IN RE: PETITION FOR ZONING VARIANCE
S/S of Hines Road, 178.37' W
of Magledt Road
11th Election District
5th Councilmanic District

Hines Road, Inc.
Petitioner

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 90-233-A

* * * * * * * * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioner herein requests a special variance for a reserve-capacity-use certificate, pursuant to Section 4A02.3G.1 and G.2, in accordance with Petitioner's Exhibits 1, 3 and 3A.

The Petitioner, by Kevin McDonagh, President, appeared, testified and was represented by Cynthia K. Hitt, Esquire. Also appearing on behalf of the Petition was George W. Stephens, Jr., Engineer. There were no Protestants.

Testimony indicated that the subject property consists of 37.92 acres zoned D.R. 3.5 and D.R. 5.5 and is presently unimproved. Petitioner is desirous of developing the property with single family dwelling and townhouse units in the area not outlined in pink as shown on Petitioner's Exhibit 3. Testimony indicated Petitioner owns the property known as Perry Hall Apartments and has the right to construct 154 more units within that development for which they have reserve-use-capacity certificates. (See Petitioner's Exhibit 1). Reserve-use-capacity certificates are issued to developers when continuing development in certain areas may create access road deficiencies in areas that presently have adequate levels of service. Petitioner proposes transfering the 154 reserve-use-capacity certificates issued for Perry Hall Apartments to the Hines Road Estates project for development as depicted in Petitioner's Exhibits 3 and 3A.

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Date 3/19/90
By

Petitioner's Exhibit 3 reflects more than 154 homes proposed, however, Petitioner can only develop that property not highlighted in pink. The area highlighted in pink cannot be developed until more reserve-use-capacity certificates are issued by the County when the roads through the development are improved to handle the projected traffic increase.

It should be noted that Petitioner's request is really not for a variance but for a transfer of reserve-use-capacity certificates from one development to another, both of which are owned by Petitioner. The testimony and evidence presented in support of the relief requested complies with the requirements set forth in Section 307 of the B.C.Z.R. and all the requirements set forth in Section 4A02.4F1 and F2 regarding Basic Services Mapping Standards.

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to the Petitioner and his property. McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the Petitioner must meet the following:

> 1) whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;
>
> 2) whether the grant would do substantial injustice to applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give substantial relief; and
>
> 3) whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

After due consideration of the testimony and evidence presented, it is clear that if the relief requested is granted, such use as proposed

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would not be contrary to the spirit of the B.C.Z.R. and would not result in substantial detriment to the public health, safety, and general welfare.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the variance requested should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 19th day of March, 1990 that the Petition for Zoning Variance to permit the transfer of reserve-capacity-use certificates from the Perry Hall Apartments to the subject property, known as Hines Road Estates for the development of single family dwelling and townhouse units, pursuant to Section 4A02.3G.1 and G.2, in accordance with Petitioner's Exhibits 1, 3 and 3A, be and is hereby GRANTED, subject, however to the following restrictions which are conditions precedent to the relief granted:

> 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.
>
> 2) The area highlighted in pink on Petitioner's Exhibit 3 may not be developed until additional reserve-use-capacity certificates are issued by Baltimore County.

J. Robert Haines
J. ROBERT HAINES
Zoning Commissioner
for Baltimore County

JRH:bjs

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Date 3/19/90
By

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 887-3353

J. Robert Haines
Zoning Commissioner

Dennis F. Rasmussen
County Executive

March 19, 1990

Cynthia K. Hitt, Esquire
Klein & Webb
1301 York Road, Suite 401
Lutherville, Maryland 21093

RE: PETITION FOR ZONING VARIANCE
S/S of Hines Road, 178.37' W of Magledt Road
11th Election District - 5th Councilmanic District
Hines Road, Inc. - Petitioners
Case No. 90-233-A

Dear Ms. Hitt:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Zoning Variance has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact Ms. Charlotte Radcliffe at 887-3391.

Very truly yours,

J. Robert Haines
J. ROBERT HAINES
Zoning Commissioner
for Baltimore County

JRH:bjs

cc: People's Counsel
File

9C

PETITION FOR ZONING VARIANCE

90-233-A

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, 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 as Exhibit A, hereby petitions for a Special Variance from Section Section 4A02.3. Adoption of Basic Service Maps, Subsection G.1. and 2. pursuant to additional information attached hereto as Exhibit B and made a part hereof.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty)

Practical difficulty results from strict application of the Zoning Regulations as the district standard would be inapplicable to the proposal as outlined in Exhibit B attached hereto and as therein set forth.

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.

I/ do solemnly declare and affirm, under the penalties of perjury, that I/ are the legal owner of the property which is the subject of this Petition.

Contract Purchaser:
(Type or Print Name)
Signature
Address
City and State

Legal Owner:
HINES ROAD, INC.
(Type or Print Name)
Signature
Kevin McDonagh, President
(Type or Print Name)
Signature

MAP NE10F
E-3
E. D. 11th
DATE 10-31-91
ZO AF
NODE —
DP G

Attorney for Petitioner:
Cynthia K. Hitt
(Type or Print Name)
Signature
KLEIN & WEBB
1301 York Road, Suite 401 Heaver Plaza
Address
Lutherville, Maryland 21093
City and State
Attorney's Telephone No.: 321-1896

305 W. Chesapeake Ave. 337-7740
Address Suite 110 Phone No.
Towson, Maryland 21204
City and State

Name, address and phone number of legal owner, contract purchaser or representative to be contacted

Cynthia K. Hitt, Klein & Webb
Name Suite 401 Heaver Plaza
1301 York Rd., Lutherville, MD 21093 321-1896
Address Phone No.

ORDERED By The Zoning Commissioner of Baltimore County, this 26 day of Sept, 1989, 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 14th day of Dec, 1989, at 9:30 o'clock A. M.

J. Robert Haines
Zoning Commissioner of Baltimore County.

(over)

ORDER RECEIVED FOR FILING
Date 3/19/90
By

Tracking System

Baltimore County
Zoning Commissioner
Office of Planning & Zoning

Date Day Month Year	Receipt Number	FEE TYPE	Identification Number	Council District	Election District	Zip Code
070989	077475	02	01-615	5	11	21234

Petitioner: Hines Road Inc.
(Last) (First) (Middle Initial)

Property Address: S/S of Hines Road, 178.37' W Cl of Magledt Rd
(Number) (Street)

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

No. 077475

DATE 9/7/89 ACCOUNT 01-615

AMOUNT $ 175.00

RECEIVED FROM: Cynthia K. Hitt

Item # 40

FOR: Special Variance (Hines Road Inc.)

B B 035*****17500:a 3074F

VALIDATION OR SIGNATURE OF CASHIER

DISTRIBUTION WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

#90

90-233-A

FROM THE OFFICE OF
GEORGE WILLIAM STEPHENS, JR., & ASSOCIATES, INC.
ENGINEERS
P.O. BOX 6828, TOWSON, MARYLAND 21204

Description to Accompany Petition
for a Special Hearing and Variance

August 29, 1989
RE: Hines Estates
37.463 Acre Parcel

Point of beginning being on the southern right of way line of Hines Road and located South 78 degrees 16 minutes 20 seconds West 178.37 feet from the intersection of the centerline of Magledt Road 60.00 feet wide and the centerline of Hines Road 50.00 feet wide, running thence in a clockwise direction, binding on the southern right of way line of said Hines Road, the three following courses, viz:

1) North 86 degrees 19 minutes 45 seconds East 186.49 feet,
2) southeasterly by a curve to the right having a radius of 1330.61 feet for a distance of 328.61 feet, said curve being subtended by a chord bearing South 86 degrees 35 minutes 45 seconds East 327.78 feet,
3) southeasterly by a curve to the left having a radius of 3569.08 feet for a distance of 283.06 feet, said curve being subtended by a chord bearing South 81 degrees 47 minutes 34 seconds East 282.98 feet, running thence leaving said right of way line, the seven following courses, viz:
4) South 01 degrees 53 minutes 55 seconds West 187.06 feet,
5) South 87 degrees 26 minutes 46 seconds East 202.76 feet,
6) South 02 degrees 47 minutes 25 seconds West 232.52 feet,
7) South 37 degrees 36 minutes 32 seconds East 15.38 feet,
8) South 01 degrees 51 minutes 25 seconds West 1329.85 feet,
9) North 73 degrees 39 minutes 10 seconds West 1050.00 feet, and
10) North 02 degrees 21 minutes 50 seconds East 1523.26 feet to the place of beginning.

Containing 37.463 Acres of Land more or less.

* NOTE: THE ABOVE DESCRIPTION IS FOR ZONING PURPOSES ONLY AND NOT INTENDED TO BE USED IN THE CONVEYANCE LAND OR AGREEMENTS.

9/89

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland 21204 as follows:

Petition for Zoning Variance
Case number: 90-233-A
S/S of Hines Road, 178.37' W
c/l of Magledt Road
11th Election District
5th Councilmanic
Petitioner(s):
Hines Road, Inc.
Hearing Date: Thursday,
Dec. 14, 1989 at 9:30 a.m.

Special Variance: For Adoption of Basic Service Maps, Subsection G.1 and 2.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be in writing and received in this office by the date of the hearing set above or presented at the hearing.

NOTE:
(If "PHASE II" of the "SNOW EMERGENCY PLAN" is in effect in Baltimore County on the above hearing date, the Hearing will be postponed. In the event of snow, telephone 887-3391 to confirm hearing date.)

J. ROBERT HAINES
Zoning Commissioner of
Baltimore County
N/J/11/384 Nov. 23.

CERTIFICATE OF PUBLICATION

November 28, 1989

THIS IS TO CERTIFY, that the annexed advertisement was published in the NORTHEAST TIMES BOOSTER and the NORTHEAST TIMES REPORTER, weekly newspapers published in Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on Nov 23, 1989.

NORTHEAST TIMES BOOSTER and the
NORTHEAST TIMES REPORTER

S. Zeke Orlan
Publisher

CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

90-233-A

District 11th
Date of Posting 11/27/89
Posted for: Special Variance
Petitioner: Hines Road, Inc.
Location of property: S/S Hines Rd, 178.37' W/Magledt Rd
Location of Signs: Facing intersection of Hines Rd. & [illegible] Ave, approx. 15' fr. intersection on property of Petitioner
Remarks:
Posted by
Signature
Date of return: 12/1/89
Number of Signs: 1

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland 21204 as follows:

Petition for Zoning Variance
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J. ROBERT HAINES
Zoning Commissioner of
Baltimore County
N/J/11/384 Nov. 23.

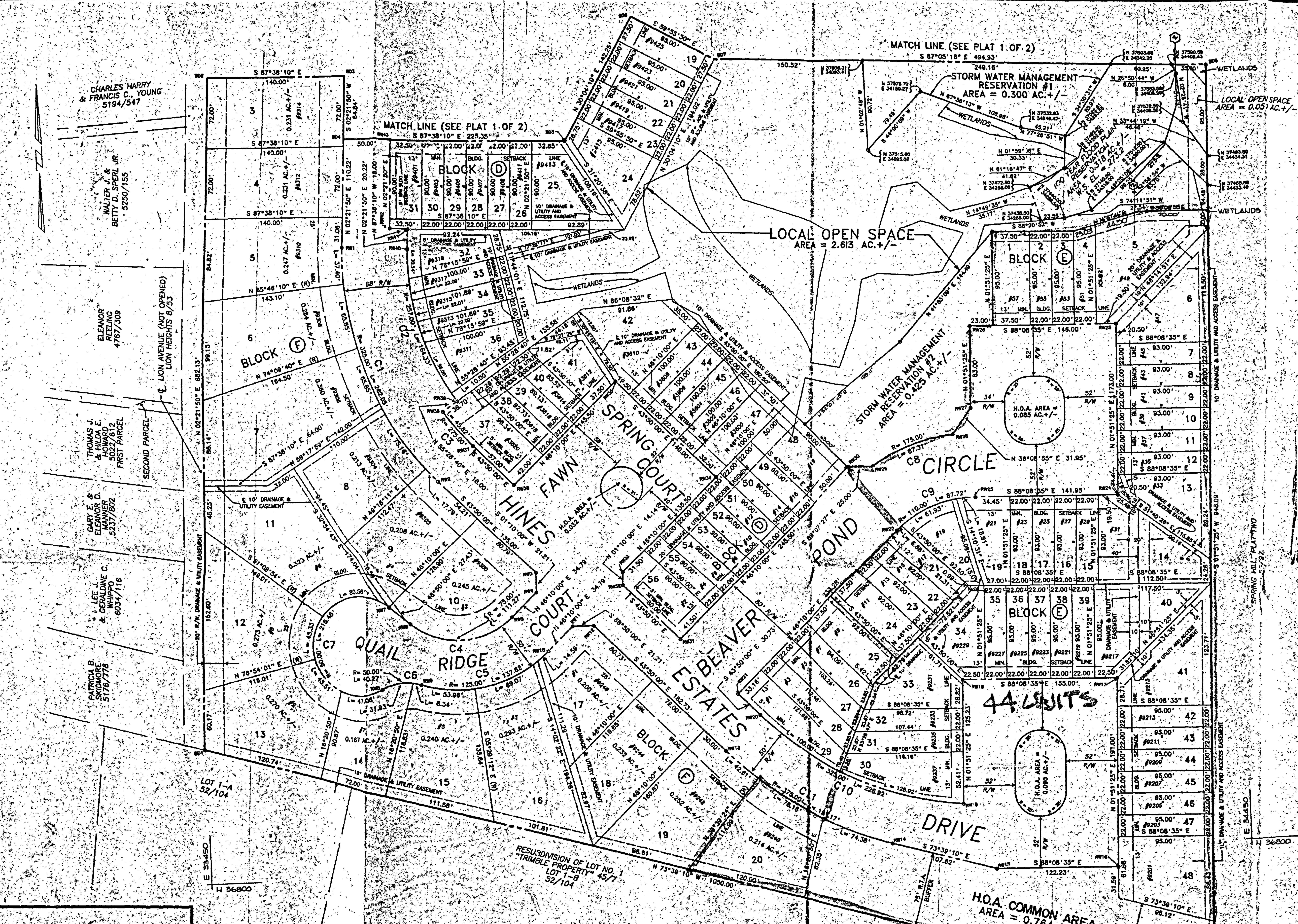
CERTIFICATE OF PUBLICATION

TOWSON, MD., November 29, 1989

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on Nov 23, 1989.

THE JEFFERSONIAN,

S. Zeke Orlan
Publisher


MATCH LINE (SEE PLAT 1 OF 2)
S 87°05'18" E 494.93'
MATCH LINE (SEE PLAT 1 OF 2)
S 87°38'10" E 225.35'
STORM WATER MANAGEMENT RESERVATION #1 AREA = 0.300 AC.+/-
LOCAL OPEN SPACE AREA = 2.613 AC.+/-
LOCAL OPEN SPACE AREA = 0.051 AC.+/-
STORM WATER MANAGEMENT RESERVATION #2 AREA = 0.425 AC.+/-
100 YEAR FLOOD PLAIN
WETLANDS
BLOCK D
BLOCK E
BLOCK F
HINES FAWN SPRING COURT
QUAIL RIDGE COURT
BEAVER POND CIRCLE
HINES ESTATES DRIVE
H.O.A. AREA = 0.032 AC.+/-
H.O.A. AREA = 0.083 AC.+/-
H.O.A. AREA = 0.090 AC.+/-
H.O.A. COMMON AREA AREA = 0.764 AC.+/-
44 UNITS
CHARLES HARRY & FRANCIS C. YOUNG 5194/547
WALTER J. & BETTY D. SPERL JR. 5250/155
ELEANOR REELING 4767/309
LION AVENUE (NOT OPENED) LION HEIGHTS 8/53
THOMAS J. & HILDA E. HAMMERER 5021/612 FIRST PARCEL
SECOND PARCEL
GARY E. & EILEEN D. SKIDMORE 5237/802
LEE & GERALDINE C. WHIPPO 6034/116
PATRICIA B. SKIDMORE 5176/778
LOT 1-A 52/104
RESUBDIVISION OF LOT NO. 1 "TRIMBLE PROPERTY" 45/7 LOT 1-B 52/104
"TRIMBLE PROPERTY" LOT 2 45/7
SPRING HILL FARMS 45/22
E 33450
N 36800
E 34455
N 37550
E 34450

LEGEND

DENOTES BOUNDARY ——— — — ———

DENOTES RIGHT-OF-WAY ——— — — ———

DENOTES LOT LINES ————————

DENOTES BUILDING SETBACK LINE ——— ——— ———

DENOTES EASEMENTS —— —— ——

DENOTES HOUSE NUMBERS — #3600

DENOTES LOT NUMBERS — 7

DENOTES COORDINATES BD3

DENOTES 100 YEAR CALCULATED WATER SURFACE ELEVATION AND X-SECTION ② 278.2 ②

GENERAL NOTES

THIS PLAT MAY EXPIRE IN ACCORDANCE WITH THE PROVISIONS OF THE BALTIMORE COUNTY CODE, SECTION 22-68.

THE RECORDING OF THIS PLAT DOES NOT GUARANTEE THE INSTALLATION OF STREETS OR UTILITIES BY BALTIMORE COUNTY.

THE INFORMATION SHOWN HEREON MAY BE SUPERSEDED BY A SUBSEQUENT OR AMENDED PLAT.

ADDITIONAL INFORMATION CONCERNING THIS PLAT MAY BE OBTAINED FROM THE BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING AND THE DEPARTMENT OF PUBLIC WORKS.

THE RECORDING OF THIS PLAT DOES NOT CONSTITUTE OR IMPLY ACCEPTANCE BY THE COUNTY OF ANY STREET, EASEMENT, PARK, OPEN SPACE OR OTHER PUBLIC AREA SHOWN ON THE PLAT.

THE OWNER/DEVELOPER WILL COMPLY WITH THE BEST MANAGEMENT PRACTICES ADOPTED BY THE BALTIMORE COUNTY DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT.

ELEVATIONS SHOWN ON THE FLOODPLAIN SECTIONS ARE THE 100 YEAR WATER SURFACE. APPROVED SEPT 11, 1989

EXCEPT AS OTHERWISE INDICATED, ALL BUILDING RESTRICTION LINES SHOWN HEREON HAVE BEEN PLACED AS THE RESULT OF AN INTERPRETATION ONLY OF CURRENTLY APPLICABLE REGULATIONS AND POLICIES OF THE BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING. EXCEPTIONS TO THESE RESTRICTIONS MAY APPLY, INCLUDING THE MINIMUM SETBACK OF 22 FEET TO BE HELD FROM THE STREET RIGHT-OF-WAY LINE TO THE GARAGE OR CARPORT ENTERED DIRECTLY FROM THE STREET.

TRASH COLLECTION, SNOW REMOVAL AND ROAD MAINTENANCE ARE TO BE PROVIDED TO THE JUNCTION OF THE PANHANDLE AND STREET RIGHT-OF-WAYS.

DEED REFERENCE — SM 8256/524, TAX ACCOUNT NO. 11-1101074075

THE WELAND LIMITS HAVE BEEN DETERMINED FROM FIELD INSPECTION BY THE BALTIMORE COUNTY DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT. NO GRADING, CLEARING OR CONSTRUCTION WILL BE CONDUCTED IN THIS AREA EXCEPT AS PERMITTED BY THE BALTIMORE COUNTY DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT.

THE APPROVAL OF THIS PLAT IS BASED UPON A REASONABLE EXPECTATION THAT THE WATER AND SEWER SERVICE WHICH IS PLANNED FOR THE DEVELOPMENT WILL BE AVAILABLE WHEN NEEDED. HOWEVER, BUILDING PERMITS MAY NOT BE ISSUED UNTIL THE PLANNED WATER AND SEWER FACILITIES ARE COMPLETED AND DETERMINED TO BE ADEQUATE TO SERVE THE PROPOSED DEVELOPMENT.

C.R.G. WAS APPROVED 12/1/88.

WHITE MARSH DRAINAGE AREA

TABULATION

GROSS ACREAGE = 37.92 AC. +/-
NET ACREAGE = 37.463 AC. +/-
EXISTING ZONING — D.R. 3.5, D.R. 5.5

DENSITY CALCULATION
EX. D.R. 3.5 x 5.23 AC. = 18.31 UNITS
EX. D.R. 5.5 x 32.69 AC. = 179.8 UNITS
TOTAL = 198.1 UNITS

UNITS PERMITTED = 198
UNITS PROPOSED = 198 (157 T.H., 41 S.F.)

PARKING REQUIRED — 2 SPACES/1 UNIT = 198 x 2 = 396(314 T.H., 82 S.F.)
PARKING PROVIDED — 446 SPACES (364 T.H., 82 S.F.)

OPEN SPACE REQUIRED — 2.95 AC.
OPEN SPACE PROVIDED — 4.628 AC.+/-

TOTAL AREA (THIS SHEET) = 18.736 AC.+/-
LOCAL OPEN SPACE (THIS SHEET) = [illegible] AC.+/-
H.O.A. AREA (THIS SHEET) = 0.969 AC. +/-
TOTAL UNITS THIS SHEET = 86 T.H.
16 S.F.

COORDINATE TABLE

NO.	NORTH	EAST
BD1	36936.75	33399.11
BD2	37618.30	33427.24
BD3	37612.53	33567.12
BD4	37547.74	33564.45
BD5	37538.45	33789.60
BD6	37681.55	33860.88
BD7	37613.95	33943.09
BD8	37588.81	34437.38
BD9	36641.22	34406.66
RW1	37437.61	33559.90
RW2	37199.13	33630.18
RW3	37101.74	33743.68
RW4	37080.53	33743.25
RW5	37056.44	33718.15
RW6	37054.08	33618.84
RW7	37072.14	33598.19
RW8	36989.91	33585.90
RW9	36992.53	33625.01
RW10	37020.37	33752.78
RW11	37044.47	33777.88
RW12	37044.03	33789.06
RW13	36912.22	33925.64
RW14	36812.09	34090.00
RW15	36781.80	34193.87
RW16	36777.84	34316.04
RW17	36988.74	34322.23
RW18	36973.78	34167.31
RW19	36848.60	34163.25
RW20	36946.85	33961.71
RW21	36969.02	33940.42
RW22	37130.58	34108.70
RW23	37161.17	[illegible]
RW24	37158.57	34330.32
RW25	37329.48	34335.93
RW26	37334.21	34190.00
RW27	37251.28	34187.31
RW28	37225.46	34166.47
RW29	37198.37	34087.11
RW30	37196.75	34062.11
RW31	37026.72	33685.02
RW32	37084.43	33829.81
RW33	37098.57	33829.90
RW34	37192.41	33927.64
RW35	37293.40	33830.69
RW36	37192.64	33725.73
RW37	37233.75	33686.25
RW38	37209.29	33657.42
RW39	37279.49	33672.25
RW40	37434.81	33627.84
RW41	37455.02	33628.68
RW42	37455.76	33610.69
RW43	37545.68	33614.41

PETITIONER'S EXHIBIT 3

CURVE TABLE

Name	Delta	Radius	Length	Bearing	Chord	Tangent
C1	046°11'55"	[illegible]	282.05	N 20°44'05" W	265.01	138.52
C2	[illegible]°38'08"	[illegible]	[illegible]	N 13°57'[illegible]" W	161.54	85.08
C3	009°32'43"	275.00	45.82	[illegible]	45.76	22.96
C4	085°00'00"	75.00	111.27	N 88°40'00" E	[illegible]	68.72
C5	063°04'45"	125.00	137.62	N 77°42'23" E	130.77	76.72
C6	046°08'57"	50.00	40.27	N 88°10'17" E	39.19	21.30
C7	248°04'11"	50.00	216.48			
C8	028°35'08"	175.00	87.31	N 70°19'29" E	86.41	44.58
C9	045°41'25"	110.00	87.72	N 69°00'43" E	85.41	46.34
C10	040°21'28"	325.00	228.92	S 64°00'43" E	224.22	119.44
C11	029°49'10"	375.00	195.17	S 58°44'33" E	192.97	99.84

PLAT 2 OF 2

HINES ESTATES

11TH ELECTION DISTRICT BALTIMORE CO., MARYLAND
SCALE: 1" = 50' DATE: SEPT. 11, 1989

NOTE:

HIGHWAY AND HIGHWAY WIDENING, SLOPE EASEMENTS, DRAINAGE AND UTILITY EASEMENTS, ACCESS EASEMENTS, AND STORMWATER MANAGEMENT AREAS, NO MATTER HOW ENTITLED, SHOWN HEREON, ARE RESERVED UNTO THE OWNER AND ARE HEREBY OFFERED FOR DEDICATION TO BALTIMORE COUNTY, MARYLAND. THE OWNER, HIS PERSONAL REPRESENTATIVE AND ASSIGNS SHALL CONVEY SAID AREAS BY DEED, TO BALTIMORE COUNTY, MARYLAND, AT NO COST.

OWNER/DEVELOPER
HINES ROAD, INC.
KEVIN M. McDONAGH, PRESIDENT
305 WEST CHESAPEAKE AVENUE
TOWSON, MARYLAND 21204
PHONE: 337-7740

NOTE:

COORDINATES AND BEARINGS SHOWN ON THIS PLAT ARE REFERRED TO THE SYSTEM OF COORDINATES ESTABLISHED IN THE BALTIMORE COUNTY METROPOLITAN DISTRICT AND ARE BASED ON THE FOLLOWING TRAVERSE STATIONS.

NO.10629 N 38464.79 E 33963.14
NO.10630 N 38503.82 E 33618.06

NOTE:

THE STREETS AND/OR ROADS AS SHOWN HEREON AND THE MENTION THEREOF IN DEEDS ARE FOR THE PURPOSE OF DESCRIPTION ONLY AND THE SAME ARE NOT INTENDED TO BE DEDICATED TO PUBLIC USE. THE FEE SIMPLE TITLE TO THE BEDS THEREOF IS EXPRESSLY RESERVED IN THE GRANTORS OF THE DEED TO WHICH THIS PLAT IS ATTACHED, THEIR HEIRS AND ASSIGNS.

OWNERS CERTIFICATE:

THE UNDERSIGNED, OWNER OF THE LAND SHOWN ON THIS PLAT, HEREBY CERTIFIES THAT, TO THE BEST OF IT'S KNOWLEDGE, THE REQUIREMENT OF SUBSECTION (C) OF SECTION 3-108 OF THE REAL PROPERTY ARTICLE OF THE ANNOTATED CODE OF MARYLAND, HAS BEEN COMPLIED WITH, INSOFAR AS SAME CONCERNS THE MAKING OF THE PLAT AND THE SETTING OF THE MARKERS.

PRESIDENT
DATE 9/26/89

SURVEYORS CERTIFICATE:

THE UNDERSIGNED, A REGISTERED LAND SURVEYOR OF THE STATE OF MARYLAND, DOES HEREBY CERTIFY THAT HE IS THE SURVEYOR WHO PREPARED THIS PLAT AND THAT THE LAND SHOWN ON THIS PLAT HAS BEEN LAID OUT, AND THE PLAT THEREOF HAS BEEN PREPARED, IN COMPLIANCE WITH SUBSECTION (C) OF SECTION 3-108 OF THE REAL PROPERTY ARTICLE OF THE ANNOTATED CODE OF MARYLAND, PARTICULARLY INSOFAR AS SAME CONCERNS THE MAKING OF THE PLAT AND SETTING OF THE MARKERS.

REG. NO. DATE

APPROVED BY BALTIMORE COUNTY DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
DIRECTOR DATE

APPROVED BY BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING
DIRECTOR DATE

APPROVED BY DEPARTMENT OF PUBLIC WORKS
DIRECTOR OF PUBLIC WORKS DATE

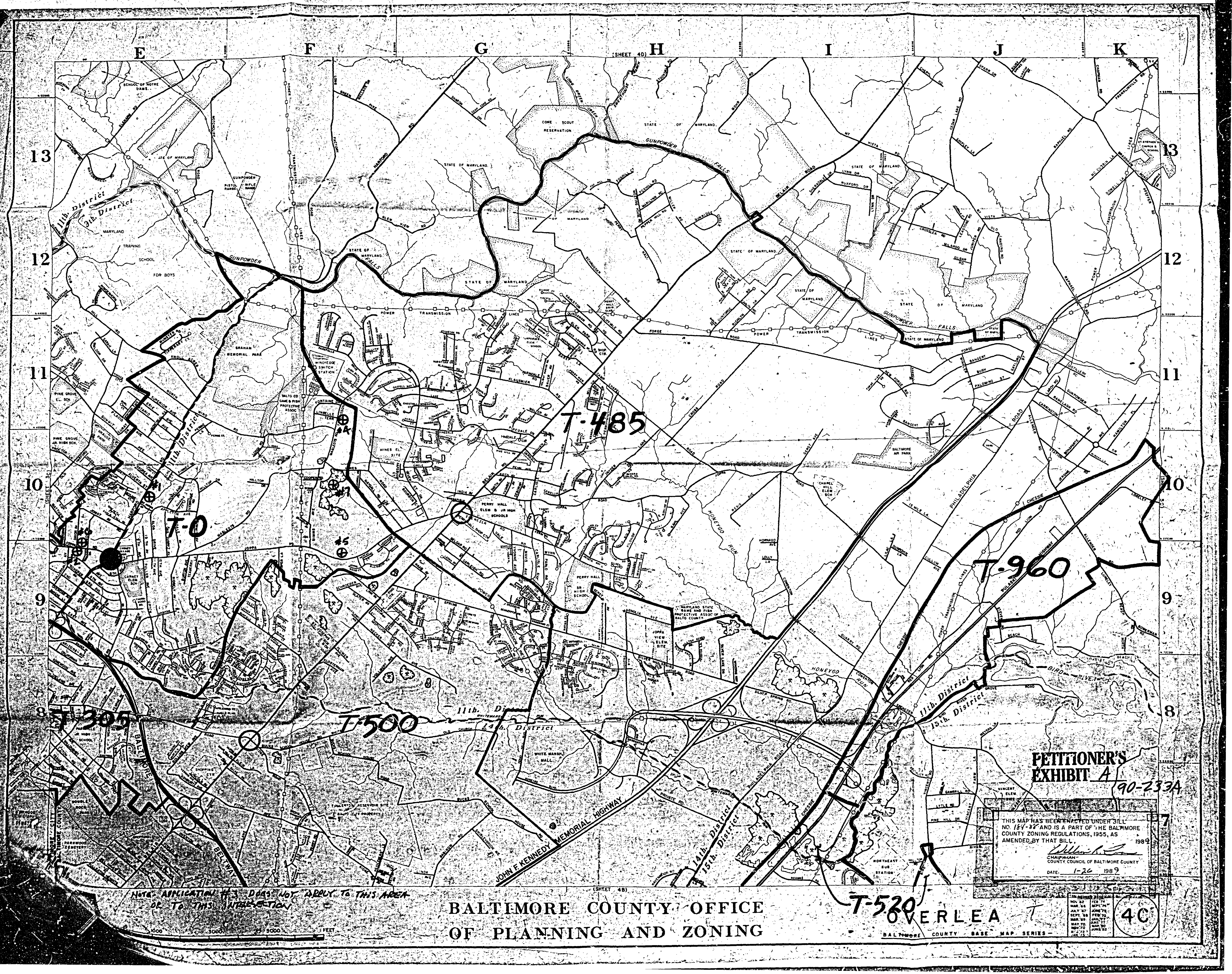
GWS

GEORGE WILLIAM STEPHENS, JR. AND ASSOCIATES INC.
CIVIL ENGINEERS & LAND SURVEYORS
TOWSON, MARYLAND 21204 BEL AIR, MARYLAND 21014

P.W.A. COMPLETED
FINAL PLAT CHECKED:
PLANNING
ENGINEERING
HOUSE NOS.

COMPUTED BY: J.T. & W.E. CHECKED BY: C.K.S. & W.E.
DRAWN BY: C.A.D.D. J.T. W.O. NO.: 4364

A & E INC. BALTIMORE



Note: APPLICATION #3 DOES NOT APPLY TO THIS AREA
OR TO THIS INTERSECTION

BALTIMORE COUNTY OFFICE
OF PLANNING AND ZONING

OVERLEA T

BALTIMORE COUNTY BASE MAP SERIES

4C

PETITIONER'S EXHIBIT A

90-233A

THIS MAP HAS BEEN ENACTED UNDER BILL
NO. 184-88 AND IS A PART OF THE BALTIMORE
COUNTY ZONING REGULATIONS, 1955, AS
AMENDED BY THAT BILL, 1989

William R.
CHAIRMAN-
COUNTY COUNCIL OF BALTIMORE COUNTY

DATE: 1-26, 1989

NOV. '62	FEB. '74
MAR. '66	SEPT. '74
JULY '67	JUNE '75
SEPT. '68	FEB. '73
MAR. '69	JAN. '77

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 887-3353

J. Robert Haines
Zoning Commissioner

Dennis F. Rasmussen
County Executive

DATE DEC 1122 1989

Hines Road, Inc.
305 W. Chesapeake Avenue, Suite 110
Towson, Maryland 21204

ATTN: KEVIN McDONAGH

Re: Petition for Zoning Variance
CASE NUMBER: 90-233-A
S/S of Hines Road, 178.37' W of c/l of Magledt Road
11th Election District - 5th Councilmanic
Petitioner(s): Hines Road, Inc.
HEARING: THURSDAY, DECEMBER 14, 1989 at 9:30 a.m.

Gentlemen:

Please be advised that $167.32 is due for advertising and posting of the above captioned property.

FEE MUST BE PAID AND THE ZONING SIGN & POST SET(S)
HEARING OR THE ORDER SHALL NOT ISSUE.
PROPERTY

Baltimore County
Zoning Commisioner
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

receipt

Account: R-001-6150

Number № 674

90-233

Date

12/14/89

M9000232

PUBLIC HEARING FEES

	QTY	PRICE
080 -POSTING SIGNS / ADVERTISING	1 X	$167.32
LAST NAME OF OWNER: HINES ROAD, INC	TOTAL:	$167.32

B B C19*****16732:a 2142F

Cashier Validation:

Please make checks payable to: Baltimore County

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 887-3353

J. Robert Haines
Zoning Commissioner

Dennis F. Rasmussen
County Executive

November 16, 1989

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland as follows:

Petition for Zoning Variance
CASE NUMBER: 90-233-A
S/S of Hines Road, 178.37' W c/l of Magledt Road
11th Election District - 5th Councilmanic
Petitioner(s): Hines Road, Inc.
HEARING: THURSDAY, DECEMBER 14, 1989 at 9:30 a.m.

Special Variance: For Adoption of Basic Service Maps, Subsection G.1 and 2.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be in writing and received in this office by the date of the hearing set above or presented at the hearing.

NOTE:

(If "PHASE II" of the "SNOW EMERGENCY PLAN" is in effect in Baltimore County on the above hearing date, the Hearing will be postponed. In the event of snow, telephone 887-3391 to confirm hearing date.)

J. Robert Haines

J. ROBERT HAINES
ZONING COMMISSIONER
BALTIMORE COUNTY, MARYLAND

JRH:gs
cc: Hines Road, Inc.
Cynthia K. Hitt, Esq.
File

90-233A

KLEIN & WEBB
SUITE 401, HEAVER PLAZA
1301 YORK ROAD
LUTHERVILLE, MARYLAND 21093

GERALD S. KLEIN
THOMAS E. WEBB
CYNTHIA K. HITT
DEBRA G. SCHUBERT
BRIAN R. McHENRY

TELEPHONE NO.
(301) 321-1896
FAX NO:
(301) 296-3054

February 1, 1990

Mr. Robert Haines
Zoning Commissioner
Baltimore County
Office of Planning and Zoning
Towson, Maryland 21204

Re: Hines Estates

Dear Mr. Haines:

Enclosed please find the information requested in your recent letter, specifically a comprehensive traffic map showing the location of the six developments on the waiting list for reserve use capacity certificates. Also enclosed are copies of applications #1 through #7 (#7 being Hines Estates). Please feel free to call me should you have any other questions.

Very truly yours,

CYNTHIA K. HITT

CKH:mmm

Enclosures

RECEIVED
FEB 1 1990
ZONING OFFICE

KLEIN & WEBB
SUITE 401, HEAVER PLAZA
1301 YORK ROAD
LUTHERVILLE, MARYLAND 21093

GERALD S. KLEIN
THOMAS E. WEBB
CYNTHIA K. HITT
DEBRA G. SCHUBERT
BRIAN R. McHENRY

TELEPHONE NO.
(301) 321-1896
FAX NO:
(301) 296-3054

March 12, 1990

RECEIVED
MAR 12 1990
ZONING OFFICE

Mr. Robert Haines
Zoning Commissioner
Baltimore County
Office of Planning & Zoning
111 W. Chesapeake Avenue
Room 109
County Courts Building
Towson, Maryland 21204

Re: Petition for Zoning Variance
Case No.: 90-233-AS/S of Hines Road
Petitioner: Hines Road, Inc.
Hearing Date: December 14, 1989

Dear Mr. Haines:

This matter came before you at a public hearing on December 14, 1989. On December 26, 1989 I forwarded to you a short letter synopsisizing the applicant's position and the order being sought. On February 1, 1990 pursuant to your letter of January 19, 1990 we forwarded a comprehensive traffic map and copies of use capacity certificates.

Following the hearing, it was our impression that the order would be issued some time in January. Following our submission of the further information in February, it was hoped that the order would issue in February. As a follow up to the hearing and to the subsequent submittal of information, I thought it would be useful to call your attention to the passage of time, and to the following facts, one of which is clear from the record, and perhaps only needs to be reiterated; the second of which we anticipated the need for clarification subsequent to the public hearing.

The applicant, Hines Road, Inc., by and through its President, Kevin McDonagh, stated in this petition for special variance and at the public hearing that Hines Road, Inc., and Perry Hall Associates are related companies. In fact, Mr. Kevin McDonagh is a principal in both entities. Therefore, the entities are virtually the same and are merely willing to swap their positions on the waiting list for reserve use capacity certificates. Neither Hines Road, Inc. nor Perry Hall Associates is relinquishing its position in line, they are merely being swapped.

Joe

KLEIN & WEBB
SUITE 401, HEAVER PLAZA
1301 YORK ROAD
LUTHERVILLE, MARYLAND 21093

GERALD S. KLEIN
THOMAS E. WEBB
CYNTHIA K. HITT
DEBRA G. SCHUBERT
BRIAN R. McHENRY

TELEPHONE NO.
(301) 321-1896
FAX NO:
(301) 296-3054

December 26, 1989

RECEIVED
DEC 28 1989
ZONING OFFICE

Mr. J. Robert Haines
Zoning Commissioner
Office of Planning and Zoning
111 W. Chesapeake Avenue
Room 109
Towson, Maryland 21204

Re: Petition for Zoning Variance
Case No.: 90-233-AS/S of Hines Road
Petitioner: Hines Road, Inc.
Hearing Date: 12/14/89

Dear Mr. Haines:

Following our hearing of December 14, 1989, I thought that the following synopsis of the Petitioner's Application and the Order being sought for the Zoning Commissioner based on the substance of the hearing would be useful.

Perry Hall Associates has 154 building permits for the Perry Hall Apartments. Perry Hall Associates is willing to stay those building permits and transfer the vehicle trips associated with those building permits to Hines Road Estates for 154 dwelling units in Hines Road Estates. On this basis, 154 reserve use capacity certificates may be issued to Hines Road Estates on its application for 198 dwelling units, which application is currently in seventh position waiting for reserve use capacity certificates. Hines Road would transfer its seventh position in line on the application for reserve use capacity certificates to Perry Hall Associates.

In conjunction with this transfer, Perry Hall Associates is willing to stay its building permits for the 154 dwelling units and is willing to assume the seventh position in Hines Road's application for reserve use capacity certificates. Also, Hines Road, Inc. is willing to revise its subdivision plat into two phases showing 154 units in Phase One, and 44 units in Phase Two. The 44 units in Phase Two would then be recordable when reserve use capacity certificates are available in accordance with Hines Road's seventh position application for reserve use capacity certificates.

Mr. J. Robert Haines
December 26, 1989
Page 2

In conclusion, the applicant is seeking:

1. A transfer of 154 reserve use capacity certificates from Perry Hall Associates or the reserve use capacity certificates that would have been issued to Perry Hall Associates had it not been grandfathered under the Growth Management Section from Perry Hall Associates to Hines Road, Inc.

2. A stay of the 154 building permits for Perry Hall Associates. This stay should be lifted once reserve use capacity certificates are available for Perry Hall Associates in accordance with the seventh position application.

3. A substitution on the seventh position application by Hines Road Estate of Perry Hall Associates for 154 of the 198 reserve use capacity certificates applied for by Hines Road, Inc.

4. A re-sectioning of the 198 units for Hines Road Estates into Phase One (154 units) and Phase Two (44 units), the subsequent 44 units to be recordable when reserve use capacity certificates are available from the seventh position application.

Please feel free to call me should you have any questions.

Very truly yours,

Cynthia K. Hitt/pw

CYNTHIA K. HITT

CKH/pw

cc: Mr. Kevin McDonagh

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 887-3353

J. Robert Haines
Zoning Commissioner

Dennis F. Rasmussen
County Executive

January 19, 1990

Cynthia K. Hitt
Attorney at Law
Klein and Webb
Suite 401, Heaver Plaza
1301 York Road
Lutherville, Maryland 21093

RE: Petition for Zoning Variance
Case No. 90-233-A
Petitioner: Hines Road, Inc.

Dear Ms. Hitt:

Upon reviewing the above captioned case, it has come to my attention that additional information is necessary prior to my rendering a decision. I am, therefore, requesting a comprehensive traffic map to include, but not be limited to, the identification of all parcels in this area (by location and name) currently on the Planning and Public Works waiting list, and each parcel's rating.

I will hold this matter under advisement until I receive the requested documents.

Very truly yours,

J. Robert Haines

J. Robert Haines
Zoning Commissioner

JRH:mmn

Mr. Robert Haines
March 12, 1990
Page Two

The second issue is the letter dated January 19, 1990 from Mr. and Mrs. William M. Gough of 9133 Simms Avenue to Robert E. Covahey, Chief of the Bureau of Public Services, which I note was copied to you. This letter by Mr. Gough was not addressed at the time of its issuance due to the fact that there were various meetings with Baltimore County officials regarding the proposed Simms Avenue connection, which were anticipated to and in fact did, result in Mr. and Mrs. Gough being satisfied with the solution proposed by Baltimore County. As you can see from a reading of the Gough's letter, their concern is improving road conditions on Simms Avenue. Other than a connection to Simms Avenue, which is being built at the request of Baltimore County, by Hines Road, Inc., the other concerns of Mr. Gough's letter can only be addressed by Baltimore County since Simms Avenue is a County right of way. Therefore, the concerns raised by the Gough's letter do not directly relate to the proposed transfer of reserve use capacity certificates, and it is our hope that this letter has not been attributed to the delay of a final decision.

If per chance this letter has been part of the delay in rendering the decision, I trust that the resolution of the Gough's concerns will now allow the order to be finalized.

Any information that the Zoning Commissioner can offer the applicant with regard to the status of the order in this case, or its prospective time table for the issuance thereof, would be greatly appreciated. Should the Zoning Commissioner need any further information, please do not hesitate to call us. I look forward to hearing from you.

Very truly yours,

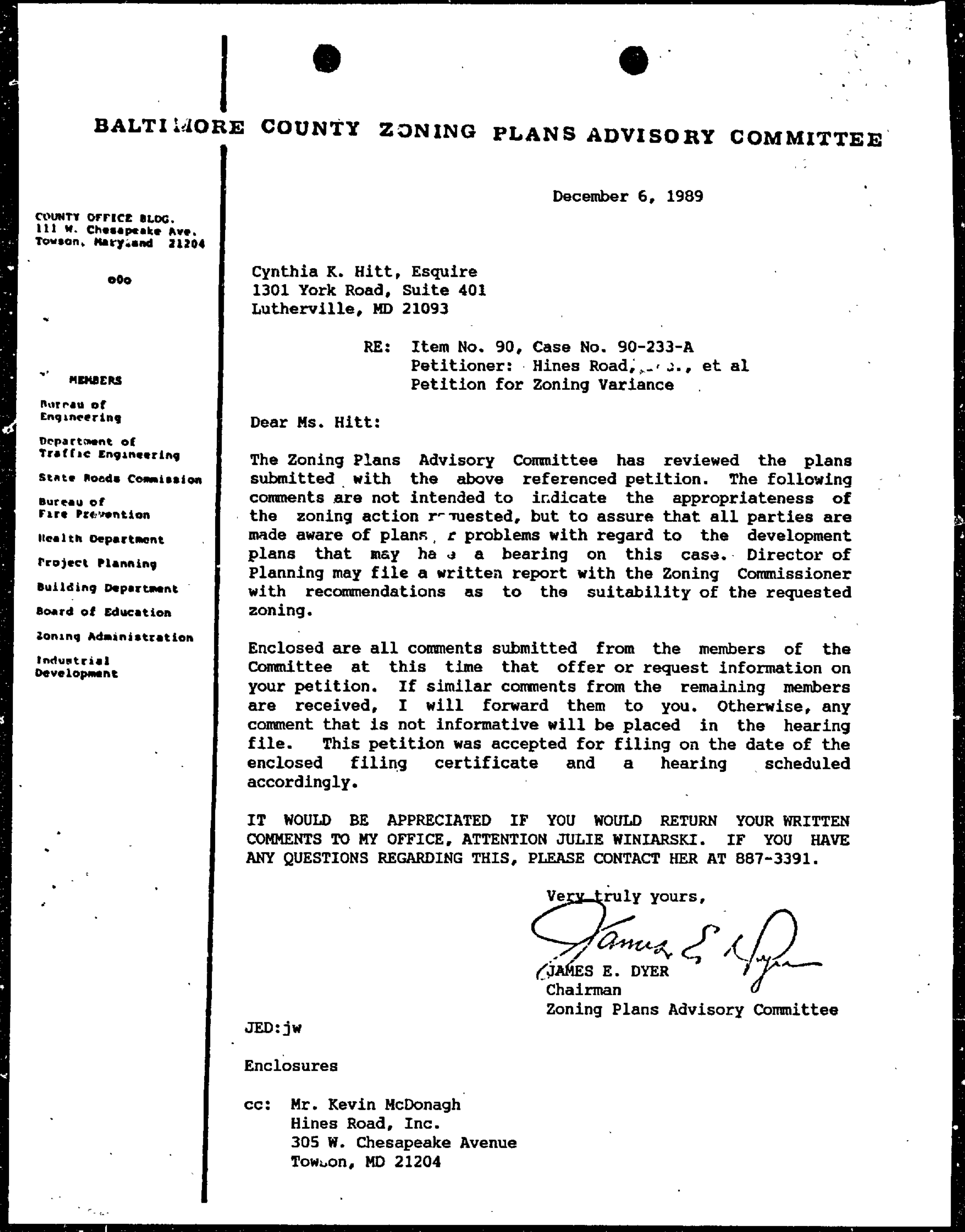
Cynthia K. Hitt

CYNTHIA K. HITT

by: mmm

CKH:mmm

cc: Hines Road, Inc.



BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

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

oOo

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

December 6, 1989

Cynthia K. Hitt, Esquire
1301 York Road, Suite 401
Lutherville, MD 21093

RE: Item No. 90, Case No. 90-233-A
Petitioner: Hines Road, Inc., et al
Petition for Zoning Variance

Dear Ms. Hitt:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. 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 a bearing on this case. Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

IT WOULD BE APPRECIATED IF YOU WOULD RETURN YOUR WRITTEN COMMENTS TO MY OFFICE, ATTENTION JULIE WINIARSKI. IF YOU HAVE ANY QUESTIONS REGARDING THIS, PLEASE CONTACT HER AT 887-3391.

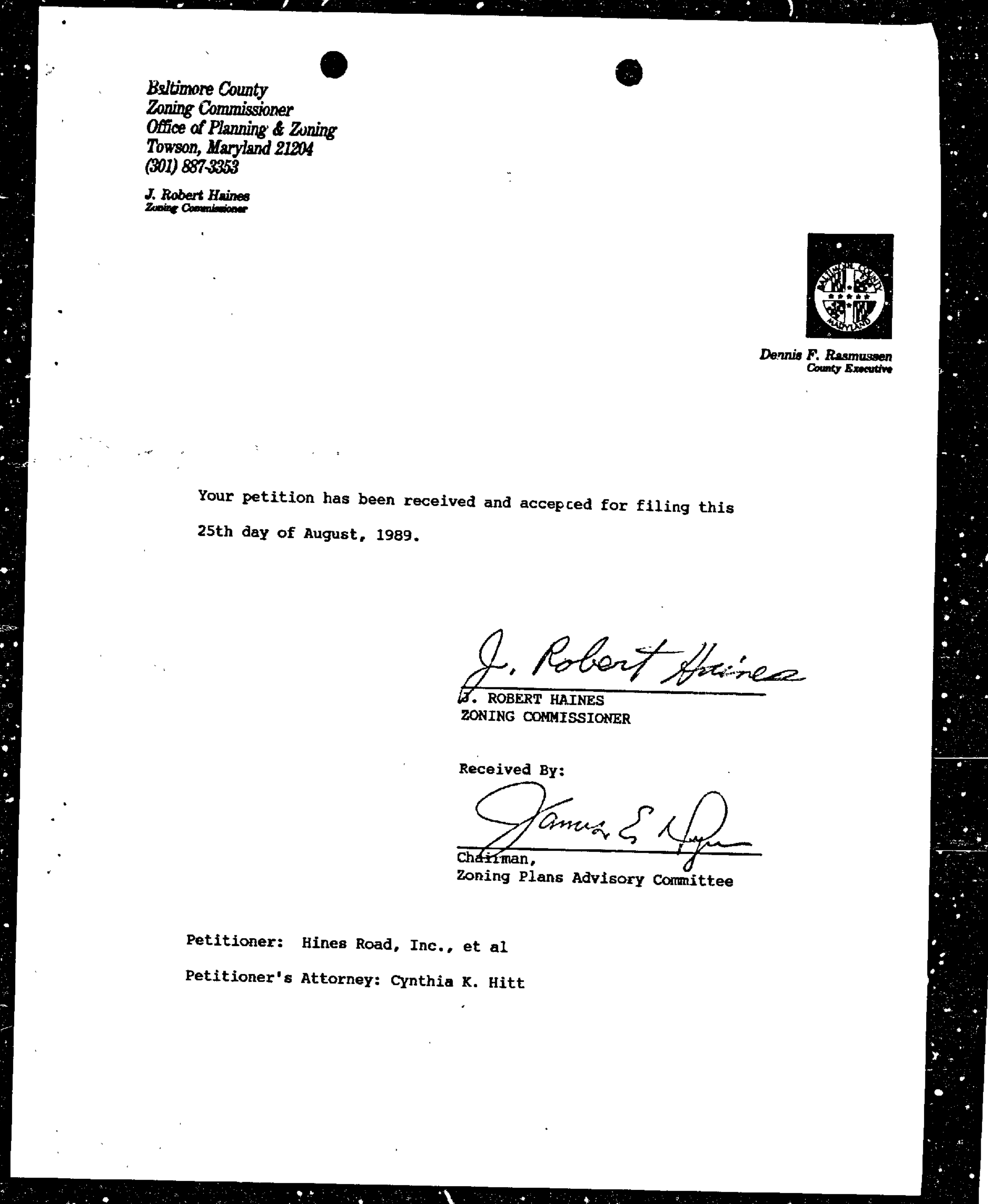
Very truly yours,

James E. Dyer
JAMES E. DYER
Chairman
Zoning Plans Advisory Committee

JED:jw

Enclosures

cc: Mr. Kevin McDonagh
Hines Road, Inc.
305 W. Chesapeake Avenue
Towson, MD 21204



Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 887-3353

J. Robert Haines
Zoning Commissioner

Dennis F. Rasmussen
County Executive

Your petition has been received and accepted for filing this 25th day of August, 1989.

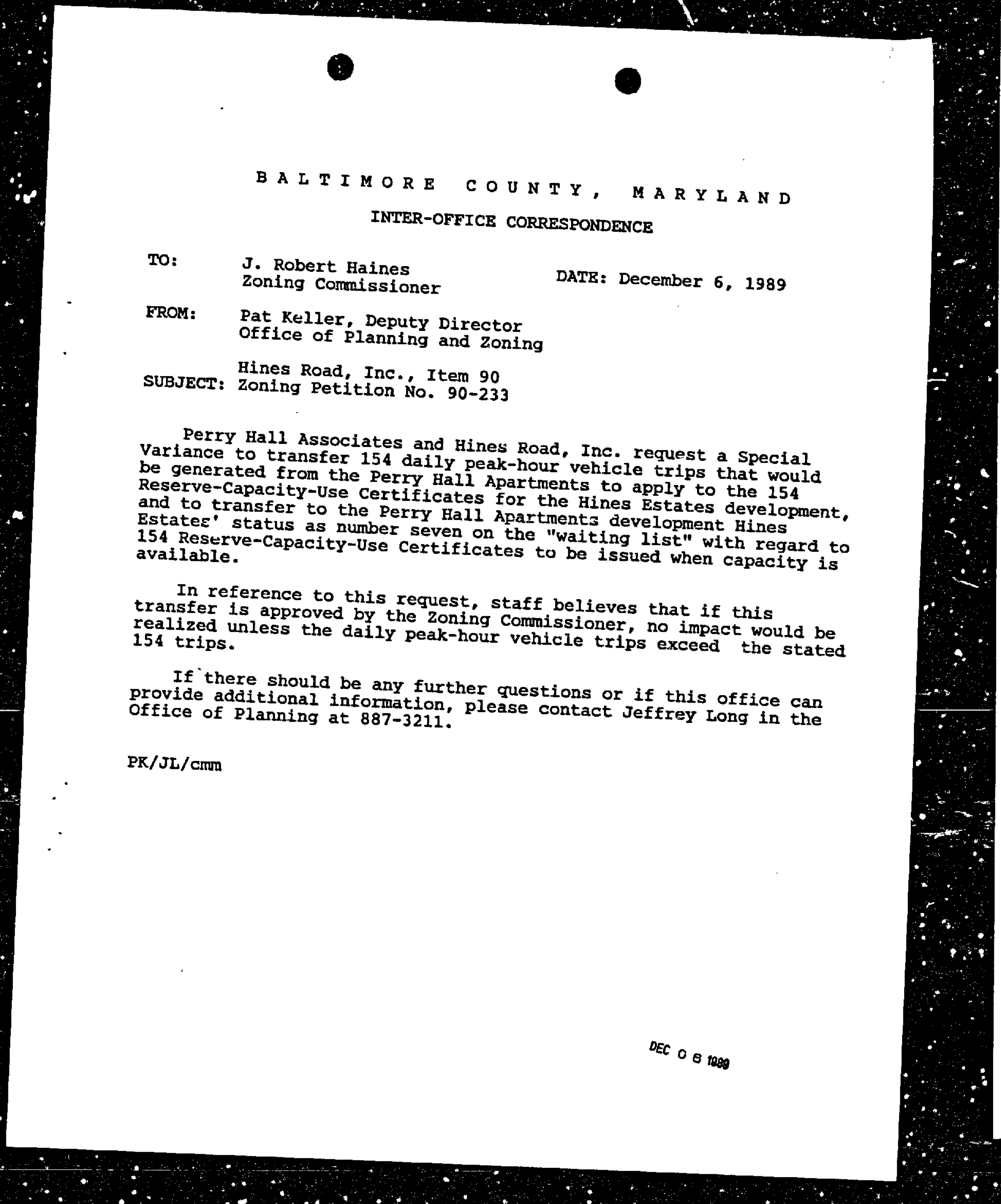
J. Robert Haines
J. ROBERT HAINES
ZONING COMMISSIONER

Received By:

James E. Dyer
Chairman,
Zoning Plans Advisory Committee

Petitioner: Hines Road, Inc., et al

Petitioner's Attorney: Cynthia K. Hitt



BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: J. Robert Haines
Zoning Commissioner

DATE: December 6, 1989

FROM: Pat Keller, Deputy Director
Office of Planning and Zoning

SUBJECT: Hines Road, Inc., Item 90
Zoning Petition No. 90-233

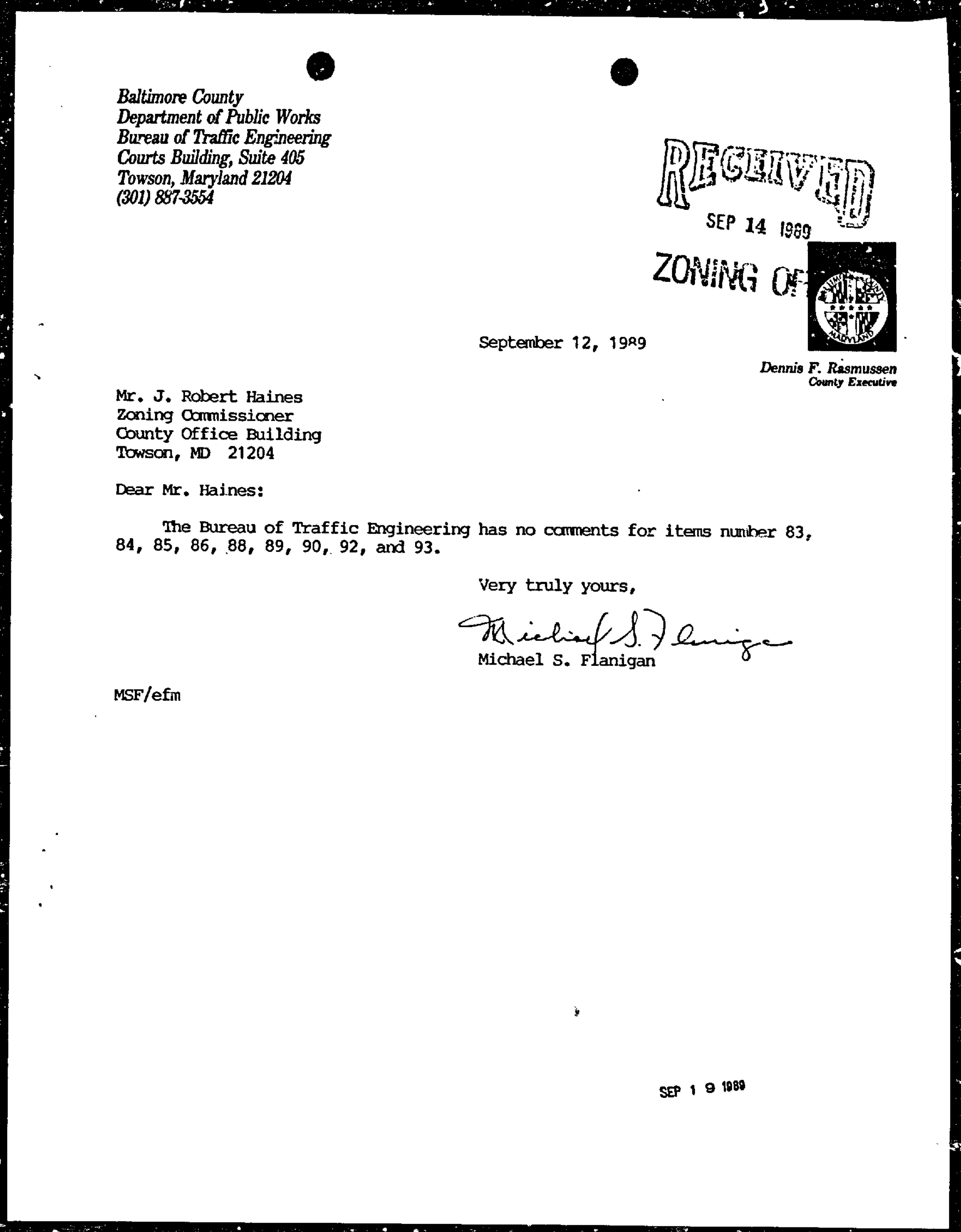
Perry Hall Associates and Hines Road, Inc. request a Special Variance to transfer 154 daily peak-hour vehicle trips that would be generated from the Perry Hall Apartments to apply to the 154 Reserve-Capacity-Use Certificates for the Hines Estates development, and to transfer to the Perry Hall Apartments development Hines Estates' status as number seven on the "waiting list" with regard to 154 Reserve-Capacity-Use Certificates to be issued when capacity is available.

In reference to this request, staff believes that if this transfer is approved by the Zoning Commissioner, no impact would be realized unless the daily peak-hour vehicle trips exceed the stated 154 trips.

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3211.

PK/JL/cmm

DEC 06 1989



Baltimore County
Department of Public Works
Bureau of Traffic Engineering
Courts Building, Suite 405
Towson, Maryland 21204
(301) 887-3554

Dennis F. Rasmussen
County Executive

RECEIVED
SEP 14 1989
ZONING OF

September 12, 1989

Mr. J. Robert Haines
Zoning Commissioner
County Office Building
Towson, MD 21204

Dear Mr. Haines:

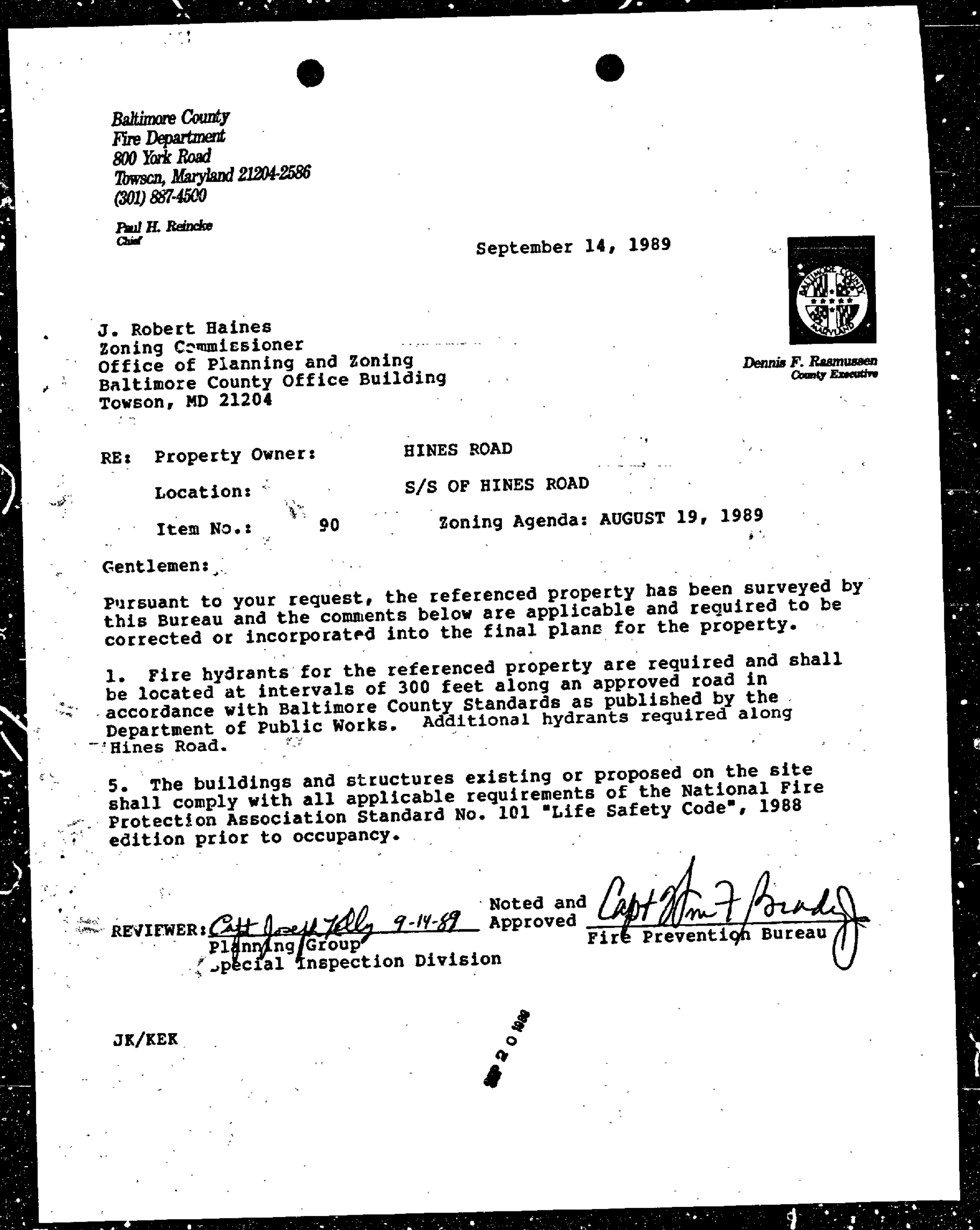
The Bureau of Traffic Engineering has no comments for items number 83, 84, 85, 86, 88, 89, 90, 92, and 93.

Very truly yours,

Michael S. Flanigan
Michael S. Flanigan

MSF/efm

SEP 19 1989



Baltimore County
Fire Department
800 York Road
Towson, Maryland 21204-2586
(301) 887-4500

Paul H. Reincke
Chief

Dennis F. Rasmussen
County Executive

September 14, 1989

J. Robert Haines
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, MD 21204

RE: Property Owner: HINES ROAD
Location: S/S OF HINES ROAD
Item No.: 90 Zoning Agenda: AUGUST 19, 1989

Gentlemen:

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

1. Fire hydrants for the referenced property are required and shall be located at intervals of 300 feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works. Additional hydrants required along Hines Road.

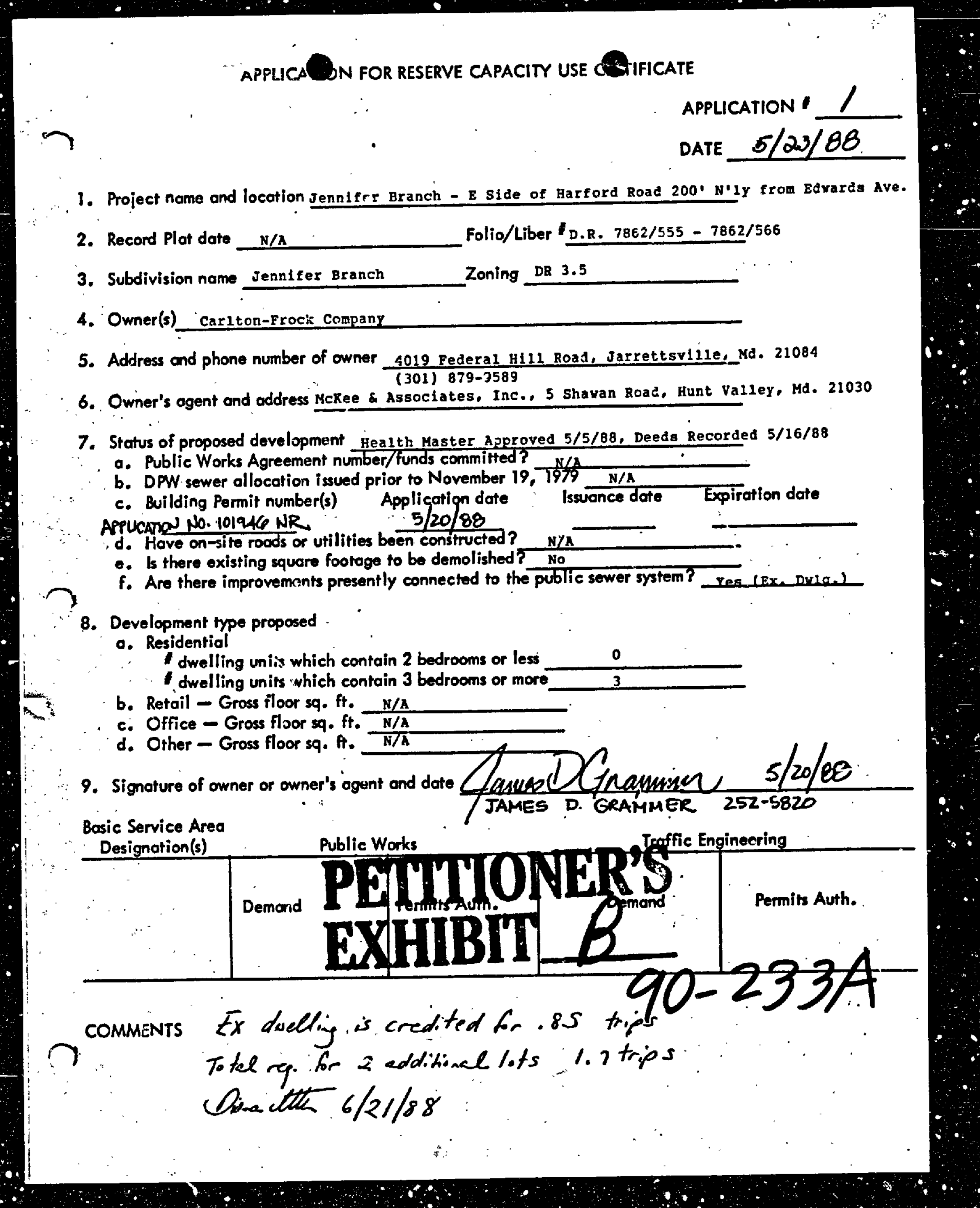
5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1988 edition prior to occupancy.

REVIEWER: Capt Joseph Kelly 9-14-89
Planning Group
Special Inspection Division

Noted and Approved Capt Wm F Brady
Fire Prevention Bureau

JK/KEK

SEP 20 1989



APPLICA[illegible]ON FOR RESERVE CAPACITY USE [illegible]TIFICATE

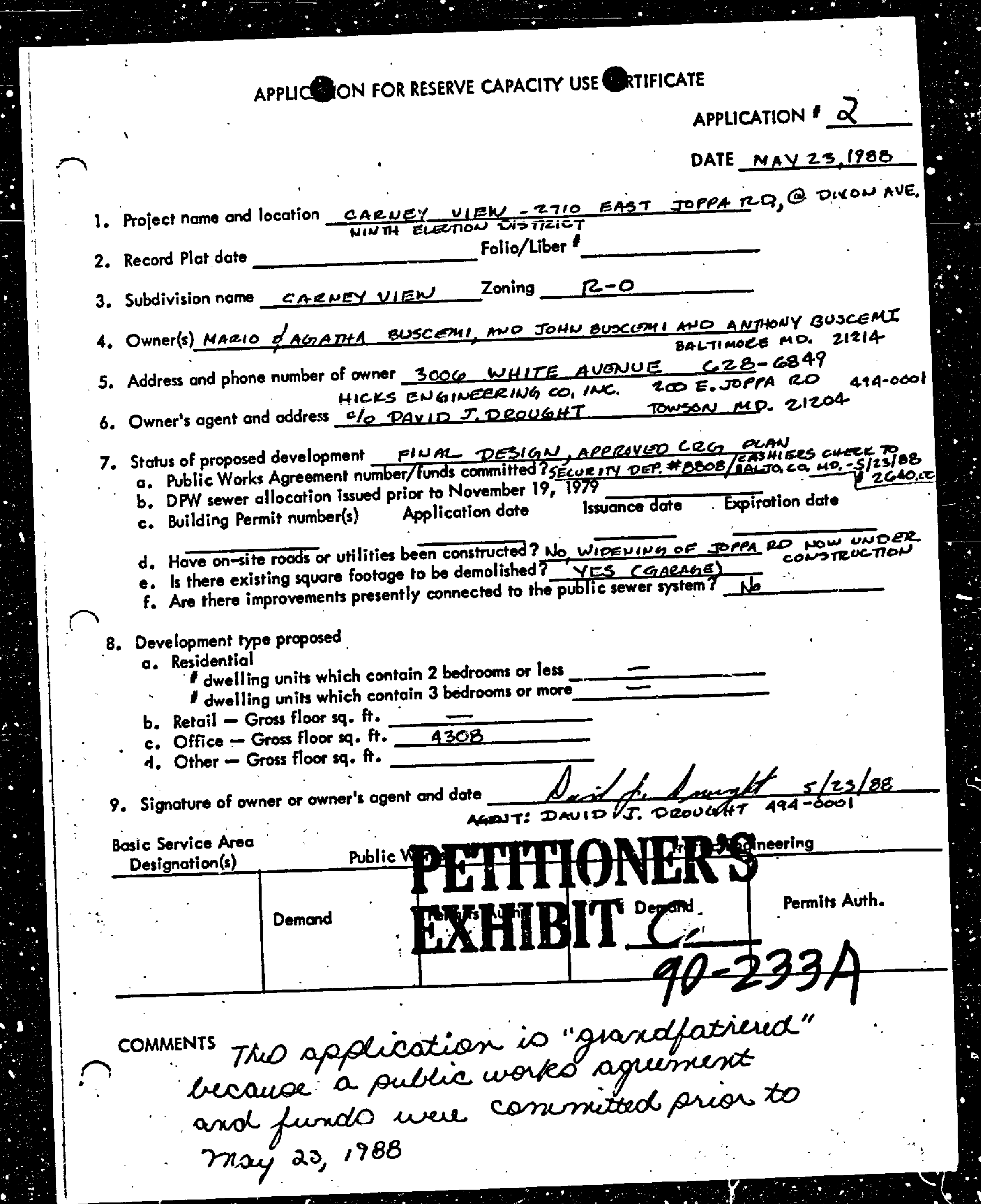
APPLICATION # 1
DATE 5/23/88

1. Project name and location Jennifer Branch - E Side of Harford Road 200' N'ly from Edwards Ave.
2. Record Plat date N/A Folio/Liber # D.R. 7862/555 - 7862/566
3. Subdivision name Jennifer Branch Zoning DR 3.5
4. Owner(s) Carlton-Frock Company
5. Address and phone number of owner 4019 Federal Hill Road, Jarrettsville, Md. 21084 (301) 879-3589
6. Owner's agent and address McKee & Associates, Inc., 5 Shawan Road, Hunt Valley, Md. 21030
7. Status of proposed development Health Master Approved 5/5/88, Deeds Recorded 5/16/88
   - a. Public Works Agreement number/funds committed? N/A
   - b. DPW sewer allocation issued prior to November 19, 1979 N/A
   - c. Building Permit number(s) Application No. 101946 NR Application date 5/20/88 Issuance date Expiration date
   - d. Have on-site roads or utilities been constructed? N/A
   - e. Is there existing square footage to be demolished? No
   - f. Are there improvements presently connected to the public sewer system? Yes (Ex. Dwlg.)
8. Development type proposed
   - a. Residential
     - # dwelling units which contain 2 bedrooms or less 0
     - # dwelling units which contain 3 bedrooms or more 3
   - b. Retail — Gross floor sq. ft. N/A
   - c. Office — Gross floor sq. ft. N/A
   - d. Other — Gross floor sq. ft. N/A
9. Signature of owner or owner's agent and date James D Grammer 5/20/88
JAMES D. GRAMMER 252-5820

Basic Service Area Designation(s)	Public Works		Traffic Engineering	
	Demand	Permits Auth.	Demand	Permits Auth.

PETITIONER'S EXHIBIT B
90-233A

COMMENTS Ex dwelling is credited for .85 trips
Total req. for 2 additional lots 1.7 trips
6/21/88



APPLIC[illegible]ION FOR RESERVE CAPACITY USE [illegible]RTIFICATE

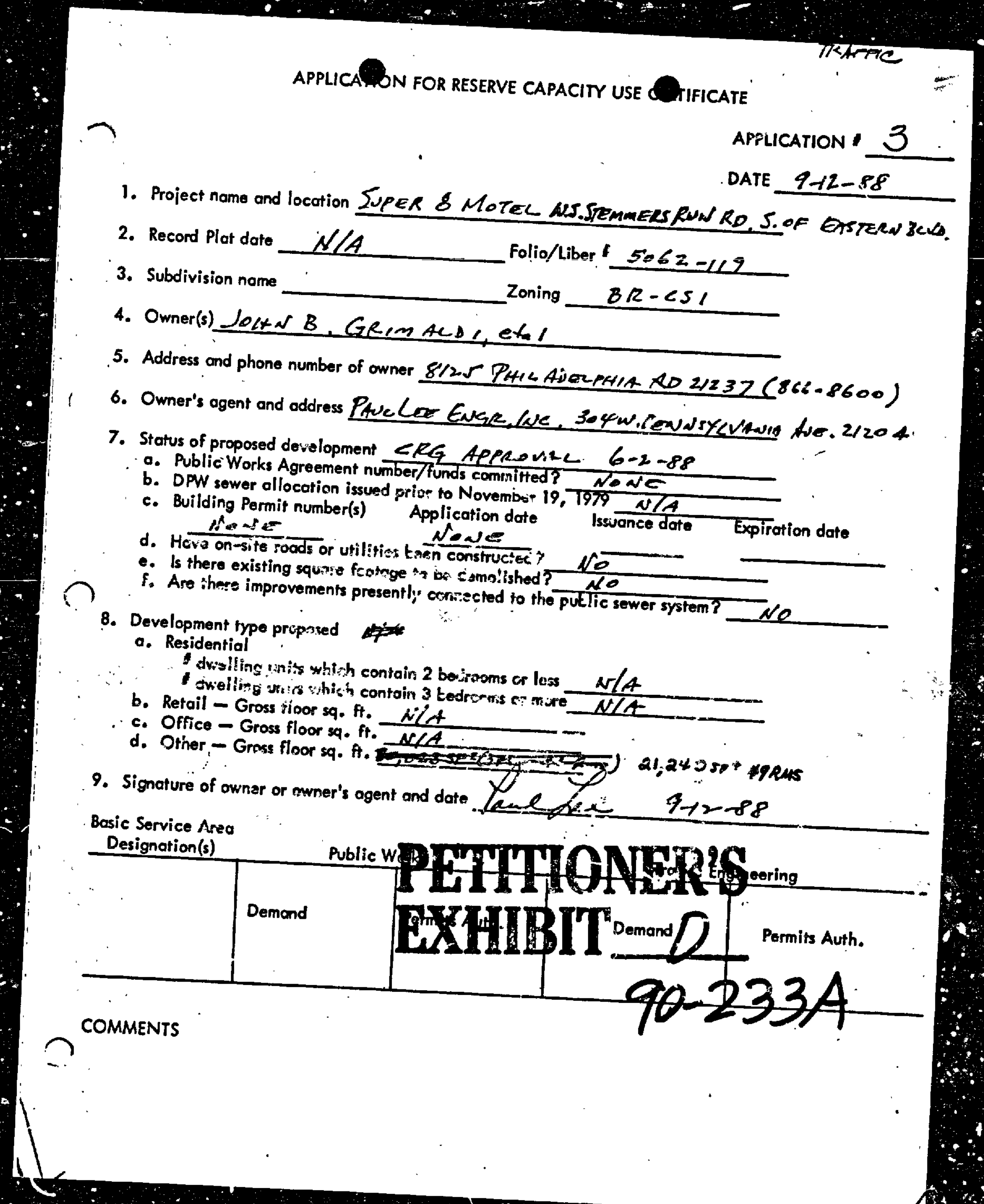
APPLICATION # 2
DATE MAY 23, 1988

1. Project name and location CARNEY VIEW - 2710 EAST JOPPA RD, @ DIXON AVE. NINTH ELECTION DISTRICT
2. Record Plat date Folio/Liber #
3. Subdivision name CARNEY VIEW Zoning R-O
4. Owner(s) MARIO & AGATHA BUSCEMI, AND JOHN BUSCEMI AND ANTHONY BUSCEMI
5. Address and phone number of owner 3006 WHITE AVENUE BALTIMORE MD. 21214 628-6849
6. Owner's agent and address HICKS ENGINEERING CO, INC. c/o DAVID J. DROUGHT 200 E. JOPPA RD TOWSON MD. 21204 494-0001
7. Status of proposed development FINAL DESIGN, APPROVED CRG PLAN
   - a. Public Works Agreement number/funds committed? SECURITY DEP. #8808/CASHIERS CHECK TO BALTO. CO. MD. - 5/23/88 $2640.00
   - b. DPW sewer allocation issued prior to November 19, 1979
   - c. Building Permit number(s) Application date Issuance date Expiration date
   - d. Have on-site roads or utilities been constructed? No, WIDENING OF JOPPA RD NOW UNDER CONSTRUCTION
   - e. Is there existing square footage to be demolished? YES (GARAGE)
   - f. Are there improvements presently connected to the public sewer system? No
8. Development type proposed
   - a. Residential
     - # dwelling units which contain 2 bedrooms or less —
     - # dwelling units which contain 3 bedrooms or more —
   - b. Retail — Gross floor sq. ft. —
   - c. Office — Gross floor sq. ft. 4308
   - d. Other — Gross floor sq. ft.
9. Signature of owner or owner's agent and date David J. Drought 5/23/88
AGENT: DAVID J. DROUGHT 494-0001

Basic Service Area Designation(s)	Public Works		Traffic Engineering	
	Demand	Permits Auth.	Demand	Permits Auth.

PETITIONER'S EXHIBIT C
90-233A

COMMENTS This application is "grandfathered" because a public works agreement and funds were committed prior to May 23, 1988



TRAFFIC

APPLICA[illegible]ON FOR RESERVE CAPACITY USE [illegible]TIFICATE

APPLICATION # 3
DATE 9-12-88

1. Project name and location SUPER 8 MOTEL N/S STEMMERS RUN RD. S. OF EASTERN BLVD.
2. Record Plat date N/A Folio/Liber # 5062-119
3. Subdivision name Zoning BR-CSI
4. Owner(s) JOHN B. GRIMALDI, et al
5. Address and phone number of owner 8125 PHILADELPHIA RD 21237 (866-8600)
6. Owner's agent and address PAUL LEE ENGR. INC. 304 W. PENNSYLVANIA AVE. 21204
7. Status of proposed development CRG APPROVAL 6-2-88
   - a. Public Works Agreement number/funds committed? NONE
   - b. DPW sewer allocation issued prior to November 19, 1979 N/A
   - c. Building Permit number(s) None Application date None Issuance date Expiration date
   - d. Have on-site roads or utilities been constructed? NO
   - e. Is there existing square footage to be demolished? NO
   - f. Are there improvements presently connected to the public sewer system? NO
8. Development type proposed
   - a. Residential
     - # dwelling units which contain 2 bedrooms or less N/A
     - # dwelling units which contain 3 bedrooms or more N/A
   - b. Retail — Gross floor sq. ft. N/A
   - c. Office — Gross floor sq. ft. N/A
   - d. Other — Gross floor sq. ft. 21,240 sf± 89 RMS
9. Signature of owner or owner's agent and date Paul Lee 9-12-88

Basic Service Area Designation(s)	Public Works		Traffic Engineering	
	Demand	Permits Auth.	Demand	Permits Auth.

PETITIONER'S EXHIBIT D
90-233A

COMMENTS

January 19, 1990

Robert E. Covahey, Chief
Bureau of Public Services
Baltimore County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

RECEIVED
JAN 22 1990
ZONING OFFICE

Ref: Hines Estates Subdivision
Proposed Simms Avenue Connection

Dear Bob,

I have lived at 9133 Simms Avenue for 24 Years. When I purchased this property I was aware of an existing serious over-vertical sight distance problem in Simms Avenue at the south west corner of my property. At that time I was told by Mr. Fred Offut, the Deputy Director of Public Works, that lowering the road grade plus moving the road paving off of my property and into the existing 50 foot wide County right-of-way could not be justified due to the low volume of traffic using Simms Avenue and the minimal benefit to the tax payers of Baltimore County.

During the CRG process in December of 1988 I was convinced by The Dept. of Traffic Engineering that Simms Avenue would experience lower traffic volumes if connected directly into the proposed subdivision rather than its present connection at Magledt Road. I agreed with this concept with the understanding that the new road would be constructed properly and would create a safer roadway. After viewing the proposed highway and storm drain construction plans for Simms Avenue I now see that I should have been more specific on what is safe and proper.

The creation of a sump in Simms Avenue and the excavation of a 3 to 4 foot hole in front of my property is not exceptable, particularly since it is feasible to pull the road grade down into the proposed subdivision.

The connection of the proposed 30 foot section to the existing 18 foot section of Simms Avenue at the PC of a curve is not safe. A collector street 18 feet wide in a DR 5.5 zone does not meet Baltimore County Standards. I have traveled this road for more than 24 years and on many occasions have had to stop or go off the edge of the road when a large vehicle or meandering driver is approaching in the opposite direction. This occurs with Simms Avenue being reasonably straight. The proposed connection will be in a curve with only 18 feet of paving width. This will create a

---

APPLICATION FOR RESERVE CAPACITY USE CERTIFICATE

APPLICATION # 4
DATE 3/8/89

1. Project name and location Ferguson Meadows, East side of Ferguson Avenue, 11th Election District, Baltimore County, Maryland.
2. Record Plat date May 5, 1988 Folio/Liber # SM58/79
3. Subdivision name Ferguson Meadows Zoning DR 3.5
4. Owner(s) Ferguson Meadows Limited Partnership/Ryan Homes, Inc.
5. Address and phone number of owner 517 Benfield Road, Severna Park, MD 21146 301/544-0627
6. Owner's agent and address Development Engineering Consultants, Inc. 6603 York Road, Baltimore, Maryland 21212
7. Status of proposed development Under Construction
    a. Public Works Agreement number/funds committed? 118701/72,534.00
    b. DPW sewer allocation issued prior to November 19, 1979 N/A
    c. Building Permit number(s) Application date Issuance date Expiration date
    d. Have on-site roads or utilities been constructed? Yes
    e. Is there existing square footage to be demolished? No
    f. Are there improvements presently connected to the public sewer system? Yes
8. Development type proposed
    a. Residential
        # dwelling units which contain 2 bedrooms or less --
        # dwelling units which contain 3 bedrooms or more 21
    b. Retail — Gross floor sq. ft. N/A
    c. Office — Gross floor sq. ft. N/A
    d. Other — Gross floor sq. ft. N/A
9. Signature of ~~owner or~~ owner's agent and date March 7, 1989
Development Engineering Consultants, Inc.

Basic Service Area Designation(s)	Public Works		Traffic Engineering	
	Demand	Permits Auth.	Demand	Permits Auth.

COMMENTS 21 x .85 = 17.85

PETITIONER'S EXHIBIT E
90-233A

RCUC "Exempt" Mailed 2/21/87

APPLICATION FOR RESERVE CAPACITY USE CERTIFICATE

APPLICATION # 5
DATE 2-16-89

1. Project name and location PERRY WOODS
2. Record Plat date FEB 19, 1987 Folio/Liber # 56/118
3. Subdivision name PERRY WOODS Zoning DR 5.5
4. Owner(s) GALLIC HOMES, INC.
5. Address and phone number of owner 1246 DELREST AVE. BALTO MD. 21222 529-9527
6. Owner's agent and address GALLIC HOMES, INC. 1246 DELREST AVE. BALTO MD 21222
7. Status of proposed development CRG APPROVED 4-16-86
    a. Public Works Agreement number/funds committed?
    b. DPW sewer allocation issued prior to November 19, 1979 Fully Funded for 22 units 321
    c. Building Permit number(s) Application date Issuance date Expiration date 6-14-87
    d. Have on-site roads or utilities been constructed? YES
    e. Is there existing square footage to be demolished? NO
    f. Are there improvements presently connected to the public sewer system? YES.
8. Development type proposed
    a. Residential
        # dwelling units which contain 2 bedrooms or less 0
        # dwelling units which contain 3 bedrooms or more 22
    b. Retail — Gross floor sq. ft.
    c. Office — Gross floor sq. ft.
    d. Other — Gross floor sq. ft.
9. Signature of owner or owner's agent and date Glenn A. Gall, Pres.

Basic Service Area Designation(s)	Public Works		Traffic Engineering	
	Demand	Permits Auth.	Demand	Permits Auth.

COMMENTS 22 x .85 = 18.9

PETITIONER'S EXHIBIT F
90-233A

APPLICATION FOR RESERVE CAPACITY USE CERTIFICATE

APPLICATION # 6
DATE 5/1/89

1. Project name and location Shade Construction Company 2810 E Joppa Rd.
2. Record Plat date November 1923 (lots 17+18) Folio/Liber # 7/90
3. Subdivision name Carney View Zoning RO
4. Owner(s) Robert C. & Mary E. Shade
5. Address and phone number of owner 2810 E Joppa Rd, Balto, 21234, (301) 665-5300
6. Owner's agent and address W. Duvall & Assoc., 530 E Joppa Rd, Towson, 21204
7. Status of proposed development CRG MEETING APRIL 14, 1989
    a. Public Works Agreement number/funds committed? N/A
    b. DPW sewer allocation issued prior to November 19, 1979
    c. Building Permit number(s) Application date Issuance date Expiration date
    d. Have on-site roads or utilities been constructed? Yes
    e. Is there existing square footage to be demolished? No
    f. Are there improvements presently connected to the public sewer system? Yes
8. Development type proposed
    a. Residential
        # dwelling units which contain 2 bedrooms or less –
        # dwelling units which contain 3 bedrooms or more –
    b. Retail — Gross floor sq. ft. –
    c. Office — Gross floor sq. ft. 400.63 (ADDITION)
    d. Other — Gross floor sq. ft. –
9. Signature of owner or owner's agent and date Robert C Shade

Basic Service Area Designation(s)	Public Works		Traffic Engineering	
	Demand	Permits Auth.	Demand	Permits Auth.

PETITIONER'S EXHIBIT G 90-233A

COMMENTS EX. OFF. BLDG. = 1,715 SQ.FT. x .00234 = 4.01 CREDITED
PROP. ADD. = 321.0 x .00234 = .751 Req. Trips (add)
This application is "grandfathered" under Sect. 4A02.3 (ii) RGT.

APPLICATION FOR RESERVE CAPACITY USE CERTIFICATE

APPLICATION # 7
DATE 6-6-89

1. Project name and location HINES ESTATES - HINES ROAD & MAGLEDT ROAD - 11th DISTRICT
2. Record Plat date CHECK PRINTS SUBMITTED 6-6-89 Folio/Liber #
3. Subdivision name HINES ESTATES Zoning DR3.5 & DR 5.5
4. Owner(s) JAMES P. McDONAGH
5. Address and phone number of owner 305 WEST CHESAPEAKE AVE TOWSON, MD 21204 337-7740
6. Owner's agent and address GEORGE W. STEPHENS JR & ASSOC. INC. 303 ALLEGHANY AVE - TOWSON, MD. 21204
7. Status of proposed development APPROVED CRG - FINAL DEVEL. PLAN & RECORD PLAT SUBMITTED
    a. Public Works Agreement number/funds committed?
    b. DPW sewer allocation issued prior to November 19, 1979
    c. Building Permit number(s) Application date Issuance date Expiration date
    d. Have on-site roads or utilities been constructed? NO
    e. Is there existing square footage to be demolished? NO
    f. Are there improvements presently connected to the public sewer system? NO
8. Development type proposed
    a. Residential
        # dwelling units which contain 2 bedrooms or less
        # dwelling units which contain 3 bedrooms or more 198
    b. Retail — Gross floor sq. ft. NA
    c. Office — Gross floor sq. ft. NA
    d. Other — Gross floor sq. ft. NA
9. Signature of owner or owner's agent and date Charles K. Stark 6-6-89
CHARLES K. STARK

Basic Service Area Designation(s)	Public Works		Traffic Engineering	
	Demand	Permits Auth.	Demand	Permits Auth.

COMMENTS

PETITIONER'S EXHIBIT H
90-233A

Exhibit D 90
90-233-A

APPLICATION FOR PERMIT
BALTIMORE COUNTY MARYLAND
OFFICE OF THE BUILDING ENGINEER
TOWSON, MARYLAND 21204

CONSTR. PLANS	PLOT PLANS	RECORD PLAT	PLANS WAIVED	LETTER OF INTENT	DATA	APS	SUPERVISION WAIVED
3	9				5		

TAX ACCOUNT NUMBER 17-00-001905

CENSUS TRACT	CENSUS BLOCK	ELEC YES	ELEC NO	PLUMBING YES	PLUMBING NO
		X		X	

BY JAB FEB 08 19[illegible]
DATE ISSUED FEB 08 19[illegible]

BUILDING PERMIT NO	DISTRICT	PRECINCT
105886	11	8

CONTROL NO C-2315-88

BUILDING ADDRESS 8719, ~~8721~~ 8721, 8723, 8725 BLAIRWOOD RD
OWNER'S NAME PERRY HALL ASSOCIATES
MAILING ADDRESS OF OWNER 305 W. CHESAPEAKE AVE SUITE 110 TOWSON 21204
TENANT
BUILDING CONTRACTOR OWNER
ENGINEER OR ARCHITECT HGF + 16 S. FREDERICK ST BALTO, MD 21202 685-5233
IF UNDER CONTRACT OF SALES GIVE SELLER'S NAME AND ADDRESS
TRANSFER DESCRIPTION SS JOPPA RD S.E. COR SILVER SPRING RD

THIS PERMIT EXPIRES ONE YEAR FROM DATE OF ISSUE

A. TYPE OF IMPROVEMENT
1. ☒ NEW BUILDING CONSTRUCTION
2. ☐ ADDITION
3. ☐ ALTERATION
4. ☐ REPAIR
5. ☐ WRECKING (ENTER NO. UNITS DEDUCTED ____)
6. ☐ MOVING
7. ☐ OTHER ____

DESCRIBE PROPOSED WORK ☐ 1 AND 2 FAM CODE ☒ BOCA CODE
CONSTRUCT APARTMENT BUILDING. THIS PERMIT EXPIRES TWO YEARS FROM DATE OF ISSUE (CANNOT BE EXTENDED) AS PER DEVELOPMENT PLAN.

RESIDENTIAL
01 ☐ ONE FAMILY
02 ☐ TWO FAMILY
03 ☐ THREE AND FOUR FAMILY
04 ☒ FIVE OR MORE FAMILY (ENTER NO. UNITS 34)
05 ☐ SWIMMING POOL
06 ☐ GARAGE
07 ☐ OTHER ____

TYPE FOUNDATION
☐ SLAB
☒ BLOCK
☐ CONCRETE

BASEMENT
☒ FULL
☐ PARTIAL
☐ NONE

C. TYPE OF USE
NON-RESIDENTIAL
08 ☐ AMUSEMENT, RECREATION, PLACE OF ASSEMBLY
09 ☐ CHURCH, OTHER RELIGIOUS BUILDING
10 ☐ FENCE (LENGTH ____ HEIGHT ____)
11 ☐ INDUSTRIAL, STORAGE BUILDING
12 ☐ PARKING GARAGE
13 ☐ SERVICE STATION, REPAIR GARAGE
14 ☐ HOSPITAL, INSTITUTIONAL, NURSING HOME
15 ☐ OFFICE, BANK, PROFESSIONAL
16 ☐ PUBLIC UTILITY
17 ☐ SCHOOL, COLLEGE, OTHER EDUCATIONAL
18 ☐ SIGN
19 ☐ STORE ☐ MERCANTILE ☐ RESTAURANT
SPECIFY TYPE ____
20 ☐ SWIMMING POOL (MD HEALTH DEPT APPR. REQ.)
21 ☐ TANK TOWER
22 ☐ TRANSIENT HOTEL, MOTEL (NO UNITS ____)
23 ☒ OTHER APARTMENT BUILDING

B. OWNERSHIP
1 ☒ PRIVATELY OWNED 2 ☐ PUBLICLY OWNED
ESTIMATED COST OF MATERIAL & LABOR $510,000.00

CHECK APPROPRIATE CATEGORIES FOR RESIDENTIAL ONLY — RENT X
24 PROPOSED USE(S) SAME
EXISTING USE(S) APARTMENT

90
90-233-A

Exhibit B

Perry Hall Apartments is a development owned by Perry Hall Associates, a Maryland partnership, located near the intersection of Joppa Road and Silver Spring Road in Baltimore County, Maryland. An area plat showing the location of the development is attached hereto as Exhibit C and made a part hereof. The development currently has Building Permits for one hundred fifty-four (154) units, copies of said Building Permits are attached hereto as Exhibit D and made a part hereof. In addition the Perry Hall Apartments development has been allocated, as part of its Building Permit process, one hundred fifty-four (154) daily peak hour vehicle trips that would be generated from the development to the Harford Road and Joppa Road intersection.

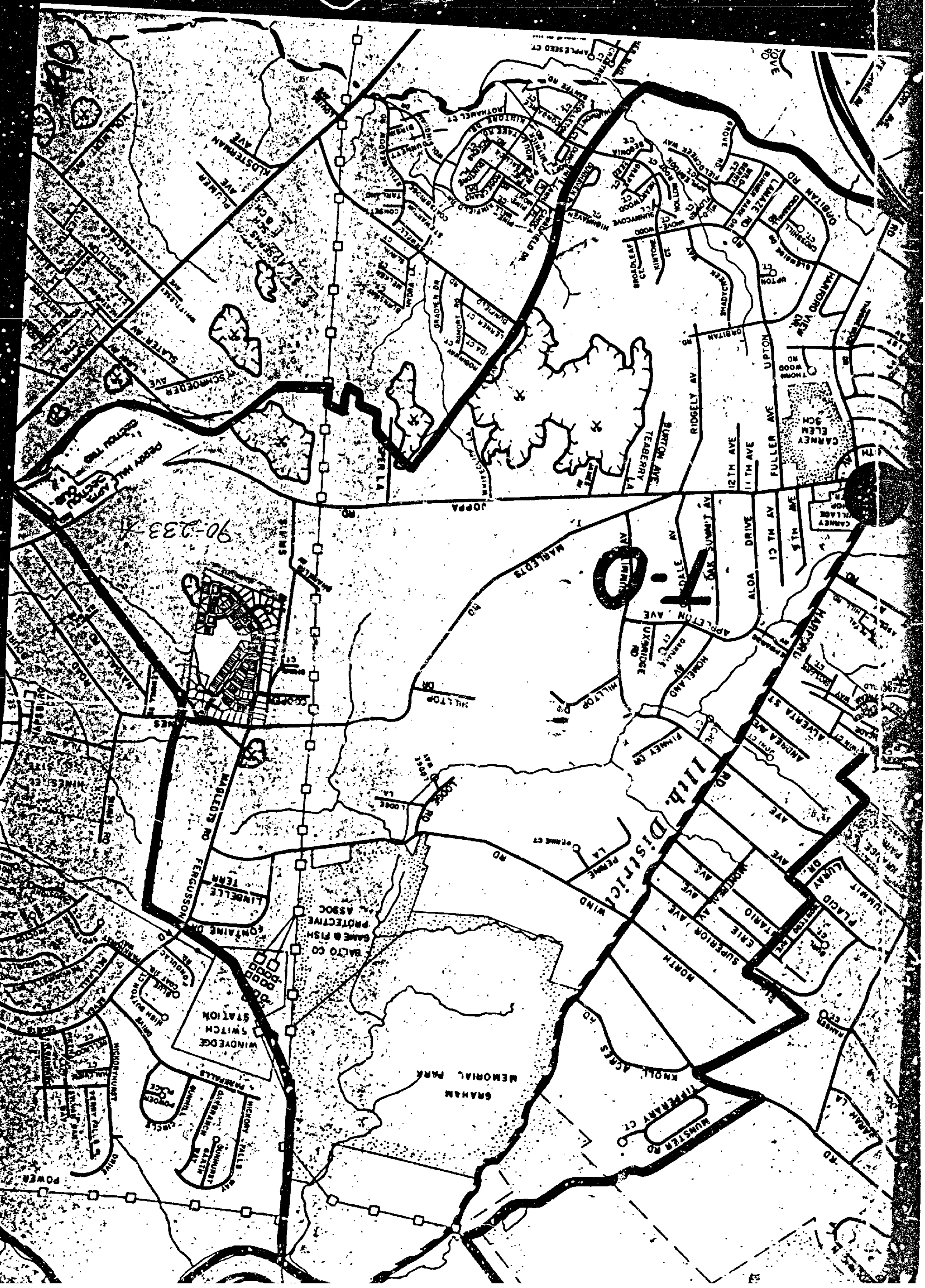
Hines Estates is a development owned by Hines Road, Inc., located near the intersection of Magleats Road and Hines Road. The CRG Plan plat of the development is attached hereto as Exhibit A and made a part hereof. The Hines Road Estate development has received approval of its CRG Plan and is proceeding to final development plan approval, stormwater management approval and record plat.

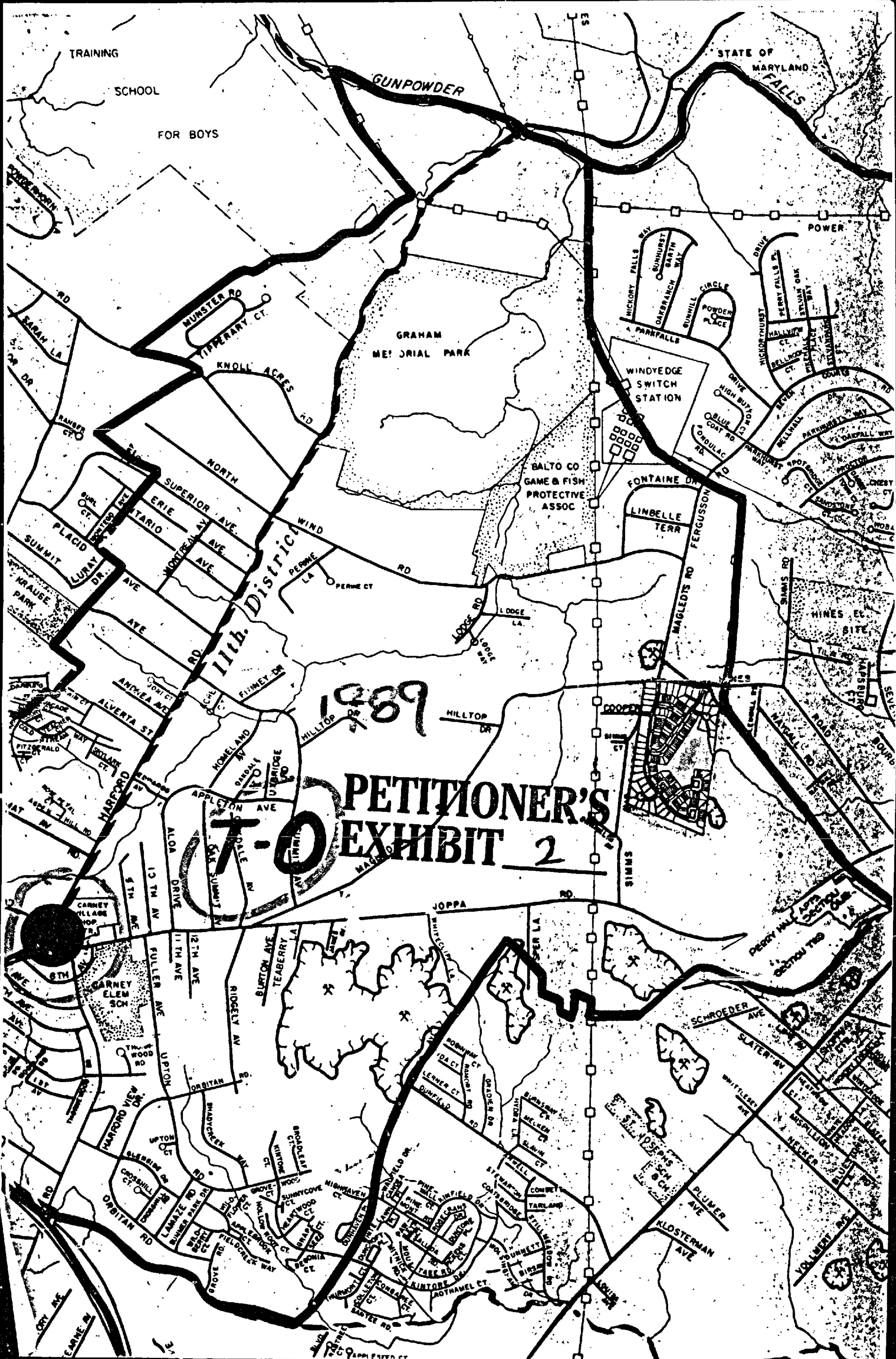
The Hines Estates development has applied for one hundred ninety-eight (198) Reserve-Capacity-Use Certificates for the project and has received verbal notification from the Office of Planning and Zoning that the application has been received and designated as seventh in terms of priority of applications (the "waiting list").

Perry Hall Associates and Hines Road, Inc. have agreed, subject to approval of a Special Variance as provided by the Zoning Ordinance of Baltimore County, Section 4A02.F.1, to transfer the existing one hundred fifty-four (154) daily peak hour vehicle trips that would be generated from the Perry Hall Apartments to apply to the one hundred fifty-four (154) Reserve-Capacity-Use Certificates for the Hines Estates development, and to transfer to the Perry Hall Apartments Development Hines Estates' status as number seven on the "waiting list" with regard to one hundred fifty-four (154) Reserve-Capacity-Use Certificates to be issued when capacity is available.

The grant of a Special Variance under these proposed circumstances would be appropriate for the following reasons.

The requirements of Section 4A02.F.1 will be met in that the district standard is not relevant to the development proposal. The Petitioner proposes to receive presently approved daily peak hour vehicle trips to be applied to Reserve-Capacity-Use Certificates in exchange for Reserve-Capacity-Use Certificates to be approved in the future. Furthermore, the granting of the Petition for Special Variance will not adversely affect any other applicants having priority over Petitioner's application.

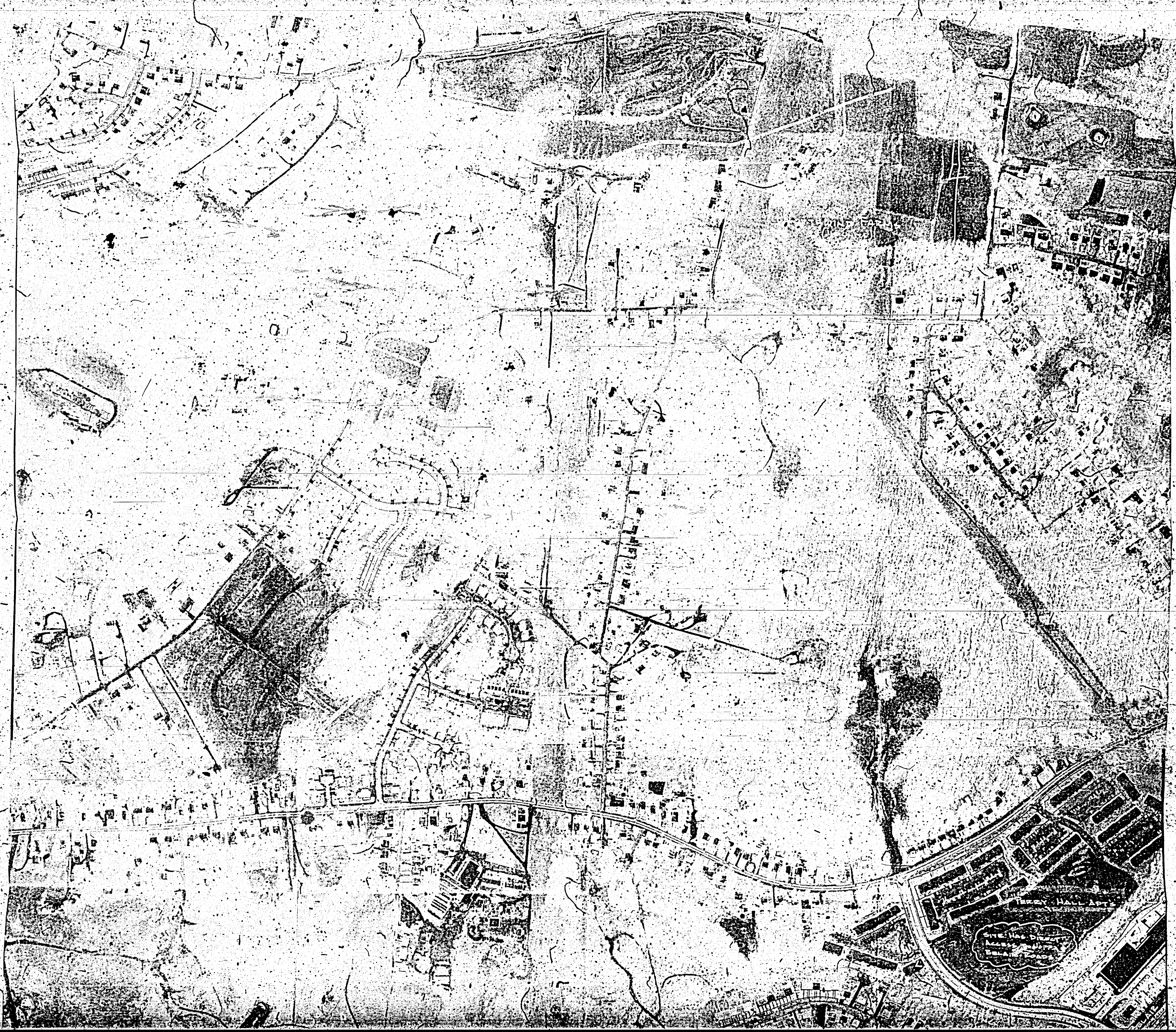


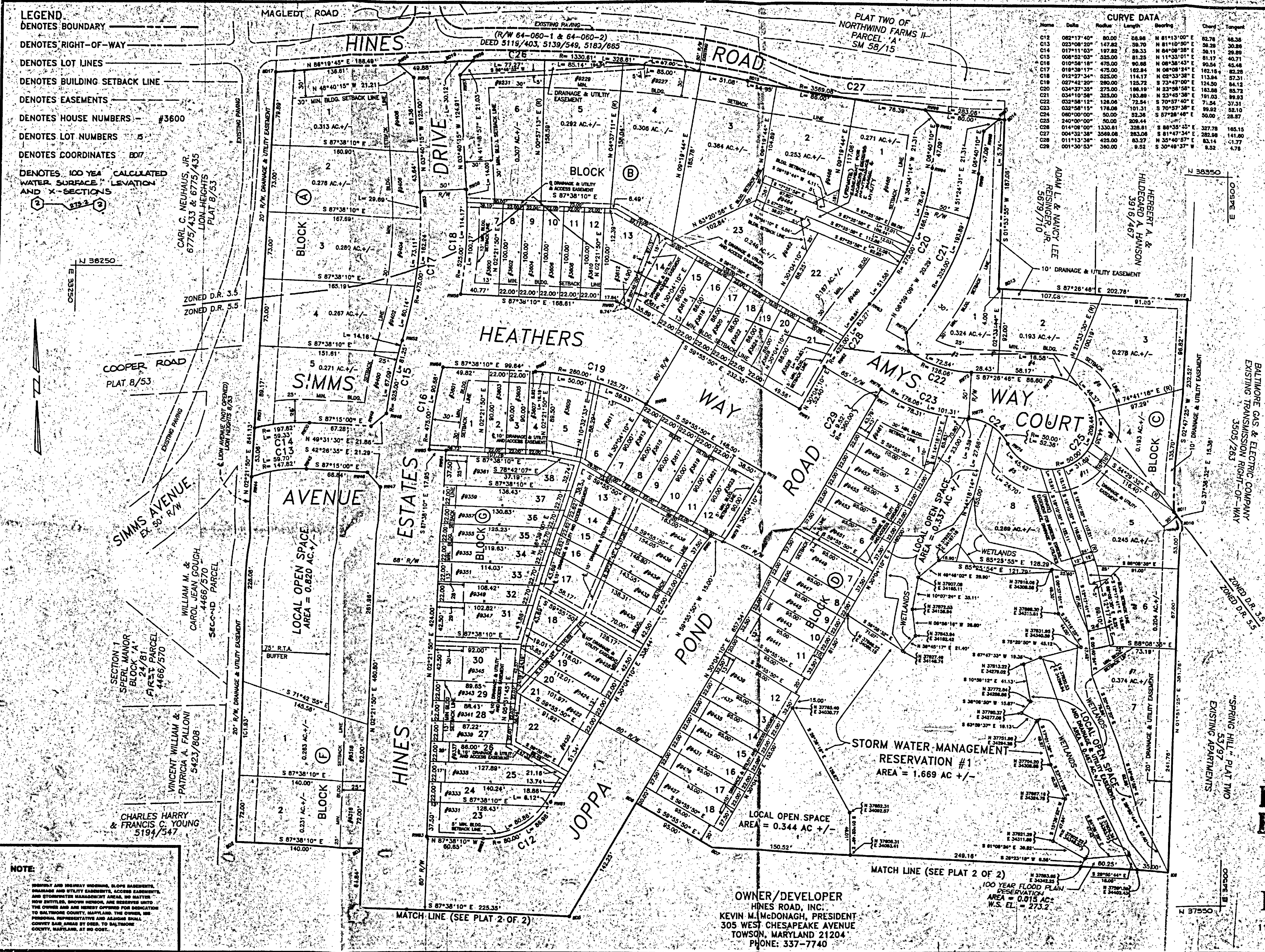


PETITIONER'S EXHIBIT 2

1989

7-O


PERRY HALL APT'S
SITE HAS DIRECT ACCESS TO JOPPA & BELAIR ROADS
BELAIR

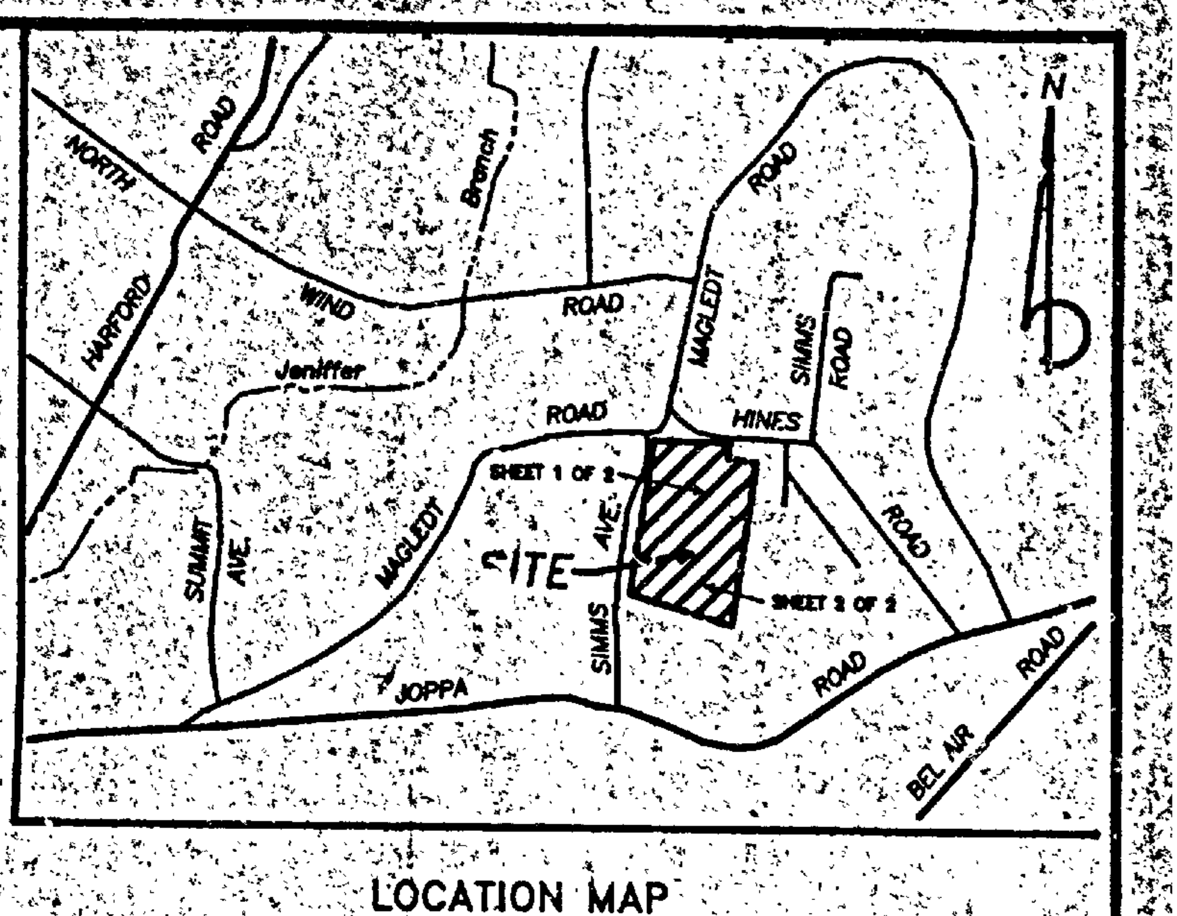


LEGEND.

- DENOTES BOUNDARY
- DENOTES RIGHT-OF-WAY
- DENOTES LOT LINES
- DENOTES BUILDING SETBACK LINE
- DENOTES EASEMENTS
- DENOTES HOUSE NUMBERS - #3600
- DENOTES LOT NUMBERS 15
- DENOTES COORDINATES BD17
- DENOTES 100 YEA CALCULATED WATER SURFACE LEVATION AND X-SECTIONS ② 273.2 ②

CURVE DATA

Name	Delta	Radius	Length	Bearing	Chord	Tangent
C12	082°17'40"	80.00	58.98	N 81°13'00" E	52.78	48.38
C13	023°08'20"	147.82	59.70	N 81°10'50" E	59.29	30.26
C14	017°11'03"	197.82	59.33	N 84°09'28" E	59.11	29.89
C15	008°52'03"	525.00	81.25	N 11°33'01" E	81.17	40.71
C16	010°58'18"	475.00	90.88	N 08°38'43" E	90.54	45.48
C17	019°39'17"	475.00	162.94	N 08°08'24" E	162.15	82.28
C18	012°27'34"	525.00	114.17	N 02°33'32" E	113.94	57.31
C19	027°42'20"	260.00	125.72	S 73°47'00" E	124.50	64.12
C20	034°37'35"	275.00	166.19	N 23°58'58" E	163.68	85.72
C21	034°10'58"	325.00	193.89	N 23°45'38" E	191.03	99.93
C22	032°58'12"	126.08	72.54	S 70°57'40" E	71.54	37.31
C23	032°58'15"	176.08	101.31	S 70°57'38" E	99.92	52.10
C24	060°00'00"	50.00	52.36	S 57°28'46" E	50.00	28.87
C25	240°00'00"	50.00	209.44			
C26	014°08'00"	1330.61	328.81	S 88°35'45" E	327.78	165.15
C27	004°32'38"	3589.08	283.06	S 81°47'34" E	282.98	141.60
C28	011°13'36"	425.00	83.27	N 35°40'57" E	83.14	41.77
C29	001°30'53"	360.00	9.52	S 30°49'37" W	9.52	4.76



LOCATION MAP
SCALE: 1" = 2000'

GENERAL NOTES

THIS PLAT MAY EXPIRE IN ACCORDANCE WITH THE PROVISIONS OF THE BALTIMORE COUNTY CODE, SECTION 22-68.

THE RECORDING OF THIS PLAT DOES NOT GUARANTEE THE INSTALLATION OF STREETS OR UTILITIES BY BALTIMORE COUNTY.

THE INFORMATION SHOWN HEREON MAY BE SUPERSEDED BY A SUBSEQUENT OR AMENDED PLAT.

ADDITIONAL INFORMATION CONCERNING THIS PLAT MAY BE OBTAINED FROM THE BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING AND THE DEPARTMENT OF PUBLIC WORKS.

THE RECORDING OF THIS PLAT DOES NOT CONSTITUTE OR IMPLY ACCEPTANCE BY THE COUNTY OF ANY STREET, EASEMENT, PARK, OPEN SPACE OR OTHER PUBLIC AREA SHOWN ON THE PLAT.

THE OWNER/DEVELOPER WILL COMPLY WITH THE BEST MANAGEMENT PRACTICES ADOPTED BY THE BALTIMORE COUNTY DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT.

ELEVATIONS SHOWN ON THE FLOODPLAIN SECTIONS ARE THE 100 YEAR WATER SURFACE. APPROVED SEPT 11, 1989

EXCEPT AS OTHERWISE INDICATED, ALL BUILDING RESTRICTION LINES SHOWN HEREON HAVE BEEN PLACED AS THE RESULT OF AN INTERPRETATION ONLY OF CURRENTLY APPLICABLE REGULATIONS AND POLICIES OF THE BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING. EXCEPTIONS TO THESE RESTRICTIONS MAY APPLY, INCLUDING THE MINIMUM SETBACK OF 22 FEET TO BE HELD FROM THE STREET RIGHT-OF-WAY LINE TO THE GARAGE OR CARPORT ENTERED DIRECTLY FROM THE STREET.

TRASH COLLECTION, SNOW REMOVAL AND ROAD MAINTENANCE ARE TO BE PROVIDED TO THE JUNCTION OF THE PANHANDLE AND STREET RIGHT-OF-WAYS.

DEED REFERENCE – SM 8256/524, TAX ACCOUNT NO. 11-1101074075

THE WELAND LIMITS HAVE BEEN DETERMINED FROM FIELD INSPECTION BY THE BALTIMORE COUNTY DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT. NO GRADING, CLEARING OR CONSTRUCTION WILL BE CONDUCTED IN THIS AREA EXCEPT AS PERMITTED BY THE BALTIMORE COUNTY DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT.

THE APPROVAL OF THIS PLAT IS BASED UPON A REASONABLE EXPECTATION THAT THE WATER AND SEWER SERVICE WHICH IS PLANNED FOR THE DEVELOPMENT WILL BE AVAILABLE WHEN NEEDED. HOWEVER, BUILDING PERMITS MAY NOT BE ISSUED UNTIL THE PLANNED WATER AND SEWER FACILITIES ARE COMPLETED AND DETERMINED TO BE ADEQUATE TO SERVE THE PROPOSED DEVELOPMENT.

C.R.G. WAS APPROVED 12/1/86.

WHITE MARSH DRAINAGE AREA

TABULATION

GROSS ACREAGE = 37.92 AC. +/-
NET ACREAGE = 37.463 AC. +/-
EXISTING ZONING – D.R. 3.5, D.R. 5.5

DENSITY CALCULATION
EX. D.R. 3.5 x 5.23 AC. = 18.31 UNITS
EX. D.R. 5.5 x 32.69 AC. = 179.8 UNITS
TOTAL = 198.1 UNITS

UNITS PERMITTED = 198
UNITS PROPOSED = 198 (157 T.H., 41 S.F.)

PARKING REQUIRED – 2 SPACES/1 UNIT = 198 x 2 = 396(314 T.H., 82 S.F.)
PARKING PROVIDED – 446 SPACES (364 T.H., 82 S.F.)

OPEN SPACE REQUIRED – 2.95 AC.
OPEN SPACE PROVIDED – 4.628 AC.+/-

TOTAL AREA (THIS SHEET) = 18.727 AC.+/-
LOCAL OPEN SPACE (THIS SHEET) = 1.968 AC.+/-
TOTAL UNITS THIS SHEET = 71 TH
23 SF

COORDINATE TABLE

NO.	NORTH	EAST
BD2	37618.30	33427.24
BD3	378612.53	33567.12
BD4	37547.74	33564.45
BD5	37538.45	33789.60
BD6	37661.55	33860.88
BD7	37613.95	33943.09
BD8	37588.81	34437.38
BD10	37970.38	34449.76
BD11	37982.56	34440.37
BD12	38214.81	34451.69
BD13	38223.84	34249.13
BD14	38410.80	34255.33
BD15	38451.19	33975.24
BD16	38470.68	33848.04
BD17	38458.72	33461.94
RW44	38017.98	33443.74
RW45	38027.07	33502.33
RW46	38023.88	33569.09
RW47	38008.15	33583.46
RW48	38087.97	33588.56
RW49	38073.78	33571.93
RW50	38077.01	33504.73
RW51	38070.99	33445.93
RW52	38167.50	33604.81
RW53	38328.71	33622.20
RW54	38453.45	33614.20
RW55	38467.46	33598.27
RW56	38472.24	33678.12
RW57	38456.57	33664.10
RW58	38331.91	33672.10
RW59	38218.08	33687.01
RW60	38211.13	33835.46
RW61	38094.71	34036.55
RW62	38140.06	34062.81
RW63	38207.59	34111.31
RW64	38357.14	34177.83
RW65	38403.91	34183.30
RW66	38420.69	34170.16
RW67	38411.39	34249.62
RW68	38398.10	34232.96
RW69	38351.33	34227.50
RW70	38176.50	34150.53
RW71	38156.38	34152.99
RW72	38133.02	34220.62
RW73	38125.16	34307.14
RW74	38056.17	34260.54
RW75	38083.07	34218.39
RW76	38115.67	34123.94
RW77	38107.49	34119.06
RW78	38025.48	33998.47
RW79	37947.59	33951.38
RW80	37955.11	33938.39
RW81	37662.22	33768.82
RW82	37622.37	33696.29
RW83	37624.97	33635.69
RW84	38048.51	33653.18
RW85	38049.25	33635.24
RW86	38138.77	33648.85
RW87	38134.66	33748.41
RW88	38099.89	33867.96

PETITIONER'S
EXHIBIT 3A

OWNER/DEVELOPER
HINES ROAD, INC.
KEVIN M. McDONAGH, PRESIDENT
305 WEST CHESAPEAKE AVENUE
TOWSON, MARYLAND 21204
PHONE: 337-7740

PLAT 1 OF 2

HINES ESTATES

11TH ELECTION DISTRICT BALTIMORE CO., MARYLAND
SCALE: 1" = 50' DATE: SEPT 11, 1989.

NOTE:

HIGHWAY AND HIGHWAY WIDENING, SLOPE EASEMENTS, DRAINAGE AND UTILITY EASEMENTS, ACCESS EASEMENTS, AND STORMWATER MANAGEMENT AREAS, NO MATTER HOW ENTITLED, SHOWN HEREON, ARE RESERVED UNTO THE OWNER AND ARE HEREBY OFFERED FOR DEDICATION TO BALTIMORE COUNTY, MARYLAND. THE OWNER, HIS PERSONAL REPRESENTATIVE AND ASSIGNS SHALL CONVEY SAID AREAS BY DEED, TO BALTIMORE COUNTY, MARYLAND, AT NO COST.

NOTE:

COORDINATES AND BEARINGS SHOWN ON THIS PLAT ARE REFERRED TO THE SYSTEM OF COORDINATES ESTABLISHED IN THE BALTIMORE COUNTY METROPOLITAN DISTRICT AND ARE BASED ON THE FOLLOWING TRAVERSE STATIONS.

NO.10629 N 38464.79 E 33963.14
NO.10630 N 38503.82 E 33616.06

NOTE:

THE STREETS AND/OR ROADS AS SHOWN HEREON AND THE MENTION THEREOF IN DEEDS ARE FOR THE PURPOSE OF DESCRIPTION ONLY AND THE SAME AS NOT INTENDED TO BE DEDICATED TO PUBLIC USE; THE FEE SIMPLE TITLE TO THE BEDS THEREOF IS EXPRESSLY RESERVED IN THE GRANTORS OF THE DEED TO WHICH THIS PLAT IS ATTACHED, THEIR HEIRS AND ASSIGNS.

OWNERS CERTIFICATE:

THE UNDERSIGNED, OWNER OF THE LAND SHOWN ON THIS PLAT, HEREBY CERTIFIES THAT, TO THE BEST OF IT'S KNOWLEDGE, THE REQUIREMENT OF SUBSECTION (C) OF SECTION 3-108 OF THE REAL PROPERTY ARTICLE OF THE ANNOTATED CODE OF MARYLAND, HAS BEEN COMPLIED WITH, INSOFAR AS SAME CONCERNS THE MAKING OF THE PLAT AND THE SETTING OF THE MARKERS.

PRESIDENT 9/26/89
DATE

SURVEYORS CERTIFICATE:

THE UNDERSIGNED, A REGISTERED LAND SURVEYOR OF THE STATE OF MARYLAND, DOES HEREBY CERTIFY THAT HE IS THE SURVEYOR WHO PREPARED THIS PLAT AND THAT THE LAND SHOWN ON THIS PLAT HAS BEEN LAID OUT, AND THE PLAT THEREOF HAS BEEN PREPARED, IN COMPLIANCE WITH SUBSECTION (C) OF SECTION 3-108 OF THE REAL PROPERTY ARTICLE OF THE ANNOTATED CODE OF MARYLAND, PARTICULARLY INSOFAR AS SAME CONCERNS THE MAKING OF THE PLAT AND SETTING OF THE MARKERS.

Irvin M. Zipf 9/25/89
REG. NO. L.5570 DATE

LAND SURVEYOR

APPROVED BY BALTIMORE COUNTY DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
DIRECTOR DATE

APPROVED BY BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING
DIRECTOR DATE

APPROVED BY DEPARTMENT OF PUBLIC WORKS
DIRECTOR OF PUBLIC WORKS DATE

GWS

GEORGE WILLIAM STEPHENS, JR. AND ASSOCIATES, INC.
CIVIL ENGINEERS & LAND SURVEYORS
TOWSON, MARYLAND 21204 BEL AIR, MARYLAND 21014

P.W.A. COMPLETED
FINAL PLAT CHECKED:
PLANNING
ENGINEERING
HOUSE NOS.

COMPUTED BY: J.T. & W.E. CHECKED BY: C.K.S. & W.E.
DRAWN BY: C.A.D.D. J.T. W.O. NO.: 4364

A & E INC. BALTIMORE

Exhibit A

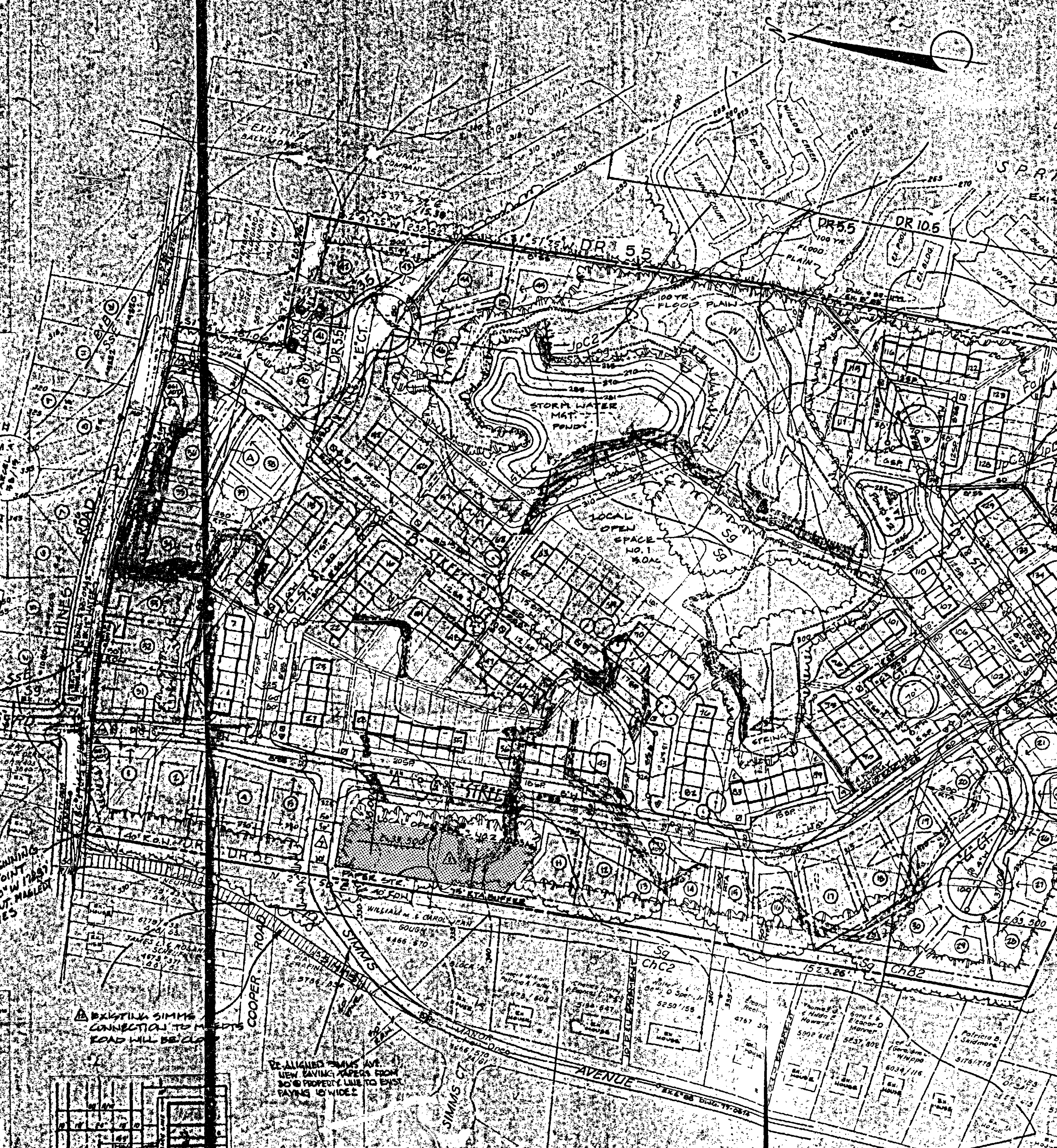
#90
90-233-A

STORM WATER MANAGEMENT

[illegible]

NOTE: PROPOSED WIDENING AND IMPROVEMENTS OF HINES ROAD FROM COUNTY DWG. [illegible]

⚠ AREAS BETWEEN SIGHT LINE AND CURB LINE MUST BE CLEARED & KEPT FREE OF ANY OBSTRUCTIONS.



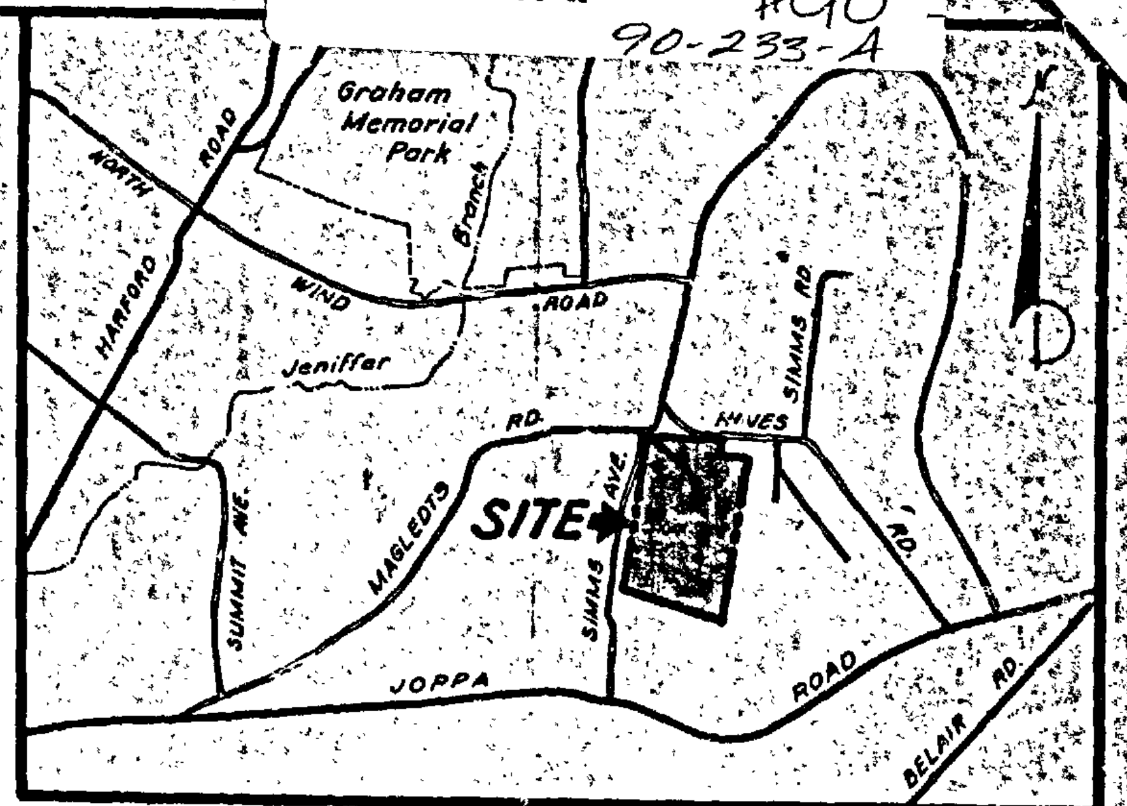
⚠ EXISTING SIMMS AVE. CONNECTION TO HINES ROAD WILL BE CLOSED

RE-ALIGNED SIMMS AVE. NEW PAVING TAPERS FROM 30' @ PROPERTY LINE TO EXIST. PAVING 18' WIDE±

SOIL TYPES AND LIMITATIONS

SOIL	AREA	BUILDINGS - BASEMENTS	STREETS	HYDRO-CLASS
JpC2		SLIGHT	MODERATE : SLOPE	
JpD2		MODERATE : SLOPE	SEVERE : SLOPE	
ChB2		SLIGHT	MODERATE : SLOPE	
Fa		SEVERE : SLOPE	SEVERE : SLOPE	
Sg		MODERATE : SLOPE	SEVERE : SLOPE	
SsE		SEVERE : SLOPE	SEVERE : SLOPE	
SsD3		MODERATE : SLOPE	SEVERE : SLOPE	

⚠⚠ NOTE: ALL EXISTING STEEP SLOPE AREAS ARE MAN-MADE AND WHERE DISTURBED THROUGH DEVELOPMENT THEY MAY BE CUT OR FILLED TO A MAXIMUM SLOPE OF 3:1. MITIGATIVE MEASURES FOR DEVELOPMENT WITHIN STEEP SLOPE AREAS ARE TO INCORPORATE THE USE OF ANY EROSION CONTROL PRACTICES SUCH AS DIVERSIONS, GRADE STABILIZATION STRUCTURES, BERMS, DIKES, VEGETATIVE PLANTINGS, MULCHING OR AS SPECIFIED BY A SOILS ENGINEER.



VICINITY MAP

SCALE: 1" = 2000'

BENCH MARK.

No. 10629. Elev. 336.64
Iron pipe at back of macadam berm, South side of Hines Road, 325'± East of Magledts Road.

SUBSEWERSHED	25
WATERSHED	4
CENSUS TRACT	4114.03
COUNSILMANIC DISTRICT	5
ELECTION DISTRICT	11

DENSITY TABULATION:

Gross Acreage - 37.92 Ac.
Net Acreage - 37.46 Ac.
Existing Zoning - DR 3.5, DR 5.5
⚠ Units Permitted - 198
⚠⚠ Units Proposed - 198 (157 T.H., 41 S.F.)

⚠⚠ Parking Required - 2 SPACES/UNIT 198 × 2 = 396 (314 T.H., 82 S.F.)
⚠⚠ Parking Provided - 472 (390 T.H., 82 S.F.)
⚠ Open Space Required - 2.95 Ac.
⚠ Open Space Provided - 5.83 Ac. (3.77 Ac. OUTSIDE WETLANDS & FLOOD P. 2.1 Ac. INSIDE WETLANDS & FLOOD P.)
R/W for Highway - 0.26 Ac.
Dwelling Units are for Sale or RENT

LEGEND

☐	REFUSE LOCATION PICK-UP
	PROPOSED FIRE HYDRANT
▲	PROPOSED STREET LIGHT
	LOT LINE
	PROPERTY LINE
	EXISTING 5' CONTOUR LINE
	EXISTING 20' CONTOUR LINE
Sg JpC2	LIMIT of SOIL TYPES
	R.O.W. LINE
	R.T.A. LIMIT
	STREAM BUFFER
	WETLANDS LIMIT LINE
	EXISTING WOODED AREA
	WOODED AREA TO REMAIN
W	PROPOSED WATER LINE
SS	PROPOSED SANITARY SEWER
SD	PROPOSED STORM DRAIN
210	PROPOSED CONTOUR
⚠ ⊙⊙	SIGNIFICANT TREES TO BE RETAINED

GENERAL NOTES:

1) DEED REFERENCE - 8256/524, TAX ACCT. - 11-1101074075
⚠2) DENSITY CALCULATION
EX. DR 3.5 - 5.23 Ac. = 18.31 UNITS
EX. DR 5.5 - 32.69 Ac. = 179.8 UNITS
198 TOTAL
3) THE SITE CONTAINS NONE OF THE FOLLOWING (TO THE BEST OF OUR KNOWLEDGE).
A) ARCHEOLOGICAL SITES
B) HAZARDOUS MATERIALS SITES
C) HISTORIC BUILDINGS
D) ENDANGERED SPECIES [illegible]
E) CRITICAL AREAS
F) WELLS OR SEPTIC AREAS
G) EXISTING BUILDING
4) EXISTING USE - ABANDONED SAND/GRAVEL QUARRY
5) PROPOSED USE - TOWNHOUSE & SINGLE FAMILY DEVELOPMENT
⚠⚠6) LOCAL OPEN SPACE CALCULATION
REQUIRED - 198 × 650 ☐' = 2.95 Ac. PROVIDED 5.83 Ac.
⚠7) LOCAL OPEN SPACE TO BE MAINTAINED BY A HOME OWNERS ASSOC.
8) TRASH COLLECTION BY BALTIMORE COUNTY AT DESIGNATED PICK UP LOCATIONS
⚠9) ALL OFFSITE DWELLINGS AND SMALL LOTS OF RECORD THAT CREATE AN RTA HAVE BEEN SHOWN W/ REQ. 300' & 250' ARCS
10) LANDSCAPING TO BE DONE AS PER BALTIMORE COUNTY
⚠ LANDSCAPE MANUAL - 1 TREE/UNIT; 197 TREES - MINUS UNITS RETAINED (50% MAJOR DECIDUOUS, 50% EVERGREEN)
⚠ RTA. BUFFER 49500 ☐' ÷ 400 = 123.75 UNITS REQ.
− 33000 ☐' ÷ 400 = 82.5 UNITS RETAINED = 41.25 UNITS REQ.
11) MIN. 300 ☐' PRIVATE SPACE TO BE INCLUDED IN EACH LOT
12) ALL EXISTING SLOPES OVER 25% GRADE ARE MAN-MADE
⚠13) LANDSCAPING IN CIRCLE TURNAROUNDS AND H.O.A. COMMON SPACE TO BE MAINTAINED BY HOME OWNERS ASSOCIATION

90-233-A
1 Sign

⚠ GENERAL NOTES
14. NO DRIVE OR BUILDING IS ALLOWED WITHIN THE RTA ON LOTS 1-9, 14, 15, 52, 102, 27, 28
15. ALTERNATIVE METHODS OF STORM WATER MANAGEMENT WILL BE INVESTIGATED AS TO USE OF 5:1 SLOPES IN LOCAL OPEN SPACE AND CREATION OF A MARSH SYSTEM
16. REARS OF UNITS VISIBLE FROM A PUBLIC STREET WILL BE SCREENED W/ PLANTING OR FENCING
17. STORM WATER MANAGEMENT FACILITY TO BE USED AS TEMPORARY SEDIMENT BASIN
⚠18. TEMPORARY BOUNDARY MARKERS & TREE PROTECTION DEVICES SHALL BE INSTALLED PRIOR TO ANY CLEARING OR GRADING.

⚠19. DISTURBANCE OF THE OPEN SPACE BEYOND THE LOTS WILL NOT BE ALLOWED WITHOUT PRIOR APPROVAL FROM THE DEPT. OF RECREATION & PARKS
⚠20. THE WOODED AREA TO REMAIN SYMBOL REPRESENTS THE LIMIT OF DISTURBANCE IN OPEN SPACE AREAS
⚠21. NO ACCESS FROM LOT #31 DIRECTLY TO HINES ROAD WILL BE PERMITTED

SCALE 1" = 100'

PETITIONER'S EXHIBIT 1

GEORGE WILLIAM STEPHENS, JR. AND ASSOCIATES, INC.
CIVIL ENGINEERS & LAND SURVEYORS
303 ALLEGHENY AVENUE
TOWSON, MARYLAND 21204
(301) 825-8120

JOHN STRONG SMITH

NO.	REVISION	DATE
⚠	S.F. LOTS 7-10 DELETED / REPLACED W/ 75' RTA. BUFFER & 0.85 AC. OF LOCAL OPEN SPACE	11-23-88
⚠	6 T.H. LOTS ADDED - (4 REPLACE S.F. LOTS DELETED) (1) ADDED DUE TO DR 3.5, 5.5 ZONING LINE ADJUST.	11-23-88
⚠	25% SLOPES SHADED	11-23-88
⚠	NOTES REVISED - 2, 6, 9, 10, 13, PARKING, L.O. SPACE	11-23-88
⚠	NOTES ADDED - 14, 15, 16, 17, 18, SOIL MITIGATIVE MEA.	11-23-88
⚠	SIGNIFICANT TREES TO BE RETAINED	11-23-88

MCDONAC PROPERTY
@ HINE ROAD
C.R.G. PLAN

BALTIMORE COUNTY, MARYLAND OCT. 14, 1988
PUBLIC SERVICES: W.O. NO. 5186 PLAN NO. ______

OWNER / APPLICANT
HINES ROAD, INC.
305 WEST CHESAPEAKE AVENUE
TOWSON, MARYLAND 21204
PH. 337-7740

NO.	REVISION	DATE
⚠	LOT NO. 6 DELETED; REALIGNMENT OF SIMMS AVE. TO CONNECT @ "A" STREET	12-5-88
⚠	TOWNHOUSE NO. 157 ADDED	12-5-88
⚠	4' PAVED WALKWAY ON 10' EASEMENT	12-5-88
⚠	NOTES REVISED - 6, 7, 10, 13, SOILS, UNITS PROP, PARKING	12-5-88
⚠	NOTES ADDED - 19, 20, 21,	12-5-88
⚠	EXISTING SIMMS AVE. CONNECTION CLOSED	12-5-88
⚠	400' SIGHTLINES ON HINES ROAD	12-5-88

P.N. 4364