

PETITION FOR ZONING RE-CLASSIFICATION AND/OR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, GFS REALTY, INC. 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-16 zone to an BL zone, for the following reasons:

- (1) There have been substantial changes in the character of the neighborhood.
- (2) The area in question is now essentially commercial in character.
- (3) Use of the property in question for a contemplated expansion of the current Giant Food Store and parking therefor will be consistent with changes in the general area.
- (4) See attached Memorandum.

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.

By: Morton P. Fisher, Jr. Legal Owner
 Contract purchaser: Box 1804, Washington, D.C. 20013
 Address: Washington, D.C. 20013
Morton P. Fisher, Jr. Protestant's Attorney
 1300 Mercantile Bank & Trust Bldg.
 Baltimore, Maryland 21201
 Address: Baltimore, Maryland 21201

ORDERED By The Zoning Commissioner of Baltimore County, this _____ day of _____, 197____, 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 property be posted, and 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 _____ day of _____, 197____, at _____ o'clock _____ M.

Zoning Commissioner of Baltimore County.

(over)

PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, GFS REALTY, INC. 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 for a Variance from Section 232.2(b) of the Zoning Regulations to permit a side yard setback of 10' instead of the required 25' (A variance of 15').

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty)
 Hardship and practical difficulty in that the adjacent property is zoned DR 16 and thusly requires a 25' side yard and the adjacent property is being developed with an office building with only a 5' side yard (See Petition 76-1371A). Property line configuration would require that off-sets be required in the building, thusly reducing the square footage of retail floor space and at the same time increasing building costs.

Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above Variance 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.

By: E. Theodore F. Fisher, Jr. Legal Owner
 Contract purchaser: Box 1804, Washington, DC 20013
 Address: Box 1804, Washington, DC 20013
Morton P. Fisher, Jr. Protestant's Attorney
 1300 Mercantile Bank & Trust Building
 Baltimore, Maryland 21201
 Address: Baltimore, Maryland 21201

ORDERED By The Zoning Commissioner of Baltimore County, this _____ day of _____, 197____, 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 property be posted, and 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 _____ day of _____, 197____, at _____ o'clock _____ M.

Zoning Commissioner of Baltimore County.

(over)

MEMORANDUM IN SUPPORT OF PETITION SUBMITTED TO ZONING COMMISSIONER OF HOWARD COUNTY ON BEHALF OF GFS REALTY, INC.

The following is submitted in support of the Petition of GFS Realty, Inc. (hereinafter referred to as GFS) for rezoning of a 1.0157 parcel referred to in the Petition.

GFS owns the parcel of land located immediately to the west of the subject property upon which its parent entity, Giant Food, is currently operating a Giant Food Store. GFS proposes to enlarge the existing store by approximately 12,000 square feet and to provide additional parking.

Reasons in Support of Petition

BL zoning is requested for the parcel in question for the following reasons:

- (1) The parcel is part of contiguous property under the petitioner's control.
- (2) The parcel is very suitable for commercial rather than residential purposes.
- (3) Development of the parcel for residential use is not economically feasible.
- (4) No reasonable access will exist for the parcel except through the adjacent property owned by the petitioner.
- (5) The development plans for the proposed business park call for access to the subject parcel directly from Old Court Road relocated.

MPP, Jr./9-27-78

- (6) It would be inconsistent and unreaasrable to sever the parcel from the adjacent parcel owned by petitioner.
- (7) The area is generally established as commercial area.
- (8) There has been a substantial change in the neighborhood in recent years in that commercial development has occurred in and along Old Court Road relocated and in the quadrant between Reisterstown Road, Old Court Road relocated and Walker Avenue. Substantial changes will continue to occur.
- (9) The property will be served by public water and sewer.
- (10) The expanded facility is not designed to increase traffic but to better serve the existing customers and employees of petitioner.

Further evidence will be produced at the hearing to evidence the benefits to be derived by the County, as well as the petitioner, from the proposed rezoning as well as evidence pertaining to the fact that no substantial adverse affect can be anticipated to occur for other properties in the area.

Respectfully submitted,
Morton P. Fisher, Jr.
 MORTON P. FISHER, JR.
 1300 Mercantile Bank & Trust Building
 2 Hopkins Plaza
 Baltimore, Maryland 21201
 Counsel for Petitioner

- 2 -

KIDDE CONSULTANTS, INC.
 Subsidiary of Walter Kidde & Company, Inc.
 Cable: KIDDENR
 Telex: 87769
 1062 Cromwell Bridge Road
 Baltimore, Maryland 21204
 (301) 321-5500
 Direct Dial Number

DESCRIPTION

0.87 ACRE PARCEL, NORTH SIDE OF OLD COURT ROAD, 420 FEET EAST OF REISTERSTOWN ROAD, BALTIMORE COUNTY, MARYLAND.

Reclassification from "DR 16" to "BL" Zoning And Request for Side Yard Variance

Beginning for the same on the north side of Old Court Road at the beginning of the land conveyed to Amos W. Armacost and wife, in Liber M.P.C. 487, page 299, said beginning point being distant 420 feet, more or less, as measured easterly along the north side of said Old Court Road, from the northeast side of Reisterstown Road, running thence binding on a part of the first line of said land, (1) N 03° 35' 30" W 301 feet, more or less, to the division line between the areas zoned "D.R. 16" and "BL", thence binding on said zoning line, (2) N 86° 24' 30" E 157 feet, more or less, to a point on the third line of said first mentioned land, thence binding on a part of said third line, (3) S 04° 39' 15" E 128 feet, more or less, to the beginning of the second line of the land described in the deed from Maryland National Bank to Sanford R. Shapiro and Associates, Inc., dated June 11, 1976 and recorded among said Land Records in Liber E.H.K., Jr. 5642, page 581, thence binding on the second and third lines of said last mentioned land two courses: (4) S 85° 24' 50" W 60.00 feet, and (5) S 04° 39' 15" E 170.00 feet to the north side of said Old Court

KIDDE CONSULTANTS, INC.
 Subsidiary of Walter Kidde & Company, Inc.

Road, thence binding on the north side of said Old Court Road, (6) S 85° 24' 50" W 103.40 feet to the place of beginning. Containing 0.87 of an acre of land.

RWB: rps J.O. 1-70087-B September 28, 1978
 W.O. 23173-C



July 26, 1978

George P. Barker, Esq.
 1300 Mercantile Bank & Trust Bldg.
 2 Hopkins Plaza
 Baltimore, Md. 21201

Re: File No. R-79-14-A
 GFS Realty, Inc.

Dear Mr. Barker:
 Enclosed herewith is a copy of the Order of Dismissal passed today by the County Board of Appeals in the above entitled case.

Very truly yours,

Muriel E. Buddemeier

Encl.
 cc: Morton P. Fisher, Jr., Esq.
 Mr. E. Theodore F. Fisher, Jr.
 John W. Hession, III, Esq.
 Mr. James E. Dyer
 Mr. William Hammond
 Mr. John Seyffert
 Mr. James Howell

494-3180

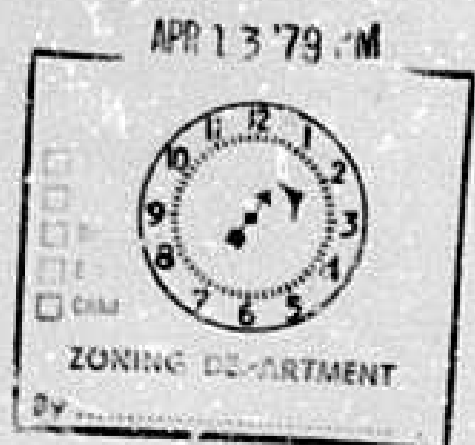
County Board of Appeals
 Room 219, Court House
 Towson, Maryland 21204
 Hearing Room 218

April 12, 1979

CASE NO. R-79-14-A GFS REALTY, INC.
 N/S (Old) Old Court Rd. 420' E. of Reisterstown Rd.
 3rd District
 for Reclassification from B.L.
 Variance - to permit side yard setback of 10' in lieu of required 25'

ASSIGNED FOR: THURSDAY, AUGUST 9, 1979 at 10 a.m.

cc: Mr. James E. Dyer, Zoning
 Mrs. Mary Campagna



APR 17 1979

RE: PETITION FOR RECLASSIFICATION : BEFORE
 from D.R. 16 zone to B.L. zone, and : COUNTY BOARD OF APPEALS
 VARIANCE from Section 232.2(b) of : OF
 the Baltimore County Zoning Regulations : BALTIMORE COUNTY
 N/S (Old) Old Court Road 420 feet East :
 of Reisterstown Road :
 3rd District :
 GFS REALTY, INC. : No. R-79-14-A
 Petitioner :

ORDER OF DISMISSAL

Petition of GFS Realty, Inc. for reclassification from D.R. 16 zone to B.L. zone, and Variance from Section 232.2(b) of the Baltimore County Zoning Regulations, on property located on the north side of (Old) Old Court Road 420 feet east of Reisterstown Road, in the 3rd District of Baltimore County.

WHEREAS, the Board of Appeals is in receipt of a letter of dismissal of petition filed July 20, 1979 (a copy of which is attached hereto and made a part hereof), from the attorney representing the Petitioners in the above entitled matter.

WHEREAS, the said attorney for the said Petitioner requests that the petition filed on behalf of said Petitioner be dismissed.

IT IS HEREBY ORDERED, this 26th day of July, 1979, that said petition be and the same is Dismissed.

COUNTY BOARD OF APPEALS
 OF BALTIMORE COUNTY

Walter A. Reiter, Jr., Chairman

William T. Hackett
 William T. Hackett

Patricia Millhouser
 Patricia Millhouser

RE: PETITION FOR RECLASSIFICATION : BEFORE THE COUNTY BOARD OF APPEALS
 PETITION FOR VARIANCE : OF BALTIMORE COUNTY
 N/S (Old) Old Court Rd., 420' :
 E Reisterstown Rd., 3rd District :
 GFS REALTY, INC., Petitioner : Case No. R-79-14-A (Item 13)

ORDER TO ENTER APPEARANCE

To the Honorable, Members of Said Board:

Pursuant to the authority contained in Section 1 of the Baltimore County Charter, I hereby enter my appearance in this case. You are requested to notify me of any hearing date or dates which may be now or hereafter designated therefore, and of the passage of any preliminary or final Order in connection therewith.

Peter Max Zimmerman
 Peter Max Zimmerman
 Deputy People's Counsel

John W. Hession, III
 John W. Hession, III
 People's Counsel for Baltimore County
 County Office Building
 Towson, Maryland 21204
 494-2188

I HEREBY CERTIFY that on this 13th day of June, 1979, a copy of the foregoing

Order was mailed to Morton P. Fisher, Jr., Esquire, 1300 Mercantile Bank & Trust Building, Baltimore, Maryland 21201, Attorney for Petitioner.

John W. Hession, III
 John W. Hession, III

RECEIVED
 BALTIMORE COUNTY
 JUN 14 9 58 AM '79
 COUNTY BOARD
 OF APPEALS

LAW OFFICES
FRANK, BERNSTEIN, CONAWAY & GOLDMAN
 1300 MERCANTILE BANK & TRUST BUILDING
 2 HOPKINS PLAZA
 BALTIMORE, MARYLAND 21201
 (301) 847-0500
 CABLE ADDRESS
 FRANKCOG
 FRANKCOG

July 19, 1979

The Honorable Walter A. Reiter, Jr.,
 Chairman
 Baltimore County Board of Appeals
 Baltimore County Courthouse
 Towson, Maryland 21204

RE: GFS Realty, Inc. - Zoning Petition R-79-14
 (Our File No. 45223)

Dear Mr. Reiter:

Zoning Petition R-79-14 (the "Petition") has been designated as Item No. 13 in Zoning Reclassification Petitions: Cycle IV adopted on January 18, 1979 by the Planning Board. The PETITION is currently scheduled for hearing on Thursday, August 9, 1979. Please consider this letter as notification that our client GFS Realty, Inc. desires to withdraw the Petition, without prejudice, and to see if it can attain the rezoning that it is seeking through the comprehensive zoning process.

I hope that this letter is sufficient to effect the withdrawal of the Petition on the basis set forth above. If it is not, please advise me as to what further steps need to be taken.

Thank you very much for your attention to this matter.

Very truly yours,
 George P. Farker
 George P. Farker

RECEIVED
 BALTIMORE COUNTY
 JUN 20 11 20 AM '79
 COUNTY BOARD
 OF APPEALS

GPB:jc
 cc: Eugene P. Doerfler,
 Giant Food, Inc.

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

Your Petition has been received and accepted for filing this 14th day of December, 1978.

S. ERIC DINENNA
 Zoning Commissioner

Petitioner: GFS Realty, Inc.
 Petitioner's Attorney: Morton P. Fisher, Jr., Esquire, 1300 Mercantile Bank & Trust Bldg., Baltimore, Maryland 21204

Reviewed by: Nicholas B. Commodari, Chairman, Zoning Plans Advisory Committee.

cc: 1846 Conestoga, Inc., 1630 Cromwell Bridge Road, Baltimore, Maryland 21284

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

December 18, 1978

COUNTY OFFICE BLDG.
 111 W. Chesapeake Ave.
 Towson, Maryland 21204

Chairman
 Nicholas B. Commodari

MEMBERS
 Board of Engineering
 Dept. of Traffic Engineering
 State Roads Commission
 Bureau of Fire Prevention
 Health Department
 Project Planning
 Building Department
 Board of Education
 Zoning Administration
 Industrial Development

Morton P. Fisher, Jr., Esquire
 1300 Mercantile Bank & Trust Bldg.
 Baltimore, Maryland 21201

RE: Item No. 13
 Petitioner - GFS Realty, Inc.
 Reclassification and Variance
 Petitions

Dear Mr. Fisher:

Please be advised that the acceptance certificate for the above petition, dated January 30, 1979, was incorrect. Enclosed is verification that the correct date of acceptance was December 14, 1978. This should replace the previous certificate.

Very truly yours,
 Nicholas B. Commodari
 NICHOLAS B. COMMODARI
 Chairman
 Zoning Plans Advisory Committee

NBC/ef
 enclosure
 cc: Kidde Consultants, Inc., 1020 Cromwell Bridge Road, Baltimore, Maryland 21204

LAW OFFICES
FRANK, BERNSTEIN, CONAWAY & GOLDMAN
 1300 MERCANTILE BANK & TRUST BUILDING
 2 HOPKINS PLAZA
 BALTIMORE, MARYLAND 21201
 (301) 847-0500
 CABLE ADDRESS
 FRANKCOG
 FRANKCOG

November 29, 1978

Mr. Nicholas B. Commodari
 Chairman
 Zoning Plans Advisory Committee
 Baltimore County Office of Planning & Zoning
 County Office Building
 111 West Chesapeake Avenue
 Towson, Maryland 21204

RE: Item No. 13
 Petitioner - GFS Realty, Inc.
 Reclassification and Variance
 Petitions

Dear Mr. Commodari:

With reference to your letter under date of October 31, 1978, 15 copies of amended plans are submitted herewith which we trust will hopefully respond to the various concerns indicated in the Advisory Committee Report.

Reference is specifically made, however, to the comment relating to the use of parking along Old Court Road. We point out that evidence will be introduced at the hearing in order to show that the entire parking area in question will be reserved solely for the use of employees of the Giant Food Store who will have access to the building along a walkway which is shown on the Plat. Indeed, we do not wish to have general access to the public to the parking area in question and the use of the area in question by employees will free up other parking in the front and along the side of the store which is intended for general customer use. We are prepared to enter into necessary agreements or covenants with the County in order to be certain this intention is carried out.

FRANK, BERNSTEIN, CONAWAY & GOLDMAN

Mr. Nicholas B. Commodari
 November 29, 1978
 Page Two

If you or the Committee should desire any further information, please feel free to call upon me.

Very truly yours,
 Morton P. Fisher, Jr.
 Morton P. Fisher, Jr.

MPPJr/pao
 Enclosures
 cc: Mr. Eugene Doerfler
 Mr. Richard Smith

LAW OFFICES
FRANK, BERNSTEIN, CONAWAY & GOLDMAN
 1300 MERCANTILE BANK & TRUST BUILDING
 2 HOPKINS PLAZA
 BALTIMORE, MARYLAND 21201
 (301) 847-0500
 CABLE ADDRESS
 FRANKCOG
 FRANKCOG

April 11, 1979

Board of Zoning Appeals
 of Baltimore County
 Court House
 Towson, Maryland 21204

RE: Zoning petition of GFS Realty, Inc.
 (Old Court Road near Reisterstown Road)

Gentlemen:

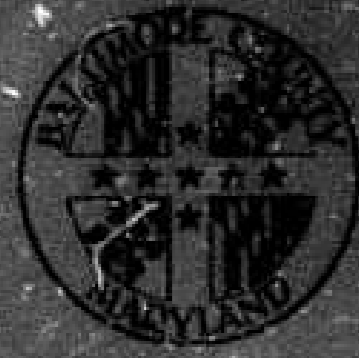
I was originally informed that a hearing date had been set in connection with the above matter for the second week in May, 1979. In checking with your office, we understand that the original hearing date has now been postponed and that a new date will be set in the near future. I would very much appreciate it if you would let me know the approximate date when the hearing will be held, if possible, so that we can make adequate preparations, and possibly in order to coordinate vacation schedules in the event that the hearing will be held during the early summer.

Very sincerely yours,
 Morton P. Fisher, Jr.
 Morton P. Fisher, Jr.

MPPJr/pao
 cc: Mr. Eugene Doerfler

RECEIVED
 BALTIMORE COUNTY
 JUN 14 10 30 AM '79

BALTIMORE COUNTY
ZONING PLANS
ADVISORY COMMITTEE



PETITION AND SITE PLAN

EVALUATION COMMENTS

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING
County Office Building
111 W. Chesapeake Ave.
Towson, Maryland 21284

Your Petition has been received and accepted for filing as of this
DATE: 29th day of January 1979

S. Eric DiNenna
S. ERIC DINENNA
Zoning Commissioner

Petitioner: GFS Realty, Inc.
Petitioner's Attorney: Morton P. Fisher, Jr., Esquire
1300 Mercantile Bank & Trust Bldg.
Baltimore, Maryland 21201

Reviewed by: *Nicholas B. Commodari*
Nicholas A. Commodari
Chairman, Zoning Plans
Advisory Committee

cc: Kiddie Consultants, Inc.
1020 Cromwell Bridge Road
Baltimore, Maryland 21204

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

COUNTY OFFICE BLDG.
111 W. Chesapeake Ave.
Towson, Maryland 21284

October 31, 1978

- cc:
- Nicholas B. Commodari
Chairman
 - MEMBERS
 - Bureau of Engineering
 - Department of Traffic Engineering
 - State Roads Commission
 - Bureau of Fire Prevention
 - Health Department
 - Project Planning
 - Building Department
 - Board of Education
 - Zoning Administration
 - Industrial Development

Morton P. Fisher, Jr., Esquire
1300 Mercantile Bank & Trust Bldg.
Baltimore, Maryland 21201

RE: Item No. 13
Petitioner - GFS Realty, Inc.
Reclassification and Variance
Petitions

Dear Mr. Fisher:

The Zoning Plans 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 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 on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Located on the north side of (Old) Old Court Road, approximately 420' east of Reisterstown Road in the 3rd Election District, the subject property is presently improved with a frame dwelling and garage in the rear. Contiguous properties to the north and west are zoned B.L. and D.R. 16 and are improved with the facilities of a food store and accessory parking and individual dwellings, respectively, while land immediately to the east is zoned D.R. 16 and is improved with a two-story office building, which is currently under construction and was granted a Special Exception as a result of Case No. 76-137-XA. To the north of this latter property and east of the subject property is vacant land, which was the subject of a previous zoning hearing (Case No. 76-211-XSPH) in which a Special Exception to construct an office building and Special Hearing to allow off-street parking, were granted.

Because of your clients' proposal to construct a large addition to the side of the existing food store, this combination hearing is

GFS Realty, Inc.
Page 2
October 31, 1978

required. The Committee has voiced some concern over the fact that the parking area to the south of the addition will not be connected to the remainder of the site. It has been suggested that some type of easement or right-of-way be acquired over the northwest corner of the adjacent property, if this is possible. This should be shown on revised plans, or if it is not feasible, this should be addressed in a letter that will be incorporated as part of this file.

If you are not aware, this proposed Reclassification is included in the area encompassed by the Pikesville Revitalization Program. For this reason, it is suggested that you contact Mrs. Marion McCoy, Physical Growth Coordinator for Baltimore County, in order to ascertain her comments on your clients' proposal.

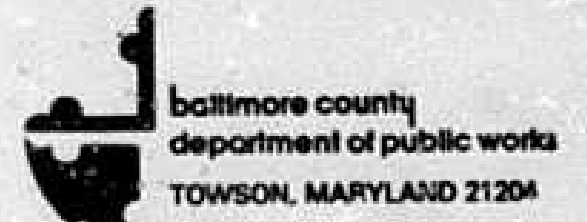
These petitions will be accepted for filing on the date of the enclosed filing certificate. However, any revisions or corrections to petitions, descriptions, or plats, as may have been requested by this Committee, shall be submitted to this office prior to December 1, 1978 in order to allow time for final Committee review and advertising. All changes must be accompanied by a cover letter indicating these corrections. 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 March 1, 1979 and April 15, 1979 will be forwarded to you well in advance.

Very truly yours,

Nicholas B. Commodari
NICHOLAS B. COMMODARI
Chairman
Zoning Plans Advisory Committee

NBC/sf

cc: Kiddie Consultants, Inc.
1020 Cromwell Bridge Road
Baltimore, Maryland 21204



THORNTON M. MOURING, P.E.
DIRECTOR

November 1, 1978

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

Re: Item #13 Cycle IV (Oct. 1978-April 1979)
Property Owner: GFS Realty, Inc.
N/S (Old) Old Court Rd. 420' E. Reisterstown Rd.
Existing Zoning: D.R. 16
Proposed Zoning: B.L. with Variance to permit a side setback of 10' in lieu of the required 25'.
Acres: 0.87 District: 3rd

Dear Mr. DiNenna:

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

Highways:

Relocated Old Court Road is a recently constructed County road with a 46-foot closed section roadway on a right-of-way of variable width in this vicinity. No further improvements are required at this time.

Old Court Road, an existing public road, is proposed to be improved in the future as a 36-foot closed section roadway on a 50-foot right-of-way. Highway right-of-way widening, including any necessary reversible easements for slopes, will be required in connection with any grading or building permit application.

The construction and/or reconstruction of concrete sidewalk, curb and gutter, entrance, apron, etc. will be the full responsibility of the Petitioner.

The entrance locations are subject to approval by the Department of Traffic Engineering, and shall be constructed in accordance with Baltimore County standards.

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.

Storm Drains:

Provisions for accommodating storm water or drainage have not been indicated on the submitted plan.

Item #13 Cycle IV (Oct. 1978-April 1979)
Property Owner: GFS Realty, Inc.
Page 2
November 1, 1978

Storm Drains: (Cont'd)

The Petitioner must provide necessary drainage facilities (temporary or permanent) to prevent creating any nuisance or damage 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.

Water and Sanitary Sewer:

Public water supply and sanitary sewerage serve the existing Giant Food Store and dwelling. Additional fire hydrant protection is required.

Petitioner is responsible for the cost of capping and plugging any water and sewer service connections not used to serve this site.

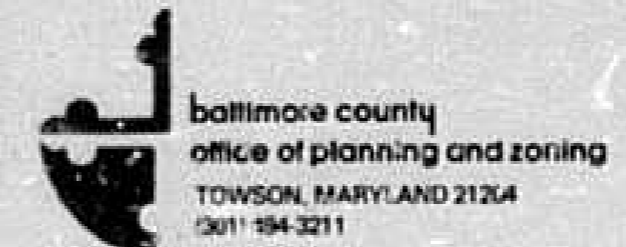
Very truly yours,

Ellsworth N. Diver
ELLSWORTH N. DIVER, P.E.
Chief, Bureau of Engineering

END:EAM:FW:ss

cc: J. Trenner
J. Somers
W. Munchel

P-5E Key Sheet
30 NW 21 POS. Sheet
NW 8 F Topo
78 Tax Map



LESLIE H. GRAFF
DIRECTOR

October 31, 1978

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

Dear Mr. DiNenna:

Comments on Item #13, Zoning Cycle IV, October, 1978, are as follows:

Property Owner: GFS Realty, Inc.
Location: N/S (Old) Court Road 420' E. Reisterstown Road
Existing Zoning: D.R. 16
Proposed Zoning: B.L. with Variance to permit a side setback of 10' in lieu of the required 25'.
Acres: 0.87
District: 3rd

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.

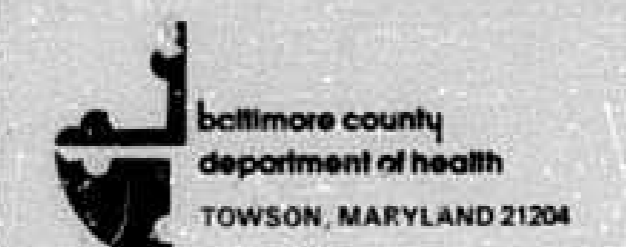
This office questions the parking area along Old Court Road. It would appear that this area would not be used because of its location to the entrance of the store.

Required screening must be shown on the site plan. Landscaping should be provided and shown on the site plan.

Preliminary grads should be shown for the parking lot on Old Court Road.

Very truly yours,

John L. Wimbley
John L. Wimbley
Planner III
Current Planning and Development



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

October 18, 1978

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

Dear Mr. DiNenna:

Comments on Item #13, Zoning Advisory Committee Meeting for Cycle IV, are as follows:

Property Owner: GFS Realty, Inc.
Location: N/S (Old) Old Court Rd. 420' E Reisterstown Rd.
Existing Zoning: D.R. 16
Proposed Zoning: B.L. with Variance to permit a side setback of 10' in lieu of the required 25'.
Acres: 0.87
District: 3rd

Metropolitan water and sewer are available. Therefore, no health hazards are anticipated.

If a food service facility is proposed, complete plans and specifications must be submitted to the Division of Food Protection, Baltimore County Department of Health, for review and approval prior to construction.

Prior to new installation/s of fuel burning equipment, the owner should contact the Division of Air Pollution Control, 494-3775, to obtain requirements for such installation/s before work begins.

Very truly yours,

Thomas H. Dervin
Thomas H. Dervin, Director
BUREAU OF ENVIRONMENTAL SERVICES

THD/RJP/fth

cc: J. J. Dieter
W. L. Phillips

STEPHEN E. COLLINS
DIRECTOR
October 16, 1978

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

Item No. 13 - ZAC - Meeting for Cycle IV
Property Owner: GFS Realty, Inc.
Location: N/S (Old) Old Court Rd. 420' E Reisterstown Rd.
Existing Zoning: D.R. 16
Proposed Zoning: B.L. with Variance to permit a side setback of 10' in lieu of the required 25'.

Acres: 0.87
District: 3rd

Dear Mr. DiNenna:
This site will generate approximately 100 trips per day as presently zoned. The proposed zoning can be expected to generate approximately 430 trips per day.

While there is not a major increase in traffic, it can be expected to add to the already existing problems at the intersections of Old Court Road and Reisterstown Road and Old Court Road and Park Heights.

Very truly yours,
Michael S. Flanigan
Michael S. Flanigan
Engineer Associate II

MSF/hms

JOHN D. SEYFFERT
DIRECTOR
JANUARY 4, 1979

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

Dear Mr. DiNenna: *Revised*
Comments on Item # 13 Zoning Advisory Committee Meeting, CYCLE IV
are as follows:

Property Owner: GFS Realty, Inc.
Location: N/S (Old) Court Road - 420 E Reisterstown Road
Existing Zoning: D.R. 16
Proposed Zoning: B.L. with Variance to permit a side setback of 10' in lieu of the required 25'.

Acres: 0.87
District: 3rd

- The items checked below are applicable:
- X A. Structure shall conform to Baltimore County Building Code (B.C.C.) 1970 Edition and the 1971 Supplement, State of Maryland Code for the Building Code and all other applicable codes.
 - X B. A building permit shall be required before construction can begin. Basement & other miscellaneous permits shall be required.
 - X C. Additional basement & other permits shall be required.
 - D. Building shall be upgraded to new use - requires alteration permit.
 - E. Three sets of construction drawings will be required to file an application for a building permit.
 - X F. Three sets of construction drawings with a registered Maryland Architect or Engineer's original seal will be required to file an application for a building permit.
 - G. Wood frame walls are not permitted within 3'0" of a property line. Contact Building Department if distance is between 3'0" and 6'0" of property line.
 - H. Requested setback variance conflicts with the Baltimore County Building Code. See Section _____.
 - I. No Comment.
 - X J. Comment: Please advise how this proposed existing building can meet the height and area requirements of Table 5, also clearly differentiate property lines from zoning lines. The existing building may have to be upgraded as to type of construction.

Very truly yours,
Charles E. Burnham
Charles E. Burnham
Plans Review Chief

Paul H. Reincke
CHIEF
October 16, 1978

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

Attention: N. Commodari, Chairman
Zoning Advisory Committee

Re: Property Owner: GFS Realty, Inc.
Location: N/S (Old) Old Court Rd. 420' E Reisterstown Rd.

Item No. 13 Zoning Agenda Cycle IV

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 200 feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works. Also, on-site fire hydrants are required - see office of Fire Protection Engineer.
- () 2. A second means of vehicle access is required for the site.
- () 3. The vehicle dead end condition shown at _____ EXCEEDS the maximum allowed by the Fire Department.
- () 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operations.
- () 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 "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.

NOTE: Building must be fully automatic sprinkler protected.
REVISOR: *George M. Weigandt* 10-17-78
Approved: *George M. Weigandt*
Special Inspection Division Fire Prevention Bureau

JOHN D. SEYFFERT
DIRECTOR
October 6, 1978

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

Dear Mr. DiNenna:
Comments on Item # 13 Zoning Advisory Committee Meeting, CYCLE IV
are as follows:

Property Owner: GFS Realty, Inc.
Location: N/S (Old) Old Court Road - 420 E Reisterstown Road
Existing Zoning: D.R. 16
Proposed Zoning: B.L. with Variance to permit a side setback of 10' in lieu of the required 25'.

Acres: 0.87
District: 3rd

- The items checked below are applicable:
- X A. Structure shall conform to Baltimore County Building Code (B.C.C.) 1970 Edition and the 1971 Supplement, State of Maryland Code for the Building Code and all other applicable codes.
 - B. A building permit shall be required before construction can begin.
 - X C. Additional basement & other permits shall be required.
 - D. Building shall be upgraded to new use - requires alteration permit.
 - E. Three sets of construction drawings will be required to file an application for a building permit.
 - X F. Three sets of construction drawings with a registered Maryland Architect or Engineer's original seal will be required to file an application for a building permit.
 - G. Wood frame walls are not permitted within 3'0" of a property line. Contact Building Department if distance is between 3'0" and 6'0" of property line.
 - H. Requested setback variance conflicts with the Baltimore County Building Code. See Section _____.
 - I. No Comment.
 - X J. Comment: Please advise how total building will be affected as to Building Code setback requirements which affect the height and area in Article III and the type of construction under Table 5.

Very truly yours,
Charles E. Burnham
Charles E. Burnham
Plans Review Chief

CEB:rrj

BOARD OF EDUCATION
OF BALTIMORE COUNTY

TOWSON, MARYLAND - 21204

Date: October 24, 1978

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

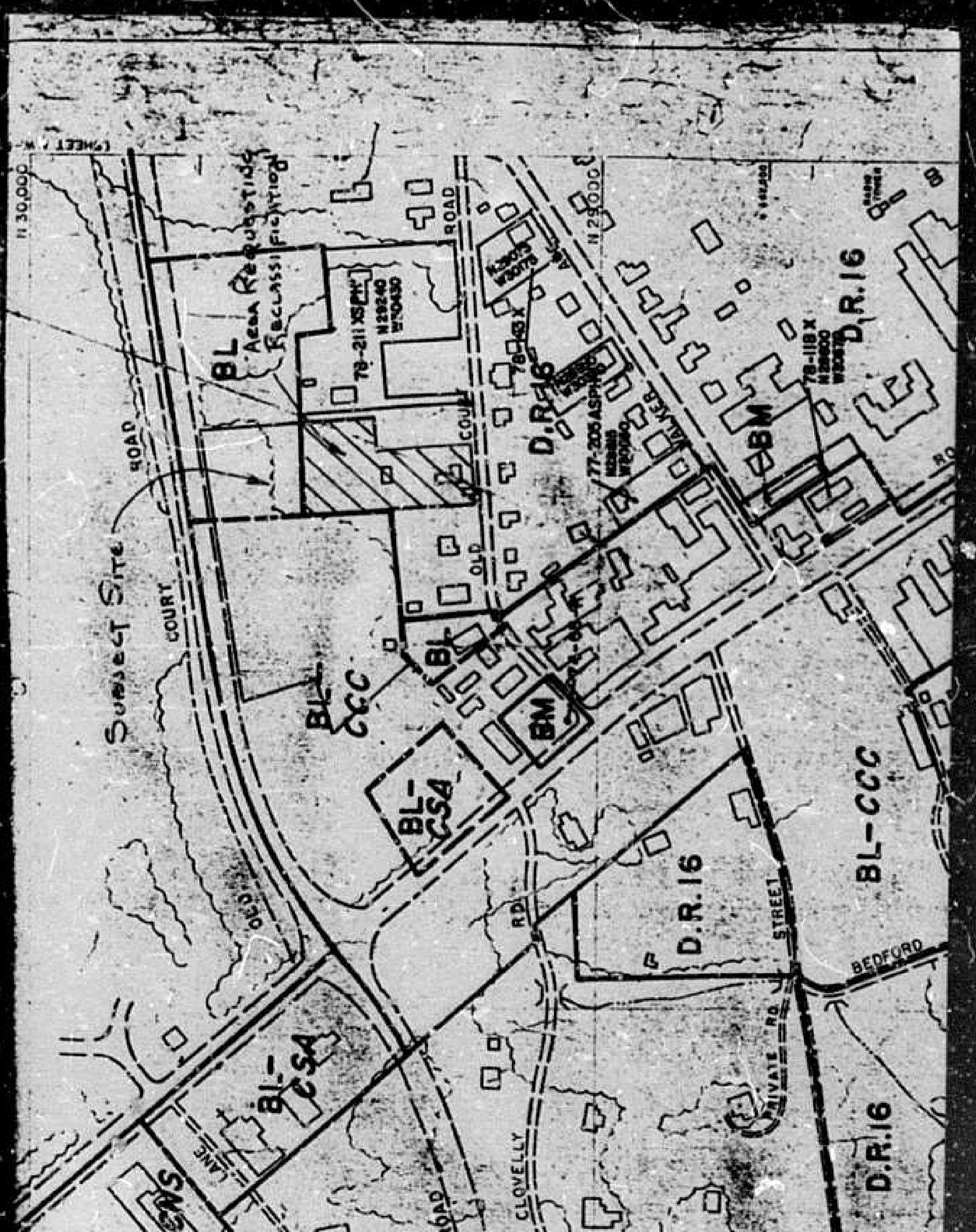
Z.A.U. Meeting of: Cycle IV

RE: Item No:
Property Owner: GFS Realty, Inc.
Location: N/S (Old) Old Court Rd. 420' E Reisterstown Rd.
Present Zoning: D.R. 16
Proposed Zoning: B.L. with Variance to permit a side setback of 10' in lieu of the required 25'.

District: 3rd
No. Acres: 0.87

Dear Mr. DiNenna:
No hearing on student population.

Very truly yours,
W. Nick Petrovich
W. Nick Petrovich,
Field Representative



STROMBERG PUBLICATIONS, INC.
 111 W. Chesapeake Avenue
 Towson, Maryland 21204
 Phone: 278-1111



OFFICE OF THE TIMES NEWSPAPERS
 TOWSON, MD. 21204 July 19, 1979

THIS IS TO CERTIFY that the annexed advertisement of PETITION FOR RECLASSIFICATION & VARIANCE - GFS Realty, Inc. was inserted in the following:

- Catonsville Times
- Dundalk Times
- Essex Times
- Suburban Times East
- Towson Times
- Arbutus Times
- Community Times
- Suburban Times West

weekly newspapers published in Baltimore County, Maryland, once a week for one successive weeks before the 20th day of July, 1979, that is to say, the same was inserted in the issues of July 19, 1979.

STROMBERG PUBLICATIONS, INC.
 BY Edith Burger

CERTIFICATE OF PUBLICATION
 TOWSON, MD., July 19, 1979
 THIS IS TO CERTIFY that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., once a week for one time successive weeks before the 20th day of August, 1979, the 20th publication appearing on the 19th day of July 1979.

THE JEFFERSONIAN
L. Frank Strick
 Manager

Cost of Advertisement, \$ _____

CERTIFICATE OF PUBLICATION

TOWSON, MD., July 19, 1979
 THIS IS TO CERTIFY that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., once a week for one time successive weeks before the 20th day of August, 1979, the 20th publication appearing on the 19th day of July 1979.

THE JEFFERSONIAN
L. Frank Strick
 Manager

Cost of Advertisement, \$ _____

PETITION MAPPING PROGRESS SHEET

FUNCTION	Wall Map		Original		Duplicate		Tracing		300 Sheet	
	Date	by	date	by	date	by	date	by	date	by
Descriptions checked and outline plotted on map					7-9	MS				
Petition number added to outline										
Denied										
Granted by										
Reviewed by: <u>MSR</u>	Revised Plans: Change in outline or description <u>Yes</u> / <u>No</u>									
Previous case: <u>C4-131-R</u>	Map # <u>MS8-F</u>									

CERTIFICATE OF POSTING
 ZONING DEPARTMENT OF BALTIMORE COUNTY
 Towson, Maryland

District: 3rd Date of Posting: July 20, 1979
 Posted for: PETITION FOR RECLASSIFICATION AND VARIANCES
 Petitioner: GFS Realty, Inc.
 Location of property: N/S (old) Old Court Road, 420' E of Reisterstown Rd.
 Location of Sign: (1) FRONT # 12 (old) Old Court Rd
(2) S/S Old Court Rd (Relocated) 750' +/- E of Reisterstown Rd
 Remarks: Thomas E. Roland Date of return: July 27, 1979
 Posted by: Thomas E. Roland Signature
4-SIGNS

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

Your Petition has been received * this _____ day of _____ 197 . Filing Fee \$ _____ Received _____ Check _____ Cash _____ Other _____

S. Eric
 Zoning Commissioner

Petitioner GFS Realty Submitted by R. SMITH
 Petitioner's Attorney Traylor Reviewed by MSR

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

BALTIMORE COUNTY, MARYLAND
 OFFICE OF FINANCE - REVENUE DIVISION
 MISCELLANEOUS CASH RECEIPT

No. 83125

DATE August 16, 1979 ACCOUNT 01-662
 AMOUNT \$251.98

RECEIVED FROM Morton P. Fisher, Jr.
 FOR Advertising and Posting for Case No. R-79-11-A

1628AS 20 2519800
 VALIDATION OR SIGNATURE OF CASHIER

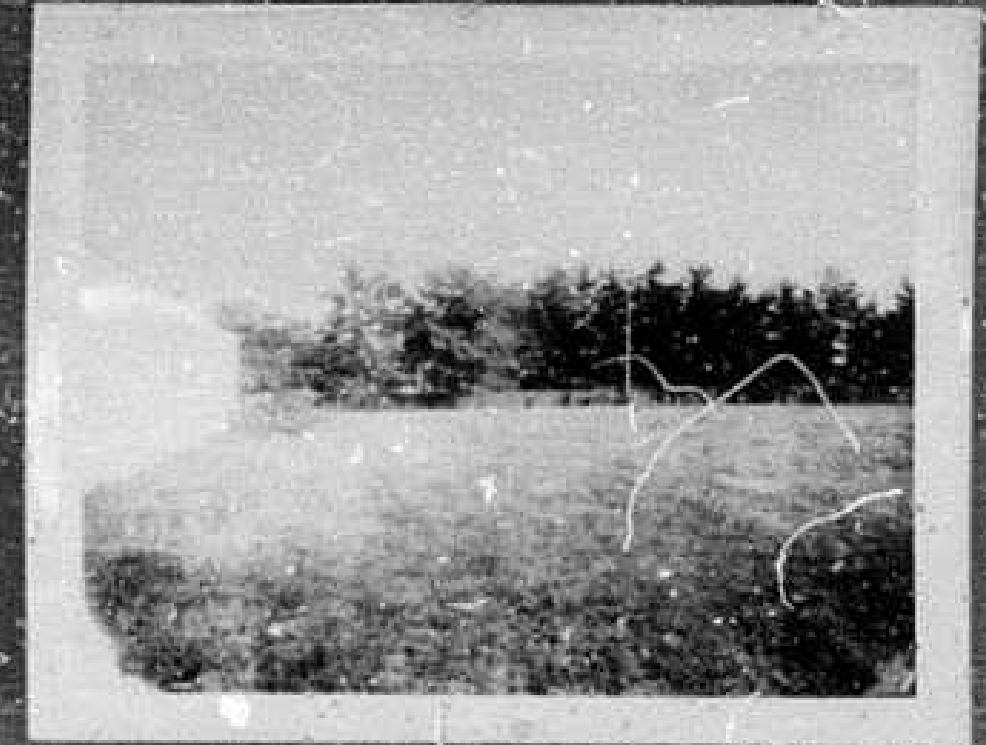
BALTIMORE COUNTY, MARYLAND
 OFFICE OF FINANCE - REVENUE DIVISION
 MISCELLANEOUS CASH RECEIPT

No. 78776

DATE July 10, 1979 ACCOUNT 01-662
 AMOUNT \$50.00

RECEIVED FROM Kilde Consultants, Inc.
 FOR Advertising and Posting in Case #R-79-11-A

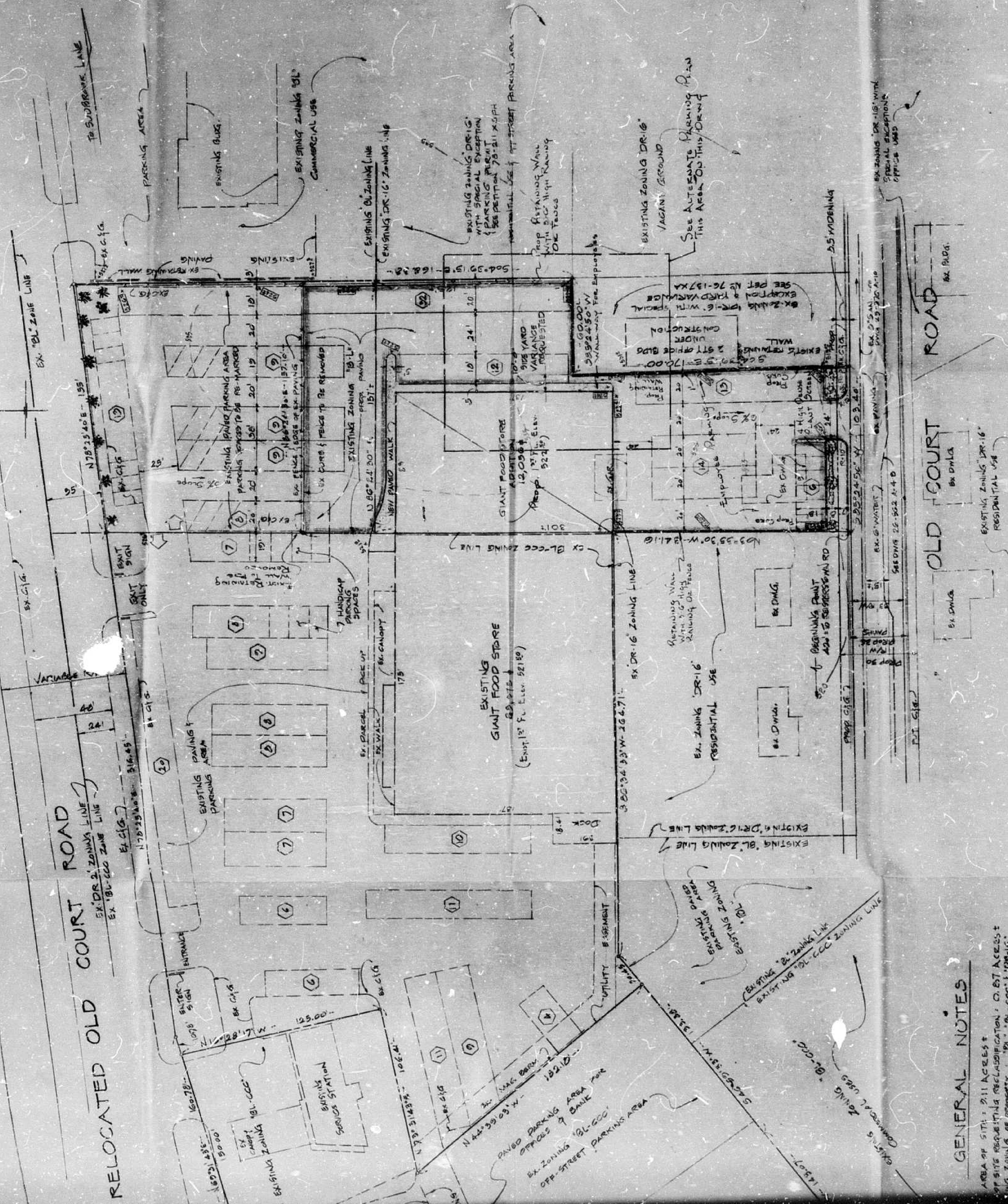
054631 11 500000
 VALIDATION OR SIGNATURE OF CASHIER



EXISTING ZONING 'DR-2'
CEMETERY USE

RELOCATED OLD COURT ROAD

EX 'DR-2' ZONING LINE
EX 'BL-CCC' ZONING LINE



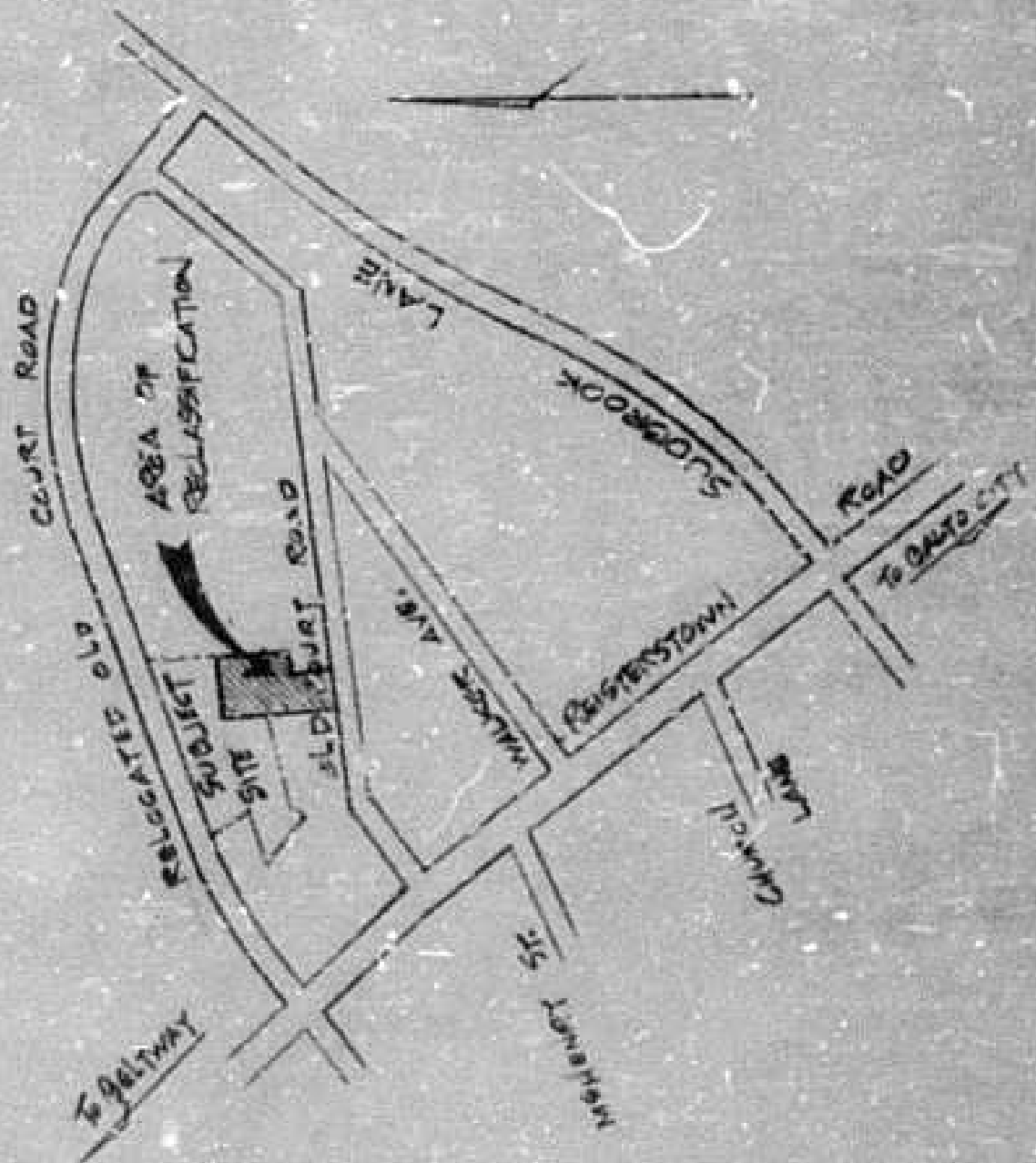
GENERAL NOTES

AREA OF SITE: 2.11 ACRES
 SITE REQUESTING RECLASSIFICATION: C. ST. ACRES
 ZONING OF PROPERTY: 'BL-CCC' & 'DR-16'
 USE OF PROPERTY: RETAIL FOOD STORE
 ZONING OF PROPERTY: 'BL-16'
 USE OF PROPERTY: RETAIL FOOD STORE
 STREET PARKING DATA:
 EXISTING STORE: 2,071 sq ft REQUIRING 120 SPA (1/200)
 PROPOSED EXPANSION TO EXISTING STORE: 12,050 sq ft REQUIRING 61 SPA (1/200)
 TOTAL SPACES REQUIRED: 181 SPA
 TOTAL SPACES PROVIDED: 256 SPA (EX. PARKING TO BE REMOVED PER THIS PLAN)
 DRAIN TO WESTERN RUN & CRYSTAL FALLS DRAINAGE AREA. IS SEWERED
 STERN RUN & JONES FALLS
 OWNER IS REQUESTING A VARIANCE TO SECTION 202.2 (b) OF THE ZONING
 CODE TO PERMIT A SIDE YARD OF 10' INSTEAD OF THE REQUIRED 25'. A
 VICE OF 15'

10. Provisions for On Site Drainage Will Be Made At The Time Final Site Plans Are Prepared
11. If Required, Storm Water Management Facility Will Be Designed At The Time Final Site Plans Are Prepared
12. TENTATIVE FINISHED GRADES ARE SHOWN THROUGH EXISTING GRADES ARE SHOWN AS 30' (COUNTY 5 TOP) & 250'

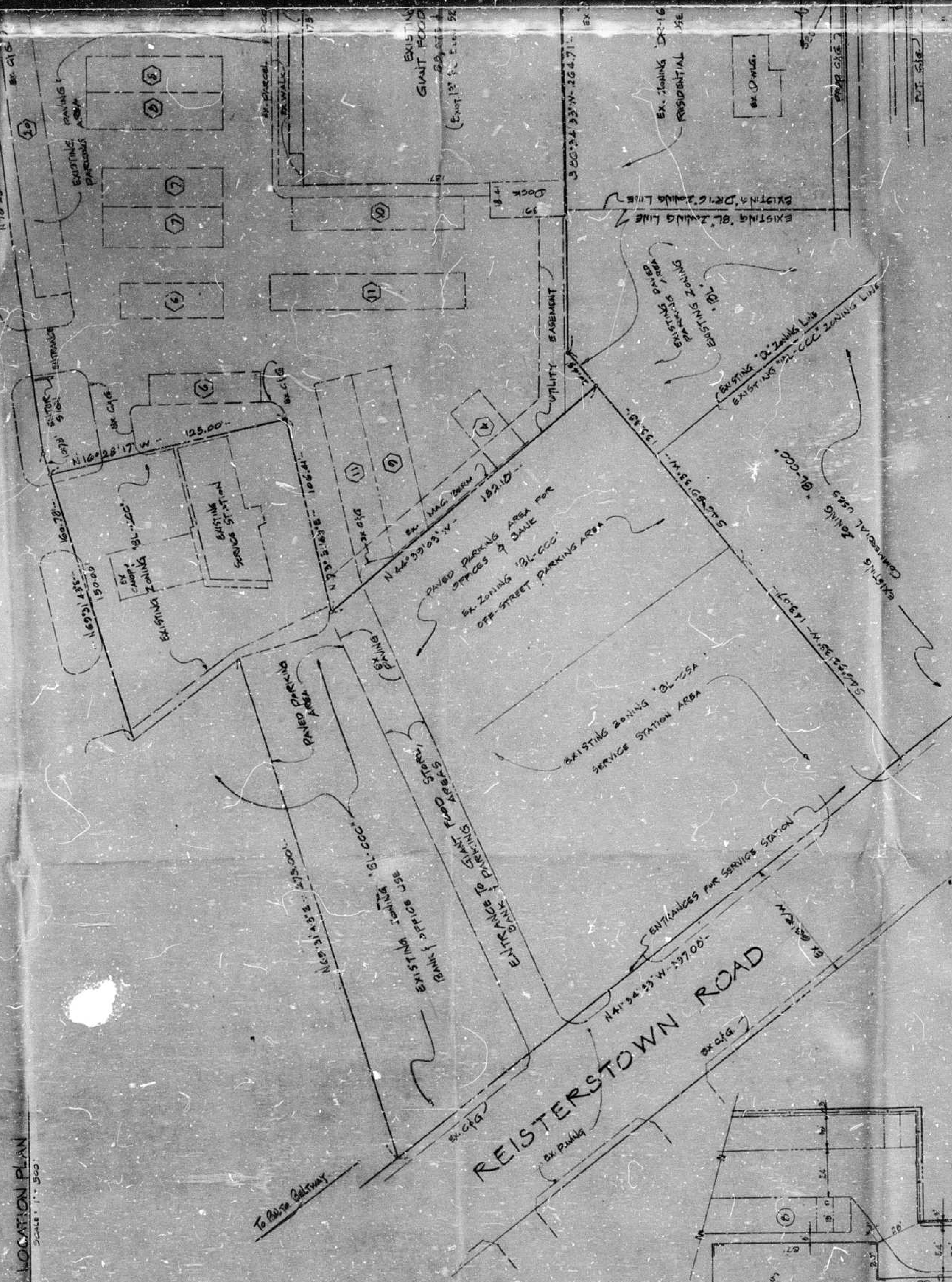
PLAT TO ACCOMPANY PETITION
 FOR
 RECLASSIFICATION OF PROPERTY
 1 YARD VARIANCE AT
 No. 12 OLD COURT ROAD
 BALTIMORE COUNTY, MD
 OCT. 2, 1976
 Revised: Nov. 23, 1978
 ELECTION DISTRICT 3
 SCALE: 1" = 30'





LOCATION PLAN
SCALE: 1" = 500'

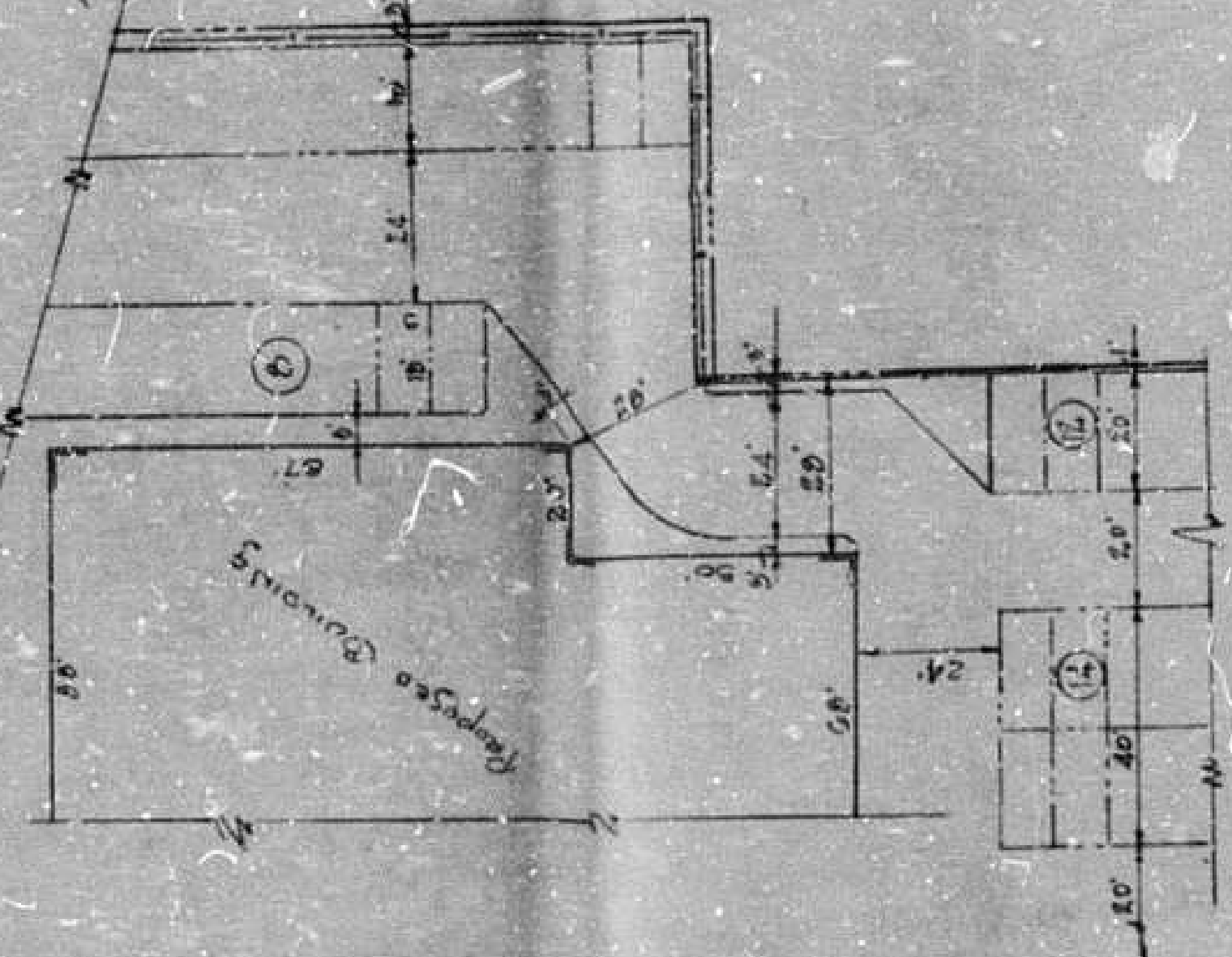
RELOCATED OLD COURT ROAD



GENERAL NOTES

1. TOTAL AREA OF SITE = 2.11 ACRES
2. AREA OF SITE REQUESTING RECLASSIFICATION = 0.57 ACRES
3. EXISTING ZONING OF PROPERTY: 'BL', 'BL-CCO', 'BL-OSA'
4. EXISTING USE OF PROPERTY: RETAIL FOOD STORE
5. PROPOSED ZONING OF PROPERTY: 'BL' (BL-CCO)
6. PROPOSED USE OF PROPERTY: RETAIL FOOD STORE
7. OFF-STREET PARKING DATA:
 - A. EXISTING STORE = 13,975 sq ft REQUIRING 120 SPA (8'x20')
 - B. PROPOSED EXPANSION TO EXISTING STORE = 12,051 sq ft REQUIRING 61 SPA (8'x20')
 - C. TOTAL SPACES REQUIRED = 181 SPA
 - D. TOTAL SPACES PROVIDED = 256 SPA
8. SITE DRAINS TO WESTERN RUN & SWYNN'S FALLS DRAINAGE AREA. IS SEWERED TO WESTERN RUN & JONES FALLS.
9. PETITIONER IS REQUESTING A VARIANCE TO SECTION 232.2 (B) OF THE ZONING CODE TO PERMIT A SIDE YARD OF 10' INSTEAD OF THE REQUIRED 25.14' VARIANCE OF 19'. (EX. PARKING TO BE REMOVED PER THIS PLAN)

ALTERNATE PARKING PLAN
SCALE: 1" = 30'

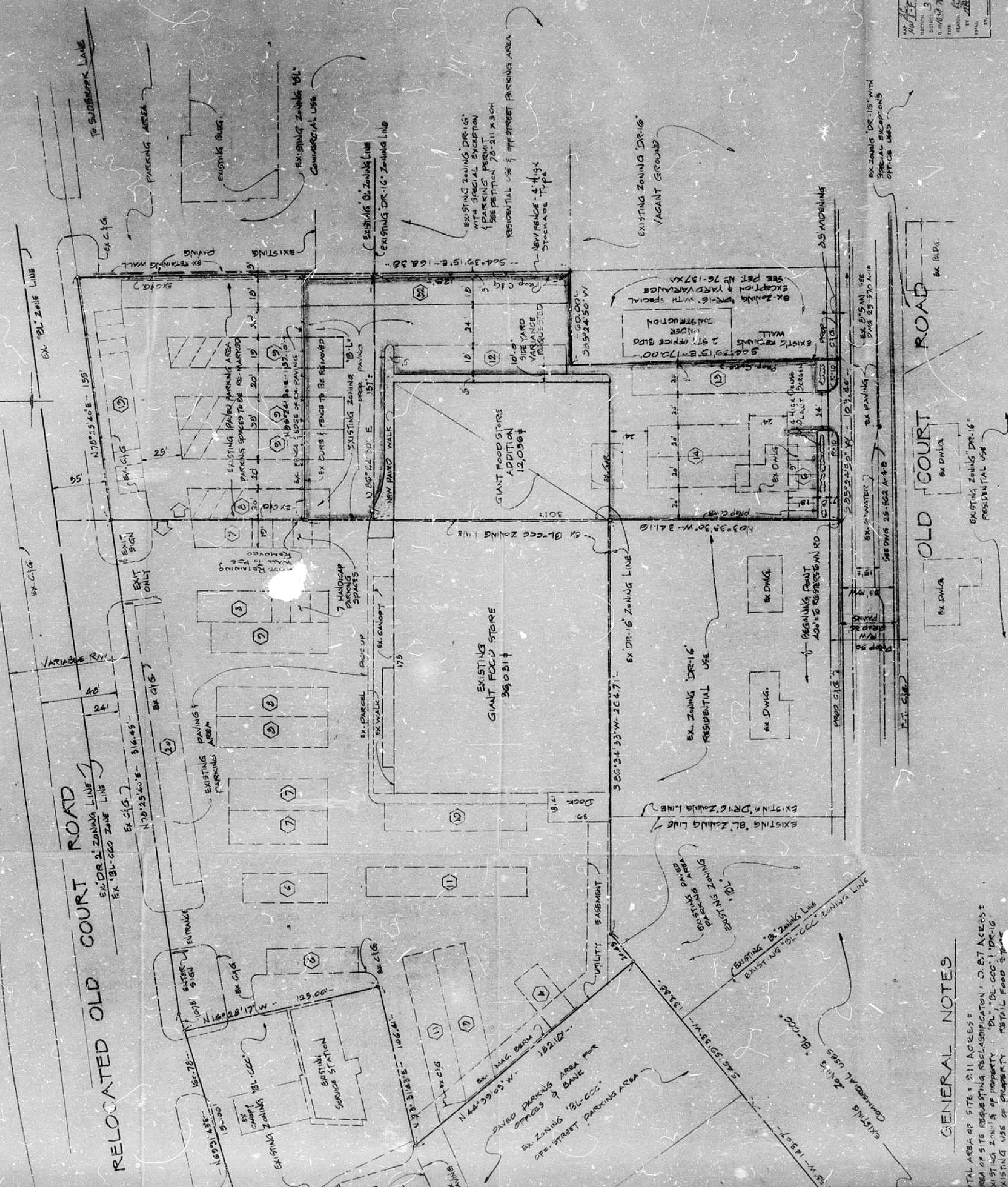


KIDDE
KIDDE CONSULTANTS, INC.
1020 CROWELL BRIDGE ROAD
BALTIMORE, MARYLAND 21284



EXISTING ZONING 'DR-2'
CEMETERY USE

RELOCATED OLD COURT ROAD



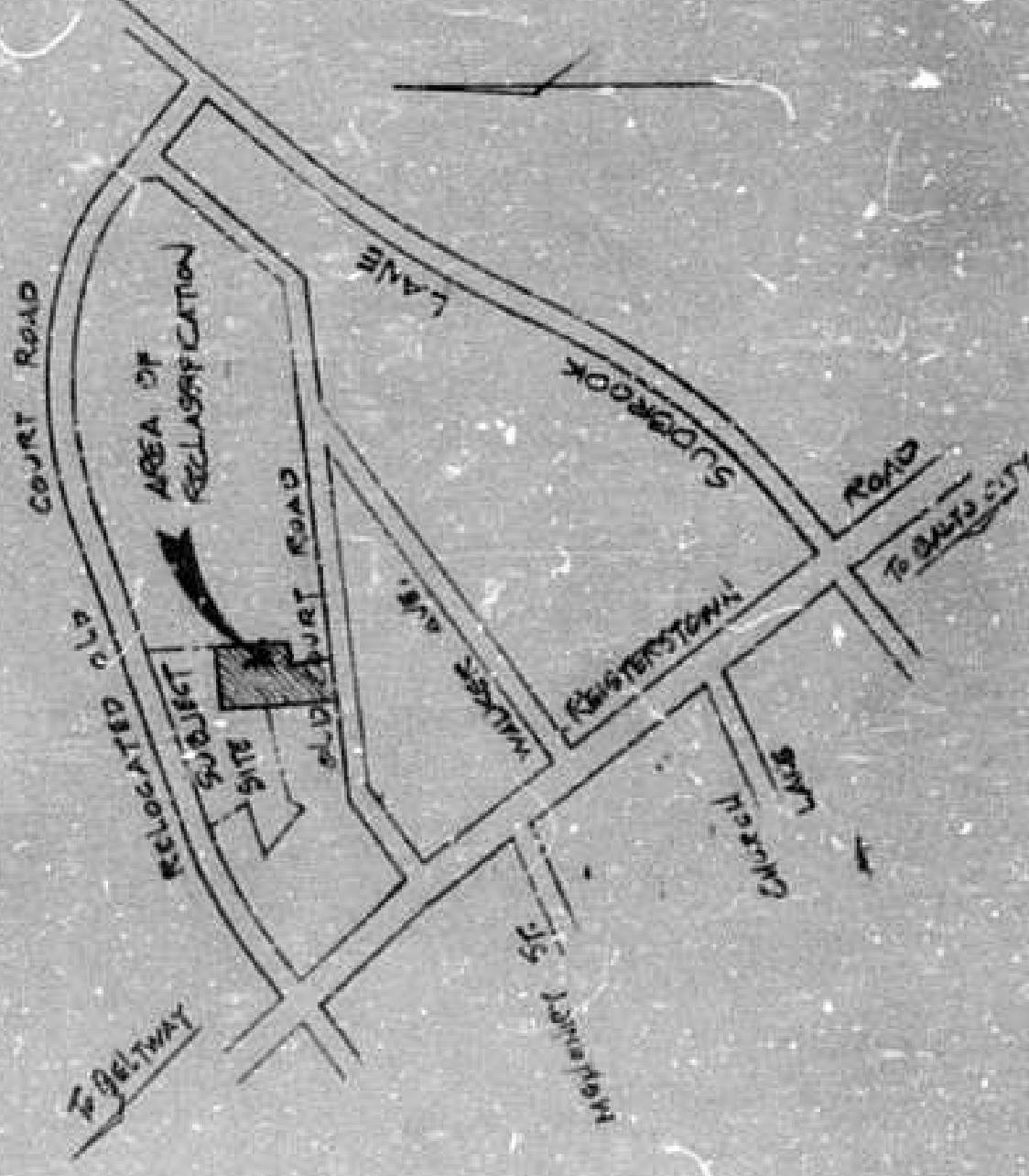
GENERAL NOTES

- A. TOTAL AREA OF SITE = 2.11 ACRES ±
- B. AREA OF SITE REQUESTING RECLASSIFICATION = 0.87 ACRES ±
- C. EXISTING ZONING OF PROPERTY: 'DR-16', 'DR-10', 'DR-2'
- D. EXISTING USE OF PROPERTY: RETAIL FOOD STORE
- E. PROPOSED ZONING OF PROPERTY: 'DR-16'
- F. PROPOSED USE OF PROPERTY: RETAIL FOOD STORE
- G. EXISTING ZONING: 'DR-16'
- H. EXISTING ZONING: 'DR-16'
- I. EXISTING ZONING: 'DR-16'
- J. EXISTING ZONING: 'DR-16'
- K. EXISTING ZONING: 'DR-16'
- L. EXISTING ZONING: 'DR-16'
- M. EXISTING ZONING: 'DR-16'
- N. EXISTING ZONING: 'DR-16'
- O. EXISTING ZONING: 'DR-16'
- P. EXISTING ZONING: 'DR-16'
- Q. EXISTING ZONING: 'DR-16'
- R. EXISTING ZONING: 'DR-16'
- S. EXISTING ZONING: 'DR-16'
- T. EXISTING ZONING: 'DR-16'
- U. EXISTING ZONING: 'DR-16'
- V. EXISTING ZONING: 'DR-16'
- W. EXISTING ZONING: 'DR-16'
- X. EXISTING ZONING: 'DR-16'
- Y. EXISTING ZONING: 'DR-16'
- Z. EXISTING ZONING: 'DR-16'

PLAT TO ACCOMPANY PETITION
FOR
RECLASSIFICATION OF PROPERTY
A YARD VARIANCE AT
#12 OLD COURT ROAD
BALTIMORE COUNTY, MD.
ELECTION DISTRICT 3
OCT. 3, 1976
SCALE: 1" = 30'

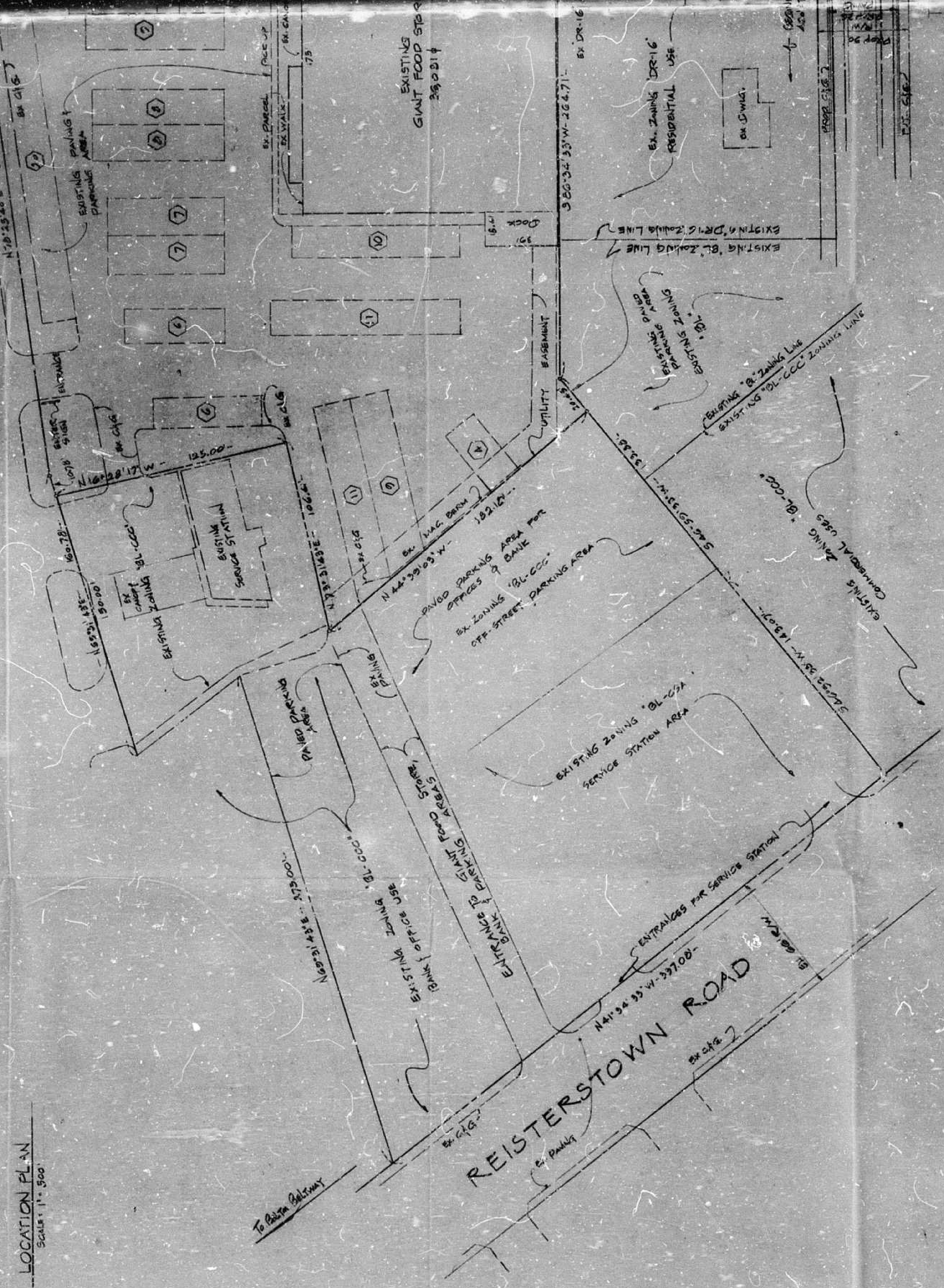


SECTION	3
DATE	10/12/76
BY	[Signature]
FOR	[Signature]



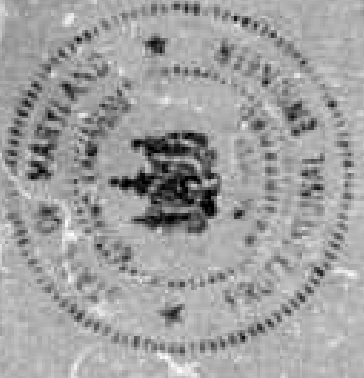
LOCATION PLAN
Scale: 1" = 500'

RELOCATED OLD COURT ROAD



GENERAL NOTES

1. TOTAL AREA OF SITE = 2.11 ACRES ±
2. AREA OF SITE REQUESTING RECLASSIFICATION: 0.57 ACRES ±
3. EXISTING ZONING OF PROPERTY: 'DR-16', 'BL-CCO', 'DR-16'
4. EXISTING USE OF PROPERTY: RETAIL FOOD STORE
5. PROPOSED ZONING OF PROPERTY: 'BL-CCO'
6. PROPOSED USE OF PROPERTY: RETAIL FOOD STORE
7. OFF-STREET PARKING DATA:
 - A. EXISTING STORE = 56,031 sq ft REQUIRING 181 SPA (0.52 ac)
 - B. PROPOSED EXPANSION TO EXISTING STORE = 15,000 sq ft REQUIRING 51 SPA (0.14 ac)
 - C. TOTAL SPACES REQUIRED = 242 SPA
 - D. TOTAL SPACES PROVIDED = 256 SPA (BL PARKING TO BE REMOVED PER THIS PLAN)
8. SITE DRAINS TO WESTERN RUN & GYMNASIUMS FALLS DRAINAGE AREA. IS SEWERED TO WESTERN RUN & JONES FALLS.
9. PETITIONER IS REQUESTING A VARIANCE TO SECTION 232.2 (5) OF THE ZONING CODE TO PERMIT A SIDE YARD OF 10' INSTEAD OF THE REQUIRED 25'. (A VARIANCE OF 15').

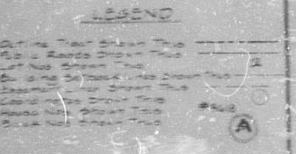
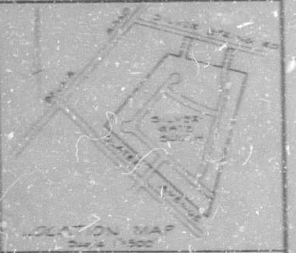


KIDDE
KIDDE CONSULTANTS, INC.
1350 CHURCHWELL BRIDGE ROAD
BALTIMORE, MARYLAND 21204

COORDINATE SCHEDULE

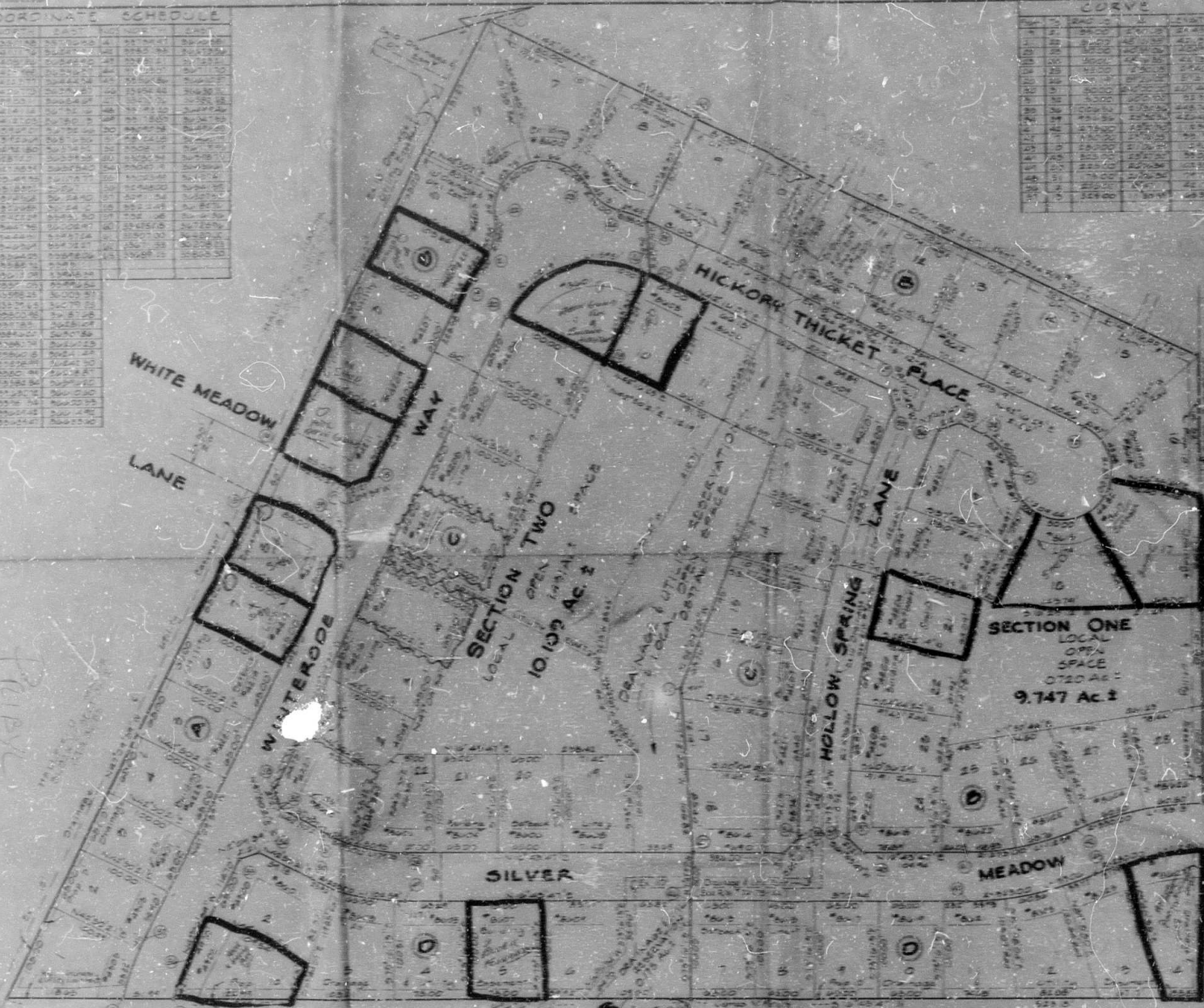
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CURVE		DATA	
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27	100.00	27	100.00
28	100.00	28	100.00
29	100.00	29	100.00
30	100.00	30	100.00



TADULTION

Existing	Proposed
Drainage	Drainage
Utility	Utility
Other	Other



SILVERGAGE SOUTH
Petition No. 123
Filed for Record
Date: 05/12/2010

PETITION EXHIBIT #7
DANIEL DEVELOPER
1234 Main St.
Anytown, VA 22009

GEORGE WILLIAM STEPHENS, JR. AND ASSOCIATES, INC.
CIVIL ENGINEERS & LAND SURVEYORS
1234 Main St., Anytown, VA 22009

NOTE This plan was prepared in accordance with the Virginia Code and the rules of the Board of Survey and Mapping.	NOTE The property shown on this plan is the property of the petitioner and is shown for informational purposes only.	OWNER'S CERTIFICATE I, the undersigned, being the owner of the property shown on this plan, do hereby certify that the information furnished hereon is true and correct.	SURVEYOR'S CERTIFICATE I, the undersigned, being a duly licensed surveyor in the State of Virginia, do hereby certify that the information furnished hereon is true and correct.	APPROVED BY BOARD OF SURVEY AND MAPPING [Signature]	APPROVED BY LOCAL GOVERNMENT [Signature]	FILED AND RECORDED [Signature]	DATE 05/12/2010
--	--	--	--	---	--	--	---------------------------