

IN RE: PETITION FOR SPECIAL HEARING
E/S Campbell Boulevard, 546' SE of
Philadelphia Road
(10075 Philadelphia Road)
15th Election District
6th Council District

McMahon Investments – Baltimore, LLC
Petitioners

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 01-378-SPH
*

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of a Petition for Special Hearing filed by the owners of the subject property, McMahon Investments-Baltimore, LLC, by Ronald D. McMahon, Managing Member, through their attorney Robert A. Hoffman, Esquire. The Petitioners request approval of a special hearing to modify the Trucking Facilities Plan approved in prior Case No. 00-239-XA. The subject property and requested relief are more particularly described on the site plan submitted which was accepted into evidence as Petitioner's Exhibit 1.

Appearing at the requisite public hearing in support of the request were Robert McClendon, a representative of McMahon Investments-Baltimore, LLC, property owners, and Carl R. Corse and William P. Monk, representatives of Morris & Ritchie Associates, who prepared the site plan for this property. Patricia A. Malone, Esquire, appeared on behalf of Robert A. Hoffman, Esquire, as attorney for the Petitioners. There were no Protestants or other interested persons present.

Testimony and evidence offered revealed that the subject property is part of an overall tract of land located on the south side of Philadelphia Road, behind an existing Carmax dealership and adjacent to the future extension of Campbell Boulevard in White Marsh. This property was the subject of prior Case No. 00-239-XA, in which special exception and variance relief were granted for a proposed Class I Trucking Facility on January 18, 2000 by this Zoning Commissioner. It is to be noted that within that opinion, the property was described as containing a gross area of 17.74 acres; however, that figure was as to the forest conservation area, only. The overall tract actually contains

ORDER RECEIVED FOR FILING

Date

By

5/29/11

[Signature]

32.85 acres in area, all of which is zoned M.L.-I.M. Nonetheless, testimony in that case revealed that RPS, now known as FedEx Ground, proposed to develop the property, identified as Lot 2 on the site plan, with a package distribution center. The operation of the proposed facility and details of the construction are more fully set forth in that opinion. To the extent applicable, the findings and conclusions rendered therein are incorporated herein.

Testimony in the instant case revealed that the Petitioners now propose to subdivide a small portion of Lot 2 for future development with a warehouse. As more particularly shown on the site plan, the Petitioners are essentially proposing a land swap so as to keep the size of the FedEx Distribution Center lot consistent with what was originally approved. Specifically, the Petitioners propose adding the two shaded land areas shown on Petitioner's Exhibit 1, one on the northern end of Lot 2 and the other at the southern end of Lot 2, to compensate for the proposed subdivision to create Lot 2A. The combined area of these two parcels is approximately 3.0 acres. Thus, new Lot 2 will contain nearly 36 acres in area. After subdividing the property, Lot 2 will contain 33.42 acres which will be improved with the proposed distribution center and large parking field to accommodate FedEx's transportation fleet, as approved in the prior Order. Proposed Lot 2A will contain 2.45 acres in area, also zoned M.L.-I.M., and will be a pad site for the future development with a warehouse building. All of the particulars of these two lots, including parking and proposed landscaping are more particularly shown on the site plan. Moreover, new legal descriptions of the property were submitted into evidence and marked as Petitioner's Exhibits 2A and 2B.

There were no Protestants present and no adverse Zoning Advisory Committee comments submitted by any Baltimore county review agency. The Department of Environmental Protection and Resource Management (DEPRM) issued a standard comment requiring compliance with all applicable environmental regulations.

It was also indicated that vehicular access to the FedEx building is presently by way of a driveway that traverses proposed Lot 2A. Ultimately, it might become necessary to construct an additional curb cut and driveway if the warehouse building is constructed on that site. The Petitioners requested flexibility in the final design of the driveway entrance(s). Thus, I shall approve

ORDER RECEIVED FOR FILING
Date 5/29/07
By [Signature]

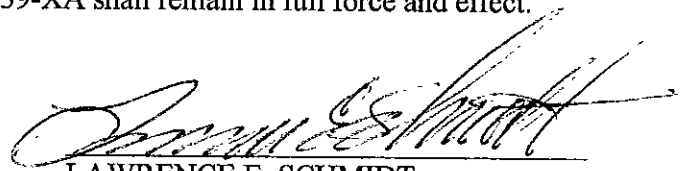
the plan and allow the Petitioners flexibility in the final design of the driveway entrance(s), for so long as the proposed access is acceptable to all County and/or State agencies which need review and approve such a new driveway.

Pursuant to the advertisement, posting of the property and public hearing on these Petition held, and for the reasons set forth herein, the relief requested shall be granted.

29th THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this day of May, 2001 that the Petition for Special Hearing to allow a modification to the Trucking Facilities Plan approved in prior Case No. 00-239-XA, 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 the 30-day appeal period from the date of this Order has expired. If an appeal is filed and this Order is reversed, the relief granted herein shall be rescinded.
- 2) The Petitioners shall have flexibility in the final design of the driveway entrance(s), for so long as the proposed access is acceptable to the Development Plans Review Division of the Department of Permits and Development Management (DPDM), the Department of Public Works, and any other appropriate State/County agency.
- 3) Compliance with the Zoning Advisory Committee comments submitted by DEPRM, dated April 27, 2001, a copy of which is attached hereto and made a part hereof.
- 4) When applying for any permits, the site plan and/or landscaping plan filed must reference this case and set forth and address the restrictions of this Order.

IT IS FURTHER ORDERED that except as modified herein, all other terms and conditions of the Order issued in prior Case No. 00-239-XA shall remain in full force and effect.


LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs



Baltimore County
Zoning Commissioner

Suite 405, County Courts Bldg.
401 Bosley Avenue
Towson, Maryland 21204
410-887-4386
Fax: 410-887-3468

May 29, 2001

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

RE: PETITION FOR SPECIAL HEARING
E/S Campbell Boulevard, 546' SE of the c/l Philadelphia Road
(10075 Philadelphia Road)
15th Election District – 6th Council District
McMahon Investments-Baltimore, LLC - Petitioners
Case No. 01-378-SPH

Dear Mr. Hoffman & Mrs. Malone:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Special Hearing has been granted, in accordance with the attached Order.

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

Very truly yours,

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

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

cc: Mr. Robert McClendon, McMahon Investments-Baltimore, LLC
380 Stevens Avenue, Suite 313, Solana Beach, CA 92075
Messrs. William P. Monk & Carl R. Corse
Morris & Ritchie, 110 West Road, Suite 245, Towson, Md. 21204
DEPRM; Robert W. Bowling, DPDM; People's Counsel; Case File





Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at 10075 Philadelphia Road
which is presently zoned ML-IM and MH-IM

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve

Special hearing to modify a Trucking Facilities Plan approved in Case No. 00-239-XA.

Property is to be posted and advertised as prescribed by the zoning regulations.
I, or we, agree to pay expenses of above Special Hearing, advertising, posting, etc. and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser/Lessee:

Name - Type or Print _____
Signature _____
Address _____ Telephone No. _____
City _____ State _____ Zip Code _____

Attorney For Petitioner:

Robert A. Hoffman
Name - Type or Print _____
Signature _____
Venable, Baetjer and Howard, LLP
Company _____
210 Allegheny Avenue 410-494-6200
Address _____ Telephone No. _____
Towson, MD 21204
City _____ State _____ Zip Code _____

Legal Owner(s):

McMahon Investments - Baltimore, LLC

Name - Type or Print _____
By: Ronald D. McMahon
Signature _____
Ronald D. McMahon, Managing Member

Name - Type or Print _____
Signature _____
380 Stevens Avenue, Suite 313 (858) 350-0211
Address _____ Telephone No. _____
Solana Beach, CA 92075
City _____ State _____ Zip Code _____

Representative to be Contacted:

Robert A. Hoffman
Name _____
210 Allegheny Avenue
Address _____ Telephone No. _____
City _____ State _____ Zip Code _____

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING _____

UNAVAILABLE FOR HEARING _____

Reviewed By SCM Date 3.23.01

ORDER RECEIVED FOR FILING

Date 5/29/01
By RSU 9/15/98

Case No. 01-378 SPH

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No.

93071

DATE

3 23-01

ACCOUNT

00-000-6150

AMOUNT \$

250.00

RECEIVED

FROM:

McMahon

10075

P. Laugel

SDH 250.00

FOR:

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

PAID RECEIPT
RECEIVED BY THE
CASHIER AND TWO OTHERS
RECEIPT # 15000
Dept. of Public Works
CR. NO. 93071
Receipt for 250.00
250.00 CR 100 CR
Baltimore County, Maryland

CASHIER'S VALIDATION

MORRIS & RITCHIE ASSOCIATES, INC.

ENGINEERS, ARCHITECTS, PLANNERS, SURVEYORS,
AND LANDSCAPE ARCHITECTS



Zoning Description

BEGINNING at a point on the eastern side of Campbell Boulevard (variable width) located southeasterly a distant 546 feet more or less from the intersection of Philadelphia Road – Maryland Route 7 (100 foot wide) and Campbell Boulevard, thence the following courses and distances:

North 66° 03' 48" East 102.13 feet, South 68° 50' 41" East 127.58 feet,
South 75° 20' 59" East 93.41 feet, North 30° 10' 28" East 215.00 feet,
North 59° 49' 32" West 13.00 feet, North 30° 10' 28" East 852.17 feet,
South 59° 49' 32" East 120.00 feet, South 30° 10' 28" West 25.00 feet,
South 59° 49' 32" East 258.00 feet, North 62° 47' 38" East 89.04 feet,
North 68° 09' 02" East 248.65 feet, South 23° 42' 01" East 459.67 feet,
South 59° 49' 32" East 199.00 feet, South 40° 43' 40" West 996.67 feet,
North 78° 30' 41" West 59.59 feet, South 40° 43' 40" West 187.69 feet,
North 75° 15' 17" West 896.30 feet, 63.42 feet along the arc of a non-
tangential curve to the left having a radius of 990.00 feet,
North 14° 22' 58" West 173.55 feet, 137.59 feet along the arc of a
tangential curve to the left having a radius of 445.74 feet, to the place
of beginning

*new
area
including
hatched
X06*

Containing 33.4065 acres more or less.

BEING part of #10075 Philadelphia Road and being located in the Fifteenth Election District in Baltimore County.

Plat 2A



Michael L. Ray 3/23/01

Michael L. Ray
Professional Land Surveyor #11401

#11533

GSP mak's\11533\zoning2\032301

- ☐ 3445-A BOX HILL CORPORATE CENTER DRIVE ABINGDON, MD 21009
- ☐ 110 WEST ROAD SUITE 245, TOWSON, MARYLAND 21204
- ☐ 9090 JUNCTION DRIVE, SUITE 9, ANNAPOLIS JUNCTION, MD 20701

- 410-879-1690 ■ FAX 410-879-1820
- 410-821-1690 ■ FAX 410-821-1748
- 410-792-9792 ■ FAX 410-792-7395

MORRIS & RITCHIE ASSOCIATES, INC.

ENGINEERS, ARCHITECTS, PLANNERS, SURVEYORS,
AND LANDSCAPE ARCHITECTS



Zoning Description

BEGINNING at a point on the eastern side of Campbell Boulevard (variable width) located southeasterly a distant 546 feet more or less from the intersection of Philadelphia Road – Maryland Route 7 (100 foot wide) and Campbell Boulevard, thence the following courses and distances:

126.84 feet along the arc of a non-tangential curve to the left having a radius of 1017.00 feet, North 30° 10' 28" East 290.82 feet,
South 59° 49' 32" East 391.50 feet, South 30° 10' 28" West 215.00 feet,
South 75° 20' 59" West 93.41 feet, North 68° 50' 41" West 127.58 feet,
South 66° 03' 48" West 102.13 feet to the place of beginning.

Containing 2.4445 acres more or less.

BEING part of #10075 Philadelphia Road and being located in the Fifteenth Election District in Baltimore County.

Michael L. Ray

3/23/01

Michael L. Ray

Professional Land Surveyor #11401

#11533



378

GSP mak's\11533\zoning\1032301

- ☐ 3445-A BOX HILL CORPORATE CENTER DRIVE, ABINGDON, MD 21009
- ☐ 110 WEST ROAD, SUITE 245, TOWSON, MARYLAND 21204
- ☐ 9090 JUNCTION DRIVE, SUITE 9, ANNAPOLIS JUNCTION, MD 20701

- 410-879-1690 ■ FAX 410-879-1820
- 410-821-1690 ■ FAX 410-821-1748
- 410-792-9792 ■ FAX 410-792-7395

**NOTICE OF ZONING
HEARING**

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

Case: #01-378-SPH
10075 Philadelphia Road
E/S Campbell Boulevard,
564 +/- SE intersection of
Philadelphia Road & Campbell Blvd.
15th Election District
6th Councilmanic District
Legal Owner(s): McMahon Investments-Baltimore LLC
Special Hearing: to amend a Trucking Facilities Plan approved in Case #00-239-XA.
Hearing: Tuesday, May 1, 2001, at 9:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue.

LAWRENCE E. SCHMIDT
Zoning Commissioner for Baltimore County

NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Contact the Zoning Commissioner's Office at (410) 887-4386.

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

4/240 Apr. 19 C463887

CERTIFICATE OF PUBLICATION

4/19/, 2001

THIS IS TO CERTIFY, that the annexed advertisement was published in the following weekly newspaper published in Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 4/19/, 2001.

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

S. Wilkinson

LEGAL ADVERTISING

CERTIFICATE OF POSTING

RE: Case No. 01-378-SPH

Petitioner/Developer TRUCKING, ETAL

V.B.H. - AMY DONTALL

Date of Hearing/Closing 5/9/01

Baltimore County Department of
Permits and Development Management
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, MD 21204

Attention: Ms. Gwendolyn Stephens

Ladies and Gentlemen:

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law
were posted conspicuously on the property located at *10015 PHILA. RD. & CAMPBELL
BLVD. - (2-SIGNS)

The sign(s) were posted on 4/10/01
(Month, Day, Year)

Sincerely,

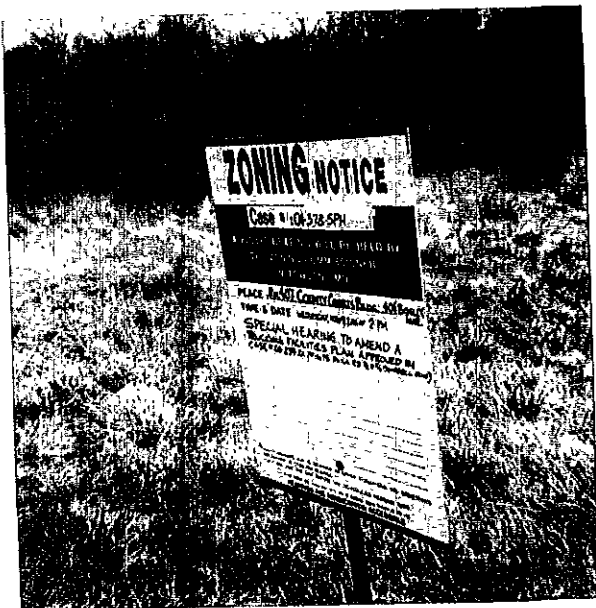
Patrick M. O'Keefe 4/10/01
(Signature of Sign Poster and Date)

PATRICK M. O'KEEFE
(Printed Name)

523 PENNY LANE
(Address)

HUNT VALLEY, MD. 21030
(City, State, Zip Code)

410-666-5366 ; CELL 410-905-8571
(Telephone Number)



CERTIFICATE OF POSTING

RE: Case No. 01-378-SPH

Petitioner/Developer TRUCKING, ETAL

% VENABLE - AMY DONTELL

Date of Hearing/Closing: 5/1/01

Baltimore County Department of
Permits and Development Management
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, MD 21204

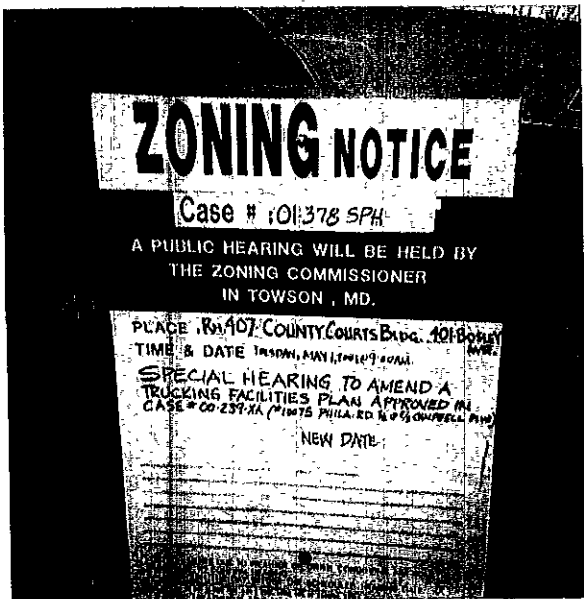
Attention: Ms. Gwendolyn Stephens

Ladies and Gentlemen:

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at #10075 PHILA. RD. AND
S.E.S. CAMPBELL BLVD. - 2 SIGNS

The sign(s) were posted on

4/16/01 REVISED
(Month, Day, Year)



01-378 SPH
Rte 7 @ CAMPBELL BLV.
- REV. 2 SIGNS - 5/1/01

Sincerely,

Patrick M. O'Keefe 4/16/01
(Signature of Sign Poster and Date)

PATRICK M. O'KEEFE
(Printed Name)

523 PENNY LANE
(Address)

HUNT VALLEY, MD. 21030
(City, State, Zip Code)

410-666-5366 ; CELL 410-905-8571
(Telephone Number)

**DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW**

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

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

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

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

For Newspaper Advertising:

Item Number or Case Number: 01-378-SPH

Petitioner: McMahon Investments - Baltimore, LLC

Address or Location: 10075 Philadelphia Road

PLEASE FORWARD ADVERTISING BILL TO:

Name: Amy Dontell

Address: 210 Allegheny Avenue
Towson MD 21204

Telephone Number: (410) 494-6201



Baltimore County
Department of Permits and
Development Management

Director's Office
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
410-887-3353
Fax: 410-887-5708

April 16, 2001

NOTICE OF ZONING HEARING

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

CASE NUMBER: 01-378-SPH
10075 Philadelphia Road
E/S Campbell Boulevard, 546' +/- SE intersection of Philadelphia Road & Campbell Blvd
15th Election District – 6th Councilmanic District
Legal Owner McMahon Investments – Baltimore LLC

Special Hearing to amend a Trucking Facilities Plan approved in Case # 00-239-XA.

HEARING: Tuesday, May 1, 2001 at 9:00 a.m. in Room 407, County Courts Building,
401 Bosley Avenue

A handwritten signature in black ink, appearing to read "Arnold Jablon".

Arnold Jablon ^{GDZ}
Director

C: Robert A Hoffman, Venable Baetjer & Howard LLP, 210 Allegheny Avenue,
Towson 21204
Ronald D McMahon, McMahon Investments, 380 Stevens Avenue, Suite 313,
Solana Beach, CA 92075

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY MONDAY, APRIL 16, 2001.**
- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
- (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.



TO: PATUXENT PUBLISHING COMPANY
Thursday, April 19, 2001 Issue – Jeffersonian

Please forward billing to:

Amy Dontell
Venable Baetjer & Howard LLP
210 Allegheny Avenue
Towson MD 21204

410 494-6201

NOTICE OF ZONING HEARING

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

CASE NUMBER: 01-378-SPH

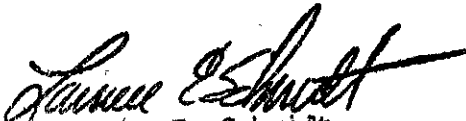
10075 Philadelphia Road

E/S Campbell Boulevard, 546' +/- SE intersection of Philadelphia Road & Campbell Blvd
15th Election District – 6th Councilmanic District

Legal Owner McMahon Investments – Baltimore LLC

Special Hearing to amend a Trucking Facilities Plan approved in Case # 00-239-XA.

HEARING: Tuesday, May 1, 2001 at 9:00 a.m. in Room 407, County Courts Building,
401 Bosley Avenue



Lawrence E. Schmidt

GDZ

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

- NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
- (2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.



Baltimore County
Department of Permits and
Development Management

Director's Office
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
410-887-3353
Fax: 410-887-5708

April 3, 2001

NOTICE OF ZONING HEARING

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

CASE NUMBER: 01-378-SPH

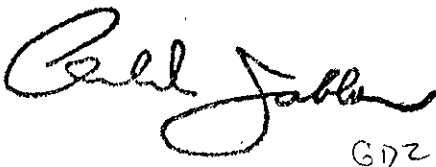
10075 Philadelphia Road

E/S Campbell Boulevard, 546' +/- SE intersection of Philadelphia Road & Campbell Blvd
15th Election District – 6th Councilmanic District

Legal Owner McMahon Investments – Baltimore LLC

Special Hearing to amend a Trucking Facilities Plan approved in Case # 00-239-XA.

HEARING: Wednesday, May 9, 2001 at 2:00 p.m. in Room 407, County Courts Building, 401 Bosley Avenue



GJZ

Arnold Jablon
Director

C: Robert A Hoffman, Venable Baetjer & Howard LLP, 210 Allegheny Avenue,
Towson 21204
Ronald D McMahon, McMahon Investments, 380 Stevens Avenue, Suite 313,
Solana Beach, CA 92075

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, APRIL 24, 2001.**
- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
- (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

TO: PATUXENT PUBLISHING COMPANY
Tuesday, April 24, 2001 Issue – Jeffersonian

Please forward billing to:

Amy Dontell
Venable Baetjer & Howard LLP
210 Allegheny Avenue
Towson MD 21204

410 494-6201

NOTICE OF ZONING HEARING

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

CASE NUMBER: 01-378-SPH

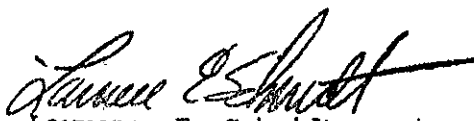
10075 Philadelphia Road

E/S Campbell Boulevard, 546' +/- SE intersection of Philadelphia Road & Campbell Blvd
15th Election District – 6th Councilmanic District

Legal Owner McMahon Investments – Baltimore LLC

Special Hearing to amend a Trucking Facilities Plan approved in Case # 00-239-XA.

HEARING: Wednesday, May 9, 2001 at 2:00 p.m. in Room 407, County Courts Building, 401 Bosley Avenue



Lawrence E. Schmidt

G72

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

- NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

April 27, 2001

Robert A Hoffman
Venable Baetjer & Howard LLP
210 Allegheny Avenue
Towson MD 21204

Dear Mr. Hoffman:

RE: Case Number: 01-378-SPH, 10075 Philadelphia Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on March 23, 2001.

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

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

Very truly yours,

W. Carl Richards, Jr.

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

WCR: gdz

Enclosures

c: Ronald D McMahon, McMahon Investments, 380 Stevens Avenue, Suite 313,
Solana Beach CA 92075
People's Counsel



BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits and
Development Management

DATE: April 6, 2001

FROM: Arnold F. 'Pat' Keller, III
Director, Office of Planning

SUBJECT: 10057 Philadelphia Road

INFORMATION:

Item Number: 01-378

Petitioner: McMahon Investments – Baltimore, LLC.

Zoning: ML-IM & MH-IM

Requested Action: Special hearing

SUMMARY OF RECOMMENDATIONS:

The Office of Planning supports the request to use the subject property as a Class I trucking facility.

Prepared by:

Mark A. Cunningham

Section Chief:
AFK:MAC:

Jeffrey W. Long

44
5/1

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO: Arnold Jablon

FROM: R. Bruce Seeley */RBS*

DATE: April 27, 2001

SUBJECT: Zoning Item #378
10075 Philadelphia Road

MAY - 2

Zoning Advisory Committee Meeting of April 2, 2001

- _____ The Department of Environmental Protection and Resource Management has no comments on the above-referenced zoning item.
- _____ The Department of Environmental Protection and Resource Management requests an extension for the review of the above-referenced zoning item to determine the extent to which environmental regulations apply to the site.
- X The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item:
- X Development of the property must comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains (Sections 14-331 through 14-350 of the Baltimore County Code).
- X Development of this property must comply with the Forest Conservation Regulations (Section 14-401 through 14-422 of the Baltimore County Code).
- _____ Development of this property must comply with the Chesapeake Bay Critical Area Regulations (Sections 26-436 through 26-461, and other Sections, of the Baltimore County Code).
- X A Final Forest Conservation Plan must be approved for the entire site prior to Grading Plan approval.

Reviewer: Glenn Shaffer

Date: April 10, 2001



Baltimore County
Fire Department

Office of the Fire Marshal
700 East Joppa Road
Towson, Maryland 21286-5500
410-887-4880

March 29, 2001

Department of Permits and
Development Management (PDM)
County Office Building, Room 111
Mail Stop #1105
111 West Chesapeake Avenue
Towson, Maryland 21204

ATTENTION: Gwen Stephens

RE: Property Owner: David Thompson - 364, Jacob Antwerpen - 367,
H-K Real Estate Holdings, Inc. - 368, Paul A. Coberly - 369,
Paul A. Corberly - 370, Patrick Rooney - 371, and McMahon
Investments - Baltimore, LLC - 378.

Location: DISTRIBUTION MEETING OF April 2, 2001

Item No.: 364, 367, 368, 369, 370, 371, and 378

Dear Ms. Stephens:

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.

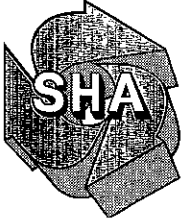
REVIEWER: LIEUTENANT JIM MEZICK, Fire Marshal's Office
PHONE 887-4881, MS-1102F

cc: File

Come visit the County's Website at www.co.ba.md.us



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on Recycled Paper



**Maryland Department of Transportation
State Highway Administration**

Parris N. Glendening
Governor

John D. Porcari
Secretary

Parker F. Williams
Administrator

Date: April 2, 2001

Ms. Ronnay Jackson
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County
Item No. 378 (JRF)
10075 Philadelphia RD
MD 7
Mile Post 5.71

Dear Ms. Jackson:

This office has reviewed the referenced Item and has no objection to approval of the SpecialHearing.

However we will require the owner to obtain an access permit through our office and as a minimum the following roadway improvements will be required:

- Geometric and signal phasing changes at the MD 7/Campbell Boulevard intersection.

Please have their representative contact this office regarding the roadway improvements conditioned to the permit.

Should any additional information be required please contact Larry Gredlein at 410-545-5606 or by E-mail at (lgredlein@sha.state.md.us).

Very truly yours,

Kenneth A. McDonald Jr., Chief
Engineering Access Permits Division

CC: Robert W. Bowling, P.E.

My telephone number is _____

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

RE: PETITION FOR SPECIAL HEARING
10075 Philadelphia Road, E/S Campbell Blvd,
546' +/- SE intersection Phila. Rd & Campbell Blvd
15th Election District, 6th Councilmanic

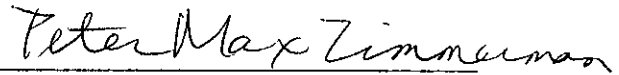
Legal Owner: McMahon Investments-Baltimore, LLC
Petitioner(s)

* BEFORE THE
* ZONING COMMISSIONER
* FOR
* BALTIMORE COUNTY
* Case No. 01-378-SPH

* * * * *

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. **All parties should copy People's Counsel on all correspondence sent/ documentation filed in the case.**



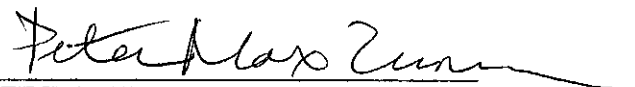
PETER MAX ZIMMERMAN
People's Counsel for Baltimore County



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

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 4th day of April, 2001 a copy of the foregoing Entry of Appearance was mailed to Robert A. Hoffman, Esq., Venable, Baetjer & Howard, 210 Allegheny Avenue, Towson, MD 21204, attorney for Petitioner(s).



PETER MAX ZIMMERMAN

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME

ADDRESS

Patricia A. Malore

210 Allegheny Avenue

CARL R. CORSE

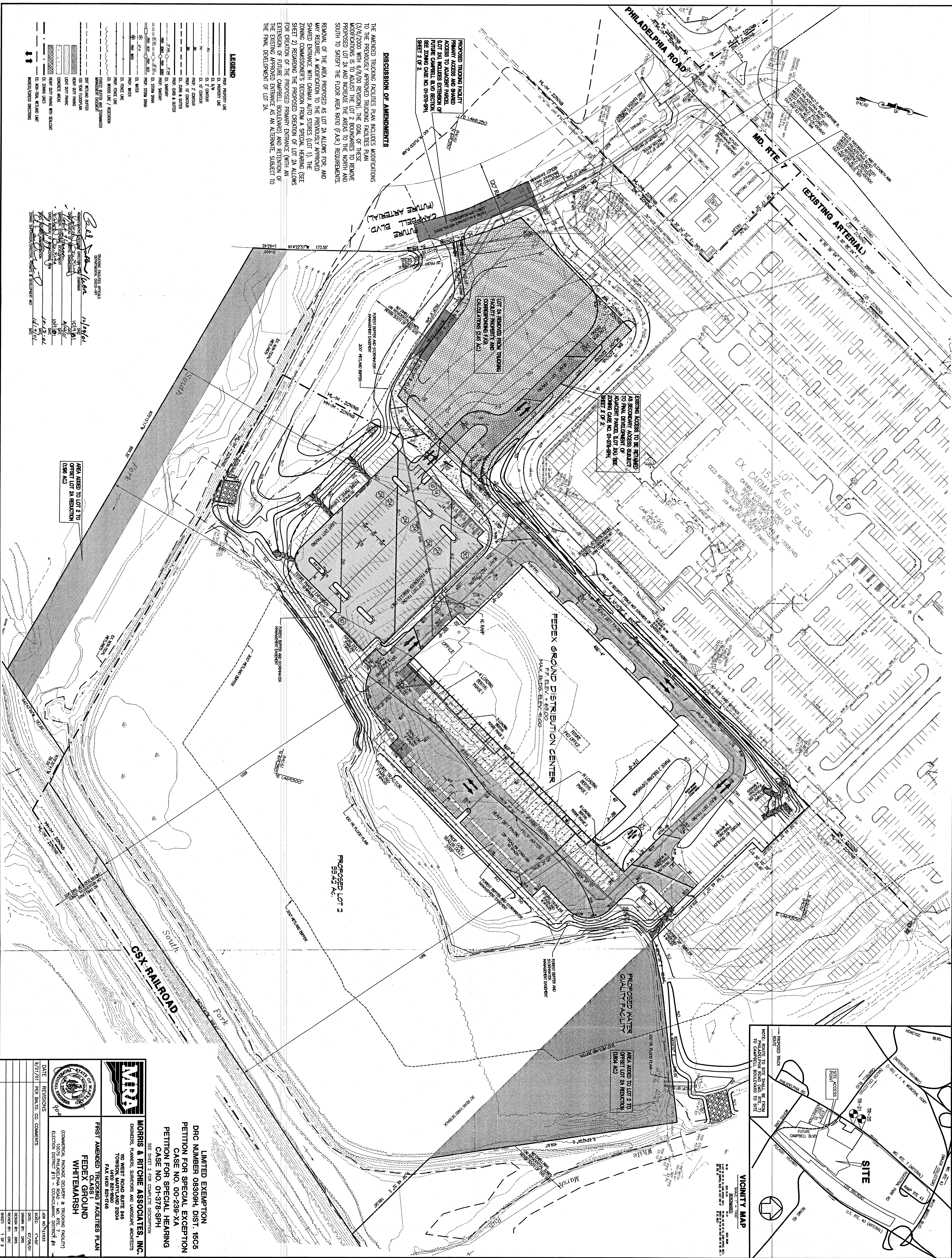
110 WEST ROAD, SUITE 245

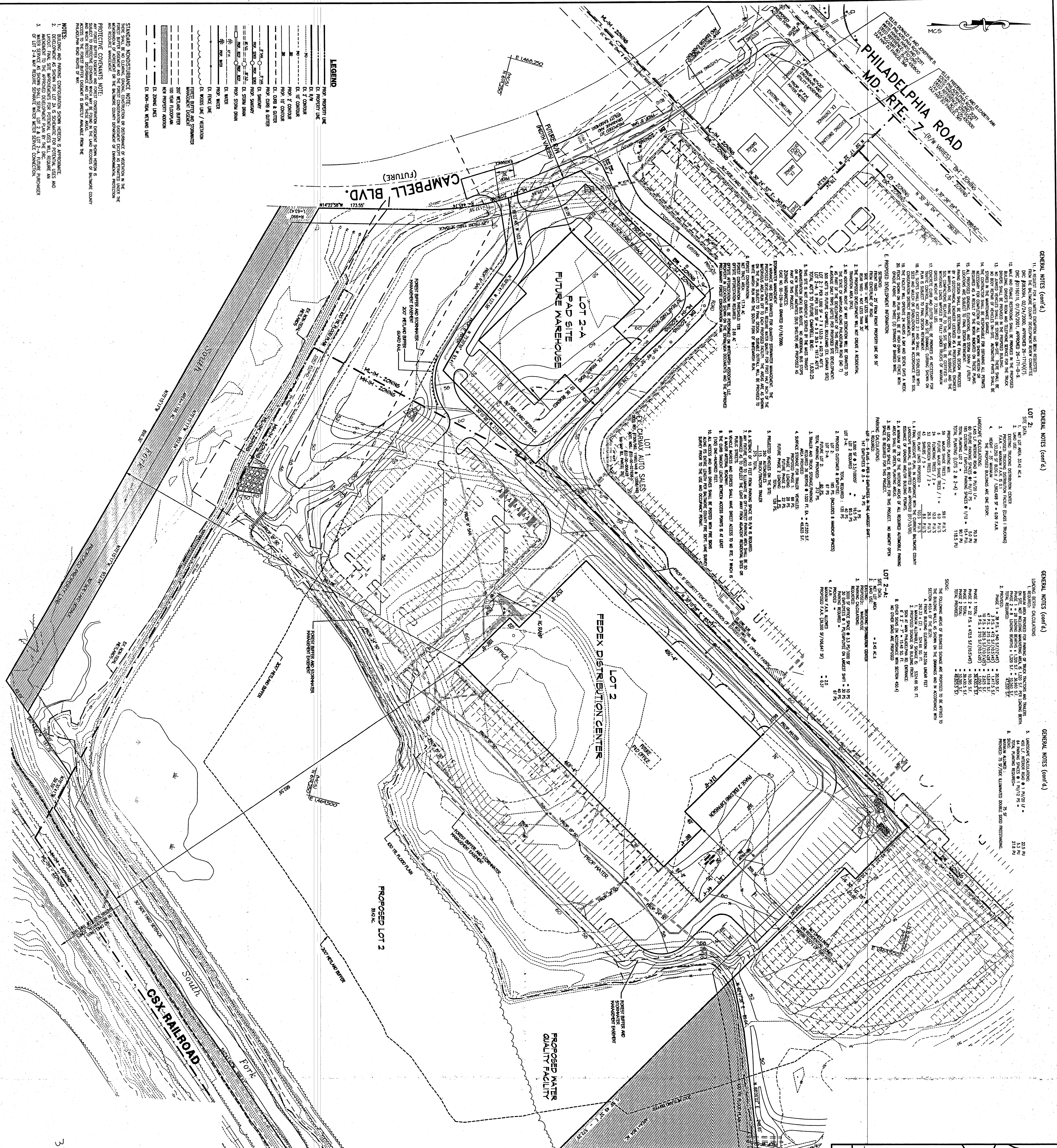
ROBERT MCCLENDON

380 STEVENS AVE. #3B

Bill Monk







GENERAL NOTES (cont'd)

TO BE APPLIED TO
CONNECTION WITH

1. LONGER DIMENSIONS
400 J. ANDERSON AND 01/17/2015 =
TOTAL NUMBER REQUIRED
B. PERIODS 75/50% ELIMINATED DOLLAR 5000
75 50
DOLLAR ALLOWED :

2. 3. 4. 5. 6. 7. 8. 9. 10. 11. 12. 13. 14. 15. 16. 17. 18. 19. 20. 21. 22. 23. 24. 25. 26. 27. 28. 29. 30. 31. 32. 33. 34. 35. 36. 37. 38. 39. 40. 41. 42. 43. 44. 45. 46. 47. 48. 49. 50. 51. 52. 53. 54. 55. 56. 57. 58. 59. 60. 61. 62. 63. 64. 65. 66. 67. 68. 69. 70. 71. 72. 73. 74. 75. 76. 77. 78. 79. 80. 81. 82. 83. 84. 85. 86. 87. 88. 89. 90. 91. 92. 93. 94. 95. 96. 97. 98. 99. 100. 101. 102. 103. 104. 105. 106. 107. 108. 109. 110. 111. 112. 113. 114. 115. 116. 117. 118. 119. 120. 121. 122. 123. 124. 125. 126. 127. 128. 129. 130. 131. 132. 133. 134. 135. 136. 137. 138. 139. 140. 141. 142. 143. 144. 145. 146. 147. 148. 149. 150. 151. 152. 153. 154. 155. 156. 157. 158. 159. 160. 161. 162. 163. 164. 165. 166. 167. 168. 169. 170. 171. 172. 173. 174. 175. 176. 177. 178. 179. 180. 181. 182. 183. 184. 185. 186. 187. 188. 189. 190. 191. 192. 193. 194. 195. 196. 197. 198. 199. 200. 201. 202. 203. 204. 205. 206. 207. 208. 209. 210. 211. 212. 213. 214. 215. 216. 217. 218. 219. 220. 221. 222. 223. 224. 225. 226. 227. 228. 229. 230. 231. 232. 233. 234. 235. 236. 237. 238. 239. 240. 241. 242. 243. 244. 245. 246. 247. 248. 249. 250. 251. 252. 253. 254. 255. 256. 257. 258. 259. 260. 261. 262. 263. 264. 265. 266. 267. 268. 269. 270. 271. 272. 273. 274. 275. 276. 277. 278. 279. 280. 281. 282. 283. 284. 285. 286. 287. 288. 289. 290. 291. 292. 293. 294. 295. 296. 297. 298. 299. 300. 301. 302. 303. 304. 305. 306. 307. 308. 309. 310. 311. 312. 313. 314. 315. 316. 317. 318. 319. 320. 321. 322. 323. 324. 325. 326. 327. 328. 329. 330. 331. 332. 333. 334. 335. 336. 337. 338. 339. 340. 341. 342. 343. 344. 345. 346. 347. 348. 349. 350. 351. 352. 353. 354. 355. 356. 357. 358. 359. 360. 361. 362. 363. 364. 365. 366. 367. 368. 369. 370. 371. 372. 373. 374. 375. 376. 377. 378. 379. 380. 381. 382. 383. 384. 385. 386. 387. 388. 389. 390. 391. 392. 393. 394. 395. 396. 397. 398. 399. 400. 401. 402. 403. 404. 405. 406. 407. 408. 409. 410. 411. 412. 413. 414. 415. 416. 417. 418. 419. 420. 421. 422. 423. 424. 425. 426. 427. 428. 429. 430. 431. 432. 433. 434. 435. 436. 437. 438. 439. 440. 441. 442. 443. 444. 445. 446. 447. 448. 449. 450. 451. 452. 453. 454. 455. 456. 457. 458. 459. 460. 461. 462. 463. 464. 465. 466. 467. 468. 469. 470. 471. 472. 473. 474. 475. 476. 477. 478. 479. 480. 481. 482. 483. 484. 485. 486. 487. 488. 489. 490. 491. 492. 493. 494. 495. 496. 497. 498. 499. 500. 501. 502. 503. 504. 505. 506. 507. 508. 509. 510. 511. 512. 513. 514. 515. 516. 517. 518. 519. 520. 521. 522. 523. 524. 525. 526. 527. 528. 529. 530. 531. 532. 533. 534. 535. 536. 537. 538. 539. 540. 541. 542. 543. 544. 545. 546. 547. 548. 549. 550. 551. 552. 553. 554. 555. 556. 557. 558. 559. 560. 561. 562. 563. 564. 565. 566. 567. 568. 569. 570. 571. 572. 573. 574. 575. 576. 577. 578. 579. 580. 581. 582. 583. 584. 585. 586. 587. 588. 589. 590. 591. 592. 593. 594. 595. 596. 597. 598. 599. 600. 601. 602. 603. 604. 605. 606. 607. 608. 609. 610. 611. 612. 613. 614. 615. 616. 617. 618. 619. 620. 621. 622. 623. 624. 625. 626. 627. 628. 629. 630. 631. 632. 633. 634. 635. 636. 637. 638. 639. 640. 641. 642. 643. 644. 645. 646. 647. 648. 649. 650. 651. 652. 653. 654. 655. 656. 657. 658. 659. 660. 661. 662. 663. 664. 665. 666. 667. 668. 669. 670. 671. 672. 673. 674. 675. 676. 677. 678. 679. 680. 681. 682. 683. 684. 685. 686. 687. 688. 689. 690. 691. 692. 693. 694. 695. 696. 697. 698. 699. 700. 701. 702. 703. 704. 705. 706. 707. 708. 709. 710. 711. 712. 713. 714. 715. 716. 717. 718. 719. 720. 721. 722. 723. 724. 725. 726. 727. 728. 729. 730. 731. 732. 733. 734. 735. 736. 737. 738. 739. 740. 741. 742. 743. 744. 745. 746. 747. 748. 749. 750. 751. 752. 753. 754. 755. 756. 757. 758. 759. 760. 761. 762. 763. 764. 765. 766. 767. 768. 769. 770. 771. 772. 773. 774. 775. 776. 777. 778. 779. 780. 781. 782. 783. 784. 785. 786. 787. 788. 789. 790. 791. 792. 793. 794. 795. 796. 797. 798. 799. 800. 801. 802. 803. 804. 805. 806. 807. 808. 809. 810. 811. 812. 813. 814. 815. 816. 817. 818. 819. 820. 821. 822.

The map shows a network of roads. Highway 60 runs diagonally from the top left towards the bottom right. Highway 7 runs horizontally across the middle. Highway 40 runs diagonally from the bottom left towards the top right. Highway 80 runs vertically along the right edge. A shaded area labeled "SITE" is located between Highway 7 and Highway 40, near Highway 60. Other labels include "Rd. 7", "U.S. Rte. 40 (INTERSTATE)", "Rd. 80", and "Rd. 60".

| | | | |
|---|----------------------|---|-------------------------|
|  | |  | |
| <p>DATE: _____</p> <p>REVISIONS: _____</p> | | <p>MORRIS & RITCHIE ASSOCIATES, INC.
ENGINEERS, PLANNERS, SURVEYORS AND LANDSCAPE ARCHITECTS</p> <p>NO. WEST ROAD SUITE 246
TOMLINSON
(410) 821-7460 41084
FAX: (410) 821-7148</p> | |
| <p>307</p> | | <p>PLAY TO ACCOMPANY
SPECIAL HEARING
FEEDEX GROUND
WHITEHARSH</p> <p>(COMMERCIAL, INDUSTRIAL AND RESIDENTIAL PLANNING DIVISION)
CAMPELL BOWLING & PHILADELPHIA ROAD - MD. RTE. 7
ELECTON DISTRICT #15 - COMMERCIAL DISTRICT #6
FARMWAY 553</p> | |
| <p>100 MD. 1553</p> | <p>SHEET 1 OF 1</p> | <p>DATE: 02/12/2001</p> | <p>DRAWN BY: SL</p> |
| <p>SCALE: 1"=50'</p> | <p>DESIGN BY: SL</p> | <p>REVIEW BY: CRC</p> | <p>DATE: 02/12/2001</p> |

DRC NUMBER 0116011



REASONS FOR SPECIAL HEARING:

1. SOIL INFORMATION WAS TAKEN FROM THE USDA SOIL
2. EXISTING WOODED AREAS DESIGNATED TO REMAIN ARE
3. PRESENT ON THIS PLAN. THE FOREST SHAD DELAYATION (FSD)
4. THERE ARE NO EXISTING RESIDENTIAL STRUCTURES ON SITE
5. THE 100' FLOOD PLAIN SHOWN ON THE PLAN IS FROM
6. THERE ARE NON-TREE WETLANDS ON THIS SITE AS FIELD LOCATED
7. MOORE & BOWNE ASSOCIATES, INC. DATED 7-25-88 BY

[illegible]

1. BEDROCK: ROCK MASS FOL. 10-11
2. BEDROCK: BEDROCK MASS FOL. 10-11
3. BEDROCK: BEDROCK MASS FOL. 10-11
4. BEDROCK: BEDROCK MASS FOL. 10-11
5. BEDROCK: BEDROCK MASS FOL. 10-11
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10. BEDROCK: BEDROCK MASS FOL. 10-11
11. BEDROCK: BEDROCK MASS FOL. 10-11
12. BEDROCK: BEDROCK MASS FOL. 10-11

Marsh Run

JOHNS & RICHIE ASSOCIATES, INC.
10 WEST ROCK, SUITE 345
TOWSON, MARYLAND 21204
ATTN: MR. SCOTT ROCK, P.E.
PHONE: (410) 821-1880

C. STELLA DODDRESS
10075 PHILADELPHIA ROAD
BETHESDA, MARYLAND 20814
2 BETHESDA WOODS, #2 21882
COLUMBIAN DISTRICT, 6
BETHESDA, MARYLAND 20814

White

ROAD

SOULM BUCK, CA 92073
TEL: 605-595-0211
FAX: 605-595-0230

OWNERS

ROBERT MCCLINTON
MADONNA INVESTMENTS-SALMONTE
10000 W. 10TH AVE. SUITE 110
SOULM BUCK, CA 92073
TEL: 605-595-0211
FAX: 605-595-0230

REALTOR

PAUL BERNARD, JR.
TEL: 605-595-0230



BENCHMARKS:

| | |
|--------------------------------------|------------|
| RE-20 | REER \$148 |
| ON TOP OF EX. CHD APPROX. \$57.4 | |
| NORTH OF CUMBER. R.D. ON S&S SIDE OF | |
| MD. RTE. 43 | |

GENERAL NOTES

| | |
|--|-----------|
| A. DEVELOPER: | RE-21 |
| LOCATION INVESTMENT-BALANCE | REY. 6280 |
| ON TOP OF EX. CHD APPROX. \$57.4 | |
| NORTH OF RE-20 ON S&S SIDE OF MD. RTE. 7 | |
| AT EX. MEET. | |

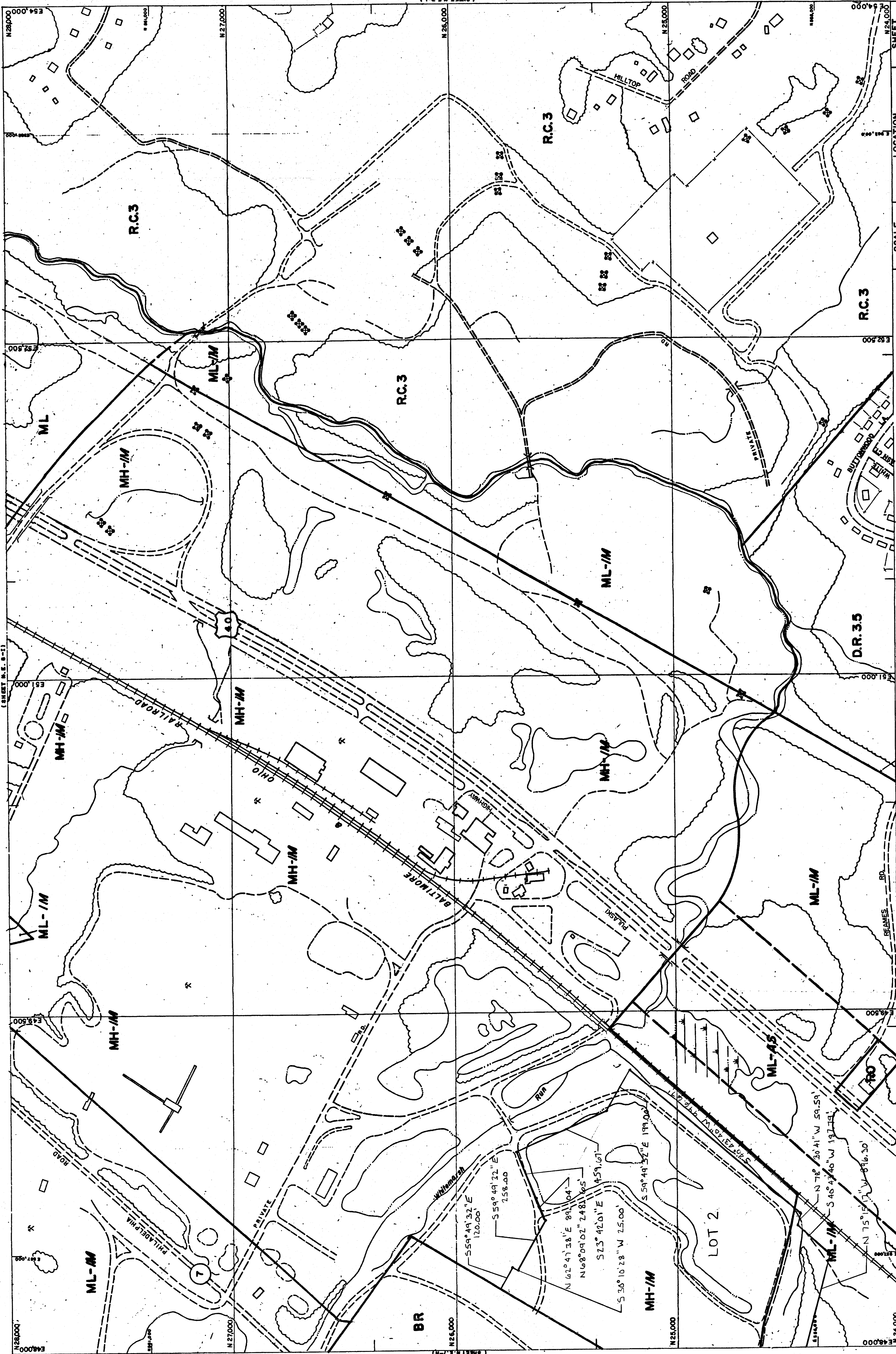
TO SITE SHALL BE FROM
PELLE BOULEVARD TO SITE

TRUCK
NO PARKING
PULASKI

VICINITY MAP

SCALE: 1" = 1000'

[illegible]



2000 COMPREHENSIVE ZONING MAP
ADOPTED BY
THE BALTIMORE COUNTY COUNCIL
OCTOBER 10, 2000
Bills Nos. 87-00, 88-00, 89-00, 90-00, 91-00, 92-00, 93-00,
Joseph Battaglia
Chairman, County Council

ML-SE

ML-IM

ML-AS

DR

RO

BR

ML

MH-IM

RC.3

SCALE
1" = 200'

DATE OF PHOTOGRAPHY
JANUARY 1986

LOCATION
COWENTON

SHEET
N.E.
7-1

2000 COMPREHENSIVE ZONING MAP
ADOPTED BY
THE BALTIMORE COUNTY COUNCIL
OCTOBER 10, 2000
Bills Nos. 87-00, 88-00, 89-00, 90-00, 91-00, 92-00, 93-00,
Joseph Battaglia
Chairman, County Council

THIS MAP HAS BEEN REVISED IN SELECTED AREAS
TO REFLECT CHANGES IN PHOTOGRAMMETRIC METHODS
BY BUCHART-HORN, INC. BALTIMORE, MD. 21110