one half a mile of the proposed property of your Petitioner. However the present rapid rate of growth the existing facilities in the area are inadequate to support this burgeoning population. To the best of knowledge of your Petitioner there are no other planned commercial facilities other than the one herein involved, which will be capable of servicing the residences of the trade area herein involved. We are firmly convinced that there is a present need for a local convenience shopping facility of the size proposed at the instant location at the present time and that the Grant of the requested re-classification would be most appropriate and justified.

COMPATIBILITY WITH EXISTING AREA

In the instant case your Petitioner has taken extra care and precaution in planning the proposed Neighborhood Shopping Center and particularly to see that the same is aesthetically compatible with the surrounding area. Please note that there are plans for 4 ft. high dense plant screening, and in addition thereto the service area and service drives will be to the rear of all retail outlets.

CONCLUSION

With the population in a particular neighborhood substantially increasing, and with re-zoning being allowed to supply the housing needs for this increased population, and with other commercial zoning in the area, it is apparent that commercial facilities for supplying food, clothing and other necessities of life become necessary for that increased population and that appropriate zoning should be allowed to satisfy those new and pressing needs.

Without reviewing all testimony and evidence in detail but based on all such testimony and evidence, it is the opinion of the Deputy Zoning Commissioner that the Petitioner has not met his burden of proving error in the Comprehensive Zoning Map as adopted by the Baltimore County Council on March 24, 1971. By the same token, he has also failed to prove any substantial change in the character of the neighborhood having taken place which would warrant a change in the zoning classification of his property. The Petitioner's contention, that a shopping center on his property would reduce the amount of traffic on Joppa Road by providing a shopping area for the residents of his development thereby eliminating the need for them to use Joppa Road, does not hold water. If a need for an additional shopping center in the area did exist, other residents from surrounding developments would undoubtedly utilize said shopping center creating additional traffic on Joppa Road at peak shopping hours. The fact that a large unimproved, commercially zoned area exists immediately east of the subject property is prime evidence that the need or pressures for additional shopping opportunities in this area have not matured. For these reasons, the Petitioner's request must be denied.

Therefore, IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County, this 24th day of October, 1974, that the herein requested Reclassification be and the same is hereby DENIED, and that the above described property or area be and the same is hereby continued as to remain D.R. 3.5, D.R. 5.5 and D.R. 16 Zones.

James E. Khan
Deputy Zoning Commissioner of
Baltimore County

WHEREFORE, your Petitioner prays that the re-classification be granted as requested herein for the reasons set forth above and for further reasons to be made known at the hearing.

RESPECTFULLY SUBMITTED,

Myles F. Friedman
MYLES F. FRIEDMAN
215 Republic Building
Baltimore, Maryland 21222
284-6066
Attorney for Herbert Kishner, Petitioner

DESCRIPTION

6.2 ACRES, MORE OR LESS, NORTH SIDE OF JOPPA ROAD, NORTHEAST
SIDE OF HINES ROAD, ELEVENTH ELECTION DISTRICT, BALTIMORE
COUNTY, MARYLAND.

THIS DESCRIPTION IS FOR "BL" ZONING.

Beginning for the same at the point of intersection of the center of Joppa Road and the center of Hines Road, said point of beginning being the end of the fourth or S 32-1/2° E 35-68/100 perch line of the second parcel of the land described in the deed to Mary E. Berg dated February 5, 1962 and recorded among the Land Records of Baltimore County in Liber W.P.C. 629, page 97, running thence binding reversely on part of said fourth line and in the center of said Hines Road, (1) N 36° 56' 20" W 583.42 feet, thence binding on the south side of a proposed Flood Reservation, four courses: (2) N 85° 25' 00" E 297.70 feet, (3) N 75° 09' 54" E 95.69 feet, (4) N 68° 39' 10" E 199.16 feet, and (5) N 67° 06' 26" E 80.58 feet to the southwest side of future Seven Courts Drive thence binding on said southwest side and continuing in all, (6) S 12° 55' 30" E 504 feet, more or less, to a point in the first or N 78-1/2° E 11-5/10 perch line of said second parcel, thence binding reversely on the

Water Supply ■ Sewerage ■ Drainage ■ Highways ■ Structures ■ Developments ■ Planning ■ Reports

2.

outlines of said second parcel and in the center of said Joppa Road, two courses: (7) S 73° 12' 40" W 120 feet, more or less, and (8) S 72° 33' 40" W 309.80 feet, to the place of beginning.

Containing 6.2 acres of land, more or less.

CAE:eqr J.O. 01-72018 3/21/74

PETITION FOR RECLASSIFICATION 11th DISTRICT

ZONING: From D.R. 3.5, D.R. 3.5 and D.R. 8 to R.L. Zone.
LOCATION: Northeast corner of Joppa and Hines Roads.
DATE & TIME: MONDAY, SEPTEMBER 23, 1974 at 10:00 A.M.

PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland.

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing.

Present Zoning: D.R. 3.5, D.R. 3.5 and D.R. 8.
Proposed Zoning: R.L.

All that parcel of land in the Eleventh District of Baltimore County

Beginning for the same at the point of intersection of the center of Joppa Road and the center of Hines Road, said point of beginning being the end of the fourth or S 32-1/2° E 35-68/100 perch line of the second parcel of the land described in the deed to Mary E. Berg dated February 5, 1962 and recorded among the Land Records of Baltimore County in Liber W.P.C. 629, page 97, running thence binding reversely on part of said fourth line and in the center of said Hines Road, (1) N 36° 56' 20" W 583.42 feet, thence binding on the south side of a proposed Flood Reservation, four courses: (2) N 85° 25' 00" E 297.70 feet, (3) N 75° 09' 54" E 95.69 feet, (4) N 68° 39' 10" E 199.16 feet, and (5) N 67° 06' 26" E 80.58 feet to the southwest side of future Seven Courts Drive thence binding on said southwest side and continuing in all, (6) S 12° 55' 30" E 504 feet, more or less, to a point in the first or N 78-1/2° E 11-5/10 perch line of said second parcel, thence binding reversely on the outline of said second parcel and in the center of said Joppa Road, two courses: (7) S 73° 12' 40" W 120 feet, more or less, and (8) S 72° 33' 40" W 309.80 feet, to the place of beginning.

Containing 6.2 acres of land, more or less.

Being the property of Herbert Kishner, as shown on plat plan filed with the Zoning Department.

Hearing Date: Monday, September 23, 1974 at 10:00 A.M.
Public Hearing: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland.

BY ORDER OF
S. ERIC DINENNA
ZONING COMMISSIONER OF BALTIMORE COUNTY

CERTIFICATE OF PUBLICATION

ROSEDALE, MD. Dec 4 1974

THIS IS TO CERTIFY, that the annexed advertisement was published in THE OBSERVER, a weekly newspaper published in Rosedale, Baltimore County, Md. one time before the 23rd day of September, 1974, the publication appearing on the 5th day of September, 1974.

THE OBSERVER
Robert A. G. Smith
Advertising Mgr.

Cost of Advertisement \$27.84

BALTIMORE COUNTY, MARYLAND No. 15197

OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

DATE: Sept. 25, 1974 ACCOUNT: 01-662

AMOUNT: \$14.22

WHITE - CASHIER DISTRIBUTION PINK - AGENCY YELLOW - CUSTOMER

Seyen Court Dev. Company
8 E. Penna Ave.
Towson, Md. 21204
Purchase of property 143296

CERTIFICATE OF PUBLICATION

TOWSON, MD. September 5, 1974

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md. one time before the 23rd day of September, 1974, the first publication appearing on the 25th day of September, 1974.

THE JEFFERSONIAN
L. Leland Smith
Manager

Cost of Advertisement, \$

BALTIMORE COUNTY, MARYLAND No. 14737

OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

DATE: April 19, 1974 ACCOUNT: 01-662

AMOUNT: \$29.00

WHITE - CASHIER DISTRIBUTION PINK - AGENCY YELLOW - CUSTOMER

Myles F. Friedman, Esq.
215 Dunkirk Blvd.
Baltimore, Md. 21222
Petition for Reclassification for Herbert Kishner

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 11th Date of Posting: 12-12-74

Posted for: Herbert Kishner

Petitioner: Herbert Kishner

Location of property: NE corner of Joppa & Hines Rd.

Location of Signs: 1 on Hines Rd. 1 on Joppa Rd.

Remarks: M. H. Hesse

Posted by: M. H. Hesse Date of return: 12-19-74

Law Office of
MYLES F. FRIEDMAN
DUNKIRK BUILDING
LUNDALK, MARYLAND 21222
PHONE: ATWATER 4-6060

November 18, 1974

Zoning Commissioner
County Office Building
Towson, Maryland 21204
Re: Petition for Reclassification NE corner of Joppa and Hines Roads
11th District
Herbert Kishner - Petitioner
NO. 75-58-R (Item No. 9)

Mr. Commissioner:

Enclosed herewith please find original and copy of an Appeal to the County Board of Appeals in the captioned matter. My check in the amount of \$70.00 is enclosed to cover the advanced costs.

It would be appreciated if you would file and process the enclosed for me.

Very truly yours,
Myles F. Friedman

MFF:ip

Enclosures

NOV 19 74 PM



RE: PETITION FOR RECLASSIFICATION
NE corner of Joppa and Hines Roads
11th District
Herbert Kishner - Petitioner
NO. 75-58-R (Item No. 9)

* BEFORE THE
* DEPUTY CLERK
* COMMISSIONER
* CF
* BALTIMORE COUNTY

APPEAL

Mr. Commissioner:

Now comes Herbert Kishner, Petitioner, by Myles F. Friedman, his attorney, and asks that an Appeal to the County Board of Appeals be granted from the decision of the Deputy Zoning Commissioner of Baltimore County under date of October 24, 1974, and that all of the necessary papers and documents be forwarded to the County Board of Appeals.

NOV 19 74 PM



Myles F. Friedman
215 Dunkirk Building
Baltimore, Maryland 21222
284-6060
Attorney for Petitioner

October 24, 1974

Myles F. Friedman, Esquire
215 Dunkirk Building
Baltimore, Maryland 21222

RE: Petition for Reclassification
NE corner of Joppa and Hines Roads
11th District
Herbert Kishner - Petitioner
NO. 75-58-R (Item No. 9)

Dear Mr. Friedman:

I have this date passed my Order in the above captioned matter in accordance with the attached.

Very truly yours,
JAMES E. DYER
Deputy Zoning Commissioner

JED/me

Attachments

cc: Mrs. Eleanor Hunt
Zoning Chairman
Joppa Magleth Civic Association, Inc.
9933 Hilltop Drive
Baltimore, Maryland 21234

Mrs. John Buettner
Perry Hall Improvement Association, Inc.
4206 Penn Avenue
Baltimore, Maryland 21236

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 11th Date of Posting: 9/15/74

Posted for: Deputy Mgr. Sept 23, 1974 @ 10:00 A.M.

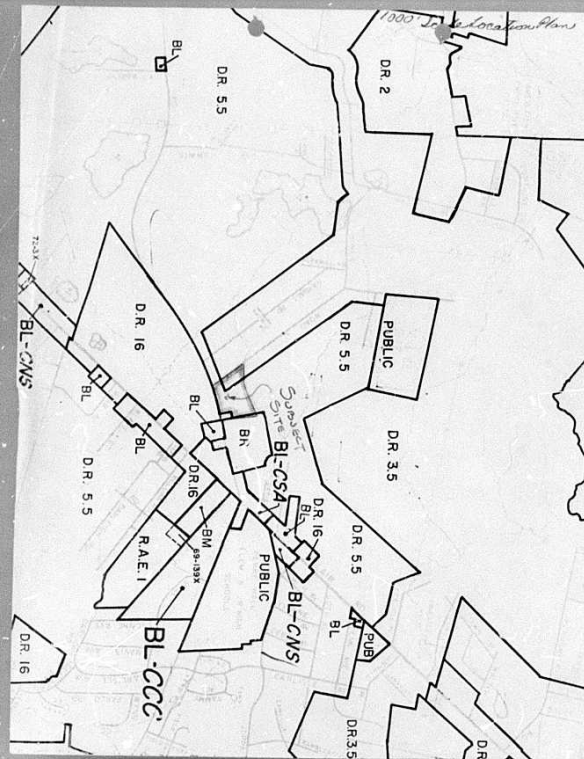
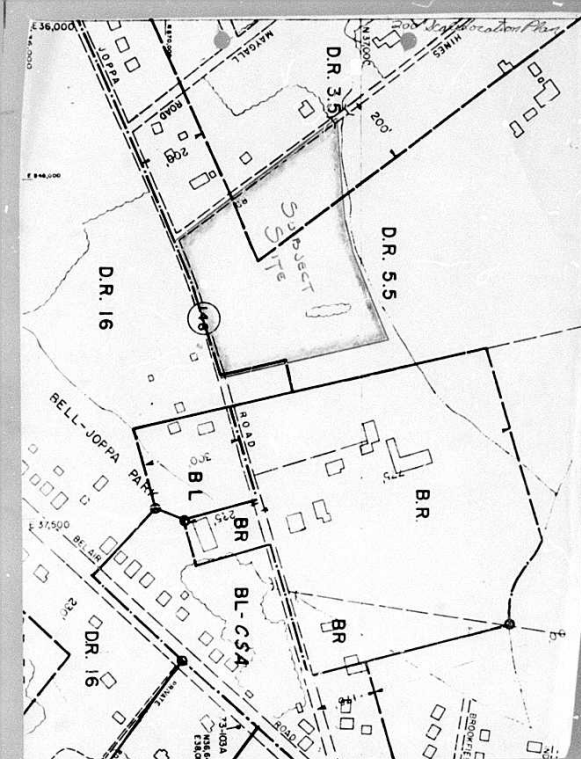
Petitioner: Herbert Kishner

Location of property: NE corner of Joppa & Hines Rd.

Location of Signs: 1 on South on Hines Rd. 1 on Joppa Rd.

Remarks: M. H. Hesse

Posted by: M. H. Hesse Date of return: 9/12/74



BALTIMORE COUNTY OFFICE OF PLANNING & ZONING
 Item 9 - 7th Cycle
 Myles F. Friedman, Esq.
 215 Dunkirk Bldg.
 Baltimore, Maryland 21222
 County Office Building
 111 W. Chesapeake Avenue
 Towson, Maryland 21204

Your Petition has been received and accepted
 for filing this _____ day of _____ 1974.

S. Eric Dinenna
 S. ERIC DINENNA,
 Zoning Commissioner

Petitioner Herbert Kishner
 Petitioner's Attorney Myles F. Friedman Reviewed by James B. Byrnes, III
 cc: M.C.A. Engineering Corp.
 1020 Crosswell Bridge Road
 Towson, Maryland 21204
 Chairman,
 Zoning Advisory Committee

BALTIMORE COUNTY, MARYLAND
 OFFICE OF FINANCE - REVENUE DIVISION
 MISCELLANEOUS CASH RECEIPT
 No. 17487

DATE February 7, 1975 ACCOUNT 01-662
 AMOUNT \$10.00

WHITE - CASHIER
 Myles F. Friedman, Esq.
 Cost of Posting Property of Herbert Kishner for an Appeal
 Hearing
 NE/corner of Joppa and Hines Roads - 11th Election Dis-
 trict
 Case No. 75-58-R (Item No. 9)

DISTRIBUTION
 PINK - AGENT
 YELLOW - CUSTOMER

BALTIMORE COUNTY, MARYLAND
 OFFICE OF FINANCE - REVENUE DIVISION
 MISCELLANEOUS CASH RECEIPT
 No. 17158

DATE November 25, 1974 ACCOUNT 01-662
 AMOUNT \$70.00

WHITE - CASHIER
 Myles F. Friedman, Esq.
 Cost of Filing of an Appeal on Case No. 75-58-R (Item
 No. 9)
 NE/corner of Joppa and Hines Roads - 11th Election Dis-
 trict
 Herbert Kishner - Petitioner

DISTRIBUTION
 PINK - AGENT
 YELLOW - CUSTOMER

PETITION MAPPING PROGRESS SHEET

FUNCTION	Wall Map		Original		Duplicate		Tracing		200 Sheet	
	date	by	date	by	date	by	date	by	date	by
Descriptions checked and outline plotted on map										
Petition number added to outline										
Denied										
Granted by ZC, BA, CC, CA										
Reviewed by: _____					Revised Plans: Change in outline or description _____ Yes _____ No					
Previous case: <u>NBC</u>					Map # _____					

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING
 County Office Building
 111 W. Chesapeake Avenue
 Towson, Maryland 21204

Your Petition has been received * this 28 day of MARCH 1974. Item # _____

S. Eric Dinenna
 S. ERIC DINENNA
 Zoning Commissioner

Petitioner HERBERT KISHNER Submitted by M. M. FRIEDMAN
 Petitioner's Attorney M. M. FRIEDMAN Reviewed by NBC

* This is not to be interpreted as acceptance of the Petition for assignment of a hearing date.

SEVEN COURTS DECLARATION OF COVENANTS,
 CONDITIONS AND RESTRICTIONS

THIS DECLARATION made this _____ day of _____ 1974, by HERBERT KISHNER, a resident of Baltimore County, Maryland, t/a Seven Courts Development Company, hereinafter referred to as "Declarant".

WITNESSETH:

WHEREAS, Declarant is the owner of certain land located in the 11th Election District of Baltimore County, Maryland and being more particularly shown on Plats 1, 2 and 3 of "Seven Courts", recorded among the Plat Records of Baltimore County in Liber E.H.R. Jr. No. _____, folio _____; and

WHEREAS, Declarant desires to convey the said land, or parts thereof, and improvements thereon subject to certain protective covenants, conditions, restrictions, reservations, liens and charges as hereinafter set forth.

NOW, THEREFORE Declarant hereby declares that all of the aforesaid land and any improvements now or hereafter erected thereon shall be held, sold and conveyed subject to the following easements, restrictions, covenants and conditions, which are for the purpose of enhancing the value, desirability and attractiveness of said properties. Said easements, restrictions, covenants and conditions, and all charges and liens created or imposed pursuant hereto, shall run with the land and shall be binding upon all persons hereafter having or acquiring any right, title or interest in the described properties or any part thereof, and shall inure to the benefit of each owner of any part thereof.

DHP:pmo
 2:5/10/74
 202CT-01

ARTICLE I
 DEFINITIONS

Section 1. "Association" shall mean and refer to Seven Courts Association, Inc., a Maryland corporation without capital stock, its successors and assigns.

Section 2. "Properties" shall mean and refer to that certain real property hereinbefore described, and such additions thereto as may hereafter be brought within the jurisdiction of the Association.

Section 3. "Common Areas" shall mean all real property owned by the Association for the common use and enjoyment of the members of the Association, including any area denoted as "Recreation Area" on the aforesaid record plats.

Section 4. "Lot" shall mean and refer to any plot of land shown within any recorded subdivision plat of the Properties with the exception of the Common Area, and shall include any condominium unit, unless otherwise expressed. The term "improved Lot" shall mean a Lot on which a completed dwelling exists.

Section 5. "Unit" shall mean and refer to any condominium unit in any horizontal property regime on the Properties.

Section 6. "Member" shall mean and refer to every person or entity who holds membership in the Association.

Section 7. "Owner" shall mean and refer to the record owner, whether one or more persons or entities, of a fee simple title to any Lot which is a part of the Properties, but excluding those having such interest as security for the performance of an obligation.

DHP:pmo
 5/28/74
 202-03

Section 8. "Declarant" shall mean and refer to Herbert Kishner, his personal representatives and his successors and assigns, if such successors or assigns should acquire more than one undeveloped Lot from the Declarant for the purpose of development.

ARTICLE II
 ANNEXATION OF ADDITIONAL PROPERTIES

Section 1. Annexation of additional property shall require the assent of two-thirds (2/3) of the Class A members and two-thirds (2/3) of the Class B members, if any, at a meeting duly called for this purpose, written notice of which shall be sent to all members not less than fifteen (15) days nor more than sixty (60) days in advance of the meeting setting forth the purpose of the meeting. The presence of members or of proxies entitled to cast sixty percent (60%) of the votes of each class of membership shall constitute a quorum. If the required quorum is not forthcoming at any meeting, another meeting may be called, subject to the notice requirement set forth above, and the required quorum at such subsequent meeting shall be one-half of the required quorum of the preceding meeting. In the event that two-thirds (2/3) of the Class A membership or two-thirds (2/3) of the Class B membership are not present in person or by proxy, members not present may give their written assent to the action taken thereat.

Section 2. If within five (5) years of the date of incorporation of the Association, the Declarant should develop additional lands within the area shown on the Development Plan for Seven Courts approved by Baltimore County, Maryland,

or contiguous thereto such additional lands may be annexed to said Properties without the assent of the Class A members; provided, however, that the development of the additional lands described in this section shall be in accordance with a general plat submitted to the Federal Housing Administration ("FHA") and the Veterans Administration ("VA") with the processing papers for the first section. For any additional land not shown on the general plat, development shall be similar in nature to that shown on the general plat. Detailed plans for the development of additional lands must be approved by the FHA and/or the VA prior to such development if the Declarant desires to make FHA and/or VA financing available to buyers of homes on said additional lands. As used herein, the word "contiguous" shall include land separated from the Properties only by an easement or right of way.

ARTICLE III MEMBERSHIP

Section 1. Every person or entity who is a record owner of a fee or undivided interest in any Lot which is subject by covenants of record to assessment by the Association shall be a member of the Association, except for owners of condominium units. The foregoing is not intended to include persons or entities who hold an interest as security for the performance of any obligation. No owner shall have more than one membership for each lot owned as described above. Membership shall be appurtenant to and may not be separated from ownership of any Lot which is subject to assessment by the Association. Ownership of such lot shall be the sole qualification for membership.

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Section 2. Declarant intends to develop portions of the Properties under the condominium form of ownership, pursuant to which the condominium unit owners shall be the members of a council of co-owners. Declarant's present intention is to utilize the condominium form of ownership for Parcels E and F on Plat 1, and Parcels D and E on Plat 2. Said council shall be responsible for certain aspects of the management and operation of the condominium regime, as provided by Article 21, Title 11, of the Annotated Code of Maryland (1973 Repl. Vol.), as amended from time to time. In order to coordinate the operation of said condominium regime with the operation of the remainder of Declarant's development of the Properties, the council of co-owners of the condominium regime shall be a special Class A member of the Association. The owners of individual condominium units shall have only a derivative membership in the Association, and shall not be entitled to vote as members of the Association. By virtue of their derivation membership, each condominium unit owner shall be entitled to all rights and privileges hereinafter conferred upon Class A members, except for the right to vote and to receive notices.

ARTICLE IV VOTING RIGHTS

The Corporation shall have two classes of voting membership:

(a) **Class A.** Class A members shall be all those owners with the exception of condominium unit owners and the Declarant. Class A members shall be entitled to one vote for

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each lot in which they hold the interest. When more than one person holds such interest in any Lot, all such persons shall be members. The vote for such lot shall be exercised as they among themselves determine, but in no event shall more than one vote be cast with respect to any lot. The council of co-owners of any condominium regime on the Properties shall be a special Class A member, having one vote for each condominium unit occupied.

(b) **Class B.** The Class B Member shall be Declarant. The Class B Member shall be entitled to three (3) votes for each unsold Lot and Unit owned by it. The Class B membership applicable to the Properties (as constituted at the time of occurrence of the earlier of the two hereinafter referenced events) shall cease and automatically be converted to Class A membership on the happening of either of the following events, whichever occurs earlier:

(a) when the total votes outstanding in the Class A membership equal to the total votes outstanding in the Class B membership; or

(b) on December 31, 1978, which date shall be subject to extension until the date on which 75% of the dwelling units proposed to be constructed on the Properties have been completed and transferred to Class A Members.

ARTICLE V PROPERTY RIGHTS

Section 1. Members' Easements of Enjoyment. Every member shall have a right and easement of enjoyment in and to

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5/28/74
202-07

the Common Area and such easement shall be appurtenant to and shall pass with the title to every Lot, subject to the following provisions:

(a) the right of the Association to charge reasonable admission and other fees for the use of any recreational facility situated upon the Common Area;

(b) The right of the Association, in accordance with its Articles and By-Laws, to borrow money for the purpose of improving the Common Area and facilities and in aid thereof to mortgage said property, and the rights of such mortgagee in said properties shall be subordinate to the rights of the homeowners hereunder;

(c) the right of the Association to suspend the voting rights and right to use of the recreational facilities by a member for any period during which any assessment against his Lot remains unpaid, and for a period not to exceed sixty (60) days for any infraction of its published rules and regulations;

(d) the right of the Association to dedicate or transfer all or any part of the Common Area to any public agency, authority, or utility for such purposes and subject to such conditions as may be agreed to by the members. No such dedication or transfer shall be effective unless an instrument signed by members entitled to cast two-thirds (2/3) of the votes of the membership has been recorded, agreeing to such dedication or transfer and unless written notice of the proposed action is sent to every member not less than

-7-

thirty (30) days nor more than sixty (60) days in advance; and

(e) the right of the individual member to the exclusive use of parking spaces as set aside for parking.

Section 2. Delegation of Use. Any member may delegate, in accordance with the By-Laws, his right of enjoyment to the Common Area and facilities to the members of his family, his tenants, or contract purchasers who reside on his Lot.

Section 3. Title to the Common Area. The Declarant hereby covenants for himself, his heirs and assigns, that he will convey fee simple title to the Common Area to the Association, free and clear of any superior encumbrances and liens, but subject to easements, covenants and conditions herein or recorded prior hereto and subject to easements for utilities and other public purposes regardless of when recorded, as may be required in the orderly development of the Properties.

Section 4. Parking Rights. Ownership of each Lot shall entitle the owner or owner thereof to the use of automobile parking spaces, which shall be as near and convenient of said Lot as reasonably possible, together with the right of ingress and egress in and upon parking areas. The Development Plan for the Properties will provide an average of two (2) parking spaces for each Lot.

ARTICLE VI. COVENANTS FOR MAINTENANCE ASSESSMENTS

Section 1. Creation of the Lien and Personal Obligations of Assessments. The Declarant, for each Lot owned within

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HP:pmo
5/28/74
202-09

the Properties, hereby covenants, and each Owner of any Lot (whether in fee or leasehold) by acceptance of a deed therefor, whether or not it shall be so expressed in any such deed or other conveyance, is deemed to covenant and agree to pay to the Association: (1) annual assessments or charges, and (2) special assessments for capital improvements, such assessments to be fixed, established and collected from time to time as hereinafter provided. The annual and special assessments, together with such interest thereon and costs of collection thereof, as hereinafter provided, shall be a charge and a continuing lien upon the Lot against which each such assessment is made. Each such assessment, together with such interest, costs and reasonable attorney's fees shall also be the personal obligation of the person who was the owner of such Lot at the time when the assessment fell due. With respect to each Unit the Association may collect the assessment directly from the Unit Owner or may look to the condominium council of co-owners to collect the same and pay it over to the Association. Notwithstanding the foregoing, no Lot owned by the Class B Member shall be subject to any assessment so long as the Lot is unimproved or any improvements thereon have not been completed.

Section 2. Purpose of Assessment. The assessments levied by the Association shall be used exclusively for the purpose of promoting the recreation, health, safety and welfare of the residents in the Properties (including administrative and overhead expense) and in particular for the improvement and maintenance of the Properties, services, and facilities devoted to this purpose and related to the use and enjoyment of the Common Area, and of the homes situated upon the Properties.

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DHF:pmo
2:5/30/74
202CT-02

Section 3. Maximum Annual Assessment. Until January 1 of the year immediately following the conveyance of the first Lot or Unit to an Owner other than Declarant, the maximum annual assessment shall be three hundred dollars (\$300.00) per Lot or Unit; except that the maximum annual assessment for each improved Lot or completed Unit owned by the Declarant shall at all times be ten percent (10%) of the maximum annual assessment applicable to Class A Members.

(a) From and after January 1 of the year immediately following the conveyance of the first Lot or Unit to an Owner other than Declarant, the maximum annual assessment applicable to each Lot and Unit may be increased not more than the "Maximum Percentage" (as defined below) above the maximum annual assessment applicable to each such Lot or Living Unit for the previous month without a vote of the membership. The "Maximum Percentage" for any year shall be the greater of (i) three percent (3%) or (ii) two percent (2%) above the percentage of increase in the Consumer Price Index (1967-100), All Items, Baltimore, as published by the Bureau of Labor Statistics of the United States Department of Labor, or its successor, in the report most current on the first day of such year as compared to the report most current on the first day of the preceding year. (If the aforesaid Index shall be discontinued, there shall be substituted therefor such other comparable index as may be furnished by the United States Government for Baltimore.)

(b) From and after January 1 of the year immediately following the conveyance of the first Lot or Unit to an Owner other than Declarant, the maximum annual assessment applicable to each Lot and Unit may be increased more than the

-10-

HP:pmo
5/28/74
02A-01

"Maximum Percentage" above the maximum annual assessment by affirmative vote of two-thirds (2/3) of those members who are voting in person or by proxy at a meeting duly called for this purpose; provided, however, that no increase under this paragraph (b) shall be made prior to the expiration of three (3) years from the preceding increase under this paragraph (b).

(c) The Board of Directors may fix the annual assessment at an amount not in excess of the maximum annual assessment permitted.

Section 4. Special Assessments for Capital Improvements. In addition to the annual assessments authorized above, the Association may levy in any assessment year, a special assessment applicable to that year only, for the purpose of defraying, in whole or in part, the cost of any construction or reconstruction, unexpected repair or replacement of a capital improvement upon the Common Area, including the necessary fixtures and personal property related thereto, provided that, any such assessment shall have the assent of two-thirds (2/3) of the members who are voting in person or by proxy at a meeting duly called for this purpose, written notice of which shall be sent to all members not less than thirty (30) days nor more than sixty (60) days in advance of the meeting setting forth the purpose of the meeting.

Section 5. Both annual and special assessments must be fixed at a uniform rate for all Lots and Units in accordance with Section 3 above, and may be collected on a monthly or less frequent basis as the Board of Directors may determine.

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Section 6. Quorum for any Action Authorized Under Sections 3 & 4. At the meeting called, as provided in Sections 3 and 4 hereof, the presence at the meeting of members or of proxies entitled to cast sixty percent (60%) of all votes shall constitute a quorum. If the required quorum is not forthcoming at any meeting, another meeting may be called, subject to the notice requirements set forth in Sections 3 and 4, and the required quorum at any such subsequent meeting shall be one-half (1/2) of the required quorum at the preceding meeting. No such subsequent meeting shall be held more than sixty (60) days following the preceding meeting.

Section 7. Date of Commencement of Annual Assessments:
Due Dates. The annual assessments provided for herein shall commence as to all Lots owned by Class A Members and all Units on the first day of the month following the conveyance of the Common Area. The first annual assessment shall be adjusted according to the number of months remaining in the calendar year. The Board of Directors shall fix the amount of the annual assessment against each Lot at least thirty (30) days in advance of each annual assessment period. Written notice of the annual assessment shall be sent to every Owner subject thereto. The due dates shall be established by the Board of Directors. The Association shall, upon demand, and for a reasonable charge, furnish a certificate signed by an officer of the Association setting forth whether the assessments on a specified Lot or Unit have been paid.

Section 8. Effect of Nonpayment of Assessments:
Remedies of the Association. Any assessments which are not paid when due shall be delinquent. The assessment shall

-12-

negligent act of the Owner, his family or guests or invitees, and if such maintenance or repair is not made within thirty (30) days after notice to maintain or repair is sent by the Board of Directors, the Board of Directors may cause such maintenance or repair to be performed. The costs of such maintenance or repair shall be added to and become a part of the assessment to which such Owner's Lot is subject. The Board of Directors, through its officers or agents, shall have the right to enter upon such Lot to perform maintenance or repairs, without incurring any liability therefor.

ARTICLE X USE RESTRICTIONS

Section 1. No property shall be used except for residential purposes, or for professional offices, or for a builder's construction or sales office, trailers and/or compound during the construction and sales period.

Section 2. No building, accessory building or structure, shed, awning, porch or porch covering, garage, trailer, tent, driveway, back fence, hedge, screen, barn, walls or other structure shall be allowed, constructed or altered upon any Lot or dwelling thereon without the plans and specifications of such having been approved by the Architectural Control Committee as to quality of workmanship, design, colors and materials and harmony of same to the project as a whole. No structure built upon any Lot shall have any part of the exterior (including front door and trim) painted unless the proposed color thereof has been approved by the said Architectural Control Committee.

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bear interest from the date of delinquency at the rate of eight percent (8%) per annum, and the Association may bring an action at law against the Owner personally obligated to pay the same or foreclose the lien against such Owner's Lot, and interest, costs and reasonable attorney's fees or any such action shall be added to the amount of such assessment. No Owner may waive or otherwise escape liability for the assessments provided for herein by nonuse of the Common Area or abandonment of his Lot, or dissatisfaction with service, construction or other matters.

Section 9. Subordination of the Lien to Mortgages.
The lien of the assessments provided for herein shall be subordinate to the lien of any mortgage or mortgages. Sale or transfer of any Lot shall not affect the assessment lien. However, the sale or transfer of any Lot which is subject to any mortgage, pursuant to a decree of foreclosure under such mortgage or any proceedings in lieu of foreclosure thereof, shall distinguish the lien of such assessments as to payment thereof which became due prior to such sale or transfer shall relieve such Lot from liability for any assessment thereafter becoming due or from the lien thereof.

Section 10. Exempt Property. The following property subject to this Declaration shall be exempt from the assessments created herein: (a) all properties dedicated to and accepted by a local public authority; (b) the Common Area; and (c) any Lot owned by a charitable or nonprofit organization exempt from taxation by the laws of the State of Maryland, unless such Lot is used for dwelling purposes.

ARTICLE VII PARTY WALLS

Section 1. General Rules of Law to Apply. Each wall which is built as a part of the original construction of the

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Section 3. No fence, wall or walls or other similar type structure shall be allowed except those approved by the Architectural Control Committee.

Section 4. No fence, wall, hedge or shrub over three feet high shall be allowed to be erected, planted or constructed upon any Lot which is located at the intersection of two streets; the purpose of such covenant being to avoid obstruction of view at such intersections.

Section 5. No exterior clothesline or hanging device (except an umbrella-type structure with a diameter not exceeding seven feet (7') for use in rear of dwellings only) shall be allowed upon any Lot. Such hanging devices as are permissible shall not be displayed except on weekdays between the hours of 8 a.m. and 6 p.m.

Section 6. Storm doors shall be either wood (in which case the same shall be painted the color of the door or trim), or anodized aluminum.

Section 7. No dwelling shall be permitted upon any Lot having a ground floor area of less than 400 square feet in case of a dwelling consisting of two stories, or 800 square feet in case of a dwelling consisting of one story.

Section 8. No roof-top television antenna shall be permitted. Such antennas will be permitted for amateur radio activities exclusively. Any resident wishing to install such an antenna must submit plans for same to the Architectural Control Committee. The plans shall show proposed location, height and configuration of the equipment. The applicant shall also present affidavits from all Lot owners within two hundred feet (200 ft.) of his Lot stating that they have no objections to such installation.

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homes upon the Properties and placed on the dividing line between the Lots shall constitute a party wall, and, to the extent not inconsistent with the provisions of this Article, the general rules of law regarding party walls and liability for property damage due to negligence or willful acts or omissions shall apply thereto.

Section 2. Sharing of Repair and Maintenance. The cost of reasonable repair and maintenance of a party wall shall be shared by the Owners who make use of the wall in proportion to such use.

Section 3. Destruction by Fire or Other Casualty.
If a party wall is destroyed or damaged by fire or other casualty, any Owner who has used the wall may restore it, and if other Owners thereafter make use of the wall, they shall contribute to the cost of restoration thereof in proportion to such use, without prejudice, however, to the right of any such Owners to call for a larger contribution from the Owners under any rule of law regarding liability for negligent or willful acts or omissions.

Section 4. Weatherproofing. Notwithstanding any other provision of this Article, an Owner who by his negligent or willful act causes a party wall to be exposed to the elements shall bear the whole cost of furnishing the necessary protection against such elements.

Section 5. Right to Contribution Runs with Land. The right of any Owner to contribution from any other Owner under this Article shall by appurtenant to the land and shall pass to such Owner's successors in title.

-14-

Section 9. No boats on cradles or trailers may be parked in streets, driveways, yards or common parking areas for more than twenty-four (24) hours provided, however, that the Association may designate a specific place which shall be adequately screened from nearby residences for such parking.

Section 10. No vehicles (including trailers and campers), except as may be classified as passenger cars or station wagons, shall be regularly parked in residential areas.

Section 11. No noxious or offensive activities shall be carried on upon any Lot, nor shall anything be done thereon which may be or may become an annoyance or nuisance to the neighborhood.

Section 12. During the construction and sales period no signs may be displayed except those erected by Declarant. Thereafter, no signs exceeding two square feet shall be displayed.

Section 13. No animals, livestock or poultry of any kind shall be raised, bred, or kept on any Lot, except that dogs, cats or other household pets may be kept provided that they are not kept, bred or maintained for a commercial purpose.

Section 14. No Lot shall be used or maintained as a dumping ground for rubbish. Trash, garbage or other waste shall not be kept except in sanitary containers. All incinerators or other equipment for the storage or disposal of such material shall be kept in a clean and sanitary condition.

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Section 6. Arbitration. In the event of any dispute arising concerning a party wall, or under the provisions of this Article, each party shall choose one arbitrator and such arbitrators shall choose one additional arbitrator, and a binding decision shall be by a majority of all the arbitrators.

ARTICLE VIII ARCHITECTURAL CONTROL

No building, fence, wall or other structure shall be commenced, erected or maintained upon the Properties, nor shall any exterior addition to, or change or alteration or improvement, including change of colors, wherein or thereon, be made until the plans and specifications showing the nature, kind, shape, height, materials, color and location of the same have been submitted to and approved in writing as to harmony of external design and location in relation to surrounding structures and topography of the Board of Directors of the Association or by an architectural committee composed of three (3) or more representatives appointed by the Board; provided, however, that any owner may erect a privacy screening wall for a distance of not more than ten feet (10') along the side boundaries of the rear yard of his Lot. In the event said Board, or its designated committee, fails to approve or disapprove such design and location within thirty (30) days after said plans and specifications have been submitted to it, approval will not be required and this Article will be deemed to have been fully complied with. This Article shall not apply to the Class A Member.

ARTICLE IX SPECIAL MAINTENANCE

In the event that there is an obvious need for maintenance or repair which is caused through the willful or

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ARTICLE XI EASEMENTS

Easements for installation and maintenance of utilities and drainage facilities and for other public purposes and access to all property are reserved as shown on the recorded plats of the project or as may be or may have been required, necessary or desirable to be recorded or given prior to the date hereof or subsequent hereto. Within these easements, no structure planting or other materials shall be placed or permitted to remain which may damage or interfere with the installation and maintenance of utilities or access to the property subject to such easements. Such easement may contain rights of ingress and egress. The Declarant shall have rights of ingress and egress to all lots in a section until one (1) year after the completion of all units in such section for purposes of correcting drainage and other construction problems that may have occurred.

ARTICLE XII GENERAL PROVISIONS

Section 1. Enforcement. The Association or any Owner shall have the right to enforce, by any proceeding at law or in equity, all restrictions, conditions, covenants, reservations, liens and charges now or hereafter imposed by the provisions of this Declaration. Failure by the Association or by any Owner to enforce any covenant or restriction herein contained shall in no event be deemed a waiver of the right to do so thereafter.

Section 2. Severability. Invalidity of any one of these covenants or restrictions by judgment or court order shall in no way affect any other provisions, all of which shall remain in full force and effect.

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Section 6. Non-applicability to Other Property. The covenants, conditions and restrictions set forth herein shall apply only to the property described hereinabove, and shall create no rights benefits, burdens or obligations with respect to any other property owned by Declarant, his personal representatives, successors or assigns.

IN WITNESS WHEREOF, the Declarant has hereunto set his hand and seal on the day and year first above written.

WITNESS:

Elphie M. Gull *Herbert Kishter* (SEAL)
HERBERT KISHTER, t/a Seven
Courts Development Company

STATE OF MARYLAND, OF BALTIMORE, TO WIT:

I HEREBY CERTIFY, that on this 30th day of May, 1974, before me, the subscriber, a Notary Public of the State aforesaid, personally appeared Herbert Kishter, and he acknowledged the foregoing Declaration to be his act.

AS WITNESS my hand and Notarial Seal.

Elphie M. Gull
Notary Public

My Commissions Expires:

My commission expires July 1, 1974.

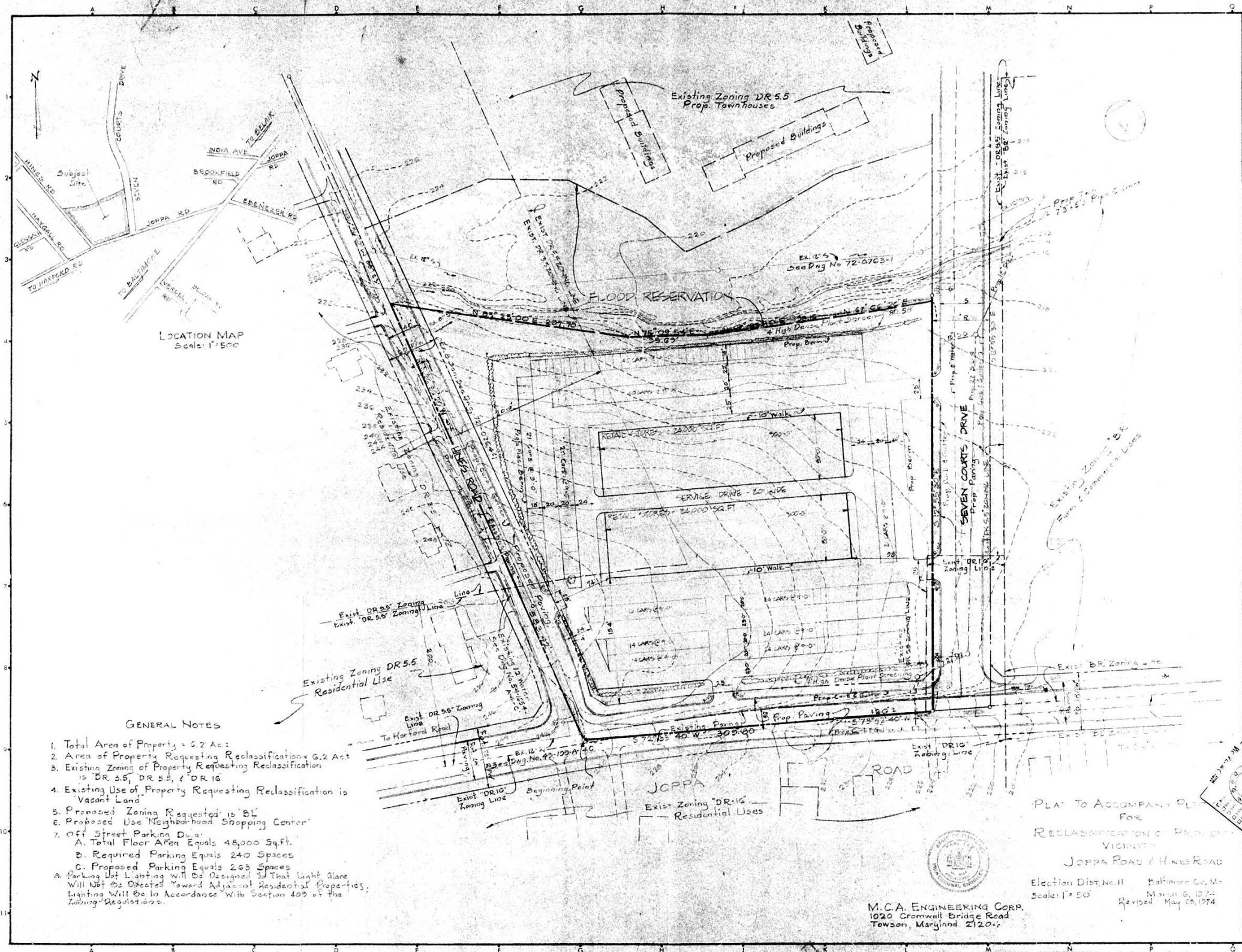
REVIEWED FOR BALTIMORE COUNTY
REQUIREMENTS

Sarah Kelly
ASSISTANT COUNTY SOLICITOR

Section 3. Amendment. The covenants and restrictions of this Declaration shall run with and bind the land, and shall inure to the benefit of and be enforceable by the Association, or the Owner of any Lot subject to this Declaration, their respective legal representatives, heirs, successors and assigns, for a term of twenty (20) years from the date this Declaration is recorded, after which time said covenants shall be automatically extended for successive periods of ten (10) years. The covenants and restrictions of this Declaration may be amended during the first twenty (20) year period by an instrument signed by not less than ninety percent (90%) of the Lot Owners, and thereafter by an instrument signed by not less than seventy-five percent (75%) of the Lot Owners. So long as there is a Class B Member of the Association, this Declaration may not be amended, nor may any additional restrictions or controls be imposed upon the Properties or any part thereof, without the consent of the Class B Member.

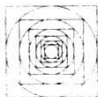
Section 4. FHA/VA Approval. As long as there is a Class B membership the following actions will require the prior approval of the Federal Housing Administration or the Veterans Administration: Annexation of additional properties (if Declarant elects to make FHA or VA financing available in said additional properties), dedication of Common Area and amendment of this Declaration of Covenants, Conditions and Restrictions.

Section 5. Deeds of Trust. The use herein of the word "mortgage" shall be deemed to mean a deed of trust where such security instrument is used in lieu of or instead of a mortgage.

[illegible]

**Seven
Courts
Development
Company**

Mayers and D'Aleci, Inc.
Architects and Planners
Suite 903, Mercantile Bank and Trust Building
11500000, Rogers, Oklahoma, 74401-2000

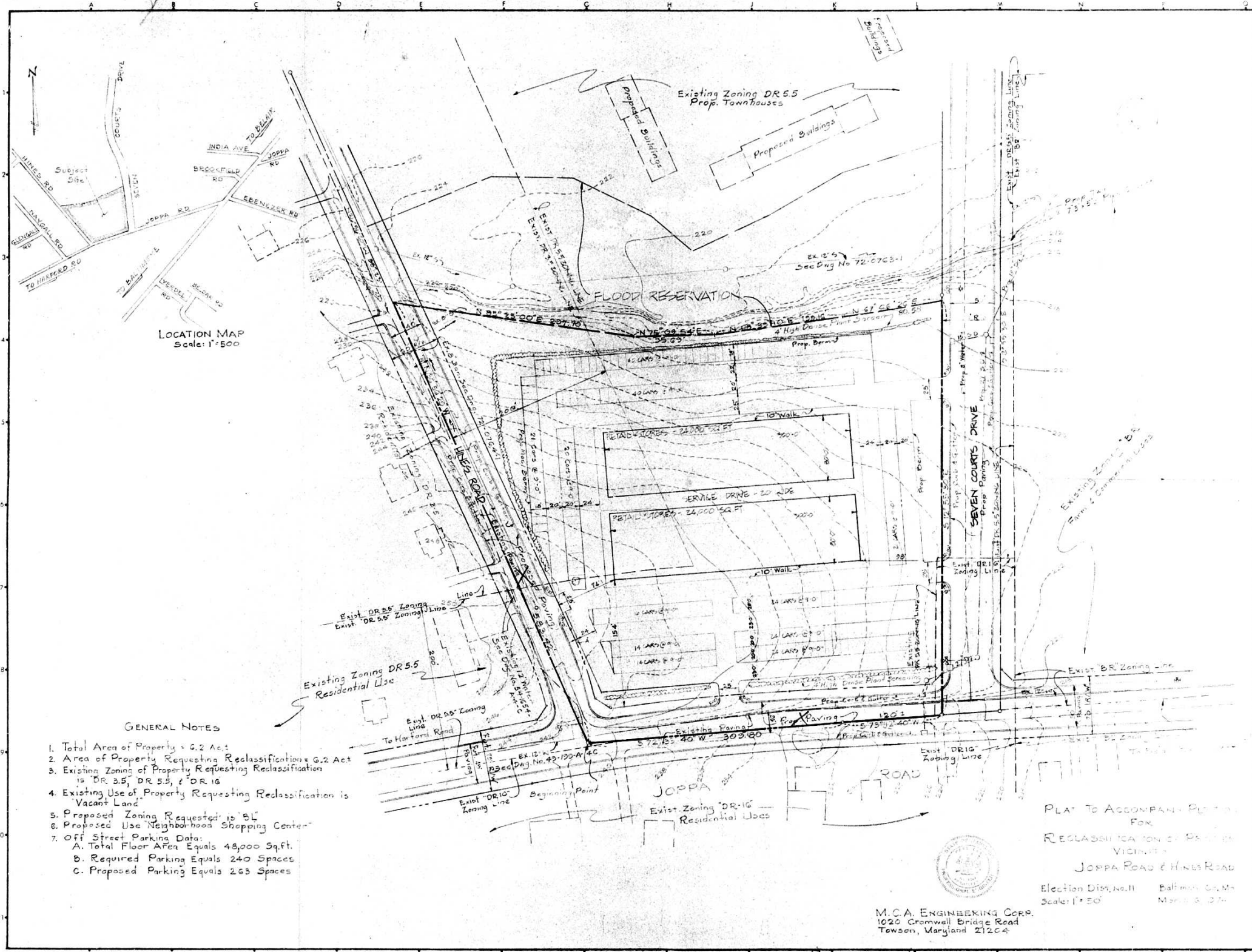


**Seven
Courts
Village
Center**



ZONING
REGULASS = CATION

Project	74007
Scale	1" = 50'-0"
Date	2-22-76
Last Rev	



LOCATION MAP
Scale: 1"=500'

GENERAL NOTES

1. Total Area of Property = 6.2 Ac.
2. Area of Property Requesting Reclassification = 6.2 Ac.
3. Existing Zoning of Property Requesting Reclassification is DR 3.5, DR 5.5, & DR 16
4. Existing Use of Property Requesting Reclassification is "Vacant Land"
5. Proposed Zoning Requested is "BL"
6. Proposed Use Neighborhood Shopping Center
7. Off Street Parking Data:
 A. Total Floor Area Equals 48,000 Sq.ft.
 B. Required Parking Equals 240 Spaces
 C. Proposed Parking Equals 263 Spaces

PLAT TO ACCOMPANY PERMITS
FOR
RECLASSIFICATION OF PROPERTY
VICINITY
JOPPA ROAD & HINES ROAD

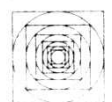
Election Dist. No. 11 Baltimore Co., Md.
Scale: 1"=50' March 3, 2014

M.C.A. ENGINEERING CORP.
1020 Cromwell Bridge Road
Towson, Maryland 21204

Revision	By	Date	Item	Ref

**Seven
Courts
Development
Company**

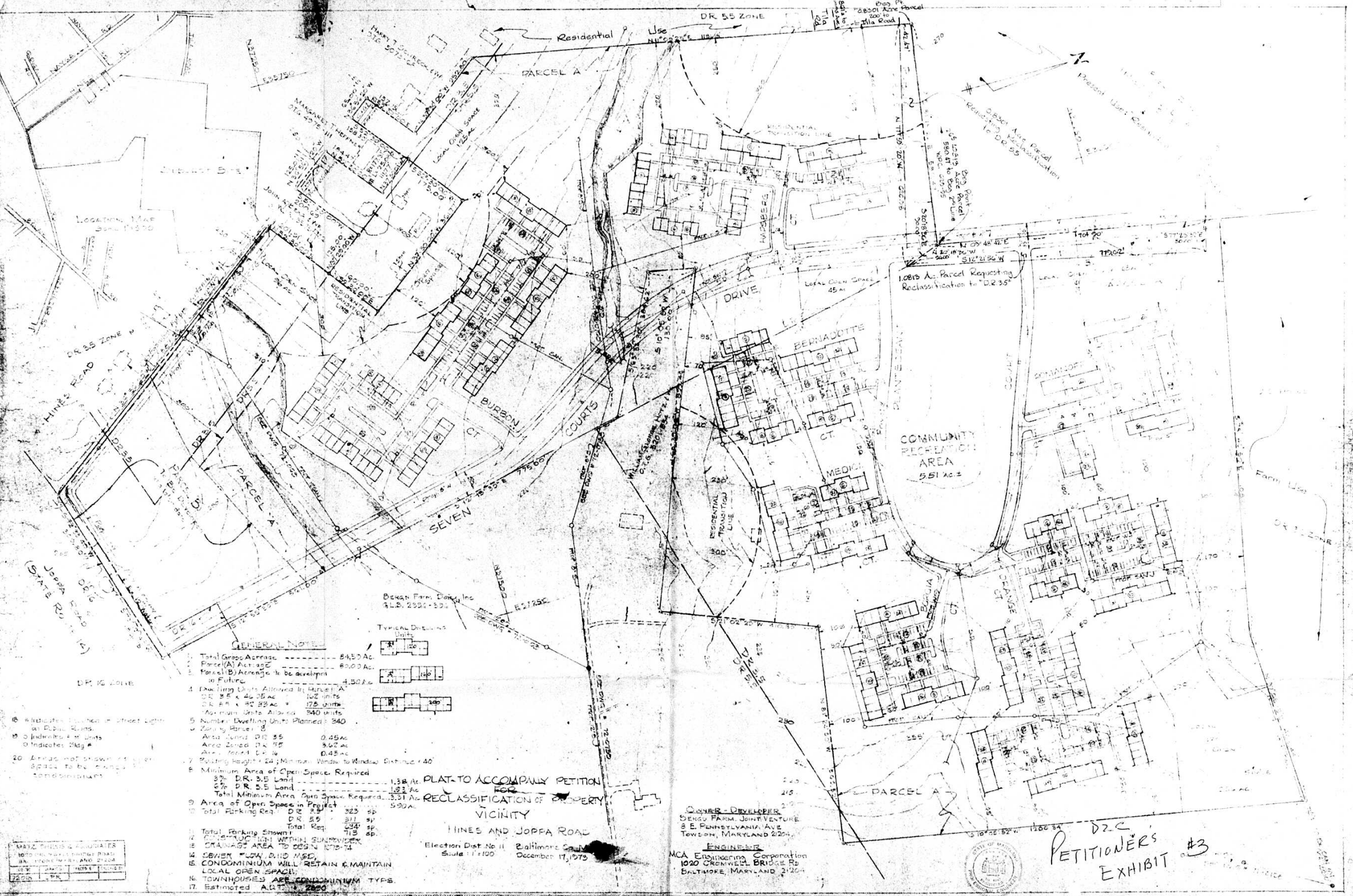
Mayers and D'Aleq, Inc.
Architects and Planners
10000 Harcourt Road and First Building
Pikesville, Maryland 21092



**Seven
Courts
Village
Center**

ZONING
RECLASSIFICATION

Project	14007
Scale	1"=50'
Date	2-22-14
Last Rev.	



- GENERAL NOTE**
1. Total Gross Acreage: 84.50 Ac.
 2. Parcel (A) Acreage: 80.00 Ac.
 3. Parcel (B) Acreage: to be developed in future: 4.50 Ac.
 4. Dwelling Units Allowed in Parcel A:
 - DR 35 x 45: 102 units
 - DR 35 x 45: 172 units
 - Maximum Units Allowed: 2740 units
 5. Number Dwelling Units Planned: 340
 6. Zoning Parcel B:
 - Area Zoned DR 35: 0.45 Ac.
 - Area Zoned DR 35: 3.62 Ac.
 - Area Zoned DR 35: 0.45 Ac.
 7. Building height: 24; Minimum Window to Window Distance: 40
 8. Minimum Area of Open Space Required:
 - 3% DR 35 Land: 1.38 Ac.
 - 5% DR 35 Land: 1.81 Ac.
 - Total Minimum Area Open Space Required: 3.19 Ac.
 9. Area of Open Space in Project: 590 Ac.
 10. Total Parking Required:
 - DR 35: 323 sp.
 - Total Req: 341 sp.
 - 713 sp.
 11. Total Parking Shown: 713 sp.
 12. General Note: All within SUBDIVISION
 13. CHANGING AREA TO DESIGN 100-14
 14. OWNER: FLOW, D.D. M.D.
 15. CONDOMINIUM WILL RETAIN & MAINTAIN LOCAL OPEN SPACE
 16. TOWNHOUSES ARE CONDOMINIUM TYPES
 17. Estimated A.C.T.: 2000

PLAT TO ACCOMPANY PETITION FOR RECLASSIFICATION OF PROPERTY VICINITY HINES AND JOPPA ROAD

Election Dist. No. 11 Baltimore County
Scale: 1"=100'
December 17, 1975

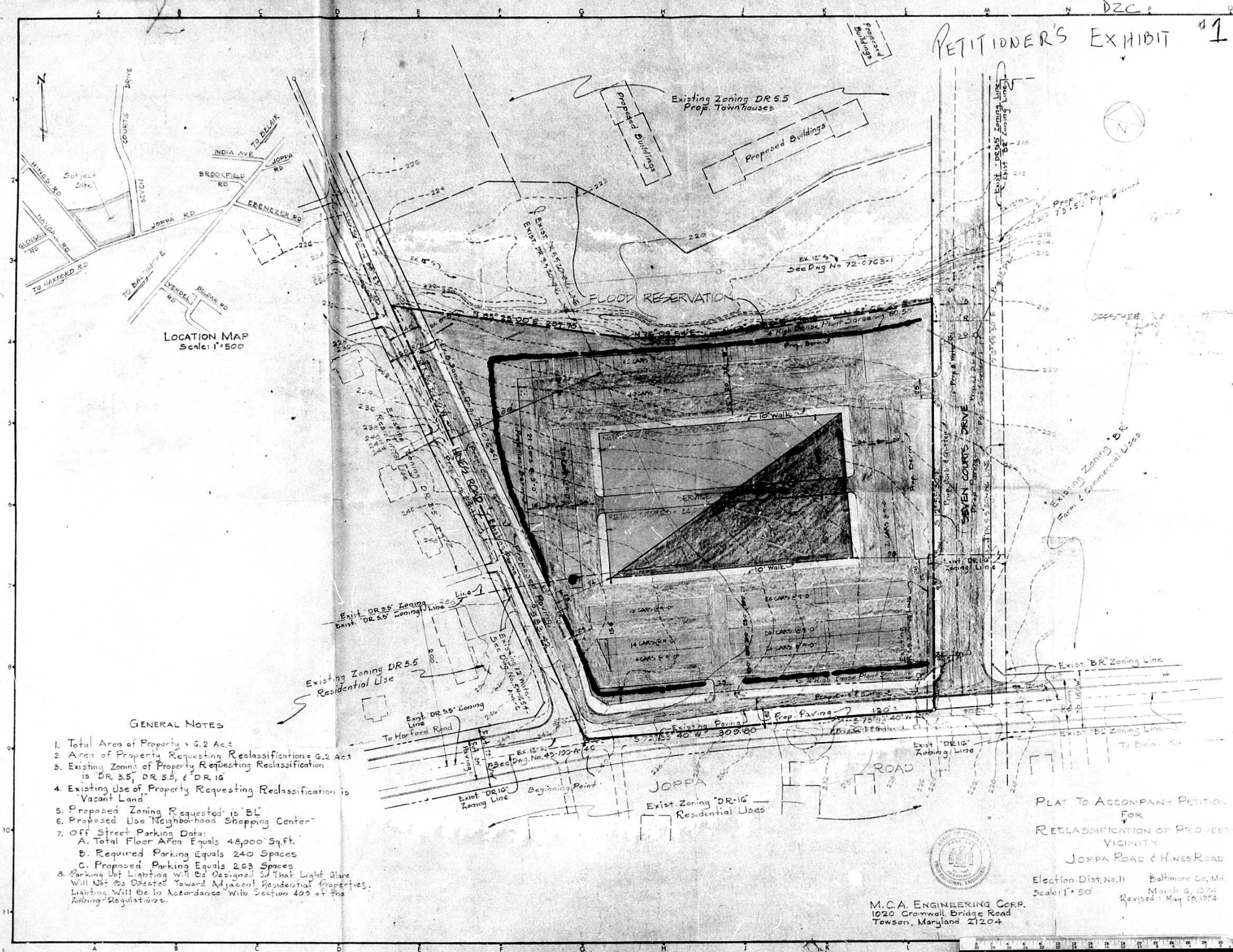
OWNER-DEVELOPER
BERG FARM JOINT VENTURE
8 E. PENNSYLVANIA AVE
TOWSON, MARYLAND 21204

ENGINEER
MCA Engineering Corporation
1020 CROMWELL BRIDGE RD
BALTIMORE, MARYLAND 21204



PETITIONER'S EXHIBIT #3

PETITIONER'S EXHIBIT #1



GENERAL NOTES

1. Total Area of Property = 6.2 Acre
2. Area of Property Requesting Reclassification = 6.2 Acre
3. Existing Zoning of Property Requesting Reclassification is DR 3.5, DR 5.5, & DR 16
4. Existing Use of Property Requesting Reclassification is Vacant Land
5. Proposed Zoning Requested is "BL"
6. Proposed Use "Neighborhood Shopping Center"
7. Off Street Parking Data:
 - A. Total Floor Area Equals 48,000 Sq.ft.
 - B. Required Parking Equals 240 Spaces
 - C. Proposed Parking Equals 263 Spaces
8. Parking Lot Lighting will be Designed so That Light Glare Will Not be Directed Toward Adjacent Residential Properties; Lighting Will be in Accordance With Section 403 of the Zoning Regulations.

M.C.A. ENGINEERING CORP.
1020 Cromwell Bridge Road
Towson, Maryland 21204

PLAT TO ACCOMPANY PETITION
FOR
RECLASSIFICATION OF PROPERTY
VICINITY
JOPPA ROAD & HINES ROAD
Election Dist. No. 11 Baltimore Co., Md.
Scale: 1" = 50' March 6, 1974
Revised: May 28, 1974

Revisions			
Rev.	Date	Item	By

Seal

Seal

Seal

Seven Courts Development Company

Mayers and D'Aleo, Inc.
Architects and Planners
1001 N. Greenleaf Ave. and 1001 N. Baking
Prophetstown, Baltimore, Maryland 21204

Seven Courts Village Center

ZONING RECLASSIFICATION

Project	Sheet
Scale	1" = 50'
Date	3-22-74
Last Rev.	

199

4-18-72

Camp for Petrolites
Seven Coats

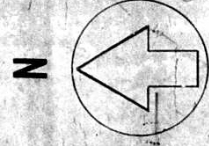
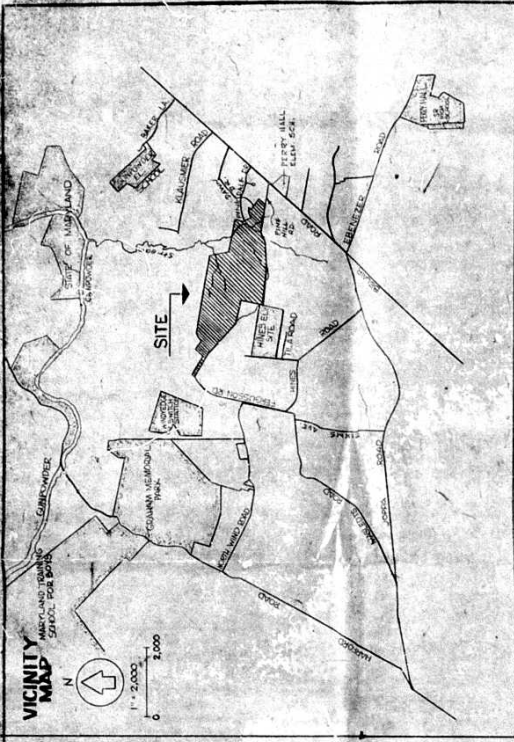
Gravel
Site

Miss Rana
Florence

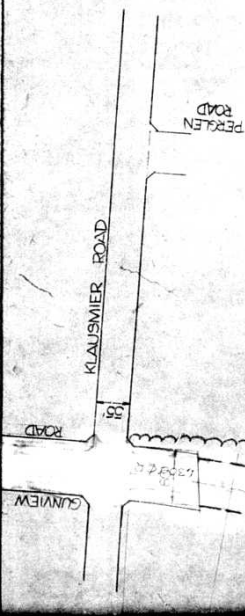
Shippin' Co.

Joe's

Road



BASE MAP	Prepared By	MD
CHECK	Check	MD
DATE	Date	10/1/77
FOUNDRY & CULTURE	Source	1. Topography & Culture 2. Additional Culture added from Real Estate Atlas of Baltimore, Maryland, 1976 Ed.
FOUNDRY & CULTURE	Source	1. Topography & Culture 2. Additional Culture added from Real Estate Atlas of Baltimore, Maryland, 1976 Ed.
FOUNDRY & CULTURE	Source	1. Topography & Culture 2. Additional Culture added from Real Estate Atlas of Baltimore, Maryland, 1976 Ed.



PRELIMINARY PLAN
 SINGLE FAMILY LOTS
 SEPTEMBER 1977

APPROVAL FOR SECTION 142

PINEDALE WOODS
 111.66 ACRES
 PINEDALE DRIVE
 ELECTION DISTRICT #111 BALTIMORE COUNTY MD

SCALE: 1" = 2000'

OWNER & DEVELOPER
 Page Corporation
 1111 Page Avenue
 Baltimore, Maryland 21202

MCA □ □ □

CONSULTING ENGINEERS
 J. J. G. & S. J. G.
 1111 Page Avenue
 Baltimore, Maryland 21202

OVERALL DENSITY, LOCAL OPEN SPACE AND PARKING SUMMARY

ZONE	GROSS ACRES	DWELLING UNITS ALLOWED	LOCAL OPEN SPACE REQUIRED PERCENT	LOCAL OPEN SPACE REQUIRED ACRES	LOCAL OPEN SPACE REQUIRED ZONES
DR-35	11.12	358/2	9%	3.84	---
DR-35	0.84	267	0%	0.03	---
TOTAL	11.96	625	---	3.87	34.5

PARKING SPACES REQUIRED - 782
PARKING SPACES PROPOSED - 782

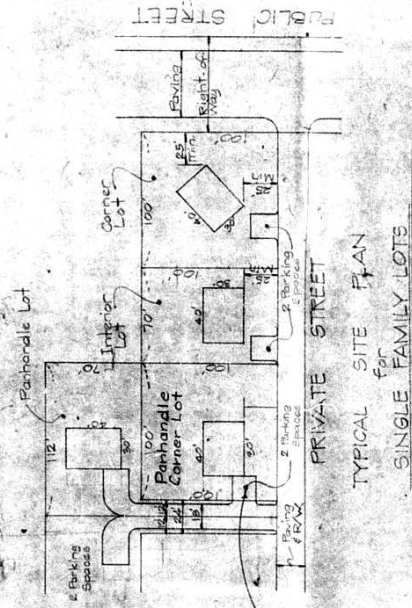
OVERALL DENSITY, LOCAL OPEN SPACE AND PARKING SUMMARY

SECTION 1/2	REMAINDER
Gross Acreage = 6390 Ac.	Gross Acreage = 4776 Ac.
No. of Dwelling Units Allowed = 22473	No. of Dwelling Units Allowed = 16716
No. of Dwelling Units Shown = 129	No. of Dwelling Units Proposed = 262
Parking Spaces Required = 258	Parking Spaces Required = 524
Parking Spaces Proposed = 256	Parking Spaces Proposed = 524
Local Open Space Required = 193	Local Open Space Required = 143
Local Open Space Proposed = 24.4	Local Open Space Proposed = 10.1

Area is easement to be improved for
parking and to provide access to open
space where parking drives are convenient
to open space.
Be dedicated where
Pinch Woods

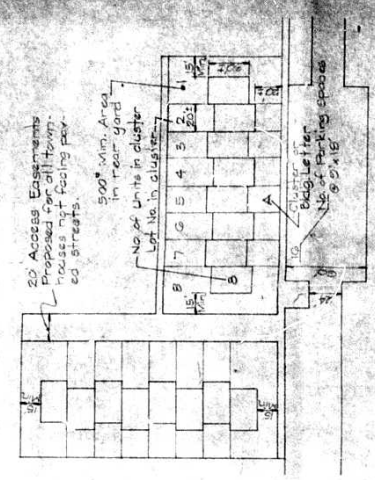
to ultimate R/W
50' of R/W to be dedicated
25' to be paved (half of ultimate 50')
20' for slopes





TYPICAL SITE PLAN
FOR
SINGLE FAMILY LOTS

1. Windows on one side of houses only when houses are closer than 40'.
2. Access easements to be imposed on parkable drives to allow adjacent lots to use parkable drives (one driveway at a time will be used). (Parkable lots extend from both private & public streets).



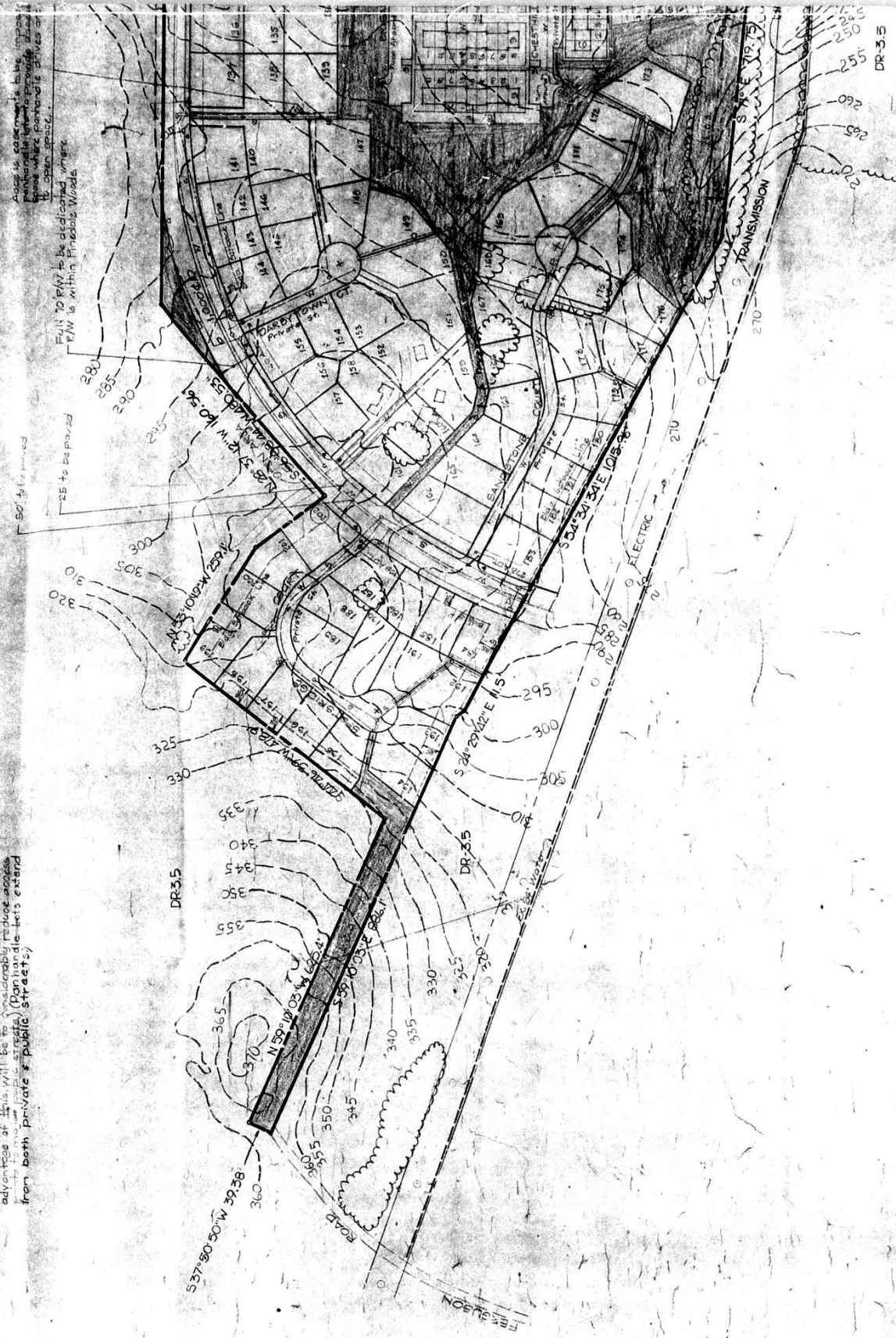
TYPICAL SITE PLAN
FOR
TOWNHOUSES

OVERALL DENSITY

ZONE	SPACES	ALL	DVE
DR-35	11,112	988	2
DR-35	0.84		
TOTAL	11,112	988	2
PARKING SPACES			
PARKING SPACES			

OVERALL DENSITY & LOSS

SECTION	1/2
Gross Acreage	63.90 A
No. of Dwelling Units	40
Net of Dwelling Units	56
Parking Spaces Required	
Parking Spaces Proposed	
Local Open Space Reserve	
Local Open Space Proposed	



- LEGEND
- Proposed Utilities Drainage
 - Stop Drain
 - Inlet
 - Endwell
 - Surface Drainage
 - Sanitary Sewer
 - Water Main
 - Water Meter
 - Fire Hydrant
 - Street light proposed by private owner
 - Street light proposed by adjacent owner

HINES ELEMENARY
SCHOOL SITE
PROPOSED SCHOOL
SITE OWNED BY
BOARD OF EDUCATION

George W. Brewer
1280 1/2
64 TOWNHOUSES
128 TOWNHOUSES
188 TOWNHOUSES