

M E M O R A N D U M

DATE: April 24, 2012
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2012-0187-SPHX - Appeal Period Expired

The appeal period for the above-referenced case expired on April 23, 2012. There being no appeal filed, the subject file is ready for return to the Zoning Review Office and is placed in the 'pick up box.'

c: Case File
Office of Administrative Hearings



KEVIN KAMENETZ
County Executive

LAWRENCE M. STAHL
Managing Administrative Law Judge
JOHN E. BEVERUNGEN
TIMOTHY M. KOTROCO
Administrative Law Judges

March 26, 2012

G. Scott Barhight, Esquire
Jennifer R. Busse, Esquire
Whiteford, Taylor & Preston, L.L.P.
Towson Commons, Suite 300
One West Pennsylvania Avenue
Towson, MD 21204

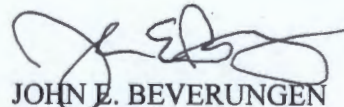
RE: **CLARIFICATION** - Petitions for Special Hearing and Special Exception
Case No.: 2012-0187-SPHX
Property: Hanover Road

Dear Counsel:

As I was organizing the documents and exhibits to archive the above-captioned file, I noticed that I overlooked one aspect of special hearing relief sought by Petitioners. Specifically, the Petitioners sought to abandon the special exception relief (for a church) granted by Zoning Commissioner William Wiseman by Order dated February 28, 2006. In reviewing Mr. Wiseman's Order, I noticed that he did not specify a time period for utilization. Therefore, under B.C.Z.R. §502.3 (which provides a maximum 5-year time limit for utilization of a special exception), the special exception granted in Case No. 2006-0251-X is therefore void.

In addition and to eliminate any confusion on the point, the Order issued in the above-captioned matter on March 23, 2012 is hereby Amended to expressly provide that the special exception granted in Case No. 2006-0251-X shall be abandoned. All other aspects of the March 23, 2012 Order shall remain in full force and effect.

Very truly yours,


JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

JEB:dlw

c: Michael L. Snyder, 5930 Glen Falls Road, Reisterstown, MD 21136
William R. Rosenberger, 13030 Hanover Road, Reisterstown, MD 21136
S. Glenn Elseroad, 5423 Mt. Gilead Road, Reisterstown, MD 21136
Barb Ambrose, 14823 Hanover Pike, Baltimore, MD 21155
Teresa Moore, P.O. Box 5402, Baltimore, MD 21285
George Harman, 5429 Weywood Drive, Reisterstown, MD 21136

**IN RE: PETITIONS FOR SPECIAL HEARING *
AND SPECIAL EXCEPTION**

W side of Hanover Road; 1,885 feet N *
of the c/l of Butler Road *
4th Election District *
4th Councilmanic District *
(Hanover Road) *

William R. Rosenberger, *Legal Owner* *
Baltimore Gas & Electric, *Contract Lessee* *
Petitioners *

BEFORE THE
OFFICE OF
ADMINISTRATIVE HEARINGS
FOR BALTIMORE COUNTY

Case No. 2012-0187-SPHX

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings for consideration of Petitions for Special Hearing and Special Exception filed by William R. Rosenberger, Legal Owner, and Baltimore Gas & Electric, Contract Lessee, (the "Petitioners"). The Special Hearing was filed pursuant to Section 500.7 of the Baltimore County Zoning Regulations ("B.C.Z.R.") as follows:

- Map 39 Parcel 245 - to abandon the Special Exception approval previously provided via Case No. 1971-134-X contingent upon the utilization, on this subject property, of the Special Exception for a public utility use which is filed concurrently with this Petition for Special Hearing; and
- In the event that BGE fails to close on the sale of the property from Rosenberger to BGE, the existing Special Exception (Case No. 1971-134-X) will continue.

In addition, Petitioners request Special Exception relief for a public utility use per B.C.Z.R. Section 1A01.2.C.17. The subject property and requested relief are more fully described on the site plan which was marked and accepted into evidence as Petitioners' Exhibit

3.

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By SW

Appearing at the public hearing in support of the requests were Carol Dodson with BGE, Brad Davis and Eric Jacobson with Constellation Energy, Zacharia Y. Fisch and R. Andrew Berlett, Jr., with FSH, Associates, the professional engineering company who prepared the site plan, and William P. Monk with Morris & Ritchie Associates, Inc. G. Scott Barhight, Esquire and Jennifer R. Busse, Esquire, with Whiteford, Taylor & Preston, LLP, appeared as counsel and represented the Petitioners. A number of interested citizens attended the hearing, including: Michael L. Snyder, William R. Rosenberger, S. Glenn Elseroad, Barb Ambrose, Teresa Moore, and George Harman. In addition, the file contains a letter of support, dated March 1, 2012, from the Valleys Planning Council (VPC).

The Zoning Advisory Committee (ZAC) comments were received and are made part of the record of this case. A comment was received from the Department of Environmental Protection and Sustainability (DEPS) dated March 14, 2012, which states that the development of the property must comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains (Sections 33-3-101 through 33-3-120 of the Baltimore County Code (B.C.C.) as well as comply with Forest Conservation Regulations (Sections 33-6-101 through 33-6-122) of the B.C.C. A comment was also received from the Department of Planning on March 16, 2012, supporting the zoning relief, and that Department also opined that the relief will not be detrimental to the health, safety or general welfare of the surrounding community.

The first witness to testify was Carol Dodson, an asset manager for BGE. Ms. Dodson explained that her job duties as concerns the Hanover Pike project would include ensuring that BGE addresses and meets all County and State standards and regulations with respect to the project. Ms. Dodson stated that the Hanover Pike project was essential, in that it would ensure the reliability of the electricity grid for central Maryland.

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By WJ

Ms. Dodson testified that the substation proposed in this case would transform the incoming 500 KV electricity to 230 KV, and from there the electrical service would be provided to nearby communities. Ms. Dodson emphasized that the BGE substation will not be manned by employees, but would be remotely monitored, and she estimated that BGE will visit once a month for inspections, and that in no event would BGE need to visit the site more than four times a month on an ongoing basis. Ms. Dodson emphasized that there would be locked gates around the equipment and transformer storage area, and that fencing would also contain barbed wire. She also indicated that there would be two 250-watt lights on opposite sides of the shelter structure, which would be illuminated at all times.

The next witness to testify was Zacharia Y. Fisch, a professional engineer with the firm of FSH, Associates. Mr. Fisch's Curriculum Vitae was admitted as Petitioners' Exhibit 4, and the witness was accepted as an expert witness in Baltimore County land development and zoning regulations. Mr. Fisch explained that he prepared the redlined site plan which was marked as Petitioners' Exhibit 3, and that he also created the environmental constraints map admitted as Petitioners' Exhibit 2. Mr. Fisch's firm also performed a wetland delineation and forest buffer analysis, both of which were accepted by the Baltimore County Department of Environmental Protection and Sustainability (DEPS). Mr. Fisch testified that there were two access points to the Hanover substation project, and he opined that there were more than adequate site lines and distances with respect to these points of ingress and egress.

The final portion of Mr. Fisch's testimony concerned a series of photographs he took of the site, from various vantage points. See Exhibit 5. Mr. Fisch then introduced a series of photographs showing various vantage points of the site as it exists now, and contrasted those with a corresponding series of photographs with the utility towers superimposed on the

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By [Signature]

photograph. The witness explained that the photographs were obviously not 100% accurate in all respects, but were intended to be illustrative of how the utility towers would look when the project was complete. In all instances, Mr. Fisch stressed that due to the topography of the site, the equipment building housing the generators and other electrical circuitry would not be visible from any of the vantage points. See Petitioners' Exhibits 6 through 9.

The final witness was William P. Monk, a project manager and site planner with Morris & Ritchie Associates, Inc. Mr. Monk's CV was marked and admitted as Petitioners' Exhibit 10, and he was accepted as an expert in the Baltimore County land development process, including the development and zoning regulations applicable thereto. Mr. Monk indicated that he was familiar with the applicable legal standards for the grant of special exception relief, as those are set forth in B.C.Z.R. § 502.1, and interpreted in the landmark case of *Schultz v. Pritts*, 291 Md. 1 (1981). Mr. Monk opined that the BGE Hanover project met all of the special exception requirements set forth in that regulation, as well as those in B.C.Z.R. § 411, pertaining to public utility uses. He emphasized that the transformers and electrical equipment would be "tucked in" to the middle of the 180 acre site, making it ideal for the proposed use. Given that no dwellings or water and sewer connections are proposed for the project, Mr. Monk also opined that the site would obviously not cause overcrowding or traffic congestion, and he also noted that the safety and security measures taken by BGE would help ensure that the project was safe and would not harm the health and welfare of the surrounding community.

Several community members appeared at the hearing, and in general indicated they were supportive of the project. Indeed, the file contains a letter of support from the Valleys Planning Council, signed by its President, Teresa Moore. Several speakers, including George Harman, Mike Snyder, and S. Glenn Elseroad, also voiced certain concerns about the appearance of the

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By BW

utility towers, and they had particular concerns about the Glyndon Gardens operation which they believe was being conducted in violation of applicable zoning laws. The community members were also adamant that the development activity in this case be restricted to the cross-hatched area shown on Exhibit 3 (identified as "Proposed Equipment Area"), and that BGE not undertake any other activities on the balance of the 180 acre site that were not compatible with the RC 2 zoning. The community's concerns were later articulated and summarized in a March 21, 2012, letter from S. Glenn Elseroad, a copy of which will be included with the case file.

Special Exception Standards

Special exception uses are presumptively valid and consistent with the comprehensive zoning plan, People's Counsel v. Loyola College, 406 Md. 54, 77 n. 23 (2008), and no evidence was offered here to rebut the presumption. Petitioners' expert, Bill Monk, testified that the project would satisfy Section 502.1 of the B.C.Z.R., and I concur, based upon the same factors Mr. Monk recited in his testimony. Most importantly, the proposed equipment area is a small portion of the overall tract, and is ideally situated in the center of the parcels. While utility infrastructure is certainly not aesthetically pleasing, the topographical features at this site assist in minimizing the impacts – visual and otherwise – upon the community.

One important caveat concerns the boundaries of the special exception area. Petitioners' redlined site plan proposed that the entire 180 +/- acre tract be defined as the special exception area. After reviewing the plans and evidence, I believe that the special exception area should be restricted to that portion of the tract labeled "Proposed Equipment Area," as shown on Exhibit 3. This will allow BGE to conduct the necessary site improvements for the substation, while at the same time providing comfort to the community that any uses of the balance of the site must comply with RC 2 zoning. Of course, and as mentioned at the hearing, BGE will be permitted to

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By bw

construct or improve outside the special exception area any roadways, drains, and culverts that are necessary to service or access the "equipment area."

Special Hearing

Petitioners have also requested special hearing relief, concerning the proposed abandonment of the special exception use (veterinary office – Case No. 1971-0134-X), currently existing on the site. This request is uncontroversial, and the contingent nature of the abandonment – as articulated on the lower right hand corner of Petitioners' Exhibit 3 – is also appropriate and consistent with Baltimore County practice.

Community Concerns

As noted above, community members are concerned about the Glyndon Garden operation, and they presented a deed whereby the garden center's predecessor sold certain lands to BGE, while reserving certain rights to the grantor (including the garden center, as grantor's successor in interest) to "farm and use the same [i.e., the land] in any other manner." Citizen's Exhibit 1. As I indicated at the hearing, Maryland law precludes the OAH from construing private legal instruments, and I will therefore not consider the deed or its import. *Blakehurst v. Baltimore County*, 146 Md. App. 509, 520 (2002).

To the extent the garden center is operating in violation of the B.C.Z.R., that is a matter for the code enforcement bureau of the Department of Permits, Approvals, and Inspections. As I noted at the hearing, that agency will accept complaints via its web page, and the complainant can even remain anonymous.

The community was also concerned about the appearance of the large utility towers, which will apparently be 150 to 180 feet tall, and suggested that certain plantings be required to buffer the view. While this may be a good suggestion, I am concerned that I lack the authority to

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By low

impose such a requirement. In *PEPCO v. Montgomery Co.*, 80 Md. App. 107, 118 (1989), the Court of Special Appeals ruled that a County cannot impose conditions upon the construction of electric utility lines, and in so ruling held as follows:

“Once the PSC has by order authorized the erection of power lines along a designated route, little more remains for a local government to do except perform the ministerial duty of issuing the necessary building permits.”

Id. at 118.

In any event, perhaps this is a matter that can be revisited at the Hearing Officer's Hearing (HOH), when BGE will seek approval of a Development Plan for the site. The plans and details will be more developed at that phase, and will allow for a more thoughtful and in-depth consideration of this issue.

Pursuant to the advertisement, posting of the property, and public hearing, and after considering the testimony and evidence offered, I find that Petitioners' Special Exception and Special Hearing requests should be granted, subject to the comments and conditions which follow.

THEREFORE, IT IS ORDERED this 23 day of March, 2012, by this Administrative Law Judge, that Petitioners' request for Special Hearing filed pursuant to Section 500.7 of the Baltimore County Zoning Regulations (“B.C.Z.R.”) as follows:

- Map 39 Parcel 245 - to abandon the special exception approval previously provided via Case No. 1971-134-X contingent upon the utilization, on this subject property, of the special exception for a public utility use which is filed concurrently with this Petition for Special Hearing; and
- In the event that BGE fails to close on the sale of the property from Rosenberger to BGE, the existing Special Exception (Case No. 1971-134-X) will continue,

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Date 3-23-12

By DW

be and is hereby GRANTED; and

IT IS FURTHER ORDERED that Petitioners' Special Exception request for a public utility use per B.C.Z.R. Section 1A01.2.C.17, be and is hereby GRANTED; and

IT IS FURTHER ORDERED that the area for the special exception public utility use shall be restricted to the crosshatched area depicted on Petitioners' Exhibit 3, which is labeled "Proposed Equipment Area".

The relief granted herein shall be subject to the following:

1. 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, Petitioners would be required to return, and be responsible for returning, said property to its original condition.

Any appeal of this decision must be made within thirty (30) days of the date of this Order.



JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

JEB/dlw

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Date 3-23-12

By 



KEVIN KAMENETZ
County Executive

LAWRENCE M. STAHL
Managing Administrative Law Judge
JOHN E. BEVERUNGEN
TIMOTHY M. KOTROCO
Administrative Law Judges

March 23, 2012

G. Scott Barhight, Esquire
Jennifer R. Busse, Esquire
Whiteford, Taylor & Preston, L.L.P.
Towson Commons, Suite 300
One West Pennsylvania Avenue
Towson, MD 21204

RE: Petition for Special Hearing and Exception
Case No.: 2012-0187-SPHX
Property: Hanover Road

Dear Counsel:

Enclosed please find a copy of the decision rendered in the above-captioned matter

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 the Office of Administrative Hearings at 887-3868.

Sincerely,

A handwritten signature in black ink, appearing to read "JEB", is written over a horizontal line.

JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

JEB:dlw
Enclosure

c: Michael L. Snyder, 5930 Glen Falls Road, Reisterstown, MD 21136
William R. Rosenberger, 13030 Hanover Road, Reisterstown, MD 21136
S. Glenn Elseroad, 5423 Mt. Gilead Road, Reisterstown, MD 21136
Barb Ambrose, 14823 Hanover Pike, Baltimore, MD 21155
Teresa Moore, P.O. Box 5402, Baltimore, MD 21285
George Harman, 5429 Weywood Drive, Reisterstown, MD 21136



Petition for Special Exception

to the Zoning Commissioner of Baltimore County

for the property located at Map 48
Hanover Rd Parcel 1001
which is presently zoned RA-2

This Petition shall be filed with the Department of Permits and Development Management. 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 Exception under the Zoning Regulations of Baltimore County, to use the herein described property for

Please see attached

Property is to be posted and advertised as prescribed by the zoning regulations.

I, or we, agree to pay expenses of above Special Exception, advertising, posting, etc. and further agree to and are to be bounded 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/Lessee:

N/A

Name - Type or Print

Signature

Address

Telephone No.

City

State

Zip Code

Attorney For Petitioner:

Jennifer R. Busse, Esq.

Name - Type or Print

Signature

Whiteford, Taylor & Preston L.L.P.

Company

Towson Commons, Suite 300, One W. Pennsylvania Avenue

Address

Telephone No.

Towson,

Maryland

21204

City

State

Zip Code

Legal Owner(s):

BGE

Name - Type or Print

Signature

Name - Type or Print

Signature

2900 Lord Baltimore Dr. 410-740-6100

Address

Telephone No.

Baltimore

MD

21244

State

Zip Code

Representative to be Contacted:

Jennifer R. Busse, Esq.

Name Whiteford, Taylor & Preston L.L.P.

Towson Commons, Suite 300, One W. Pennsylvania Avenue

Address

Telephone No.

Towson,

Maryland

21204

City

State

Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING _____

UNAVAILABLE FOR HEARING _____

Reviewed By DT

Date 2/9/12

Case No. 2012-0187-SPHX

REV 09/15/98

ORDER RECEIVED FOR FILING

Date 3-23-12

By [Signature]



Petition for Special Exception

to the Zoning Commissioner of Baltimore County

for the property located at Hanover Pike ^{map 48} Parcel 319
which is presently zoned RC 2

This Petition shall be filed with the Department of Permits and Development Management. 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 Exception under the Zoning Regulations of Baltimore County, to use the herein described property for

Please see attached

Property is to be posted and advertised as prescribed by the zoning regulations.

I, or we, agree to pay expenses of above Special Exception, advertising, posting, etc. and further agree to and are to be bounded 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/Lessee:

BGE
Name - Type or Print
Carol Dodson
Signature
2900 LORD BALTIMORE DR 410-470-6100
Address Telephone No.
BALTIMORE MD 21244
City State Zip Code

Attorney For Petitioner:

Jennifer R. Busse, Esq.
Name - Type or Print
Busse
Signature
Whiteford, Taylor & Preston L.L.P.
Company
Towson Commons, Suite 300, One W. Pennsylvania Avenue
Address
Towson, Maryland 21204
City State Zip Code

Legal Owner(s):

Springlake Farms, Inc.
Name - Type or Print
Jill Cashman, Treasurer
Signature
Jill Cashman
Name - Type or Print
Signature
1205 Old Westminster Pike 443-506-1605
Address Telephone No.
WESTMINSTER, MD 21157
City State Zip Code

Representative to be Contacted:

Jennifer R. Busse, Esq.
Name
Whiteford, Taylor & Preston L.L.P.
Company
Towson Commons, Suite 300, One W. Pennsylvania Avenue
Address
Towson, Maryland 21204
City State Zip Code

OFFICE USE ONLY

Case No. 2012-0187-SPHX

ESTIMATED LENGTH OF HEARING _____

UNAVAILABLE FOR HEARING _____

Reviewed By DT Date 2/9/12

REV 09/15/98

ORDER RECEIVED FOR FILING

Date 3-23-12

By DW



Petition for Special Exception

to the Zoning Commissioner of Baltimore County

for the property located at

map 48
Hanover Pike Parcel 319

which is presently zoned Re 2

This Petition shall be filed with the Department of Permits and Development Management. 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 Exception under the Zoning Regulations of Baltimore County, to use the herein described property for

Please see attached

Property is to be posted and advertised as prescribed by the zoning regulations.

I, or we, agree to pay expenses of above Special Exception, advertising, posting, etc. and further agree to and are to be bounded 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/Lessee:

BGE
Name - Type or Print
Carol Dodson
Signature
2900 LORD BALTIMORE DR 410-470-6100
Address Telephone No.
BALTIMORE MD 21244
City State Zip Code

Attorney For Petitioner:

Jennifer R. Busse, Esq.
Name - Type or Print
[Signature]
Signature
Whiteford, Taylor & Preston L.L.P.
Company
Towson Commons, Suite 300, One W. Pennsylvania Avenue
Address
Towson, Maryland 21204
City State Zip Code

Legal Owner(s):

Springlake Farms, Inc
Name - Type or Print
Jill Cashman, Treasurer
Signature
Jill Cashman
Name - Type or Print

1205 Old Westminster Pike 443-506-1605
Address Telephone No.
Westminster, MD 21157
State Zip Code

Representative to be Contacted:

Jennifer R. Busse, Esq.
Name
Whiteford, Taylor & Preston L.L.P.
Company
Towson Commons, Suite 300, One W. Pennsylvania Avenue
Address
Towson, Maryland 21204
City State Zip Code

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UNAVAILABLE FOR HEARING _____

Reviewed By DT Date 2/9/12

Case No. 2012-0187-SHX

REV 09/15/98

ORDER RECEIVED FOR FILING

Date 3-23-12

By [Signature]



Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at Hammer Rd Parcel 941 ^{map 48}
which is presently zoned RC 2

This Petition shall be filed with the Department of Permits and Development Management. 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 Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve

Please see attached

Property is to be posted and advertised as prescribed by the zoning regulations.

I, or we, agree to pay expenses of above Special Hearing, advertising, posting, etc. and further agree to and are to be bounded 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/Lessee:

BGE
Name - Type or Print
* Carol Dodson
Signature
2900 LORD BALTIMORE DR 410-470-6100
Address Telephone No.
BALTIMORE MD 21244
City State Zip Code

Attorney For Petitioner:

Jennifer R. Busse, Esq.
Name - Type or Print City
J Busse
Signature
Whiteford, Taylor & Preston L.L.P.
Company
One W. Pennsylvania Avenue, Ste. 300 410-832-2077
Address Telephone No.
Towson, Maryland 21204
City State Zip Code

Legal Owner(s):

Owings Mills Harvest Church of God
Name - Type or Print
David J. Moore
Signature
Name - Type or Print
Signature
410-215-3618
Address Telephone No.
11438 Cromridge Dr MD 21117
State Zip Code

Representative to be Contacted:

Jennifer R. Busse, Esq.
Name
One W. Pennsylvania Avenue 410-832-2077
Address Telephone No.
Towson, Maryland 21204
City State Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING _____

UNAVAILABLE FOR HEARING _____

Case No. 2012-0187-SHX

Reviewed By DT Date 3/9/12

REV 9/15/98

ORDER RECEIVED FOR FILING

Date 3-23-12

By low



Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at Harver Rd ^{map 48 Parcel 941}
which is presently zoned RC 2

This Petition shall be filed with the Department of Permits and Development Management. 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 Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve

Please see attached

Property is to be posted and advertised as prescribed by the zoning regulations.

I, or we, agree to pay expenses of above Special Hearing, advertising, posting, etc. and further agree to and are to be bounded 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/Lessee:

BGE
Name - Type or Print
* Carol Dodson
Signature
2900 LORD BALTIMORE DR 410-470-6100
Address Telephone No.
BALTIMORE MD 21244
City State Zip Code

Attorney For Petitioner:

Jennifer R. Busse, Esq.
Name - Type or Print
Jennifer R. Busse
Signature
Whiteford, Taylor & Preston L.L.P.
Company
One W. Pennsylvania Avenue, Ste. 300 410-832-2077
Address Telephone No.
Towson, Maryland 21204
City State Zip Code

Legal Owner(s):

Owings Mills Harvest Church of God
Name - Type or Print
Daniel Z Moore
Signature
Name - Type or Print

11438 Arden Ridge DR Owings Mills
Address Telephone No.
410-215-3418 MD 21117
State Zip Code

Representative to be Contacted:

Jennifer R. Busse, Esq.
Name
One W. Pennsylvania Avenue 410-832-2077
Address Telephone No.
Towson, Maryland 21204
City State Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING _____

UNAVAILABLE FOR HEARING _____

Case No. 2012-0187-SPHX

Reviewed By DT Date 2/9/12

REV 9/15/98

ORDER RECEIVED FOR FILING

Date 3-23-12

By low



Petition for Special Exception

to the Zoning Commissioner of Baltimore County

for the property located at Hamover Rd. (Map 39,
which is presently zoned RC 2 Parcel 296

This Petition shall be filed with the Department of Permits and Development Management. 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 Exception under the Zoning Regulations of Baltimore County, to use the herein described property for

Please see attached

Property is to be posted and advertised as prescribed by the zoning regulations. I, or we, agree to pay expenses of above Special Exception, advertising, posting, etc. and further agree to and are to be bounded 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/Lessee:

BGE
Name - Type or Print
Carol Dubs
Signature
2900 Lord Baltimore Dr. 410-740-6106
Address Telephone No.
Baltimore MD 21244
City State Zip Code

Attorney For Petitioner:

Jennifer R. Busse, Esq.
Name - Type or Print
[Signature]
Signature
Whiteford, Taylor & Preston L.L.P.
Company
Towson Commons, Suite 300, One W. Pennsylvania Avenue
Address Telephone No.
Towson, Maryland 21204
City State Zip Code

Legal Owner(s):

Thomas D. Morris
Name - Type or Print
[Signature]
Signature
N/A
Name - Type or Print
N/A
Signature
Mr Michael Paul Smith, Esq. 410-821-0070
Address Telephone No.
600 Washington Ave. Suite 200
Towson MD 21204
City State Zip Code

Representative to be Contacted:

Jennifer R. Busse, Esq.
Name
Whiteford, Taylor & Preston L.L.P.
Towson Commons, Suite 300, One W. Pennsylvania Avenue
Address Telephone No.
Towson, Maryland 21204
City State Zip Code

OFFICE USE ONLY

Case No. 2012-0187-SPHX

REV 09/15/98

ORDER RECEIVED FOR FILING

Date 3-23-12

By [Signature]

ESTIMATED LENGTH OF HEARING _____

UNAVAILABLE FOR HEARING _____

Reviewed By DT Date 3/9/12



Petition for Special Exception

to the Zoning Commissioner of Baltimore County

for the property located at Hanover Rd ^{map 48} Parcel 941
which is presently zoned RC-2

This Petition shall be filed with the Department of Permits and Development Management. 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 Exception under the Zoning Regulations of Baltimore County, to use the herein described property for

Please see attached

Property is to be posted and advertised as prescribed by the zoning regulations. I, or we, agree to pay expenses of above Special Exception, advertising, posting, etc. and further agree to and are to be bounded 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/Lessee:

BGE
Name - Type or Print
Carol Dodson
Signature
2900 LORD BALTIMORE DR 410-470-6100
Address Telephone No.
BALTIMORE MD 21244
City State Zip Code

Attorney For Petitioner:

Jennifer R. Busse, Esq.
Name - Type or Print
Jennifer R. Busse
Signature
Whiteford, Taylor & Preston L.L.P.
Company
Towson Commons, Suite 300, One W. Pennsylvania Avenue
Address Telephone No.
Towson, Maryland 21204
City State Zip Code

Legal Owner(s):

Owings Mills Harvest Church of God
Name - Type or Print
David & Mone
Signature
Name - Type or Print
Signature
11438 CROWBIDGE DR Owings Mills
Address Telephone No. MD
410-215-3618 21117
State Zip Code

Representative to be Contacted:

Jennifer R. Busse, Esq.
Name Whiteford, Taylor & Preston L.L.P.
Company Towson Commons, Suite 300, One W. Pennsylvania Avenue
Address Telephone No.
Towson, Maryland 21204
City State Zip Code

OFFICE USE ONLY

Case No. 2012-0187-SPHX

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UNAVAILABLE FOR HEARING _____

Reviewed By DT Date 2/9/12

REV 09/15/98

ORDER RECEIVED FOR FILING

Date 3-23-12

By BSW



Petition for Special Exception

to the Zoning Commissioner of Baltimore County

for the property located at Hanover Rd ^{Map 39} Parcel 245
which is presently zoned RC 2

This Petition shall be filed with the Department of Permits and Development Management. 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 Exception under the Zoning Regulations of Baltimore County, to use the herein described property for

Please see attached

Property is to be posted and advertised as prescribed by the zoning regulations.

I, or we, agree to pay expenses of above Special Exception, advertising, posting, etc. and further agree to and are to be bounded 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/Lessee:

BGE
Name - Type or Print
Carol Doda
Signature
2900 Lord Baltimore Dr. 410-740-6100
Address Telephone No.
Baltimore MD 21244
City State Zip Code

Attorney For Petitioner:

Jennifer R. Busse, Esq.
Name - Type or Print
[Signature]
Signature
Whiteford, Taylor & Preston L.L.P.
Company
Towson Commons, Suite 300, One W. Pennsylvania Avenue
Address Telephone No.
Towson, Maryland 21204
City State Zip Code

Legal Owner(s):

WILLIAM R. ROSENBERGER
Name - Type or Print
[Signature]
Signature
105 NOB HILL DR. 410 833-2543
Address Telephone No.
REISTERSTOWN MD 21136
City State Zip Code

Representative to be Contacted:

Jennifer R. Busse, Esq.
Name Whiteford, Taylor & Preston L.L.P.
Towson Commons, Suite 300, One W. Pennsylvania Avenue
Address Telephone No.
Towson, Maryland 21204
City State Zip Code

OFFICE USE ONLY

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UNAVAILABLE FOR HEARING _____

Reviewed By DT Date 3/9/12

Case No. 2012-0187-SHX

REV 09/15/98

ORDER RECEIVED FOR FILING

Date 3-23-12

By [Signature]



Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at Harner Rd ^{Map 39} Parcel 245
which is presently zoned CC 2

This Petition shall be filed with the Department of Permits and Development Management. 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 Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve

Please see attached

Property is to be posted and advertised as prescribed by the zoning regulations.

I, or we, agree to pay expenses of above Special Hearing, advertising, posting, etc. and further agree to and are to be bounded 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/Lessee:

CGE
Name - Type or Print
Carol Dodson
Signature
2900 Lord Baltimore Dr. 410-740-6100
Address Telephone No.
Baltimore MD 21244
City State Zip Code

Attorney For Petitioner:

Jennifer R. Busse
Name - Type or Print
[Signature]
Signature
Whiteford, Taylor & Preston L.L.P.
Company
One W. Pennsylvania Avenue, Ste. 300 410-832-2077
Address Telephone No.
Towson, Maryland 21204
City State Zip Code

Legal Owner(s):

WILLIAM R. ROSENBERGER
Name - Type or Print
[Signature]
Signature
105 NOB HILL DRIVE 410 833 2543
Address Telephone No.
REISTERTOWN MD 21136
City State Zip Code

Representative to be Contacted:

Jennifer R. Busse, Esq.
Name
One W. Pennsylvania Avenue 410-832-2077
Address Telephone No.
Towson, Maryland 21204
City State Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING _____

UNAVAILABLE FOR HEARING _____

Case No. 2012-0187-SPHX

Reviewed By DT Date 2/9/12

REV 9/15/98

ORDER RECEIVED FOR FILING

Date 3-23-12

By [Signature]



Petition for Special Exception

to the Zoning Commissioner of Baltimore County

for the property located at Hanover Rd ^{map 48} Parcel 941
which is presently zoned RC-2

This Petition shall be filed with the Department of Permits and Development Management. 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 Exception under the Zoning Regulations of Baltimore County, to use the herein described property for

Please see attached

Property is to be posted and advertised as prescribed by the zoning regulations. I, or we, agree to pay expenses of above Special Exception, advertising, posting, etc. and further agree to and are to be bounded 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/Lessee:

BGE
Name - Type or Print
* Carol Dodson
Signature
* 2900 LORD BALTIMORE DR 410-470-6100
Address Telephone No.
* BALTIMORE MD 21244
City State Zip Code

Attorney For Petitioner:

Jennifer R. Busse, Esq.
Name - Type or Print City
[Signature]
Signature
Whiteford, Taylor & Preston L.L.P.
Company
Towson Commons, Suite 300, One W. Pennsylvania Avenue
Address Telephone No.
Towson, Maryland 21204
City State Zip Code

Legal Owner(s):

Owings Mills Harvest Church of God
Name - Type or Print
* [Signature]
Signature
Name - Type or Print
Signature
* 11438 Cressridge Rd Owings Mills
Address Telephone No. 410-215-3618
State Zip Code

Representative to be Contacted:

Jennifer R. Busse, Esq.
Name Whiteford, Taylor & Preston L.L.P.
Company Towson Commons, Suite 300, One W. Pennsylvania Avenue
Address Telephone No.
Towson, Maryland 21204
City State Zip Code

OFFICE USE ONLY

Case No. 2012-0187-SPHX

REV 09/15/98

ESTIMATED LENGTH OF HEARING _____
UNAVAILABLE FOR HEARING _____
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ORDER RECEIVED FOR FILING

Date 3-23-12

By [Signature]



Petition for Special Exception

to the Zoning Commissioner of Baltimore County

for the property located at Hanover Rd ^{map 48} Parcel 941
which is presently zoned RC-2

This Petition shall be filed with the Department of Permits and Development Management. 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 Exception under the Zoning Regulations of Baltimore County, to use the herein described property for

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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/Lessee:

BGE
Name - Type or Print
Carol Dodson
Signature
2900 LORD BALTIMORE DR 410-470-6100
Address Telephone No.
BALTIMORE MD 21244
City State Zip Code

Attorney For Petitioner:

Jennifer R. Busse, Esq.
Name - Type or Print
J Busse
Signature
Whiteford Taylor & Preston L.L.P.
Company
Towson Commons, Suite 300, One W. Pennsylvania Avenue
Address Telephone No.
Towson, Maryland 21204
City State Zip Code

Legal Owner(s):

Owings Mills Harvest Church of God
Name - Type or Print
Daniel J Moore
Signature
Name - Type or Print
Signature
11438 Preakness Dr Owings Mills MD
Address Telephone No. 21117
410-215-3618
State Zip Code

Representative to be Contacted:

Jennifer R. Busse, Esq.
Name
Whiteford, Taylor & Preston L.L.P.
Company
Towson Commons, Suite 300, One W. Pennsylvania Avenue
Address Telephone No.
Towson, Maryland 21204
City State Zip Code

OFFICE USE ONLY

Case No. 2012-0187-SPHX

ESTIMATED LENGTH OF HEARING _____

UNAVAILABLE FOR HEARING _____

Reviewed By DT Date 2/9/12

REV 09/15/98

ORDER RECEIVED FOR FILING

Date 3-23-12

By [Signature]



Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at Harver Rd ^{Map 39} Parcel 245
which is presently zoned RC 2

This Petition shall be filed with the Department of Permits and Development Management. 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 Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve

Please see attached

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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/Lessee:

Carol Dodson
Name - Type or Print
Carol Dodson
Signature
2900 Lord Baltimore Dr. 410-740-6100
Address Telephone No.
Baltimore MD 21244
City State Zip Code

Attorney For Petitioner:

Jennifer R. Busse
Name - Type or Print
JR Busse
Signature
Whiteford, Taylor & Preston L.L.P.
Company
One W. Pennsylvania Avenue, Ste. 300 410-832-2077
Address Telephone No.
Towson, Maryland 21204
City State Zip Code

Legal Owner(s):

WILLIAM R. ROSENBERGER
Name - Type or Print
☒
William R. Rosenberg
Signature
105 NOB HILL DRIVE 410 833 2543
Address Telephone No.
REISTERTOWN MD 21136
City State Zip Code

Representative to be Contacted:

Jennifer R. Busse, Esq.
Name
One W. Pennsylvania Avenue 410-832-2077
Address Telephone No.
Towson, Maryland 21204
City State Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING _____

UNAVAILABLE FOR HEARING _____

Case No. 2012-0187-SPAX

Reviewed By DT Date 5/9/12

REV 9/15/98

ORDER RECEIVED FOR FILING

Date 3-23-12

By [Signature]



Petition for Special Exception

to the Zoning Commissioner of Baltimore County

for the property located at Map 39
Hanover Rd Parcel 245
which is presently zoned RC 2

This Petition shall be filed with the Department of Permits and Development Management. 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 Exception under the Zoning Regulations of Baltimore County, to use the herein described property for

Please see attached

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Contract Purchaser/Lessee:

BGE
Name - Type or Print
Carol Dodson
Signature
2900 Lord Baltimore Dr. 410-740-6100
Address Telephone No.
Baltimore MD 21244
City State Zip Code

Attorney For Petitioner:

Jennifer R. Busse, Esq.
Name - Type or Print
[Signature]
Signature
Whiteford, Taylor & Preston L.L.P.
Company
Towson Commons, Suite 300, One W. Pennsylvania Avenue
Address
Towson, Maryland 21204
City State Zip Code

Legal Owner(s):

WILLIAM R. ROSENBERGER
Name - Type or Print
[Signature]
Signature
105 NOB HILL DR. 410 833-2543
Address Telephone No.
REISTERSTOWN MD 21136
City State Zip Code

Representative to be Contacted:

Jennifer R. Busse, Esq.
Name
Whiteford, Taylor & Preston L.L.P.
Company
Towson Commons, Suite 300, One W. Pennsylvania Avenue
Address
Towson, Maryland 21204
City State Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING _____

UNAVAILABLE FOR HEARING _____

Reviewed By DT Date 2/9/12

ORDER RECEIVED FOR FILING

Date 3-23-12

By [Signature]

Case No. 2012-0187-SPHX

REV 09/15/98

By _____
Date _____
ORDER RECEIVED FOR FILING

Attachment to Petition for Special Exception

A Petition for Special Exception to permit a Public Utility Use per Baltimore County Zoning Regulations ("BCZR") Section 1A01.2.C.17.

425388

2012-0187-SPHX



Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at Harver Rd ^{Map 39} Parcel 245
which is presently zoned RC 2

This Petition shall be filed with the Department of Permits and Development Management. 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 Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve

Please see attached

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Contract Purchaser/Lessee:

CGE
Name - Type or Print
Carol Dodson
Signature
2900 Lord Baltimore Dr. 410-740-6100
Address Telephone No.
Baltimore MD 21244
City State Zip Code

Attorney For Petitioner:

Jennifer R. Busse
Name - Type or Print
J Busse
Signature
Whiteford, Taylor & Preston L.L.P.
Company
One W. Pennsylvania Avenue, Ste. 300 410-832-2077
Address Telephone No.
Towson, Maryland 21204
City State Zip Code

Legal Owner(s):

WILLIAM R. ROSENBERGER
Name - Type or Print
William R. Rosenberg
Signature
Name - Type or Print
Signature
410
105 NOB HILL DRIVE 833 2543
Address Telephone No.
REISTERSTOWN MD 21136
State Zip Code

Representative to be Contacted:

Jennifer R. Busse, Esq.
Name
One W. Pennsylvania Avenue 410-832-2077
Address Telephone No.
Towson, Maryland 21204
City State Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING _____

UNAVAILABLE FOR HEARING _____

Case No. 2012-0187-SPHX

Reviewed By DT Date 2/9/12

REV 9/15/98

ORDER RECEIVED FOR FILING

Date 3-23-12

By DW

Attachment to Petition for Special Hearing

[For Property located on Hanover Rd - Map 39, Parcel 245, mailing address of 13030 Hanover Rd]

A Petition for Special Hearing to abandon the Special Exception approval previously provided via Case 1971-134, contingent upon the utilization, on this subject property, of the Special Exception for a Public Utility Use which is filed concurrently with this Petition for Special Hearing.

In the event that BGE fails to close on the sale of the property from Rosenberger to BGE, the existing special exception (Case 1971-134) will continue.

425389

2012-0187-SPHX

**Special Exception Area
For
BGE Hanover Pike Future Substation**

Beginning at a point on Hanover Pike (Maryland Route 30) 1,885 feet more or less northerly along Hanover Pike from its intersection with Butler Road, said point also being at the intersection of the west side of Hanover Pike (Maryland Route 30, sixty feet wide) as shown on State Roads Commission of Maryland Right of Way Plats Nos. 3185 and 2709 with the second or South 32 degrees East 57.5 perch line of the parcel of land described in a deed dated November 1, 1922 and recorded among the Land Records of Baltimore County in Liber W.P.C. No. 564, folio 47, which was conveyed from Upton Sherwood Berryman and wife to Thomas A. Brown and wife, said place of beginning also being at the beginning of the first line of the parcel of land described in a deed dated December 15, 1970 and recorded among the aforesaid Land Records in Liber O.T.G. No. 5151, folio 254 which was conveyed from Allen M. Brooks and wife to Robert E. Patterson, et al. thence running with and binding on the first through the ninth lines, inclusive, of said last mentioned deed and binding on the westerly side of said Hanover Pike as shown on said Right of Way Plat No. 2709, as now surveyed, referring all bearings of the present description to the Grid Meridian of the Baltimore County Metropolitan District Control Survey, by nine following courses and distances respectively, viz:

- 1.) North 04 degrees 36 minutes 20 seconds West 160.46 feet,
- 2.) South 85 degrees 23 minutes 40 seconds West 21.00 feet,
- 3.) North 04 degrees 36 minutes 20 seconds West 41.00 feet,
- 4.) North 85 degrees 23 minutes 40 seconds East 21.00 feet,
- 5.) North 04 degrees 36 minutes 20 seconds West 498.60 feet,
- 6.) South 85 degrees 23 minutes 40 seconds West 48.00 feet,
- 7.) North 04 degrees 36 minutes 20 seconds West 47.00 feet,
- 8.) North 85 degrees 23 minutes 40 seconds East 48.00 feet, and
- 9.) North 04 degrees 36 minutes 20 seconds West 357.36 feet to the beginning of the tenth or North 26 degree 35 minutes 29 seconds West 1102 foot line of said last mentioned deed; thence running with and binding on said tenth line and on the eleventh through the fourteenth lines, inclusive thereof, as now surveyed, by the five following courses and distances respectively, viz:
- 10.) North 35 degrees 53 minutes 58 seconds West 1049.52 feet to a concrete monument found,
- 11.) North 61 degrees 01 minute 40 seconds West 701.22 feet to a concrete monument found,

12.) South 89 degrees 18 minutes 01 second West 1231.05 feet to a point measured North 89 degrees 18 minutes 01 second East 22.29 feet from a broken concrete monument found and South 25 degrees 02 minutes 01 second West 197.07 feet from a "cross cut" found on a railroad spike on the Western Maryland Railroad,

13.) South 25 degrees 02 minutes 10 seconds West 197.50 feet to a stone found and

14.) South 66 degrees 31 minutes 13 seconds West 218.88 feet to a point being a bar at the beginning of the sixth line of that parcel of land which by Deed dated June 3, 1954, and recorded among the Land Records of Baltimore County in Liber G.L.B. No. 2492, folio 336 was conveyed by Mary T. Kirkpatrick, divorced, to Spring Farms, Inc., measured North 66 degrees 31 minutes 13 seconds East 261.79 feet from a stone found and South 48 degrees 03 minutes 40 seconds East 10.47 feet from a concrete monument found; thence running with and binding on part of the fifteenth line of said last mentioned deed (O.T.G. No. 5151, folio 254) as now surveyed and running and binding on a part of the sixth line of said land (G.L.B. No. 2492, folio 336)

15.) South 48 degrees 29 minutes 10 seconds East 430.00 feet to a bar set, thence leaving said sixth line and running for lines of division across said land

16.) South 41 degrees 30 minutes 50 seconds West 470.00 feet to a bar set

17.) South 34 degrees 24 minutes 41 seconds East 205.60 feet to a bar set

18.) South 48 degrees 29 minutes 10 seconds East and passing over a bar set at the distance of 570.57 feet, in all 2,180.12 feet to a bar set

19.) South 55 degrees 19 minutes 50 seconds West 625.07 feet to a bar set

20.) North 35 degrees 25 minutes 47 seconds West 679.40 feet to a bar set

21.) North 80 degrees 25 minutes 47 seconds West 212.13 feet to a bar set and

22.) South 54 degrees 34 minutes 13 seconds West 610.00 feet to a bar set and to intersect the second line of the land herein referred to (G.L.B. No. 2492, folio 336) and running thence and binding reversely on part of said second line

23.) South 34 degrees 51 minutes 44 seconds East 1,406.07 feet to a stone marked No. 2 at the end of the last line of Eight Sons, thence binding reversely on part of the first line of the herein referred (G.L.B. No. 2492, folio 336)

24.) South 80 degrees 21 minutes 44 seconds East 1109.11 feet, more or less, thence leaving said outline and running for a line of division now made parallel with and distant 75 feet southeasterly, measured at right angles, from the centerline of a steel tower transmission line

25.) North 53 degrees 21 minutes 00 seconds East 376.36 feet to intersect the last line of the aforesaid parcel of land described in the deed from Mary T. Kirkpatrick, divorced, to Springlake Farms, Inc., thence binding reversely on a part of said last line and reversely on a part of the tenth or North 61 ½ degrees West 44 ½ perches line of said parcel of land, said lines being the common boundary between the property of the herein named party of the first part and the property of Anna H. Coe, widow, the two following courses and distances viz:

26.) North 04 degrees 07 minutes 00 seconds West 77.64 feet to the beginning of said last line and

27.) South 65 degrees 06 minutes 00 seconds East 74.46 feet, thence leaving said outline and running for a line of division now made parallel with and distant 75 feet southeasterly, measured at right angles from the centerline of a steel tower transmission line

28.) North 53 degrees 21 minutes 00 seconds East 637.26 feet to a point on the west side of the new location of Hanover Road (Hanover Pike—Maryland Route 30), thence running and binding on the west side of said Hanover Road

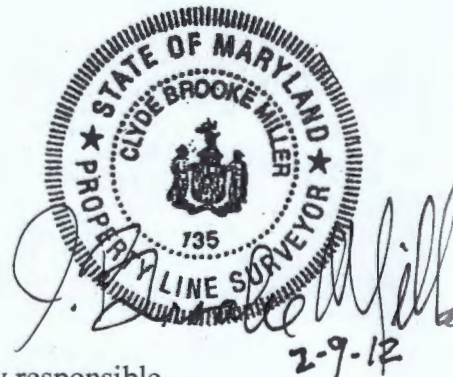
29.) North 04 degrees 36 minutes 20 seconds West 294.64 feet more or less to a concrete monument now set in the second line of a parcel of land which, by a deed dated March 2, 1931, and recorded among the Land Records of Baltimore County in Liber L.McL.M. No. 874 folio 327, was conveyed by The Real Estate Trustee Incorporated to the Susquehanna Transmission Company of Maryland; thence, binding reversely on a part of said second line, and on the northwest side of said Susquehanna Transmission Company's Right of Way,

30.) South 53 degrees 21 minutes West 176.78 feet to a concrete monument now set; and thence, leaving said outline and running for lines of division the two following courses and distances viz:

31.) North 04 degrees 36 minutes 20 seconds West 243.55 feet to a concrete monument now set and

32.) North 85 degrees 18 minutes East 150 feet to a concrete monument now set on the west side of the new location of the Hanover Road and at a distance of south four degrees forty-two minutes east two hundred ninety-four feet measured along the west side of said road from its intersection with the eighth or south eighty-one and one-half degrees east twenty-three and one-quarter perches line of a parcel of land which by a deed dated June 20, 1946, and recorded among the Land Records of Baltimore County in Liber R.J.S. No. 1468 folio 491, was conveyed by Leroy B. Walker and wife to Mary T. Kirkpatrick; and thence running with and binding on the west side of the new location of the Hanover Road

33.) North 04 degrees 36 minutes 20 seconds West 609.39 feet to the place of beginning. Containing 7,840,800 Sq. Ft. or 180 acres of land, more or less.



I hereby certify that these documents were prepared by me or under my responsible charge, and that I am a duly licensed property line surveyor under the laws of the State of Maryland, License No. 135, Expiration Date April 12, 2012

This description is for zoning purposes only and has been compiled and best fit from existing deeds of record. A boundary survey has not been performed by FSH Associates.

**DEPARTMENT OF PERMITS, APPROVALS AND INSPECTIONS
ZONING REVIEW**

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The Baltimore County Zoning Regulations (BCZR) require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of the petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least fifteen (15) days before the hearing.

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements. The newspaper will bill the person listed below for the advertising. This advertising is due upon receipt and should be remitted directly to the newspaper.

OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.

For Newspaper Advertising:

Item Number or Case Number: 2012-0187-SPHX

Petitioner: BGE

Address or Location: HANOVER RD.

PLEASE FORWARD ADVERTISING BILL TO:

Name: JENNIFER R. BUSSE, ESQ

Address: WHITEFORD, TAYLOR & PRESTON LLP

ONE W. PENNSYLVANIA AVE, SUITE 300

TOWSON, MD 21204

Telephone Number: 410-832-2077

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET AND FINANCE
MISCELLANEOUS CASH RECEIPT

No. **78964**

Date: 2/9/12

PAID RECEIPT

BUSINESS ACTUAL TIME DAY
 2/10/2012 2/09/2012 11:36:15 5
 REC US03 WALKIN R003 LRR
 RECEIPT # 575488 2/09/2012 OFLN
 Dept 5 528 ZONING VERIFICATION
 ID. 078964
 Recpt Tot 1950.00
 6950.00 CK \$0.00 CA
 Baltimore County, Maryland

Fund	Dept	Unit	Sub Unit	Rev Source/ Obj	Sub Rev/ Sub Obj	Dept Obj	BS Acct	Amount
001	806	0000	7000	1000				950.00
				1000				
				6150				

Total: 950.00

Rec From: WHITEFORD, TAYLOR + PRESTON LLP
 For: 2012-0187 - SPHX
BGE
D THOMPSON

DISTRIBUTION

WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER GOLD - ACCOUNTING
 PLEASE PRESS HARD!!!

**CASHIER'S
 VALIDATION**

NOTICE OF ZONING HEARING

The Administrative Law Judges of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing in Towson, Maryland on the property identified herein as follows:

Case: # 2012-0187-SPHX

Hanover Road

W/s of Hanover Road, 1885 feet n/of centerline Butler Road

4th Election District - 3rd Councilmanic District

Legal Owner(s): Owings Mills Harvest Church of God, William Rosenberger, Thomas Morris, and various others

Contract Purchaser: BGE

Special Exception: to permit a Public Utility use per Baltimore County Zoning Regulations Section 1A01.2.C.17. **Special Hearing:** to abandon the Special Exception approval previously provided via Case 1971-134, contingent upon the utilization, on this subject property, of the Special Exception for a Public Utility Use which is filed concurrently with this Petition for Special Hearing. In the event that BGE fails to close on the sale of the property from Rosenberger to BGE, the existing special exception (1971-134) will continue. To abandon the Special Exception approval previously provided via 2006-02S1-X.

Hearing: Tuesday, March 20, 2012 at 1:30 p.m. in Room 205, Jefferson Building, 105 West Chesapeake Avenue, Towson 21204.

ARNOLD JABLON, DIRECTOR OF PERMITS, APPROVALS AND INSPECTIONS FOR BALTIMORE COUNTY

NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Contact the Administrative Hearings Office at (410) 887-3868.

(2) For information concerning the File and/or Hearing, Contact the Zoning Review Office at (410) 887-3391.

JT/3/629 March 6

298832

CERTIFICATE OF PUBLICATION

3/8/ 2012

THIS IS TO CERTIFY, that the annexed advertisement was published in the following weekly newspaper published in Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 3/6/ 2012.

- ☒ The Jeffersonian
- ☐ Arbutus Times
- ☐ Catonsville Times
- ☐ Towson Times
- ☐ Owings Mills Times
- ☐ NE Booster/Reporter
- ☐ North County News

S. Wilkinson

LEGAL ADVERTISING

TO: PATUXENT PUBLISHING COMPANY
Tuesday, March 6, 2012 Issue - Jeffersonian

Please forward billing to:

Jennifer Busse
Whiteford, Taylor & Preston
One W. Pennsylvania Avenue, Ste. 300
Towson, MD 21204

410-832-2077

NOTICE OF ZONING HEARING

The Administrative Law Judges of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 2012-0187-SPHX

Hanover Road

W/s of Hanover Road, 1885 feet n/of centerline Butler Road

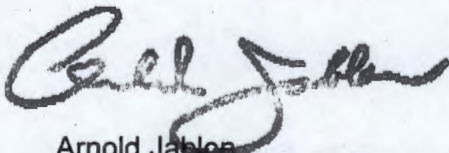
4th Election District – 4th Councilmanic District

Legal Owners: Owings Mills Harvest Church of God, William Rosenberger, Thomas Morris, and various others

Contract Purchaser: BGE

Special Exception to permit a Public Utility use per Baltimore County Zoning Regulations Section 1A01.2.C.17. Special Hearing to abandon the Special Exception approval previously provided via Case 1971-134, contingent upon the utilization, on this subject property, of the Special Exception for a Public Utility Use which is filed concurrently with this Petition for Special Hearing. In the event that BGE fails to close on the sale of the property from Rosenberger to BGE, the existing special exception (1971-134) will continue.

Hearing: Tuesday, March 20, 2012 at 1:30 p.m. in Room 205, Jefferson Building,
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Arnold Jablon
Director of Permits, Approvals and Inspections for Baltimore County

- NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ADMINISTRATIVE HEARINGS OFFICE AT 410-887-3868.
- (2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

CERTIFICATE OF POSTING

2012-0187-SPHX

RE: Case No.: _____

Petitioner/Developer: _____
Owings Mills Harvest Church of God
BGE

March 20, 2012
Date of Hearing/Closing: _____

Baltimore County Department of
Permits, Approvals and Inspections
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, Maryland 21204

Attn: Kristen Lewis:

Ladies and Gentlemen:

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at: _____

2 signs posted on Hanover Road/Pike: 1 at 13030 and 1 at Bush Meadows

March 3, 2012
The sign(s) were posted on _____
(Month, Day, Year)

Sincerely,



March 3, 2012

(Signature of Sign Poster)

(Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)

ZONING NOTICE

CASE # 2012-0187-SPHX

A PUBLIC HEARING WILL BE HELD BY
THE ZONING COMMISSIONER
IN TOWSON, MD

Room 205 JEFFERSON BUILDING
105 WEST CHESAPEAKE AVE. TOWSON 21204
PLACE:
DATE AND TIME: TUESDAY, MARCH 20, 2012 AT 1:30 P.M.

REQUEST: Special Exception to permit a Public Utility use per Baltimore County Zoning Regulations Section 1A01.2.C.17. Special Hearing to abandon the Special Exception approval previously provided via Case 1971-134, contingent upon the utilization, on this subject property, of the Special Exception for a Public Utility Use which is filed concurrently with this Petition for Special Hearing. In the event that BGE fails to close on the sale of property from Rosenberger to BGE, the existing Special Exception (1971-134) will continue. To abandon the Special Exception approval previously provided via 2006-0251-X.

POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES NECESSARY.
TO CONFIRM HEARING CALL 867-3391

DO NOT REMOVE THIS SIGN AND POST UNTIL DAY OF HEARING, UNDER PENALTY OF LAW
HANDICAPPED ACCESSIBLE

ZONING NOTICE

CASE # 2012-0187-SPHX

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TO CONFIRM HEARING CALL 867-3391

DO NOT REMOVE THIS SIGN AND POST UNTIL DAY OF HEARING, UNDER PENALTY OF LAW
HANDICAPPED ACCESSIBLE



KEVIN KAMENETZ
County Executive
February 29, 2012

ARNOLD JABLON
Deputy Administrative Officer
Director, Department of Permits,
Approvals & Inspections

CORRECTED NOTICE OF ZONING HEARING

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Hanover Road

W/s of Hanover Road, 1885 feet n/of centerline Butler Road

4th Election District – 3rd Councilmanic District

Legal Owners: Owings Mills Harvest Church of God, William Rosenberger, Thomas Morris, and various others

Contract Purchaser: BGE

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105 West Chesapeake Avenue, Towson 21204

A handwritten signature in black ink, appearing to read "Arnold Jablon", is written over the printed name and title.

Arnold Jablon
Director

AJ:kl

C: Jennifer Busse, One W. Pennsylvania Ave., Ste. 300, Towson 21204
BGE, Carol Dodson, 2900 Lord Baltimore Drive, Baltimore 21244

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY MONDAY, MARCH 5, 2012.**
- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ADMINISTRATIVE HEARINGS OFFICE AT 410-887-3868.
- (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

Zoning Review | County Office Building
111 West Chesapeake Avenue, Room 111 | Towson, Maryland 21204 | Phone 410-887-3391 | Fax 410-887-3048
www.baltimorecountymd.gov

TO: PATUXENT PUBLISHING COMPANY
Tuesday, March 6, 2012 Issue - Jeffersonian

Please forward billing to:

Jennifer Busse
Whiteford, Taylor & Preston
One W. Pennsylvania Avenue, Ste. 300
Towson, MD 21204

410-832-2077

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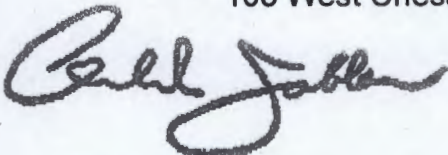
4th Election District – ~~4th~~ Councilmanic District

Legal Owners: Owings Mills Harvest Church of God, William Rosenberger, Thomas Morris, and various others

Contract Purchaser: BGE

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Arnold Jablon
Director of Permits, Approvals and Inspections for Baltimore County

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KEVIN KAMENETZ
County Executive
February 29, 2012

ARNOLD JABLON
Deputy Administrative Officer
Director, Department of Permits,
Approvals & Inspections

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Arnold Jablon
Director

AJ:kl

C: Jennifer Busse, One W. Pennsylvania Ave., Ste. 300, Towson 21204
BGE, Carol Dodson, 2900 Lord Baltimore Drive, Baltimore 21244

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Zoning Review | County Office Building
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www.baltimorecountymd.gov



KEVIN KAMENETZ
County Executive

ARNOLD JABLON
Deputy Administrative Officer
Director, Department of Permits,
Approvals & Inspections

February 29, 2012

Timothy Dugan
Shulman and Rogers
12505 Park Potomac Avenue, 6th Floor
Potomac, Maryland 20854

Dear Mr. Dugan

RE: Zoning Verification, 12112 Timber Grove Road, Parcels 137 & 167, 4th Election District

Please accept the following as this Office's response to your letter of February 22, 2012, which is an amendment to your original letter of January 23, 2012 concerning the above referenced properties. I agree with your affirmations concerning the proposed uses as they relate to the SE and the DR 3.5 zones as they pertain to parcels 167 and 138, with just the following clarification as to RTA. The proposed use, as described in your letter, will be required to adhere to the setback requirements for RTA if any portion of the operation utilizes parcel 167, which is zoned DR 3.5. As the proposed use will be considered in part a storage yard, it is not exempt from the RTA setback requirements. RTA requirements relate to setbacks only and have no bearing on permitted uses. RTA requirements do not apply to that part of the subject properties located in the SE zone. It appears that a variance to the RTA setbacks will be required should Verizon utilize parcel 167, in addition to complying with the requirements of Section 411. Otherwise, this Office agrees with and confirms the interpretation of the zoning regulations as pertaining to the described uses described in your letter.

THE FOREGOING IS MERELY AN INFORMAL OPINION. IT IS NOT AN EXPERT OR LEGAL OPINION. IT IS NOT INTENDED TO BE RELIED ON AS EXPERT OR LEGAL ADVICE, AND IS NOT LEGALLY OR FACTUALLY BINDING ON BALTIMORE COUNTY OR ANY OF ITS OFFICIALS, AGENTS, OR EMPLOYEES. BALTIMORE COUNTY EXPRESSLY DISCLAIMS ANY AND ALL LIABILITY ARISING OUT OF, OR IN ANY WAY CONNECTED WITH THE INFORMATION PROVIDED IN THIS DOCUMENT, OR ANY INTERPRETATION THEREOF.

Sincerely,

A handwritten signature in black ink, appearing to read "J. Merrey", is written over the typed name and title.

Joseph C. Merrey
Planner II
Zoning Review
410-887-3391

The Valleys Planning Council, Inc.

118 W. Pennsylvania Avenue, Towson, Maryland 21204
Mailing Address: P.O. Box 5402, Towson, Maryland 21285-5402
Phone: 410 337-6877, Fax: 410 296-5409

March 1, 2012

RECEIVED

MAR 05 2012

OFFICE OF ADMINISTRATIVE HEARINGS

Lawrence M. Stahl
Managing Administrative Law Judge
Baltimore County Office of Administrative Hearings
105 W. Chesapeake Ave.
Towson, Maryland 21204

RE: Case 2012-0187-SPHX

Dear Judge Stahl:

On behalf of the Valleys Planning Council (VPC), I am writing to express our support for a special exception request by BGE in the above-referenced case. In addition, we support the utility's request to abandon the existing Special Exception approved for another use on this site via Case 1971-134.

For more than a year, the VPC, along with the Hanover Road Association and other community representatives, has been working diligently to find an agreeable site for a large, regional substation. The initial site purchased by BGE was opposed by the VPC and others due to its location within the Piney Run Rural Legacy Area. The new site, which is the subject of the special exception case that will come before the county on March 20, 2012, is deemed to be a much more suitable location.

The VPC appreciates the efforts of BGE and elected officials in reaching this preferred outcome. We are pleased to submit our position of support for the special exception.

Sincerely,



Teresa Moore
Executive Director

cc: Scott Barhight
Robert Gould

March 19, 2012

Hanover Road Association
P.O. Box 70
Boring, Maryland 21020

Judge Lawrence M. Stahl
Managing Administrative Law Judge
Baltimore County Office of Administrative Hearings
105 W. Chesapeake Ave.
Towson, Maryland 21204

RE: Case 2012-0187-SPHX

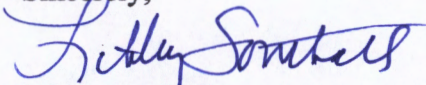
Dear Judge Stahl:

This letter of authorization gives permission for S. Glenn Elseroad, to represent The Hanover Road Association on March 20, 2012 for a Special Exception Hearing for Public Utility Use. The Hanover Road Association represents the residents and business owners in the area along the Hanover Pike from 795 and Butler Road north to the Carroll County Line.

Mr. Elseroad is president of our association and has worked on a special project to help find this property for the proposed new BGE substation with board members of the HRA, Valley Planning Council, Baltimore Gas & Electric Substation Project team and the property owners of the land to be utilized for the substation.

Our organization appreciates the efforts and cooperation shown by BGE, elected officials and community organizations all working together for this special exception review of approval.

Sincerely,



Libby Southall
Vice President, Hanover Road Association.

Debra Wiley - RE: Hanover BGE Case

From: "Busse, Jennifer R." <jbusse@wtplaw.com>
To: John Beverungen <jbeverungen@baltimorecountymd.gov>
Date: 3/26/2012 11:08 AM
Subject: RE: Hanover BGE Case
CC: Debra Wiley <dwiley@baltimorecountymd.gov>

Thanks!

From: John Beverungen [mailto:jbeverungen@baltimorecountymd.gov]
Sent: Monday, March 26, 2012 11:08 AM
To: Busse, Jennifer R.
Cc: Debra Wiley
Subject: Hanover BGE Case

We looked through the file and saw that two separate petitions for special hearing were filed; one for the vet hospital, the other for the church. We simply overlooked the second petition, thinking it was just a duplicate.

In any event, Mr. Wiseman granted that SX in March 2006, and it is therefore "void" under BCZR 502.3. Even so, I am going to send out shortly a very brief letter amending last week's Order and formally abandoning that church SX granted in the 2006 case.

John Beverungen.

This transmission contains information from the law firm of Whiteford, Taylor & Preston LLP which may be confidential and/or privileged. The information is intended to be for the exclusive use of the planned recipient. If you are not the intended recipient, be advised that any disclosure, copying, distribution or other use of this information is strictly prohibited. If you have received this transmission in error, please notify the sender immediately.

Circular 230 Disclosure:

To ensure compliance with requirements imposed by Treasury and the IRS, we inform you that any federal tax advice contained in this communication (including attachments) is not intended or written to be used and cannot be used for the purpose of (i) avoiding tax penalties that may be imposed under the Internal Revenue Code, or (ii) promoting, marketing, or recommending to another person any transaction or matter addressed herein.

Debra Wiley - RE: 2012-0172-A - BGE

From: "Barhight, G. Scott" <GSBarhight@wtplaw.com>
To: 'Debra Wiley' <dwiley@baltimorecountymd.gov>
Date: 3/22/2012 11:48 AM
Subject: RE: 2012-0172-A - BGE
CC: "Busse, Jennifer R." <jbusse@wtplaw.com>, "Barhight, G. Scott" <GSBarhig...

Ms. Wiley, thank you very much for forwarding the letter. As the record has been closed, we will not be responding to the letter. We look forward to Judge Beverungen's order. Thank you, Scott Barhight

From: Debra Wiley [mailto:dwiley@baltimorecountymd.gov]
Sent: Thursday, March 22, 2012 10:16 AM
To: Busse, Jennifer R.; Barhight, G. Scott
Subject: Fwd: 2012-0172-A - BGE

Good Morning,

Please see the attached which was just hand-delivered to Judge Beverungen in reference to the above case heard on March 20th.

Thanks and have a great day !

Debbie Wiley
Legal Administrative Secretary
Office of Administrative Hearings
105 West Chesapeake Avenue, Suite 103
Towson, Md. 21204
410-887-3868
410-887-3468 (fax)
dwiley@baltimorecountymd.gov

This transmission contains information from the law firm of Whiteford, Taylor & Preston LLP which may be confidential and/or privileged. The information is intended to be for the exclusive use of the planned recipient. If you are not the intended recipient, be advised that any disclosure, copying, distribution or other use of this information is strictly prohibited. If you have received this transmission in error, please notify the sender immediately.

Circular 230 Disclosure:

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JB 3-20-12

March 21, 2012

Hanover Road Association
P.O. Box 70
Boring, Maryland 21020

John E. Beverungen
Administrative Law Judge
Baltimore County Office of Administrative Hearings
105 W. Chesapeake Ave.
Towson, Maryland 21204

RECEIVED

MAR 22 2012

OFFICE OF ADMINISTRATIVE HEARINGS

RE: Case 2012-0187-SPHX

Dear Judge Beverunger:

I want to thank you for maintaining an orderly and informative hearing on Tuesday, March 20 2012. The special exception hearing for BGE to gain an approval for Public Utility Use. I would like to bring some clarity to the position of the Hanover Road Association on this issue. The Board Members of our organization voted 12 for and two no votes to speak favorable in support of the approval of the special exception for BGE if the following provisions could be added as conditions of approval.

Our goal was to have the following documented in the hearing decision:

Woodlands Buffers are to remain along the Hanover Pike and if possible several clusters of evergreens are to be planted along Butler Road as a buffer from high power lines to be located in the fields.

The substation is to be restricted to the area as shown on the displays at hearing and presented to community organizations. All other area of the 180 acres purchased and shown is to remain as open space or farmland in the future. Not to be rezoned, used or sold for any other uses in the future.

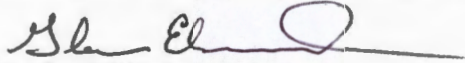
If possible try to have the stored stone, firewood and nursery stock owned by Glyndon Gardens removed from beneath the existing high power lines. This would improve the appearance of the gateway to our community.

Our goal was to have the issues heard and added as conditions of approval in the special exception ruling. The first two we have had verbal agreements on with BGE since our first showing the property to them. During the hearing many concerns were raised for consideration and much discussion about issues of others attending the hearing. I am now concerned that may have diluted the importance of the three points mentioned above by the Hanover Road Association.

My letter of authorization to speak also expressed our organizations position.

If this information creates confusion or is inadmissible please feel free to disregard. If I could be of further assistance please feel free to call my phone number is 443-465-6227.

Thank you, with great appreciation and most respect,

A handwritten signature in dark ink, appearing to read 'S. Glenn Elseroad', with a stylized flourish at the end.

S. Glenn Elseroad
President, Hanover Road Association

Public Zoning 2006

IN RE: PETITION FOR SPECIAL EXCEPTION	*	BEFORE THE
E & W/S Hanover Pike, N of Butler Road		
(1320 N. Butler Road)	*	ZONING COMMISSIONER
4 th Election District		
3 rd Council District	*	FOR
 James & Sandra Lee Howdyshell, Owners;	*	BALTIMORE COUNTY
Owings Mills Church of God,		
Associate Pastor Darren Pendley	*	Case No. 06-251-X
Contract Purchaser/Petitioner		

ORDER ON THE MOTION FOR RECONSIDERATION

WHEREAS, this matter came before this Zoning Commissioner for consideration of a Petition for Special Exception filed by the Owners/Contract Purchaser of the subject property, seeking approval to use the subject property for a church, pursuant to Section 1A01.2C.6 of the Baltimore County Zoning Regulations ("BCZR"). That Section allows a church in any R.C.2 zone by special exception, provided that the Hearing Officer makes a finding that the use will not be detrimental to the primary agricultural uses in its vicinity.

By my opinion and Order dated March 2, 2006, I granted the special exception request, in accordance with the site plan submitted into evidence as Petitioner's Exhibit 1, subject to certain terms and conditions. Among those conditions, Restriction No. 3 required the Petitioners to comply with all of the terms and conditions of the Agreement reached by and between them, the Owings Mills Church of God, and the Hanover Road Association, Inc., a copy of which was attached thereto and made a part thereof.

Subsequent to the issuance of said Order, a timely Motion for Reconsideration was filed by the Office of People's Counsel, seeking clarification of Restriction No. 3 thereof. Specifically, Item 14 of the Agreement by and between the parties allows modification by negotiation of the terms and conditions thereof; however, does not include the public review of any such negotiation. The Office of People's Counsel requests that any negotiations to modify

Prior zoning 2010 TB
9-23-09

**IN RE: PETITIONS FOR SPECIAL HEARING
AND VARIANCE**

W side of Hanover Road; 179 feet N of the
c/l of Butler Road
Election District
Councilmanic District
(12910 Hanover Road)

Springlake Farms, Inc. & Bush Meadows, LLC
Legal Owners
Bosley Construction Company
Lessee

* BEFORE THE
* DEPUTY ZONING
* COMMISSIONER
* FOR BALTIMORE COUNTY
*
* Case No. 2010-0015-SPHA

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner for consideration of Petitions for Special Hearing and Variance filed by Gary L. Bosley on behalf of the legal owners of the subject property, Springlake Farms, Inc. and Bush Meadows, LLC, and the lessee, Bosley Construction Company. Petitioner is requesting Special Hearing relief in accordance with Section 500.7 and pursuant to Section 104.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) for Property #1 (also known as Parcel 319) owned by Springlake Farms, Inc. and for Property #2 (also known as Parcel 1118) owned by Bush Meadows, LLC, to affirm the continuation of an existing non-conforming use over time and over lot lines without regard to internal setback lines. Petitioner is also requesting Variance relief from Section 1A01.3.B.3 for Property #2 (also known as Parcel 1118) owned by Bush Meadows, LLC to permit a side yard setback of as little as 0 feet in lieu of the 35 feet required. The subject property and requested relief are more fully described on the site plans that were marked and accepted into evidence as Petitioner's Exhibits 1A (for the special hearing petition) and 1B (for the variance petition), respectively.



KEVIN KAMENETZ
County Executive

LAWRENCE M. STAHL
Managing Administrative Law Judge
JOHN E. BEVERUNGEN
TIMOTHY M. KOTROCO
Administrative Law Judges

April 11, 2012

Robert M. Wheeler, Esquire
1428 Deer Park Road
Finksburg, Maryland 21048-1922
(Via Fax 410-876-5559)

RE: Petitions for Special Hearing and Special Exception
Case No.: 2012-0187-SPHX
Property: Hanover Road

Dear Mr. Wheeler:

I am writing to follow up on our telephone conversation earlier this morning, concerning a question you had about the March 23, 2012 Order in the above-captioned matter. You indicated that your client (Dr. Rosenberger) was concerned with a provision in the Order as it related to the abandonment of the special exception he now enjoys for the operation of his veterinary hospital. You articulated the same concerns at the hearing in the above case, and I assured you that I would protect your client's interests in the Order.

Just to be clear, Dr. Rosenberger may continue to utilize the property as a veterinary hospital (known as the Reisterstown Veterinarian Center) after the sale and transfer of your client's property to BGE. It is only when BGE requires full use of the property for a public utility electric substation that your client's animal hospital must cease operation, given that there cannot be two special exception uses simultaneously on any given property.

Sincerely,


JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

JEB:dlw

John Beverungen - Inquiry regarding SX order in Case No.: 2012-0187-SPHX

From: "Barhight, G. Scott" <GSBarhight@wtplaw.com>
To: "jbeverungen@baltimorecountymd.gov" <jbeverungen@baltimorecountymd.gov>
Date: 04/11/12 12:06 PM
Subject: Inquiry regarding SX order in Case No.: 2012-0187-SPHX
CC: "Krieger, Damon L (Damon.Krieger@constellation.com)" <Damon.Krieger@cons...>

Dear Judge Beverungen:

Please accept this email in furtherance of our telephone conversation earlier today with Mr. Robert M. Wheeler, Esquire, counsel for Dr. Rosenberger, regarding Mr. Wheeler's question about the proper interpretation of your March 23, 2012 Order as it relates to his client's property. Without amending your Order in any way, Mr. Wheeler wanted to clarify that the Reisterstown Veterinarian Center may continue to utilize the property as a veterinarian center after closing with BGE until BGE requires full use of the property for a public utility electric substation. If this interpretation of your Order is accurate, please consider writing Mr. Wheeler to confirm your interpretation.

Thank you,

Scott Barhight

p.s.: as Mr. Wheeler is having difficulty receiving email, I am forwarding this email to him via fax at 410-876-5559

This transmission contains information from the law firm of Whiteford, Taylor & Preston LLP which may be confidential and/or privileged. The information is intended to be for the exclusive use of the planned recipient. If you are not the intended recipient, be advised that any disclosure, copying, distribution or other use of this information is strictly prohibited. If you have received this transmission in error, please notify the sender immediately.

Circular 230 Disclosure:

To ensure compliance with requirements imposed by Treasury and the IRS, we inform you that any federal tax advice contained in this communication (including attachments) is not intended or written to be used and cannot be used for the purpose of (i) avoiding tax penalties that may be imposed under the Internal Revenue Code, or (ii) promoting, marketing, or recommending to another person any transaction or matter addressed herein.

CHECKLIST

Support/Oppose/
Conditions/
Comments/
No Comment

Comment
Received

Department

3-14

DEVELOPMENT PLANS REVIEW
(if not received, date e-mail sent _____)

Comments

3-14

DEPS
(if not received, date e-mail sent _____)

Comments

FIRE DEPARTMENT

3-16

PLANNING
(if not received, date e-mail sent _____)

Supports

2-27

STATE HIGHWAY ADMINISTRATION

No objection

TRAFFIC ENGINEERING

3-1

COMMUNITY ASSOCIATION

Supports

ADJACENT PROPERTY OWNERS

ZONING VIOLATION

(Case No. _____)

PRIOR ZONING

(Case No. 2010-0015-SPMA, 2006-0251-X and 1971-134-X)

NEWSPAPER ADVERTISEMENT

Date: 3-6-12

SIGN POSTING

Date: 3-3-12 by Black

PEOPLE'S COUNSEL APPEARANCE

Yes ☒ No ☐

PEOPLE'S COUNSEL COMMENT LETTER

Yes ☐ No ☐

Comments, if any: * See support ltr. from Valley's Planning Council 3-1-12
* See correspondence b/w for Harvey and Tim Ragan

JB 3-20-12
1:30

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon
Deputy Administrative Officer and
Director of Permits, Approvals and Inspections

DATE: March 12, 2012

FROM: Andrea Van Arsdale
Director, Department of Planning

SUBJECT: W/S Hanover Road, N of Butler Road
INFORMATION:

RECEIVED

MAR 16 2012

OFFICE OF ADMINISTRATIVE HEARINGS

Item Number: 12-187

Petitioner: BGE

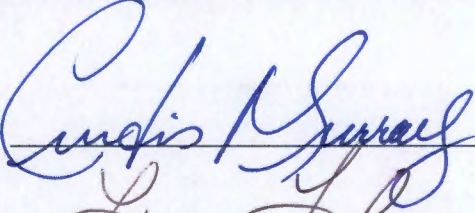
Zoning: RC 2

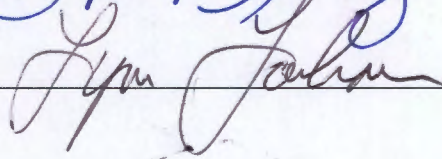
Requested Action: Special Hearing and Special Exception

SUMMARY OF RECOMMENDATIONS:

The Department of Planning has reviewed the petitioner's request and accompanying site plan. This department supports the petitioner's requests and is of the opinion that the requested special exception will not be detrimental to the health, safety or general welfare of the surrounding community.

For further information concerning the matters stated here in, please contact Jessie Bialek at 410-887-3480.

Prepared by: 

Division Chief: 
AVA/LL: CM

JB 3-20-12
1:30pm

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



TO: Hon. Lawrence M. Stahl; Managing Administrative Law Judge
Office of Administrative Hearings

FROM: David Lykens, Department of Environmental Protection and Sustainability
(DEPS) - Development Coordination

DATE: March 14, 2012

SUBJECT: DEPS Comment for Zoning Item # 2012-0187-SPHX
Address Hanover Road
(BGE - Contract Purchaser)

Zoning Advisory Committee Meeting of February 20, 2012.

X The Department of Environmental Protection and Sustainability offers the following comments on the above-referenced zoning item:

- X Development of the property must comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains (Sections 33-3-101 through 33-3-120 of the Baltimore County Code).
- X Development of this property must comply with the Forest Conservation Regulations (Sections 33-6-101 through 33-6-122 of the Baltimore County Code).

Reviewer: J. Russo; Environmental Impact Review

RECEIVED
MAR 14 2012
OFFICE OF ADMINISTRATIVE HEARINGS

Debra Wiley - ZAC Comments - Distribution Mtg. of 2/20/12

From: Debra Wiley
To: Kennedy, Dennis; Lanham, Lynn; Livingston, Jeffrey; Lykens, David; M...
Date: 2/21/2012 11:11 AM
Subject: ZAC Comments - Distribution Mtg. of 2/20/12

Good Morning,

Please see the cases listed below and the hearing date, if assigned. If you wish to submit a ZAC comment, please be advised that you must do so before the hearing date. If it's not received by the hearing date, it will not be considered in our decision.

2012-0184-A - 9514 Oakbranch Way
(Administrative Variance) - Closing Date: 2/27/12

2012-0185-A - 500 Durando Road
(Administrative Variance) - Closing Date: 3/5/12

2012-0186-SPH - 7927 Belair Road
No hearing date in database as of 2/21

2012-0187-SPHX - BGE Carol Dodson 2900 Lord Baltimore Drive
No hearing date in database as of 2/21

2012-0188-SPHX - 2449 Ellis Road
(Administrative Variance) - 3/5/12

2012-0189-A - 2521 Hillcrest Avenue
No hearing date in database as of 2/21

2012-0190-A - 11 Fir Drive
(Administrative Variance) - Closing Date: 3/12/12

Thanks.

Debbie Wiley
Legal Administrative Secretary
Office of Administrative Hearings
105 West Chesapeake Avenue, Suite 103
Towson, Md. 21204
410-887-3868
410-887-3468 (fax)
dwiley@baltimorecountymd.gov

Martin O'Malley, Governor
Anthony G. Brown, Lt. Governor



Beverley K. Swaim-Staley, Secretary
Melinda B. Peters, Administrator

Date: 2-27-12

Ms. Kristen Lewis
Baltimore County Department of
Permits, Approvals & Inspections
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County
Item No. 2012-0187-SPHX
Special Exception Special
Hearing
BGE Carol Dodson
MD30

Dear Ms. Lewis:

We have reviewed the site plan to accompany petition for variance on the subject of the above captioned, which was received on 2-22-12. A field inspection and internal review reveals that an entrance onto MD30 consistent with current State Highway Administration guidelines is not required. Therefore, SHA has no objection to approval for Special Exception Case Number 2012-0187 SPHX

Should you have any questions regarding this matter feel free to contact Richard Zeller at 410-545-5598 or 1-800-876-4742 extension 5598. Also, you may email him at (rzeller@sha.state.md.us). Thank you for your attention.

Sincerely,

A handwritten signature in blue ink, appearing to read "Richard Zeller".
Steven D. Foster, Chief
Access Management Division

SDF/raz

My telephone number/toll-free number is _____

Maryland Relay Service for Impaired Hearing or Speech 1.800.735.2258 Statewide Toll Free

Street Address: 707 North Calvert Street • Baltimore, Maryland 21202 • Phone 410.545.0300 • www.roads.maryland.gov

RE: PETITION FOR SPECIAL HEARING	*	BEFORE THE OFFICE
AND SPECIAL EXCEPTION		
Hanover Road, W/S Hanover Road, 1885' N	*	OF ADMINISTRATIVE
of c/line of Butler Road		
4 th Election & 4 th Councilmanic Districts	*	HEARINGS FOR
Legal Owner(s): Various Owners	*	
Contract Purchaser(s): BGE	*	BALTIMORE COUNTY
Petitioner(s)	*	2012-187-SPHX

* * * * *

ENTRY OF APPEARANCE

Pursuant to Baltimore County Charter § 524.1, please enter the appearance of People's Counsel for Baltimore County as an interested party in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and the passage of any preliminary or final Order. All parties should copy People's Counsel on all correspondence sent and all documentation filed in the case.

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

RECEIVED

FEB 27 2012

Carole S. Demilio

CAROLE S. DEMILIO
Deputy People's Counsel
Jefferson Building, Room 204
105 West Chesapeake Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 27th day of February, 2012, a copy of the foregoing Entry of Appearance was mailed to Jennifer Busse, Esquire, Whiteford, Taylor & Preston, LLP, 1 W Pennsylvania Avenue, Suite 300, Towson, MD 21204, Attorney for Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

CASE NAME BGE
CASE NUMBER 2012-0187
DATE 3/20/12

CASE NAME BGE
CASE NUMBER 2012-0187
DATE 3/20/12

[illegible]

CASE NAME BGE
CASE NUMBER 2012-0187
DATE 3/20/12

[illegible]



KEVIN KAMENETZ
County Executive

ARNOLD JABLON
Deputy Administrative Officer
Director, Department of Permits,
Approvals & Inspections

March 13, 2012

William R. Rosenberger
105 Nob Hill Drive
Reisterstown MD 21136

RE: Case Number: 2012-0187SPHX, Address: Hanover Road, Map 39, Parcel 245

Dear Mr. Rosenberger:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on February 9, 2012. This letter is not an approval, but only a **NOTIFICATION**.

The Zoning Advisory Committee (ZAC), which consists of representatives from several approval agencies, has reviewed the plans that were submitted with your petition. All comments submitted thus far from the members of the ZAC are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to ensure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. All comments will be placed in the permanent case file.

If you need further information or have any questions, please do not hesitate to contact the commenting agency.

Very truly yours,

A handwritten signature in black ink, reading "W. Carl Richards, Jr." in a cursive style.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR:mcn

Enclosures

c: People's Counsel
Jennifer R. Busse, Esq, Towson Commons, Ste 300, One Pennsylvania Ave, Towson MD 21204
BGE, Carol Dodson, 2900 Lord Baltimore Drive, Baltimore MD, 21244

TIMOTHY DUGAN | ATTORNEY
T 301.230.5228 E tdugan@shulmanrogers.com

February 22, 2012

By Federal Express

Mr. W. Carl Richards, Jr.
Chief, Zoning Review
Zoning Department
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, Maryland 21204
ATTENTION: Ms. Rose Cambell

Re: Request for Written Response
Parcel 167, 12112 Timber Grove Road
Parcel 138, (no street address shown) Timber Grove Road
Reisterstown, Maryland 21136-1730
Collectively referred to as the "Property"
Proposed Purpose: Verizon Garage Work Center

Dear Mr. Richards:

Earlier, Mr. Joseph Merrey of your office kindly assisted me with a zoning and land use investigation. My client, Verizon Maryland, Inc., asked that I expand the inquiry to include an adjoining property. I explain below.

As explained in greater detail below, because I erroneously referred to a certain "Lot 6" instead of "Parcel 138," and because now I am inquiring about the adjoining parcel, Parcel 167, I am sending this letter to: (1) amend and restate my earlier inquiry and analysis; and (2) add my analysis concerning Parcel 167, so that I provide the County with a new letter of inquiry. Accordingly, please review the following.

1. Overview

Verizon is exploring whether it may relocate certain of its public utility related operations, described below, to the "Property."

As part of its plans to relocate certain of its operations from 99 Shawan Road and from elsewhere in Baltimore County, Verizon is exploring whether the Property would be suitably zoned. Based on my review of the Zoning Regulations, I believe that Verizon is eligible to apply for a Special Exception which would provide the necessary permission from a zoning compliance standpoint. I would appreciate having my explanation confirmed or clarified as necessary. If the County agrees that the Property may be used for the following activities, provided of course that all necessary approvals, in addition to

Timothy
2/23/12 ua

#12-107

a Special Exception, are obtained, Verizon will continue to explore the Property for its purposes.

Verizon intends to use the Property as generally described below, incident to its public utility operations of providing "land lines/fiber optic cables" for communications via telephones, Internet communication and Verizon FIOS.

- 1) Outside storage including, without limitation, storage of utility poles, cable spools/reels, and other materials.
- 2) Overnight parking for Verizon vehicles within a secure lot, i.e., within a fence with barbed wire. The vehicles would be parked on site after hours and weekends. The secure lot will be illuminated as well.
- 3) Verizon vehicles include:

Description	Approximate Number	Baltimore County Statutory Limit
Service Vehicles, (vans)	50	None
Utility Truck	25	None
Sedans	50	None
NO Sea Containers ¹	N/A	N/A
Bucket/cherry picker trucks	22	None
Construction pick up trucks	35	None
Large trailers to transport poles, generators, and cable spools/reels	2	None

- 4) A reporting center for service employees. Verizon service employees would arrive on site in the mornings (typically weekdays), receive their route orders, and drive a Verizon service for their day's work. The site would accommodate parking spaces for their personal vehicles.
- 5) The site would not be open to the general public for any purposes, including without limitation, to pay bills.
- 6) Motor vehicle repair of Verizon vehicles only would occur primarily within two garage bays, each with a hydraulic lift. The types of activities of a typical service station would occur and would include the following:
- a) Vehicle maintenance including work involving the hydraulic lifts

¹ I am making particular note that sea containers are *not* permitted based upon the County's January 23, 2012 letter that reads in part, "With the exception of the sea containers, which are not permitted at all in the S-E zone, all other listed uses would fall within the purview of Section 210.3.B.5 of the Baltimore County Zoning Regulations, which require a Special Exception Hearing."

- b) Storage and handling of new and used motor fuels/fluids. A limited supply of motor oil and other fluids (such as transmission fluid) would be stored on site. Used motor oil and other used fluids would not be in great supply and would be transported off site and disposed of regularly.
 - c) No underground fuel storage tanks would be installed. A limited amount of gasoline would be stored above ground. No diesel fuel would be stored or dispensed on site.
 - d) Storage and handling of new and used products like tires, batteries, auto parts.
 - i) A limited supply of new tires, batteries and other parts would be maintained on site. Verizon expects to order needed parts for, short term delivery, rather than to stockpile and store supplies.
 - ii) A recycling dumpster would be used for used tires and other recyclables. The dumpster would be emptied regularly. A separate trash dumpster would be maintained as well.
- 7) Deliveries and "pick ups" during normal business hours and incident to operations are expected.

2. Parcel 138, Timber Grove Road

Please see the enclosed SDAT information sheet and tax map of Parcel 138. Please accept my apologies. My January 9, 2012 and January 18, 2012 letters to Baltimore County did not refer to Parcel 138. I erroneously referred to "Lot 6" located immediately to the west, i.e., Lot 6, St. George's Industrial Park. Plat Reference: 0051/0130, 12200 Owings Mills Boulevard, Reisterstown, Maryland 21136-1730, 2.989 Acres. I did conduct my research for the same land area, whose identification is "Parcel 138."

Based on my earlier research, which I reiterate below, I believe that my January 9, 2012 explanation about the applicable zoning and land use requirements, as clarified by the County's January 23, 2012 letter, is still accurate. I would appreciate your office reconfirming my earlier research *vis a vis* Parcel 138, rather than Lot 6. Again, I reiterate my earlier analysis below.

Based on the County's zoning web site, Parcel 138 appears to be zoned "Service Employment," also known as "S-E." Please confirm that the Property is zoned S-E.

Under the Baltimore County Zoning Regulations, for the S-E Zone, at Section 210.3, A, under "principal uses permitted by right," it reads:

- 4. Public utility uses permitted and as limited in the D.R. Zones.

Further, under Section 210.3, B, 5, under "principal uses permitted by special exception," it reads:

Public utility uses other than those permitted by right, as limited in the D.R. Zones.

We interpret the statute to mean that public utility uses in the S-E Zone that are either (1) permitted as of right; or (2) allowed only through special exception, as limited in the D.R. Zones, are treated in the same fashion as they are in the D.R. Zones.

Under the D.R. Zones, at Section 1B01.1A., under "uses permitted as of right," it lists the following permitted public utility uses:

...

4. Aboveground electrical-power, telephone, telegraph lines, except aboveground electrical power lines having a capacity of 35 kilovolts or more; pole-mounted transformers or transformer banks.

5. Other cables; conduits; gas, water or sewer mains; or storm-drain systems, all underground.

...

Because the "residential transition area" falls within the D.R. Zones, the uses permitted as of right and those permitted only through special exception permission, apply to Verizon's proposed uses under the S-E Zone provision, at Section 210.3. A.

Under the D.R. Zones, under Section 1B01.1B.1.g.(2), for "residential transition areas and uses permitted therein," it lists the following as an exception to the restrictions in the residential transition areas:

Public utility uses (except public utility service centers and storage yards). Such uses [public utility service centers and storage yards] shall be governed by the provisions of Sections 411 and 502 and such other applicable sections of these regulations.

Thus, as we read the statute, in "residential transition areas" all public utility uses are permitted as of right, except for public utility service centers and storage yards. As for "public utility service centers and storage yards," such uses are only allowed through special exception approval, through Sections 411 and 502.

Verizon's proposed uses do not appear to fall within the "uses permitted as of right" uses allowed in the D.R. Zones. Verizon is not planning, for example, to install aboveground electric-power lines or pole-mounted transformers. Further, for example, Verizon is not planning to install water mains.

Rather, Verizon's proposed uses described above, that are incident to its public utility operations, fall within the uses that would require a special exception pursuant to Section 411 and Section 502.

Finally, because Verizon's operations are in the nature of public utility operations, the specific prohibitions of "service and repair" and "distribution and storage uses" under Section 210.3.E.1 and 2 do not apply. Sections 210.3.E.1 and 2 read as follows:

The following service and repair, distribution and storage, and manufacturing uses are not permitted in the Service Employment Zone. The Zoning Commissioner may exclude any other similar use which might be injurious or noxious by reason of odor, fumes, dust, smoke, vibration, noise or other cause.

I. Service and repair uses.

Automobile and truck repair
Automotive service station
Contractor's equipment storage yard

...

Service garage

2. Distribution and storage uses.

Bulk storage of flammable materials
Compartmentalized warehouse establishment
Freight forwarding establishment
Junkyard

...

Trucking facility

3. Parcel 167, Timber Grove Road

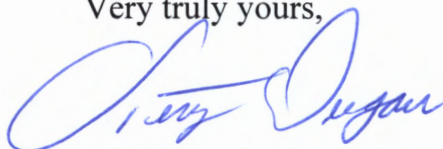
Please see the enclosed SDAT information sheet and tax map of Parcel 167. Parcel 167 is zoned DR 3.5, based upon my review of the County's online zoning map. Based upon my review of the DR Zoning provisions, the same Verizon uses, described above, if some or all of such uses were located on Parcel 167, would fall within the purview of Section 1B01.1.C.15 -- public utility uses -- of the Baltimore County Zoning Regulations, which require a Special Exception Hearing.

4. Enclosed Fee

I am enclosing \$100 payable to Baltimore County, in case your office requires a fee to respond to my request in writing.

Please respond in writing at your earliest convenience. I would appreciate your informing me by phone when I should expect your written response. Finally, please call with your comments, questions and instructions. Thank you.

Very truly yours,



Timothy Dugan

List of Enclosures:

- 1) \$100 check payable to Baltimore County
- 2) Parcel 138 SDAT information and tax map
- 3) Parcel 167 SDAT information and tax map

296974

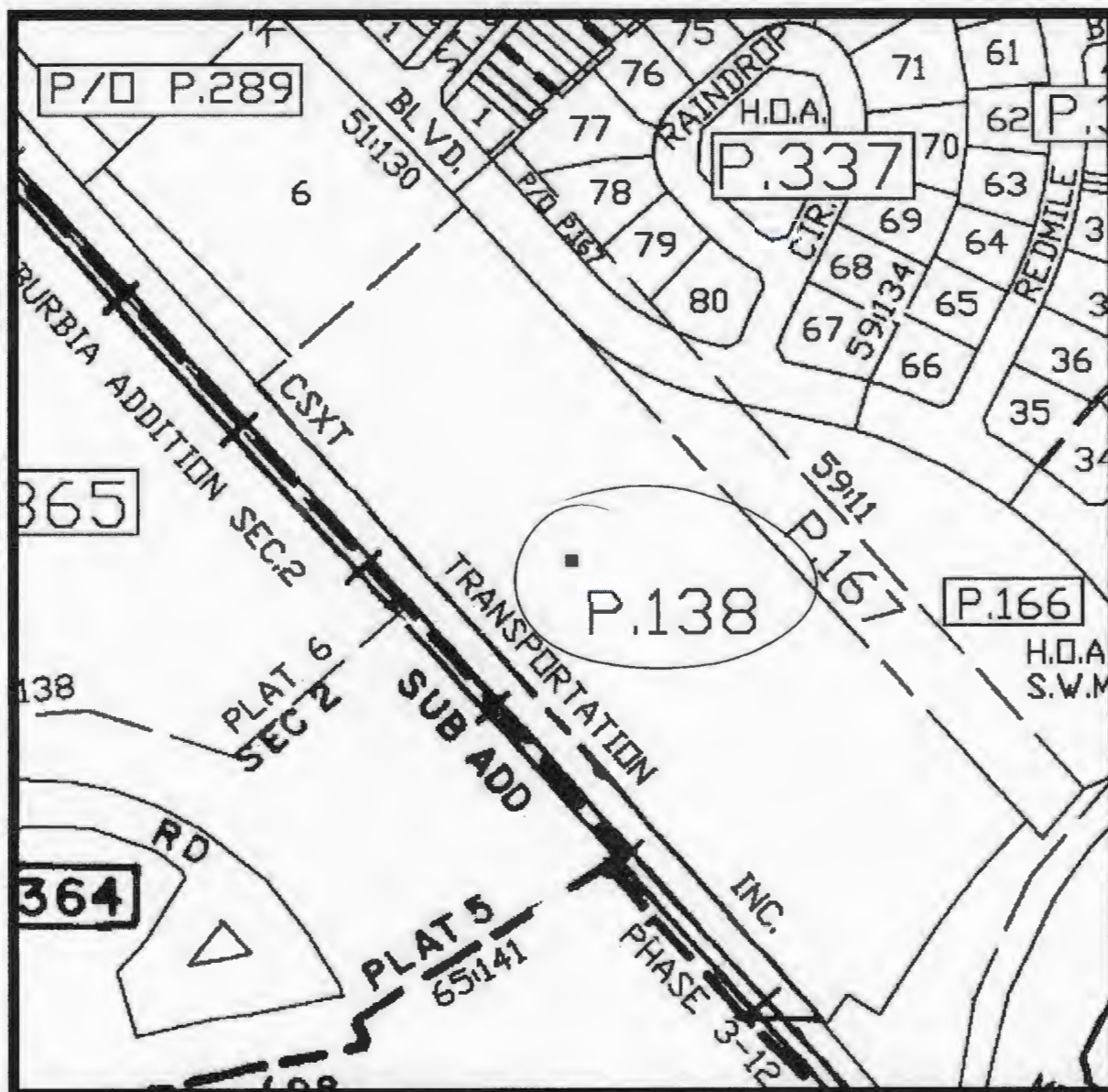
2962675



Maryland Department of Assessments and Taxation
BALTIMORE COUNTY
 Real Property Data Search

Go Back
 View Map
 New Search

District - 04 Account Number - 1800006490



The information shown on this map has been compiled from deed descriptions and plats and is not a property survey. The map should not be used for legal descriptions. Users noting errors are urged to notify the Maryland Department of Planning Mapping, 301 W. Preston Street, Baltimore MD 21201.

If a plat for a property is needed, contact the local Land Records office where the property is located. Plats are also available online through the Maryland State Archives at www.plats.net.

Property maps provided courtesy of the Maryland Department of Planning ©2009.
 For more information on electronic mapping applications, visit the Maryland Department of Planning web site at www.mdp.state.md.us/OurProducts/OurProducts.shtml

Maryland Department of Assessments and Taxation
Real Property Data Search (vw6.2A)
BALTIMORE COUNTY

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[New Search](#)
[GroundRent Redemption](#)
[GroundRent Registration](#)

Account Identifier: District - 04 Account Number - 1800006490

Owner Information

Owner Name:	KNIGHT ENTERPRISES LLC	Use:	INDUSTRIAL
Mailing Address:	PO BOX 187 12200 GLYNOWINGS DR GLYNDON MD 21071-0187	Principal Residence:	NO
		Deed Reference:	1) /25058/ 00464 2)

Location & Structure Information

Premises Address	Legal Description
TIMBER GROVE RD	11.3561 AC NWS
REISTERSTOWN MD 21136-1730	TIMBER GROVE RD
	4600 SW BOND AV

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat No:
0049	0013	0138		0000				2	Plat Ref:

Special Tax Areas

<u>Town</u>	NONE
<u>Ad Valorem</u>	
<u>Tax Class</u>	

Primary Structure Built	Enclosed Area	Property Land Area	County Use
	48000	11.3600 AC	07

Stories	Basement	Type	Exterior
		LIGHT MANUFACTURING	

Value Information

	Base Value	Value	Phase-in Assessments	
		As Of	As Of	As Of
		01/01/2011	07/01/2011	07/01/2012
Land	603,400	603,400		
Improvements:	1,574,700	1,608,600		
Total:	2,178,100	2,212,000	2,189,400	2,200,700
Preferential Land:	0			0

Transfer Information

Seller:	KNIGHT LARRY E	Date:	01/11/2007	Price:	\$0
Type:	NON-ARMS LENGTH OTHER	Deed1:	/25058/ 00464	Deed2:	
Seller:	FRIEDMAN JACOB L, ET AL	Date:	03/06/1979	Price:	\$430,305
Type:		Deed1:	/05995/ 00745	Deed2:	
Seller:		Date:		Price:	
Type:		Deed1:		Deed2:	

Exemption Information

Partial Exempt Assessments	Class	07/01/2011	07/01/2012
County	000	0.00	
State	000	0.00	
Municipal	000	0.00	0.00

Tax Exempt:
Exempt Class:

Special Tax Recapture:

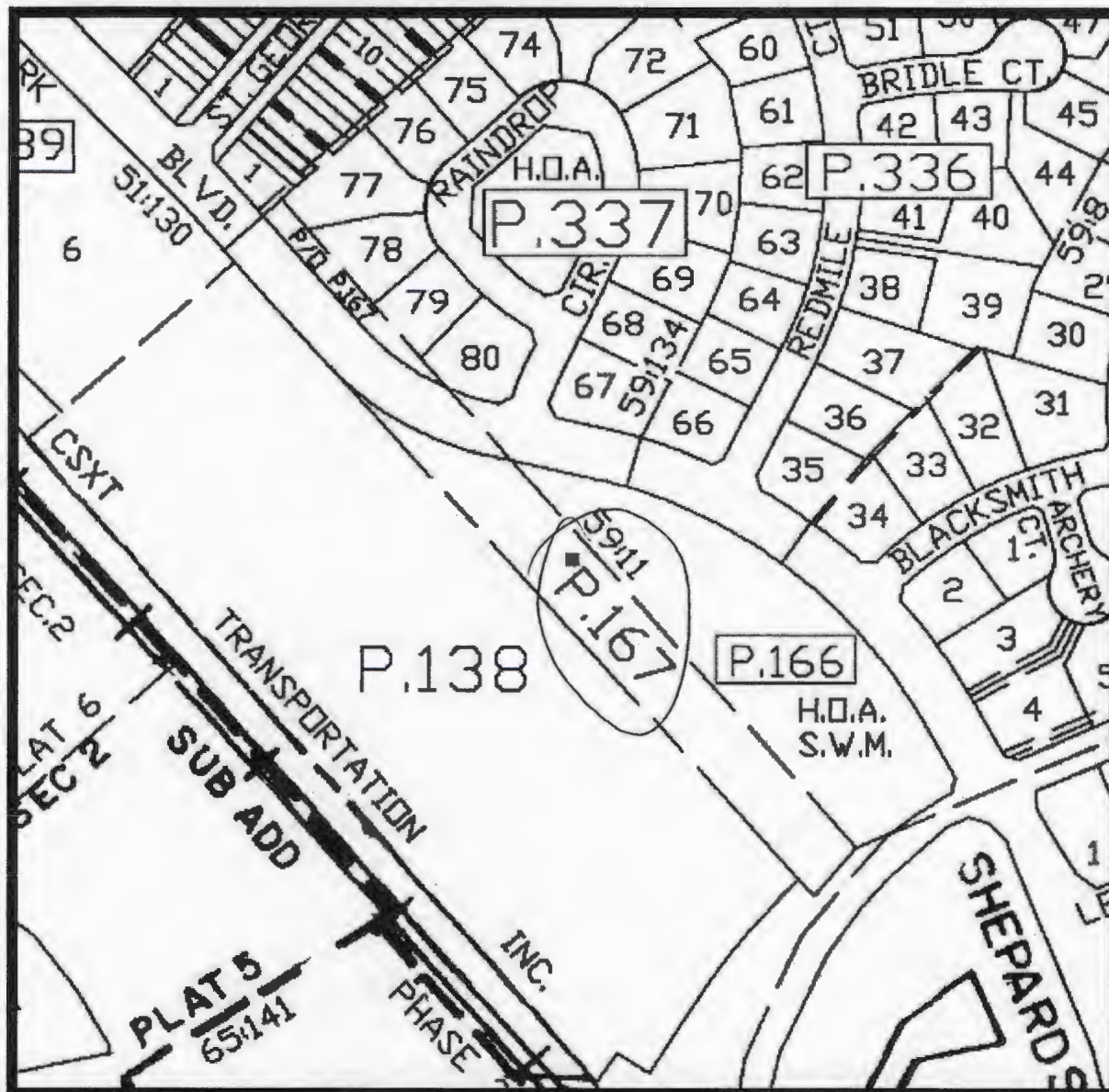
2962701



Maryland Department of Assessments and Taxation
BALTIMORE COUNTY
Real Property Data Search

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[New Search](#)

District - 04 Account Number - 0416045150



The information shown on this map has been compiled from deed descriptions and plats and is not a property survey. The map should not be used for legal descriptions. Users noting errors are urged to notify the Maryland Department of Planning Mapping, 301 W. Preston Street, Baltimore MD 21201.

If a plat for a property is needed, contact the local Land Records office where the property is located. Plats are also available online through the Maryland State Archives at www.plats.net.

Property maps provided courtesy of the Maryland Department of Planning ©2009.
 For more information on electronic mapping applications, visit the Maryland Department of Planning web site at www.mdp.state.md.us/OurProducts/OurProducts.shtml

Maryland Department of Assessments and Taxation
Real Property Data Search (vw6.2A)
BALTIMORE COUNTY

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[GroundRent Redemption](#)
[GroundRent Registration](#)

Account Identifier: District - 04 Account Number - 0416045150

Owner Information			
Owner Name:	ROSANNA LLC	Use:	RESIDENTIAL
Mailing Address:	1694 JUSTIN DR GAMBRILLS MD 21054-2013	Principal Residence:	NO
		Deed Reference:	1) /24118/ 00046 2)

Location & Structure Information	
Premises Address	Legal Description
12112 TIMBER GROVE RD 0-0000	2.623 AC NWS TIMBER GROVE RD 1600FT N OF KINGSBURY RD

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat No:
0049	0013	0167		0000				1	Plat Ref:

Special Tax Areas
Town NONE
Ad Valorem
Tax Class

Primary Structure Built	Enclosed Area	Property Land Area	County Use
1948	1,619 SF	2.6200 AC	04

Stories Basement Type Exterior
1.000000 NO STANDARD UNIT SIDING

Value Information				
	Base Value	Value	Phase-in Assessments	
		As Of	As Of	As Of
		01/01/2010	07/01/2011	07/01/2012
Land	209,520	174,300		
Improvements:	104,770	82,500		
Total:	314,290	256,800	256,800	256,800
Preferential Land:	0			0

Transfer Information				
Seller:	BROWN WENDY ANNE	Date:	06/30/2006	Price:
Type:	NON-ARMS LENGTH OTHER	Deed1:	/24118/ 00046	Deed2:
Seller:	BROWN MARIA PIRARO, TRUSTEE	Date:	12/27/2005	Price:
Type:	NON-ARMS LENGTH OTHER	Deed1:	/23130/ 00405	Deed2:
Seller:	PIRARO FRANK R/JOSEPH G	Date:	09/21/2000	Price:
Type:	NON-ARMS LENGTH OTHER	Deed1:	/14707/ 00586	Deed2:

Exemption Information			
Partial Exempt Assessments	Class	07/01/2011	07/01/2012
County	000	0.00	
State	000	0.00	
Municipal	000	0.00	0.00

Tax Exempt: Special Tax Recapture:
Exempt Class:

Case No.: 2012-187-SPHX

Exhibit Sheet

Petitioner/Developer

Protestant

3-23-12 DW
4/24/12 PZ

CITIZEN

No. 1	Aerial Photo	DEED Springlake Farm
No. 2	Proposed Rendered Site PLAN	/
No. 3	Site Plan (2 sheets)	
No. 4	Fisch CV	
No. 5	Vantage Points Photo	
No. 6	6A - Photo Existing 13130 Hanover Pike 6B Proposed 13130 Hanover	
No. 7	7A - Photo Existing Butler Rd. 7B - Photo Proposed Butler Rd	
No. 8	8A - Photo Exist. Westgate Way 8B - Photo Proposed Westgate Way	
No. 9	9A - Photo 7 Kamaleer Ct. 9B - Photo proposed 7 Kamaleer Ct.	
No. 10	Monk CV	
No. 11		
No. 12		

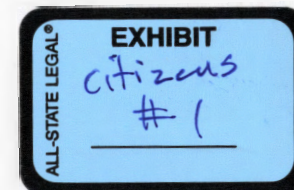
FILE NO. 602, (319-119)
FILE NO.

DEED AND TITLE DATA

TO BE FILLED OUT AND ATTACHED AS RIDER TO DEED

1. Property Tramp to Dasha transmission line right of way.
2. Location _____
3. City/County Baltimore
4. District North Station
5. Area 4.828, 0.013 and 2.526 acres
6. Deed References Land Records of Baltimore County in Liber O.T.G. No. 5185, folio 259
7. Date Acquired September 10, 1970
8. Grantor Springlake Farms, Inc.
9. Grantees Bankers Trust Company, Trustee, and Baltimore Gas and Electric Company
10. Taxes See 21-101
11. Title Examined By The Title Guaranty Company
12. Title Application No. H-4108 (Serial 57)
13. Title Policy No. H-4108-120
14. Title Policy Date November 20, 1970
15. Amount of Title Insurance \$24,440.00
16. Purchase Price \$24,720.00
17. Date of Settlement September 10, 1970
18. Restrictions, Additional Rights, etc. _____

CC: Mr. H. E. Lentz
Bankers Trust File



Record Services

Name: Springlake Farms, Inc.

(9-10-1970)

See-

FILE NO.	DATE	NAME
602.(319-245)	5/19/1987	Maryland, State Highway Admin. of, Grantee
		- Deed and P/R/M conveying 8 parcels of land in fee simple, containing 23,2272 acres; together with 4 perpetual easements containing 0.167 of an acre for highway purposes and for outlet ditches and to discharge flow of water. (Northwest Expwy)
		Note: This Cross Index Sheet was attached to each Deed affected by the conveyance of the above mentioned parcels to the Maryland State Highway Administration.
Conveyance in Fee Ttann to Dnba T/L		Parcel No. BC&E's File No. 87 602.(319-149) 89 (319-70) 90 (319-28) 91 (319-6) 91.1 (319-142) 94 (319-47)
Delight to Finksburg T/L		1 602.(96-29) 1.1A (96-26) 1.1B (96-27) 1.2 (96-25) 1.4 (96-30) 2 (96-32)
Safe Harbor-Westport T/L		163 602.(216-1-42) 164 (216-1-43) 165 (216-23)
Northwest Substation Site		- 602.(263-1)
Conveyance of Easement		
Delight to Finksburg T/L		2 602.(96-32)
Safe Harbor-Westport T/L		165 602.(216-23)
Northwest Substation Site		- 602.(263-1)

Application No. H-62068 - Parcel 87



THIS DEED, Made this 10th day of September, in the year one thousand nine hundred and seventy, by and between SPRINGLAKES FARMS, INC., a body corporate of the State of Maryland, party of the first part, and ----- BANKERS TRUST COMPANY, a corporation of the State of New York, Trustee, party of the second part, and BALTIMORE GAS AND ELECTRIC COMPANY, a corporation of the State of Maryland, party of the third part.

WHEREAS, the said party of the third part, by its original indenture dated February 1, 1919, and recorded among the Mortgage Records of Baltimore County in Liber W.P.C. No. 555, folio 1, etc., and supplemental indentures thereto, conveyed to the said party of the second part, Trustee, for the uses and purposes therein set forth, all the property of the said Baltimore Gas and Electric Company then owned or thereafter to be acquired by it; and

WHEREAS, in order to vest the title to the property hereinafter described in the said party of the second part, as Trustee under said original indenture dated February 1, 1919, and indentures supplemental thereto, it is now proposed to grant and convey the property hereinafter described directly to the said party of the second part, as such Trustee, and to the said party of the third part, subject, in all respects, to the right, title and interest of the said party of the second part, as such Trustee.

NOW, THEREFORE, THIS DEED WITNESSETH: That in consideration of the premises and the sum of Five (\$5.00) Dollars, and other valuable considerations; this day paid, receipt whereof is hereby acknowledged, the said party of the first part does hereby grant and convey unto the said Bankers Trust Company, Trustee under the aforesaid original indenture dated February 1, 1919, and indentures supplemental thereto, and its successors in said trust, for the uses and purposes and upon the trusts in said indentures set forth and subject to the interest and estate so vested in Bankers Trust Company, Trustee, unto the said Baltimore Gas and Electric Company, its successors and assigns, in fee simple, all the parcels of land situate in the Fourth Election District of Baltimore County, State of Maryland, and according to a survey prepared by Dollenberg Brothers, Registered Professional Engineers & Land Surveyors, and described as follows, that is to say:-

TAX \$ 275.00 REC. # EN 2070
STATE PROPERTY TRANSFER

3287 67 NEW 20

825.00 1960

TOGETHER with the right to have access at all times, using existing roads as far as practicable, for the construction, operation and maintenance of towers, poles, structures, wires, cables, conduits, gas pipes or other facilities upon, over or under said parcels of land, and together with the right to trim or cut down and remove all trees on the land adjacent to said parcels of land which might at any time, in the sole judgment of the parties of the second and third parts, or either of them, their successors and assigns, or the successors and assigns of either of them, be liable to interfere with or fall on any of the facilities of the party of the third part, its successors or assigns.

RESERVING, however, unto the said party of the first part, its successors & assigns, the right to cross said parcels of land and extend roads and public utility facilities across said parcels of land anywhere except within fifty (50) feet of any structure of the said party of the third part, and if such roads or facilities interfere with the use of said parcels of land by the said party of the third part, it will relocate them, and the right to farm and use the same in any other manner as long as such other use, in the sole judgment of the parties of the second and third parts, or either of them, their successors and assigns, or the successors and assigns of either of them, will not interfere with the construction, operation and maintenance of the party of the third part's existing or future facilities, but there shall not be erected any buildings or structures thereon by the party of the first part; any crops which may be damaged on land adjacent to said parcels of land because of such construction, operation and maintenance shall be paid for at prevailing market prices by the party of the third part.

TOGETHER with any, all and every the rights, alleys, ways, waters, privileges, appurtenances and advantages to the same belonging or in anywise appertaining.

TO HAVE AND TO HOLD said parcels of land and premises above described, and hereby intended to be conveyed, together with the rights, privileges, appurtenances and advantages thereto belonging or appertaining, unto and to the proper use and benefit of the said BANKERS TRUST COMPANY, Trustee under the aforesaid original indenture of February 1, 1919, and indentures supplemental thereto, and its successors in said trust, for the uses and purposes and upon the trusts in said indentures set forth, in fee simple.

TO HAVE AND TO HOLD said parcels of land and premises above described, and hereby intended to be conveyed, together with the rights, privileges, appurtenances and advantages thereto belonging or appertaining, unto and to the proper

MSB5145 MSB263

use and benefit of the said BALTIMORE GAS AND ELECTRIC COMPANY, its successors and assigns, subject to the interest and estate so vested in the Bankers Trust Company, Trustee, in fee simple.

AND the said party of the first part hereby covenants that it will warrant specially the property hereby conveyed and that it will execute such further assurances of said land as may be requisite.

WITNESS the corporate seal of the party of the first part and the signature of its President hereto affixed.

WITNESS:

SPRINGLAKE FARMS, INC.

BY: 



PROVINCE OF ONTARIO
~~NOTARY PUBLIC~~

TO WIT:

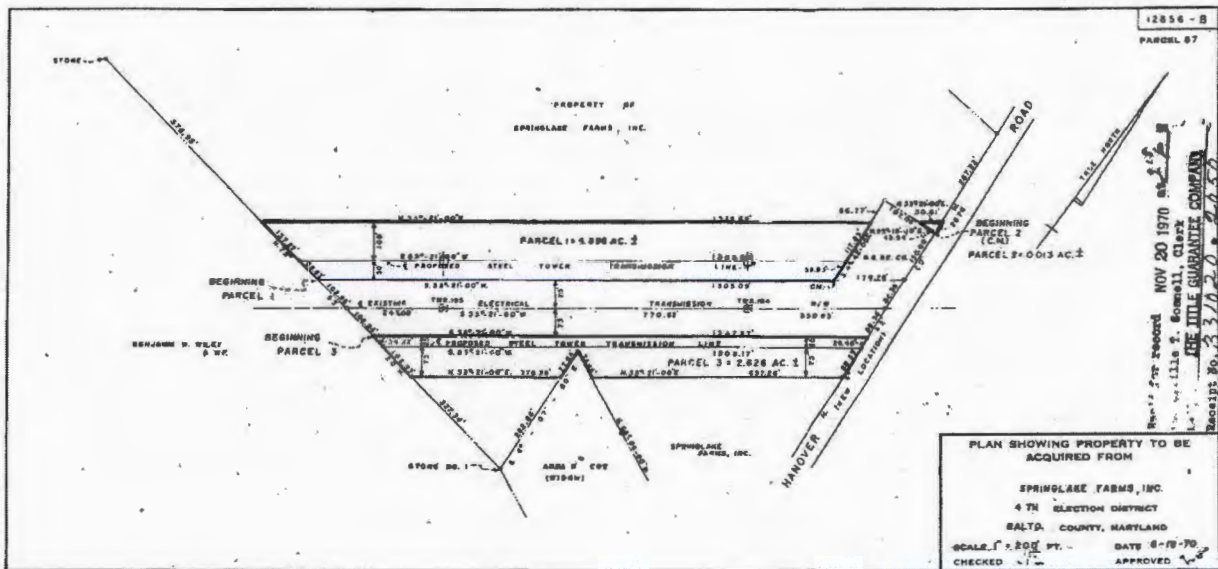
I HEREBY CERTIFY that on this ^{16th} ~~20th~~ day of November, 1970
before me, the subscriber, a Notary Public of the State aforesaid, personally appeared

JOHN ANTHONY COATES, who acknowledged himself to be the President of the SPRINGLAKE FARMS, INC., and that he, as such President, being authorized so to do, executed the foregoing instrument for the purposes therein contained by signing in my presence the name of the said corporation by himself as President.

WITNESS my hand and Notarial Seal.


My commission expires: 

983004-9418mm





RAI # 100158
Lot # 23 Pt. Bk./Folio # 046076
PAI # 100159
PAI # 100158
Pt. Bk. 0000046, Folio 0076
PAI # 100158
Pt. Bk. 0000047, Folio 0122
1900001160
Pt. Bk./F. 047122

1010000200

036B3

1008080470

4203

1003023320

RC2

1019071660

3 CD

NE 21-E

10 ED RC 5

GROWTH TIER 4
(No New Subdivisions of 4
or More Additional Lots)

1011089080

4207

1006057350

4204

1015037300

GREEN GLADE RD

036B2

4206

1011089050

4209

1022000145

1002065375

RC2

Pt. Bk. 0000029, Folio 0005

PAI # 100074
Pt. Bk./Folio # 029005A
1004020290

008C1

RC 7

1900011509

3002

3004

3002

3 CD

NE 37-C

7 ED

GROWTH TIER 4
(No New Subdivisions of 4
or More Additional Lots)

0711034952

HARFORD COUNTY

3008

0707058175

008C2

RC 2

0711034950

0711034951

PAI # 070139

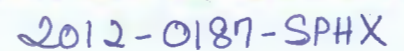
Pt. Bk. 0000046, Folio 0109

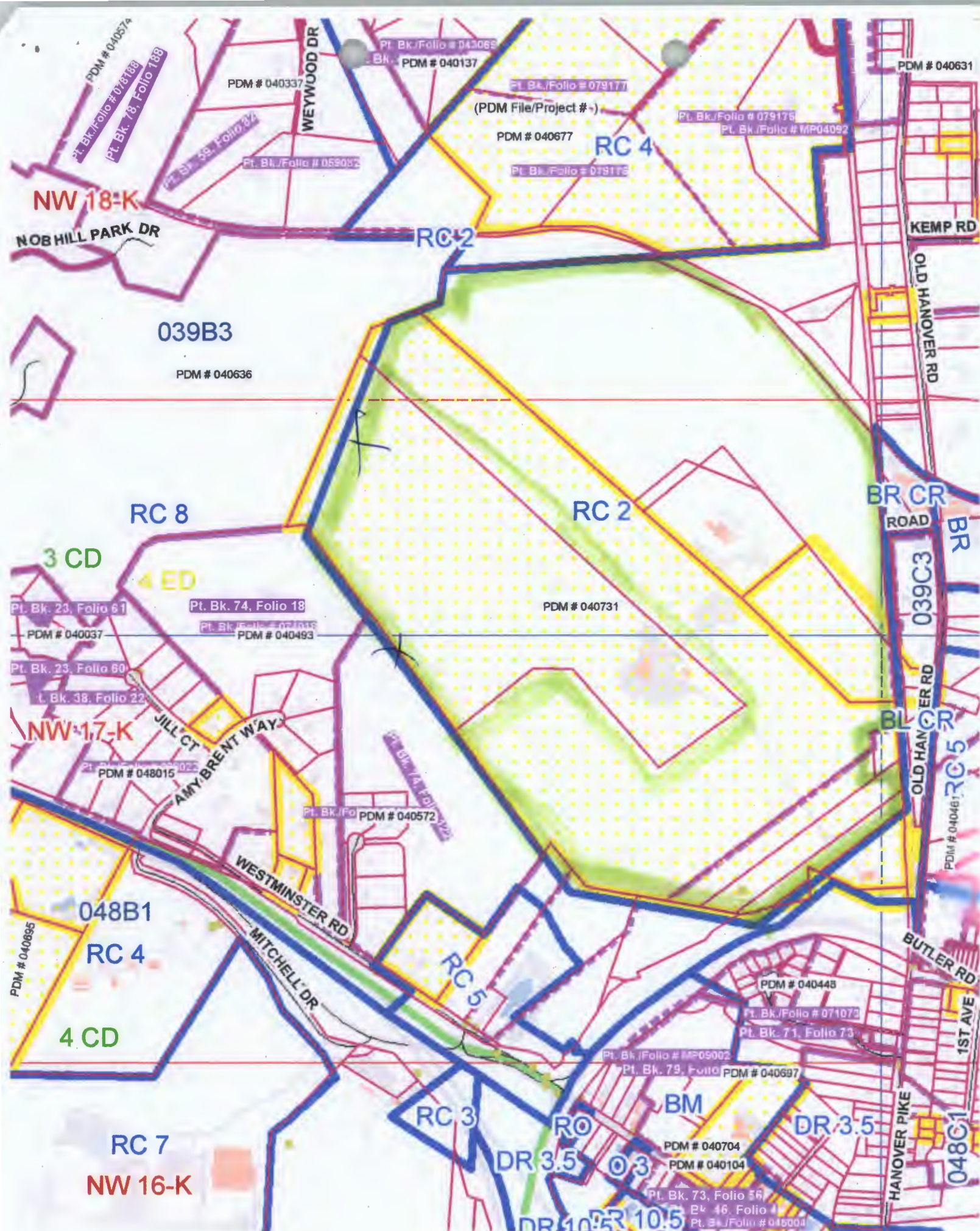
PAI # 070139

PAI # 070139

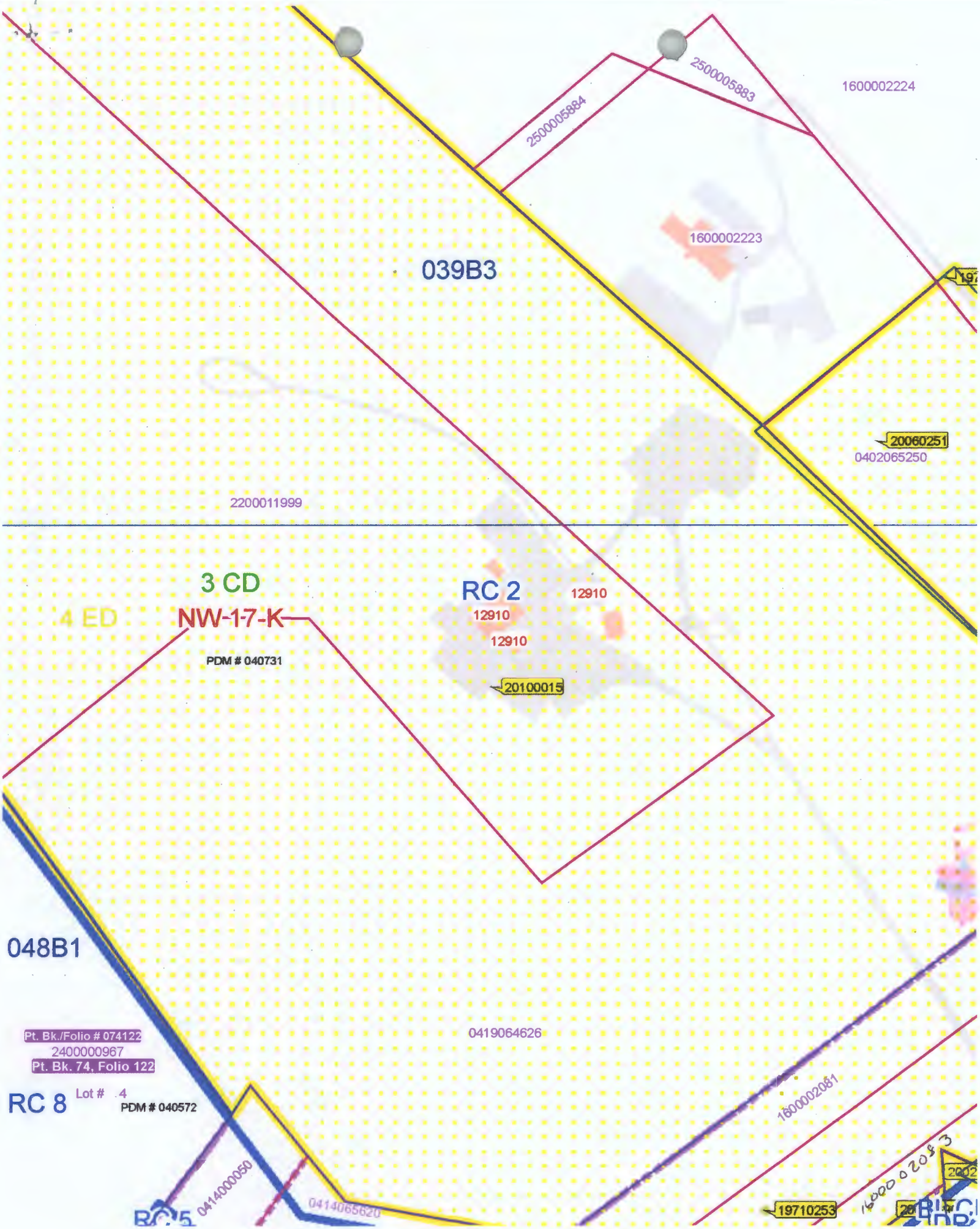
Pt. Bk./Folio # 046109

3334





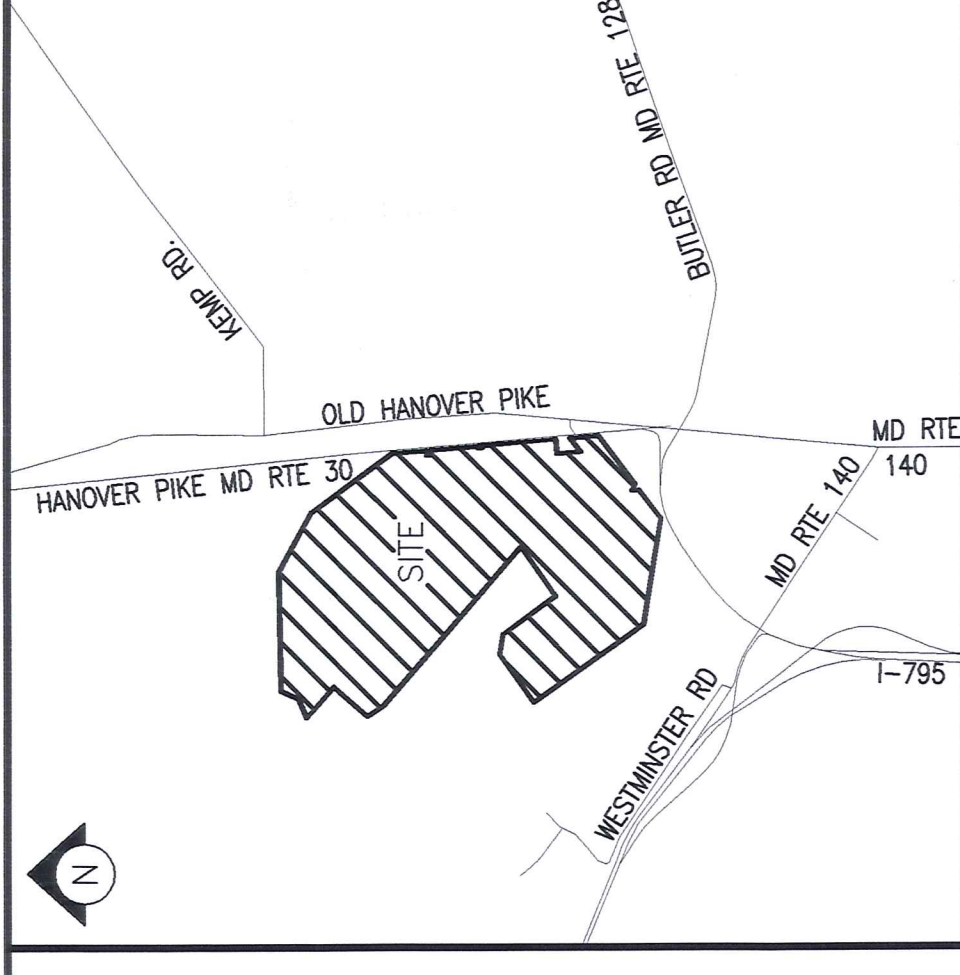
2012-0187-SPHX



Pt. Bk./Folio # 074122
2400000967
Pt. Bk. 74, Folio 122

RC 8 Lot # 4
PDM # 040572

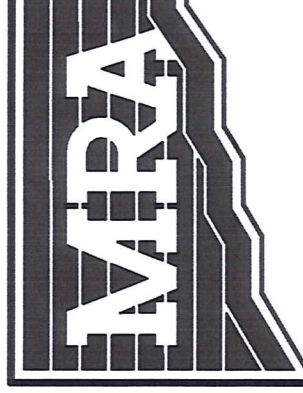
2012-0187-SPHX



VICINITY MAP
SCALE 1" = 2000'

LEGEND

— AREA OF SPECIAL EXCEPTION



MORRIS & RITCHIE ASSOCIATES, INC.
ENGINEERS, PLANNERS, SURVEYORS AND LANDSCAPE ARCHITECTS
1220-C EAST JOFFA ROAD, SUITE 306
TOWSON, MARYLAND 21286
(410) 821-1690
FAX: (410) 821-1748
MRA@GTA.COM

AERIAL PHOTO
BGE SUBSTATION
HANOVER PIKE / MD R

DATE	REVISIONS

[illegible]

Case No.: 2012-187-SPHX

Exhibit Sheet

4/24/12
3-23-12 DW

Petitioner/Developer

Protestant

CITIZEN'S

No. 1	Aerial Photo	
No. 2	Proposed Rendered Site PLAN	
No. 3	Site Plan (2 sheets)	
No. 4	Fisch CV	
No. 5	Vantage Points Photo	
No. 6	6A - Photo Existing 13130 Hanover Pike 6B Proposed 13130 Hanover	
No. 7	7A - Photo Existing Butler Rd. 7B - Photo Proposed Butler Rd	
No. 8	8A - Photo Exist. Westgate Way 8B - Photo Proposed Westgate Way	
No. 9	9A - Photo 7 Kamaleer Ct. 9B - Photo proposed 7 Kamaleer Ct.	
No. 10	Monk CV	
No. 11		
No. 12		

DEED
Springlake Farm

ZACHARIA Y. FISCH, P.E.

Principal

EDUCATION

BSCE / 1994 / Civil Engineering, Johns Hopkins University

REGISTRATIONS/CERTIFICATIONS

1997 / Maryland Registered Civil Engineer / No. 22418

**PROFESSIONAL EXPERIENCE**

Zacharia Fisch has over 25 years of design experience with land development projects, in Howard, Anne Arundel, and Baltimore counties and Baltimore City. He places a strong emphasis on land planning, and is proficient in the minute design details including; site planning and grading, horizontal and vertical road design, hydrology studies for stormwater management, stormdrains, culverts design and the associated hydraulic design for the same. Zacharia has also worked with Anne Arundel, Baltimore, Carroll, and Frederick Counties and Baltimore City Government review agencies while shepherding his projects through the review and approval process. Zacharia is experienced with Storm water Design and in selecting and applying innovative stormwater management practices that are acceptable by each jurisdiction. He is experienced in coordinating projects with county government agencies. Additionally, Zacharia is experienced with the various County Offices in regard to their respective practices, needs and process. Zacharia is serving as a professional expert witness representing clients before the planning board, hearing examiner and board of appeals of Howard County, hearing officer in Anne Arundel County, and administrative judge in Baltimore County. He also serves as an expert witness for condemnation cases in Howard County.

A few examples of his experience relevant to Baltimore County projects include:

- **Constellation Energy Crane Power Plant, Baltimore County, Maryland.**

Zacharia served as an expert witness for a special exception case involving the approval of slag reclamation, processing and bagging facility within the limits of the Crane Power Plant boundaries.

- **BGE – Chesaco Park Switching Station, Baltimore County, Maryland.**

Zacharia supervised the design and processing of the storm water management, grading and sediment control plans. He coordinated the processing of the various plan through the county agencies for approval and signature of the construction plans.

- **BGE – Northwest Substation, Baltimore County, Maryland.**

Zacharia assisted the environmental team at FSH Associates/ Exploration Research Inc. by supervising the hydrology and hydraulic calculations and supervised the preparation of grading plans within the substation boundaries.

- **BGE – BGE 1825 (AKA Emory Grove), Baltimore County, Maryland.**

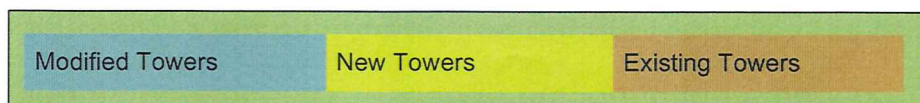
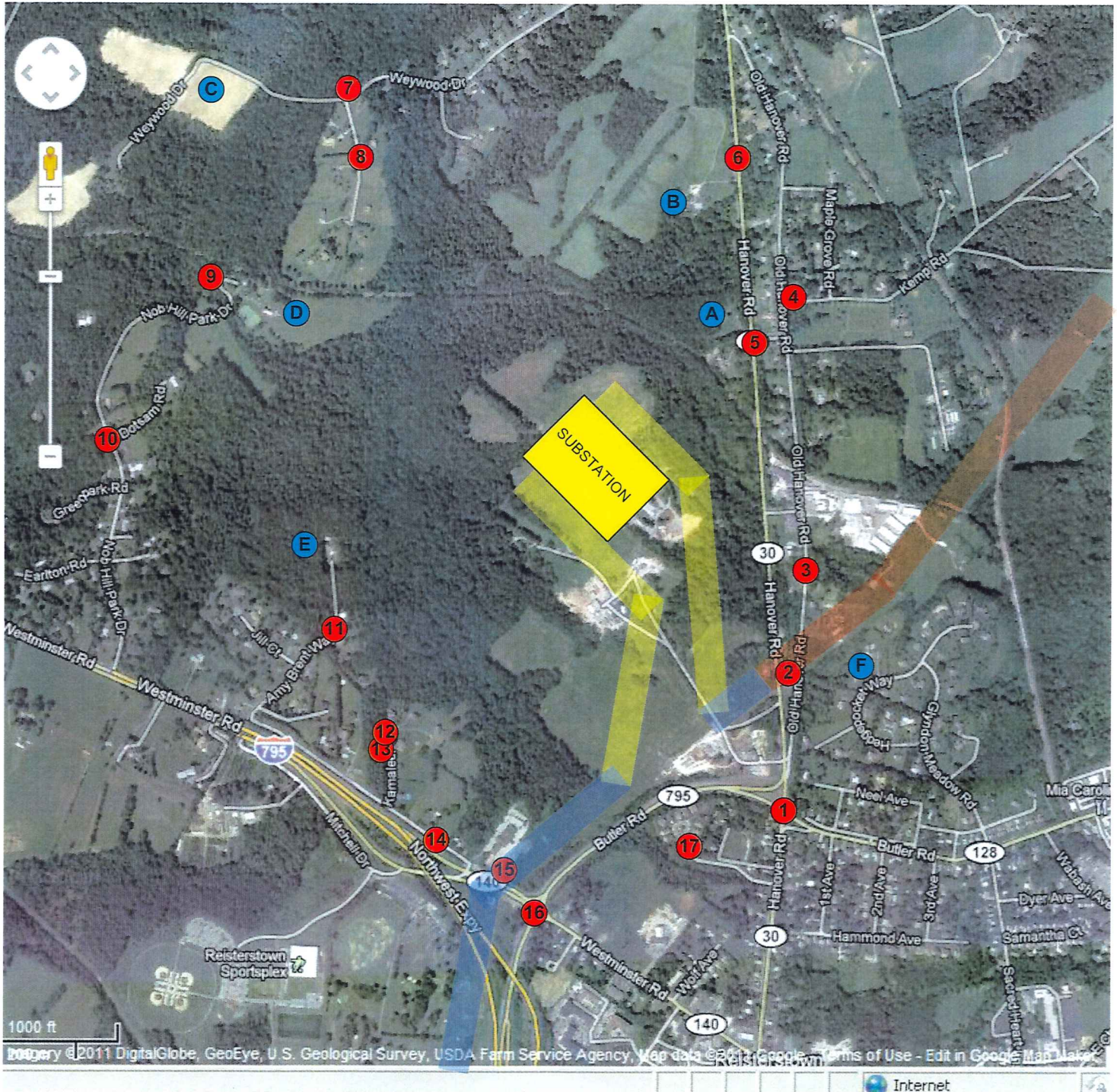
Zacharia served as the principal civil engineer leading the design of the civil engineering land development aspects of the project which include grading, storm water management, and 100 year floodplain studies. He also coordinated the survey and environmental teams on this project.

- **BGE – Hanover Pike, Baltimore County, Maryland.**

Zacharia served as the principal civil engineer leading the design of the civil engineering land development aspects of the project which include grading, storm water management, and 100 year floodplain studies. He also coordinated the survey and environmental teams on this project.

Overall, in the past 25 years, Zacharia was involved in the successful design, processing and approval of over 1,000 projects.

Vantage Points of Alternative Site



ALL-STATE LEGAL®

EXHIBIT

PETA 5

WILLIAM P. MONK
Principal

Project Assignment:

Principal, Project Manager, Urban
Design and Site Planning, Expert
Witness

Years of Experience:

MRA: 10
Other Firms: 25

Education:

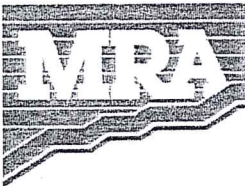
Master of Urban Planning,
University of Illinois, 1975
Bachelor of Urban Planning,
University of Illinois, 1973

Professional and Industry Affiliations:

Mayor's Transition Committee for
Economic Development, Mayor
Martin O'Malley, City of
Baltimore 1999-2000
Greater Towson Committee
(formerly Towson Development
Corporation)
President 1998-2000
Bd. of Directors 1994-2010
Chairman of the Baltimore County
Design Review Panel, 2008-
present
Tomorrow's Towson Urban Design
Committee (member)
National Association of Industrial
and Office Properties (member)
Baltimore Development Work Group
(member)
International Council of Shopping
Centers (ICSC)

Past Member:

American Planning Association
National Golf Association
Citizens Planning & Housing Association
(CPHA) (past board member)



**MORRIS & RITCHIE
ASSOCIATES, INC.**

Qualifications:

Mr. Monk is a Principal of MRA and provides site planning/design, project management, and government and community liaison services to institutional, commercial/retail, industrial, and residential clients throughout the mid-Atlantic region. Mr. Monk has worked in Baltimore City for over 35 years, representing commercial/retail and residential clients, as well as serving on nonprofit boards, ad hoc committees, and providing pro bono professional services.

Mr. Monk has extensive experience providing expert witness testimony. He is an approved expert witness in several jurisdictions throughout the mid-Atlantic region, including Prince George's County, Annapolis, Anne Arundel County, Baltimore, Baltimore County, Carroll County, Frederick County, Harford County, Howard County, and St. Charles Community in Maryland. Furthermore, he has testified in more than 300 zoning hearings over the past 35 years.

Sample projects managed and designed by Mr. Monk include the following:

COMMERCIAL/ RETAIL CENTERS

Bay River — Planned Business Community, Havre de Grace, Maryland
Project Manager/Chief Designer for a 76-acre mixed-use master planned business community containing over 900,000 SF of retail, office, and institutional space. Located at the interchange of I-95 and MD 155, the "Gateway" to the historic city of Havre de Grace.

Hampstead Business Park, Hampstead, Maryland - Project management and site planning for a 26-acre mixed-use (industrial, office, and retail) planned community at the crossroads of the new Hampstead By-Pass and MD Route 482.

Solo Cup Site, Owings Mills, Maryland - Project Manager and Designer in the preparation of a mixed-use (office, retail, and residential) planned community containing over 900,000 SF for this 51-acre site in Baltimore County.

Reisterstown Plaza, Baltimore, Maryland - Principal-In-Charge responsible for design/site planning studies for the reconfiguration expansion of the retail center consisting of over 100,000 SF.

Towson Commons Redevelopment Studies and Design, Towson, Maryland
Project Manager for ongoing redevelopment design studies intended to reposition the street-level retail component of a 15-year old mixed-use project that includes a proposed 20-story residential tower and an existing 10-story office tower. The Redevelopment Study process began with a survey of existing commercial real estate market opportunities in the area, and has focused on adding a strong residential component, while reinforcing the project's strength as an office location of choice and creating new retail and restaurant opportunities with direct street level pedestrian access. Upfront project feasibility studies included surveying, site engineering, and securing government entitlement approvals.

Continued on the next page...

PETITIONER'S

EXHIBIT NO. 10

Fidelity Investments Office, Towson, Maryland - Principal-In-Charge of land planning for the 6,500-SF office to serve as the prototype for the national deployment of Fidelity Investments new offices. Services provided by MRA included land development engineering, surveying, landscape architecture, architecture, and structural, mechanical, and electrical engineering, and government entitlement processing.

Canton Crossing, Baltimore City, Maryland - Master planning for six square block of mixed-use development incorporating hotel, office, retail, food market, structured parking, restaurant, and marina.

Glen Burnie Super Block, Anne Arundel County, Maryland - Prepared site plan for redevelopment of key five+ acre parcel in heart of Glen Burnie Urban Renewal District. Project includes food store anchor, retail, office, residential, structured parking, and town center plaza with skating rink.

BP Amoco Oil Company, Baltimore-Washington - Site/zoning feasibility studies and civil engineering for more than 80 sites.

Hagerstown Commons, Hagerstown, Maryland - A 42-acre, 350,000-SF, phased, mixed-use center containing office, retail and a cinema-plex.

Commerce Place, Prince George's County, Maryland - A 43-acre, 480,000-SF mixed-use retail, office and cinema-plex development.

Arundel Crossing East, Anne Arundel County, Maryland - Prepared a 40-acre site development plan containing both a Super K-Mart Store (190,000+ SF) and a Hechingers Home Care Center (130,000 SF.)

Allied Signal Company, Harbor Point, Baltimore, Maryland - Prepared mixed-use master plan for a 20+ acre site strategically located at entry to Baltimore's Inner Harbor. Includes retail, office, housing, entertainment, marina, and cruise ship docking facilities.

Old Town Mall, Baltimore, Maryland - Prepared site plans for re-design of historic urban renewal project, anchored by supermarket.

Boston Street Quay, Baltimore, Maryland - Prepared site plans for three-acre mixed-use development project on Baltimore's Inner Harbor waterfront, in Canton, incorporating retail, housing, and pier restaurant, with waterfront pedestrian promenade.

Tyson's Corner, Virginia - Preparation of site plan alternatives for a two-acre, multi-story retail/office and parking project containing more than 160,000 SF with structured parking.

Light House Point, Boston Street, Canton, Maryland - Prepared master plan for large scale mixed use waterfront development in historic Canton on Baltimore's "Gold Coast." Project includes housing, marina, specialty/maritime retail, restaurants, and pedestrian waterfront promenade.

Office Condominium Site Assessments, Mid-Atlantic Region - Prepared over 75 site development plans for the development of suburban office parks. Projects range in size from 5,000 SF to over 100,000 SF.

Landover Center Rezoning, Prince George's County, Maryland - Prepared the master plan for a 15-acre mixed-use retail, motel, and office building project. He also served as expert witness in the successful rezoning.

Lee Property Master Plan, Frederick County, Maryland - Preparation of a 102-acre mixed-use commercial complex containing over 400,000 SF of office, research and development space, a 190,000-SF Wal-Mart Super Store, a hotel/conference center complex and open space system. A historic Guilford farmstead comprising approximately 15 acres is the centerpiece of the complex. This area is on the National Register of Historic Places. The master plan calls

for the conversion of historic farmhouse into an inn/restaurant while retaining the farmstead outbuildings and incorporating them into an educational/learning center.

Arundel Delight Quarry, Baltimore County, Maryland - This 125-acre parcel in northwest Baltimore County utilizes an abandoned quarry as its centerpiece by transforming it into a 25-acre lake. The master plan calls for a mix of commercial (village center), employment (office), elderly care/retirement community and a mix of housing types (estate and carriage homes). Additionally an extensive open space system along with active recreational facilities and a Baltimore County fire station are incorporated into this unique master plan. This master plan was prepared over a period of 18 months in concert with a community and business task force that resulted in the approval of the overall master plan and securing the appropriate zoning to accommodate the mix of uses.

Patapsco Planned Community, Baltimore County, Maryland - Preparation of master plan for an 800-acre planned residential and commercial project. Plan includes country club, open space system, community shopping facilities/office, research and development park and a mix of residential housing types.

Run About Cove, Anne Arundel County, Maryland - 110-acre residential community containing over 700 housing units with a commercial village center and extensive recreational/open space amenities.

Edmondson Square Shopping Center, Baltimore, Maryland - Prepared site development plans for redevelopment of the six-acre site for new Giant Food, Hollywood Video, and Advance Auto Parts stores.

Towson Overlook, Baltimore County, Maryland - Re-development of 13-acre site to add 75,000 SF to the existing 50,000-SF shopping center.

EDUCATIONAL FACILITIES

Elementary - High School

St. Marks School, Baltimore County, Maryland - Prepared plans and assisted client in obtaining rezoning for the historic renovation and redevelopment of the former St. Marks School on Winters Lane in Catonsville.

College / University

Technology Center at University of Maryland Baltimore County, South Campus, Catonsville, Maryland - Principal-In-Charge responsible for master planning for expansion of the South Campus to include two to three new research & technology buildings and conference center ranging in size from 60,000-100,000 SF each.

University of Maryland Baltimore County, Main Campus Master Planning for the Technology Development Center (TDC) and the Technology Research Center (TRC), Catonsville, Maryland - Principal-In-Charge responsible for master planning for expansion of the TDC and TRC facilities to include research, teaching, and conferencing facilities totaling 150,000-200,000 SF.

University of Maryland Baltimore County, Technology Development Center Parking Facilities, Catonsville, Maryland - Principal-In-Charge of site planning, civil engineering, and surveying for a 330-car satellite parking facility with shuttle bus pickup. Design/Bid/Construction.

HEALTH CARE FACILITIES/HOSPITAL / NURSING HOME PROJECTS

Hackerman Patz House, St. Joseph's Medical Center Campus, Towson, Maryland - Principal-In-Charge responsible for procuring a zoning variance, feasibility study for utilities, production of construction documents, obtaining grading and building permits and construction observation for this two-level, 13,600-SF, 20-room facility located on .85 acres. MRA worked with the project Architect and campus facilities staff to layout this overnight facility for families of hospital care patients. This facility was modeled after the McDonald House facilities and a similar facility on the Sinai Hospital Site in the City of Baltimore. The project design and construction was funded by a donor contribution.

HOSPITALITY

Burkeshire Marriott Feasibility Study, Towson, Maryland - Planner hired by the Baltimore County Economic Development to provide a feasibility study for the expansion of the Marriott Hotel to include conferencing facilities, structured parking, and campus retailing along the York Road street frontage. Project also included developing alternative site plans for the entire block known as the "triangle" which includes the Towson VFW hall.

HOUSING

Decatur Street Townhomes, Baltimore, Maryland - Project Manager responsible for master planning and civil engineering for 72 housing units in Locust Point.

Luzerne Street, Canton Mills, Chester Street, and Fleet Street Townhomes, Baltimore, Maryland - Project Manager responsible for master planning and civil engineering for urban in-fill residential projects in Baltimore City.

WILLIAM P. MONK
JURISDICTIONS WHERE WORK HAS BEEN PERFORMED

MARYLAND

Aberdeen
Annapolis*
Anne Arundel County
Baltimore*
Baltimore County*
Bel Air
Bowie
Charles County
Calvert County
Cambridge
Caroline County
Carroll County*
Cecil County
Centreville
Chesapeake Beach
College Park
Columbia
Easton
Ellicott City
Frederick
Frederick County*
Gaithersburg
Hagerstown
Hampstead
Harford County*
Havre de Grace
Howard County*
Kent County
Laurel
Montgomery County
Ocean City
Perryville
Prince George's County*
Queen Anne's Co.
Rockville
St. Charles Community*
St. Mary's County
St. Michael's
Salisbury
Talbot County
Washington County
Westminster

DELAWARE

Dover
Kent County
Milford
Newark
Rehobeth Beach
Sussex County

**DISTRICT OF
COLUMBIA**

NEW JERSEY

Cherry Hill
Dover Township
Mountainside
Pequannock Township
Perth Amboy
Piscataway*
Wall Township*
Pompton Plains
Toms River

NORTH CAROLINA

Pinehurst

PENNSYLVANIA

Bucks County
Chester County
Montgomery County
Paoli
Shrewsbury

VIRGINIA

Alexandria
Arlington
Arlington County
Chesterfield County
(Richmond area)
Fairfax City
Fairfax County
Falls Church
Fauquier County
Henrico County
(Richmond area)

VIRGINIA (Cont'd.)

Herndon
Leesburg
Loudon County
Manassas
Manassas Park
McLean
Prince William County
Quantico
Richmond
Sterling
Vienna

WEST VIRGINIA

Martinsburg

***EXPERT WITNESS**

WILLIAM P. MONK
NATIONAL AND REGIONAL CLIENTS

CONVENIENCE STORES

7-Eleven Food Stores
High's Food Stores
Wawa Food Stores
Paceway Convenience Stores
Dash-In Food Stores
6-12 Convenience Food Marts
X-Tra Mart
Royal Farm Stores

AUTOMOTIVE SERVICE

Precision Tune
Mr. Transmission
Pit Stop, Inc.
Windshields of America
Grease Monkey
Econo Lube 'N' Tune
Midas Muffler
3 Rivers Glass
Jiffy Lube
Mr. Tire
Kimmel Tire
Midas Muffler
Grease Monkey
Salvo Auto Parts
National Tire Warehouse
Western Auto
Parts America
NTW Automotive

**AUTOMOTIVE-
GASOLINE**

BP/Amoco Oil Co.
Arco Petroleum
Gulf Oil Company
Steuart/Agip
Shell Oil Company
Southern Maryland Oil Co.
Sunoco
Texaco/Star Enterprise
Eastern Petroleum
Quarles Petroleum, Inc.
Carroll Independent Fuel
Ewing Oil Company
Ocean Petroleum Co.

RESTAURANTS

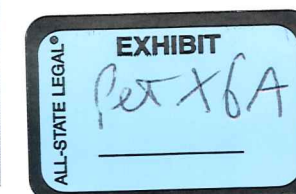
Dunkin Donuts
Pizza Hut
Taco Bell
Hot-N-Now
Big Boys
Roy Rogers Restaurants
Checkers
Church's Fried Chicken
Hardee's
Burger King
Golden Corral
Kentucky Fried Chicken
Mr. Donut
Friendly's Restaurants
Chili's Restaurants
Subway Sub Shops
Red Hot n' Blue
McDonald's Corporation
All-In-One (Taco Bell, Pizza Hut, KFC)
East Side Marios
Chevys Mexican Restaurants
California Pizza Kitchen
Fuddruckers
Sweet Pea Café
Old Country Buffet
Cracker Barrel
Rita's Water Ice
Krispy Kreme
Wendy's

MISCELLANEOUS-COMMERCIAL

Rite Aid
K-Mart
Duron Paints
Nichol's Department Store
Safeway Food Stores
Blockbusters Video
Pier One Imports
Price Warehouse
F&M Drug Stores
Roses Department Store
Town & Country Pontiac-Nissan
Klein's Supermarkets
C.J. Bonner Co.
Carteret Savings Bank
Penn Advertising
Universal Advertising
Giant Foods
Nextel Corporation
PNE Media
Enterprise Rent-A-Car
Koons Ford
ATC Communications, Inc.
Wal-Mart
Sam's Club
Hechingers
Bluecrest North Caterers
Musselman Chevrolet
Bell Atlantic
Luby Chevrolet
Sports Authority
Revco Drugs
CVS Drugs
Weis Markets
Lamar Advertising
Hollywood Video
Food Lion
Graul's Food Markets
Jeepers, Inc.
Walgreens
Bank of America
Dollar General

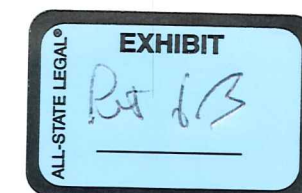


EXISTING 13130 HANOVER PIKE (5)





PROPOSED 13130 HANOVER PIKE (5)



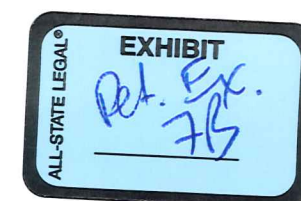


EXISTING HANOVER PIKE AND BUTLER ROAD (1)



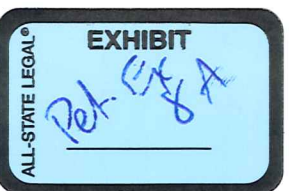


PROPOSED HANOVER PIKE AND BUTLER ROAD (1)



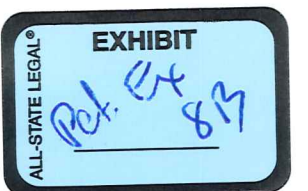


EXISTING 106 TO 114 WESTGATE WAY (17)





PROPOSED 106 TO 114 WESTGATE WAY (17)





PROPOSED 7 & 9 KAMALEER COURT (12)

