

EXHIBIT A

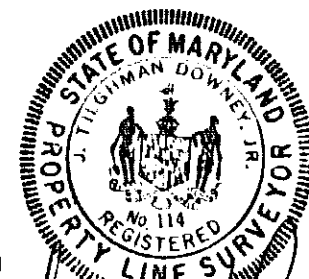
1. The restaurant is primarily a carry-out with some lunch sit downs.
2. There is no convenience store in the vicinity, and one is needed.
3. The convenience store will overlap well with the restaurant and will not create new road trips and will combine with existing, shortened trips.
4. That the site will work well, and without the requested variance the Petitioner will sustain practical difficulty and unreasonable hardship, is in harmony with the spirit and intent of the Regulations, and will foster the health, safety and general welfare of the area involved.

M. & H. DEVELOPMENT ENGINEERS, INC.

200 EAST JOPPA ROAD
ROOM 101, SHELL BUILDING
TOWSON, MARYLAND 21204

August 10, 1993
ZONING DESCRIPTION FOR
2350 WEST JOPPA ROAD

BEGINNING at a point on the northeast side of West Joppa Road which is 60 foot of right of way wide at the distance of 247'± northwest of centerline of Falls Road, which right of way varies in width. Being Lot No. 2 remaining after widening of Joppa Road, as shown on Plat entitled "Windy Valley," as recorded in Baltimore County Plat Book E.H.K. Jr. No. 44, folio 40, containing 0.5657 of an acre, more or less. Also known as 2350 West Joppa Road and located in the 8th Election District.



J. Tilghman Downey Jr.
L.S. #114

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 79 Date of Posting: 9/1/93
Posted for: Windy Valley, LLC
Petitioner: Windy Valley, LLC
Location of property: 2350 West Joppa Rd, E.H.K. Jr. No. 44, folio 40
Location of Sign: Building, east side of property, 4 ft. from street
Remarks: [Signature]
Posted by: [Signature] Date of return: 9/1/93
Number of Signs: 4

CERTIFICATE OF PUBLICATION

TOWSON, MD. Sept. 2, 1993
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 Sept. 2, 1993.

THE JEFFERSONIAN,

A. Henrickson
LEGAL AD. - TOWSON

receipt

Date: 8/19/93

CODE 720 / INURES VIK FILIA 250.00
" " 780 / SIGN POSTING 35.00
TOTAL 285.00

OWNER WINDY VALLEY LLC
2350 WEST JOPPA RD.

014018039541CHRC
EA 002122FMOB-19-93

Cashier Validation

TO: PUTNEY PUBLISHING COMPANY
September 2, 1993 Issue - Jeffersonian

Please forward billing to:

Windy Valley, LLC
2350 W. Joppa Road
Baltimore, Maryland 21093
410-337-5566

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, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 94-81-A (Item 79)
2350 W. Joppa Road
8th Election District - 3rd Councilmanic
Petitioner(s): Windy Valley, LLC

HEARING: WEDNESDAY, OCTOBER 6, 1993 at 10:00 a.m. in Rm. 118, Old Courthouse.

Variance to permit 38 spaces for the required 56 spaces; and to permit off-street parking 3 feet for the required 10 feet from street right-of-way line.

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.

111 West Chesapeake Avenue
Towson, MD 21204

AUGUST 27, 1993

NOTICE OF HEARING

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Arnold Jablon
Director

cc: Windy Valley, LLC
Newton A. Williams, Esq.

NOTES: (1) ZONING SIGN & POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.

Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

September 27, 1993

Newton A. Williams, Esquire
Nolan, Plumbhoff & Williams, Chd.
210 W. Pennsylvania Avenue
Towson, Maryland 21204

RE: Case No. 94-81-A, Item No. 79
Petitioner: Windy Valley, Inc.
Petition for Variance

Dear Mr. Williams:

The Zoning Plans Advisory Committee (ZAC) has reviewed the plans submitted with the above referenced petition. The attached comments from each reviewing agency are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties, i.e., zoning commissioner, attorney and/or the petitioner, are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case.

Enclosed are all comments submitted thus far from the members of ZAC that offer or request information on your petition. If additional comments are received from other members of ZAC, 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 August 19, 1993, and a hearing was scheduled accordingly.

The following comments are related only to the filing of future zoning petitions and are aimed at expediting the petition filing process with this office.

1. The director of Zoning Administration and Development Management has instituted a system whereby seasoned zoning attorneys who feel that they are capable of filing petitions that comply with all aspects of the zoning regulations and petitions filing requirements can file their petitions with this office without the necessity of a preliminary review by zoning personnel.

BAITIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Zoning Administration and Development Management
DATE: September 7, 1993

FROM: Robert W. Bowling, Senior Engineer
Development Plan Review Section

RE: Zoning Advisory Committee Meeting
For September 7, 1993
Item No. 79

The Development Plan Review Section has reviewed the subject zoning item. We recommend denial of the 5 foot setback request. The Landscape Manual and the Zoning Regulations require a 10-foot setback. This also is subject to the Landscape Manual. See the enclosed red line plan to see where the paving should be removed and the landscaping provided. A landscape plan prepared by a registered landscape architect is required prior to release of the permit.

DWB:s
Wob:

BAITIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Zoning Administration and Development Management
DATE: September 13, 1993

FROM: Robert W. Bowling, Senior Engineer
Development Plan Review Section

RE: Zoning Advisory Committee Meeting
For September 13, 1993
Item No. 79

The Development Plan Review Section has reviewed the subject zoning item. The southern access and the northern access need to be 24 feet and 18 feet wide, respectively. Seven (7) additional parking spaces along the southern property can be added and labelled as "employee parking only." The existing paving in front of the building needs to be removed and a landscaping area added. Finally, it is recommended that the requested variance be denied unless the above comments are addressed.

RWB:s



Maryland Department of Transportation
State Highway Administration

O. James Lighthizer
Secretary
Hal Kassoff
Administrator

8-26-93

Re: Baltimore County
Item No. 474 (JL)

Ms. Helene Kehring
Zoning Administration and
Development Management
County Office Building
Room 109
111 W. Chesapeake Avenue
Towson, Maryland 21204

Dear Ms. Kehring:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not effected by any State Highway Administration projects.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

John Contestabile, Chief
Engineering Access Permits
Division

My telephone number is _____

Teletypewriter for Impaired Hearing or Speech
383-7555 Baltimore Metro - 565-0451 D.C. Metro - 1-800-492-5062 Statewide Toll Free
707 North Calvert St., Baltimore, Maryland 21203-0717

BAITIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Zoning Administration and
Development Management

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

DATE: August 11, 1993

SUBJECT: 2355 W. Joppa Road

INFORMATION:

Item Number: 79

Petitioner: Windy Valley, LLC

Property Size: _____

Zoning: B.M.

Requested Action: _____

Hearing Date: _____

SUMMARY OF RECOMMENDATIONS:

The site is currently improved with an existing restaurant and a small area devoted to horse rides for children. A convenience store is planned for the site and this project is currently in the development process.

Some improvements have been made to the existing building and according to the owner, Mr. Morton Feldman, subsequent improvements are planned in the future. When these changes to the restaurant are made and provided the convenience store is constructed in a manner consistent with the built environment of the Green Spring Station complex, the subject property should begin to function visually as an integral part of the Green Spring Station.

Based upon a review of the information provided, staff recommends the applicant's request be granted.

Prepared by: Jeffrey W. Long
Division Chief: _____
PK/JL:lw

BAITIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

DATE: December 21, 1993

TO: Mr. Wirth - DM
Mr. Stewart - EIR
Mr. Dooly - WSS
Carol Brown - ZADM, Development Management (2)
Mr. Richards - ZADM, Development Control
Ms. Porke - ZADM, Street Ration & House Numbers
Mr. Bowling - DED (1)
Capt. Pauli - Fire Dept. - M.S. 1102 F
Mr. Grossman - Rec & Parks
Mr. Small - CHA
Mr. McDaniel - Strategic Plans, Development Review (1)

FROM: Donald T. Roscoe, Development Manager
Z A D M

SUBJECT: Project Name: Windy Valley
Project No.: 93185Z JOPPA ROAD
ZADM No.: VIII-631
District: B
Engineer: M & H
Photo No.: 028-0060

ACTION REQUESTED: ☐ Waiver CRG Meeting
☐ CRG Plan Refinement
☒ CRG Non Material Amendment
☐ Limited Exemption (26-171.5.9)
☐ Waiver Hearing Officer Hearing

Please review the attached plan for compliance with current regulations and return comments to our office by January 13, 1994. If you have no comments or do not want to review this plan, please indicate by placing your initials here. (This procedure is similar to the waived CRG meeting procedure.) NONRESPONSIVENESS BY THE AFOREMENTIONED DATE IS CONSIDERED TO BE CONSENTANCE BY YOUR OFFICE OF THE PLAN.

Thank you for your timely attention to our request.

DISSEMINATION:

c: File

WINDYVAL/ZADM/EXTB36

LOW OFFICES
ROSOLIO, SILVERMAN & KOTZ, P.A.
SUITE 200, NOTTINGHAM CENTRE
503 WASHINGTON AVENUE
TOWSON, MARYLAND 21204-1600
February 9, 1994

DEBORAH C. DOPKIN

Arnold Jablon, Esquire, Director
Department of Zoning Administration and Development
Management
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: The Valley Centre
Zoning Maps N.W. 10-G and 10-H
Plat Book 55, page 116
Baltimore County, Maryland

Dear Mr. Jablon:

I represent First Washington Management, Inc., contract purchaser of the above caption property (the "Property"), which is located on Reisterstown Road at Tobin Lane, in the third election district of Baltimore County, with a street address of 9616 Reisterstown Road. The Property is currently being used as a shopping center and movie theater complex.

Closing of this transaction requires that certain matters be verified with respect to the zoning and use of the Property. The study period in which this information must be verified expires shortly, I would appreciate your expediting this inquiry and responding to me on or before February 15, 1994.

Please confirm, by return correspondence, the following matters:

- the Property is located in the BM, BR-IM and BM-IM zoning districts;
- the subject property and its uses were approved pursuant to the following zoning cases:
 - 89-59A (Variance for a sign of 375 square feet in lieu of permitted 150 feet)
 - R-87-255 (Reclassification from ML and ML-IM to BR-IM)
 - 2355-S (Petition for a drive-in movie and reclassification) applicable to the prior use of the site, and no longer in effect

Arnold Jablon, Esquire
February 9, 1994
Page 2

- all subdivision approvals, or waivers thereof, required for the existing use, and for a proposed drive-in free-standing bank use have been granted pursuant to the following:
 - CRG Plan No. III-270, May 16, 1985;
 - Amended CRG, April 16, 1986;
 - W-86-235: Waiver of CRG plan, November 20, 1986;
 - W-87-296: Waiver of CRG plan and meeting, October 15, 1987;
 - W-88-180: Waiver of CRG meeting on second amendment of plan, July 21, 1988; plan approval, December 21, 1988;
 - W-89-208: Waiver of CRG meeting on re-subdivision of Lot 2, September 21, 1989;
 - W-90-292: (copy to be forwarded upon receipt);
 - DRC Approval No. 7193G, July 19, 1993, approving the construction of a free-standing drive-through bank on Parcel No. 2.
- a retail shopping center, movie theater complex, free-standing drive-through bank, and the uses accessory thereto, constitute uses permitted in the BM, BR-IM and BM-IM zones;
- there are no outstanding zoning violations against the Property;
- the Property complies with applicable subdivision regulations, and no further steps must be taken under the subdivision regulations of Baltimore County to effect a transfer of the entire Property by the terms of the proposed transaction as described above;
- the subject property is not affected by any special exceptions, variances, conditional uses or planned unit developments, other than those listed above.

Enclosed for your convenience is a copy of a survey plat of the Property. Also enclosed is the required fee of \$40.00, made payable to Baltimore County, Maryland. If I may provide further

Arnold Jablon, Esquire
February 9, 1994
Page 3

information, please contact me. Thank you for your prompt attention to this matter.

Sincerely,

ROSOLIO, SILVERMAN & KOTZ
Deborah C. Dopkin

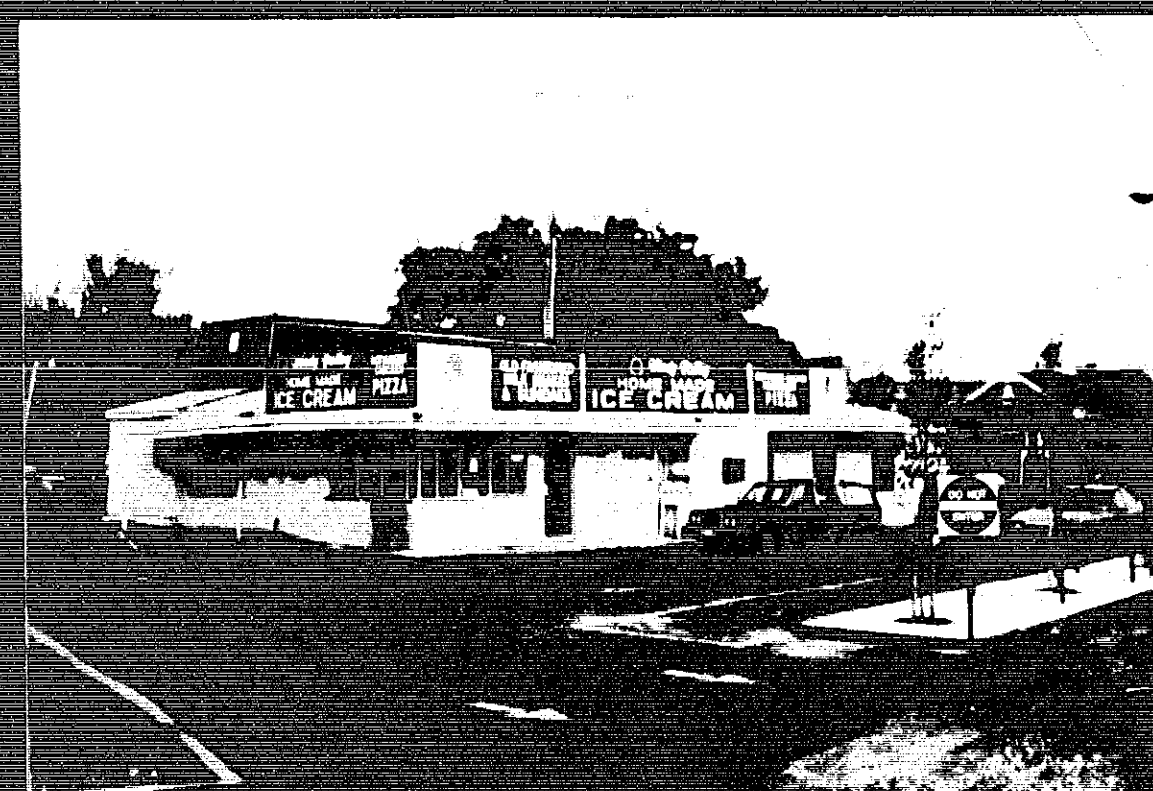
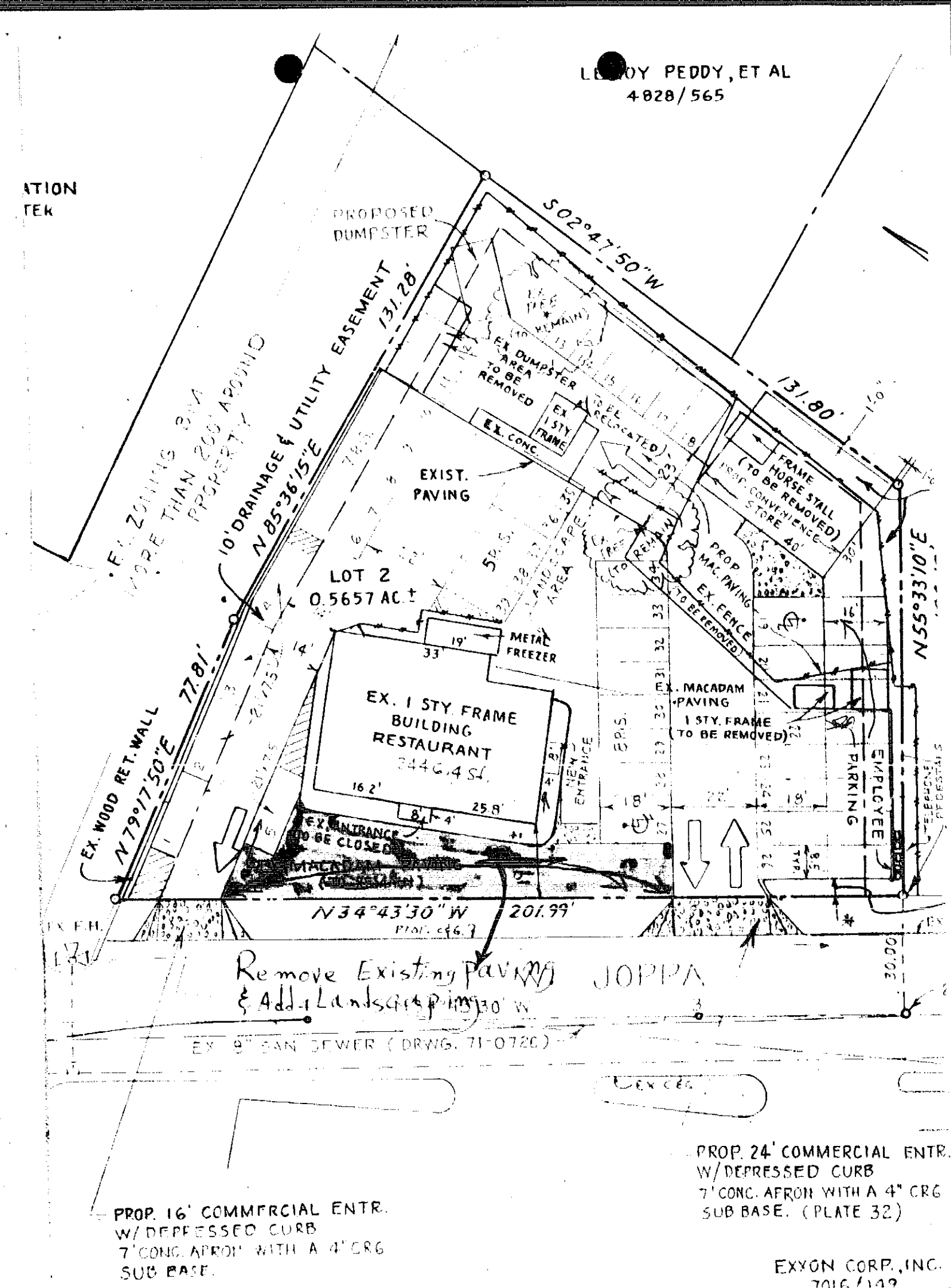
encl.

DOCK/DOCK/DOCK/DOCK/DOCK/DOCK

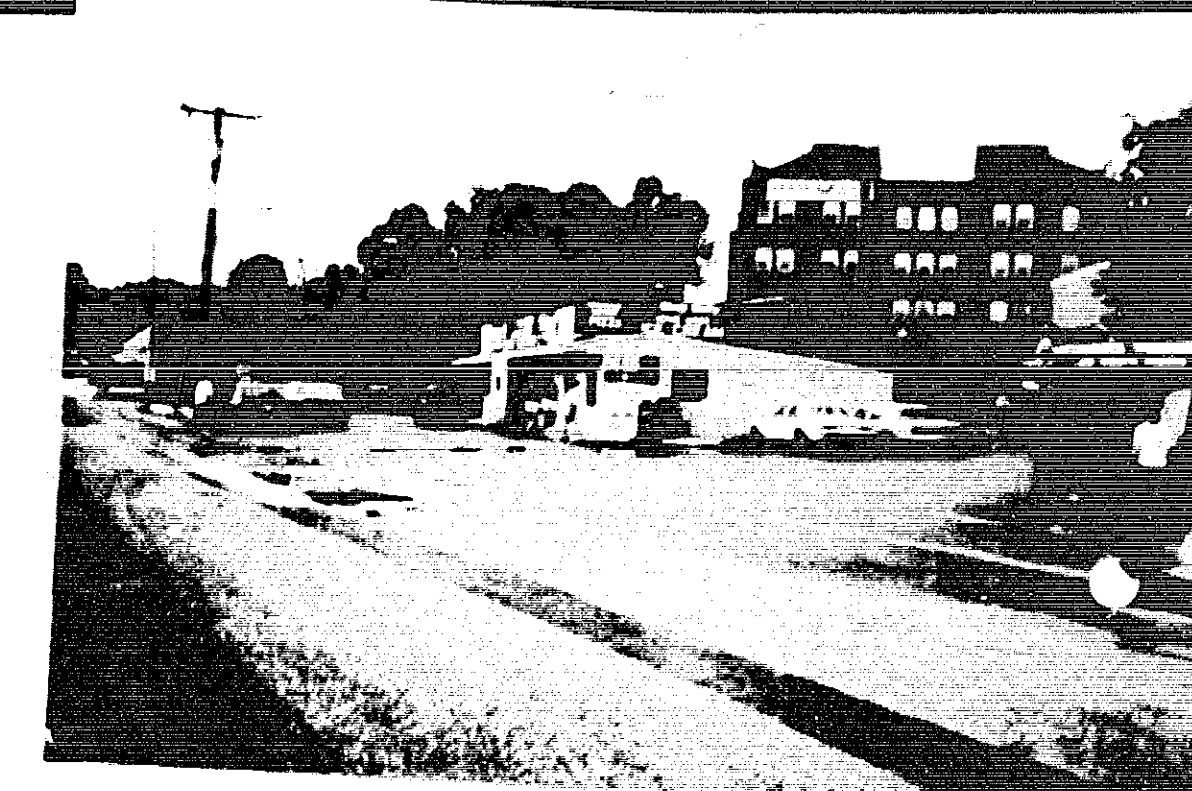
PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME	ADDRESS
Therese Williams	20141 Travers, 21204
John W. Feldman	2017 Keller, Ste 21153
STUART A. FELDMAN	7000 GOWAN ST. CROFTON, MD.
VINCENT J. MOSKOWS	MEH DEVELOPMENT, INC., 30 E JOPPA RD. 21206



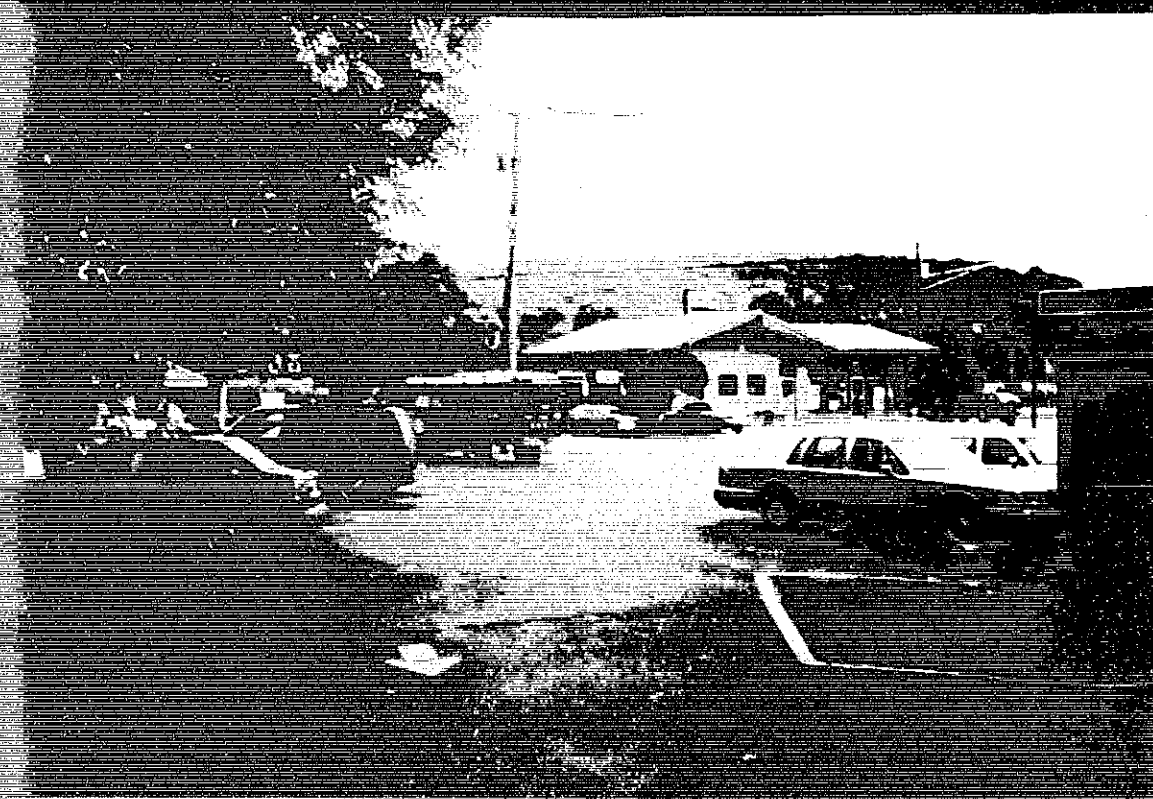
A. Windy Valley looking SE from Joppa Rd.



B. Windy Valley looking NE from Joppa Rd.

2. C. Pet. 2 A

Windy Valley, Inc.
Case No. 94-81-A.

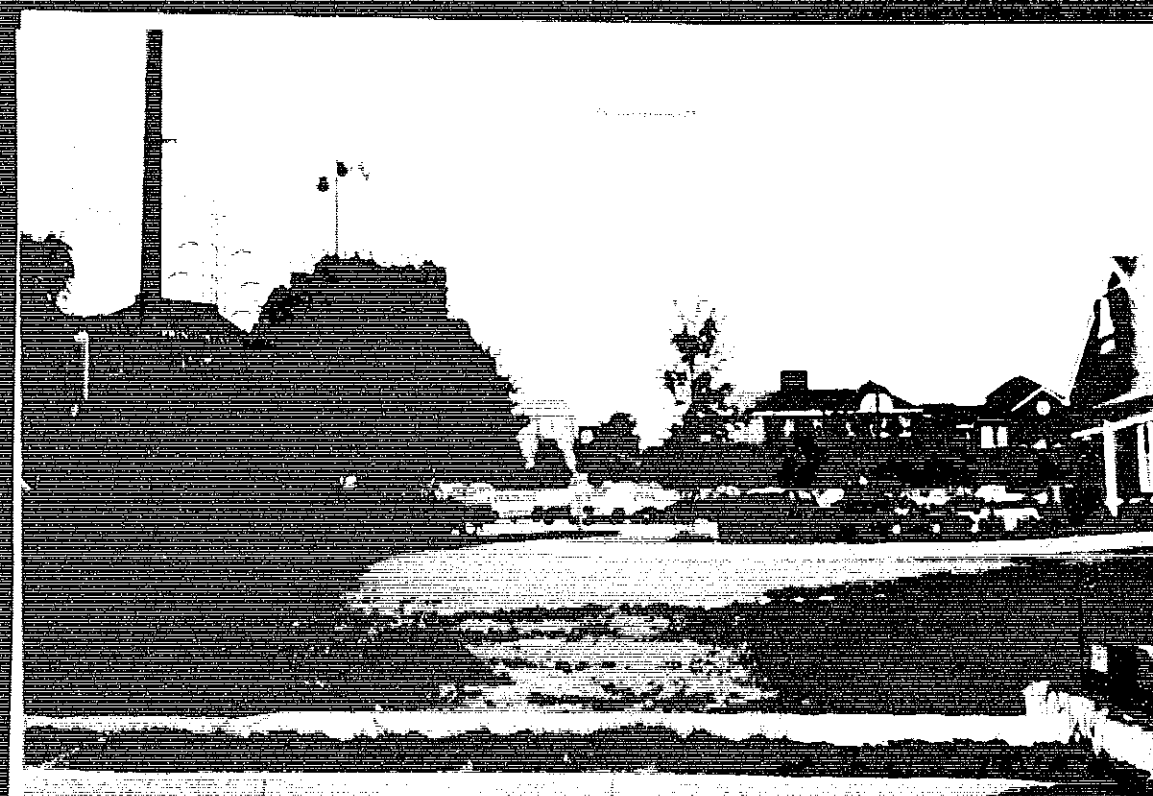


C. Looking SW from Windy Valley along Joppa Rd.



D. Looking NE at rear of Windy Valley.

Pet 2B



G. Bank and drive thru to the 5



H. Bank to the 5 of Windy Valley on E/S of Joppa Rd.

Pet 2D

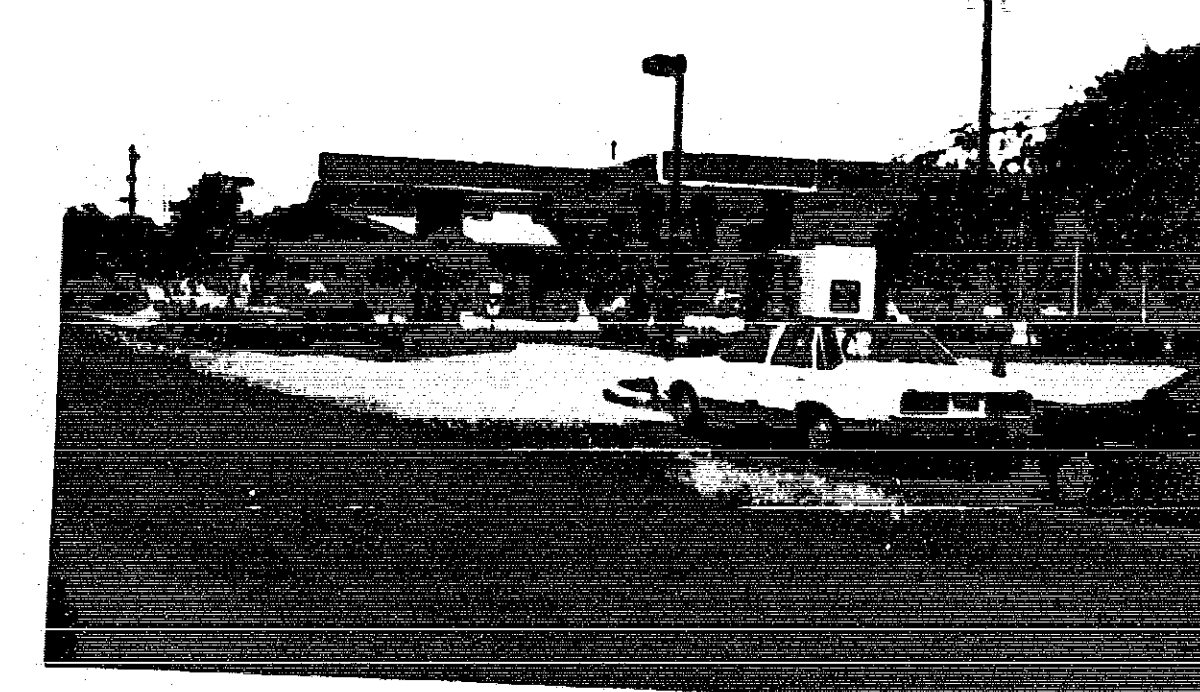


E. Present NE/C of Windy Valley Lot - Pony Ridge Area



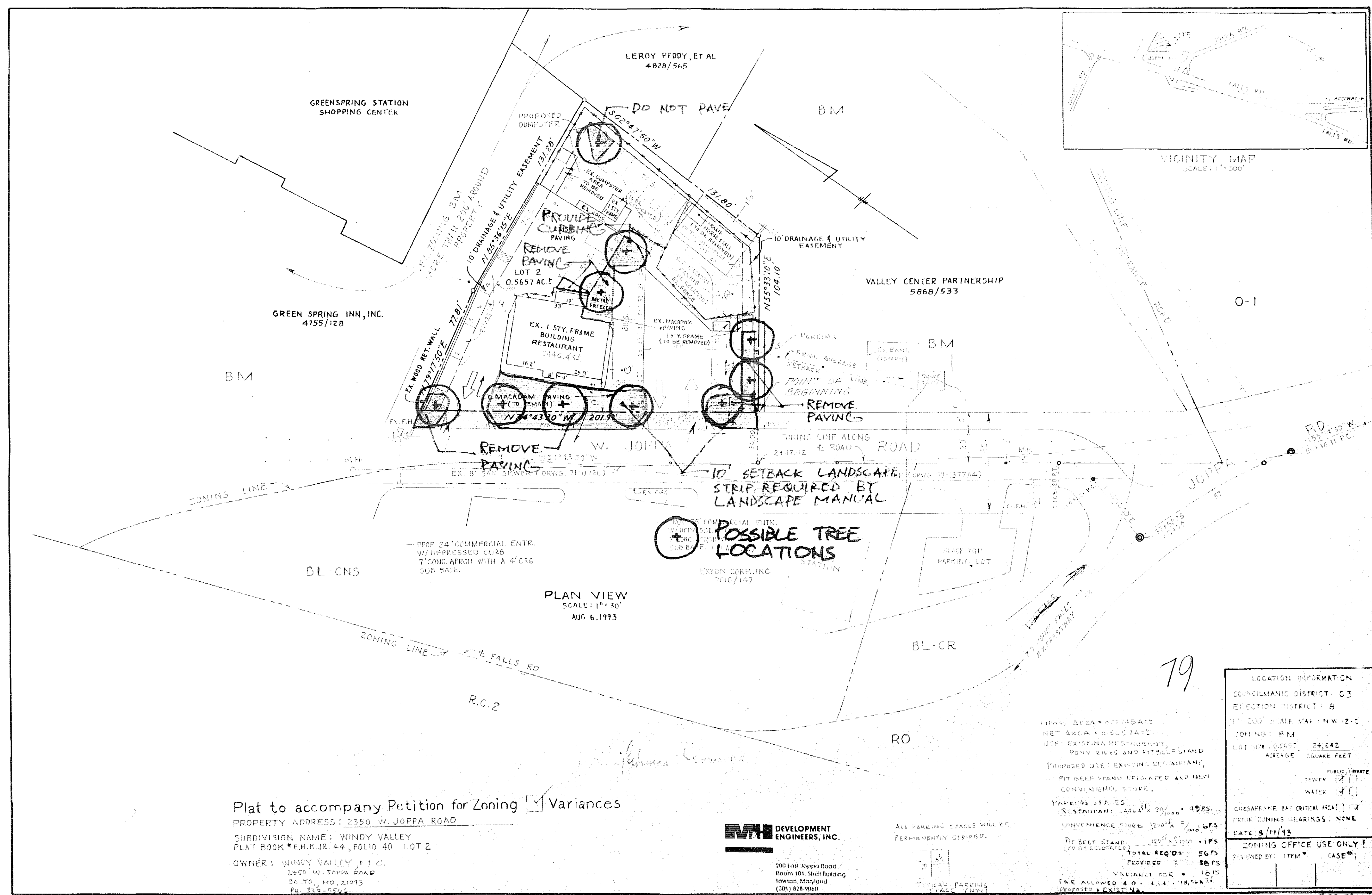
F. Legion store to North at end of Joppa Rd.

Pet 2C



I. Service Station on W/S of Joppa Rd. between Joppa Rd. and Falls Rd. - Jones Falls Expressway

Pet 2E



Plat to accompany Petition for Zoning ☒ Variances

PROPERTY ADDRESS: 7350 W. JOPPA ROAD

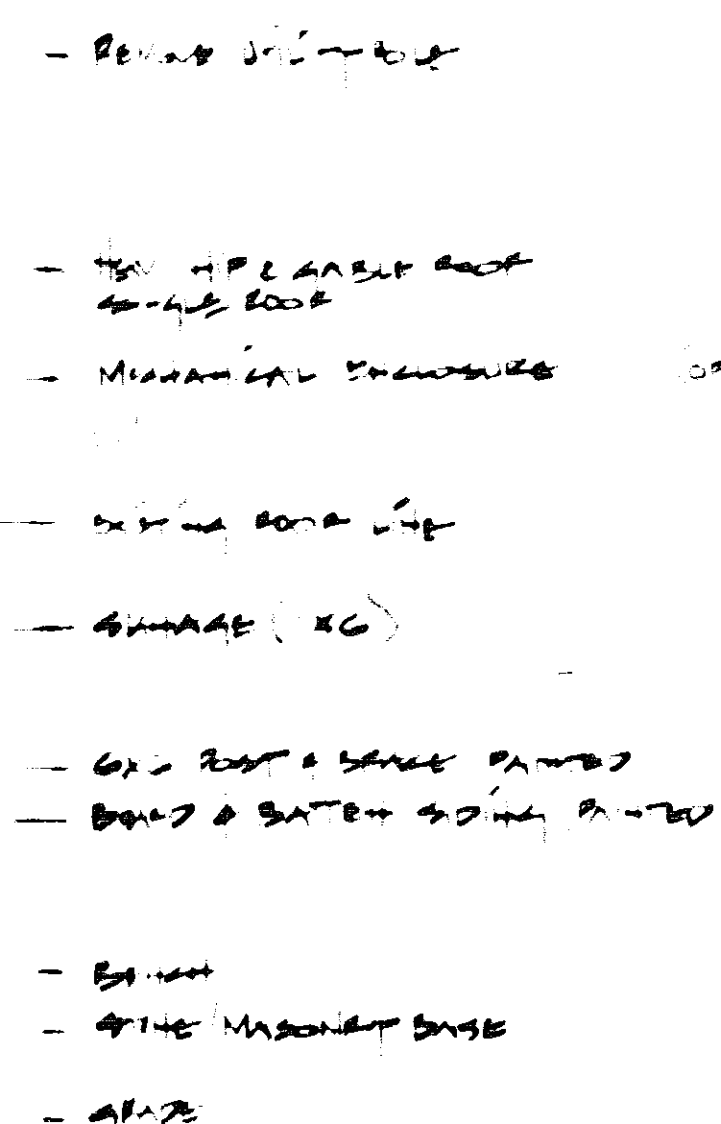
SUBDIVISION NAME: WINDY VALLEY
PLAT BOOK *E* 105, 44, FOLIO 40 LOT 2

OWNER: WINDY VALLEY, LLC
200 East Joppa Road
Room 101, Shell Building
Towson, Maryland
311 828 9060

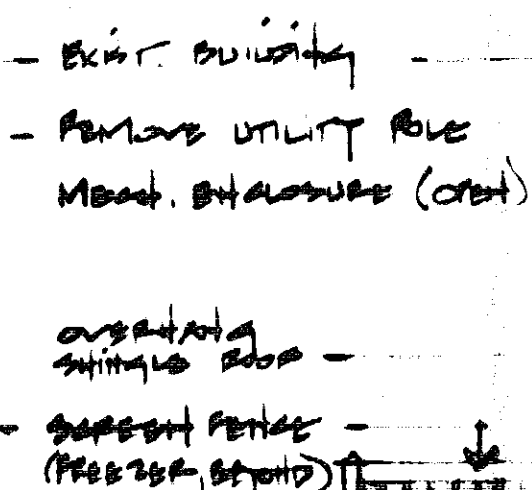
PLAN VIEW
SCALE: 1" = 30'
AUG. 6, 1993
REVISED SEPT. 20, 1993

LOCATION INFORMATION

NO.	DESCRIPTION	DATE
1	PREPARED BY: [Name]	10/1/93
2	REVIEWED BY: [Name]	10/1/93
3	APPROVED BY: [Name]	10/1/93
4	REVIEWED BY: [Name]	10/1/93
5	APPROVED BY: [Name]	10/1/93
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WEST ELEVATION



SOIL ELEVATION

NORTH ELEVATION

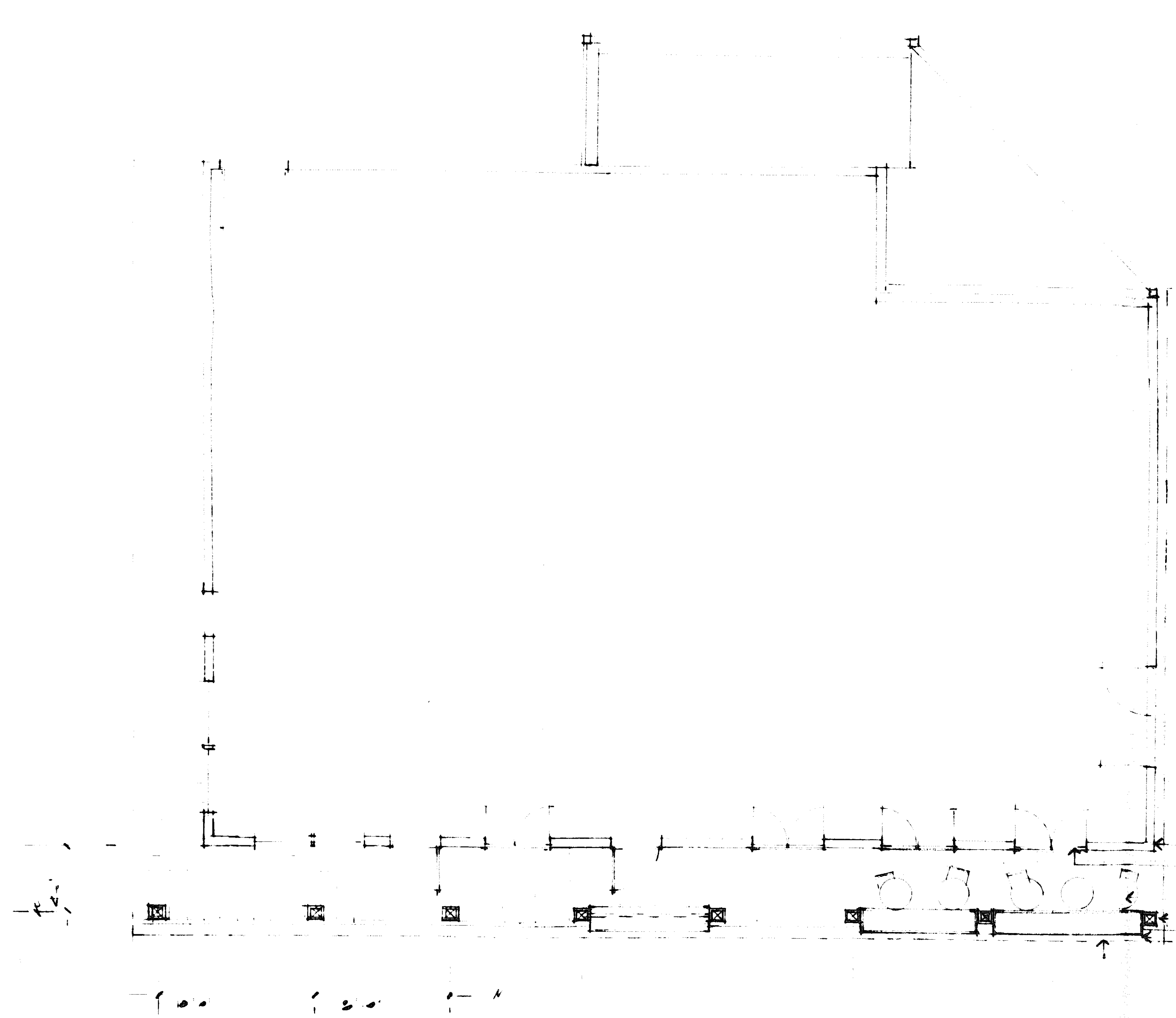
**PROSECUTOR'S
EXHIBIT 3**

Vincent Van Dine

SONATA

1944-45 - 1844-45 - 2102-45 - 2102-45 - 2102-45

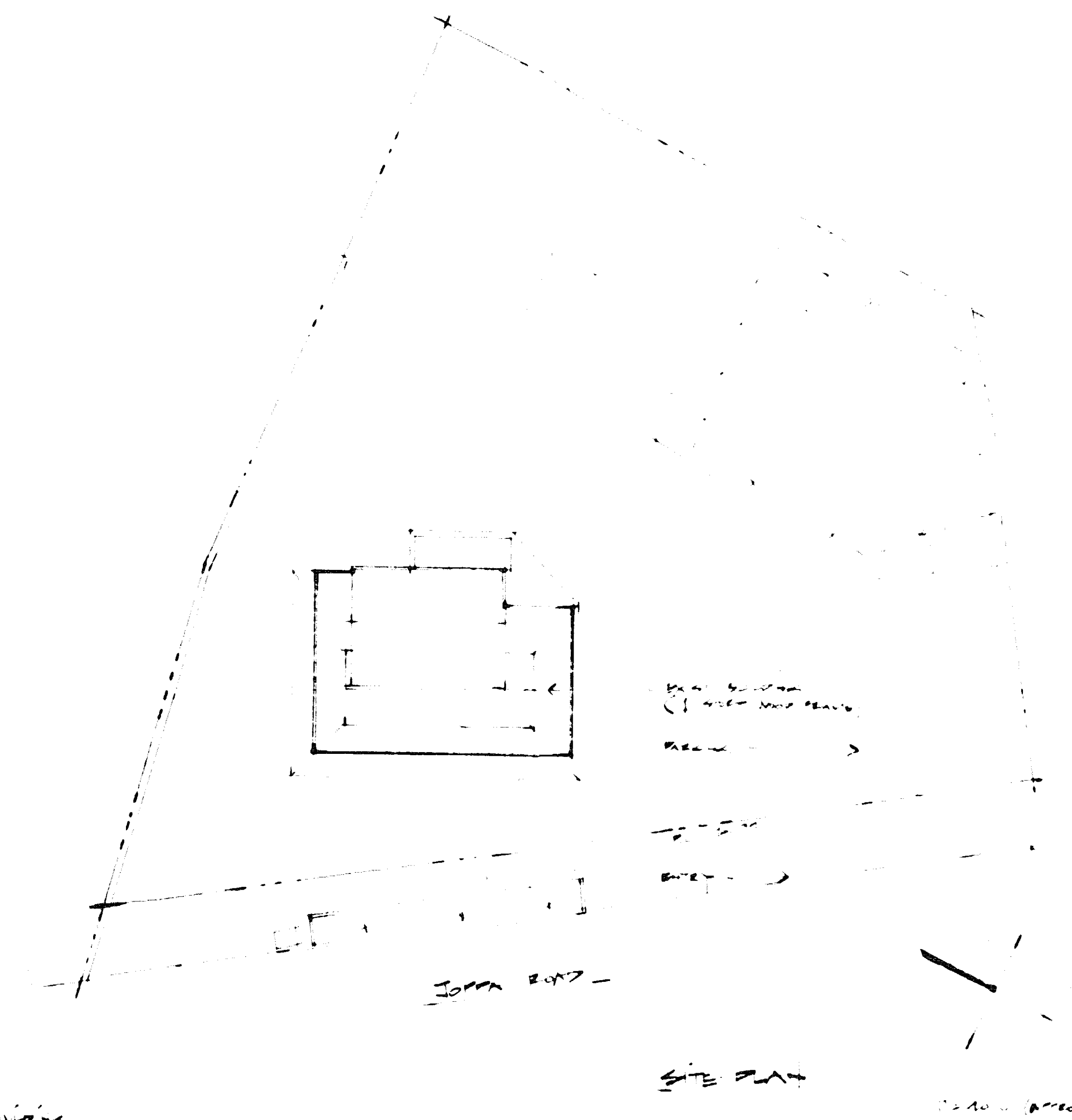
A2



BEHAL FLOOR PLAN

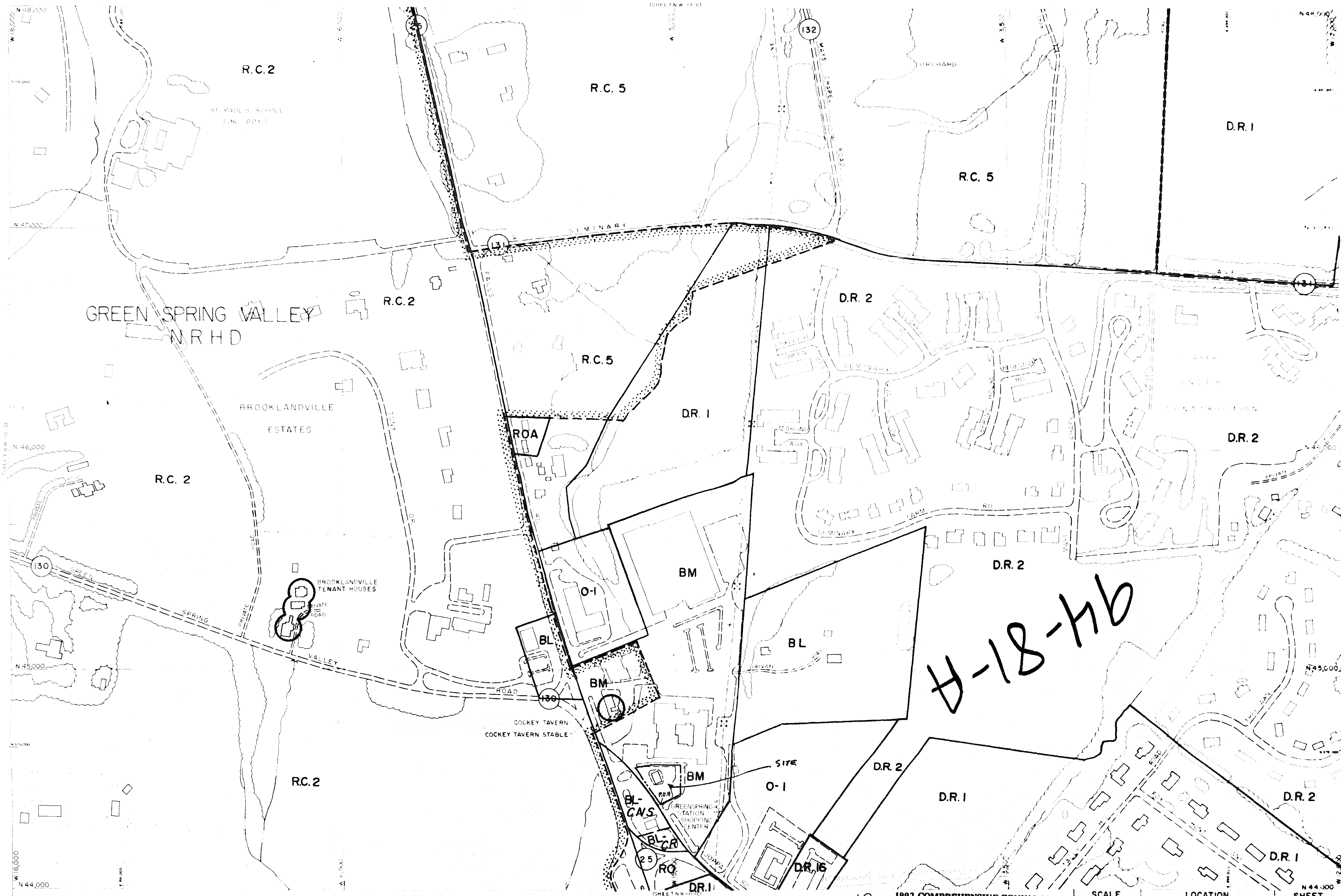
- EXISTING BUILDING
- PROPOSED CHANGING
- PROPOSED TILES
- ADDITIONAL SEATING (SEASIDE)
- EXISTING WOOD FLOOR SEATING
- BEACH
- EXISTING OUTLINE OF NEW ROOF

1/4" = 1'-0"



PROPOSER'S
EXHIBIT 3

PLAN
WINDY VALLEY
A1



S-SW S-SE

THIS MAP HAS BEEN REVISED IN SELECTED AREAS.
TOPOGRAPHY COMPILED BY PHOTOGRAMMETRIC METHODS
BY BUCHART-HORN, INC. BALTIMORE, MD. 21210

BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
OFFICIAL ZONING MAP

#19

1992 COMPREHENSIVE ZONING MAP
Adopted by the Baltimore County Council
Oct. 15, 1992
BM Nos. 183-92, 184-92, 185-92, 186-92, 187-92, 188-92, 189-92

William A. Howard
Chairman, County Council

SCALE
1" = 200' ±

DATE OF PHOTOGRAPHY
JANUARY 1986

LOCATION
BROOKLANDVILLE

SHEET
N. W.
12-C

#2350 WEST JOPPA ROAD.