UA-2022-0001-TF
1995-0395-XA

BELCAMP
4692 MILLENNIUM DRIVE
SUITE 100
BELCAMP, MD 21017
(410) 297-2340
FAX (410) 297-2345

GEORGE WILLIAM STEPHENS, JR. AND ASSOCIATES, INC.
CONSULTING ENGINEERS • LAND PLANNERS • LAND SURVEYORS
www.gwstephens.com

DELAWARE
104 E. PINE STREET
GEORGETOWN, DELAWARE 19947
(302) 856-4990
FAX (302) 856-4995

TO: Baltimore County PAI
Zoning Review
111 West Chesapeake Avenue
Towson, MD 21014

DATE: June 23, 2022

REFERENCE: Estes Express Lines
Parking Expansion

PN: 11231-1

ATTENTION: Jeffrey Perlow

SCAN PLAN

We are:
☒ Submitting ☒ Herewith ☐ Under Separate Cover
☐ Forwarding
☐ Returning

COPIES	DESCRIPTION
2	Copies of Approved (Signed) Trucking Facility Site Plan for Estes Express Lines (formerly
	Red Star Express) dated 6/27/95

☒ In accordance with your request
☐ For your review
☐ For processing
☐ Plans reviewed and accepted
☐ Plans reviewed and accepted as noted

☒ For your use
☐ Please call when ready
☐ Please return to this office
☐ Approval requested
☐ Meeting requested

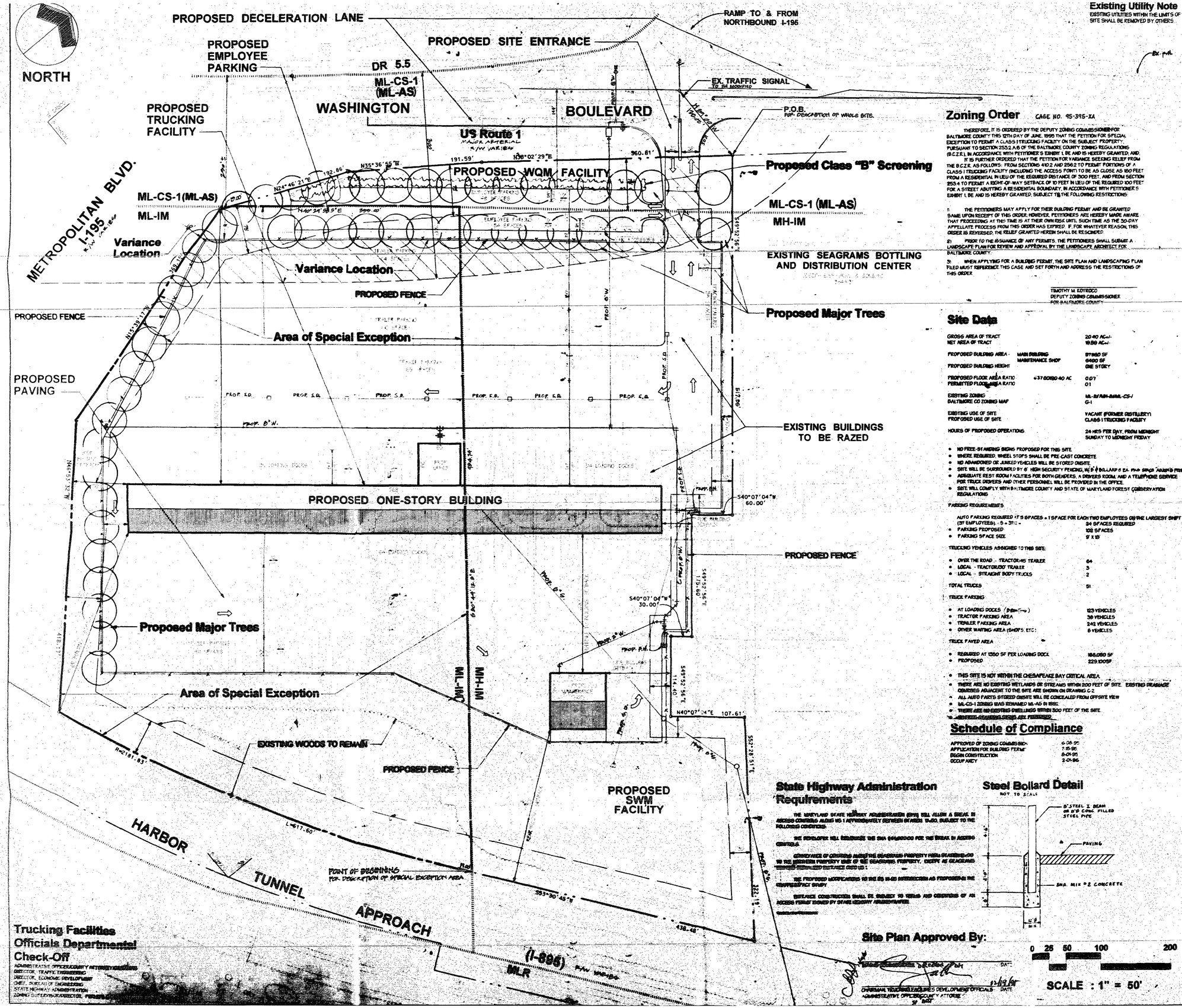
Remarks:

For further information, please contact the writer at this office.

cc: Peterson
518-606-6814

Sincerely yours,

Wayne J. Karch, P.G.



Existing Utility Note

EXISTING UTILITIES WITHIN THE LIMITS OF SITE SHALL BE REMOVED BY OTHERS.

Zoning Order

CASE NO. 95-395-XA

THEREFORE, IT IS ORDERED BY THE DEPUTY ZONING COMMISSIONER FOR BALTIMORE COUNTY THIS 12TH DAY OF JUNE, 1995 THAT THE PETITION FOR SPECIAL EXCEPTION TO PERMIT A CLASS I TRUCKING FACILITY ON THE SUBJECT PROPERTY, PURSUANT TO SECTION 253.2.A.6 OF THE BALTIMORE COUNTY ZONING REGULATIONS (B.C.Z.R.), IN ACCORDANCE WITH PETITIONER'S EXHIBIT 1, BE AND IS HEREBY GRANTED; AND,

IT IS FURTHER ORDERED THAT THE PETITION FOR VARIANCE SEEKING RELIEF FROM THE B.C.Z.R. AS FOLLOWS: FROM SECTIONS 410.2 AND 256.2 TO PERMIT PORTIONS OF A CLASS I TRUCKING FACILITY (INCLUDING THE ACCESS POINT) TO BE AS CLOSE AS 180 FEET FROM A RESIDENTIAL IN LIEU OF THE REQUIRED DISTANCE OF 300 FEET; AND FROM SECTION 253.4 TO PERMIT A RIGHT-OF-WAY SETBACK OF 10 FEET IN LIEU OF THE REQUIRED 100 FEET FOR A STREET ABUTTING A RESIDENTIAL BOUNDARY, IN ACCORDANCE WITH PETITIONER'S EXHIBIT 1, BE AND IS HEREBY GRANTED, SUBJECT TO THE FOLLOWING RESTRICTIONS:

1) THE PETITIONERS MAY APPLY FOR THEIR BUILDING PERMIT AND BE GRANTED SAME UPON RECEIPT OF THIS ORDER; HOWEVER, PETITIONERS ARE HEREBY MADE AWARE THAT PROCEEDING AT THIS TIME IS AT THEIR OWN RISK UNTIL SUCH TIME AS THE 30-DAY APPELLATE PROCESS FROM THIS ORDER HAS EXPIRED. IF, FOR WHATEVER REASON, THIS ORDER IS REVERSED, THE RELIEF GRANTED HEREIN SHALL BE RESCINDED.

2) PRIOR TO THE ISSUANCE OF ANY PERMITS, THE PETITIONERS SHALL SUBMIT A LANDSCAPE PLAN FOR REVIEW AND APPROVAL BY THE LANDSCAPE ARCHITECT FOR BALTIMORE COUNTY.

3) WHEN APPLYING FOR A BUILDING PERMIT, THE SITE PLAN AND LANDSCAPING PLAN FILED MUST REFERENCE THIS CASE AND SET FORTH AND ADDRESS THE RESTRICTIONS OF THIS ORDER.

TIMOTHY M. KOTROCO
DEPUTY ZONING COMMISSIONER
FOR BALTIMORE COUNTY

Site Data

GROSS AREA OF TRACT		20.40 AC+/-
NET AREA OF TRACT		19.50 AC+/-
PROPOSED BUILDING AREA -	MAIN BUILDING	97980 SF
	MAINTENANCE SHOP	6400 SF
PROPOSED BUILDING HEIGHT		ONE STOREY
PROPOSED FLOOR AREA RATIO	637,080/20.40 AC	0.07
PERMITTED FLOOR AREA RATIO		0.1
EXISTING ZONING		ML-IM/MH-IM/ML-CS-1
BALTIMORE CO ZONING MAP		G-1
EXISTING USE OF SITE		VACANT (FORMER DISTILLERY)
PROPOSED USE OF SITE		CLASS I TRUCKING FACILITY
HOURS OF PROPOSED OPERATIONS		24 HRS PER DAY, FROM MIDNIGHT SUNDAY TO MIDNIGHT FRIDAY

- NO FREE-STANDING SIGNS PROPOSED FOR THIS SITE.
- WHERE REQUIRED, WHEEL STOP'S SHALL BE PRE-CAST CONCRETE
- NO ABANDONED OR JUNKED VEHICLES WILL BE STORED ONSITE.
- SITE WILL BE SURROUNDED BY 6' HIGH SECURITY FENCING, W/ 8" Ø BOLLARDS 6 EA. PER SIDE AROUND FENCE.
- ADEQUATE REST ROOM FACILITIES FOR BOTH GENDERS, A DRIVERS ROOM AND A TELEPHONE SERVICE FOR TRUCK DRIVERS AND OTHER PERSONNEL WILL BE PROVIDED IN THE OFFICE.
- SITE WILL COMPLY WITH BALTIMORE COUNTY AND STATE OF MARYLAND FOREST CONSERVATION REGULATIONS

PARKING REQUIREMENTS

AUTO PARKING REQUIRED AT 5 SPACES + 1 SPACE FOR EACH TWO EMPLOYEES ON THE LARGEST SHIFT (37 EMPLOYEES). 5 + 37/2 =	24 SPACES REQUIRED
• PARKING PROPOSED	102 SPACES
• PARKING SPACE SIZE	9' x 19'

TRUCKING VEHICLES ASSIGNED TO THIS SITE:

• OVER THE ROAD - TRACTOR/45 TRAILER	64
• LOCAL - TRACTOR/30' TRAILER	5
• LOCAL - STRAIGHT BODY TRUCKS	2
TOTAL TRUCKS	51

TRUCK PARKING

• AT LOADING DOCKS (PER TRUCK)	123 VEHICLES
• TRACTOR PARKING AREA	38 VEHICLES
• TRAILER PARKING AREA	242 VEHICLES
• OTHER WAITING AREA (SHOP'S, ETC)	6 VEHICLES
TRUCK PAVED AREA	
• REQUIRED AT 1350 SF PER LOADING DOCK	166,050 SF
• PROPOSED	229,100 SF

- THIS SITE IS NOT WITHIN THE CHESAPEAKE BAY CRITICAL AREA.
- THERE ARE NO EXISTING WETLANDS OR STREAMS WITHIN 200 FEET OF SITE. EXISTING DRAINAGE COURSES ADJACENT TO THE SITE ARE SHOWN ON DRAWING C-2.
- ALL AUTO PARTS STORED ONSITE WILL BE CONCEALED FROM OFFSITE VIEW
- ML-CS-1 ZONING WAS RENAMED ML-AS IN 1992.
- THERE ARE NO EXISTING DWELLINGS WITHIN 300 FEET OF THE SITE.
- ADDRESSES-BUILDING LOCATIONS ARE PROPOSED.

Schedule of Compliance

APPROVED OF ZONING COMMISSIONER	6-09-95
APPLICATION FOR BUILDING PERMIT	7-15-95
BEGIN CONSTRUCTION	8-01-95
OCCUPANCY	2-01-96

State Highway Administration Requirements

THE MARYLAND STATE HIGHWAY ADMINISTRATION (SHA) WILL ALLOW A BREAK IN ACCESS CONTROL ALONG US 1 APPROXIMATELY BETWEEN STATIONS 19+00. SUBJECT TO THE FOLLOWING CONDITIONS:

THE DEVELOPER WILL REIMBURSE THE SHA $40,000.00 FOR THE BREAK IN ACCESS CONTROL.

CONVEYANCE OF CONTROL ALONG THE SEAGRAMS PROPERTY FROM STATIONS 19+00 TO THE WESTERN PROPERTY LINE OF THE SEAGRAMS PROPERTY, EXCEPT AS SEAGRAMS [illegible] DRIVEWAY ENTRANCE DESCRIBED.

THE PROPOSED MODIFICATIONS TO THE US 1/I-95 INTERSECTION AS PROPOSED IN THE REVIEW/FACT STUDY.

DRIVEWAY CONSTRUCTION SHALL BE SUBJECT TO TERMS AND CONDITIONS OF AN ACCESS PERMIT ISSUED BY STATE HIGHWAY ADMINISTRATION.

Steel Bollard Detail

NOT TO SCALE

Site Plan Approved By:

DATE

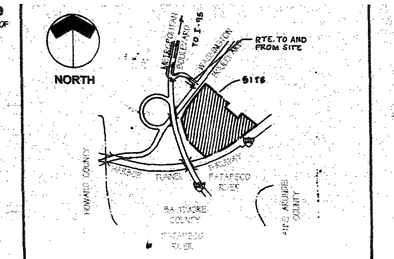
CHAIRMAN, TRUCKING FACILITIES DEVELOPMENT OFFICIALS — DATE 12/19/96
ADMINISTRATIVE OFFICER/COUNTY ATTORNEY

0 25 50 100 200

SCALE : 1" = 50'

Trucking Facilities Officials Departmental Check-Off

ADMINISTRATIVE OFFICER/COUNTY ATTORNEY
DIRECTOR, TRAFFIC ENGINEERING
DIRECTOR, ECONOMIC DEVELOPMENT
CHIEF, BUREAU OF ENGINEERING
STATE HIGHWAY ADMINISTRATION
ZONING SUPERVISOR/DIRECTOR, PERMITS & LICENSES



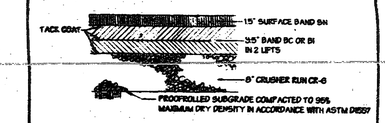
VICINITY MAP

SCALE = 1" = 1000'

Paving Section

NOT TO SCALE

NOTE: IN ACCORDANCE WITH MDOT STANDARD FOR CONSTRUCTION AND MATERIALS



Paving Certification

BY HALEY & ALDRICH, INC.

I HEREBY CERTIFY THAT THE SPECIFICATIONS FOR THE PAVING SECTION, WHICH IS A MINIMUM PAVING SECTION, INCLUDING THE SUBBASE, AND SOIL CONDITIONS RELATIVE TO THIS SITE, ARE CAPABLE OF WITHSTANDING LOADS IMPOSED BY FULLY LOADED TRUCKS OF MAXIMUM GROSS WEIGHT OF 73280 POUNDS.

B:\TNTREDSTAR\REDSTAR.DOC

SEALED FOR PAVING SECTION & CERTIFICATION ONLY.

STATE OF MARYLAND — JEFFREY PIERLOW — No. 15611 — PROFESSIONAL ENGINEER

Truck Travel Routes

EXITING SITE:

- 50% OF EXIT TRUCK TRAFFIC WILL TAKE I-195 NORTH TO I-95 APPROXIMATELY 50% WILL THEN TRAVEL NORTH ON I-95 AND 50% SOUTH ON I-95.
- REMAINDER WILL TRAVEL NORTH AND SOUTH ON US ROUTE 1

ARRIVING AT SITE, MOVEMENTS WILL BE APPROXIMATELY THE REVERSE OF THE ABOVE.

Zoning History

SITE WAS SUBJECT OF TWO LIMITED EXEMPTIONS:

SEC NO. 1990-40, TO EXEMPT PROJECT FROM PHASE 1 OF BALTIMORE COUNTY DEVELOPMENT REGULATIONS, FOR LOT LINE ADJUSTMENT

SEC NO. 1990-91, TO EXEMPT PROJECT FROM PHASE 1 OF BALTIMORE COUNTY DEVELOPMENT REGULATIONS.

Note:

A VARIANCE TO PERMIT A PORTION OF THE PROPOSED CLASS I TRUCKING FACILITY LESS THAN 300 FEET FROM A RESIDENTIAL ZONE BOUNDARY AND A SPECIAL EXCEPTION TO PERMIT THE PROPOSED CLASS I TRUCKING FACILITY IN AN ML ZONE, WAS GRANTED ON 6-12-95.

OWNER

JOSEPH E. SEAGRAM & SONS, INC.
5001 WASHINGTON BOULEVARD
BALTO., MD 21227

DEVELOPER

TNT RED STAR EXPRESS
400 DELANCY STREET
NEWARK, NJ 07105

Trucking Facility Site Plan

UA-2022-0001-TF
1995-0395-XA

TNT RED STAR EXPRESS

APPROVED AS BEING IN THE SPIRIT & INTENT OF ZONING CASE # 1995-0395-XA AND PRIOR TRUCKING FACILITY PLANS.
[illegible] 8/8/22

STATE OF MARYLAND — JEFFREY PIERLOW — No. 15611 — PROFESSIONAL ENGINEER

GWS — GEORGE WILLIAM STEPHENS, JR. AND ASSOCIATES, INC.
CIVIL ENGINEERS & LAND SURVEYORS
606 BOSLEY AVENUE, SUITE 100
TOWSON, MARYLAND 21204
(410) 823-4510

NO.	DATE	REVISIONS	BY
1	6-30-95	REVISED PER ZONING COMMENTS	RE
2	8-22-96	REVISED ENTRANCE PER SHA	RE

SCALE: 1" = 50'
DATE: 6-27-95
JOB NO.: 7692
DESIGNED: TMV
DRAWN: JHC
CHECKED: JMT
FIELD TRIP: 10-6-94
DRAWING NUMBER: Z-1
SHEET 1 OF 2

IN RE: PETITIONS FOR SPECIAL EXCEPTION AND VARIANCE - SE/Corner Washington Blvd. and Metropolitan Blvd. (5001 Washington Boulevard) 13th Election District 1st Councilmanic District	*	BEFORE THE DEPUTY ZONING COMMISSIONER OF BALTIMORE COUNTY
	*	Case No. 95-395-XA
Joseph E. Seagram & Sons, Inc. Petitioners	*	

* * * * * * * * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as Petitions for Special Exception and Variance for that property known as 5001 Washington Boulevard, located in the vicinity of Catonsville, between Washington Boulevard and the Harbor Tunnel Thruway. The Petitions were filed by the owners of the property, Joseph E. Seagram and Sons, Inc., by Gary Riffee, Comptroller, and the Contract Purchaser, TNT Red Star Express, by Ken Adams, Vice President, through their attorney, Robert A. Hoffman, Esquire. The Petitioners seek special exception relief to permit a Class I Trucking Facility on the subject property, pursuant to Section 253.2.A.6 of the Baltimore County Zoning Regulations (B.C.Z.R.), and variance relief from the B.C.Z.R. as follows: From Sections 410.2 and 256.2 to permit portions of a Class I Trucking Facility (including the access point) to be as close as 180 feet to a residential zone in lieu of the required distance of 300 feet, and from Section 253.4 to permit a right-of-way setback of 10 feet in lieu of the required 100 feet from a street abutting a residential boundary. The subject property and relief sought are more particularly described on the site plan submitted and accepted into evidence as Petitioner's Exhibit 1.

Appearing at the hearing on behalf of the Petitions were Ken Adams for TNT Red Star Express, the Contract Purchaser, Thomas N. Woolfolk,

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Date 6/12/95
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Registered Landscape Architect who prepared the site plan for the subject property, Robert A. Hoffman, Esquire, attorney for the Petitioners, and numerous other individuals who appeared on behalf of the Contract Purchaser. There were no Protestants present.

Testimony and evidence offered revealed that the subject property consists of a gross area of 20.4 acres, more or less, split zoned M.L.-I.M. and M.H.-I.M. and was formerly the site of the Seagrams Bottling and Distribution Center. The Petitioners have contracted to sell the property to TNT Red Star Express, which is desirous of establishing a Class I Trucking Facility on the premises. Testimony indicated that a Class I trucking facility is permitted as of right in the M.H. zone, however, a special exception is required for such use in the M.L. zone. Inasmuch as the zoning line runs through the center of the property, the relief requested is necessary in order to proceed as proposed.

As to the Petition for Variance, testimony indicated that the relief requested is necessitated by virtue of D.R. 5.5 zoned land being located across from this site on Washington Boulevard. On behalf of the Petitioners, Counsel pointed out on the 200-foot scale zoning map, that most of the property actually zoned residential is contained within the cloverleaf access to the Harbor Tunnel Thruway which runs adjacent to this site. As common sense would dictate, this land would never be used for residential purposes given its location; however, the property is zoned D.R. 5.5 and, therefore, the relief requested is necessary.

Mr. Ken Adams, Vice President of TNT Red Star Express, testified that the trucking industry has slowly changed from a national business to more of a regional concern. He testified that TNT Red Star Express operates primarily on the east coast, from the Carolinas up through New York

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and New England. Mr. Adams testified that it is important for Red Star Express to have a hub centrally located in this area of Baltimore County to allow for the orderly and efficient flow of freight hauled by TNT Red Star Express. Mr. Adams stated that Federal regulations restrict the number of hours that a driver can operate his vehicle on any given day and therefore, it is important that a driver be able to transfer his freight to another driver to keep it moving to its final destination. Furthermore, Mr. Adams testified that Red Star Express hopes to employ some 150 individuals at this location and expects to spend $5,000,000 to construct this facility.

It is clear that the B.C.Z.R. permits the use proposed in the M.L. zone by special exception. It is equally clear that the proposed use would not be detrimental to the primary uses in the vicinity. Therefore, it must be determined if the conditions as delineated in Section 502.1 are satisfied.

The Petitioner had the burden of adducing testimony and evidence which would show that the proposed use met the prescribed standards and requirements set forth in Section 502.1 of the B.C.Z.R. The Petitioner has shown that the proposed use would be conducted without real detriment to the neighborhood and would not adversely affect the public interest. The facts and circumstances do not show that the proposed use at the particular location described by Petitioner's Exhibit 1 would have any adverse impact above and beyond that inherently associated with such a special exception use, irrespective of its location within the zone. Schultz v. Pritts, 432 A.2d 1319 (1981).

The proposed use will not be detrimental to the health, safety, or general welfare of the locality, nor tend to create congestion in

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roads, streets, or alleys therein, nor be inconsistent with the purposes of the property's zoning classification, nor in any other way be inconsistent with the spirit and intent of the B.C.Z.R.

After reviewing all of the testimony and evidence presented, it appears that the special exception should be granted with certain restrictions as more fully described below.

The B.C.Z.R., specifically Section 307.1, established a two-step process for the granting of variances. That two-step process was addressed and identified by the Court of Special Appeals in the case of Cromwell v. Ward, 102 Md. App. 691 (1995). The opinion in that case, issued January 4, 1995 and authored by the Honorable J. Cathell, interpreted our regulations to require the applicant to establish the following:

First, the Applicant (Petitioner) must prove, and this Deputy Zoning Commissioner must find, that the "property whereon structures are to be placed (or uses conducted) is -- in and of itself-- unique and unusual in a manner different from the nature of surrounding properties such that the uniqueness and peculiarity of the subject property causes the zoning provision to impact disproportionately upon that property."

I find from the testimony and evidence presented in this case that the subject property is unique, unusual and different from properties which surround the subject site so as to cause this applicable zoning provision to impact disproportionately upon this particular parcel of land.

Having satisfied this "first step" the Applicant (Petitioner) must proceed to the "second step" of this variance process, which is to show that strict compliance with the zoning regulations for Baltimore County would result in practical difficulty or unreasonable hardship.

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The practical difficulty or unreasonable hardship guidelines that have been imposed by the Baltimore County Zoning Regulations (B.C.Z.R.) have been thoroughly examined and discussed by the appellate courts of this State. In Loyola Federal Savings and Loan Association v. Buschman, 227 Md. 243, 176 A.2d 355 (1961), the Court of Appeals considered the identical regulation to Section 307.1 of the B.C.Z.R.

As the Court noted: "Section 307 of the Regulations uses the two terms (practical difficulty or unreasonable hardship) in the disjunctive." Loyola Federal, p. 358. Thus, by the use of the term "or", Section 307 offers the Petitioner an opportunity to obtain its variance upon satisfaction of either the undue hardship or practical difficulty standard.

The distinction between these standards was clarified by the Court of Special Appeals in Anderson v. Board of Appeals, Town of Chesapeake Beach, 22 Md. App. 28, 322 A.2d 220 (1974). Within that opinion, the Court held that the undue hardship standard applies to a petition for a use variance. The Court noted that a use variance, which permits a use on the property other than that specifically permitted in that particular district, requires the imposition of a higher standard. That is, to allow the change of use for a particular property requires the Petitioner to demonstrate real hardship, where the land cannot allow a reasonable return if used only in accordance with the use restrictions of the ordinance.

Compared with this heavy burden, the Court reviewed the practical difficulty standard applicable for area variances. The Court characterized area variances as having a much less drastic effect than use variances, in that they seek relief only from height, area, setback, or side property line restrictions and would not affect the property's use, per se. The Court envisioned the impact of area variances on the surrounding locale to

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Date
By

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be less than that generated by use variances, and thus, the lesser practical difficulty standard applies. The prongs of that standard which must be satisfied by the Petition, as enunciated in Anderson, supra, are as follows:

> 1) whether compliance with the strict letter of restrictions governing area, setbacks, frontage, height, bulk or density would unreasonably prevent the owner from using the property for a permitted purpose or would render conformity with such restrictions unnecessarily burdensome;
>
> 2) whether a grant of the variance applied for would do substantial injustice to applicant as well as to other property owners in the district or whether a lesser relaxation than that applied for would give substantial relief to the owner of the property involved and be more consistent with justice to other property owners; and
>
> 3) whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson, p. 39. See also McLean v. Soley, 270 Md. 208 (1973) at pps. 214-215.

I find from the testimony and evidence presented at the hearing before me that the Petitioners have in fact proven the practical difficulty standards as set forth above and that the variance requested should be granted. I further find that the granting of this variance is in strict harmony with the spirit and intent of the B.C.Z.R. and that the granting of this relief is accomplished without injury to the public health, safety or general welfare.

Pursuant to the advertisement, posting of the property, and public hearing on these Petitions held, and for the reasons given above, the special exception and variance relief should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 12th day of June, 1995 that the Petition for Spe-

ORDER RECEIVED FOR FILING
Date 6/12/95
By

cial Exception to permit a Class I Trucking Facility on the subject property, pursuant to Section 253.2.A.6 of the Baltimore County Zoning Regulations (B.C.Z.R.), in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that the Petition for Variance seeking relief from the B.C.Z.R. as follows: From Sections 410.2 and 256.2 to permit portions of a Class I Trucking Facility (including the access point) to be as close as 180 feet from a residential in lieu of the required distance of 300 feet, and from Section 253.4 to permit a right-of-way setback of 10 feet in lieu of the required 100 feet for a street abutting a residential boundary, in accordance with Petitioner's exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

> 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the relief granted herein shall be rescinded.
>
> 2) Prior to the issuance of any permits, the Petitioners shall submit a landscape plan for review and approval by the Landscape Architect for Baltimore County.
>
> 3) When applying for a building permit, the site plan and landscaping plan filed must reference this case and set forth and address the restrictions of this Order.

Timothy Kotroco

TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

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Date 11/12/88
By

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning

Suite 112 Courthouse
400 Washington Avenue
Towson, MD 21204

(410) 887-4386

June 12, 1995

Robert A. Hoffman, Esquire
Venable, Baetjer & Howard
210 Allegheny Avenue
Towson, Maryland 21204

RE: PETITIONS FOR SPECIAL EXCEPTION AND VARIANCE
SE/Corner Washington Blvd. and Metropolitan Blvd.
(5001 Washington Boulevard)
13th Election District - 1st Councilmanic District
Joseph E. Seagram & Sons, Inc. - Petitioners
Case No. 95-395-XA

Dear Mr. Hoffman:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petitions for Special Exception and Variance have been granted in accordance with the attached Order.

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

Very truly yours,

Timothy Kotroco

TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

cc: Mr. Gary Riffee, Comptroller, Joseph E. Seagram & Sons, Inc.
5002 Washington Boulevard, Baltimore, Md. 21227

Mr. Ken Adams, Vice President, TNT Red Star Express
400 Delaney Street, Newark, N.J. 07105

Mr. Thomas N. Woolfolk, G. W. Stephens, Jr. & Assoc., Inc.
658 Kenilworth Drive, Suite 100, Towson, Md. 21204

People's Counsel; File

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Printed with Soybean Ink
on Recycled Paper

391

Petition for Special Exception

95-395-XA

to the Zoning Commissioner of Baltimore County

for the property located at Washington Boulevard

which is presently zoned MH-IM & ML-IM
~~ML-CSI~~ (ML-AS)

This Petition shall be filed with the Office of Zoning Administration & 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 a Class I Trucking Facility pursuant to Section 253.2.A.~~1~~6 TMK of the Baltimore County Zoning Regulations

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

I, or we, agree to pay expenses of above 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.

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

TNT Red Star Express
(Type or Print Name)

By: [signature]
Signature Ken Adams, Vice President

400 Delaney Street
Address

Newark New Jersey 07105
City State Zipcode

Legal Owner(s):

Joseph E. Seagram & Sons, Inc.
(Type or Print Name)

By: Gary Riffee
Signature Gary Riffee, Comptroller

(Type or Print Name)

Signature

5001 Washington Boulevard
Address Phone No

Baltimore Maryland 21227
City State Zipcode

Attorney for Petitioner

Robert A. Hoffman
(Type or Print Name)

[signature]
Signature

Venable, Baetjer and Howard, LLP
210 Allegheny Avenue 494-6200
Address Phone No.

Towson Maryland 21204
City State Zipcode

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

Robert A. Hoffman
Venable, Baetjer and Howard, LLP
Name 210 Allegheny Avenue
Towson, Maryland 21204 494-6200
Address Phone No.

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING _____
unavailable for Hearing

the following dates _____ Next Two Months

ALL _____ OTHER _____

REVIEWED BY: _____ DATE _____

ORDER RECEIVED FOR FILING
Date 4/12/95
By

DROP-OFF
No REVIEW
4/26/95
KCR

Zoning Administration & Development Management

MICROFILMED

391

Petition for Variance

95-395-XA

to the Zoning Commissioner of Baltimore County

for the property located at Washington Boulevard

which is presently zoned MH-IM & ML-IM

ML-CS1 (ML-AS)

This Petition shall be filed with the Office of Zoning Administration & 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 Variance from Section(s)

410.2 and 256.2 of the Baltimore County Zoning Regulations to permit portions of a Class I trucking facility (including the access point) to be as close as ~~256~~ 180 ft feet in lieu of the required 300 feet; and a Variance of Section 253.4 to permit a 10 ft. setback from the right of way of a street abutting a residential boundary in * of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (indicate hardship or practical difficulty)

To be determined at hearing.

* lieu of the required 100 ft. setback.

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

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

I/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.

TNT Red Star Express
(Type or Print Name)

By: [signature]
Signature Ken Adams, Vice President

400 Delaney Street
Address

Newark New Jersey 07105
City State Zipcode

Attorney for Petitioner.

(Type or Print Name) [signature]

Robert A. Hoffman
Signature

Venable, Baetjer and Howard, LLP
210 Allegheny Avenue 494-6200
Address Phone No

Towson Maryland 21204
City State Zipcode

Legal Owner(s)

Joseph E. Seagram & Sons, Inc.
(Type or Print Name)

By: Gary Riffee
Signature Gary Riffee, Comptroller

(Type or Print Name)

Signature

5001 Washington Boulevard
Address Phone No

Baltimore Maryland 21227
City State Zipcode

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

Robert A. Hoffman
Venable, Baetjer and Howard, LLP
Name 210 Allegheny Avenue
Towson Maryland 494-6200
Address Phone No.

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

unavailable for Hearing

the following dates _____ Next Two Months

ALL _____ OTHER _____

REVIEWED BY: _____ DATE _____

ORDER RECEIVED FOR FILING
Date 6/12/95
By

DROP-OFF
NO REVIEW
4/26/95
WCR

Zoning Administration & Development Management

391

95-395-XA

FROM THE OFFICE OF
GEORGE WILLIAM STEPHENS, JR., & ASSOCIATES, INC.
ENGINEERS
658 KENILWORTH DRIVE, SUITE 100, TOWSON, MARYLAND 21204

TNT Red Star

Description to Accompany Zoning Petition
Area of Special Exception

April 25, 1995

BEGINNING at a point on the northerly right-of-way of the Harbor Tunnel Approach, (Interstate 895), width varies, thence leaving said point of beginning and following said right-of-way and running the 7 following courses and distances:

1. South 53 degrees 30 minutes 45 seconds West, 19.00 feet;
2. thence by a curve to the right having a Radius of 2181.83 feet and an Arc Length of 617.60 feet, said curve being subtended by a Chord having a bearing of South 61 degrees 37 minutes 18 seconds West, and a length of 615.54 feet; to the easterly right-of-way line of Metropolitan Boulevard, (Interstate 195), thence along said right-of-way,
3. North 46 degrees 53 minutes 32 seconds West, 418.17 feet;
4. North 15 degrees 39 minutes 17 seconds West, 369.19 feet;
5. North 24 degrees 46 minutes 21 seconds East, 15.00 feet; thence leaving said right-of-way, and following the ML-CS-1/ML-IM Zoning Line as shown on the Baltimore County 200' scale Zoning Map,
6. North 40 degrees 29 minutes 58.5 seconds East, 333.00 feet, and thence following the MH-IM/ML-IM Zoning Line as shown on the Baltimore County 200' scale Zoning Map,
7. South 50 degrees 44 minutes 12.5 seconds East, 954.74 feet to the Place of Beginning.

Containing 10.48 Acres of land, more or less.

NOTE: The above description is for zoning purposes only and is not to be used for any conveyances or agreements.

STATE OF MARYLAND
THOMAS N. WOOLFOLK
NO. 866
REGISTERED LANDSCAPE ARCHITECT

391

95-395-XA

FROM THE OFFICE OF
GEORGE WILLIAM STEPHENS, JR., & ASSOCIATES, INC.
ENGINEERS
658 KENILWORTH DRIVE, SUITE 100, TOWSON, MARYLAND 21204

TNT Red Star

Description to Accompany Zoning Petition

April 19, 1995

BEGINNING at a point on the southerly right-of-way of Washington Boulevard, (US Route 1), width varies, said point being South 89 degrees 00 minutes East, 120 feet, More or less, from a point formed by the intersection of Washington Boulevard and the access ramp to and from Metropolitan Boulevard, (Interstate 195), thence leaving said right-of-way and said point of beginning and running the 14 following courses and distances:

1. South 49 degrees 52 minutes 56 seconds East, 517.35 feet;
2. South 40 degrees 07 minutes 04 seconds West, 60.00 feet;
3. South 49 degrees 52 minutes 56 seconds East, 175.60 feet;
4. South 40 degrees 07 minutes 04 seconds West; 30.00 feet;
5. South 49 degrees 52 minutes 56 seconds East, 114.40 feet;
6. North 40 degrees 07 minutes 04 seconds East; 107.61 feet;
7. South 52 degrees 28 minutes 51 seconds East, 322.19 feet, to the westerly right-of-way line of the Harbor Tunnel Approach, (Interstate 895); thence along said right-of-way,
8. South 53 degrees 30 minutes 45 seconds West, 438.48 feet;
9. thence by a curve to the right having a Radius of 2181.83 feet and an Arc Length of 617.60 feet, said curve being subtended by a Chord having a bearing of South 61 degrees 37 minutes 18 seconds West, and a length of 615.54 feet; to the easterly right-of-way line of Metropolitan Boulevard, (Interstate 195), thence along said right-of-way,
10. North 46 degrees 53 minutes 32 seconds West, 418.17 feet;
11. North 15 degrees 39 minutes 17 seconds West, 369.19 feet to the the southerly right-of-way of Washington Boulevard, thence along said right-of-way,
12. North 24 degrees 46 minutes 21 seconds East, 192.86 feet;
13. North 35 degrees 36 minutes 55 seconds East, 191.59 feet, and;
14. North 38 degrees 02 minutes 29 seconds East, 360.81 feet to the Place of Beginning.

Containing 19.89 Acres of land, more or less.

NOTE: The above description is for zoning purposes only and is not to be used for any conveyances or agreements.

STATE OF MARYLAND
THOMAS N. WOOLFOLK
NO. 866
REGISTERED LANDSCAPE ARCHITECT

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

Case: #95-395-XA
(Item 391)
SE/S Washington Boulevard, corner E/S Metropolitan Boulevard, N/S I-895
13th Election District
1st Councilmanic
Legal Owner(s):
Joseph E. Seagram & Sons, Inc.
Contract Purchaser:
TNT Red Star Express
Hearing: Thursday, June 8, 1995 at 9:00 a.m. in Rm. 118, Old Courthouse.

Special Exception for a Class I Trucking Facility. **Variance** to permit portions of a Class I trucking facility (including the access point) to be as close as 230 feet in lieu of the required 300 feet; and to permit a 10 foot setback from the right of way of a street abutting a residential boundary in lieu of the required 100 foot setback.

LAWRENCE E. SCHMIDT
Zoning Commissioner for
Baltimore County

NOTES: (1)Hearings are Handicapped Accessible; for special accommodations Please Call 887-3353.
(2)For information concerning the File and/or Hearing, Please Call 887-3391.
5/111 May 11.

CERTIFICATE OF PUBLICATION

TOWSON, MD., May 12, 1995

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on May 11, 1995

THE JEFFERSONIAN,

A. Henderson

LEGAL AD. - TOWSON

Baltimore County
Zoning Administration &
Development Management
111 West Chesapeake Avenue
Towson, Maryland 21204

receipt
95-395-XA

Account: R-001-6150

Number 391 (WCR)
DROP-OFF — NO REVIEW

Date 4/26/95

#020 - VARIANCE ---------- $250.00
#050 - SPECIAL EXCEP. ----- 300.00
#080 - SIGN POSTING ------ 70.00
TOTAL ---------- $620.00

Legal Owner: Joseph E. Seagram & Sons, Inc.
Contract Purchaser: TNT Red Star Express
Washington Boulevard
District: 13c1
Acreage: 19.89 +/- net acres
Zoning: M.L.-I.M.; M.H.-I.M.; M.L.-C.S.-1
Limited Exemptions: DRC #121240 & DRC #030651
Attorney: Robert A. Hoffman

VALIDATED

Chec'e from TNT Red Star Express

Please Make Checks Payable To: Baltimore County

Cashier Validation

TO: PUTUXENT PUBLISHING COMPANY
May 11, 1995 Issue - Jeffersonian

Please foward billing to:

Robert A. Hoffman, Esq.
Venable, Baetjer and Howard, LLP
210 Allegheny Avenue
Towson, MD 21204
494-6200

NOTICE OF HEARING

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SE/S Washington Boulevard, corner E/S Metropolitan Boulevard, N/S I-895
13th Election District - 1st Councilmanic
Legal Owner(s): Joseph E. Seagram & Sons, Inc.
Contract Purchaser: TNT Red Star Express
HEARING: THURSDAY, JUNE 8, 1995 at 9:00 a.m. in Room 118, Old Courthouse.

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LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

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

MICROFILMED

Baltimore County Government
Office of Zoning Administration
and Development Management

111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

May 4, 1995

NOTICE OF HEARING

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or
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CASE NUMBER: 95-395-XA (Item 391)
SE/S Washington Boulevard, corner E/S Metropolitan Boulevard, N/S I-895
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Legal Owner(s): Joseph E. Seagram & Sons, Inc.
Contract Purchaser: TNT Red Star Express
HEARING: THURSDAY, JUNE 8, 1995 at 9:00 a.m. in Room 118, Old Courthouse.

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Variance to permit portions of a Class I trucking facility (including the access point) to be as close as 230 feet in lieu of the required 300 feet; and to permit a 10 foot setback from the right of way of a street abutting a residential boundary in lieu of the required 100 foot setback.

Arnold Jablon
Director

cc: Joseph E. Seagram & Sons, Inc.
TNT Red Star Express
Robert A. Hoffman, Esq.

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

Printed with Soybean Ink
on Recycled Paper

Baltimore County Government
Office of Zoning Administration
and Development Management

111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

June 1, 1995

Robert A. Hoffman, Esquire
Venable, Baetjer and Howard, LLP
210 Allegheny Avenue
Towson, Maryland 21204

RE: Item No.: 391
Case No.: 95-395-XA
Petitioner: J. E. Seagram, et al

Dear Mr. Hoffman:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approving agencies, has reviewed the plans submitted with the above referenced petition. Said petition was accepted for processing by, the Office of Zoning Administration and Development Management (ZADM), Development Control Section on April 26, 1995.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties; i.e., 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. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Joyce Watson in the zoning office (887-3391).

Sincerely,

W. Carl Richards, Jr.

W. Carl Richards, Jr.
Zoning Supervisor

WCR/jw
Attachment(s)

MICROFILMED

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on Recycled Paper

BALTIMORE COUNTY, MARYLAND
I N T E R O F F I C E C O R R E S P O N D E N C E

TO: Arnold Jablon, Director
Zoning Administration and Development Management

DATE: May 23, 1995

FROM: Robert W. Bowling, P.E., Chief
Developers Engineering Section

RE: Zoning Advisory Committee Meeting
for May 15, 1995
Item No. 391

The Developers Engineering Section has reviewed the subject zoning item. If this request is granted, the site will be subject to full Landscape Manual conformance review. Appropriate buffering will be required from Metropolitan and Washington Boulevards. Seven (7) percent interior landscaping may be required for the employee parking lot only.

Washington Boulevard streetscape should continue design approach already established next door at Seagrams. A revised landscape plan must be submitted for review by this office and approved as a condition of permits.

RWB:sw

Baltimore County Government
Fire Department

700 East Joppa Road Suite 901
Towson, MD 21286-5500

(410) 887-4500

DATE: 05/05/95

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: JOSEPH E. SEAGRAM & SONS, INC.

LOCATION: SE/S WASHINGTON BLVD., CORNER E/S METROPOLITAN BLVD., N/S I-895.

Item No.: 391 Zoning Agenda: SPECIAL EXCEPTION

Gentlemen:

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

4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.

5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1991 edition prior to occupancy.

RECEIVED
MAY 8 1995
ZADM

REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File

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B A L T I M O R E C O U N T Y , M A R Y L A N D

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Zoning Administration and
Development Management

DATE: May 16, 1995

FROM: Pat Keller, Director
Office of Planning and Zoning

SUBJECT: Petitions from Zoning Advisory Committee

The Office of Planning and Zoning has no comments on the following petition(s):

Item Nos. 391, 392, and 397.

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3480.

Prepared by: Jeffrey W Long

Division Chief: Gary L. Kerns

PK/JL

ITEM392/PZONE/ZAC1

BALTIMORE COUNTY, MARYLAND

DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT

INTER-OFFICE CORRESPONDENCE

DATE: 5/16/95

TO: ZADM

FROM: DEPRM
Development Coordination

SUBJECT: Zoning Advisory Committee
Agenda: 5/8/95

The Department of Environmental Protection & Resource Management has no comments for the following Zoning Advisory Committee Items:

Item #'s: 378
379
380
381
382
385
386
389
391

LS:sp

LETTY2/DEPRM/TXTSBP

MICROFILMED

ACK
3890-95

8/10/95 File

APPVD BY
LTR OF 10/16/95

Maryland Department of Transportation
State Highway Administration

David L. Winstead
Secretary
Hal Kassoff
Administrator

August 10, 1995

Mr. W. Carl Richards, Jr.
Supervisor, Zoning Review, PDM
Baltimore County Office of
Permits and Development Management
Room 109
111 W. Chesapeake Avenue
Towson, Maryland 21204

RE: Baltimore County
US 1
TNT Red Star Express
Class 1 Trucking Facility
Trucking Facility #167
Zoning Case #95-395-XA
5001 Washington Boulevard
(Southeast side)
opposite ramp to I-195
Mile Post 0.19

Dear Mr. Richards:

This letter is in response to your request for our review of the plan for the referenced development.

As it was indicated to you in your recent discussion with Bob Small of this office, there is an outstanding issue relative to the proposed access onto US 1 (Washington Boulevard) for the subject development.

US 1 is an access controlled roadway at the proposed entrance location indicated on the plan. The State Highway Administration (SHA) is currently in the process of reviewing a request to allow a "break in access controls" along the property frontage on US 1.

Although we regret any delay in the review process, it is our expectation that this issue will be resolved in the next few weeks, at which time we will promptly notify you of the outcome.

Should you have any questions, please contact Bob Small at 410-333-1350.

Very truly yours,

David N Ramsey

for Ronald Burns, Chief
Engineering Access Permits
Division

BS/es

My telephone number is 410-333-1350 (Fax# 333-1041)

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

Maryland Department of Transportation
State Highway Administration

David L. Winstead
Secretary
Hal Kassoff
Administrator

August 10, 1995

Mr. W. Carl Richards, Jr.
Supervisor, Zoning Review, PDM
Baltimore County Office of
Permits and Development Management
Room 109
111 W. Chesapeake Avenue
Towson, Maryland 21204

RE: Baltimore County
US 1
TNT Red Star Express
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(Southeast side)
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David N Ramsey

for Ronald Burns, Chief
Engineering Access Permits
Division

BS/es

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Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

RECEIVED
AUG 16 1995
ZADM

5736-95

10/19/95

Maryland Department of Transportation
State Highway Administration

David L. Winstead
Secretary
Hal Kassoff
Administrator

JLL 10/20/95 WOR

October 16, 1995

Mr. Carl Richards
Zoning Supervisor
Baltimore County Office of
Permits and Development Management
Baltimore County Office Building
Room 109
111 W. Chesapeake Avenue
Towson, Maryland 21204

RE: Baltimore County
US 1 (east side)
Opposite Ramp B
from I-795
TNT Freightway Trucking
Facility
Zoning Case #95-395-XA
Mile Post 0.19

Dear Mr. Richards:

This letter is in response to your request for our review of the plan for the subject case.

We have completed our review of the plan and the State Highway Administration (SHA) will allow a break in access controls along US 1 approximately between Station 17+80 to Station 19+50, subject to the following conditions:

-- The developer will reimburse the SHA $44,000.00 for the break in access controls.

-- Conveyance of controls along the Seagrams property from Station 12+00 to the northern property limit of the Seagrams property, except at Seagrams existing signalized entrance onto US 1.

-- The proposed modifications to the US 1/I-195 intersection as proposed in the traffic impact study.

Entrance construction shall be subject to terms and conditions of an access permit issued by this office, with the following submittals required:

a. Nine (90) copies of the site plan showing the SHA requirements.
b. Completed application.

My telephone number is 410-545-5600 (Fax# 333-1041)

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

RECEIVED
OCT 19 1995
PDM

c. Performance bond, letter of credit, or certified check (**include Federal ID number or social security number on certified checks only**) in the amount 150% of the actual entrance construction cost (to include the cost of relocating any affected utilities) and in an even thousand dollar increment. These must be made payable to the State of Maryland (**Please note that it takes 6-8 weeks for a certified check to be returned after project completion and SHA final inspection).**

d. An engineering fee check in the amount of $50.00 for each point of access, made payable to the State of Maryland.

e. A letter of authorization from the appropriate agency relative to the relocation of any utilities which may be necessitated by this construction; or, a letter from the developer acknowledging and agreeing to the financial responsibility for relocating any affected utilities, provided the cost for the utility relocation is included in the surety submitted for the permit.

The surety for entrance construction must be received by this office prior to our approving any building permits for this development.

We have no objection to approval of the plan, subject to our aforementioned comments.

Should you have any questions, please contact Bob Small at 410-545-5581. Thank you for the opportunity to review this plan.

Very truly yours,

Ronald Burns, Chief
Engineering Access Permits
Division

BS/es

cc: Mr. Ken Adams
Mr. C.R. Harrison
Mr. Chris Larson
Mr. Darrell Wiles

BALTIMORE COUNTY, MARYLAND
Inter-Office Memorandum

County + SHA approvals

DATE: July 13, 1995

TO: Trucking Facilities Development Committee (TFDC)

FROM: W. Carl Richards, Jr. WCR
Supervisor, Zoning Review, PDM

SUBJECT: Class I Trucking Facility
TNT Red Star Express
Trucking Facility #167
Zoning Case #95-395-XA
5001 Washington Boulevard
SE/S Washington Blvd., corner E/S Metropolitan Blvd., N/S I-895
Zoning: M.L.-I.M. & M.H.-I.M. & M.L.-C.S.-1
13th Election District

Please find attached the site development plan and correspondence regarding the proposed Class I Trucking Facility for TNT Red Star Express. The plans have been initially reviewed by this office for general compliance with the zoning regulations and basic trucking facility requirements. The Zoning Commissioner has approved a special exception and variances for this facility; however, as required in Section 410 of the Baltimore County Zoning Regulations, a development plan must be approved by the trucking facilities development officials.

You are asked to review the plan in detail on matters that relate to your jurisdiction and to notify this office in writing by July 27, 1995 as to any conflicts with your section or agency's specific standards and requirements.

WCR:scj

Attachment

TFDC: John Bryan/Dick Seim, Building Plans Review
Larry Pilson, DEPRM
Bob Bowling, Developers Plans Review/Traffic
Bob Hannon/Susan Brennan, Economic Development
David Ramsey, State Highway Administration

MICROFILMED

COPY OF DEPRM COMMENTS
TOLD SHA. ACCESS PERMITS.
PROB WITH BREAK IN
MED STRIP.
DAVE RAMSEY
TO TOM
WOOLFOLK
GWS
8/4/95

BALTIMORE COUNTY, MARYLAND
Inter-Office Memorandum

DATE: July 13, 1995

TO: Trucking Facilities Development Committee (TFDC)

FROM: W. Carl Richards, Jr. WCR
Supervisor, Zoning Review, PDM

SUBJECT: Class I Trucking Facility
TNT Red Star Express
Trucking Facility #167
Zoning Case #95-395-XA
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SE/S Washington Blvd., corner E/S Metropolitan Blvd., N/S I-895
Zoning: M.L.-I.M. & M.H.-I.M. & M.L.-C.S.-1
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WCR:scj

Attachment

TFDC: John Bryan/Dick Seim, Building Plans Review
Larry Pilson, DEPRM
Bob Bowling, Developers Plans Review/Traffic
Bob Hannon/Susan Brennan, Economic Development
David Ramsey, State Highway Administration

RECEIVED
JUL 17 1995
DEVELOPERS ENGINEERING SECTION
BUREAU OF ENGINEERING AND CONSTRUCTION

No Conflict — J.R. Jogan, D.P.R. 7/24/95

John Lewis
ZADM
5/19 2PM
2207-95
SEE CARL.
PLANS APPVD
12/15/95

May 18, 1995

Mr. Lawrence E. Schmidt
Zoning Commissioner
Suite 112, County Courthouse
400 Washington Avenue
Towson, MD 21204

DMW

Daft·McCune·Walker, Inc.

200 East Pennsylvania Avenue
Towson, Maryland 21286
410 296 3333
Fax 296 4705

A Team of Land Planners, Landscape Architects, Engineers, Surveyors & Environmental Professionals

Re: Airborne Express
1720 Gilroy Road
Zoning Case 94-407-SPHX
DMW Project No. 94031.B

Dear Mr. Schmidt:

Reference is made to Zoning Case 94-407-SPHX wherein you approved a Special Exception for a Class I Trucking Facility together with a series of variances which enabled 10720 Gilroy Road to meet trucking facility standards. The Class I Trucking Facility was granted in accordance with revised Petitioner's Exhibit 1A. This was a "red-lined" plan which articulated each of the requested variances and had attached revised zoning plan notes setting forth information as required by BCZR Sections 410.2 and 410.3. There also was a map illustrating the routes which trucks would take to get to 10720 Gilroy Road. All of these are in the case file.

At the conclusion of the case, DMW dropped out of the process. Bill Nitzel of Implementation, Inc. (1801 Falls Road, Baltimore, Maryland 21201) prepared final architectural plans and filed for building permit on behalf of Airborne Express. The permit was granted, the alterations to the building were completed, and Airborne Express now is operating at the premises. All of this was done in the belief that Zoning Case 94-407-SPHX resolved with finality all zoning issues relative to Airborne's operations at 10720 Gilroy Road.

In April, Bill Nitzel called to inform me that the Development Control Section of ZADM had problems with respect to Airborne's building permit. We met with John Lewis who informed us that there was not an approved trucking facility plan in the file, that we would have to certify paving sections in accordance with Section 410.3.B7, and that Airborne's permit could be revoked.

RECEIVED
MAY 18 1995
ZADM

Rather than creating a new plan, we respectfully request that consideration be given to utilizing the file copy of Petitioner's Exhibit 1A as the approved trucking facilities plan. It is the plan on which the grant of the Special Exception for the Class I Trucking Facility was based. It is also the plan on which the grant of seven different variances to trucking facility standards was based. We note particularly that a variance was granted to permit existing paving sections at the site to satisfy the requirements of Section 409.8.D. To create a new plan would pose yet an additional burden on Airborne. You may recall that the zoning status originally was resolved on the basis that Airborne was not a trucking facility and permitted as of right. People's Counsel expressed concerns and the petition was amended to request a Class I Trucking Facility and seven variances to Sections 410.2 and 410.3. This imposed additional expense to Airborne.

Please let me know if this can be done. We need to remove in any case any threat to the zoning status of Airborne's activities at 10720 Gilroy Road.

Thank you very much for your thoughtful consideration.

Very truly yours,

George E. Gavrelis
Vice President

GEG/pmh

cc: Scott Barhight, Esq.
Mr. John L. Lewis
Mr. Bill Nitzel

ZADM

Baltimore County Government
Office of Zoning Administration
and Development Management

111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

May 10, 1995

Robert A. Hoffman, Esquire
Venable, Baetjer and Howard, LLP
210 Allegheny Avenue
Towson, MD 21204

95-395-A

RE: Preliminary Petition Review (Item #391)
Legal Owner: Joseph E. Seagram & Sons, Inc.
Contract Purchaser: TNT Red Star Express
Washington Boulevard
13th Election District

Dear Mr. Hoffman:

At the request of the attorney/petitioner, the above referenced petition was accepted for filing without a final filing review by the staff. The plan was accepted with the understanding that all zoning issues/filing requirements would be addressed. A subsequent review by the staff has revealed unaddressed zoning issues and/or incomplete information. The following comments are advisory and do not necessarily identify all details and inherent technical zoning requirements necessary for a complete application. As with all petitions/plans filed in this office, it is the final responsibility of the petitioner to make a proper application, address any zoning conflicts and, if necessary, to file revised petition materials. All revisions (including those required by the hearing officer) must be accompanied by a check made out to Baltimore County, Maryland for the $100.00 revision fee.

1. This plan was originally reviewed by John Sullivan of the ZADM staff at a formal filing appointment. This review is not being continued in a manner best suited to continuity of comments due to the drop-off.

2. The special exception petition form references Section 253.2.A.b (BCZR); Section 253.2.A.6 is correct.

MICROFILMED

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on Recycled Paper

3. The variance petition request is not clear and appears incomplete. "to permit portions of a Class I trucking facility (including the access point) to be as close as 230 feet in lieu of the required 300 feet"? To what?? From what?? Section 410.2 as referenced refers to wetland setbacks (200 feet) and residential zone setbacks (300 feet).

4. Be aware that if this use is approved, a trucking facility plan must be approved by all required County agencies. This plan will be subject to additional requirements for zoning final approval.

If you need further information or have any questions, please do not hesitate to contact me at 887-3391.

Very truly yours,

John L. Lewis
Planner II

JLL:scj

Enclosure (receipt)

c: Zoning Commissioner

RE: Preliminary Petition Review (Item #)
Legal Owner:

Election District

Dear :

At the request of the attorney/petitioner, the above referenced petition was accepted for filing without a final filing review by the staff. The plan was accepted with the understanding that all zoning issues/filing requirements would be addressed. A subsequent review by the staff has revealed unaddressed zoning issues and/or incomplete information. The following comments are advisory and do not necessarily identify all details and inherent technical zoning requirements necessary for a complete application. As with all petitions/plans filed in this office, it is the final responsibility of the petitioner to make a proper application, address any zoning conflicts and, if necessary, to file revised petition materials. All revisions (including those required by the hearing officer) must be accompanied by a check made out to Baltimore County, Maryland for the $100.00 revision fee.

If you need further information or have any questions, please do not hesitate to contact me at 887-3391.

Very truly yours,

JLL

1391

FOR PRELIMINARY REVIEW

:scj

Enclosure (receipt)

cc: Zoning Commissione

Sophia
5/3/95

RE: PETITION FOR SPECIAL EXCEPTION PETITION FOR VARIANCE	*	BEFORE THE
SE/S Washington Boulevard, corner E/S Metropolitan Boulevard, N/S I-895	*	ZONING COMMISSIONER
13th Election Dist., 1st Councilmanic	*	OF BALTIMORE COUNTY
Joseph E. Seagram & Sons, Inc. Petitioners	*	CASE NO. 95-395-XA

* * * * * * * * * * * * *

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio

CAROLE S. DEMILIO
Deputy People's Counsel
Room 47, Courthouse
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 31st day of May, 1995, a copy of the foregoing Entry of Appearance was mailed to Robert A. Hoffman, Esquire, Venable, Baetjer & Howard, 210 Allegheny Avenue, Towson, MD 21204, attorney for Petitioners.

Peter Max Zimmerman

PETER MAX ZIMMERMAN

MICROFILMED

VENABLE, BAETJER AND HOWARD, LLP
Including professional corporations

210 Allegheny Avenue
Post Office Box 5517
Towson, Maryland 21285-5517
(410) 494-6200, Fax (410) 821-0147

OFFICES IN

MARYLAND
WASHINGTON, D.C
VIRGINIA

391

VENABLE
ATTORNEYS AT LAW

Writer's Direct Number:

April 26, 1995

Hand Delivery

Mr. Carl Richards
Office of Zoning Administration
and Development Management
County Courts Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: Property Owner: Joseph E. Seagram & Sons, Inc.
Petitioner: TNT Redstar Express
Location: Washington Boulevard
Petition for Special Exception and Variance

Carl

Dear Mr. ~~Richards~~:

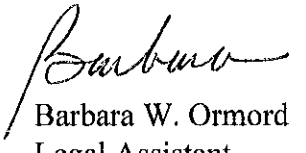
I am hereby drop filing the enclosed Petition for Special Exception and Variance with regard to the above captioned property. The petitioner proposes to use the site as a Class I Trucking Facility. John Sullivan and John Lewis are familiar with this project and the requested zoning relief. They were both present and made comments regarding the plan at the original filing appointment on April 21st. Enclosed are the following:

1. Petition for Special Exception (3)
2. Petition for Variance (3)
3. Description of entire site (3)
4. Description of special exception area (3)
5. Portion of 200' scale zoning map (1)
6. Site Plans (12)
7. Check in the amount of $620.00

VENABLE
ATTORNEYS AT LAW

If you have any questions, please give me a call.

Sincerely,



Barbara W. Ormord
Legal Assistant

bw
cc: Robert A. Hoffman, Esquire

TO1DOCS1/BAW01/0005612.01

5886-95

1/95

TOWSON
658 KENILWORTH DRIVE
SUITE 100
TOWSON, MARYLAND 21204
410/825-8120
FAX 410/583-0288

GEORGE WILLIAM STEPHENS, JR.
AND ASSOCIATES, INC.
CONSULTING ENGINEERS

BEL AIR
203 EAST BROADWAY
BEL AIR, MARYLAND 21014
410/879-1500
410/838-3800
FAX 410/893-0425

TO: Baltco. Zoning

DATE: Wednesday, December 13, 1995

REFERENCE: TNT Red Star Express

ATTENTION: John Lewis

PN 7862

We are:
☒ Submitting ☒ Herewith ☐ Under Separate Cover
☐ Forwarding
☐ Returning

COPIES	DESCRIPTION
1	Approved Forest Conservation Plan

☒ In accordance with your request
☐ For your review
☐ For processing
☐ Plans reviewed and accepted
☐ Plans reviewed and accepted as noted

☒ For your use
☐ Please call when ready
☐ Please return to this office
☐ Approval requested
☐ Meeting requested

Remarks:

RECEIVED
DEC 14 1995
PDM

For further information, please contact the writer at this office.

Sincerely yours,

Andrew Ferretti

cc: Ken Adams

TO Carl Richards

From: BALTIMORE COUNTY, MARYLAND

DEPRM

SUBJECT TNT Red Star Express (Sangamo) DATE 7/28/95

MESSAGE

5001 Washington Blvd. DEVELOPMENT PLAN (LEX)

DC ① Are there any existing wells, septics or underground storage tanks on site? If so, show. If not, so note on plan.

EIR ② Development of the property must comply with Article X, the Forest Conservation Act, which requires a forest Stand Delineation, Forest Conservation Plan and completed Forest Conservation Worksheet.

Mike Kulis and Signed Letty Sonn

TO DATE

REPLY

SEE APPV'D PLAN IN T.F. FILE

Signed

White - Recipient's Reply
Yellow - Recipient's File
Pink - Originator / File / Follow Up

CPS-009

Reply Message

TO Carl Richards

From: BALTIMORE COUNTY, MARYLAND

DEPRM

SUBJECT TNT Red Star Express (Seagrams) DATE 7/28/95

MESSAGE

5001 Washington Blvd. DEVELOPMENT PLAN (LEX)

DC ① Are there any existing wells, septics or underground storage tanks on site? If so, show. If not, so note on plan.

EIR ② Development of the property must comply with Article X, the Forest Conservation Act, which requires a forest Stand Delineation, Forest Conservation Plan and completed forest Conservation Worksheet.

Mike Kulis and Signed Letty Sonn

TO DATE

REPLY

Signed

White - Recipient's Reply
Yellow - Recipient's File
Pink - Originator / File / Follow Up

CPS-009

Reply Message

391

099583

VENABLE, BAETJER AND HOWARD

REQUEST FOR MESSENGER DELIVERY/PICK-UP

DATE & TIME PREPARED	SENDER	EXT. NO.
4-26-95 1:35 pm	Barb Dimond	6201

CLIENT/MATTER NO.	CLIENT/MATTER NAME
26454-113613	TNT Redstar Express

IF FIRM CHARGE, EXPLAIN _____

INFORMATION
(PLEASE CHECK ONE)

☑ DELIVER ☐ PICK-UP ☐ ROUND TRIP

Must Be Delivered/Picked-Up By: Date _____ **Time** _____

NAME: Carl Richards FLOOR: 1st

COMPANY: Zoning Office

STREET ADDRESS: 111 W. Chesapeake Ave

CITY: Towson STATE: Md ZIP CODE: _____

TELEPHONE: 887-3391

ITEMS AND QUANTITIES

1 ENVELOPE(S) ____ BOX(ES) ____ OTHER (SPECIFY)

SPECIAL INSTRUCTIONS

FOR ADMINISTRATIVE SERVICES USE ONLY

MESSENGER SERVICE Judith

TIME REC'D AT DISPATCH _____ TIME OUT TO CARRIER _____ TIME DELIVERED _____

COMMERCIAL MESSENGER SIGNATURE: _____

REC'D BY: [signature]

R/T REC'D BY: _____ DATE 4/26/95 TIME 2:45 pm

COST: $ _____

VBH 0127 REV 2/93

MESSENGER

Copy

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME	ADDRESS
Rob Hoffman	216 Allegheny
Ken Adams	400 Delaney St Newark NJ 07105
Glenn Cook	40 W. Chesapeake Ave Suite 600 Towson 21204
Gary Lewis	7 EAST REDWOOD STR.
Tom Sadowski	400 WASHINGTON AVE
Tom Woolfolk	658 KENILWORTH AVE.
Gary Roffee	P.O. BOX 208 BALTO MD 21203
ROBERT BETTS	5840 Bannehar Rd Columbia Md 21044

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95-395-XH

CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY

Towson, Maryland

District 13th Date of Posting 5/13/95

Posted for: Special Exception & Variance

Petitioner: TNT Red Star Express

Location of property: SE/S Wash. Blvd. at Cor. of Metropolitan Blvd.

Location of Signs: Facing roadway on property being zoned

Remarks:

Posted by [signature] Date of return: 5/19/95

Signature

Number of Signs: 1

MICROFILMED

IN RE: PETITIONS FOR SPECIAL EXCEPTION AND VARIANCE - SE/Corner Washington Blvd. and Metropolitan Blvd. (5001 Washington Boulevard) 13th Election District 1st Councilmanic District

Joseph E. Seagram & Sons, Inc.
Petitioners

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 95-395-XA

* * * * * * * * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as Petitions for Special Exception and Variance for that property known as 5001 Washington Boulevard, located in the vicinity of Catonsville, between Washington Boulevard and the Harbor Tunnel Thruway. The Petitions were filed by the owners of the property, Joseph E. Seagram and Sons, Inc., by Gary Riffee, Comptroller, and the Contract Purchaser, TNT Red Star Express, by Ken Adams, Vice President, through their attorney, Robert A. Hoffman, Esquire. The Petitioners seek special exception relief to permit a Class I Trucking Facility on the subject property, pursuant to Section 253.2.A.6 of the Baltimore County Zoning Regulations (B.C.Z.R.), and variance relief from the B.C.Z.R. as follows: From Sections 410.2 and 256.2 to permit portions of a Class I Trucking Facility (including the access point) to be as close as 180 feet to a residential zone in lieu of the required distance of 300 feet, and from Section 253.4 to permit a right-of-way setback of 10 feet in lieu of the required 100 feet from a street abutting a residential boundary. The subject property and relief sought are more particularly described on the site plan submitted and accepted into evidence as Petitioner's Exhibit 1.

Appearing at the hearing on behalf of the Petitions were Ken Adams for TNT Red Star Express, the Contract Purchaser, Thomas N. Woolfolk,

ORDER RECEIVED FOR FILING
Date 6/12/95
By

Registered Landscape Architect who prepared the site plan for the subject property, Robert A. Hoffman, Esquire, attorney for the Petitioners, and numerous other individuals who appeared on behalf of the Contract Purchaser. There were no Protestants present.

Testimony and evidence offered revealed that the subject property consists of a gross area of 20.4 acres, more or less, split zoned M.L.-I.M. and M.H.-I.M. and was formerly the site of the Seagrams Bottling and Distribution Center. The Petitioners have contracted to sell the property to TNT Red Star Express, which is desirous of establishing a Class I Trucking Facility on the premises. Testimony indicated that a Class I trucking facility is permitted as of right in the M.H. zone, however, a special exception is required for such use in the M.L. zone. Inasmuch as the zoning line runs through the center of the property, the relief requested is necessary in order to proceed as proposed.

As to the Petition for Variance, testimony indicated that the relief requested is necessitated by virtue of D.R. 5.5 zoned land being located across from this site on Washington Boulevard. On behalf of the Petitioners, Counsel pointed out on the 200-foot scale zoning map, that most of the property actually zoned residential is contained within the cloverleaf access to the Harbor Tunnel Thruway which runs adjacent to this site. As common sense would dictate, this land would never be used for residential purposes given its location; however, the property is zoned D.R. 5.5 and, therefore, the relief requested is necessary.

Mr. Ken Adams, Vice President of TNT Red Star Express, testified that the trucking industry has slowly changed from a national business to more of a regional concern. He testified that TNT Red Star Express operates primarily on the east coast, from the Carolinas up through New York

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Date 6/12/95
By

and New England. Mr. Adams testified that it is important for Red Star Express to have a hub centrally located in this area of Baltimore County to allow for the orderly and efficient flow of freight hauled by TNT Red Star Express. Mr. Adams stated that Federal regulations restrict the number of hours that a driver can operate his vehicle on any given day and therefore, it is important that a driver be able to transfer his freight to another driver to keep it moving to its final destination. Furthermore, Mr. Adams testified that Red Star Express hopes to employ some 150 individuals at this location and expects to spend $5,000,000 to construct this facility.

It is clear that the B.C.Z.R. permits the use proposed in the M.L. zone by special exception. It is equally clear that the proposed use would not be detrimental to the primary uses in the vicinity. Therefore, it must be determined if the conditions as delineated in Section 502.1 are satisfied.

The Petitioner had the burden of adducing testimony and evidence which would show that the proposed use met the prescribed standards and requirements set forth in Section 502.1 of the B.C.Z.R. The Petitioner has shown that the proposed use would be conducted without real detriment to the neighborhood and would not adversely affect the public interest. The facts and circumstances do not show that the proposed use at the particular location described by Petitioner's Exhibit 1 would have any adverse impact above and beyond that inherently associated with such a special exception use, irrespective of its location within the zone. Schultz v. Pritts, 432 A.2d 1319 (1981).

The proposed use will not be detrimental to the health, safety, or general welfare of the locality, nor tend to create congestion in

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Date 6/12/95
By

roads, streets, or alleys therein, nor be inconsistent with the purposes of the property's zoning classification, nor in any other way be inconsistent with the spirit and intent of the B.C.Z.R.

After reviewing all of the testimony and evidence presented, it appears that the special exception should be granted with certain restrictions as more fully described below.

The B.C.Z.R., specifically Section 307.1, established a two-step process for the granting of variances. That two-step process was addressed and identified by the Court of Special Appeals in the case of Cromwell v. Ward, 102 Md. App. 691 (1995). The opinion in that case, issued January 4, 1995 and authored by the Honorable J. Cathell, interpreted our regulations to require the applicant to establish the following:

First, the Applicant (Petitioner) must prove, and this Deputy Zoning Commissioner must find, that the "property whereon structures are to be placed (or uses conducted) is -- in and of itself-- unique and unusual in a manner different from the nature of surrounding properties such that the uniqueness and peculiarity of the subject property causes the zoning provision to impact disproportionately upon that property."

I find from the testimony and evidence presented in this case that the subject property is unique, unusual and different from properties which surround the subject site so as to cause this applicable zoning provision to impact disproportionately upon this particular parcel of land.

Having satisfied this "first step" the Applicant (Petitioner) must proceed to the "second step" of this variance process, which is to show that strict compliance with the zoning regulations for Baltimore County would result in practical difficulty or unreasonable hardship.

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Date 6/12/95
By

The practical difficulty or unreasonable hardship guidelines that have been imposed by the Baltimore County Zoning Regulations (B.C.Z.R.) have been thoroughly examined and discussed by the appellate courts of this State. In Loyola Federal Savings and Loan Association v. Buschman, 227 Md. 243, 176 A.2d 355 (1961), the Court of Appeals considered the identical regulation to Section 307.1 of the B.C.Z.R.

As the Court noted: "Section 307 of the Regulations uses the two terms (practical difficulty or unreasonable hardship) in the disjunctive." Loyola Federal, p. 358. Thus, by the use of the term "or", Section 307 offers the Petitioner an opportunity to obtain its variance upon satisfaction of either the undue hardship or practical difficulty standard.

The distinction between these standards was clarified by the Court of Special Appeals in Anderson v. Board of Appeals, Town of Chesapeake Beach, 22 Md. App. 28, 322 A.2d 220 (1974). Within that opinion, the Court held that the undue hardship standard applies to a petition for a use variance. The Court noted that a use variance, which permits a use on the property other than that specifically permitted in that particular district, requires the imposition of a higher standard. That is, to allow the change of use for a particular property requires the Petitioner to demonstrate real hardship, where the land cannot allow a reasonable return if used only in accordance with the use restrictions of the ordinance.

Compared with this heavy burden, the Court reviewed the practical difficulty standard applicable for area variances. The Court characterized area variances as having a much less drastic effect than use variances, in that they seek relief only from height, area, setback, or side property line restrictions and would not affect the property's use, per se. The Court envisioned the impact of area variances on the surrounding locale to

ORDER RECEIVED FOR FILING
Date 6/12/95
By

be less than that generated by use variances, and thus, the lesser practical difficulty standard applies. The prongs of that standard which must be satisfied by the Petition, as enunciated in Anderson, supra, are as follows:

> 1) whether compliance with the strict letter of restrictions governing area, setbacks, frontage, height, bulk or density would unreasonably prevent the owner from using the property for a permitted purpose or would render conformity with such restrictions unnecessarily burdensome;
>
> 2) whether a grant of the variance applied for would do substantial injustice to applicant as well as to other property owners in the district or whether a lesser relaxation than that applied for would give substantial relief to the owner of the property involved and be more consistent with justice to other property owners; and
>
> 3) whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson, p. 39. See also McLean v. Soley, 270 Md. 208 (1973) at pps. 214-215.

I find from the testimony and evidence presented at the hearing before me that the Petitioners have in fact proven the practical difficulty standards as set forth above and that the variance requested should be granted. I further find that the granting of this variance is in strict harmony with the spirit and intent of the B.C.Z.R. and that the granting of this relief is accomplished without injury to the public health, safety or general welfare.

Pursuant to the advertisement, posting of the property, and public hearing on these Petitions held, and for the reasons given above, the special exception and variance relief should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 12th day of June, 1995 that the Petition for Spe-

ORDER RECEIVED FOR FILING
Date 6/12/95
By

cial Exception to permit a Class I Trucking Facility on the subject property, pursuant to Section 253.2.A.6 of the Baltimore County Zoning Regulations (B.C.Z.R.), in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that the Petition for Variance seeking relief from the B.C.Z.R. as follows: From Sections 410.2 and 256.2 to permit portions of a Class I Trucking Facility (including the access point) to be as close as 180 feet from a residential in lieu of the required distance of 300 feet, and from Section 253.4 to permit a right-of-way setback of 10 feet in lieu of the required 100 feet for a street abutting a residential boundary, in accordance with Petitioner's exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

> 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the relief granted herein shall be rescinded.
>
> 2) Prior to the issuance of any permits, the Petitioners shall submit a landscape plan for review and approval by the Landscape Architect for Baltimore County.
>
> 3) When applying for a building permit, the site plan and landscaping plan filed must reference this case and set forth and address the restrictions of this Order.

Timothy M. Kotroco
TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

ORDER RECEIVED FOR FILING
Date 6/12/95
By

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning

Suite 112 Courthouse
400 Washington Avenue
Towson, MD 21204

(410) 887-4386

June 12, 1995

Robert A. Hoffman, Esquire
Venable, Baetjer & Howard
210 Allegheny Avenue
Towson, Maryland 21204

RE: PETITIONS FOR SPECIAL EXCEPTION AND VARIANCE
SE/Corner Washington Blvd. and Metropolitan Blvd.
(5001 Washington Boulevard)
13th Election District - 1st Councilmanic District
Joseph E. Seagram & Sons, Inc. - Petitioners
Case No. 95-395-XA

Dear Mr. Hoffman:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petitions for Special Exception and Variance have been granted in accordance with the attached Order.

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

Very truly yours,

Timothy Kotroco
TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

cc: Mr. Gary Riffee, Comptroller, Joseph E. Seagram & Sons, Inc.
5002 Washington Boulevard, Baltimore, Md. 21227

Mr. Ken Adams, Vice President, TNT Red Star Express
400 Delaney Street, Newark, N.J. 07105

Mr. Thomas N. Woolfolk, G. W. Stephens, Jr. & Assoc., Inc.
658 Kenilworth Drive, Suite 100, Towson, Md. 21204

People's Counsel; File

Printed with Soybean Ink on Recycled Paper

391

Petition for Special Exception

95-395-XA

to the Zoning Commissioner of Baltimore County

for the property located at Washington Boulevard

which is presently zoned MH-IM & ML-IM ML-CSI (ML-AS)

This Petition shall be filed with the Office of Zoning Administration & 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 a Class I Trucking Facility pursuant to Section 253.2.A.& 6 TMK of the Baltimore County Zoning Regulations

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

I, or we, agree to pay expenses of above 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.

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:
TNT Red Star Express
(Type or Print Name)
By: Ken Adams
Signature Ken Adams, Vice President
400 Delaney Street
Address
Newark New Jersey 07105
City State Zipcode

Legal Owner(s):
Joseph E. Seagram & Sons, Inc.
(Type or Print Name)
By: Gary Riffee
Signature Gary Riffee, Controller
(Type or Print Name)
Signature
5001 Washington Boulevard
Address Phone No.
Baltimore Maryland 21227
City State Zipcode
Name, Address and phone number of legal owner, contract purchaser or representative to be contacted:
Robert A. Hoffman
Venable, Baetjer and Howard, LLP
210 Allegheny Avenue 494-6200
Address Phone No.
Towson Maryland 21204 494-6200
Address Phone No.

Attorney for Petitioner:
Robert A. Hoffman
(Type or Print Name)
Signature
Venable, Baetjer and Howard, LLP
210 Allegheny Avenue 494-6200
Address Phone No.
Towson Maryland 21204
City State Zipcode

OFFICE USE ONLY
ESTIMATED LENGTH OF HEARING
unavailable for Hearing
the following dates _____ Next Two Months
ALL _____ OTHER _____
REVIEWED BY: _____ DATE _____

ORDER RECEIVED FOR FILING
Date 4/12/95
By: DROP-OFF
No Review
4/26/95
WCR

391

Petition for Variance

95-395-XA

to the Zoning Commissioner of Baltimore County

for the property located at Washington Boulevard

which is presently zoned MH-IM & ML-IM ML-CSI (ML-AS)

This Petition shall be filed with the Office of Zoning Administration & 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 Variance from Section(s)

410.2 and 256.2 of the Baltimore County Zoning Regulations to permit portions of a Class I trucking facility (including the access point) to be as close as ~~230~~ 180 ft feet in lieu of the required 300 feet; and a Variance of Section 253.4 to permit a 10 ft. setback from the right of way of a street abutting a residential boundary in * of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (indicate hardship or practical difficulty)

To be determined at hearing.

* lieu of the required 100 ft. setback.

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

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

I/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:
TNT Red Star Express
(Type or Print Name)
By: Ken Adams
Signature Ken Adams, Vice President
400 Delaney Street
Address
Newark New Jersey 07105
City State Zipcode

Legal Owner(s):
Joseph E. Seagram & Sons, Inc.
(Type or Print Name)
By: Gary Riffee
Signature Gary Riffee, Controller
(Type or Print Name)
Signature
5001 Washington Boulevard
Address Phone No.
Baltimore Maryland 21227
City State Zipcode
Name, Address and phone number of legal owner, contract purchaser or representative to be contacted:
Robert A. Hoffman
Venable, Baetjer and Howard, LLP
210 Allegheny Avenue 494-6200
Address Phone No.
Towson Maryland 21204 494-6200
Address Phone No.

Attorney for Petitioner:
Robert A. Hoffman
(Type or Print Name)
Signature
Venable, Baetjer and Howard, LLP
210 Allegheny Avenue 494-6200
Address Phone No.
Towson Maryland 21204
City State Zipcode

OFFICE USE ONLY
ESTIMATED LENGTH OF HEARING
unavailable for Hearing
the following dates _____ Next Two Months
ALL _____ OTHER _____
REVIEWED BY: _____ DATE _____

ORDER RECEIVED FOR FILING
Date 4/12/95
By: DROP-OFF
No Review
4/26/95
WCR

391

95-395-XA

FROM THE OFFICE OF
GEORGE WILLIAM STEPHENS, JR. & ASSOCIATES, INC.
ENGINEERS
658 KENILWORTH DRIVE, SUITE 100, TOWSON, MARYLAND 21204

TNT Red Star

Description to Accompany Zoning Petition
Area of Special Exception
April 25, 1995

BEGINNING at a point on the northerly right-of-way of the Harbor Tunnel Approach, (Interstate 895), width varies, thence leaving said point of beginning and following said right-of-way and running the 7 following courses and distances:

1. South 53 degrees 30 minutes 45 seconds West, 19.00 feet;
2. thence by a curve to the right having a Radius of 2181.83 feet and an Arc Length of 617.60 feet, said curve being subtended by a Chord having a bearing of South 61 degrees 37 minutes 18 seconds West, and a length of 615.54 feet; to the easterly right-of-way line of Metropolitan Boulevard, (Interstate 195), thence along said right-of-way,
3. North 46 degrees 53 minutes 32 seconds West, 418.17 feet;
4. North 15 degrees 39 minutes 17 seconds West, 369.19 feet;
5. North 24 degrees 46 minutes 21 seconds East, 15.00 feet; thence leaving said right-of-way, and following the ML-CS-1/ML-IM Zoning Line as shown on the Baltimore County 200' scale Zoning Map,
6. North 40 degrees 29 minutes 58.5 seconds East, 333.00 feet, and thence following the MH-IM/ML-IM Zoning Line as shown on the Baltimore County 200' scale Zoning Map,
7. South 50 degrees 44 minutes 12.5 seconds East, 954.74 feet to the Place of Beginning.

Containing 10.48 Acres of land, more or less.

NOTE: The above description is for zoning purposes only and is not to be used for any conveyances or agreements.

STATE OF MARYLAND
THOMAS N. WOODWARD
NO. 866
REGISTERED LANDSCAPE ARCHITECT

391

95-395-XA

FROM THE OFFICE OF
GEORGE WILLIAM STEPHENS, JR. & ASSOCIATES, INC.
ENGINEERS
658 KENILWORTH DRIVE, SUITE 100, TOWSON, MARYLAND 21204

TNT Red Star

Description to Accompany Zoning Petition
April 19, 1995

BEGINNING at a point on the southerly right-of-way of Washington Boulevard, (US Route 1), width varies, said point being South 89 degrees 00 minutes East, 120 feet, More or less, from a point formed by the intersection of Washington Boulevard and the access ramp to and from Metropolitan Boulevard, (Interstate 195), thence leaving said right-of-way and said point of beginning and running the 14 following courses and distances:

1. South 49 degrees 52 minutes 56 seconds East, 517.35 feet;
2. South 40 degrees 07 minutes 04 seconds West, 60.00 feet;
3. South 49 degrees 52 minutes 56 seconds East, 175.60 feet;
4. South 40 degrees 07 minutes 04 seconds West; 30.00 feet;
5. South 49 degrees 52 minutes 56 seconds East, 114.40 feet;
6. North 40 degrees 07 minutes 04 seconds East; 107.61 feet;
7. South 52 degrees 28 minutes 51 seconds East, 322.19 feet, to the westerly right-of-way line of the Harbor Tunnel Approach, (Interstate 895); thence along said right-of-way,
8. South 53 degrees 30 minutes 45 seconds West, 438.48 feet;
9. thence by a curve to the right having a Radius of 2181.83 feet and an Arc Length of 617.60 feet, said curve being subtended by a Chord having a bearing of South 61 degrees 37 minutes 18 seconds West, and a length of 615.54 feet; to the easterly right-of-way line of Metropolitan Boulevard, (Interstate 195), thence along said right-of-way,
10. North 46 degrees 53 minutes 32 seconds West, 418.17 feet;
11. North 15 degrees 39 minutes 17 seconds West, 369.19 feet to the the southerly right-of-way of Washington Boulevard, thence along said right-of-way,
12. North 24 degrees 46 minutes 21 seconds East, 192.86 feet;
13. North 35 degrees 36 minutes 55 seconds East, 191.59 feet, and;
14. North 38 degrees 02 minutes 29 seconds East, 360.81 feet to the Place of Beginning.

Containing 19.89 Acres of land, more or less.

NOTE: The above description is for zoning purposes only and is not to be used for any conveyances or agreements.

STATE OF MARYLAND
THOMAS N. WOODWARD
NO. 866
REGISTERED LANDSCAPE ARCHITECT

CERTIFICATE OF POSTING

95-395-XA

ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District 1st Date of Posting 5/12/95
Posted for: Special Exception & Variance
Petitioner: TNT Red Star Express
Location of property: SE/S Wash. Blvd. at/or of Metropolitan Blvd.
Location of Signs: Facing roadway on property being posted
Remarks:
Posted by Signature Date of return: 5/19/95
Number of Signs: 1

Baltimore County
Zoning Administration & Development Management
111 West Chesapeake Avenue
Towson, Maryland 21204

receipt
95-375-XA

Account: R-001-6150

Date 4/26/95

Number 391 (WCR)
DROP-OFF — NO REVIEW

#020 - VARIANCE ---------- $250.00
#050 - SPECIAL EXCEP. ---- 300.00
#080 - SIGN POSTING ------ 70.00
TOTAL ---------- $620.00

Legal Owner: Joseph E. Seagram & Sons, Inc.
Contract Purchaser: TNT Red Star Express
Washington Boulevard
District: 13c1
Acreage: 19.89 +/- net acres
Zoning: M.L.-I.M.; M.H.-I.M.; M.L.-C.S.-1
Limited Exemptions: ORC #1212240 & DRC #030651
Attorney: Robert A. Hoffman

Check from TNT Red Star Express $620.00

Please Make Checks Payable To: Baltimore County

Cashier Validation

CERTIFICATE OF PUBLICATION

TOWSON, MD., May 11, 1995

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on May 11, 1995

THE JEFFERSONIAN,
A. Henrickson
LEGAL AD. - TOWSON

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

Case #95-395-XA
(Item 391)
SE/S Washington Boulevard, corner E/S Metropolitan Boulevard, N/S I-895
13th Election District
1st Councilmanic
Legal Owner(s):
Joseph E. Seagram & Sons, Inc.
Contract Purchaser:
TNT Red Star Express
Hearing: Thursday, June 8, 1995 at 9:00 a.m. in Rm. 118, Old Courthouse.

Special Exception for a Class I Trucking Facility.
Variance to permit portions of a Class I trucking facility (including the access point) to be as close as 230 feet in lieu of the required 300 feet; and to permit a 10 foot setback from the right of way of a street abutting a residential boundary in lieu of the required 100 foot setback.

LAWRENCE E. SCHMIDT
Zoning Commissioner for Baltimore County

NOTES: (1)Hearings are Handicapped Accessible; for special accommodations Please Call 887-3353.
(2)For information concerning the File and/or Hearing, Please Call 887-3391.
5/11 May 11.

TO: POTOMAC PUBLISHING COMPANY
May 11, 1995 Issue - Jeffersonian

Please foward billing to:

Robert A. Hoffman, Esq.
Venable, Baetjer and Howard, LLP
210 Allegheny Avenue
Towson, MD 21204
494-6200

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in
Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204
or
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 95-395-XA (Item 391)
SE/S Washington Boulevard, corner E/S Metropolitan Boulevard, N/S I-895
13th Election District - 1st Councilmanic
Legal Owner(s): Joseph E. Seagram & Sons, Inc.
Contract Purchaser: TNT Red Star Express
HEARING: THURSDAY, JUNE 8, 1995 at 9:00 a.m. in Room 118, Old Courthouse.

Special Exception for a Class I Trucking Facility.
Variance to permit portions of a Class I trucking facility (including the access point) to be as close as 230 feet in lieu of the required 300 feet; and to permit a 10 foot setback from the right of way of a street abutting a residential boundary in lieu of the required 100 foot setback.

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

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

Baltimore County Government
Office of Zoning Administration
and Development Management

111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

May 4, 1995

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in
Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204
or
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 95-395-XA (Item 391)
SE/S Washington Boulevard, corner E/S Metropolitan Boulevard, N/S I-895
13th Election District - 1st Councilmanic
Legal Owner(s): Joseph E. Seagram & Sons, Inc.
Contract Purchaser: TNT Red Star Express
HEARING: THURSDAY, JUNE 8, 1995 at 9:00 a.m. in Room 118, Old Courthouse.

Special Exception for a Class I Trucking Facility.
Variance to permit portions of a Class I trucking facility (including the access point) to be as close as 230 feet in lieu of the required 300 feet; and to permit a 10 foot setback from the right of way of a street abutting a residential boundary in lieu of the required 100 foot setback.

Arnold Jablon
Director

cc: Joseph E. Seagram & Sons, Inc.
TNT Red Star Express
Robert A. Hoffman, Esq.

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

Printed with Soybean Ink on Recycled Paper

Baltimore County Government
Office of Zoning Administration
and Development Management

111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

June 1, 1995

Robert A. Hoffman, Esquire
Venable, Baetjer and Howard, LLP
210 Allegheny Avenue
Towson, Maryland 21204

RE: Item No.: 391
Case No.: 95-395-XA
Petitioner: J. E. Seagram, et al

Dear Mr. Hoffman:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approving agencies, has reviewed the plans submitted with the above referenced petition. Said petition was accepted for processing by, the Office of Zoning Administration and Development Management (ZADM), Development Control Section on April 26, 1995.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties; i.e., 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. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Joyce Watson in the zoning office (887-3391).

Sincerely,

W. Carl Richards Jr.

W. Carl Richards, Jr.
Zoning Supervisor

WCR/jw
Attachment(s)

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BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director DATE: May 23, 1995
Zoning Administration and Development Management

FROM: Robert W. Bowling, P.E., Chief
Developers Engineering Section

RE: Zoning Advisory Committee Meeting
for May 15, 1995
Item No. 391

The Developers Engineering Section has reviewed the subject zoning item. If this request is granted, the site will be subject to full Landscape Manual conformance review. Appropriate buffering will be required from Metropolitan and Washington Boulevards. Seven (7) percent interior landscaping may be required for the employee parking lot only.

Washington Boulevard streetscape should continue design approach already established next door at Seagrams. A revised landscape plan must be submitted for review by this office and approved as a condition of permits.

RWB:sw

Baltimore County Government
Fire Department

700 East Joppa Road Suite 901
Towson, MD 21286-5500

(410) 887-4500

DATE: 05/08/95

Arnold Jablon
Director
Zoning Administration And
Development Management
Baltimore Co. Office Building
Towson, MD 21204
Mail Stop-1105

RE: Property Owner: JOSEPH E. SEAGRAM & SONS, INC.
LOCATION: SE Washington Blvd. and the Baltimore Beltway (I-95)
Item No.: 391 Zoning Agenda: REVISED REVIEW

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this bureau and the comments below are furnished and required to be complied with and incorporated into the final plans for the property.

A. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.

B. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1991 edition prior to occupancy.

RECEIVED
MAY 8 1995
ZADM

REVIEWED BY: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File

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BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Zoning Administration and
Development Management
DATE: May 16, 1995

FROM: Pat Keller, Director
Office of Planning and Zoning

SUBJECT: Petitions from Zoning Advisory Committee

The Office of Planning and Zoning has no comments on the following petition(s):

Item Nos. 391, 392, and 397.

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3480.

Prepared by: Jeffrey W. Long

Division Chief: Carl L. Richards

PK/JL

ITEM392/PZONE/ZAC1

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
INTER-OFFICE CORRESPONDENCE

TO: ZADM DATE: 5/16/95

FROM: DEPRM
Development Coordination

SUBJECT: Zoning Advisory Committee
Agenda: 5/8/95

The Department of Environmental Protection & Resource Management has no comments for the following Zoning Advisory Committee Items:

Item #'s: 378
379
380
381
382
385
386
389
391

LS:sp

LETTY2/DEPRM/TXTSBP

Maryland Department of Transportation
State Highway Administration

David L. Winstead
Secretary
Hal Kassoff
Administrator

8/10/95 File
APPVD BY LTR OF 10/16/95
JWR-95

August 10, 1995

Mr. W. Carl Richards, Jr.
Supervisor, Zoning Review, PDM
Baltimore County Office of
Permits and Development Management
Room 109
111 W. Chesapeake Avenue
Towson, Maryland 21204

RE: Baltimore County
US 1
TNT Red Star Express
Class 1 Trucking Facility
Trucking Facility #167
Zoning Case #95-395-XA
5001 Washington Boulevard
(Southeast side)
opposite ramp to I-195
Mile Post 0.19

Dear Mr. Richards:

This letter is in response to your request for our review of the plan for the referenced development.

As it was indicated to you in your recent discussion with Bob Small of this office, there is an outstanding issue relative to the proposed access onto US 1 (Washington Boulevard) for the subject development.

US 1 is an access controlled roadway at the proposed entrance location indicated on the plan. The State Highway Administration (SHA) is currently in the process of reviewing a request to allow a "break in access controls" along the property frontage on US 1.

Although we regret any delay in the review process, it is our expectation that this issue will be resolved in the next few weeks, at which time we will promptly notify you of the outcome.

Should you have any questions, please contact Bob Small at 410-333-1350.

Very truly yours,

David L. Ramsey

for Ronald Burns, Chief
Engineering Access Permits
Division

BS/es

My telephone number is 410-333-1350 (Fax# 333-1041)

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

Maryland Department of Transportation
State Highway Administration

David L. Winstead
Secretary
Hal Kassoff
Administrator

11/19/95
5136-95

JLL
10/20/95

October 16, 1995

Mr. Carl Richards
Zoning Supervisor
Baltimore County Office of
Permits and Development Management
Baltimore County Office Building
Room 109
111 W. Chesapeake Avenue
Towson, Maryland 21204

RE: Baltimore County
US 1 (east side)
Opposite Ramp B
from I-795
TNT Freightway Trucking
Facility
Zoning Case #95-395-XA
Mile Post 0.19

Dear Mr. Richards:

This letter is in response to your request for our review of the plan for the subject case.

We have completed our review of the plan and the State Highway Administration (SHA) will allow a break in access controls along US 1 approximately between Station 17+80 to Station 19+50, subject to the following conditions:

- The developer will reimburse the SHA $44,000.00 for the break in access controls.
- Conveyance of controls along the Seagrams property from Station 12+00 to the northern property limit of the Seagrams property, except at Seagrams existing signalized entrance onto US 1.
- The proposed modifications to the US 1/I-195 intersection as proposed in the traffic impact study.

Entrance construction shall be subject to terms and conditions of an access permit issued by this office, with the following submittals required:

a. Nine (90) copies of the site plan showing the SHA requirements.
b. Completed application.

My telephone number is 410-545-5600 (Fax# 333-1041)

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

RECEIVED
OCT 19 1995
PDM

Mr. Carl Richards
Page Two
October 16, 1995

c. Performance bond, letter of credit, or certified check **(include Federal ID number or social security number on certified checks only)** in the amount 150% of the actual entrance construction cost (to include the cost of relocating any affected utilities) and in an even thousand dollar increment. These must be made payable to the State of Maryland **(Please note that it takes 6-8 weeks for a certified check to be returned after project completion and SHA final inspection).**
d. An engineering fee check in the amount of $50.00 for each point of access, made payable to the State of Maryland.
e. A letter of authorization from the appropriate agency relative to the relocation of any utilities which may be necessitated by this construction; or, a letter from the developer acknowledging and agreeing to the financial responsibility for relocating any affected utilities, provided the cost for the utility relocation is included in the surety submitted for the permit.

The surety for entrance construction must be received by this office prior to our approving any building permits for this development.

We have no objection to approval of the plan, subject to our aforementioned comments.

Should you have any questions, please contact Bob Small at 410-545-5581. Thank you for the opportunity to review this plan.

Very truly yours,

Ronald Burns, Chief
Engineering Access Permits
Division

BS/es

BALTIMORE COUNTY, MARYLAND
Inter-Office Memorandum

County + SHA approvals

DATE: July 13, 1995

TO: Trucking Facilities Development Committee (TFDC)

FROM: W. Carl Richards, Jr. WCR
Supervisor, Zoning Review, PDM

SUBJECT: Class I Trucking Facility
TNT Red Star Express
Trucking Facility #167
Zoning Case #95-395-XA
5001 Washington Boulevard
SE/S Washington Blvd., corner E/S Metropolitan Blvd., N/S I-895
Zoning: M.L.-I.M. & M.H.-I.M. & M.L.-C.S.-1
13th Election District

Please find attached the site development plan and correspondence regarding the proposed Class I Trucking Facility for TNT Red Star Express. The plans have been initially reviewed by this office for general compliance with the zoning regulations and basic trucking facility requirements. The Zoning Commissioner has approved a special exception and variances for this facility; however, as required in Section 410 of the Baltimore County Zoning Regulations, a development plan must be approved by the trucking facilities development officials.

You are asked to review the plan in detail on matters that relate to your jurisdiction and to notify this office in writing by July 27, 1995 as to any conflicts with your section or agency's specific standards and requirements.

WCR:scj

Attachment

TFDC: John Bryan/Dick Seim, Building Plans Review
Larry Pilson, DEPRM
Bob Bowling, Developers Plans Review/Traffic
Bob Hannon/Susan Brennan, Economic Development
David Ramsey, State Highway Administration

BALTIMORE COUNTY, MARYLAND
Inter-Office Memorandum

COPY OF DEPRM COMMENTS TOLD SHA ACCESS PERMITS PROB NOT NEEDED IN PAVED STREET DRIVE RAMPS. TCR TO TOM WOOD FOLL. SHA 8/4/95

DATE: July 13, 1995

TO: Trucking Facilities Development Committee (TFDC)

FROM: W. Carl Richards, Jr. WCR
Supervisor, Zoning Review, PDM

SUBJECT: Class I Trucking Facility
TNT Red Star Express
Trucking Facility #167
Zoning Case #95-395-XA
5001 Washington Boulevard
SE/S Washington Blvd., corner E/S Metropolitan Blvd., N/S I-895
Zoning: M.L.-I.M. & M.H.-I.M. & M.L.-C.S.-1
13th Election District

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You are asked to review the plan in detail on matters that relate to your jurisdiction and to notify this office in writing by July 27, 1995 as to any conflicts with your section or agency's specific standards and requirements.

WCR:scj

Attachment

RECEIVED
JUL 27 1995
DEVELOPERS ENGINEERING SECTION
BUREAU OF ENGINEERING AND CONSTRUCTION

TFDC: John Bryan/Dick Seim, Building Plans Review
Larry Pilson, DEPRM
Bob Bowling, Developers Plans Review/Traffic
Bob Hannon/Susan Brennan, Economic Development
David Ramsey, State Highway Administration

No Conflict – J.R. Johns, D.P.R. 7/24/95

RECEIVED 2-12-95
2-27-95
SEE CARL.
PLANS APPVD 12/13/95

May 18, 1995

DMW

Daft·McCune·Walker, Inc.
200 East Pennsylvania Avenue
Towson, Maryland 21286
410 296 3333
Fax 296 4705
A Team of Land Planners, Landscape Architects, Engineers, Surveyors & Environmental Professionals

Mr. Lawrence E. Schmidt
Zoning Commissioner
Suite 112, County Courthouse
400 Washington Avenue
Towson, MD 21204

Re: Airborne Express
1720 Gilroy Road
Zoning Case 94-407-SPHX
DMW Project No. 94031.B

Dear Mr. Schmidt:

Reference is made to Zoning Case 94-407-SPHX wherein you approved a Special Exception for a Class I Trucking Facility together with a series of variances which enabled 10720 Gilroy Road to meet trucking facility standards. The Class I Trucking Facility was granted in accordance with revised Petitioner's Exhibit 1A. This was a "red-lined" plan which articulated each of the requested variances and had attached revised zoning plan notes setting forth information as required by BCZR Sections 410.2 and 410.3. There also was a map illustrating the routes which trucks would take to get to 10720 Gilroy Road. All of these are in the case file.

At the conclusion of the case, DMW dropped out of the process. Bill Nitzel of Implementation, Inc. (1801 Falls Road, Baltimore, Maryland 21201) prepared final architectural plans and filed for building permit on behalf of Airborne Express. The permit was granted, the alterations to the building were completed, and Airborne Express now is operating at the premises. All of this was done in the belief that Zoning Case 94-407-SPHX resolved with finality all zoning issues relative to Airborne's operations at 10720 Gilroy Road.

In April, Bill Nitzel called to inform me that the Development Control Section of ZADM had problems with respect to Airborne's building permit. We met with John Lewis who informed us that there was not an approved trucking facility plan in the file, that we would have to certify paving sections in accordance with Section 410.3.B7, and that Airborne's permit could be revoked.

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MAY 18 1995
ZADM

Mr. Lawrence E. Schmidt
Page 2
May 18, 1995

Rather than creating a new plan, we respectfully request that consideration be given to utilizing the file copy of Petitioner's Exhibit 1A as the approved trucking facilities plan. It is the plan on which the grant of the Special Exception for the Class I Trucking Facility was based. It is also the plan on which the grant of seven different variances to trucking facility standards was based. We note particularly that a variance was granted to permit existing paving sections at the site to satisfy the requirements of Section 409.8.D. To create a new plan would pose yet an additional burden on Airborne. You may recall that the zoning status originally was resolved on the basis that Airborne was not a trucking facility and permitted as of right. People's Counsel expressed concerns and the petition was amended to request a Class I Trucking Facility and seven variances to Sections 410.2 and 410.3. This imposed additional expense to Airborne.

Please let me know if this can be done. We need to remove in any case any threat to the zoning status of Airborne's activities at 10720 Gilroy Road.

Thank you very much for your thoughtful consideration.

Very truly yours,

George E. Gavrelis
Vice President

GEG/pmh

cc: Scott Barhight, Esq.
Mr. John L. Lewis
Mr. Bill Nitzel

ZADM

Baltimore County Government
Office of Zoning Administration
and Development Management

111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

May 10, 1995

Robert A. Hoffman, Esquire
Venable, Baetjer and Howard, LLP
210 Allegheny Avenue
Towson, MD 21204

95-395-XA

RE: Preliminary Petition Review (Item #391)
Legal Owner: Joseph E. Seagram & Sons, Inc.
Contract Purchaser: TNT Red Star Express
Washington Boulevard
13th Election District

Dear Mr. Hoffman:

At the request of the attorney/petitioner, the above referenced petition was accepted for filing without a final filing review by the staff. The plan was accepted with the understanding that all zoning issues/filing requirements would be addressed. A subsequent review by the staff has revealed unaddressed zoning issues and/or incomplete information. The following comments are advisory and do not necessarily identify all details and inherent technical zoning requirements necessary for a complete application. As with all petitions/plans filed in this office, it is the final responsibility of the petitioner to make a proper application, address any zoning conflicts and, if necessary, to file revised petition materials. All revisions (including those required by the hearing officer) must be accompanied by a check made out to Baltimore County, Maryland for the $100.00 revision fee.

1. This plan was originally reviewed by John Sullivan of the ZADM staff at a formal filing appointment. This review is not being continued in a manner best suited to continuity of comments due to the drop-off.

2. The special exception petition form references Section 253.2.A.b (BCZR); Section 253.2.A.6 is correct.

Printed with Soybean Ink on Recycled Paper

Robert A. Hoffman, Esquire
May 10, 1995
Page 2

3. The variance petition request is not clear and appears incomplete. "to permit portions of a Class I trucking facility (including the access point) to be as close as 230 feet in lieu of the required 300 feet"? To what?? From what?? Section 410.2 as referenced refers to wetland setbacks (200 feet) and residential zone setbacks (300 feet).

4. Be aware that if this use is approved, a trucking facility plan must be approved by all required County agencies. This plan will be subject to additional requirements for zoning final approval.

If you need further information or have any questions, please do not hesitate to contact me at 887-3391.

Very truly yours,

John L. Lewis
Planner II

JLL:scj

Enclosure (receipt)

c: Zoning Commissioner

RE: Preliminary Petition Review (Item #)
Legal Owner:

Election District

Dear :

At the request of the attorney/petitioner, the above referenced petition was accepted for filing without a final filing review by the staff. The plan was accepted with the understanding that all zoning issues/filing requirements would be addressed. A subsequent review by the staff has revealed unaddressed zoning issues and/or incomplete information. The following comments are advisory and do not necessarily identify all details and inherent technical zoning requirements necessary for a complete application. As with all petitions/plans filed in this office, it is the final responsibility of the petitioner to make a proper application, address any zoning conflicts and, if necessary, to file revised petition materials. All revisions (including those required by the hearing officer) must be accompanied by a check made out to Baltimore County, Maryland for the $100.00 revision fee.

If you need further information or have any questions, please do not hesitate to contact me at 887-3391.

Very truly yours,

391

JLL
FOR PRELIMINARY REVIEW
Sophia, 5/3/95

:scj

Enclosure (receipt)

cc: Zoning Commissioner

RE: PETITION FOR SPECIAL EXCEPTION PETITION FOR VARIANCE SE/S Washington Boulevard, corner E/S Metropolitan Boulevard, N/S I-895 13th Election Dist., 1st Councilmanic Joseph E. Seagram & Sons, Inc. Petitioners	* * * * *	BEFORE THE ZONING COMMISSIONER OF BALTIMORE COUNTY CASE NO. 95-395-XA

* * * * * * * * * * * * *

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

CAROLE S. DEMILIO
Deputy People's Counsel
Room 47, Courthouse
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 31st day of May, 1995, a copy of the foregoing Entry of Appearance was mailed to Robert A. Hoffman, Esquire, Venable, Baetjer & Howard, 210 Allegheny Avenue, Towson, MD 21204, attorney for Petitioners.

PETER MAX ZIMMERMAN

391

VENABLE, BAETJER AND HOWARD, LLP
Including professional corporations

210 Allegheny Avenue
Post Office Box 5517
Towson, Maryland 21285-5517
(410) 494-6200 Fax (410) 821-0147

VENABLE
ATTORNEYS AT LAW

OFFICES IN
MARYLAND
WASHINGTON, D.C.
VIRGINIA

Writer's Direct Number:

April 26, 1995

Hand Delivery

Mr. Carl Richards
Office of Zoning Administration
and Development Management
County Courts Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: Property Owner: Joseph E. Seagram & Sons, Inc.
Petitioner: TNT Redstar Express
Location: Washington Boulevard
Petition for Special Exception and Variance

Carl

Dear Mr. Richards:

I am hereby drop filing the enclosed Petition for Special Exception and Variance with regard to the above captioned property. The petitioner proposes to use the site as a Class I Trucking Facility. John Sullivan and John Lewis are familiar with this project and the requested zoning relief. They were both present and made comments regarding the plan at the original filing appointment on April 21st. Enclosed are the following:

1. Petition for Special Exception (3)
2. Petition for Variance (3)
3. Description of entire site (3)
4. Description of special exception area (3)
5. Portion of 200' scale zoning map (1)
6. Site Plans (12)
7. Check in the amount of $620.00

5:36-95

GWS

GEORGE WILLIAM STEPHENS, JR. AND ASSOCIATES, INC.
CONSULTING ENGINEERS

TOWSON
658 KENILWORTH DRIVE
SUITE 100
TOWSON, MARYLAND 21204
410/825-8120
FAX 410/583-0288

BEL AIR
203 EAST BROADWAY
BEL AIR, MARYLAND 21014
410/879-1500
410/838-3800
FAX 410/893-0423

TO: Baltco. Zoning

DATE: Wednesday, December 13, 1995

REFERENCE: TNT Red Star Express

ATTENTION: John Lewis

PN 7862

We are:
☒ Submitting ☒ Herewith ☐ Under Separate Cover
☐ Forwarding
☐ Returning

COPIES	DESCRIPTION
1	Approved Forest Conservation Plan

☒ In accordance with your request
☐ For your review
☐ For processing
☐ Plans reviewed and accepted
☐ Plans reviewed and accepted as noted

☒ For your use
☐ Please call when ready
☐ Please return to this office
☐ Approval requested
☐ Meeting requested

Remarks:

RECEIVED 14 1995 PM

For further information, please contact the writer at this office.

Sincerely yours,

Andrew Ferretti

cc: Ken Adams

TO: Carl [redacted]

From: BALTIMORE COUNTY, MARYLAND

DUPRN

MESSAGE

Subject: Washington Blvd. Development Plan (LEX)

X Did the site ever existing wells, septics or underground storage tanks on site? Yes, seal if not, in note on plan.

EB Development of the property must comply with Article X, the Forest Conservation Act, when required is first approved forest conservation Plan and approved Forest Conservation Worksheet.

Mike Kotis via Signed Letty Storm

REPLY

SEE APPVD PLAN IN F.F. FILE

Signed

White - Recipient's Reply
Yellow - Recipient's File
Pink - Originator / File / Follow Up

CPS-009

Reply Message

VENABLE, BAETJER AND HOWARD

REQUEST FOR MESSENGER DELIVERY/PICK-UP

391
099583

DATE & TIME PREPARED	SENDER	EXT. NO.
4-26-95 1:35 pm	Barb Osmond	6201
CLIENT/MATTER NO. 26454-113613	CLIENT/MATTER NAME TNT Redstar Express	

IF FIRM CHARGE, EXPLAIN

INFORMATION
(PLEASE CHECK ONE)

☑ DELIVER ☐ PICK-UP ☐ ROUND TRIP

Must Be Delivered/Picked-Up By: Date _____ Time _____

NAME: Carl Richards FLOOR: 1st

COMPANY: Zoning Office

STREET ADDRESS: 111 W. Chesapeake Ave

CITY: Towson STATE: Md ZIP CODE:

TELEPHONE: 887-3391

ITEMS AND QUANTITIES

1 ENVELOPE(S) ___ BOX(ES) ___ OTHER (SPECIFY)

SPECIAL INSTRUCTIONS

FOR ADMINISTRATIVE SERVICES USE ONLY

MESSENGER SERVICE Judith

TIME REC'D AT DISPATCH ___ TIME OUT TO CARRIER ___ TIME DELIVERED ___

COMMERCIAL MESSENGER SIGNATURE:

REC'D BY:

R/T REC'D BY: ___ DATE 4/26/95 TIME 2:45 pm

COST: $

VBH 0127 REV 3/93

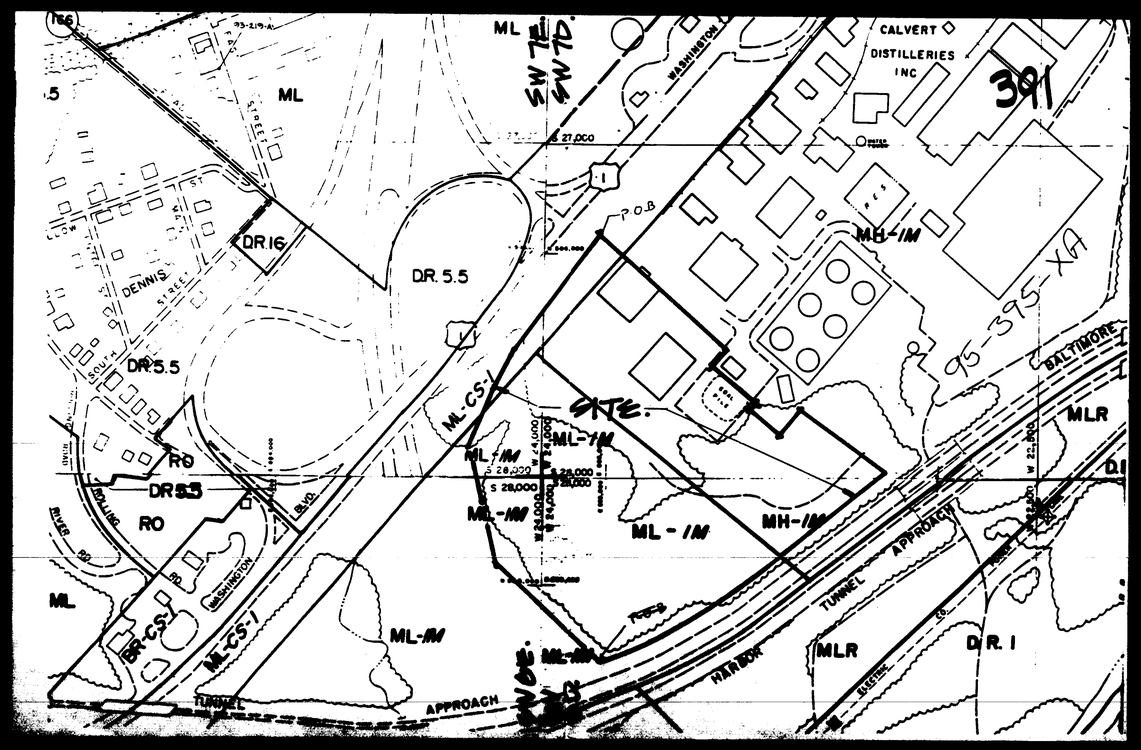
MESSENGER

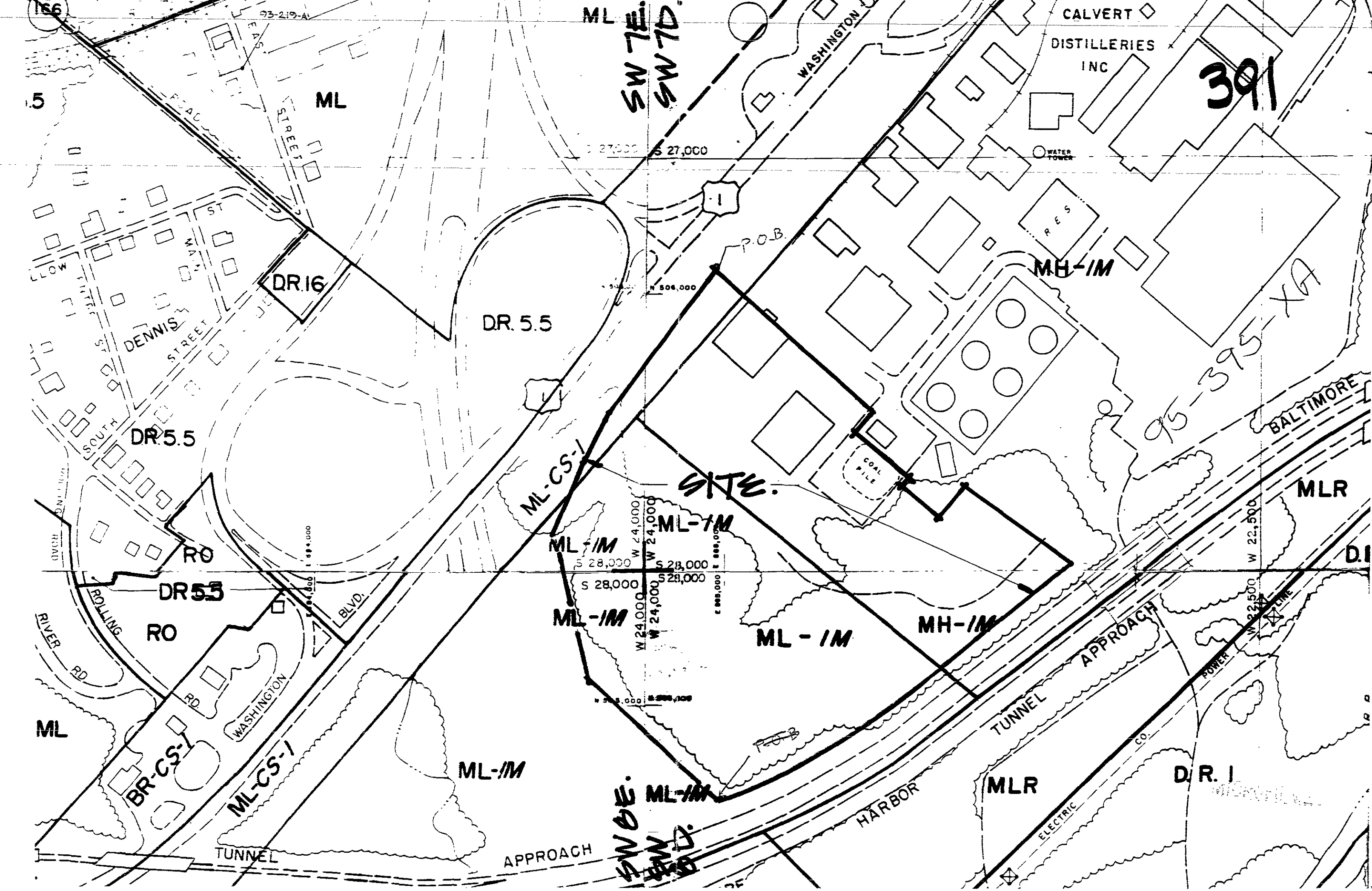
PLEASE PRINT CLEARLY

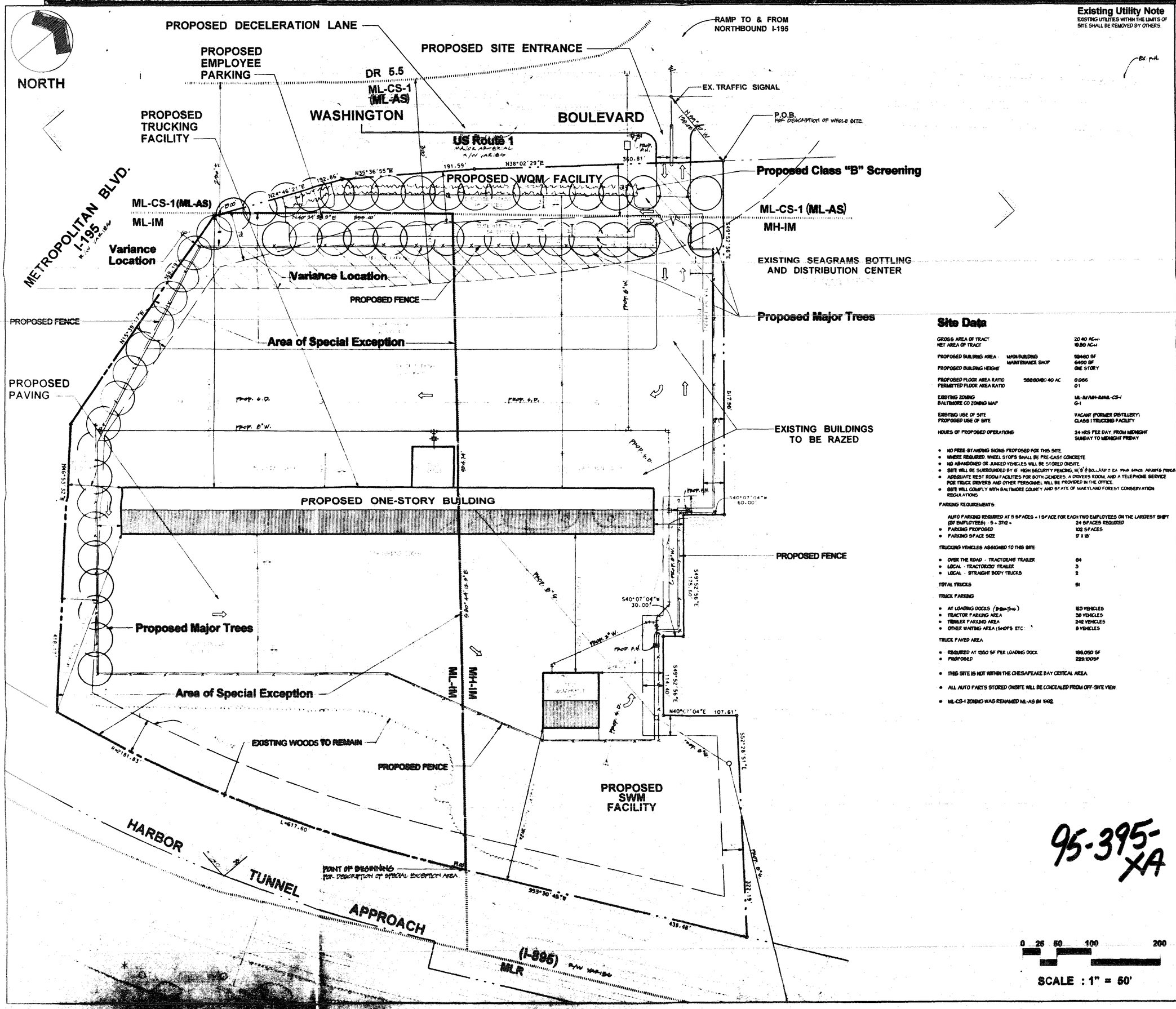
PETITIONER(S) SIGN-IN SHEET

NAME	ADDRESS
Rob Hoffman	210 Allegheny
Ken Adams	400 Delaney & Towson MD 21105
Glenn Cook	40 W. Chesapeake Ave Suite 600 Towson 21204
Craig Lewis	7 Red Rooster Step.
Tom Sadowski	400 WASHINGTON AVE
Tom Woolfolk	658 KENILWORTH AVE.
Gary Raffee	P.O. Box 309 Bel Air MD
ROBERT BETTS	5840 Baltimore Nat'l Columbia 21203 21044

Printed with Soybean Ink on Recycled Paper




ML
SW 7E
SW 7D
WASHINGTON
CALVERT
DISTILLERIES
INC
391
WATER TOWER
S 27,000
N 506,000
P.O.B.
MH-IM
95-395-XA
DR.16
DR. 5.5
DENNIS
STREET
SOUTH
DR.5.5
RO
DR 5.5
ROLLING
BLVD.
RIVER
RD
WASHINGTON
BR-CS-1
ML-CS-1
ML-IM
SITE.
ML-IM
S 28,000
W 24,000
ML-IM
MH-IM
ML-IM
SW 8E
SW 8D
TUNNEL
APPROACH
HARBOR
MLR
D.R. 1
ELECTRIC
CO.
POWER
LINE
W 22,500
BALTIMORE



Existing Utility Note

EXISTING UTILITIES WITHIN THE LIMITS OF SITE SHALL BE REMOVED BY OTHERS.

Site Data

GROSS AREA OF TRACT		20.40 AC+/-
NET AREA OF TRACT		19.89 AC+/-
PROPOSED BUILDING AREA	MAIN BUILDING	59400 SF
	MAINTENANCE SHOP	6400 SF
PROPOSED BUILDING HEIGHT		ONE STORY
PROPOSED FLOOR AREA RATIO	59800/20.40 AC	0.066
PERMITTED FLOOR AREA RATIO		01
EXISTING ZONING		ML-IM/MH-IM/ML-CS-1
BALTIMORE CO ZONING MAP		G-1
EXISTING USE OF SITE		VACANT (FORMER DISTILLERY)
PROPOSED USE OF SITE		CLASS I TRUCKING FACILITY
HOURS OF PROPOSED OPERATIONS		24 HRS PER DAY, FROM MIDNIGHT SUNDAY TO MIDNIGHT FRIDAY

- NO FREE-STANDING SIGNS PROPOSED FOR THIS SITE.
- WHERE REQUIRED, WHEEL STOPS SHALL BE PRE-CAST CONCRETE
- NO ABANDONED OR JUNKED VEHICLES WILL BE STORED ONSITE.
- SITE WILL BE SURROUNDED BY 6' HIGH SECURITY FENCING, W/ 8' ⊕ BOLLARD @ EA. PARK SPACE ADJACENT TO FENCE
- ADEQUATE REST ROOM FACILITIES FOR BOTH GENDERS, A DRIVERS ROOM, AND A TELEPHONE SERVICE FOR TRUCK DRIVERS AND OTHER PERSONNEL WILL BE PROVIDED IN THE OFFICE.
- SITE WILL COMPLY WITH BALTIMORE COUNTY AND STATE OF MARYLAND FOREST CONSERVATION REGULATIONS

PARKING REQUIREMENTS:

AUTO PARKING REQUIRED AT 5 SPACES + 1 SPACE FOR EACH TWO EMPLOYEES ON THE LARGEST SHIFT (37 EMPLOYEES) - 5 + 37/2 =	24 SPACES REQUIRED
• PARKING PROPOSED	102 SPACES
• PARKING SPACE SIZE	9' x 18'

TRUCKING VEHICLES ASSIGNED TO THIS SITE

• OVER THE ROAD - TRACTOR/45' TRAILER	64
• LOCAL - TRACTOR/30' TRAILER	3
• LOCAL - STRAIGHT BODY TRUCKS	2
TOTAL TRUCKS	51

TRUCK PARKING

• AT LOADING DOCKS (9'x60'+1+0)	123 VEHICLES
• TRACTOR PARKING AREA	39 VEHICLES
• TRAILER PARKING AREA	242 VEHICLES
• OTHER WAITING AREA (SHOPS ETC)	8 VEHICLES

TRUCK PAVED AREA

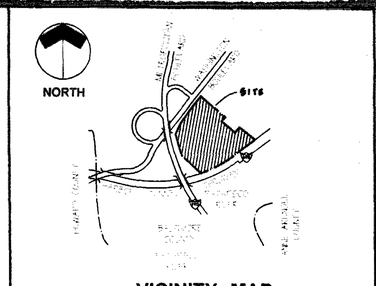
• REQUIRED AT 1350 SF PER LOADING DOCK	166,050 SF
• PROPOSED	229,100SF

- THIS SITE IS NOT WITHIN THE CHESAPEAKE BAY CRITICAL AREA.
- ALL AUTO PARTS STORED ONSITE WILL BE CONCEALED FROM OFF-SITE VIEW.
- ML-CS-1 ZONING WAS RENAMED ML-AS IN 1992.

95-395-XA

0 25 50 100 200

SCALE : 1" = 50'



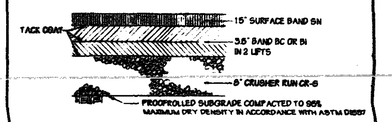
VICINITY MAP

SCALE : 1" = 1000'

Paving Section

NOT TO SCALE

NOTE: IN ACCORDANCE WITH MDOT STANDARD FOR CONSTRUCTION AND MATERIALS



Paving Certification

BY HALEY & ALDRICH, INC

I HEREBY CERTIFY THAT THE SPECIFICATIONS FOR THE PAVING SECTION, WHICH IS A MINIMUM PAVING SECTION, INCLUDING THE SUBBASE, AND SOIL CONDITIONS RELATIVE TO THIS SITE, ARE CAPABLE OF WITHSTANDING LOADS IMPOSED BY FULLY LOADED TRUCKS OF MAXIMUM GROSS WEIGHT OF 73280 POUNDS

B:\TNRSX\GROUDBSVRED.DOC

SEALED FOR PAVING SECTION & CERTIFICATION ONLY

STATE OF MARYLAND — JOHN H. HOLLY — NO. 8844 — REGISTERED PROFESSIONAL ENGINEER

Truck Travel Routes

EXISTING SITE

- 80% OF EXIT TRUCK TRAFFIC WILL TAKE I-195 NORTH TO I-95 APPROXIMATELY 50% WILL THEN TRAVEL NORTH ON I-95 AND 50% SOUTH ON I-95.
- REMAINDER WILL TRAVEL NORTH AND SOUTH ON US ROUTE 1

ARRIVING AT SITE, MOVEMENTS WILL BE APPROXIMATELY THE REVERSE OF THE ABOVE

Zoning History

SITE WAS SUBJECT OF TWO LIMITED EXEMPTIONS

DRC NO 121240 TO EXEMPT PROJECT FROM PHASE I OF BALTIMORE COUNTY DEVELOPMENT REGULATIONS FOR LOT LINE ADJUSTMENT

DRC NO 080694 TO EXEMPT PROJECT FROM PHASE I OF BALTIMORE COUNTY DEVELOPMENT REGULATIONS

OWNER

JOSEPH E. SEAGRAM & SONS, INC.
5001 WASHINGTON BOULEVARD
BALTO., MD 21227

DEVELOPER

TNT RED STAR EXPRESS
400 DELANCY STREET
NEWARK, NJ 07105

Plat To Accompany Zoning Petition

For Trucking Facility

TNT RED STAR EXPRESS

(Corporate Entity)
Baltimore County, Maryland

Zoning Commissioner
Baltimore County, Maryland

391

STATE OF MARYLAND — HOWARD N. KOLODZIEJ — NO. 884 — REGISTERED PROFESSIONAL LANDSCAPE ARCHITECT

GWS — GEORGE WILLIAM STEPHENS, JR. AND ASSOCIATES, INC.
CIVIL ENGINEERS & LAND SURVEYORS
820 HEIGHTS AVE., SUITE 100
TOWSON, MARYLAND 21204
(410) 828-9220

NO.	DATE	REVISIONS:	BY
1	4-14-95	PER ZONING APPEAL COMMENTS	JWT

SCALE: 1" = 50'
DATE: 4-14-95
JOB NO.: 7662
DESIGNED: TMV
DRAWN: JWS
CHECKED: JWT
FILE: 7662ZONING
DRAWING NUMBER: Z-1
SHEET 1 OF 1

PETITIONER'S EXHIBIT 1

NORTH

Metropolitan Boulevard
I-195

Ramp To & From I-195

PROPOSED ROAD WIDENING
SEE DRAWING C-1

Limit of Disturbance

Washington Boulevard

US Route 1

DR 5.5

EX. TEL CONDUIT

S35°36'55"W

S38°02'29"W

ML-CS-1

EXISTING SEAGRAMS BOTTLING AND DISTRIBUTION CENTER

JOSEPH E. SEAGRAM & SONS, INC.
5000 P.O.

WATER QUALITY MANAGEMENT FACILITY
SEE DRAWING C-6 FOR GRADING & CONSTRUCTION

Limit of Disturbance

Limit of Disturbance

PROPOSED PAVING

EXISTING BUILDINGS TO BE RAZED

PROPOSED BUILDING

S40°07'04"W
60.00'

BALTIMORE COUNTY
Access Easement for Ingress & Egress to Forest Conservation Easement & SWM Facility.

S40°07'04"W
30.00'

PROPOSED PAVING

ACCESS EASEMENT FOR INGRESS AND EGRESS

PROPOSED SWALE

PROP MAINTENANCE

N40°07'04"E 107.61'

Forest Conservation Easement
1.7 acres
forest to be retained

Limit of Disturbance

EXISTING WOODS TO REMAIN

EXISTING SWALE

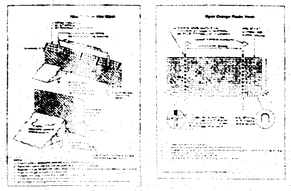
STORMWATER MANAGEMENT FACILITY
SEE DRAWING C-6 FOR GRADING & CONSTRUCTION

Limit of Disturbance

HARBOR TUNNEL APPROACH

(I-895)

Typical Temporary Protective Fencing



Typical Permanent Protective Signage

FOREST CONSERVATION AREA

Unauthorized disturbance of vegetation is prohibited. Violators subject to penalties under the 1991 Baltimore County Forest Conservation Act

Trees for Your Future

BALTIMORE COUNTY
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
FOREST CONSERVATION PLAN APPROVAL

Approved by: Date: 12-2-96
Environmental Impact Review
DNR approved qualified professional

FOREST CONSERVATION PLAN # 045-95

FCP NOTES

1. Any Forest Conservation Easement shown hereon is subject to protective covenants which may be found in the Land Records of Baltimore and which restrict the disturbance and use of these areas.
2. There shall be no clearing, grading, construction or disturbance of vegetation in the Forest Conservation Easement, except as permitted by Baltimore County.
3. No stockpiles, parking areas, equipment or working areas, etc. shall occur within areas designated as Forest Conservation Easements.
4. Permanent signage shall be placed 50-100' apart along the boundaries of all areas included in Forest Conservation Easements.
5. Protective fencing shall be placed, as shown, along the Forest Conservation Easements.

FOREST DATA

	Acres
Gross Area:	19.8
Net Tract Area:	19.8
Existing Forest:	10.9
Reforestation Threshold:	3.0
Forest to be Cleared:	9.0
Forest to be Retained:	1.9
Reforestation Required:	4.2
Forest to be Retained in FCE:	1.7
Remaining FCE obligation:	4.4
Proposed Fee-in-lieu:	$76,665.60

LEGEND
Ex. Topography
Proposed Topography
Ex. Treeline
Proposed Treeline
Forest Conservation Easement

0 25 50 100 200

SCALE : 1" = 50'

Non-Disturbance Note

THERE SHALL BE NO CLEARING, GRADING, CONSTRUCTION OR OTHER DISTURBANCE OF VEGETATION WITHIN THE FOREST CONSERVATION EASEMENT OR OTHER FOREST RETENTION AREAS, EXCEPT AS PERMITTED BY THE BALTIMORE COUNTY DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT.

Existing Utility Note

EXISTING UTILITIES WITHIN THE LIMITS OF SITE SHALL BE REMOVED BY OTHERS.

NORTH

BENCHMARK

METROPOLITAN BOULEVARD
BALTIMORE
WASHINGTON BOULEVARD
SITE
HARBOR TUNNEL THRUWAY
PATAPSCO RIVER
BALTIMORE COUNTY
ANNE ARUNDEL COUNTY

VICINITY MAP

SCALE 1" = 1000'

Benchmark

N 5865 S 27365.68
ELEVATION 52.446 W 24023.72
GALVANIZED SPIKE IN MACADAM SHOULDER ON SOUTHEAST SIDE OF WASHINGTON BOULEVARD NORTHEAST OF ROLLING ROAD

Key

EXISTING CONTOUR
PROPOSED CONTOUR
+50.1 PROPOSED SPOT ELEV.
PROPOSED SURFACE FLOW
LIMIT OF DISTURBANCE

Construction Notes

SEE DRAWING C-7 FOR ADDITIONAL CONSTRUCTION NOTES.

Note

This plan shall be used for Forest Conservation only

Eco-Science Professionals, Inc.
CONSULTING ECOLOGISTS
P.O. Box 5081 Glen Arm, MD 21057 (410) 592-6763

MD DNR Qualified Professional
LANDUSE Professional Forester
Certificate # 0000

OWNER

JOSEPH E. SEAGRAM & SONS, INC.
5001 WASHINGTON BOULEVARD
BALTO., MD 21227

DEVELOPER

TNT RED STAR EXPRESS
400 DELANCY STREET
NEWARK, NJ 07105

Disturbed Area = 18.0597 Ac. OR 786,680 SQ.FT.

Forest Conservation Plan

TNT RED STAR EXPRESS

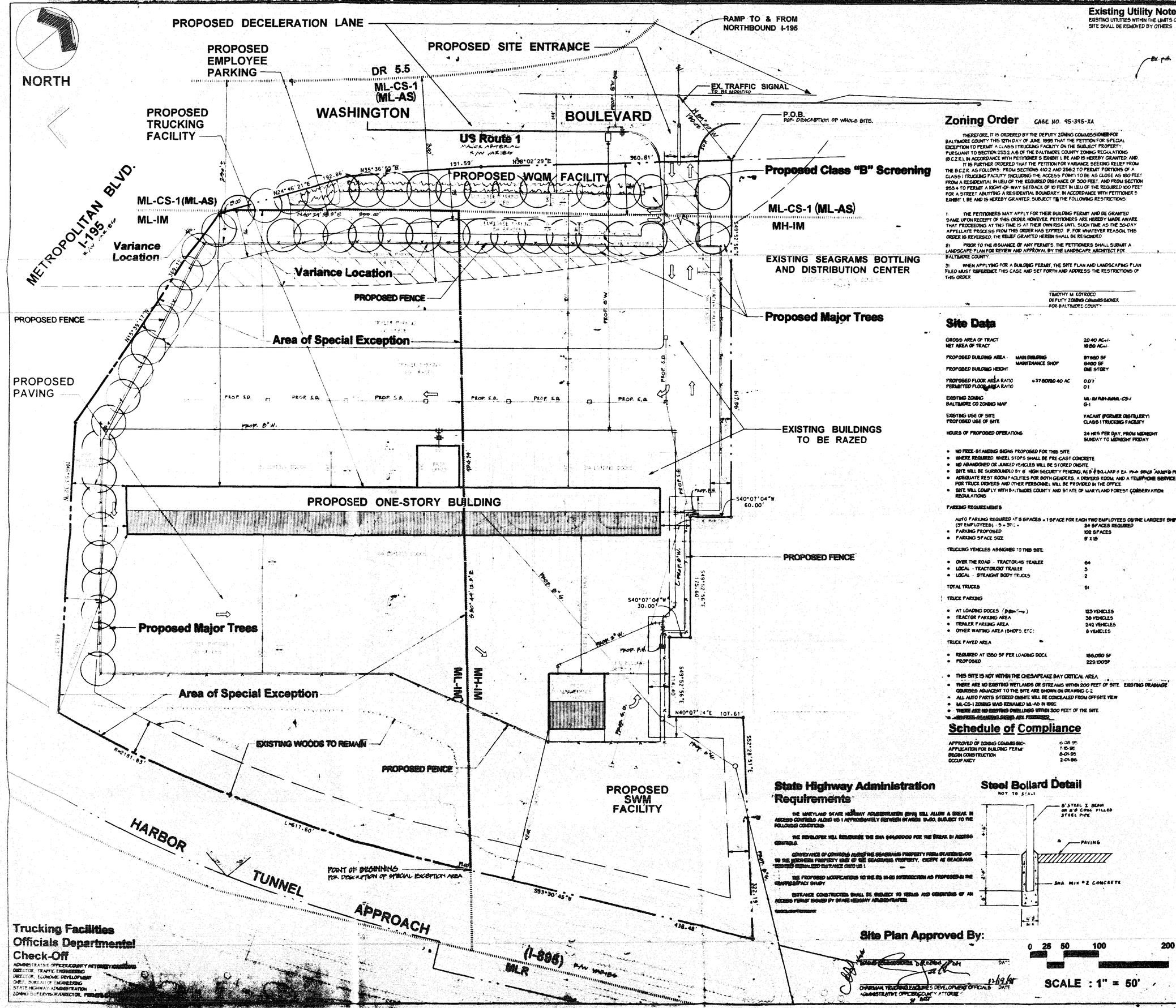
Washington Boulevard
Baltimore County, Maryland

Election District 13
Councilmanic District 1

GEORGE WILLIAM STEPHENS, JR. AND ASSOCIATES, INC.
CIVIL ENGINEERS & LAND SURVEYORS
300 HIGHLANDTOWN DRIVE, SUITE 100
TOWSON, MARYLAND 21204
(410) 828-9000

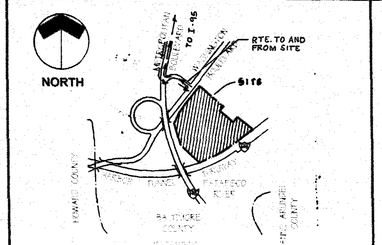
NO.	DATE	REVISIONS	BY
1	2-28-96	RO Comments 8/96	
2	10-24-96	ACCESS EASEMENT PER MES 1 & 2	K.G.

SCALE 1" = 50'
DATE 8-22-95
JOB NO. 7000
DESIGNED BY
DRAWN BY
CHECKED MAC
FILE NO.
DRAWING C-13
SHEET 1 OF 1



Existing Utility Note

EXISTING UTILITIES WITHIN THE LIMITS OF SITE SHALL BE REMOVED BY OTHERS



VICINITY MAP

SCALE : 1" = 1000'

Zoning Order

CASE NO. 95-395-XA

THEREFORE, IT IS ORDERED BY THE DEPUTY ZONING COMMISSIONER FOR BALTIMORE COUNTY THIS 12TH DAY OF JUNE, 1995 THAT THE PETITION FOR SPECIAL EXCEPTION TO PERMIT A CLASS I TRUCKING FACILITY ON THE SUBJECT PROPERTY PURSUANT TO SECTION 253.2.A.6 OF THE BALTIMORE COUNTY ZONING REGULATIONS (B.C.Z.R.), IN ACCORDANCE WITH PETITIONER'S EXHIBIT 1.B.E AND IS HEREBY GRANTED; AND

IT IS FURTHER ORDERED THAT THE PETITION FOR VARIANCE SEEKING RELIEF FROM THE B.C.Z.R. AS FOLLOWS: FROM SECTIONS 410.2 AND 256.2 TO PERMIT PORTIONS OF A CLASS I TRUCKING FACILITY (INCLUDING THE ACCESS POINT) TO BE AS CLOSE AS 150 FEET FROM A RESIDENTIAL IN LIEU OF THE REQUIRED DISTANCE OF 300 FEET; AND FROM SECTION 253.4 TO PERMIT A RIGHT-OF-WAY SETBACK OF 10 FEET IN LIEU OF THE REQUIRED 100 FEET FOR A STREET ABUTTING A RESIDENTIAL BOUNDARY, IN ACCORDANCE WITH PETITIONER'S EXHIBIT 1.B.E AND IS HEREBY GRANTED, SUBJECT TO THE FOLLOWING RESTRICTIONS:

1. THE PETITIONERS MAY APPLY FOR THEIR BUILDING PERMIT AND BE GRANTED SAME UPON RECEIPT OF THIS ORDER. HOWEVER, PETITIONERS ARE HEREBY MADE AWARE THAT PROCEEDING AT THIS TIME IS AT THEIR OWN RISK UNTIL SUCH TIME AS THE 30-DAY APPELLATE PROCESS FROM THIS ORDER HAS EXPIRED. IF, FOR WHATEVER REASON, THIS ORDER IS REVERSED, THE RELIEF GRANTED HEREIN SHALL BE RESCINDED.

2) PRIOR TO THE ISSUANCE OF ANY PERMITS, THE PETITIONERS SHALL SUBMIT A LANDSCAPE PLAN FOR REVIEW AND APPROVAL BY THE LANDSCAPE ARCHITECT FOR BALTIMORE COUNTY.

3) WHEN APPLYING FOR A BUILDING PERMIT, THE SITE PLAN AND LANDSCAPING PLAN FILED MUST REFERENCE THIS CASE AND SET FORTH AND ADDRESS THE RESTRICTIONS OF THIS ORDER.

TIMOTHY M. KOTROCO
DEPUTY ZONING COMMISSIONER
FOR BALTIMORE COUNTY

Site Data

GROSS AREA OF TRACT		20.40 AC+/-
NET AREA OF TRACT		19.89 AC+/-
PROPOSED BUILDING AREA -	MAIN BUILDING	97,860 SF
	MAINTENANCE SHOP	6400 SF
PROPOSED BUILDING HEIGHT		ONE STORY
PROPOSED FLOOR AREA RATIO	697,860/19.40 AC	0.07
PERMITTED FLOOR AREA RATIO		0.1
EXISTING ZONING		ML-IM/MH-IM/ML-CS-1
BALTIMORE CO ZONING MAP		G-1
EXISTING USE OF SITE		VACANT (FORMER DISTILLERY)
PROPOSED USE OF SITE		CLASS I TRUCKING FACILITY
HOURS OF PROPOSED OPERATIONS		24 HRS PER DAY, FROM MIDNIGHT SUNDAY TO MIDNIGHT FRIDAY

- NO FREE-STANDING SIGNS PROPOSED FOR THIS SITE.
- WHERE REQUIRED, WHEEL STOPS SHALL BE PRE-CAST CONCRETE
- NO ABANDONED OR JUNKED VEHICLES WILL BE STORED ONSITE
- SITE WILL BE SURROUNDED BY 6' HIGH SECURITY FENCING, W/ 5' 6" BOLLARD 6 EA. PER SPACE ADJACENT FENCE
- ADEQUATE REST ROOM FACILITIES FOR BOTH GENDERS, A DRIVERS ROOM, AND A TELEPHONE SERVICE FOR TRUCK DRIVERS AND OTHER PERSONNEL WILL BE PROVIDED IN THE OFFICE.
- SITE WILL COMPLY WITH BALTIMORE COUNTY AND STATE OF MARYLAND FOREST CONSERVATION REGULATIONS

PARKING REQUIREMENTS

AUTO PARKING REQUIRED AT 5 SPACES + 1 SPACE FOR EACH TWO EMPLOYEES ON THE LARGEST SHIFT (37 EMPLOYEES) - 5 + 37/2 =	24 SPACES REQUIRED
• PARKING PROPOSED	102 SPACES
• PARKING SPACE SIZE	9' x 19'

TRUCKING VEHICLES ASSIGNED TO THIS SITE

• OVER THE ROAD - TRACTOR/45 TRAILER	64
• LOCAL - TRACTOR/30' TRAILER	5
• LOCAL - STRAIGHT BODY TRUCKS	2
TOTAL TRUCKS	51

TRUCK PARKING

• AT LOADING DOCKS (PER TRUCK)	123 VEHICLES
• TRACTOR PARKING AREA	38 VEHICLES
• TRAILER PARKING AREA	242 VEHICLES
• OTHER WAITING AREA (SHOPS, ETC)	8 VEHICLES

TRUCK PAVED AREA

• REQUIRED AT 1350 SF PER LOADING DOCK	166,050 SF
• PROPOSED	229,100 SF

- THIS SITE IS NOT WITHIN THE CHESAPEAKE BAY CRITICAL AREA
- THERE ARE NO EXISTING WETLANDS OR STREAMS WITHIN 200 FEET OF SITE. EXISTING DRAINAGE COURSES ADJACENT TO THE SITE ARE SHOWN ON DRAWING C-2
- ALL AUTO PARTS STORED ONSITE WILL BE CONCEALED FROM OFFSITE VIEW
- ML-CS-1 ZONING WAS RENAMED ML-AS IN 1992
- THERE ARE NO EXISTING DWELLINGS WITHIN 300 FEET OF THE SITE
- ~~ADDITIONAL DRAWINGS ARE REQUIRED~~

Schedule of Compliance

APPROVED OF ZONING COMMISSIONER	6-08-95
APPLICATION FOR BUILDING PERMIT	7-15-95
BEGIN CONSTRUCTION	8-01-95
OCCUPANCY	2-01-96

State Highway Administration Requirements

THE MARYLAND STATE HIGHWAY ADMINISTRATION (SHA) WILL ALLOW A BREAK IN ACCESS CONTROLS ALONG US 1 APPROXIMATELY BETWEEN STATIONS 0+00 TO 0+00, SUBJECT TO THE FOLLOWING CONDITIONS:

THE DEVELOPER WILL REIMBURSE THE SHA $00,000.00 FOR THE BREAK IN ACCESS CONTROLS.

CONVEYANCE OF CERTAIN ALONG THE SEAGRAMS PROPERTY FROM STATIONS 0+00 TO THE NORTHERN PROPERTY LINE OF THE SEAGRAMS PROPERTY. EXCEPT AS SEAGRAMS RETAINS REMAINED ENTRANCE ONTO US 1.

THE PROPOSED MODIFICATIONS TO THE US 1/I-95 INTERSECTION AS PROPOSED IN THE CONTRACT STUDY.

ENTRANCE CONSTRUCTION SHALL BE SUBJECT TO TERMS AND CONDITIONS OF AN ACCESS PERMIT ISSUED BY STATE HIGHWAY ADMINISTRATION.

Steel Bollard Detail

NOT TO SCALE

Site Plan Approved By:

DATE

CHAIRMAN, TRUCKING FACILITIES DEVELOPMENT OFFICIALS DATE
ADMINISTRATIVE OFFICER/COUNTY ATTORNEY

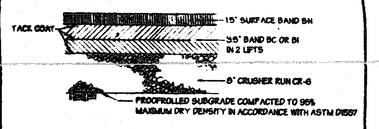
0 25 50 100 200

SCALE : 1" = 50'

Paving Section

NOT TO SCALE

NOTE: IN ACCORDANCE WITH MDOT STANDARD FOR CONSTRUCTION AND MATERIALS



Paving Certification

BY HALEY & ALDRICH, INC.

I HEREBY CERTIFY THAT THE SPECIFICATIONS FOR THE PAVING SECTION, WHICH IS A MINIMUM PAVING SECTION, INCLUDING THE SUBBASE, AND SOIL CONDITIONS RELATIVE TO THIS SITE, ARE CAPABLE OF WITHSTANDING LOADS IMPOSED BY FULLY LOADED TRUCKS OF MAXIMUM GROSS WEIGHT OF 73280 POUNDS.

B:\TNWORK\NO8\0782.DOC

SEALED FOR PAVING SECTION & CERTIFICATION ONLY

STATE OF MARYLAND — DANIEL H. WOLFE — No. 8681 — REGISTERED PROFESSIONAL ENGINEER

Truck Travel Routes

EXITING SITE

- 80% OF EXIT TRUCK TRAFFIC WILL TAKE I-195 NORTH TO I-95. APPROXIMATELY 50% WILL THEN TRAVEL NORTH ON I-95 AND 50% SOUTH ON I-95.
- REMAINDER WILL TRAVEL NORTH AND SOUTH ON US ROUTE 1

ARRIVING AT SITE, MOVEMENTS WILL BE APPROXIMATELY THE REVERSE OF THE ABOVE.

Zoning History

SITE WAS SUBJECT OF TWO LIMITED EXEMPTIONS

SDC NO. 92040, TO EXEMPT PROJECT FROM PHASE 1 OF BALTIMORE COUNTY DEVELOPMENT REGULATIONS, FOR LOT LINE ADJUSTMENT

SDC NO. 93-0691, TO EXEMPT PROJECT FROM PHASE 1 OF BALTIMORE COUNTY DEVELOPMENT REGULATIONS

Note:

A VARIANCE TO PERMIT A PORTION OF THE PROPOSED CLASS I TRUCKING FACILITY LESS THAN 300 FEET FROM A RESIDENTIAL ZONE BOUNDARY AND A SPECIAL EXCEPTION TO PERMIT THE PROPOSED CLASS I TRUCKING FACILITY IN AN ML ZONE, WAS GRANTED ON 6-12-95

OWNER

JOSEPH E. SEAGRAM & SONS, INC.
5001 WASHINGTON BOULEVARD
BALTO., MD 21227

DEVELOPER

TNT RED STAR EXPRESS
400 DELANCY STREET
NEWARK, NJ 07105

Trucking Facility Site Plan

TNT RED STAR EXPRESS

STATE OF MARYLAND — DANIEL H. WOLFE — No. 8681 — REGISTERED PROFESSIONAL ENGINEER

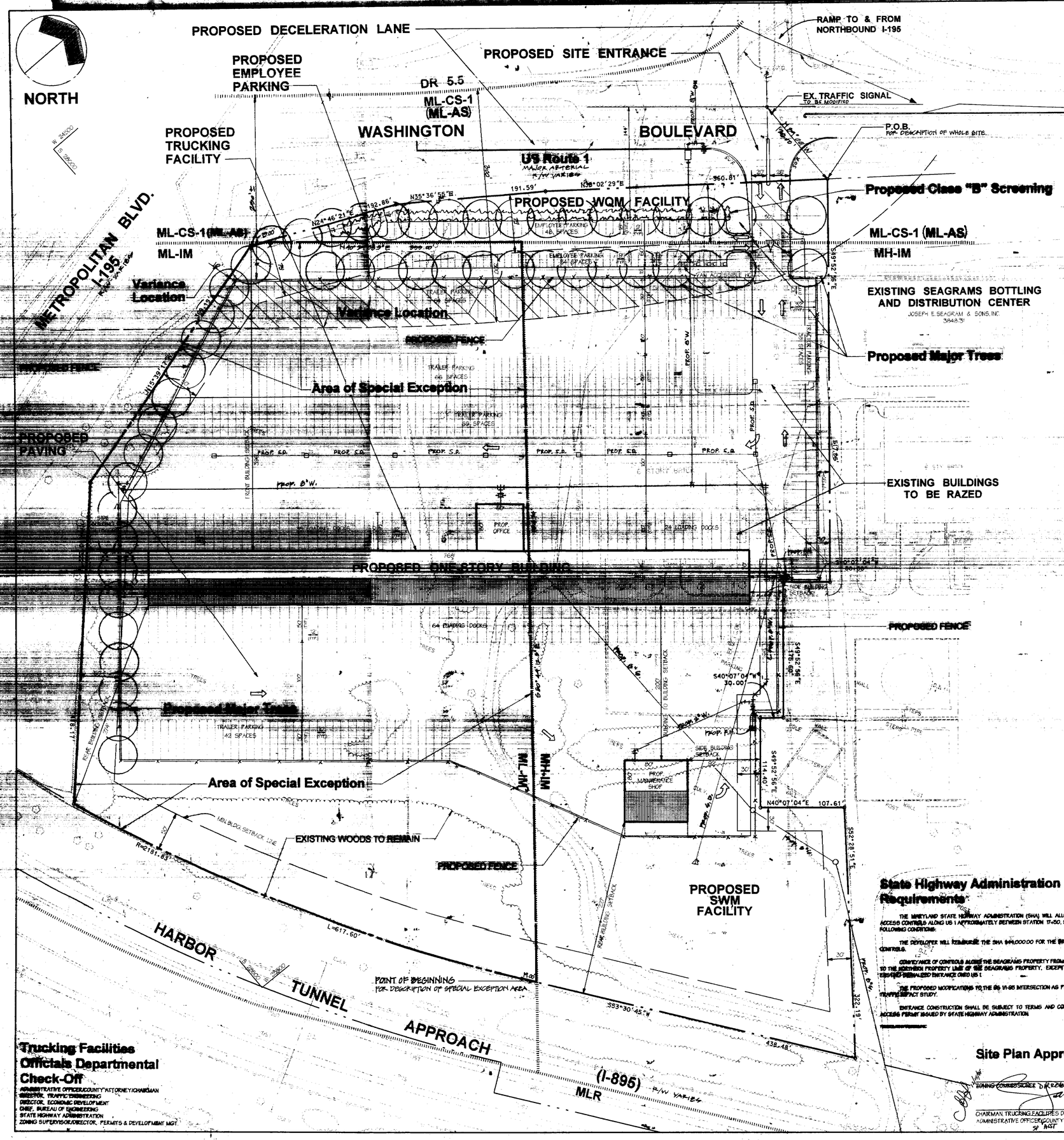
GWS — GEORGE WILLIAM STEPHENS, JR. AND ASSOCIATES, INC.
CIVIL ENGINEERS & LAND SURVEYORS
6525 GOLDEN RING ROAD, SUITE 100
TOWSON, MARYLAND 21234
(410) 522-6520

NO.	DATE	REVISIONS	BY
1	6-16-95	REVISED PER ZONING COMMENTS	RE
2	8-21-95	REVISED ENTRANCE PER SHA	RE

SCALE: 1" = 50'
DATE: 6-27-95
JOB NO.: 7862
DESIGNED: TMW
DRAWN: JHS
CHECKED: DMT
FILE: 7862ts-to-dgn
DRAWING NUMBER: Z-1
SHEET 1 OF 2

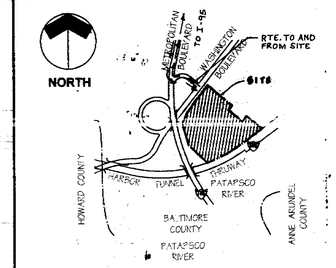
Trucking Facilities Officials Departmental Check-Off

ADMINISTRATIVE OFFICER/COUNTY ATTORNEY/ZONING
DIRECTOR, TRAFFIC ENGINEERING
DIRECTOR, ECONOMIC DEVELOPMENT
CHIEF, BUREAU OF ENGINEERING
STATE HIGHWAY ADMINISTRATION
COMMISSIONER/VICE-DIRECTOR, PUBLIC SERVICE



Existing Utility Note

EXISTING UTILITIES WITHIN THE LIMITS OF SITE SHALL BE REMOVED BY OTHERS.



VICINITY MAP

SCALE : 1" = 1000'

Zoning Order

CASE NO. 95-395-XA

THEREFORE, IT IS ORDERED BY THE DEPUTY ZONING COMMISSIONER FOR BALTIMORE COUNTY THIS 12TH DAY OF JUNE, 1995 THAT THE PETITION FOR SPECIAL EXCEPTION TO PERMIT A CLASS I TRUCKING FACILITY ON THE SUBJECT PROPERTY, PURSUANT TO SECTION 253.2.A.6 OF THE BALTIMORE COUNTY ZONING REGULATIONS (B.C.Z.R.), IN ACCORDANCE WITH PETITIONER'S EXHIBIT 1, BE AND IS HEREBY GRANTED; AND,

IT IS FURTHER ORDERED THAT THE PETITION FOR VARIANCE SEEKING RELIEF FROM THE B.C.Z.R. AS FOLLOWS: FROM SECTIONS 410.2 AND 256.2 TO PERMIT PORTIONS OF A CLASS I TRUCKING FACILITY (INCLUDING THE ACCESS POINT) TO BE AS CLOSE AS 180 FEET FROM A RESIDENTIAL IN LIEU OF THE REQUIRED DISTANCE OF 300 FEET, AND FROM SECTION 253.4 TO PERMIT A RIGHT-OF-WAY SETBACK OF 10 FEET IN LIEU OF THE REQUIRED 100 FEET FOR A STREET ABUTTING A RESIDENTIAL BOUNDARY; IN ACCORDANCE WITH PETITIONER'S EXHIBIT 1, BE AND IS HEREBY GRANTED, SUBJECT TO THE FOLLOWING RESTRICTIONS:

1) THE PETITIONERS MAY APPLY FOR THEIR BUILDING PERMIT AND BE GRANTED SAME UPON RECEIPT OF THIS ORDER; HOWEVER, PETITIONERS ARE HEREBY MADE AWARE THAT PROCEEDING AT THIS TIME IS AT THEIR OWN RISK UNTIL SUCH TIME AS THE 30-DAY APPELLATE PROCESS FROM THIS ORDER HAS EXPIRED. IF, FOR WHATEVER REASON, THIS ORDER IS REVERSED, THE RELIEF GRANTED HEREIN SHALL BE RESCINDED.

2) PRIOR TO THE ISSUANCE OF ANY PERMITS, THE PETITIONERS SHALL SUBMIT A LANDSCAPE PLAN FOR REVIEW AND APPROVAL BY THE LANDSCAPE ARCHITECT FOR BALTIMORE COUNTY.

3) WHEN APPLYING FOR A BUILDING PERMIT, THE SITE PLAN AND LANDSCAPING PLAN FILED MUST REFERENCE THIS CASE AND SET FORTH AND ADDRESS THE RESTRICTIONS OF THIS ORDER.

TIMOTHY M. KOTROCO
DEPUTY ZONING COMMISSIONER
FOR BALTIMORE COUNTY

Site Data

GROSS AREA OF TRACT		20.40 AC+/-
NET AREA OF TRACT		19.59 AC+/-
PROPOSED BUILDING AREA -	MAIN BUILDING:	57,960 SF
	MAINTENANCE SHOP	3000 SF
PROPOSED BUILDING HEIGHT		40'-0"(1 STORY)
PROPOSED FLOOR AREA RATIO	637,200.40 AC	0.07
PERMITTED FLOOR AREA RATIO		0.1
EXISTING ZONING		ML-IM/MH-IM/ML-CS-1
BALTIMORE CO ZONING MAP		G-1
EXISTING USE OF SITE		VACANT (FORMER DISTILLERY)
PROPOSED USE OF SITE		CLASS I TRUCKING FACILITY
HOURS OF PROPOSED OPERATIONS:		24 HRS PER DAY, FROM MIDNIGHT SUNDAY TO MIDNIGHT FRIDAY

- NO FUEL DISPENSING SHALL BE PROPOSED FOR THIS SITE.
- WHERE REQUIRED, WHEEL STOPS SHALL BE PRE-CAST CONCRETE.
- NO DAMAGED OR JUNKED VEHICLES WILL BE STORED ONSITE.
- SITE WILL BE SURROUNDED BY 6' HIGH SECURITY FENCING, W/ 8' BOLLARD & EA. 4th SPACE ADJACENT FENCE.
- ADEQUATE REST ROOM FACILITIES FOR MALE/FEMALE, A DRIVERS ROOM, AND A TELEPHONE SHELTER FOR TRUCK DRIVERS AND OTHER PERSONNEL WILL BE PROVIDED IN THE OFFICE.
- SITE WILL COMPLY WITH BALTIMORE COUNTY AND STATE OF MARYLAND FOREST CONSERVATION REGULATIONS

PARKING REQUIREMENTS:

AUTO PARKING REQUIRED AT 5 SPACES + 1 SPACE FOR EACH TWO EMPLOYEES ON THE LARGEST SHIFT (50 EMPLOYEES). 5 + 50/2 =	34 SPACES REQUIRED
• PARKING PROPOSED	102 SPACES
• PARKING SPACE SIZE	8' X 18'

TRUCKING VEHICLES ASSIGNED TO THIS SITE.

• OVER THE ROAD - TRACTOR/45' TRAILER	54
• LOCAL - TRACTOR/30' TRAILER	5
• LOCAL - STRAIGHT BODY TRUCKS	2
TOTAL TRUCKS	61

TRUCK PARKING

• AT LOADING DOCKS (24 @ 1 PER)	128 VEHICLES
• TRACTOR PARKING AREA	38 VEHICLES
• TRAILER PARKING AREA	242 VEHICLES
• OTHER WAITING AREA (SHOP'S, ETC.)	8 VEHICLES
TRUCK PAVED AREA	
• REQUIRED AT 1350 SF PER LOADING DOCK	166,050 SF
• PROPOSED	229,100 SF

- THIS SITE IS NOT WITHIN THE CHESAPEAKE BAY CRITICAL AREA.
- THERE ARE NO EXISTING WETLANDS OR STREAMS WITHIN 200 FEET OF SITE. EXISTING DRAINAGE COURSES ADJACENT TO THE SITE ARE SHOWN ON DRAWING C-2.
- ALL AUTO PARTS STORED ONSITE WILL BE CONCEALED FROM OFFSITE VIEW.
- ML-CS-1 ZONING WAS RENAMED ML-AS IN 1992.
- THERE ARE NO EXISTING DWELLINGS WITHIN 300 FEET OF THE SITE.

Schedule of Compliance

APPROVED OF ZONING COMMISSION	6-08-95
APPLICATION FOR BUILDING PERMIT	7-15-95
BEGIN CONSTRUCTION	8-01-95
OCCUPANCY	2-01-96

State Highway Administration Requirements

THE MARYLAND STATE HIGHWAY ADMINISTRATION (SHA) WILL ALLOW A BREAK IN ACCESS CONTROLS ALONG US 1 APPROXIMATELY BETWEEN STATION 17+50, SUBJECT TO THE FOLLOWING CONDITIONS:

THE DEVELOPER WILL REIMBURSE THE SHA $44,000.00 FOR THE BREAK IN ACCESS CONTROLS.

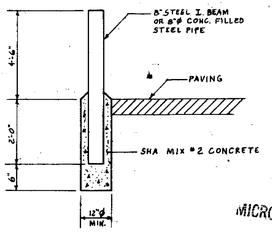
CONVEYANCE OF CONTROLS ALONG THE SEAGRAMS PROPERTY FROM STATION 18+00 TO THE NORTHERN PROPERTY LINE OF THE SEAGRAMS PROPERTY. EXCEPT AT SEAGRAMS EXISTING SIGNALIZED ENTRANCE ONTO US 1

THE PROPOSED MODIFICATIONS TO THE US 1/I-95 INTERSECTION AS PROPOSED IN THE TRAFFIC IMPACT STUDY.

ENTRANCE CONSTRUCTION SHALL BE SUBJECT TO TERMS AND CONDITIONS OF AN ACCESS PERMIT ISSUED BY STATE HIGHWAY ADMINISTRATION.

Steel Bollard Detail

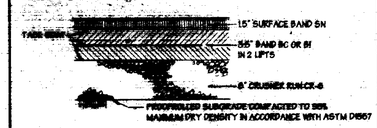
NOT TO SCALE



Paving Section

MATERIALS

NOTE: IN ACCORDANCE WITH SHA STANDARD FOR CONSTRUCTION AND MATERIALS.



Paving Certification

BY HALEY & ALDERTON, INC.

I HEREBY CERTIFY THAT THE SPECIFICATIONS FOR THE PAVING SECTION, WHICH IS A MINIMUM PAVING SECTION, INCLUDING THE SUBBASE, AND SOIL CONDITIONS RELATIVE TO THIS SITE, ARE CAPABLE OF WITHSTANDING LOADS IMPOSED BY FULLY LOADED TRUCKS OF MAXIMUM GROSS WEIGHT OF 73,280 POUNDS.

E:\TMDOS\ZXDOS\7862.DOC

SEALED PER PAVING SECTION & CERTIFICATION ONLY.

STATE OF MARYLAND — JAMES N. NOLAN — NO. 8056 — REGISTERED LANDSCAPE ARCHITECT

Truck Travel Routes

EXITING SITE:

- 90% OF EXIT TRUCK TRAFFIC WILL TAKE I-895 NORTH TO I-95. APPROXIMATELY 70% WILL THEN TRAVEL NORTH ON I-95 AND 20% SOUTH ON I-95
- REMAINDER WILL TRAVEL NORTH AND SOUTH ON US ROUTE 1

ARRIVING AT SITE, MOVEMENTS WILL BE APPROXIMATELY THE REVERSE OF THE ABOVE.

Zoning History

SITE HAS BENEFIT OF THE LIMITED EXEMPTIONS

[illegible] FROM PHASE I OF BALTIMORE COUNTY DEVELOPMENT [illegible]

[illegible] TO BENEFIT PROJECT FROM PHASE I OF BALTIMORE COUNTY DEVELOPMENT [illegible]

A VARIANCE TO PERMIT A PORTION OF THE PROPOSED CLASS I TRUCKING FACILITY LESS THAN 300 FEET FROM A RESIDENTIAL ZONE BOUNDARY AND A SPECIAL EXCEPTION TO PERMIT THE PROPOSED CLASS I TRUCKING FACILITY IN AN ML ZONE, WAS GRANTED ON 6-12-95

OWNER

JOSEPH E. SEAGRAM & SONS, INC.
5001 WASHINGTON BOULEVARD
BALTO., MD 21227

DEVELOPER

TNT RED STAR EXPRESS
400 DELANCY STREET
NEWARK, NJ 07105

Trucking Facility Site Plan

TNT RED STAR EXPRESS

Washington Boulevard
Baltimore County, Maryland

Election District 13
Councilmanic District 1

GEORGE WILLIAM STEPHENS, JR. AND ASSOCIATES, INC.
CIVIL ENGINEERS & LAND SURVEYORS
606 KENILWORTH DRIVE, SUITE 200
TOWSON, MARYLAND 21204
(410) 828-9220

NO.	DATE	REVISIONS	BY
1	6-30-95	REVISED PER ZONING COMMENTS	KE
2	11-22-95	REVISED ENTRANCE PER SHA	KE

SCALE: 1" = 50'
DATE: 6-27-95
JOB NO.: 7862
DESIGNED: TNM
DRAWN: JHS
CHECKED: [illegible]
FILE: 7862st.dgn
DRAWING NUMBER: Z-1
SHEET 1 OF 2

Trucking Facilities Officials Departmental Check-Off

ADMINISTRATIVE OFFICER/COUNTY ATTORNEY/CHAIRMAN
DIRECTOR, TRAFFIC ENGINEERING
DIRECTOR, ECONOMIC DEVELOPMENT
CHIEF, BUREAU OF ENGINEERING
STATE HIGHWAY ADMINISTRATION
ZONING SUPERVISOR/DIRECTOR, PERMITS & DEVELOPMENT MGT.

Site Plan Approved By:

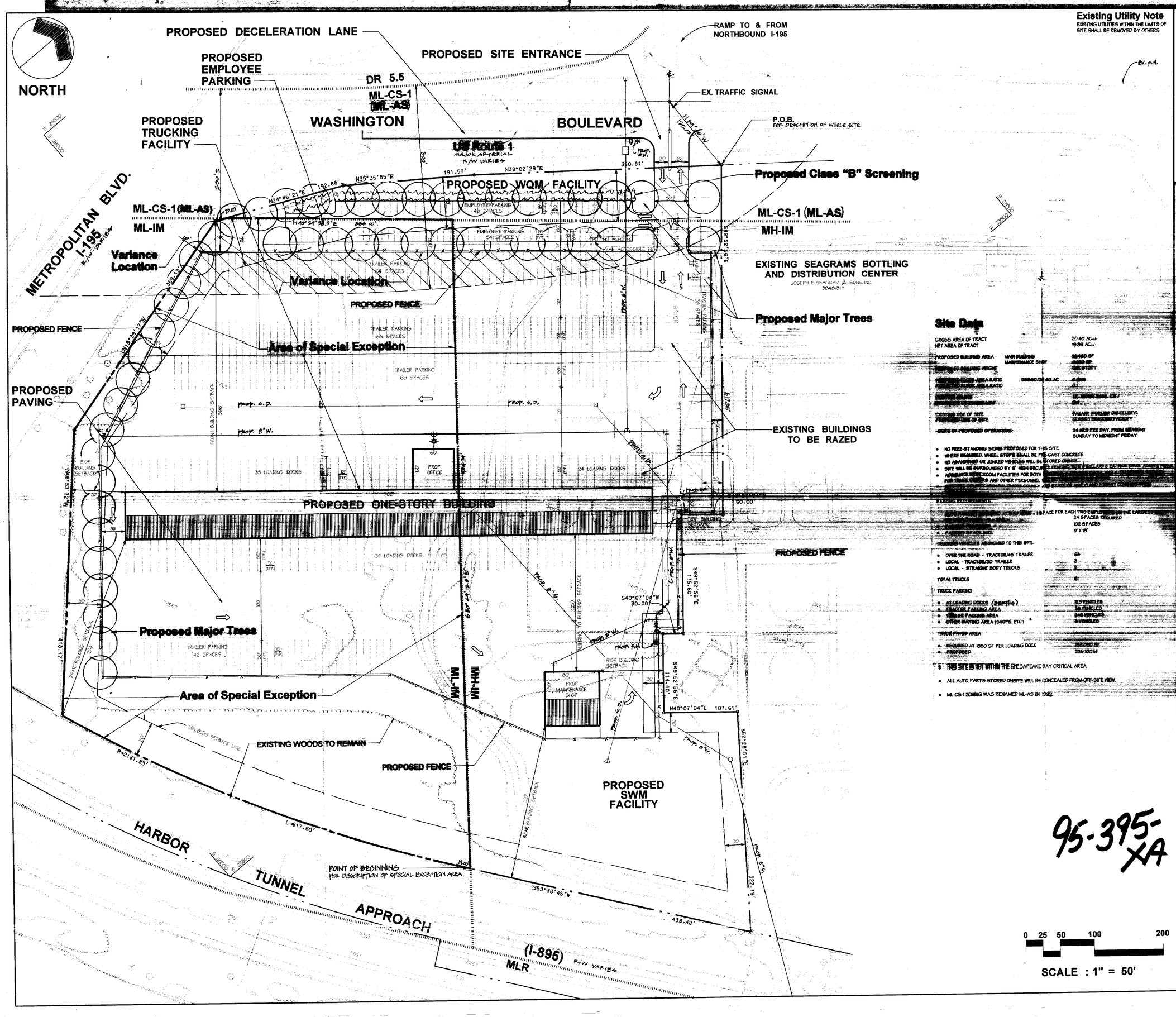
ZONING COMMISSIONER — DATE 12/19/95

CHAIRMAN, TRUCKING FACILITIES DEVELOPMENT OFFICIALS — DATE
ADMINISTRATIVE OFFICER/COUNTY ATTORNEY
SHA

0 25 50 100 200

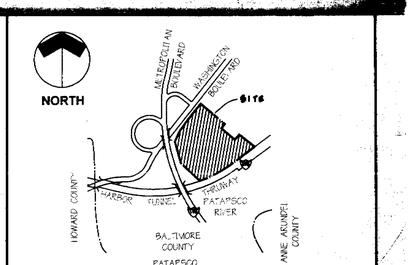
SCALE : 1" = 50'

MICROFILMED



Existing Utility Note

EXISTING UTILITIES WITHIN THE LIMITS OF SITE SHALL BE REMOVED BY OTHERS.



VICINITY MAP

SCALE = 1" = 1000'

Paving Section

Paving Certification

Site Data

GROSS AREA OF TRACT		20.40 AC+/-
NET AREA OF TRACT		19.89 AC+/-
PROPOSED BUILDING AREA -	MAIN BUILDING	[illegible] SF
	MAINTENANCE SHOP	[illegible] SF
PROPOSED BUILDING HEIGHT		[illegible] STORY
PROPOSED FLOOR AREA RATIO	[illegible]	[illegible]
EXISTING FLOOR AREA RATIO		[illegible]
EXISTING USE OF SITE		VACANT (FORMER DISTILLERY)
PROPOSED USE OF SITE		CLASS B TRUCKING FACILITY
HOURS OF PROPOSED OPERATIONS		24 HRS PER DAY, FROM MIDNIGHT SUNDAY TO MIDNIGHT FRIDAY

- NO FREE-STANDING SIGNS PROPOSED FOR THIS SITE.
- WHERE REQUIRED, WHEEL STOPS SHALL BE PRE-CAST CONCRETE.
- NO ABANDONED OR JUNKED VEHICLES WILL BE STORED ONSITE.
- SITE WILL BE SURROUNDED BY 6' HIGH SECURITY FENCE WITH BARBED WIRE & 25 FEET OPEN SPACE [illegible]
- APPROPRIATE REST ROOM FACILITIES FOR BOTH [illegible] FOR TRUCK DRIVERS AND OTHER PERSONNEL [illegible]

PARKING REQUIREMENTS

[illegible] 1 SPACE FOR EACH TWO EMPLOYEES ON THE LARGEST [illegible] 24 SPACES REQUIRED
[illegible] 102.5 SPACES
[illegible] 9' X 19'

TRUCKING VEHICLES ASSIGNED TO THIS SITE.

OVER THE ROAD - TRACTOR/45' TRAILER	64
LOCAL - TRACTOR/50' TRAILER	3
LOCAL - STRAIGHT BODY TRUCKS	[illegible]
TOTAL TRUCKS	67

TRUCK PARKING

AT LOADING DOCKS (24 spaces)	24 VEHICLES
TRACTOR PARKING AREA	34 VEHICLES
TRAILER PARKING AREA	246 VEHICLES
OTHER WAITING AREA (SHOPS, ETC.)	3 VEHICLES
TRUCK PAVED AREA	
REQUIRED AT 1360 SF PER LOADING DOCK	32,640 SF
PROPOSED	229,900 SF

- THIS SITE IS NOT WITHIN THE CHESAPEAKE BAY CRITICAL AREA.
- ALL AUTO PARTS STORED ONSITE WILL BE CONCEALED FROM OFF-SITE VIEW.
- ML-CS-1 ZONING WAS RENAMED ML-AS IN 1992.

Truck Travel Routes

EXISTING SITE:

- 90% OF EMP VEHICLE TRAFFIC WILL TAKE I-195 NORTH TO I-95. APPROXIMATELY 10% WILL [illegible] SOUTH ONAMIC.

NOTE:

- [illegible] PROJECT FROM PHASE 1 OF BALTIMORE COUNTY DEVELOPMENT REGULATIONS.

OWNER

JOSEPH E. SEAGRAM & SONS, INC.
5001 WASHINGTON BOULEVARD
BALTO., MD 21227

DEVELOPER

TNT RED STAR EXPRESS
400 DELANCY STREET
NEWARK, NJ 07105

Plat To Accompany Zoning Petition

For Trucking Facility

TNT RED STAR EXPRESS

Washington Boulevard
Baltimore County, Maryland

Election District 13
Councilmanic District 1

391

95-395-XA

STATE OF MARYLAND — THOMAS N. WOLFE — No. 868 — REGISTERED LANDSCAPE ARCHITECT

GEORGE WILLIAM STEPHENS, JR. AND ASSOCIATES, INC.
CIVIL ENGINEERS & LAND SURVEYORS
606 KENILWORTH DRIVE, SUITE 100
TOWSON, MARYLAND 21204
(410) 825-8120

MICROFILMED

NO.	DATE	REVISIONS:	BY
1	7/14/95	PER ZONING OFFICE COMMENTS	TM

PETITIONER'S EXHIBIT 1

SCALE: 1" = 50'
DATE: 6-19-95
JOB NO.: 7862
DESIGNED: TNM
DRAWN: JHS
CHECKED: MRT
FILE: 7862site.dgn
DRAWING NUMBER: Z-1
SHEET 1 OF 1

NORTH

Metropolitan Boulevard

I-195

PROPOSED ROAD WIDENING
SEE DRAWING C-1

Limit of Disturbance

Washington Boulevard

DR 5.5

Ramp To & From I-195

US Route 1

EX. 8" GAS

EX. TEL. CONDUIT

EX. 15" D

EX. 24" D

EX. 18" D

EX. 16" W

EX. OH ELEC.

TRAFFIC POLE W/ CONTROL BOX

S38°36'55"W 192.86'

S24°46'21"W

T91.59'

S38°02'29"W

360.81'

ML-CS-1

EX. 10" D.

EX. 8" W.

EX. 6" W.

EX. 114" W.

EX. 24" W.

EX. 8" W.

EX. 10" D.

EX. 6" W.

EX. 8" W.

EX. 10" D.

EX. 8" W.

EX. 8" W.

EX. 8" W.

EX. 8" W.

EXISTING SEAGRAMS BOTTLING AND DISTRIBUTION CENTER

JOSEPH E. SEAGRAM & SONS, INC.
3648/31

Limit of Disturbance

WATER QUALITY MANAGEMENT FACILITY
SEE DRAWING C-4 FOR GRADING & CONSTRUCTION

EX. 4" H. WIRE

EX. DUCT BANK

Limit of Disturbance

PROPOSED PAVING

EXISTING BUILDINGS TO BE RAZED

PROPOSED BUILDING
F.F. ELEV. 56.5

LOWER LEVEL EL. 44.5

S40°07'04"W
60.00'

BALTIMORE COUNTY

Access Easement for Ingress & Egress to Forest Conservation Easement & SWM Facility.

S49°52'56"E
172.09'

S40°07'04"W
30.00'

PROPOSED PAVING

TRAILER PARKING

ACCESS EASEMENT FOR INGRESS AND EGRESS

PROPOSED SWALE

ML-CS-1

ML-IM

PROP. MAINTENANCE SHOP

S49°52'56"E
114.40'

N40°07'04"E 107.61'

MIN. BLDG. SETBACK LINE

Forest Conservation Easement
1.7 acres
forest to be retained

Limit of Disturbance

EXISTING WOODS TO REMAIN

STORMWATER MANAGEMENT FACILITY
SEE DRAWING C-4 FOR GRADING & CONSTRUCTION

EXISTING SWALE

Limit of Disturbance

HARBOR TUNNEL APPROACH

(I-895)

MLR

Non-Disturbance Note

THERE SHALL BE NO CLEARING, GRADING, CONSTRUCTION OR OTHER DISTURBANCE OF VEGETATION IN THE FOREST CONSERVATION EASEMENT OR OTHER FOREST RETENTION AREAS, EXCEPT AS PERMITTED BY THE BALTIMORE COUNTY DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT.

Existing Utility Note

EXISTING UTILITIES WITHIN THE LIMITS OF SITE SHALL BE REMOVED BY OTHERS.

Typical Temporary Protective Fencing

Typical Permanent Protective Signage

FOREST CONSERVATION AREA

Unauthorized disturbance of vegetation is prohibited. Violators subject to penalties under the 1991 Baltimore County Forest Conservation Act.

Trees for Your Future

BALTIMORE COUNTY
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
FOREST CONSERVATION PLAN APPROVAL

Approved by [signature] Date 12/2/95

Environmental Impact Review

Date approved [illegible] by [illegible]

FOREST CONSERVATION PLAN # 95-45

FCP NOTES

1. Any Forest Conservation Easement shown hereon is subject to protective covenants which may be found in the Land Records of Baltimore and which restrict the disturbance and use of these areas.
2. There shall be no clearing, grading, construction or disturbance of vegetation in the Forest Conservation Easement, except as permitted by Baltimore County DEPRM.
3. No stockpiles, parking areas, equipment cleaning areas, etc. shall occur within areas designated as Forest Conservation Easements.
4. Permanent signage shall be placed 50-100' apart along the boundaries of all areas included in Forest Conservation Easements.
5. Protective fencing shall be placed, as shown, along the Forest Conservation Easements.

FOREST DATA

	Acres
Gross Area:	19.8
Net Tract Area:	19.8
Existing Forest:	10.9
Reforestation Threshold:	3.0
Forest to be Cleared:	9.0
Forest to be Retained:	1.9
Reforestation Required:	4.2
Forest to be Retained in FCE:	1.7
Remaining FCE obligation:	4.4
Proposed Fee-in-lieu:	$76,665.60

MICROFILMED

LEGEND

Ex. Topography

Property Boundary

Ex. Treeline

Proposed Treeline

Forest Conservation Easement

0 25 50 100 200

SCALE : 1" = 50'

NORTH

BENCHMARK

METROPOLITAN BOULEVARD

WASHINGTON BOULEVARD

SITE

HOWARD COUNTY

HARBOR TUNNEL THRUWAY

PATAPSCO RIVER

BALTIMORE COUNTY

PATAPSCO RIVER

ANNE ARUNDEL COUNTY

VICINITY MAP

SCALE 1" = 1000'

Benchmark

ELEVATION 56.446

N 24063.72

SQUARE CUT IN MACADAM SHOULDER ON SOUTHEAST SIDE OF WASHINGTON BOULEVARD, NORTHWEST OF ROLLING ROAD

Note

This plan shall be used for Forest Conservation only

Eco-Science Professionals, Inc.

CONSULTING ECOLOGISTS

P.O. Box 5006 Glen Arm, MD 21057 (410) 592-5636

No. 904 Qualified Professional REGISTERED PROFESSIONAL ENGINEER Certificate # [illegible]

John F. Conlon

OWNER

JOSEPH E. SEAGRAM & SONS, INC.
5001 WASHINGTON BOULEVARD
BALTO., MD. 21227

DEVELOPER

TNT RED STAR EXPRESS
400 DELANCY STREET
NEWARK, NJ 07105

Disturbed Area = 10.05 AC. OR 786,682 SQ.FT.

Forest Conservation Plan

TNT RED STAR EXPRESS

Washington Boulevard

Baltimore County, Maryland

Election District 13

Councilmanic District 1

1	2-8-94	RO AMEN. BPC	
2	12-04-95	ACCESS EASEMENT FOR ING. & EGR.	K.K.

SCALE 1" = 50'

DATE 7-22-93

JOB NO. 7900

DESIGNED TMC

DRAWN MD

CHECKED JFC

13