

IN RE: PETITION FOR SPECIAL HEARING
 Corner of N/S Darleigh Road,
 W/S of Yvonne Avenue
 11th Election District
 5th Councilmanic District
 Durban Road Limited Partnership
 Petitioner

BEFORE THE
 DEPUTY ZONING COMMISSIONER
 OF BALTIMORE COUNTY
 Case No. 90-480-SPH

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioner herein requests a special hearing to approve an amendment to the Final Development Plan of Silver Spring Station and an amendment to the site plan previously approved in Case No. 88-226-XA to permit an adjustment in the footprint of the buildings and a reduction in density, all as more particularly described in Petitioner's Exhibit 1.

The Petitioner, by Kim B. Strutt, appeared, testified, and was represented by Robert A. Hoffman, Esquire. Also appearing on behalf of the Petition was Stan Long, Project Manager, Tom Jewell, Architect, and George Gavrelis, Engineer. There were no Protestants.

Testimony indicated that the subject property consists of 19.965 acres split zoned D.R. 5.5, D.R. 16, RAE-1, B.M. and B.C.-C.C.C. and is located off of Belair Road and Silver Spring Road. Said property is part of Sections V and XI of the development known as Silver Spring Station which is a development of mixed residential housing originated in 1984. At this time, numerous Sections have been developed as apartments, townhouses, and single family dwellings. In Case No. 88-226-XA, Petitioner obtained a modified approval for the subject parcel of Silver Spring Station wherein a variance was granted to permit all building units in the R.A.E.-1 zone to be less than the required minimum height of 52 feet. Testimony indicated that Petitioners are desirous of modifying the loca-

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tion of the 4th floor garden apartments as approved in Case No. 88-226-XA. In the previously approved site plan, there were 128 units with a mix of two and three bedroom apartments/condominiums. As a result of marketing the other Sections, Petitioner has determined that there is a greater need for three bedroom units rather than two bedroom units and have redesigned the Sections to comprise 120 three bedroom units which will be marketed as Silver Ridge III. Said redesign results in a modification of the layout of the buildings and parking as depicted in Petitioner's Exhibit 2 which outlines in red and black the proposed modifications. Testimony and evidence presented indicated that the proposed plan has received Planning Board approval (See Petitioner's Exhibit 3). Further testimony presented by Mr. Strutt and Mr. Gavrelis indicated that the granting of the relief requested herein will comply with the requirements of Sections 502.1 and will not result in any detriment to the health, safety or general welfare of the community. Additionally, there were no adverse comments submitted by the Zoning Plans Advisory Committee.

At the end of the hearing, Petitioner agreed to submit a revised site plan incorporating the changes discussed at the hearing. Said plan has been received and marked Petitioner's Exhibit A.

The Petitioner had the burden of adducing testimony and evidence which would show that the proposed use met the prescribed standards and requirements set forth in Section 502.1 of the B.C.Z.R. The Petitioner has shown that the proposed use would be conducted without real detriment to the neighborhood and would not adversely affect the public interest. The facts and circumstances do not show that the proposed use at the particular location described by Petitioner's Exhibit 1 would have any adverse impact above and beyond that inherently associated with such a spe-

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cial exception use, irrespective of its location within the zone. Schultz v. Pritts, 432 A.2d 1319 (1981).

The proposed use will not be detrimental to the health, safety, or general welfare of the locality, nor tend to create congestion in roads, streets, or alleys therein, nor be inconsistent with the purposes of the property's zoning classification, nor in any other way be inconsistent with the spirit and intent of the B.C.Z.R.

After due consideration of the testimony and evidence presented, it is clear that practical difficulty or unreasonable hardship would result if the relief requested in the special hearing were not granted. It has been established that the requirements from which the Petitioner seeks relief would unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the relief requested will not be detrimental 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 relief requested in the Petition for Special Hearing should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 14th day of June, 1990 that the Petition for Special Hearing to approve an amendment to the Final Development Plan of Silver Spring Station and an amendment to the site plan previously approved in Case No. 88-226-XA to permit an adjustment in the footprint of the buildings and a reduction in density, in accordance with Petitioner's Exhibit A, 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

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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 proposed buildings are subject to minor refinements relative to the exact location of the building or parking areas as indicated on the revised site plan marked Petitioner's Exhibit A, Page 5. Said modifications must be in accordance with applicable standards and requirements of the zoning regulations and are subject to the approval of the Zoning Commissioner and/or Deputy Zoning Commissioner and the Director of Planning prior to incorporating any changes and/or the issuance of any permits.

3) When applying for a building permit, the site plan and landscaping plan filed must reference this case and set forth and address the restrictions of this Order.

ANN M. NASTAROWICZ
 Deputy Zoning Commissioner
 for Baltimore County

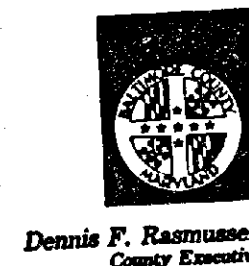
AMN:bjg

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 By [Signature]

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

J. Robert Hoffman
 Zoning Commissioner

June 26, 1990



John B. Howard, Esquire
 210 Allegheny Avenue, Suite 700
 Towson, Maryland 21204

RE: PETITION FOR SPECIAL HEARING
 Corner N/S Darleigh Road, W/S of Yvonne Avenue
 11th Election District - 5th Councilmanic District
 Durban Road Limited Partnership - Petitioner
 Case No. 90-480-SPH

Dear Mr. Howard:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Special Hearing 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,

ANN M. NASTAROWICZ
 Deputy Zoning Commissioner
 for Baltimore County

AMN:bjg
 cc: People's Counsel
 File

PETITION FOR SPECIAL HEARING
 TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY: 90-480-SPH

The undersigned, legal owner(s) 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 Special Hearing under Section 500.7 of the Baltimore County Zoning Regulations, to determine whether or not the Zoning Commissioner and/or Deputy Zoning Commissioner should approve an amendment of the Final Development Plan of Silver Spring Station and an amendment to the site plan in zoning case No. 88-226-XA to permit an adjustment in the footprint of the buildings and a reduction in density.

Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of the above Special Hearing 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/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

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

Legal Owner(s):
 Durban Road Limited Partnership
 (Type or Print Name)
 By: [Signature]
 Secretary Jack H. Pechter, General Partner
 [Signature]
 Kim B. Strutt, General Partner
 (Type or Print Name) Kim B. Strutt
 Signature: _____
 Address: _____
 City and State: _____

Attorney for Petitioner:
 John B. Howard, Esquire
 (Type or Print Name)
 [Signature]
 210 Allegheny Avenue
 Address
 Towson, Maryland 21204
 City and State
 Attorney's Telephone No.: 823-4111
 Address Phone No.

ORDERED By The Zoning Commissioner of Baltimore County, this 14th day of June, 1990, that the subject matter of this petition be advertised, as of April, 1990, 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 13th day of June, 1990, at 9:30 o'clock A.M.

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 By [Signature]

YMK - 3/14/90
 est time - 1 to 45 min
 and anytime

DAFF-MCCLINE-WALKER, INC.

200 East Pennsylvania Avenue
 Towson, Maryland 21204
 Telephone: 301-296-3333
 Land Planning Consultants
 Landscape Architect
 Engineers & Surveyors

Description
 17.76 Acre Parcel, Petition For
 Zoning Variance, Silver Spring Station
 Eleventh Election District, Baltimore County, Maryland.

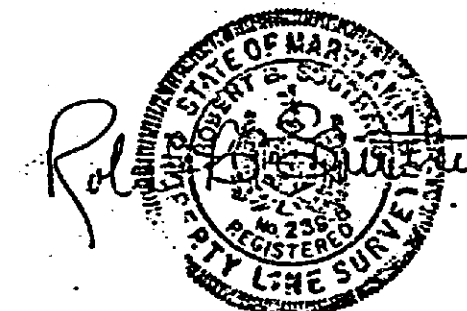
- Commencing at the point formed by the intersection of the centerline of Yvonne Avenue, 50 feet wide, with the centerline of Darleigh Road, 50 feet wide, thence running North 89 degrees 42 minutes 14 seconds West 202.76 feet to the point of beginning of the hereindescribed parcel, thence leaving said point of beginning and running the 15 following courses and distances, viz:
- (1) North 54 degrees 30 minutes 00 seconds West 39.00 feet, thence
 - (2) North 40 degrees 00 minutes 00 seconds West 40.00 feet, thence
 - (3) North 63 degrees 00 minutes 00 seconds West 59.00 feet, thence
 - (4) South 69 degrees 30 minutes 00 seconds West 25.00 feet, thence
 - (5) South 49 degrees 30 minutes 00 seconds West 18.00 feet, thence
 - (6) South 73 degrees 00 minutes 00 seconds West 35.00 feet, thence
 - (7) North 82 degrees 30 minutes 00 seconds West 142.00 feet, thence
 - (8) North 78 degrees 00 minutes 00 seconds West 52.00 feet, thence
 - (9) South 65 degrees 45 minutes 56 seconds West 57.84 feet, thence
 - (10) North 52 degrees 06 minutes 04 seconds West 1160.10 feet, thence
 - (11) North 42 degrees 32 minutes 25 seconds East 269.42 feet, thence

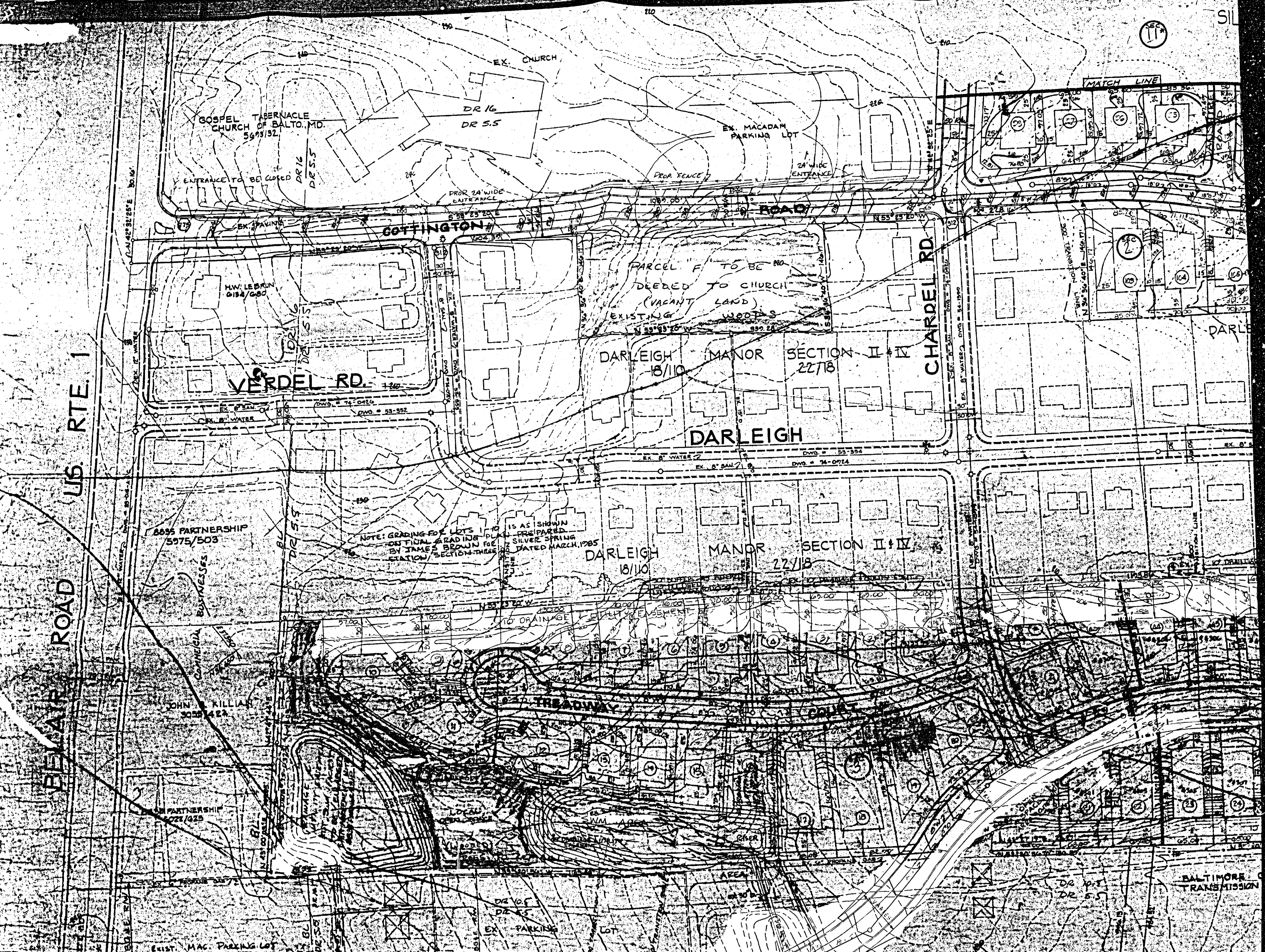
- 90-480-
- (12) North 42 degrees 31 minutes 30 seconds East 30.16 feet, thence
 - (13) North 41 degrees 25 minutes 45 seconds East 300.00 feet, thence
 - (14) South 53 degrees 56 minutes 30 seconds East 1094.36 feet, thence
 - (15) South 00 degrees 47 minutes 24 seconds East 532.34 feet to the point of beginning.

Containing 17.76 acres of land more or less.

THIS DESCRIPTION HAS BEEN PREPARED FOR ZONING PURPOSES ONLY AND IS NOT INTENDED TO BE USED FOR CONVEYANCE.

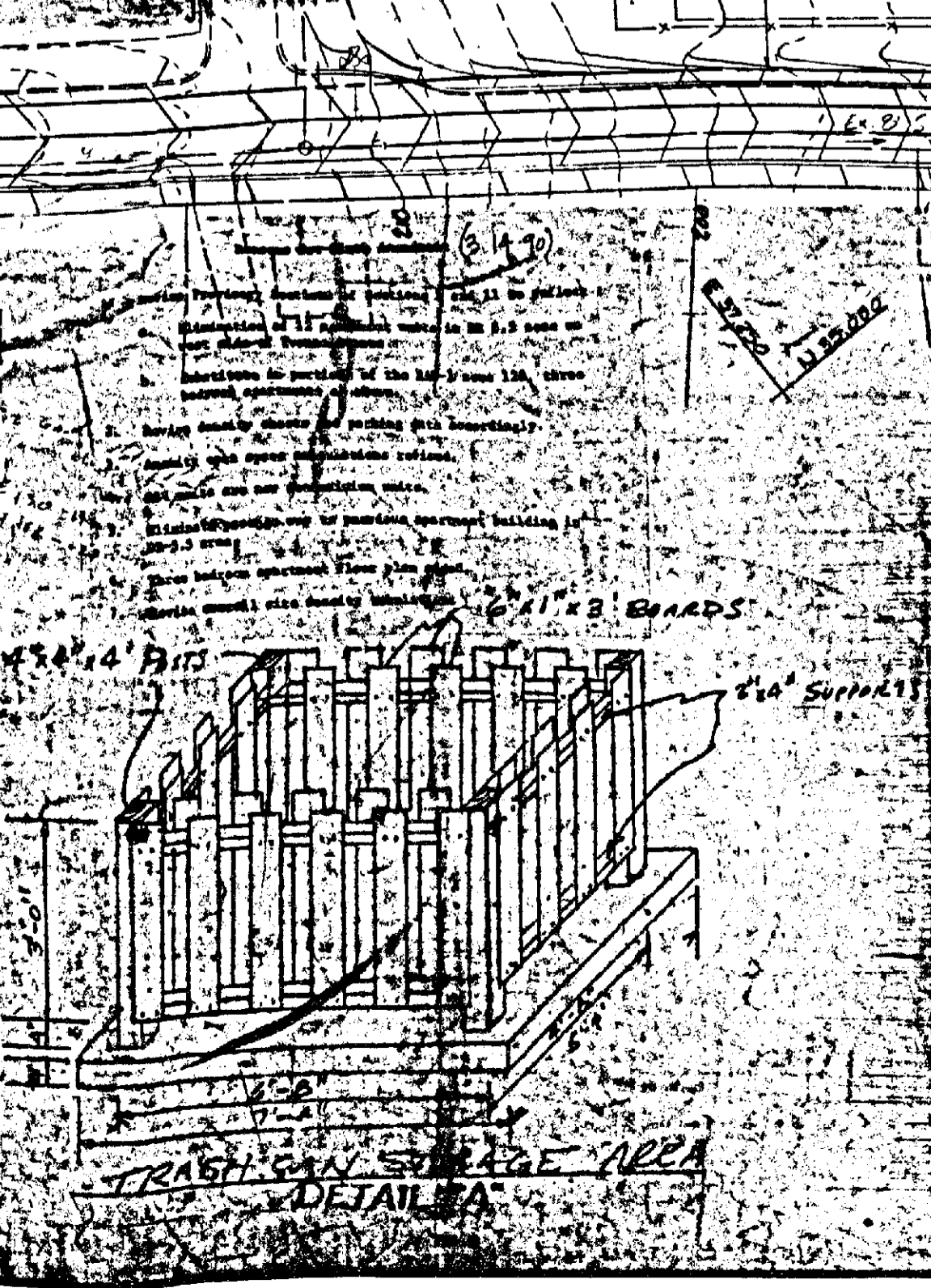
June 11, 1987
 Our Job No. 841294 (3D:L841294)





REASONS FOR SECOND AMENDMENT

SHEET 1 OF 4
 1) THE 2.4, 6.110 BY DEDICATED 5-FAMILY PLAN APPROVED ON FIRST AMENDED FINAL DEVELOPMENT PLAN APPROVED 5/29/82.
 2) THE 2.4, 6.110 BY DEDICATED 5-FAMILY PLAN APPROVED ON FIRST AMENDED FINAL DEVELOPMENT PLAN APPROVED 5/29/82.
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NOTES

- 1) LOT 10011 SHOWN SHOWN IN PLAN APPROVED 5/29/82.
- 2) LOT 10012 SHOWN SHOWN IN PLAN APPROVED 5/29/82.
- 3) LOT 10013 SHOWN SHOWN IN PLAN APPROVED 5/29/82.
- 4) LOT 10014 SHOWN SHOWN IN PLAN APPROVED 5/29/82.
- 5) LOT 10015 SHOWN SHOWN IN PLAN APPROVED 5/29/82.
- 6) LOT 10016 SHOWN SHOWN IN PLAN APPROVED 5/29/82.
- 7) LOT 10017 SHOWN SHOWN IN PLAN APPROVED 5/29/82.
- 8) LOT 10018 SHOWN SHOWN IN PLAN APPROVED 5/29/82.
- 9) LOT 10019 SHOWN SHOWN IN PLAN APPROVED 5/29/82.
- 10) LOT 10020 SHOWN SHOWN IN PLAN APPROVED 5/29/82.

OFFICE OF PLANNING & ZONING
 APPROVED BY: _____
 DATE: _____
 ZONING COMMISSIONER, DATE: _____

TYPICAL PARKING PAD
 SCALE: 1" = 20'

NOTE: 1) PLOTS TO BE PAVED SAME AS EXISTING PAVED.

NOTES (CONTINUED)

- 1) ALL LOTS ARE FOR SALE.
- 2) THE 2.4, 6.110 BY DEDICATED 5-FAMILY PLAN APPROVED ON FIRST AMENDED FINAL DEVELOPMENT PLAN APPROVED 5/29/82.
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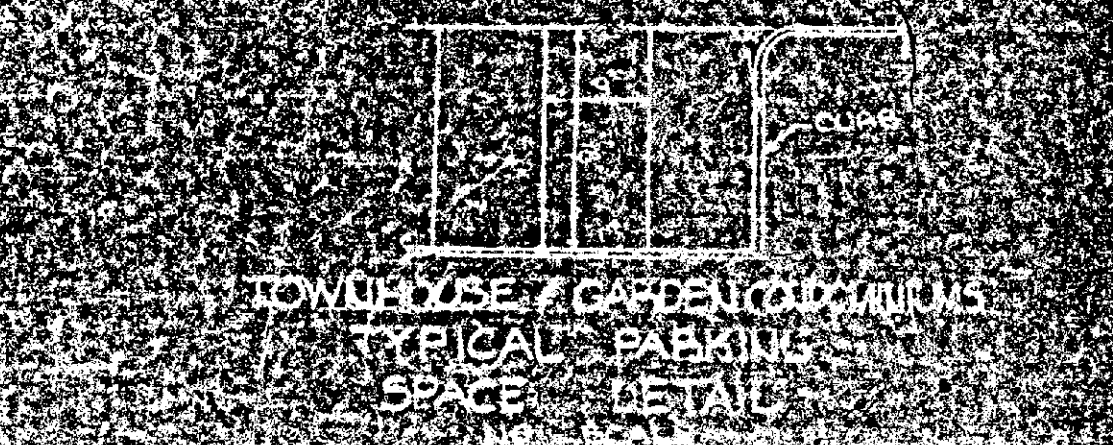
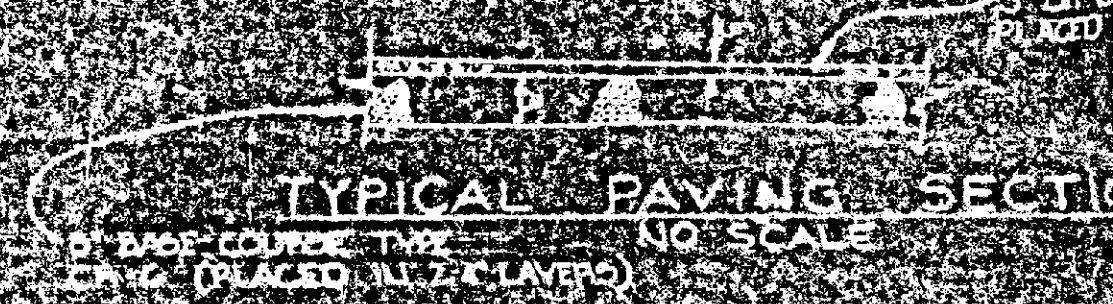
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| DATE | TIME | BY |
| APR 11 1957 | 11:00 AM | ... |
| APR 11 1957 | 11:00 AM | ... |
| APR 11 1957 | 11:00 AM | ... |

THE MINIMUM CLEARANCE DISTANCE EQUAL TO THE HEIGHT OF THE STRUCTURE AT THE POINT OF TRANSITION.

REASONS FOR SECOND AMENDMENT TO ZONING ORDINANCE...

REASONS FOR SECOND AMENDMENT TO ZONING ORDINANCE...

REASONS FOR FIRST AMENDMENT...



SECTION D
100' x 150' VALLE
CL. 5' 7 1/2' / 105'

SILVER GATE
OTG 31 / 150'

S.W. 1/4
RESERVATION
DALTO COUNTY
OWNED & MAINTAINED

MAVIS AVE ROAD

DANLEIGH AVE

DETAIL SAID CONTINGENT OWNERSHIP & MAINTENANCE NO SCALE

OFFICE OF PLANNING & ZONING APPROVED BY

OWNER DEVELOPER

REASONS FOR FIRST AMENDMENT...

REASONS FOR SECOND AMENDMENT TO ZONING ORDINANCE

1. The proposed development is consistent with the Comprehensive Zoning Ordinance and the Comprehensive Zoning Ordinance is amended to allow the proposed development to be consistent with the Comprehensive Zoning Ordinance.

2. The proposed development is consistent with the Comprehensive Zoning Ordinance and the Comprehensive Zoning Ordinance is amended to allow the proposed development to be consistent with the Comprehensive Zoning Ordinance.

3. The proposed development is consistent with the Comprehensive Zoning Ordinance and the Comprehensive Zoning Ordinance is amended to allow the proposed development to be consistent with the Comprehensive Zoning Ordinance.

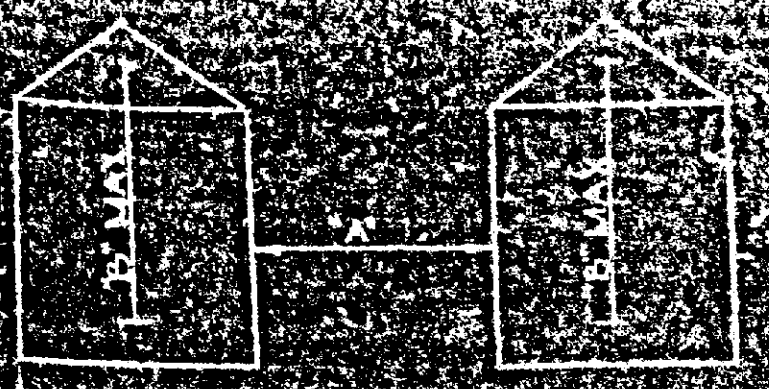
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| HEIGHT | MINIMUM SEPARATION | MINIMUM SEPARATION | MINIMUM SEPARATION |
|--------|--------------------|--------------------|--------------------|
| HEIGHT | MINIMUM SEPARATION | MINIMUM SEPARATION | MINIMUM SEPARATION |
| HEIGHT | MINIMUM SEPARATION | MINIMUM SEPARATION | MINIMUM SEPARATION |
| HEIGHT | MINIMUM SEPARATION | MINIMUM SEPARATION | MINIMUM SEPARATION |



HEIGHT-TO-HEIGHT RELATIONSHIP
NO SCALE

LOCATION MAP

SECTION D
JOPPA VALLEY
G.L.C. 22/105

SILVER GATE
G.L.C. 91/10

PRESERVATION
GARDEN COUNTY
OWNED LAND

GEORGE D. SMITH
A 10 11/2001

OWNER/DEVELOPER
SILVER SPRING STATION JOINT VENTURE
CORPORATION GENERAL PARTNERS
MANAGED BY STRUTT

SILVER SPRING STATION
6TH AMENDED
1ST ELECTION DISTRICT
SCALE: 1"=50'
DRAFTING: COLM
OCTOBER 2001

REASONS FOR FIRST AMENDMENT TO ZONING ORDINANCE

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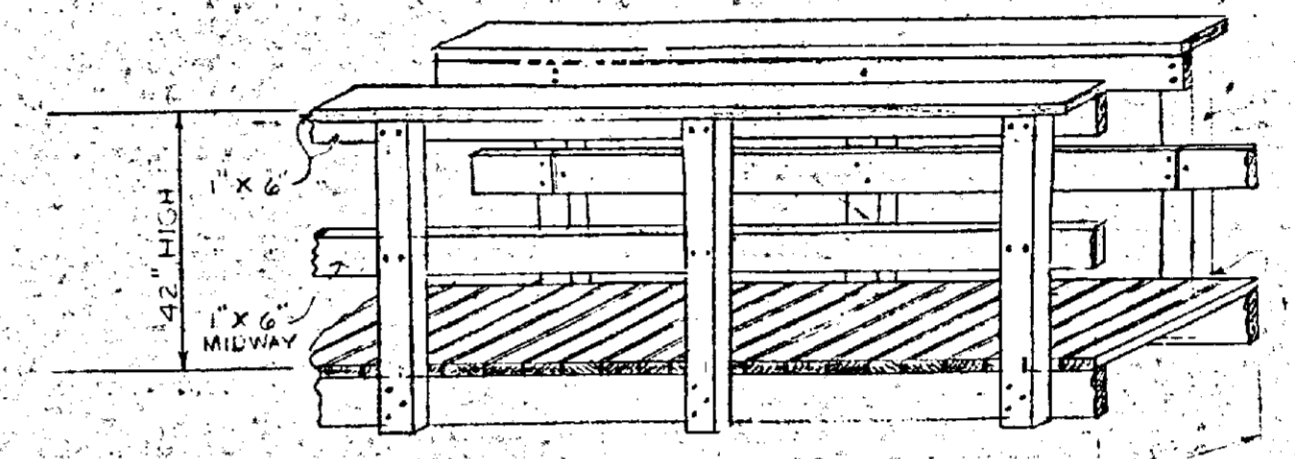
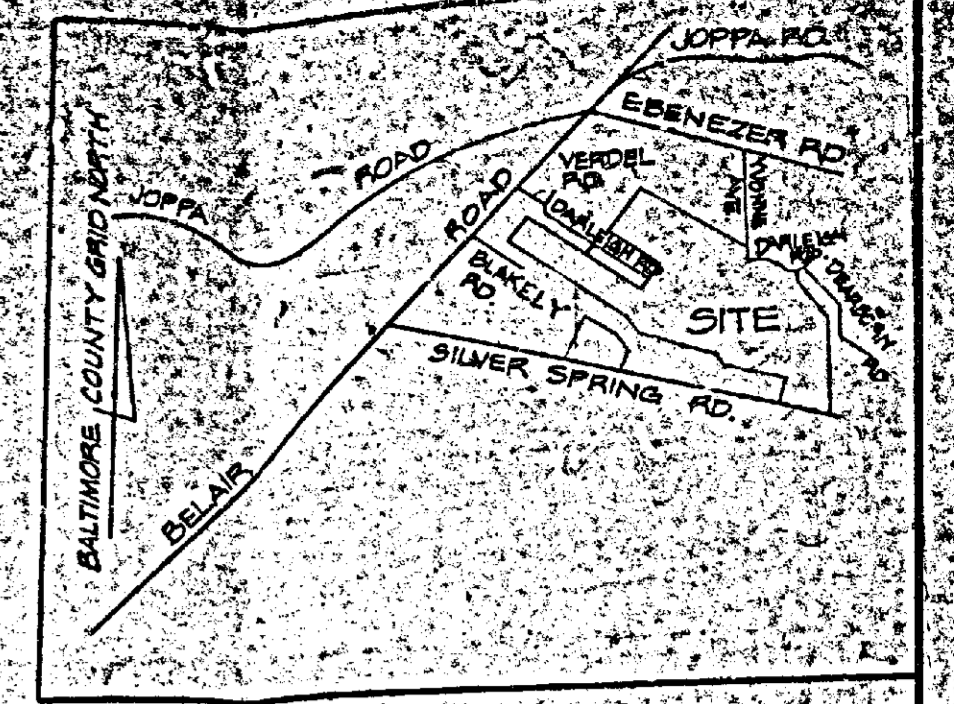
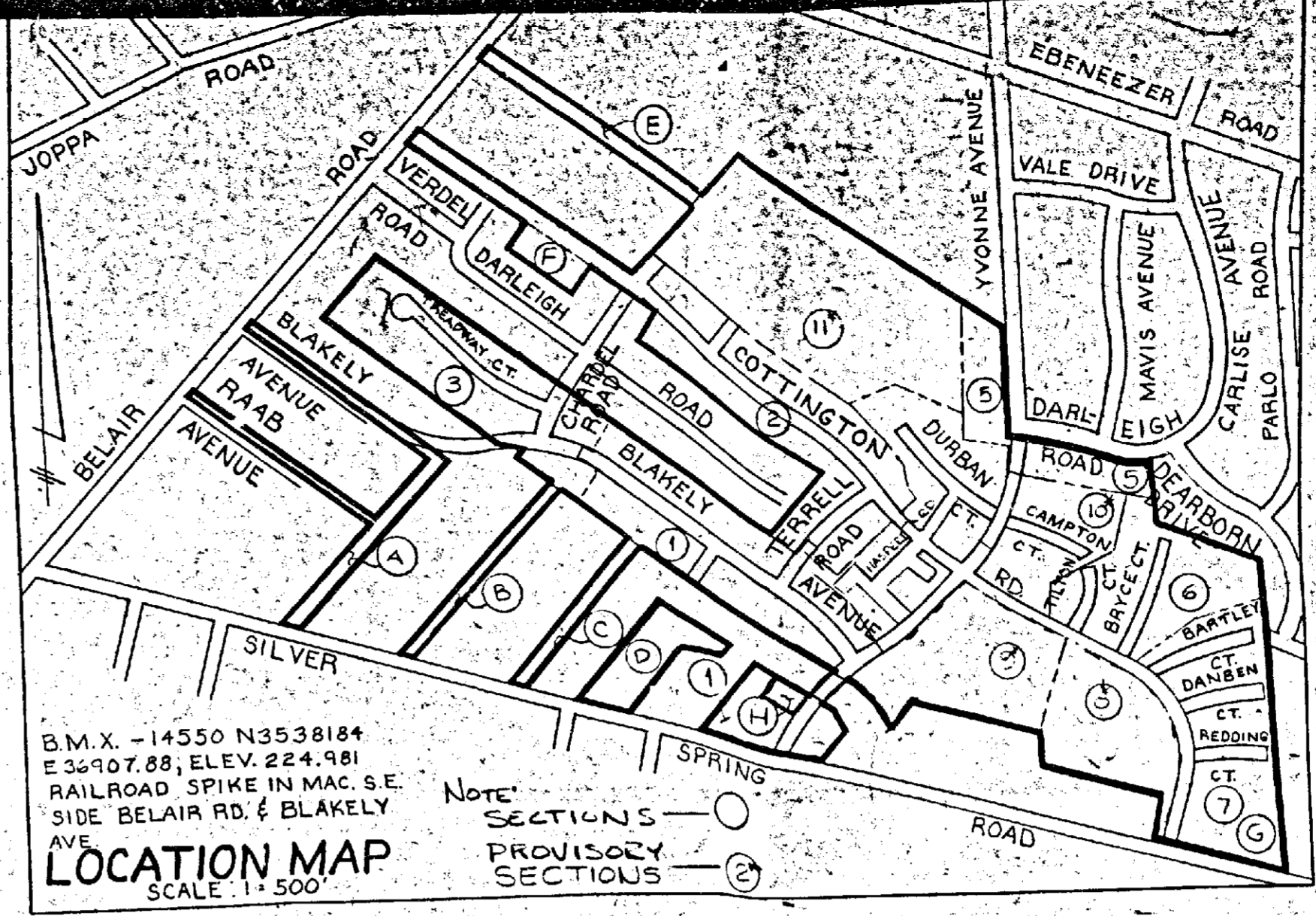
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NOTES

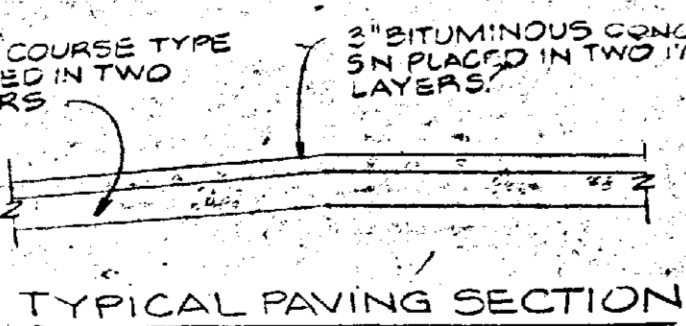
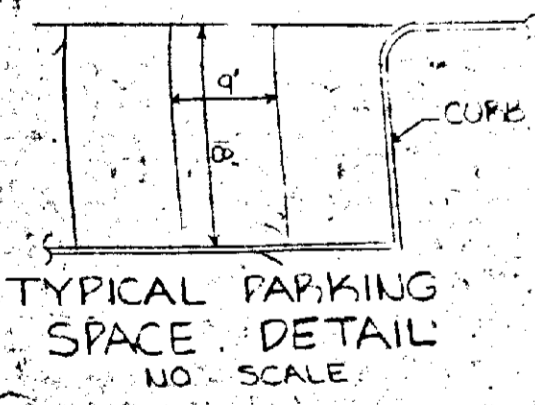
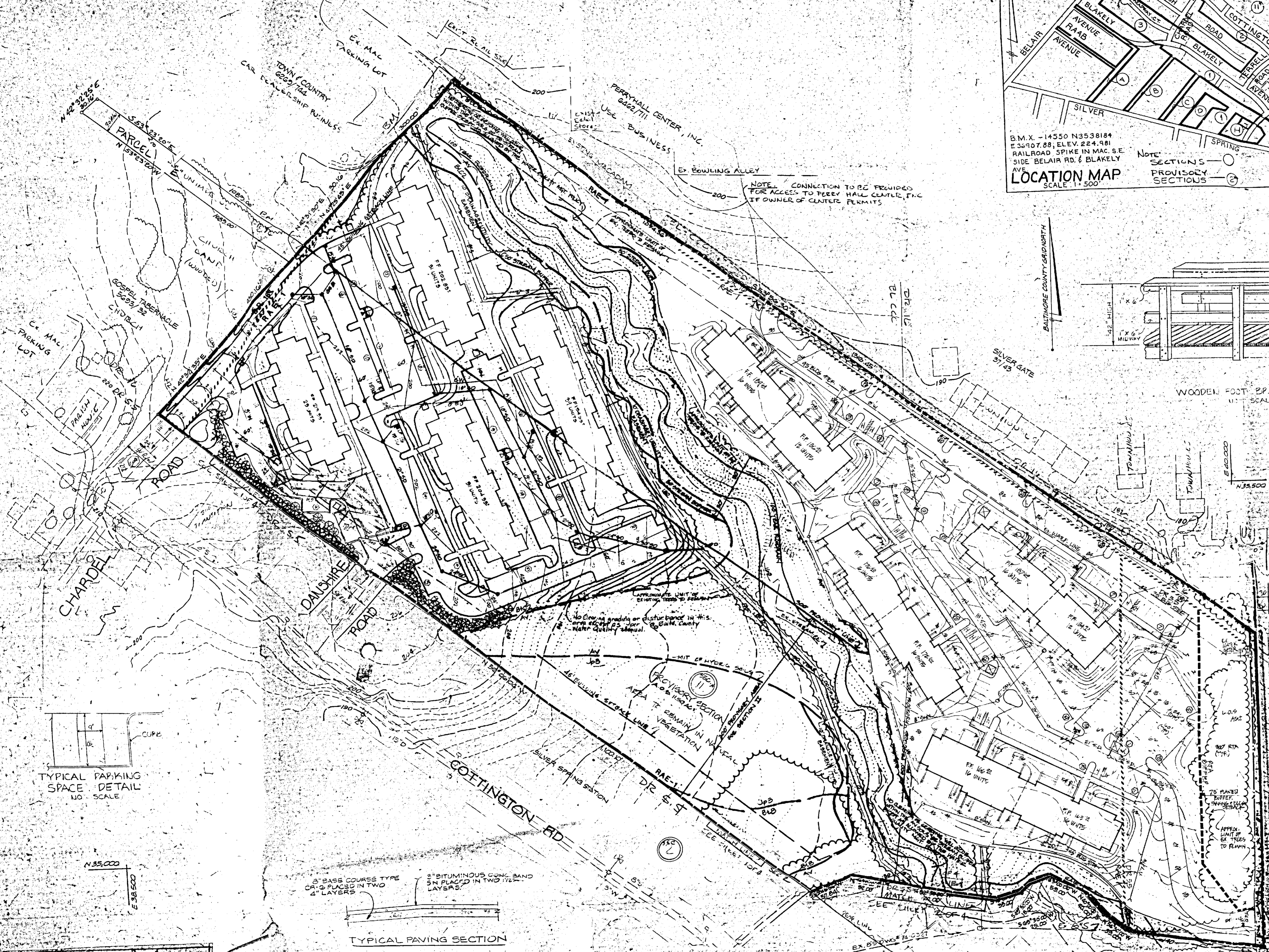
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- NOTES:**
1. ALL LOTTS SHOW TRAILER HOUSING.
 2. STREET LIGHTS SHOWN THRUOUT.
 3. HEIGHT SHALL BE 20'00".
 4. TRIP SITE IS IN DEVELOPED #2.
 5. ALL PROPOSED ROADS ARE PUBLIC ROADS UNLESS OTHERWISE NOTED.
 6. MAXIMUM BUILDING HEIGHT SHALL BE 40'00".
 7. MAXIMUM BUILDING HEIGHT SHALL BE 40'00".
 8. MAXIMUM BUILDING HEIGHT SHALL BE 40'00".
 9. MAXIMUM BUILDING HEIGHT SHALL BE 40'00".
 10. MAXIMUM BUILDING HEIGHT SHALL BE 40'00".
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 38. MAXIMUM BUILDING HEIGHT SHALL BE 40'00".
 39. MAXIMUM BUILDING HEIGHT SHALL BE 40'00".
 40. MAXIMUM BUILDING HEIGHT SHALL BE 40'00".



- PROVISORY SECTION**
1. The Provisory Section of this partial development plan is intended not to be utilized as a Final Development Plan. Building applications may be approved or issued. Its purpose is to provide those who purchase homes within the area with a reasonable understanding as to how the developer is likely to improve all adjoining vacant land that is within 300' of their home. Said vacant land shall be developed in accordance with the Zoning Regulations as they currently exist, or as they may be amended from time to time.
 2. The dimensioned boundaries of the Provisory Section, as indicated hereon, are not intended to separate it from the overall approval of this partial development plan. Any significant or major deviation from this partial development plan, including the Provisory Section, must be approved in accordance with Section 1801, 3 A7.
 3. Approval of the Provisory Section is not based on final engineering plans; however, it is intended to generally establish the location, configuration, and density of buildings, lots and their envelopes; and, the location and type of existing major vegetation that is to be retained.
 4. At the time of Building Permit Applications, the Provisory Section of this development plan must be updated to comply in all respects to the Zoning Regulations.

ACCESSORY NOTE

Envelopes shown hereon are for the location of all principal buildings only. Accessory structures, fences and projections into yards may be constructed outside the envelope but must comply with Sections 400 and 801 of the Baltimore County Zoning Regulations (subject to coverages and applicable building permits.)

DENSITY REGULATIONS - OVERALL SITE (CONT)

8. DENSITY REGULATIONS - OVERALL SITE (CONT)

REQUIRED: 70% OF 47.27 AC ± (GROSS FLOOR AREA) = 33.06 AC

TOTAL FLOOR AREA IN ANNETT OPEN SPACE AREA AC ± 33.06

TOTAL ANNETT OPEN SPACE PROVIDED AC ± 11.92

BOARD OF APPEALS 2nd HEARING HELD IN BALTIMORE COUNTY COURTHOUSE 11/15/88. PARALLEL PERMITTED TO ALLOW FOR TOWNSHIP ACCESS LOCATIONS INTO YVONNE AVE.

SECTION IS BEING AMENDED TO BALTIMORE COUNTY CASE # 88-24 CG 213

THE OWNER DEVELOPER WILL NOT HOLD BALTIMORE COUNTY LINES FOR THE OUTSIDE OF THE APPEAL WHICH IS PENDING AND IS AWARE THAT CHANGES MAY OCCUR TO SECTION ELEVATIONS SHOWN ON THIS SHEET.

CRG PLAN WAS APPROVED ON 9/25/83

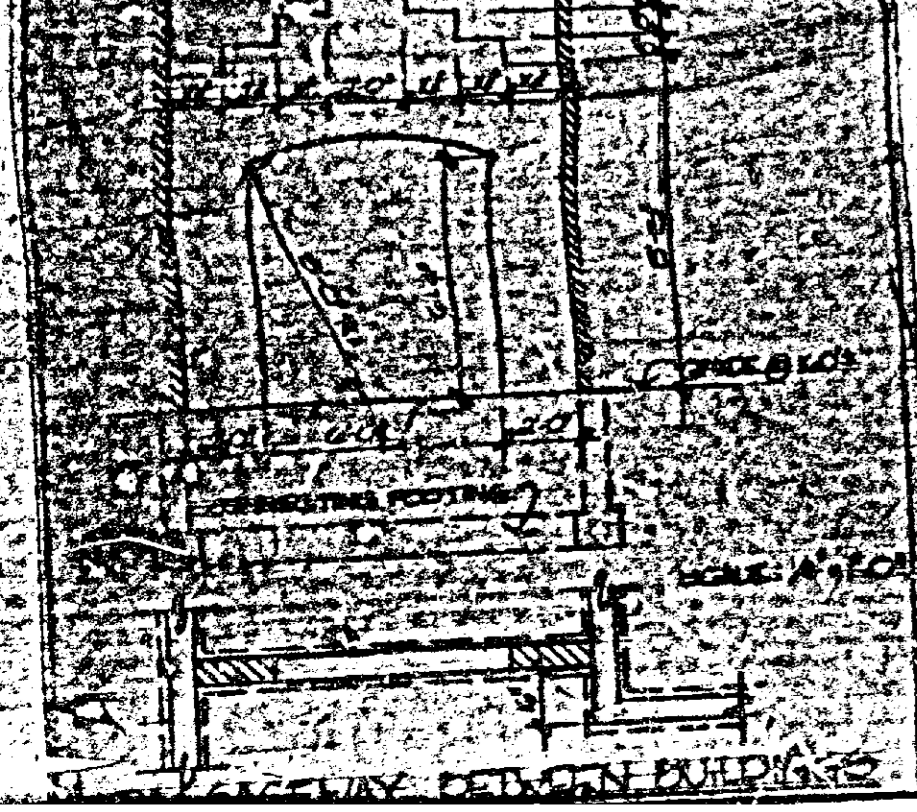
REVISED CRG PLAN APPROVED ON 12/1/84

PARTIAL AMENDED CRG PLAN WAS APPROVED 1/26/85

Meeting # 88-24-84 approved January 28, 1985

8th Amended CGS approved on July 9, 1987

10th Amended prepared by Deft-McCune-Walkers, Inc.



| Lot No. | Area (sq. ft.) | Area (sq. ft.) | Area (sq. ft.) | Area (sq. ft.) | Area (sq. ft.) |
|---------|----------------|----------------|----------------|----------------|----------------|
| 1 | 1,200 | 1,200 | 1,200 | 1,200 | 1,200 |
| 2 | 1,500 | 1,500 | 1,500 | 1,500 | 1,500 |
| 3 | 1,800 | 1,800 | 1,800 | 1,800 | 1,800 |
| 4 | 2,100 | 2,100 | 2,100 | 2,100 | 2,100 |
| 5 | 2,400 | 2,400 | 2,400 | 2,400 | 2,400 |
| 6 | 2,700 | 2,700 | 2,700 | 2,700 | 2,700 |
| 7 | 3,000 | 3,000 | 3,000 | 3,000 | 3,000 |
| 8 | 3,300 | 3,300 | 3,300 | 3,300 | 3,300 |
| 9 | 3,600 | 3,600 | 3,600 | 3,600 | 3,600 |
| 10 | 3,900 | 3,900 | 3,900 | 3,900 | 3,900 |

REASONS FOR SECOND AMENDMENT

REVISED TREE LINE AS SHOWN ON FIRST AMENDED FINAL DEVELOPMENT PLAN AND 2ND AMENDMENT.

REASONS FOR THIRD AMENDMENT (7-22-84)

ADDED DETAIL OF PASSAGEWAY CONNECTION OF THE TWO GARAGE APARTMENT BUILDINGS ON PARCEL 14 OF SECTION 10.

REASONS FOR FIFTH AMENDMENT (10-7-88)

1. REVISED UNIT QUANTITIES TO REFLECT CURRENT PERMIT PLANS

2. NO LOTS HAVE BEEN SOLD WITHIN 300' OF THIS CHANGE

REASONS FOR FOURTH AMENDMENT - SEPT. 23, 1987

1. REVISED SECTION 2 PROVISORY SECTION (SECTION 11) TO REFLECT CURRENT DATA.

2. LOTS HAVE BEEN SOLD WITHIN 300' A PUBLIC HEARING IS BEING SCHEDULED.

3. HEADLINE # 80-24-XX APPROVED 4/20/88

REASONS FOR FIFTH AMENDMENT (10-7-88)

1. REVISED UNIT QUANTITIES TO REFLECT CURRENT PERMIT PLANS

2. NO LOTS HAVE BEEN SOLD WITHIN 300' OF THIS CHANGE

OFFICE OF PLANNING & ZONING

APPROVED BY: _____

DR. OF PLANNING DATE _____

OWNER DEVELOPER

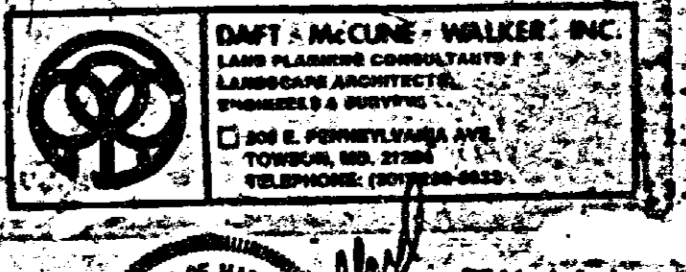
SILVER SPRING STATION JOINT VENTURE

K&S CORPORATION GENERAL PARTNER

50 KIMBLY STREET

54 SCOTT ADAM ROAD

SUITE 101



FINAL DEVELOPMENT PLAN

SILVER SPRING STATION

11 TH. ELECTION DISTRICT

SCALE: 1" = 50'

DATE OF FILING: 4/1/85

NO CHANGES THIS SHEET

APPROVED: 10/26/88

DATE: DEC. 12, 1988

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 1124 Date of Posting: 7/21/90

Posted for: Special Hearing

Petitioner: Durban Road Limited Partnership

Location of property: Corner N/S of Darleigh Road, W/S of Yvonne Avenue
"Silver Spring Station"

Location of Sign: Corner Yvonne Ave. adjacent to Durban Rd.

Remarks: Property of Robert Haines

Posted by: J. Robert Haines Date of return: 6/1/90

Number of Signs: 1

CERTIFICATE OF PUBLICATION

TOWSON, MD. May 21, 1990

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 May 17, 1990

THE JEFFERSONIAN,
S. Zake Orlov
Publisher

PO 104 580

receipt

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

Account: R-001-6150 No. 2719

Date: 6/12/90 M9000914

| | | |
|----------------------------------|-----|----------|
| PUBLIC HEARING FEES | QTY | PRICE |
| 040 -POSTING SIGNS / ADVERTISING | 1 X | \$175.51 |
| TOTAL: | | \$175.51 |

LAST NAME OF OWNER: DURBAN RD LTD. PT

Cashier Validation: B 127*****11351a 3158F

Please make checks payable to: Baltimore County

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

DATE 5-30-90

Dennis F. Rasmussen
County Executive

Durban Road Limited Partnership
40 York Road, 2nd Floor
Towson, Maryland 21204

Re: Petition for Special Hearing
CASE NUMBER: 90-480-SPH
Corner of N/S of Darleigh Road, W/S of Yvonne Avenue
"Silver Spring Station"
11th Election District - 5th Councilmanic
Petitioner(s): Durban Road Limited Partnership
HEARING: WEDNESDAY, JUNE 13, 1990 at 9:30 a.m.

Gentlemen:

Please be advised that \$ 113.51 is due for advertising and posting of the above captioned property.

THIS FEE MUST BE PAID AND THE ZONING SIGN & POST SET(S) RETURNED ON THE DAY OF THE HEARING. ON THE ORDER SHALL NOT ISSUE. DO NOT REMOVE THE SIGN & POST SET(S) FROM THE PROPERTY UNTIL THE DAY OF THE HEARING.

Please make your check payable to Baltimore County, Maryland. Bring the check and the sign & post set(s) to the Zoning Office, County Office Building, 111 W. Chesapeake Avenue, Room 113, Towson, Maryland fifteen (15) minutes before your hearing is scheduled to begin.

Be advised that should you fail to return the sign & post set(s), there will be an additional \$50.00 added to the above amount for each such set not returned.

Very truly yours,
J. Robert Haines
J. ROBERT HAINES
ZONING COMMISSIONER

JRH:gs
cc: John B. Howard, Esq.

receipt

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

Account: R-001-6150 Number 1720

Date: 3/14/90 H9000315

| | | |
|------------------------------|-----|----------|
| PUBLIC HEARING FEES | QTY | PRICE |
| 040 -SPECIAL HEARING (OTHER) | 1 X | \$175.00 |
| TOTAL: | | \$175.00 |

LAST NAME OF OWNER: PECHTER

Cashier Validation: B 128*****175001a 3158F

Please make checks payable to: Baltimore County

CERTIFICATE OF PUBLICATION

TOWSON, MD. May 21, 1990

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 May 16, 1990

NORTHEAST TIMES BOOSTER and the
NORTHEAST TIMES REPORTER
S. Zake Orlov
Publisher

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

J. Robert Haines
Zoning Commissioner

May 1, 1990

NOTICE OF HEARING

Dennis F. Rasmussen
County Executive

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 Special Hearing
CASE NUMBER: 90-480-SPH
Corner of N/S of Darleigh Road, W/S of Yvonne Avenue
"Silver Spring Station"
11th Election District - 5th Councilmanic
Petitioner(s): Durban Road Limited Partnership
HEARING: WEDNESDAY, JUNE 13, 1990 at 9:30 a.m.

Special Hearing: An amendment of the Final Development Plan of Silver Spring Station AND an amendment to the site plan to permit an adjustment in the footprint of the buildings and a reduction in density.

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.

J. Robert Haines
J. ROBERT HAINES
Zoning Commissioner of
Baltimore County
cc: Durban Road Limited Partnership
John B. Howard, Esq.

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

J. Robert Haines
Zoning Commissioner

June 1, 1990

Dennis F. Rasmussen
County Executive

John B. Howard, Esquire
210 Allegheny Avenue
Towson, MD 21204

RE: Item No. 315, Case No. 90-480-SPH
Petitioner: Durban Road Limited Partnership
Petition for Special Hearing

Dear Mr. Howard:

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. Jack H. Pechter
Durban Road Limited Partnership
40 York Road, 2nd Floor
Towson, MD 21204

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

J. Robert Haines
Zoning Commissioner

March 23, 1990

Dennis F. Rasmussen
County Executive

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

Dear Mr. Haines:

The Bureau of Traffic Engineering has no comments for items number 300, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, and 321.

Very truly yours,
Michael S. Flanigan
Michael S. Flanigan
Traffic Engineer Assoc. II

MSF/lvw

RECEIVED
MAY 27 1990
ZONING OFFICE

Your petition has been received and accepted for filing this 11th day of April, 1990.

J. Robert Haines
J. ROBERT HAINES
ZONING COMMISSIONER

Received By:
James E. Dyer
Chairman,
Zoning Plans Advisory Committee

Petitioner: Donald H. Wilson, et al
Petitioner's Attorney: Robert A. Hoffman

Baltimore County
Department of Public Works
Bureau of Traffic Engineering
Courts Building, Suite 405
Towson, Maryland 21204
(301) 887-3354

Dennis F. Rasmussen
County Executive

March 23, 1990

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

Dear Mr. Haines:

The Bureau of Traffic Engineering has no comments for items number 300, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, and 321.

Very truly yours,
Michael S. Flanigan
Michael S. Flanigan
Traffic Engineer Assoc. II

MSF/lvw

RECEIVED
MAY 27 1990
ZONING OFFICE

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: J. Robert Haines
Zoning Commissioner
DATE: April 6, 1990
FROM: Pat Keller, Deputy Director
Office of Planning and Zoning
SUBJECT: Henry F. Renard, Item No. 326
Theresa Marie Durbon, Item No. 328
Diana Ely Epstein, Item No. 325
Donald H. Wilson, III, Item No. 323
Richard H. Kress, Item No. 320
Michael R. Spodak, Item No. 319
Richard C. Tighman, Item No. 318
Durban Road Ltd. Part., Item No. 315
Fitch Avenue Ltd. Part., Item No. 314
Douglas E. Abrams, Item No. 308
Chestnut Ridge Country Club, Item No. 300

In reference to the Petitioners' requests, staff offers no comment.

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

ITEMVARI.ED/ZAC1

Baltimore County
Fire Department
Towson, Maryland 21284-2586
484-4500
Paul H. Reincke
Chief

APRIL 4, 1990



Dennis F. Rasmussen
County Executive

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

RE: Property Owner: DURBAN ROAD LIMITED PARTNERSHIP
Location: CORNER OF N/S OF DARLEIGH ROAD
Item No.: 315 Zoning Agenda: APRIL 3, 1990

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.

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. W. F. Brach, Jr. Noted and Approved
Fire Prevention Bureau
Special Inspection Division

JK/KEK

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

TO: Zoning Advisory Committee DATE: April 4, 1990
FROM: Robert W. Bowling, P.E.
RE: Zoning Advisory Committee Meeting
for April 3, 1990

The Developers Engineering Division has reviewed the subject zoning items and we have no comments for Items 300, 307, 308, 310, 311, 312, 313, 318, 319 and 320.

For Items 309, 314, 315 and 317, the previous County Review Group comments apply.

For Item 316, a County Review Group meeting may be required.

For Item 321, a County Review Group meeting may be required. Neither lot has in-fee frontage to a public road.

Robert W. Bowling, P.E., Chief
Developers Engineering Division

RWB:s

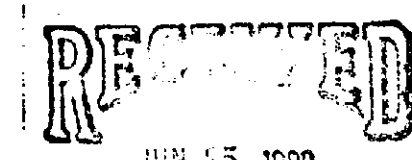
VENABLE, BAETJER AND HOWARD

ATTORNEYS AT LAW
A PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS
BALTIMORE, MD
WASHINGTON, D.C.
MILFORD, VA
ROCKVILLE, MD
SEL, VA, MD
210 ALLEGHENY AVENUE
P.O. BOX 5517
TOWSON, MARYLAND 21286-5517
410-838-8411
FAX 410-831-0147

June 25, 1990

WRITER'S DIRECT NUMBER IS
484-9162

HAND DELIVERED



Ms. Ann M. Nastarowicz
Deputy Zoning Commissioner
First Floor, County Office Building
Towson, MD 21204

Re: Case No.: 90-480-SPH
Durban Road Limited Partnership, Petitioner

Dear Ms. Nastarowicz:

As you requested at the June 13 hearing, enclosed is a copy of the Amended Final Development Plan and Plat to accompany Zoning Petition in the referenced case. These plans incorporate the handwritten comments to the plats submitted at the hearing.

If you have any questions, please do not hesitate to contact me.

Yours truly,

Robert A. Hoffman

RAH/sgf
Enclosures

cc: Mr. Kim B. Strutt
Mr. George Gavrelis

PLEASE PRINT CLEARLY
PETITIONER(S) SIGN-IN SHEET

| NAME | ADDRESS |
|-------------------------|-------------------------|
| Rob Hoffman | 210 Allegany Ave 21284 |
| Kim Strutt - Consultant | 54 Scott Adam Rd 21030 |
| Stan Long 3 Project Mgr | 54 Scott Adam Rd 21030 |
| TOM HOWELL A.H. | 6026 THE TERRACES 21289 |
| Georg Garseln | 100 E PA. AVE 21204 |

Reasons for Sixth Amendment

- Revise Provisory Sections of Sections 5 and 11 to reflect:
 - Elimination of 12 apartment units in DR 5.5 zone on west side of Yvonne Avenue
 - Substitute in portions of the RAE-1 zone 120, three bedroom apartments as shown.
- Revise density charts and parking data accordingly.
- Amenity open space calculations revised.
- All units are now condominium units.
- Eliminate passage way to previous apartment building in DR-5.5 area.
- Three bedroom apartment floor plan added.

February 2, 1990

Mr. Frank H. Fisher, Chief
Current Planning and Development
Office of Planning and Zoning
County Office Building
Towson, MD 21204

Re: Silver Spring Station, Sections 5 and 11
Revised Final Development Plan - Sixth Amendment
Job Order #4129.B

Dear Mr. Fisher:

Please schedule proposed revisions to the Final Development Plan affecting Silver Spring Station Sections 5 and 11 for consideration by the Planning Board at its February 15 meeting.

Elder couples who are changing from conventional, detached housing have expressed a strong preference for three bedroom condominium units now under construction at Silver Spring Station. They want the larger unit. This demand has not been accompanied by a larger family size.

Accordingly, the remaining units are being revised from a mix of two and three bedroom units to all three bedroom units. The current plan would have included a total of 128 units. Proposed revisions would result in a total of 120 units, all in the RAE-1 portion and the removal of 12 units in the DR 5.5 edge along Yvonne Avenue. The units are in the same number of buildings (four) and the general architectural style will be similar to the original sections of Silver Spring Station. Height of the buildings remains unchanged.

A zoning hearing will be held to modify the order in Case 88-226 EA wherein a variance was granted to allow all of the RAE-1 buildings to be less than the minimum required 52 feet (a maximum of 85 feet in height had been proposed in an earlier plan).

The hearing also will consider the Sixth Amendment to the Final Development Plan of Silver Spring Station. It is our belief that the revision as described above are consistent with the spirit and intent of the current plan.

Thank you very much for your assistance and cooperation.

Very truly yours,

George E. Gavrelis
George E. Gavrelis
Vice President

GEK/hab

PETITIONER'S
EXHIBIT 3

PETITIONER'S
EXHIBIT 3

INDEX TO THE
MINUTES
Baltimore County Planning Board
February 15, 1990

90-480-SPH

- Introduction of Board Members, and Announcements
- Review of Agenda
- Minutes of Meeting of January 18, 1990
- Citizens' Comments
- Recommendations by the ad hoc Committee on Development Plans and Issues
- Recommendations by the ad hoc Committee on Regulations and Standards
- Other Business

- APPENDIX A-1 - Agenda
- APPENDIX A-2 - Minutes of Planning Board meeting, January 18, 1990
- APPENDIX A-3 - Speakers' Registration List
- APPENDIX B-1 - Section 22-43 Waivers (Director's Report to the Baltimore County Planning Board)
- APPENDIX B-2 - January 12, 1990 Memorandum from Gene L. Neff Regarding Average Cost Of Local Open Space Acreage
- APPENDIX C - Proposed Amendments to the Baltimore County Zoning Regulations Regarding Drive-Through Banks in the O.T. Zones, February 6, 1990

SPECIAL NOTE

This plan and plat seek to amend Petitioners Exhibits 1 and 2 as referred to by the Zoning Commission's order in Case 88-226XA by setting forth the desired plan of development as shown hereon. Existing buildings are as shown. Proposed buildings are subject to minor refinements relative to exact location, building or parking area outline and site grading in accordance with all other applicable standards and requirements of the Zoning Regulations.

Case #84-239-41

- 3/23/84 - A variance from Section 200.4.A to permit two primary vehicle accesses to a local street from a R.A.E. zone is granted by the Zoning Commissioner with restrictions; (2) - note them.
4/18/84 - Order appealed to the C.B.A. by John D. Schiavone for himself and the S. Perry Hall Improvement Association.
6/28/84 - Board of Appeals ordered that the Zoning Commissioner's Order be affirmed and the variance granted.
8/01/84 - Board of Appeals Order appealed to the Circuit Court by John Schiavone and Keith E. Ronald, counsel for Silver Spring Station Joint Venture.

10/16/84 - Order of Dismissal signed by Judge Horne - submitted by John D. Schiavone and Keith Ronald, counsel for Silver Spring Station Joint Venture.

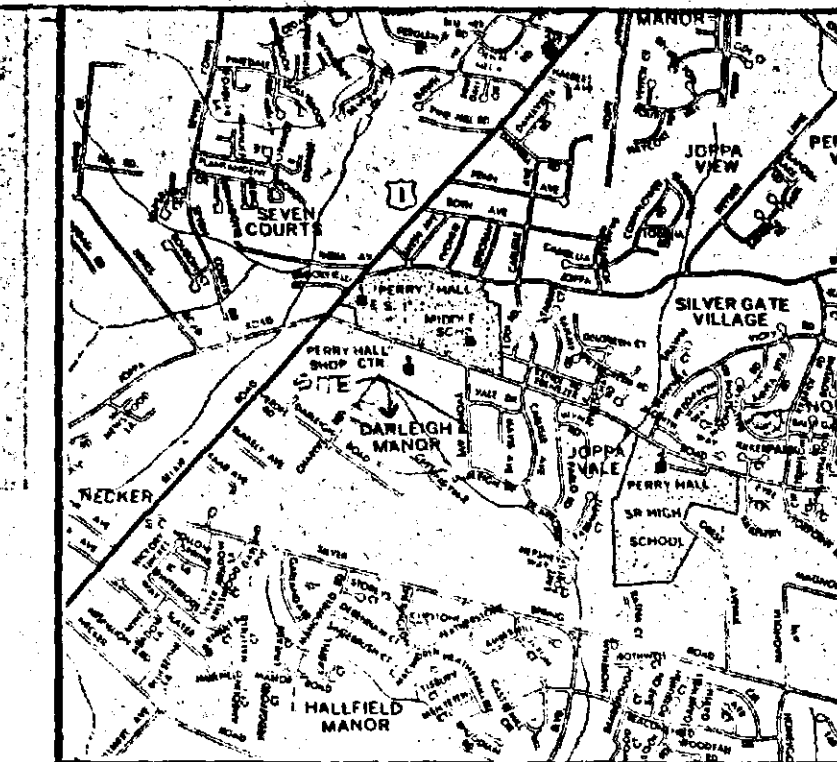
Case 88-226XA, granted by Zoning Commissioner, approved the Fourth Amended Final Development Plan and a variance to permit all of the units to be less than the required minimum height of 35 feet in an RAE-1 zone. The Board's order was limited to representations made on Petitioner's Exhibit 2 and 3.

ZONING HISTORY

This property has been the subject of zoning case number 84-239A and of related case 84-102 which dealt with an appeal to previous CZG plan approval on December 29, 1983. The Zoning Commissioner on March 23, 1984 granted in case 84-239A the requested variance to permit primary vehicle access from property zoned RAE-1 to a local street.

This was appealed to the Board of Appeals and consolidated with Case CBA 84-102. The Board on June 28, 1985 issued an order affirming the Zoning Commissioner's order of March 23, 1984 granted the variance and dismissed the CZG appeal.

The Board's order was appealed. On 10/16/85, Circuit Court Judge Horne signed an order dismissing the appeal.



VICINITY MAP

SCALE 1" = 2000'

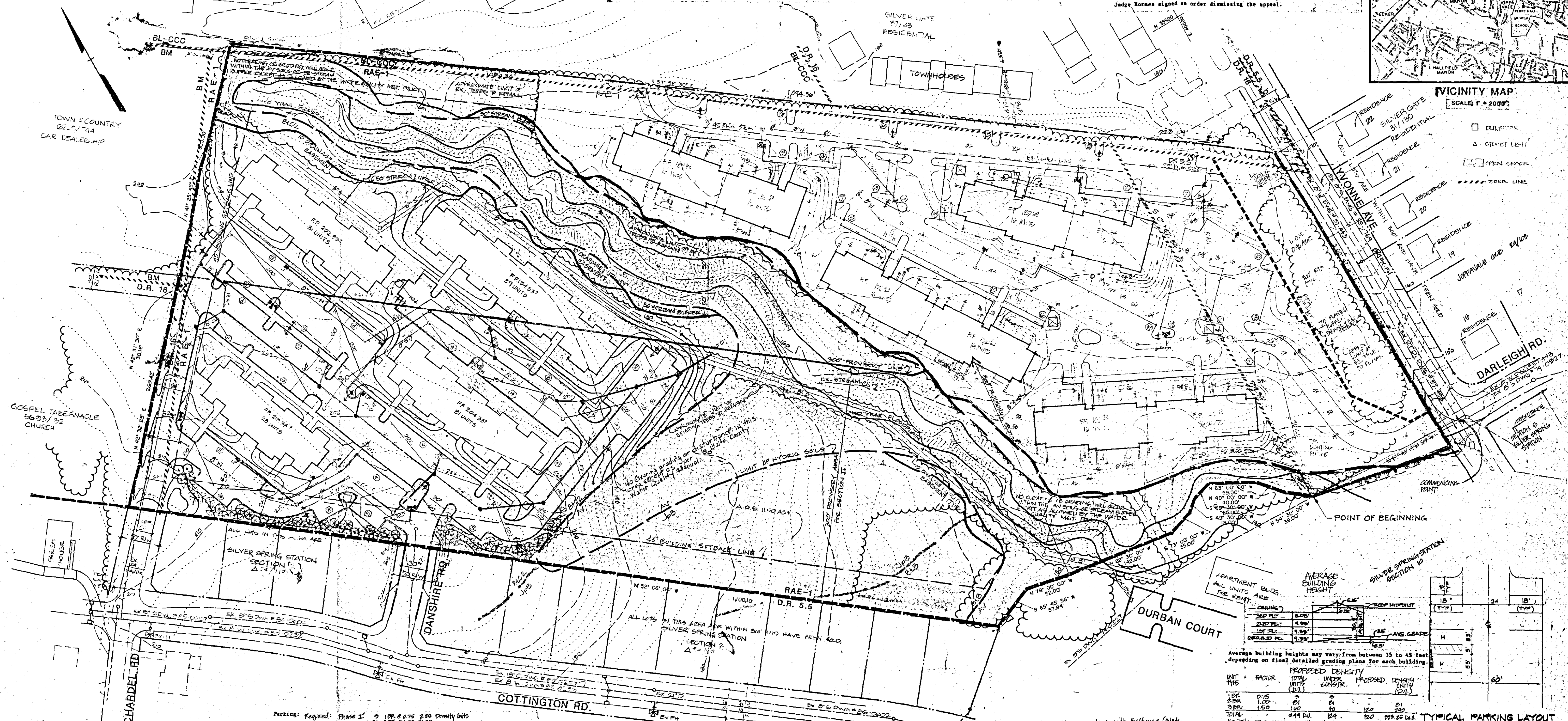


Table with columns: UNIT TYPE, FLOOR, PROPOSED DENSITY, PROPOSED DENSITY (D.U.), and TYPICAL PARKING LAYOUT. Includes a diagram of a parking space and a table of average building heights.

General Notes
1. Contract Purchaser/Applicant: The Strutt Group, Inc.
2. Election District II; Councilmanic District 6; Census Tract 4113.03
3. Watershed 6; Subwatershed 22
4. Site Data:
Net = DR 5.5 = 1.960 Acres
Gross = DR 5.5 = 2.390 Acres
Density: Permitted = DR 16 x 0.24 Acres = 3.84 Density Units

Parking: Required - Phase I 108 @ 276 288 Density Units
Open Space: Required - RAE-1 = 409,502 Gross Floor Area x 0.7 = 286,651 sq ft = 6.62 AC.
Landscape Requirements: Required - RAE-1 400 Parking Space @ 1/12 = 400 Trees (40 Major Deciduous)

Table with columns: Soil Series and Symbols, Hydro Class, With Basement, Without Basement, Streets and Parking. Lists soil types like Alluvial Land (Av), Belleville, Joppa, etc.

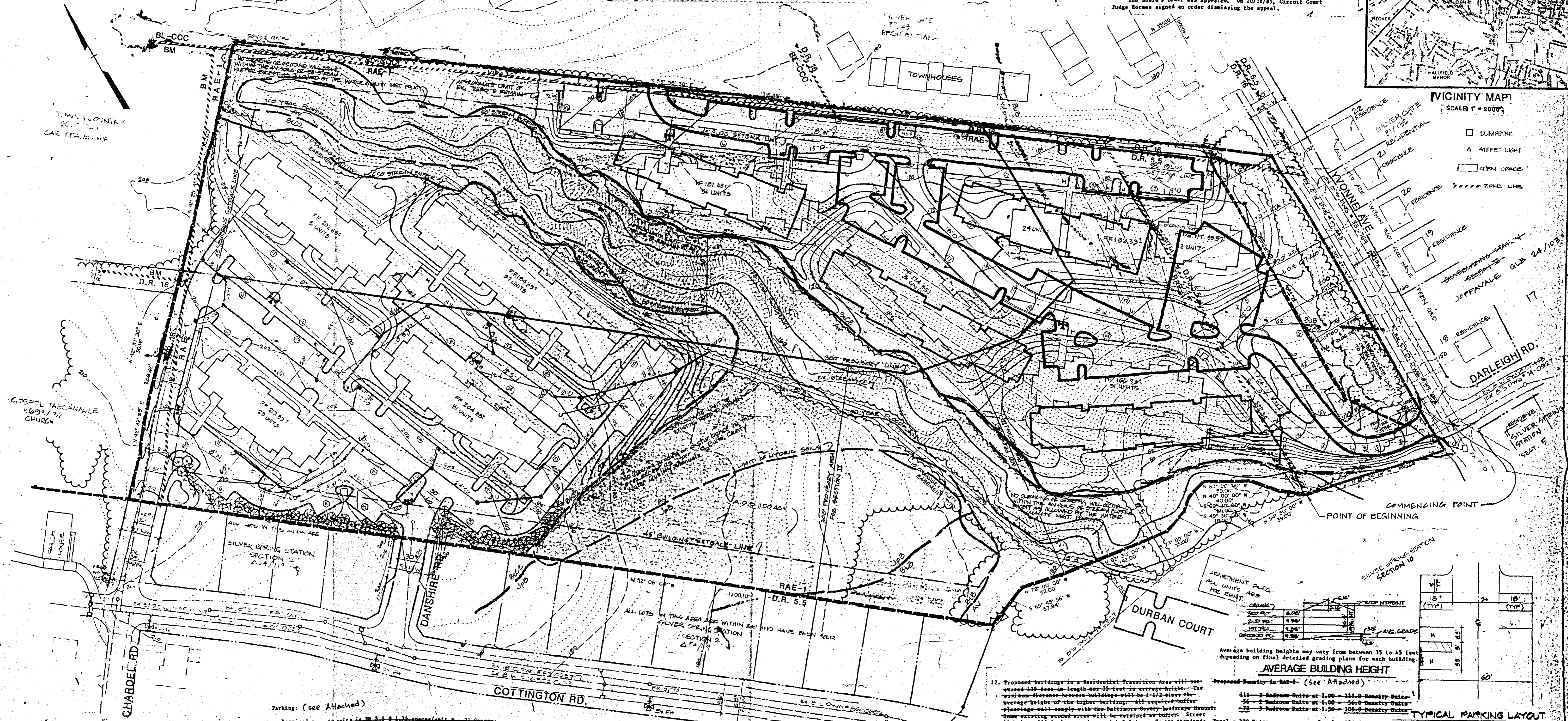
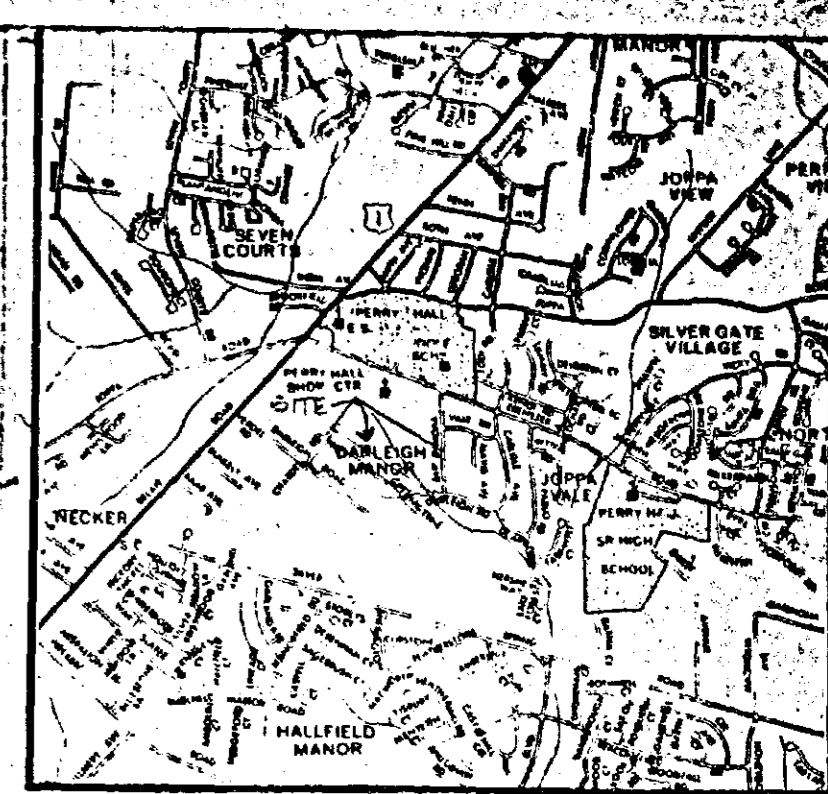
- 12. Street lighting will be in accordance with Baltimore County Standards and located as shown on the plan.
13. Current Ownership: Silver Spring Station Joint Venture
14. Estimated Average Daily Trips: 244 Garden Apartments at 6.0/Unit = 1,464 A.D.T.'s
15. Stormwater is managed in a regional facility.
16. The limit of the wetlands are as shown on the plan.

DAFT MCGUNE WALKER INC. logo and contact info. Petitioner's Silver Spring Station (Resolution of Part of Section V and Section XI) Plan and Plat to Accompany Zoning Petition. Planning No. XI-105, Public Services CRG No. 87179. Printed JUN 13 1990.

Case 88-239-A
 3/23/84 - A variance from Section 200.4.A to permit two primary vehicle accesses to a local street from a R.A.E. zone is granted by the Zoning Commissioner with restrictions; (2) - note them.
 4/18/84 - Order appealed to the C.A.A. by John D. Schiavone for himself and the S. Perry Hall Improvement Association.
 6/28/84 - Board of Appeals ordered that the Zoning Commissioner's Order be affirmed and the variance granted.
 8/11/84 - Board of Appeals Order appealed to the Circuit Court by John Schiavone and Keith E. Ronald, counsel for Silver Spring Station Joint Venture.

10/16/84 - Order of Dismissal signed by Judge Horne - submitted by John D. Schiavone and Keith Ronald, counsel for Silver Spring Station Joint Venture.
 1/20/88 - Case 88-226-XA granted by Zoning Commissioner and approved the Fourth Amended Final Development Program CRG plan approval on December 29, 1983. The Zoning and a variance to permit all of the units to be less than the required minimum height of 52 feet in an RAE-1 zone. The relief granted was limited to representations made on Petitioners Exhibits 2 and 3.

ZONING HISTORY
 This property has been the subject of zoning case number 84-239A and related case CHA 84-102 which dealt with an appeal to the Board of Appeals on December 29, 1983. The Zoning and a variance to permit all of the units to be less than the required minimum height of 52 feet in an RAE-1 zone. The relief granted was limited to representations made on Petitioners Exhibits 2 and 3.
 This was appealed to the Board of Appeals and consolidated with Case CHA 84-102. The Board on June 28, 1985 issued an order affirming the Zoning Commissioner's order of March 23, 1984 granted the variance and dismissed the CRG appeal.
 The Board's order was appealed. On 10/16/85, Circuit Court Judge Horne signed an order dismissing the appeal.



Parking: (see Attached)
 Required = 12 units in DR 5.5 @ 1.25 spaces/unit = 150 spaces
 239 units in RAE-1 @ 1.33 spaces/unit = 318 spaces
 Total = 468 Spaces

Open Space:
 Required = DR 5.5 = 12 units @ 450 S.F./unit = 5,400 S.F. local open space
 RAE-1 = 337,440 S.F. Gross Floor Area x 0.7 = 236,208 S.F. local open space
 Proposed = DR 5.5 = 12 units @ 450 S.F./unit = 5,400 S.F. local open space
 RAE-1 = 11.56 Acres
 = 1.48 amenity open space ratio

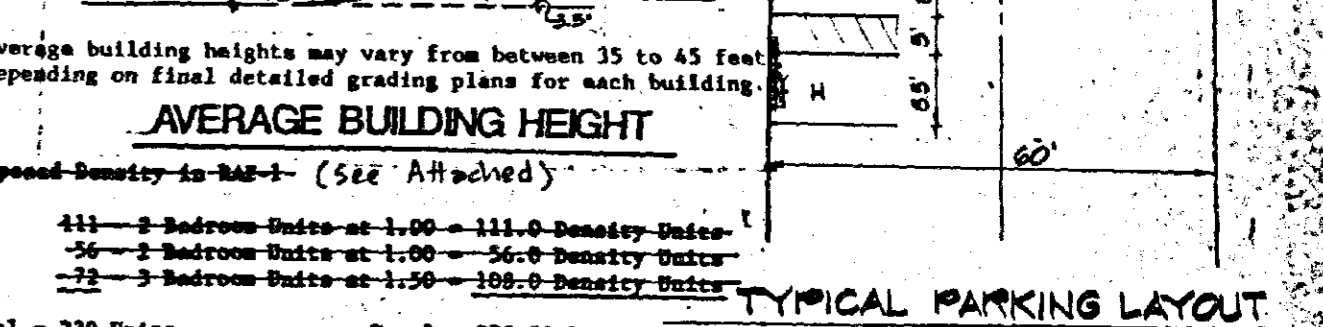
Landscape Requirements:
 Required = 12 units DR 5.5 @ 1 tree/unit = 12 Trees
 RAE-1 490
 370 Parking Space @ 1/12 = 31 Trees (32 Major Deciduous)
 700 LF Interior Rd. @ 1/20 = 35.0 Trees (18 Major Deciduous)
 740 LF Screening @ 1/4 = 185 Trees (40 Major Deciduous), say 190
 Less credit for existing trees to remain = 87.0
 TOTAL = 429 Trees
 191.3

Proposed = A minimum of 135 trees is required and will be provided. Screening will be provided in accordance with the Baltimore County Landscape Manual.
 Use provided permitting all units to be under 52 feet in height. (See Case 88-226-XA)
 5. A variance will be required for more than 20 percent of units under 52 feet in height. (See Case 88-226-XA)
 6. The minimum distance between the centers of facing windows of different apartments will be 75 feet in RAE-1.
 7. There are no existing or proposed wells or septic areas on the site.

| Soil Series and Symbols | Hydro Class | With Basement | Without Basement | Streets and Parking |
|--------------------------------|-------------|---|---|---|
| Alluvial Land (Av) | Hydic | Severe: high water table; flooding hazard | Severe: high water table; flooding hazard | Severe: high water table; flooding hazard |
| Beltville (BtB, BtB) C (BtC 2) | | Moderate: seasonally perched water table | Slight | Moderate: seasonally perched water table; slope |
| Joppa (JpB) A | | Slight | Slight | Moderate: Slope |

9. The site has been graded. There are some existing wooded areas within the Yvonne Avenue belt area and on the southern end of the site. Existing trees will be retained where ever possible.
 10. The existing stream and 100 year floodplain are as shown on the plan.
 11. There are no existing structures on the site.

12. Proposed buildings in a Residential Transition Area will not exceed 130 feet in length nor 35 feet in average height. The minimum distance between buildings will be 1-1/2 times the average height of the higher building. All required buffer plantings will comply with the Baltimore County Landscape Manual. Some existing wooded areas will be retained as buffer. Street lighting will be in accordance with Baltimore County standards and located as shown on the plan.
 13. Current Ownership: Silver Spring Station Joint Venture, 54 Scott Adam Road, Cockeysville, MD 21030
 Deed Reference: 6330/214, 3013/277 53-12
 Property Numbers: 19-00-010633, 20-00-002974
 14. Estimated Average Daily Trips: 291 Garden Apartments at 6.5/unit = 1,652 A.D.T.'s
 244
 15. Stormwater is managed in a regional facility.
 16. The limit of the wetlands are as shown on the plan. There are no known critical areas, archeological sites, endangered species habitats or hazardous materials on the site.
 17. The estimated daily sewer flow is 30,720 gallons/day. 60 gallons/person/day = 60 gallons x 2 people x 24 units = 28,800 gallon
 29,280
 18. Previous partial amended CRG plan approved January 1985.
 19. All on-site dwellings and small lots that create an L.I.A. on-site are shown.
 20. The proposed sections from the approved Final Development Plan for Section II and X will be changed in accordance with Section I B01.3A.7 (32A).
 21. On October 18, 1983 CRG meeting, the Zoning office accepted the revised Cottington Road as a major street and approved the access points at Danshire Road and Charvel Road as not conflicting with Section 200.4.A of the NCBA.
 22. Trash will be collected by private carrier.
 23. If access to the shopping center is denied, a waiver may be required to allow one access for 120 units on Yvonne Ave.
 24. (See Attached)



AVERAGE BUILDING HEIGHT
 Average building heights may vary from between 35 to 45 feet depending on final detailed grading plans for each building.
 Proposed Density in RAE-1 (See Attached)
 411 - 2 Bedroom Units at 1.00 = 411.0 Density Units
 56 - 3 Bedroom Units at 1.00 = 56.0 Density Units
 22 - 3 Bedroom Units at 1.50 = 33.0 Density Units
 Total = 239 Units
 Proposed Density in RAE-1 = 275.00 Density Units

General Notes
 1. Contract Purchaser/Applicant: The Strutt Group, Inc., 54 Scott Adam Road, Suite 101, Cockeysville, MD 21030, (301) 628-2207
 2. Election District II; Councilmanic District 6; Census Tract 4113.03
 3. Watershed 6; Subwatershed 22
 4. Site Data:
 Net DR 5.5 = 1.960 Acres
 DR 16 = 0.240 Acres
 RAE-1 = 17.400 Acres
 BM = 0.006 Acres
 BC-CCC = 0.034 Acres
 Total = 19.720 Acres
 Group = DR 5.5 = 2.190 Acres (Includes 25' of Yvonne Ave. R/W)
 DR 16 = 0.255 Acres (Includes 25' of Yvonne Ave. R/W)
 RAE-1 = 17.400 Acres
 BM = 0.006 Acres
 BC-CCC = 0.034 Acres
 Total = 19.965 Acres
 Density:
 Permitted = DR 16 @ 0.24 Acres = 3.64 Density Units
 DR 5.5 @ 2.19 Acres = 12.04 Density Units
 RAE 40.0 @ 17.48 Acres = 629.20 Density Units
 Total = 715 Living Units
 244
 Proposed = 244 Garden Apartment Units, 323.25 Density Units (12 Units in DR 5.5 zone)
 All units are four-room Condominium Units

DAFT McCUNE WALKER INC.
 LAND PLANNING CONSULTANTS
 LANDSCAPE ARCHITECTS
 CIVIL ENGINEERS
 100 EAST PENNSYLVANIA AVENUE
 FORT WASHINGTON, PA 19034
 TELEPHONE: 215-296-3333

CRG PLAN
SILVER SPRING STATION
RESUBDIVISION OF PART OF SECTION V AND SECTION XI
PLAN & PLAN TO ACCOMPANY ZONING VARIANCE
 PLANNING NO. 84129-A
 PUBLIC SERVICES CRG NO. 87179

PRINTED
 MAR 15 1990
 DAFT-McCUNE-WALKER, INC.

SCALE:
 1" = 50'
 JOB ORDER NO. 84129-A
 ISSUE DATE: 12/22/89

| DATE | REVISIONS |
|---------|--|
| 6-10-87 | 200 COMMENTS |
| 7-2-87 | REVISED UTILITIES, KEY LAYOUT, CIVIL, CITY/AM BUFFER, GENIE, LINES |
| 7-8-87 | ADD BUFFER |
| 7-24-87 | ENTRY TO U.S. HIGHWAY 22 ENTRY TO |
| 8-21-87 | ADD COMMINGLING PRIVATE DRIVE |
| 12-1-87 | ADDED UNIT ADJUSTED PARKING LAYOUT |

ATTORNEY'S EXHIBIT 2

90-480-5PH

SPRING STATION

VICINITY MAP

WILKINSON ROAD

MANOR ROAD

ROAD

DARLEIGH MANOR

BLANELY

SECTION I + III
21/11

SECTION I + III
21/11

SECTION I + III
21/11

J.D. SILVERTHORN
5190/195

LEANED ST. LEON
1888/1812

1. GARDEN APARTMENTS
2. AS SHOWN
3. COASTLINE
4. STREET CENTERLINE
5. WINDOW & DOOR
6. RESIDENTIAL TRANSITION AREA
7. PUBLIC TRAIL
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Development plan is the
Local Development Plan
approved or issued
use homes within 50'
to the boundary
land that lies within
it be developed in
they currently exist
by Section, as indi-
cated from the over-
all plan. Significant
development plan is
approved in accordance
with the final
plan of building
of building
1794 of
the 'previous'
updated on

OWNER DEVELOPER
MINER'S PLAN
ACCESSORY HOME
based on final
to generally estab-
of building
1794 of
the 'previous'
updated on

HEIGHT TO HEIGHT RELATION

| TYPE OF UNITS | MIN. HEIGHT | MAX. HEIGHT | NOT IN TRADE |
|---------------|-------------|-------------|--------------|
| 1 | 8 | 10 | 0 |
| 2 | 8 | 10 | 0 |
| 3 | 8 | 10 | 0 |
| 4 | 8 | 10 | 0 |
| 5 | 8 | 10 | 0 |
| 6 | 8 | 10 | 0 |
| 7 | 8 | 10 | 0 |
| 8 | 8 | 10 | 0 |
| 9 | 8 | 10 | 0 |
| 10 | 8 | 10 | 0 |
| 11 | 8 | 10 | 0 |
| 12 | 8 | 10 | 0 |
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| 14 | 8 | 10 | 0 |
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| 97 | 8 | 10 | 0 |
| 98 | 8 | 10 | 0 |
| 99 | 8 | 10 | 0 |
| 100 | 8 | 10 | 0 |

SILVER SPRING
SIXTH AMENDED (N)
FINAL DEVELOPMENT
11th ELECTION DISTRICT
SCALE 1/1" = 50'
DATE OF FIRST AMENDMENT 1/1/75
DATE OF SECOND AMENDMENT 7/5/81
DATE OF THIRD AMENDMENT 7/5/81
DATE OF FOURTH AMENDMENT 7/5/81
DATE OF FIFTH AMENDMENT 7/5/81
DATE OF SIXTH AMENDMENT 7/5/81

90-180-5TH
Technical
2/1/85
LPS

DAFF-McGILVER

10 TH

