

T 410.494.6271
F 410.821.0147
amrosenblatt@venable.com

December 16, 2019

W. Carl Richards Jr., Chief
Zoning Review Office
County Office Building
111 West Chesapeake Avenue, Room 111
Towson, Maryland 21204

Re: **Request for Confirmation for Refinancing Purposes**
3510 Washington Boulevard
Halethorpe, MD 21227

Dear Mr. Richards,

This firm represents the owner of the above-captioned property located on the west side of Washington Boulevard between its intersection with Lansdowne Road and Commerce Drive in the Halethorpe area of Baltimore County (the "Property"). You previously signed the attached confirmation letter confirming the following:

1. The Property is zoned ML;
2. Trucking Facilities are permitted by special exception in the ML zone;
3. That a special exception for a Trucking Facility was granted in Case No. 1969-0105-X;
4. The existing use can continue without the need for any additional zoning relief;
5. That the use can include incidental uses such as sleeping quarters, truck service and repair, storage of trucks and trailers while waiting to be transported;
6. That the use can continue on the Property if the buildings are altered or removed;
7. That Section 253.1 of the BCZR provides the additional uses that are permitted by right on the Property; and
8. There are no open zoning violations on the Property.

Our client is now in the process of refinancing the Property and is requesting confirmation that the prior letter remains in effect. Please reconfirm these items so our client can refinance the Property.

If you require any additional information in order to complete your review, please feel free to contact me.

W. Carl Richards, Jr.
Supervisor of Zoning Review
December 16, 2019
Page 2

Very truly yours,



Adam M. Rosenblatt

AGREED AND ACCEPTED:



12/27/19

W. Carl Richards, Jr., Supervisor
Zoning Review Bureau

T 410.494.6271
F 410.821.0147
amrosenblatt@venable.com

October 26, 2018

W. Carl Richards Jr., Chief
Zoning Review Office
County Office Building
111 West Chesapeake Avenue, Room 111
Towson, Maryland 21204

Re: **Request for Confirmation**
3510 Washington Boulevard
Halethorpe, MD 21227

Dear Mr. Richards,

This firm represents a potential purchaser of the above-captioned property located on the west side of Washington Boulevard between its intersection with Lansdowne Road and Commerce Drive in the Halethorpe area of Baltimore County (the "Property"). Our client is considering purchasing the Property and is seeking confirmation of the various zoning items outlined below.

A review of Baltimore County's My Neighborhood system confirms that the Property contains approximately 7.15 acres of land zoned Manufacturing, Light ("ML"). The Property is surrounded by commercial and industrial uses including Allside Supply Center to the west, Habitat for Humanity and Chesapeake Coatings to the south, and a shopping center containing a number of restaurants and commercial uses across Washington Boulevard to the east.

The Property is currently improved with two buildings totaling approximately 21,000 SF that were initially constructed in 1970. All of the Property has been used as a Truck Terminal facility, which is permitted by special exception in the ML zone pursuant to Section 253.2.A.13 of the BCZR. The Property is within the boundaries of the Beltway Business Community CRG Plan. A copy of the 10th Refined CRG Plan is attached hereto for your convenience.

In Case No. 1969-0105-X, a prior owner obtained a special exception for a Truck Terminal on the Property. The order is attached hereto for your review. The Property has operated under the special exception to the present day and is currently owned by Estes Express Lines. Our client wishes to continue this use of the Property and to confirm the additional uses that would be permitted by right in the ML zone.

W. Carl Richards, Jr.
Supervisor of Zoning Review
October 26, 2018
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Section 101.1 of the BCZR defines a Truck Terminal as a "Trucking Facility, Class I," which is a "trucking facility whose primary purpose is to accommodate the transfer of goods or chattels from trucks or truck trailers to other trucks or truck trailers or to vehicles of other types, in order to facilitate the transportation of such goods or chattels." Trucking Facilities are permitted to include incidental uses such as sleeping quarters, facilities for the service or repair of vehicles, and space for the storage of trucks, trailers, and goods/chattels while they are waiting to be loaded on a truck and transported. *See* BCZR 101.1. The incidental uses are permitted as long as they support the primary purpose of transporting goods and chattels.

With respect to the Property, the primary purpose has been and will continue to be to provide a facility for the transportation of goods and chattels. Trucks will deliver goods to the Property, pick up goods from the Property, and be serviced and repaired on the Property. The use will continue to include the storage of trucks and trailers on the Property that are awaiting transfer and delivery.

Finally, we are also seeking confirmation that the special exception pertains to the entire Property and is not tied to the existing buildings on the Property. Our client is evaluating the operation of the site and considering altering or removing the primary structure to increase the efficiency of the trucking facility. As the special exception was granted for the entire Property, the use will not be lost or abandoned if the current building is modified or removed.

On behalf of the owner, I am seeking confirmation of the following:

1. The Property is zoned ML;
2. Trucking Facilities are permitted by special exception in the ML zone;
3. That a special exception for a Trucking Facility was granted in Case No. 1969-0105-X;
4. The existing use can continue without the need for any additional zoning relief;
5. That the use can include incidental uses such as sleeping quarters, truck service and repair, storage of trucks and trailers while waiting to be transported;
6. That the use can continue on the Property if the buildings are altered or removed;
7. That Section 253.1 of the BCZR provides the additional uses that are permitted by right on the Property; and
8. There are no open zoning violations on the Property.

W. Carl Richards, Jr.
Supervisor of Zoning Review
October 26, 2018
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If, after reviewing this information, you are able to offer the requested confirmations, please countersign this letter below. With this letter, I have enclosed a check in the amount of \$150.00 made payable to "Baltimore County, Maryland" to cover the administrative costs associated with your expedited review. If you require any additional information in order to complete your review, please feel free to contact me.

Very truly yours,



Adam M. Rosenblatt

AGREED AND ACCEPTED:



W. Carl Richards, Jr., Supervisor
Zoning Review Bureau

69-105-X
Mushroom Transp. Co., Inc. 4000
Profits Building 4000
15th St. N.W.
Washington, D.C.

PETITION FOR ZONING RECLASSIFICATION
AND/OR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY
Mushroom Transportation Company Employees Profit Sharing Plan
I, or we, of Philadelphia, Pennsylvania, owner of the property situated in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition the Zoning Commission of Baltimore County to reclassify the property as a truck terminal, pursuant to the Zoning Law of Baltimore County, from its present classification of residential, single detached, to an industrial, light, classification.

See attached description

and (2) for a Special Exception, under the said Zoning Law and Zoning Regulations of Baltimore County, to use the herein described property, for, a truck terminal.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above reclassification, and/or Special Exception advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Mushroom Transportation Company Employees Profit Sharing Plan of Philadelphia, Pennsylvania

Contract purchaser

R. G. Cutler, Jr.
Secretary to Trustees
Address: 1201 Parkman Avenue
Baltimore, Maryland 21204

Address

James H. Cook, Petitioner's Attorney

Protestant's Attorney

Address: 22 W. Pennsylvania Avenue
Towson, Maryland 21204

ORDERED By The Zoning Commissioner of Baltimore County, this 4th day of October, 1968, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that the public hearing be held before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 7th day of November, 1968, at 1:00 o'clock P.M.

Zoning Commissioner of Baltimore County

(over)

Pursuant to the advertisement, posting of property, and public hearing on the above petition and it appearing that by reason of the requirements of Section 502, J. of the Baltimore County Zoning Regulations having been the

the above reclassification should be made and it further appearing that by reason of

a Special Exception for a Truck Terminal should be granted. IT IS ORDERED by the Zoning Commissioner of Baltimore County this 14th day of November, 1968, that the herein described property, as herein described, be and the same is hereby granted, from and after the date of this order, subject to approval of the site plan by the State Roads Commission, the Bureau of Public Services and the Office of Planning and Zoning.

Pursuant to the advertisement, posting of property and public hearing on the above petition and it appearing that by reason of

the above reclassification should NOT BE MADE, and/or the Special Exception should NOT BE GRANTED.

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 14th day of November, 1968, that the above reclassification be and the same is hereby DENIED and that the above described property or area be and the same is hereby continued as and to remain a residential, single detached zone; and/or the Special Exception for a Truck Terminal be and the same is hereby DENIED.

Zoning Commissioner of Baltimore County

ORDER RECEIVED FOR FILING
DATE 10/14/68
FILED 10/14/68



STATE OF MARYLAND
STATE ROADS COMMISSION
300 WEST PENTON STREET
BALTIMORE, MD. 21201
September 24, 1968

Mr. James E. Dyer
Office of Zoning
County Office Bldg.
Towson, Maryland 21204

Re: Zoning Advisory Committee
Meeting
August 6, 1968
Item 32, Mushroom Transportation Company - Washington Blvd. (Route 1) South of Lonsdowne Road

Dear Mr. Dyer:

This office has reviewed the subject plot plan and a centerline profile of Washington Blvd. and made an on-site inspection with a member of the Baltimore County Bureau of Traffic Engineering.

We concur with the aforementioned agency that at no point along the frontage of the property is there adequate stopping sight distance.

We also agree that the least objectionable location for the entrance is near the crest of the hill - 40 ft. north of S. E. pole No. 359416, 475' from the north property line.

It is requested that the plan be revised accordingly prior to a hearing date being assigned.

Thank you for your cooperation.

Very truly yours,
Charles Lee, Chief
Development Engineering Section

By: John E. Meyers
Asst. Development Engineer



MATZ, CHILDS & ASSOCIATES, INC.
CONSULTING ENGINEERS
1020 Cromwell Bridge Rd., Baltimore, Md. 21204, Tel. 301-803-0900

DESCRIPTION

20.64 ACRE PARCEL, NORTHWEST SIDE OF WASHINGTON BOULEVARD, 190 FEET, MORE OR LESS, SOUTHWEST OF NEW SULPHUR SPRING ROAD, THIRTEENTH ELECTION DISTRICT, BALTIMORE COUNTY, MARYLAND.

THIS DESCRIPTION IS FOR "M-L" WITH SPECIAL EXCEPTION

Beginning for the same at a point on the northwest side of Washington Boulevard, at the distance of 190 feet, more or less, as measured southwesterly along the northwest side of said Washington Boulevard from its intersection with the center line of New Sulphur Spring Road, as extended, running thence, binding on the northwest side of said Washington Boulevard, two courses, (1) S 18° 12' 37" W - 551.02 feet, and (2) S 22° 58' 33" W - 86.36 feet, thence leaving said Washington Boulevard and running six courses, (3) N 86° 10' 27" W - 1384.23 feet, (4) S 53° 49' 33" E - 549.17 feet, (5) N 31° 50' 33" E - 764.50 feet, (6) S 58° 50' 27" E - 414.50 feet, (7) S 51° 01' 33" W - 40.00 feet and (8) S 62° 07' 00" E - 458.01 feet to the place of beginning.

Containing 20.64 acres of land, more or less.

10/14/68

J. O. 47214

July 9, 1968

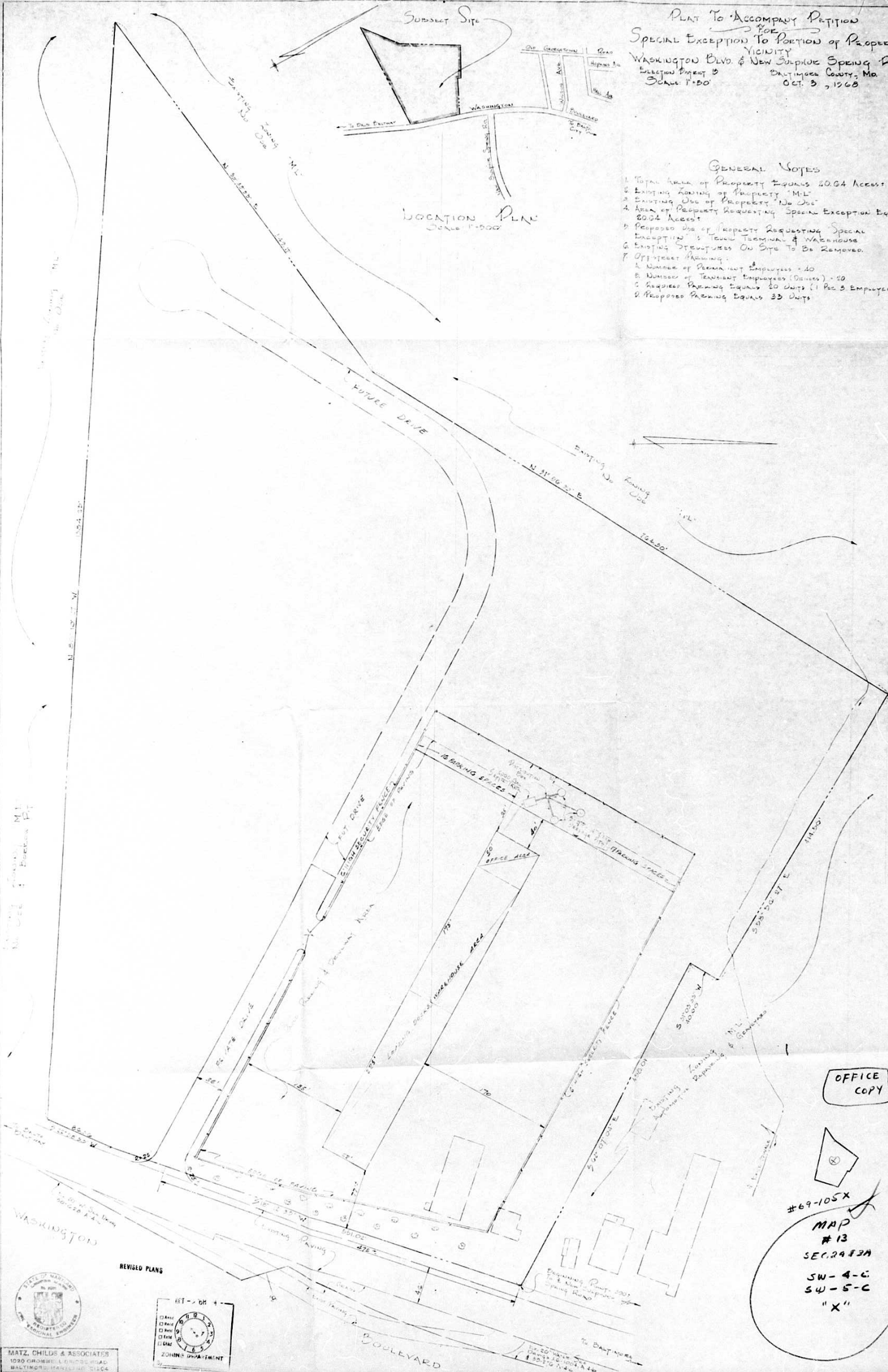
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PLAN TO ACCOMPANY PETITION
FOR
SPECIAL EXCEPTION TO PORTION OF PROPERTY
VICINITY
WASHINGTON BLVD. & NEW SULPHUR SPRING RD.
BALTIMORE COUNTY, MD.
OCT. 3, 1968
SCALE 1"=50'

GENERAL NOTES

1. Total Area of Property Equals 20.64 Acres
2. Existing Zoning of Property "ML"
3. Existing Use of Property "No Use"
4. Area of Property Requesting Special Exception Equals 20.64 Acres
5. Proposed Use of Property Requesting Special Exception "A Town Terminal & Warehouse"
6. Existing Structures On Site To Be Removed.
7. Off-Site Parking:
 - A. Number of Permanent Employees - 20
 - B. Number of Temporary Employees (Daily) - 50
 - C. Required Parking Equals 20 CARS (1 Per 5 Employees)
 - D. Proposed Parking Equals 33 CARS

LOCATION PLAN
SCALE 1"=500'



OFFICE
COPY

#69-105X

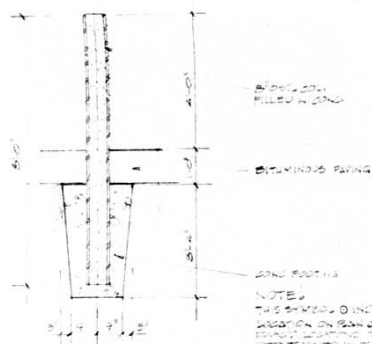
MAP
#13
SEC. 24 & 3A
SW-4-C
SW-5-C
"X"

REVISED PLANS



MATZ, CHILDS & ASSOCIATES
1090 GUNNELL DRIVE, BALTIMORE, MD. 21201
WASHINGTON, D.C. 20004
BALTIMORE, MD. 21201
BALTIMORE, MD. 21201
BALTIMORE, MD. 21201

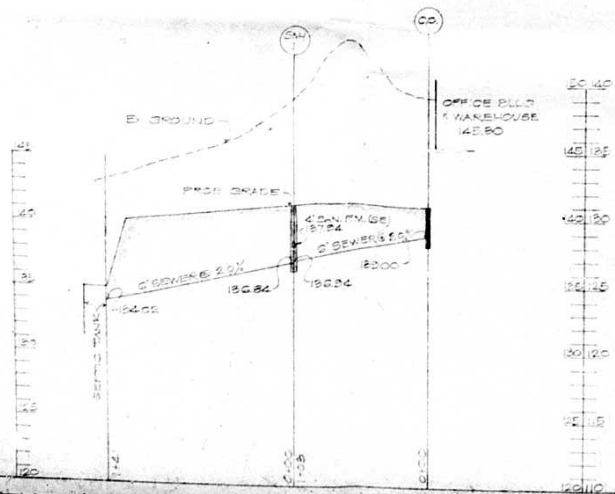
1. ALL UTILITIES TO BE PLACED UNDER BALTIMORE COUNTY SPECIFICATIONS OR IN ACCORDANCE WITH BALTIMORE CITY'S QUALIFIED UTILITY CONTRACTOR.
2. PROVIDED WATER MAIN TO HAVE A MINIMUM OF 40" DEEPS FROM EXPOSED GRADE. WATER MAIN SHALL HAVE MINIMUM 5' CLEARANCE WITH ALL STORM DRAINAGE AND 10' MINIMUM CLEARANCE WITH ALL SEWERS.
3. BUILDING PERMITS MUST BE OBTAINED BY CONTRACTOR PRIOR TO BEGINNING OF ANY STRUCTURE ON.
4. WATER MAIN SERVICE TO BE INSTALLED TO WITHIN 5' OF BUILDING LATER THAN THE CONTRACT.
5. CONTRACTOR IS RESPONSIBLE FOR PROTECTION OF ANY EXISTING BUILDING EXISTING AT TIME OF UTILITIES BEING INSTALLED BY SHEETING OR SHIELDING ON OTHER EXISTING MEANS.
6. CONTRACTOR WILL BE REQUIRED TO CONTACT AN JOHN WENDE OR JOHN WENDE JR. FOR THE NECESSARY PERMITS UNDER THE JOINT AGREEMENTS TO THE SURFACE AND WITHIN TO BE DONE IN ADJUNCTION TO BUILDING AND DRAINAGE TO BE IN ACCORDANCE TO THE BUILDING PERMITS.
7. CONTRACTOR IS TO BE RESPONSIBLE FOR THE PERMITS.
8. CONTRACTOR WILL BE RESPONSIBLE FOR THE PERMITS TO INSTALL OTHER UTILITIES.
9. OTHER UTILITIES REQUIRED:
 - A. NUMBER OF PERMANENT EMPLOYEES: 0
 - B. NUMBER OF TEMPORARY EMPLOYEES (GIVERS): 30
 - C. REQ. GDP PARKING: 20 UNITS (1/5 EMPLOYEES)
 - D. REQ. GDP PARKING: 20 UNITS



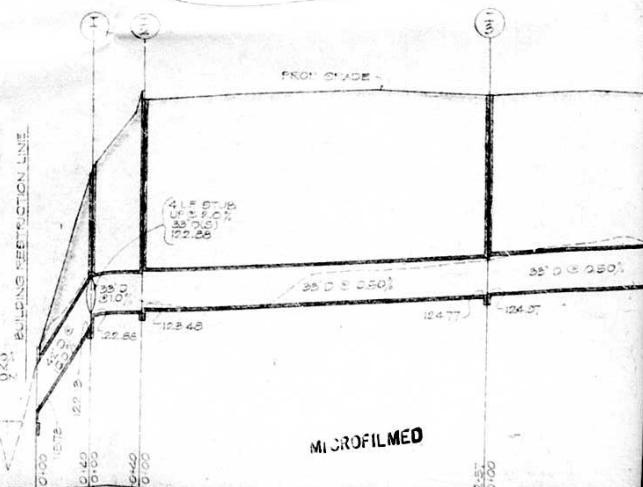
TYPICAL GUARD POST SUBS. 4-10



5' CONCRETE CURB DETAIL
NO SCALE

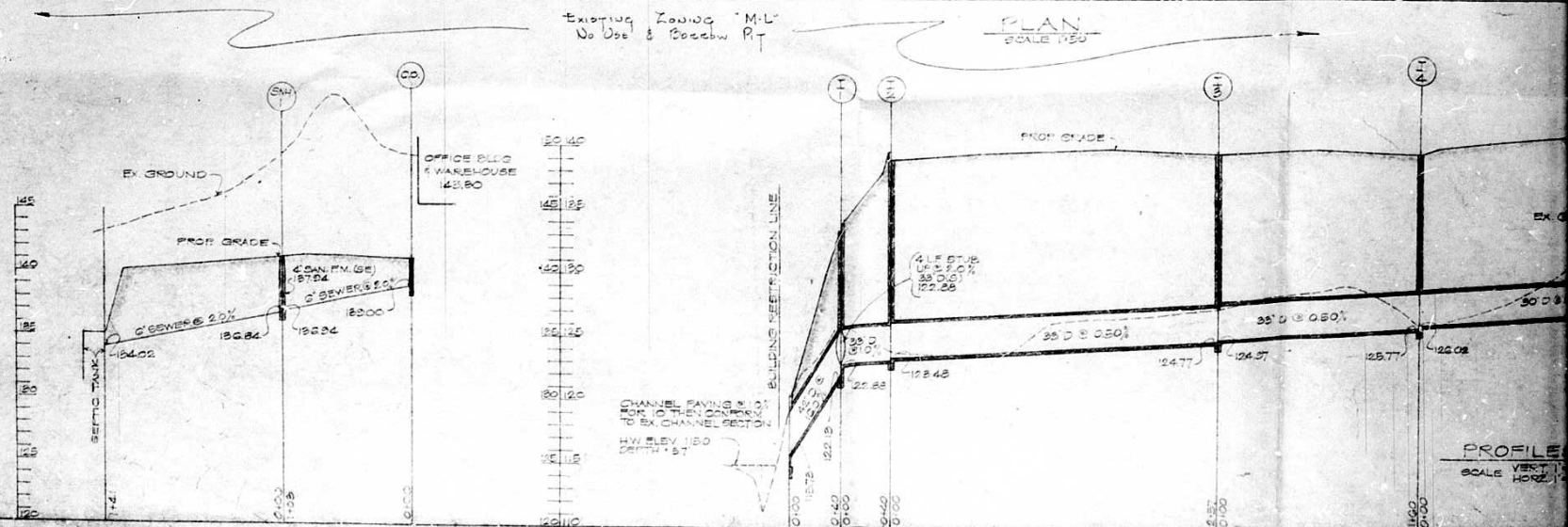
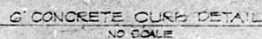
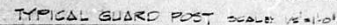


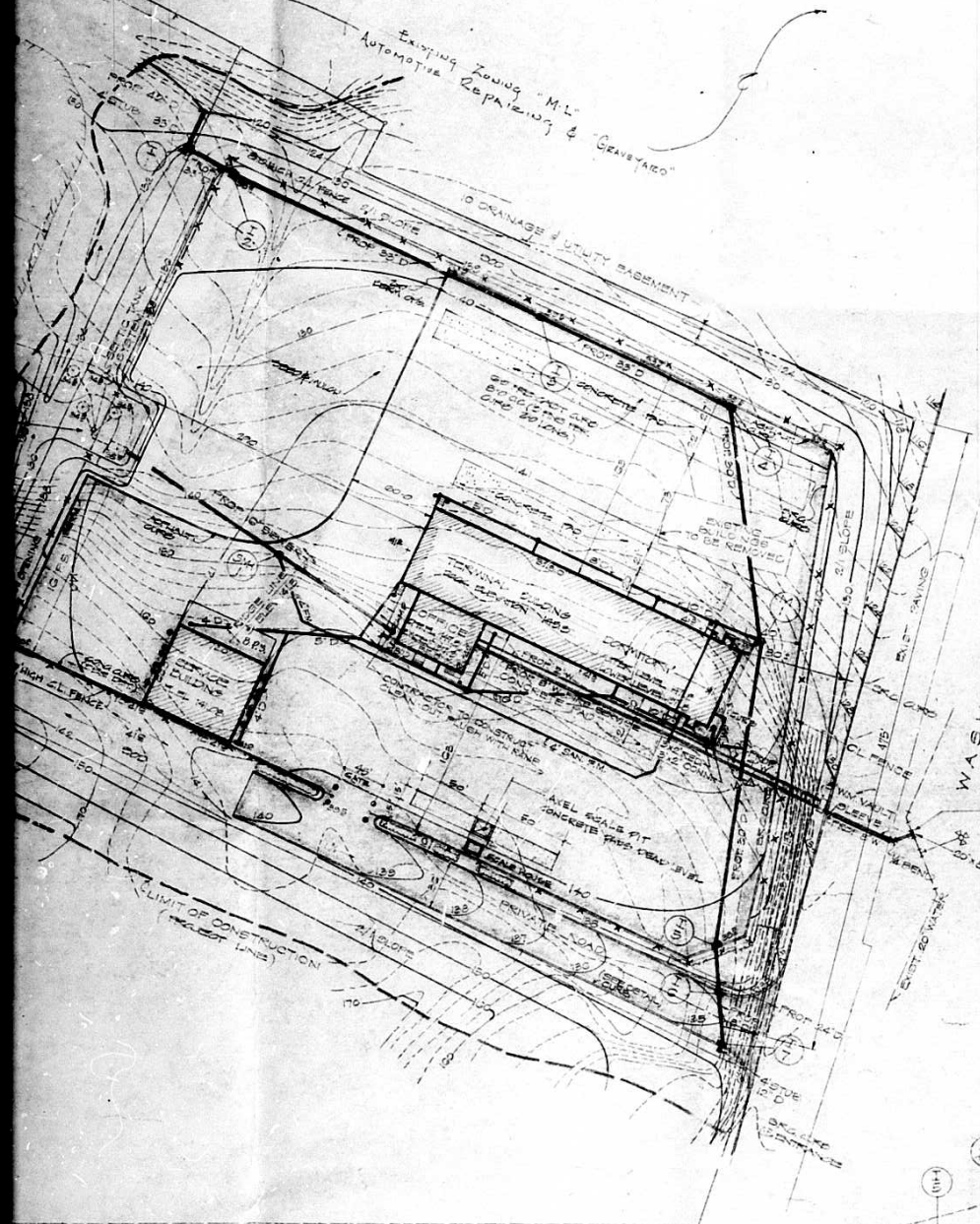
Existing Zoning "M-L"
No Use & Borehole Pit



MICROFILMED

1. ALL UTILITIES TO BE PAINT UNDER BATHING COUNTY SPECIFICATIONS OF APPLICABLE LOCAL AND ENA QUALIFIED UTILITY CONTRACTOR.
2. PROPOSED WATER MAIN TO HAVE A MINIMUM OF 20' COVER FROM FINISHED GRADE. WATER MAIN SHALL HAVE MINIMUM 6" CLEARANCE WITH ALL STORM DRAINAGE AND 10' MINIMUM CLEARANCE WITH ALL SEWERS.
3. BUILDING PERMITS MUST BE OBTAINED BY CONTRACTOR PRIOR TO BEGINNING OF CONSTRUCTION.
4. WATER AND SEWER SERVICES TO BE INSTALLED TO WITHIN 5' OF BUILDINGS UNDER THIS CONTRACT.
5. CONTRACTOR IS RESPONSIBLE FOR PROTECTION OF ANY PROPOSED BUILDING IF EXISTING AT TIME UTILITIES ARE INSTALLED BY SHEETING & SHIELDING ON UNSUITABLE MEANS.
6. CONTRACTOR IS REQUIRED TO CONTACT MR. JOHN MYERS, ENR. ROOM 510 FOR THE IMPROVEMENTS TO BE MADE UNDER PERMIT RELATES TO THE ENTRANCE AND WORK TO BE DONE IN WASHINGTON BOULEVARD. COST OF THIS IMPROVEMENT TO BE INCLUDED IN BID PRICE.
7. FOR PAYING REQUIREMENTS SEE SPECIFICATIONS.
8. CONTRACTOR RESPONSIBLE FOR OBTAINING ALL PERMITS UNLESS OTHERWISE NOTED.
9. OFF STREET PARKING:
 - a. NUMBER OF PERMANENT EMPLOYEES = 50
 - b. NUMBER OF TRANSIENT EMPLOYEES (GUESTS) = 30
 - c. REQUIRED PARKING = 20 UNITS (1/3 EMPLOYEES)
 - d. PROPOSED PARKING = 25 UNITS

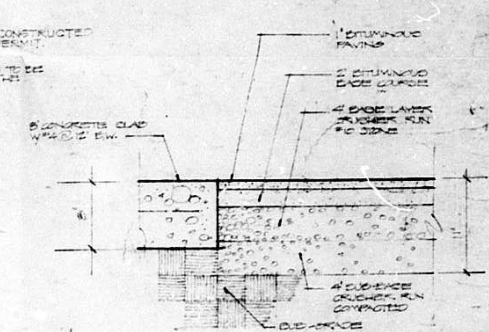




WASHINGTON BOULEVARD

NOTES:

1. WATER CONNECTION TO BE CONSTRUCTED UNDER WATER SERVICE PERMIT (NOT IN CONTRACT)
2. SEWER CONNECTION TO BE CONSTRUCTED UNDER SEWER SERVICE PERMIT (NOT IN CONTRACT)

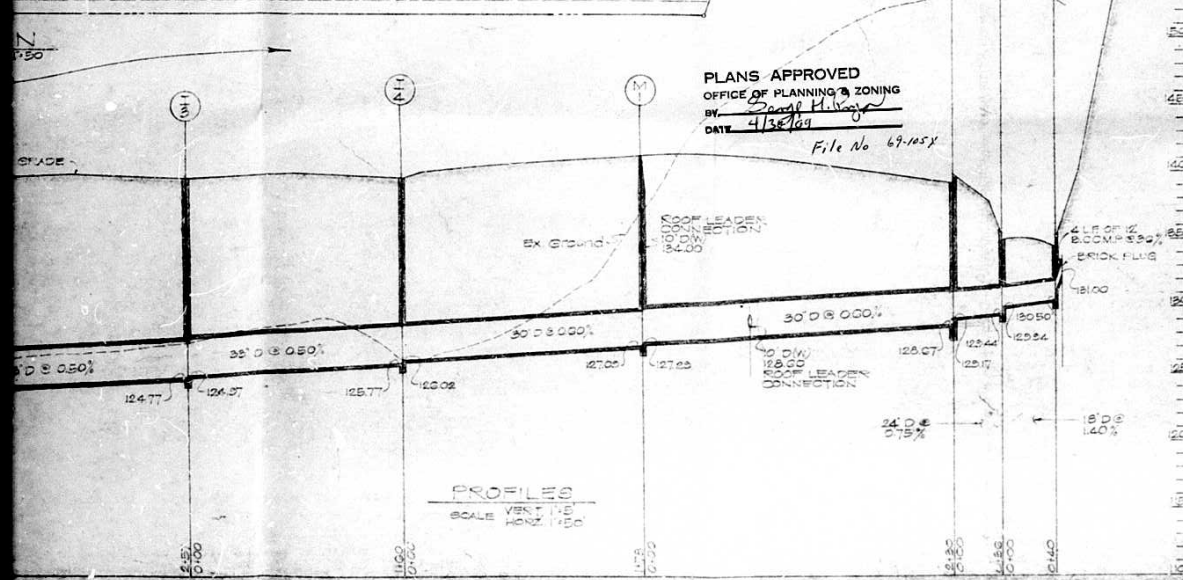


CONCRETE PAVEMENT
ASPHALT PAVEMENT
GRAVEL

NOTES:

1. SEE PLAN FOR DETAILS OF DRAINAGE
2. SEE PLAN FOR DETAILS OF DRAINAGE

PLANS APPROVED
OFFICE OF PLANNING & ZONING
BY: *[Signature]*
DATE: 4/13/69
File No 69-1451



GENERAL REVISIONS II APRIL 10, 1969

ASSOCIATED ARCHITECTS	SITE PLAN & RELATED DETAILS	LAWRENCE A. MENEFEE JR.
2000 N. CALVERT ST. SUITE 100	TRUCK TERMINAL FOR ROBERT REALTY CO. INC.	WASHINGTON COUNTY, MARYLAND
DATE: 4/13/69	SHEET NO. 1	96

CONSULTING ENGINEERS
WATZ, CHILDS & ASSOCIATES
220 CROMWELL PARKER ROAD
TOWSON, MARYLAND 21204