IN RE: PETITIONS FOR SPECIAL HEARING AND SPECIAL EXCEPTION	*	BEFORE THE
SW/Corner Ebenezer Road and Pulaski Highway	*	DEPUTY ZONING COMMISSIONER
11th Election District	*	OF BALTIMORE COUNTY
5th Councilmanic District (10740 Pulaski Highway)	*	CASE NO. 03-009-SPHX
Rodick Realty Partnership I, *Legal Owner* **and** Cloverland Farms Dairy, Inc., *Lessee*	*	
Petitioners	*	

* * * * * * * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a Petition for Special Exception and Special Hearing filed by the legal owner of the subject property, Rodick Realty Partnership I and the lessee of the site, Cloverland Farms Dairy, Inc. The Petitioner is requesting relief for property located at 10740 Pulaski Highway. The special exception request is to permit the expansion of an existing fuel service station and to add a rollover car wash as a use in combination, in accordance with Sections 405.2.B.1 and 405.4.E.2 of the Baltimore County Zoning Regulations. In addition, special hearing relief is requested to amend the previously approved site plan in Case No. 99-318-X.

Appearing at the hearing on behalf of the requested relief were John Kemp, representing Cloverland Farms Dairy, Steve Feazell, appearing on behalf of Rodick Realty Partnership I, Ken Schmid and Nick Brader, and David Karceski, attorney at law, representing the Petitioner. There were no protestants in attendance.

Testimony and evidence indicated that the property, which is the subject of this zoning request, consists of 1.75 acres, more or less, zoned BR-AS. The subject property is improved with an existing "Royal Farms" convenience store use in combination with a service station.

ORDER RECEIVED FOR FILING
Date 7/10/02
By

The Petitioner is interested in adding some additional fueling stations, as well as constructing a rollover car wash on the subject property. There is more than sufficient land to accommodate this expansion, given that there exists an undeveloped lot adjacent to the subject site. The Petitioner proposes these improvements on the area of the property which was reserved for future development. It should also be noted that no variances are being requested for this relief. In order to proceed with the added improvements, the special exception relief is necessary, as well as the special hearing, to amend my previous Order dated June 23, 1999.

After considering the testimony and evidence offered at the hearing and the lack of opposition thereto, I find that the special exception and special hearing should be granted to allow this expansion to occur. It is clear the Baltimore County Zoning Regulations permit the Petitioner's use in a BR-AS zone by special exception. It is equally clear that the proposed use is not 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 shows that the use meets the prescribed standards and requirements set forth in Section 502.1 of the Baltimore County Zoning Regulations. The Petitioner has shown that the use is conducted without real detriment to the neighborhood and does not adversely affect the public interest. The facts and circumstances do not show that the use at this particular location described by Petitioner's Exhibit No. 1 has 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 use is not detrimental to the health, safety, or general welfare of the locality, nor tends to create congestion in roads, streets, or alleys therein, nor is it inconsistent with the purposes of

the property's zoning classification, nor in any other way inconsistent with the spirit and intent of the B.C.Z.R.

THEREFORE, IT IS ORDERED, by the Deputy Zoning Commissioner for Baltimore County, this 10th day of September, 2002, that the Special Exception request, to permit the expansion of an existing fuel service station and to add a rollover car wash as a use in combination, in accordance with Sections 405.2.B.1 and 405.4.E.2 of the Baltimore County Zoning Regulations, be and is hereby APPROVED, subject, however, to the following restrictions which are conditions precedent to the relief granted herein:

1) The Petitioner shall submit elevation drawings of the car wash building to the Office of Planning for their review and approval prior to the issuance of any building permits.

2) The Petitioner shall be required to remove all temporary, non-permitted signs from the subject site.

3) When applying for a building permit, the site plan filed must reference this case and set forth and address the restrictions of this Order.

IT IS FURTHER ORDERED, that the Special Hearing relief requested, to amend the previously approved site plan in Case No. 99-318-X, be and is hereby APPROVED.

IT IS FURTHER ORDERED, that any appeal of this decision must be made within thirty (30) days of the date of this Order.

Timothy Kotroco

TIMOTHY M. KOTROCO
DEPUTY ZONING COMMISSIONER
FOR BALTIMORE COUNTY

TMK:raj

ORDER RECEIVED FOR FILING
9/10/02
D.C. Jameson

Copies to:

Steve Feazell
1002 Klender Court
Bel Air, MD 21014

Ken Schmid
325 Gambrills Road, Suite E
Gambrills, MD 21054

Nick Brader
10540 York Road, Suite M
Hunt Valley, MD 21030

John Kemp
3611 Roland Avenue
Baltimore, MD 21211

Petition for Special Exception

to the Zoning Commissioner of Baltimore County

for the property located at 10740 Pulaski Highway

which is presently zoned BR-AS

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, leg owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto ar made a part hereof, hereby petition for a Special Exception under the Zoning Regulations of Baltimore County, to use tl herein described property for

Special Exception to permit the expansion of an existing fuel service station and the addition of a roll-over car wash as a use in combination, pursuant to Sections 405.2.B.1 and 405.4.E.2 of the Baltimore County Zoning Regulations.

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

Cloverland Farms Dairy, Inc.
Name - Type or Print By: John M. Kemp, Vice-President
Signature
3611 Roland Avenue (410) 889-0200
Address Telephone No.
Baltimore, Maryland 21211
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, Maryland 21204
City State Zip Code

Legal Owner(s):

Rodick Realty Partnership I
Name - Type or Print
Signature
Donald S. Feazell, General Partner
Name - Type or Print
Signature
1110 Batavia Farm Road (410) 879-3880
Address Telephone No.
Baltimore, Maryland 21237
City State Zip Code

Representative to be Contacted:

Robert A. Hoffman
Name
210 Allegheny Avenue (410) 494-6200
Address Telephone No.
Towson, Maryland 21204
City State Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING _____
UNAVAILABLE FOR HEARING _____
Reviewed By JRP Date 7/2/02

Case No. 03-009-SPHX

REV 09/15/98

Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at 10740 Pulaski Highway

which is presently zoned BR-AS

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 approve an amendment to the site plan previously approved in Case No. 99-318-X in accordance with the modified site plan.

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:

Cloverland Farms Dairy, Inc.
Name - Type or Print By: John M. Kemp, Vice-President

Signature

3611 Roland Avenue (410) 889-0200
Address Telephone No.

Baltimore, Maryland 21211
City State Zip Code

Legal Owner(s):

Rodick Realty Partnership I
Name - Type or Print

Signature

Donald S. Feazell, General Partner
Name - Type or Print

Signature

1110 Batavia Farm Road (410) 879-3880
Address Telephone No.

Baltimore, Maryland 21237
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, Maryland 21204
City State Zip Code

Representative to be Contacted:

Robert A. Hoffman
Name

210 Allegheny Avenue (410) 494-6200
Address Telephone No.

Towson, Maryland 21204
City State Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING _____

UNAVAILABLE FOR HEARING _____

Case No. 03-009-SPHX

Reviewed By JRP Date 7/2/02

REV 9/15/98

Description to Accompany A Petition for
A Special Exception

June 10, 2002

Beginning for the same at a pin and cap set on the northwest side of Pulaski Highway, U.S. Route 40, 150' R/W, shown on State Roads Commission of Maryland Plat No. 1671, at the cutoff leading to the southwest side of Ebenezer Road, 70' R/W, shown on Baltimore County Department of Public Works Bureau of Land Acquisition Drawing RW 75-327-1 attached to a Deed dated February 7, 1976, between Exxon Corporation and Baltimore County, Maryland, recorded among the Land Records of Baltimore County, Maryland in Liber E.H.K., Jr. 5620 folio 339, said point of beginning being located North 89° 14' 14" West 100.71' from the centerline intersection of said Pulaski Highway, U.S. Route 40, 150' R/W and said Ebenezer Road, 70' R/W, leaving said point of beginning, binding on the northwest line of said Pulaski Highway, U.S. Route 40, shown on said Plat No. 1671:

1.) Southwesterly by a curve to the left having a radius of 5,804.58' for a distance of 362.62', said curve being subtended by a chord bearing South 40° 30' 11" West 362.56' to a point, running thence leaving said Pulaski Highway, U.S. Route 40,
2.) North 50° 19' 48" West 203.52',
3.) North 41° 09' 42" East 401.01' to intersect the southwest side of said Ebenezer Road shown on said Baltimore County Department of Public Works Bureau of Land Acquisition Drawing RW 75-327-1, running thence binding on the southwest side of said Ebenezer Road shown of said Drawing RW 75-327-1,
4.) Southeasterly by a curve to the left having a radius of 480.00' for a distance of 191.58', said curve being subtended by a chord bearing South 43° 40' 51" East 190.31' to a pin and cap set at the end of said cutoff leading to the northwest side of said Pulaski Highway, U.S. Route 40, running thence binding on said cutoff,
9.) South 09° 54' 57" West 18.79' to the point of beginning.

Containing 76,391 S.F. or 1.754 acres of land more or less.

THIS DESCRIPTION COMPILED FOR ZONING PURPOSES ONLY AND NOT INTENDED
TO BE USED FOR CONVEYANCES OR AGREEMENTS

PROFESSIONAL ENGINEER
No. 18558
NICHOLAS JOSEPH BRADER III
STATE OF MARYLAND

#009

TIMORE COUNTY, MARYLAND
CE OF BUDGET & FINANCE
CELLANEOUS RECEIPT

No. 14576

7-2-02 ACCOUNT 001-000-616-650

AMOUNT $550.00

/ED Venable, Baetjer & Howard

Item # 009
Taken by: JRC

10745 Reisterstown Road

UTION
CASHIER PINK - AGENCY YELLOW - CUSTOMER

PAID RECEIPT
BUSINESS ACTUAL TIME
7/03/2002 7/02/2002 15:22:37
RECEIPT # 20584 7/02/2002
DBA 000-000-616-650 ZONING VERIFICATION
LN# 02-01470
Recpt Tot $550.00
550.00 CK .00 CA
Baltimore County, Maryland

CASHIER'S VALIDATION

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: #03-009-SPHX
10740 Pulaski Highway
SW/corner of Ebenezer Road & Pulaski Highway
11th Election District - 5th Councilmanic District
Legal Owner(s): Rodick Realty Partnership I, Donald S. Feazell
Contract Purchaser: Cloverland Farms Dairy Inc., John Kemp

Special Hearing: to approve an amendment to the site plan previously approved in case no. 99-318-X in accordance with the modified site plan. **Special Exception:** to permit the expansion of an existing fuel service station and the addition of a rollover car wash as a use in combination.

Hearing: Wednesday, August 28, 2002 at 11:00 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.

8/118 Aug. 8 C554930

CERTIFICATE OF PUBLICATION

8/8/, 2002

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 8/8/, 2002.

- [x] 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.: 03-009 SPHX

Petitioner/Developer: Royal Farms
VBH - DONTELL

Date of Hearing/Closing: 8/28/02

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

Attention: GEORGE ZAHNER

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 PULASKI HWY & EBENEZER - SWS. (2 EACH)

The sign(s) were posted on 8/12/02
(Month, Day, Year)

Sincerely,

8/20/02
(Signature of Sign Poster and Date)

PATRICK M. O'KEEFE
(Printed Name)

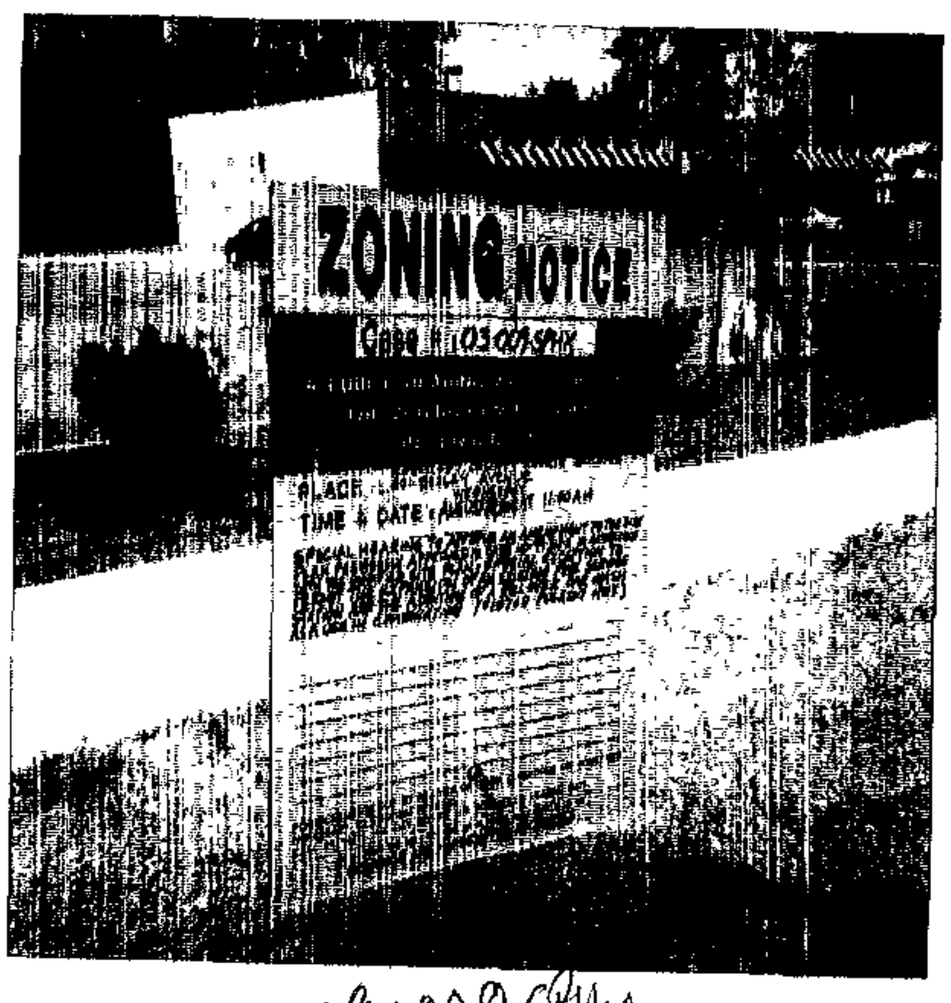
523 PENNY LANE
(Address)

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

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

AMY DONTELL

...™ brand fax transmittal memo 7671 | # of pages ▸ 1
To BETTY OR ROBIN | From O'KEEFE
Co. ZONING - COMM | Co.
Dept. | Phone # 512 4621
Fax # 887-3468 | Fax #



03-009SPHX

VBH
VBH

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: 03-009-SPHX

Petitioner: Rodick Realty Partnership I

Address or Location: 10740 Pulaski Highway

PLEASE FORWARD ADVERTISING BILL TO:

Name: Amy Dontell

Address: 210 Allegheny Avenue

Towson, MD 21204

Telephone Number: (410) 494-6244

Revised 2/20/98 - SCJ

TO: PATUXENT PUBLISHING COMPANY
Thursday, August 8, 2002 Issue – Jeffersonian

Please forward billing to:
Amy Dontell
Venable Baetjer & Howard
210 Allegheny Avenue
Towson MD 21204

410 494-6244

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: 03-009-SPHX
10740 Pulaski Highway
SW/corner of Ebenezer Road & Pulaski Highway
11th Election District – 5th Councilmanic District
Legal Owner: Rodick Realty Partnership I, Donald S Feazell
Contract Purchaser: Cloverland Farms Dairy Inc, John Kemp

Special Hearing to approve an amendment to the site plan previously approved in case no. 99-318-X in accordance with the modified site plan. Special Exception to permit the expansion of an existing fuel service station and the addition of a rollover car wash as a use in combination.

HEARING: Friday, August 23, 2002 at 11:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue

Lawrence E. Schmidt

LAWRENCE E. SCHMIDT GDZ
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

July 17, 2002

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: 03-009-SPHX
10740 Pulaski Highway
SW/corner of Ebenezer Road & Pulaski Highway
11th Election District – 5th Councilmanic District
Legal Owner: Rodick Realty Partnership I, Donald S Feazell
Contract Purchaser: Cloverland Farms Dairy Inc, John Kemp

Special Hearing to approve an amendment to the site plan previously approved in case no. 99-318-X in accordance with the modified site plan. Special Exception to permit the expansion of an existing fuel service station and the addition of a rollover car wash as a use in combination.

HEARING: **Friday, August 23, 2002 at 11:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue**

Arnold Jablon GDZ
Director

C: Robert A Hoffman, Venable Baetjer & Howard, 210 Allegheny Avenue, Towson 21204
Rodick Realty Partnership I, Donald S Feazell, 1110 Batavia Farm Road, Baltimore 21237
Cloverland Farms Dairy Inc, John Kemp, 3611 Roland Avenue, Baltimore 21211

NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY THURSDAY, AUGUST 8, 2002.**
(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.

Printed with Soybean Ink
on Recycled Paper

TO: PATUXENT PUBLISHING COMPANY
Thursday, August 8, 2002 Issue – Jeffersonian

Please forward billing to:
Amy Dontell
Venable Baetjer & Howard
210 Allegheny Avenue
Towson MD 21204

410 494-6244

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: 03-009-SPHX
10740 Pulaski Highway
SW/corner of Ebenezer Road & Pulaski Highway
11th Election District – 5th Councilmanic District
Legal Owner: Rodick Realty Partnership I, Donald S Feazell
Contract Purchaser: Cloverland Farms Dairy Inc, John Kemp

Special Hearing to approve an amendment to the site plan previously approved in case no. 99-318-X in accordance with the modified site plan. Special Exception to permit the expansion of an existing fuel service station and the addition of a rollover car wash as a use in combination.

HEARING: Wednesday, August 28, 2002 at 11:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue

Lawrence E. Schmidt

LAWRENCE E. SCHMIDT GDZ
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

July 25, 2002

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: 03-009-SPHX
10740 Pulaski Highway
SW/corner of Ebenezer Road & Pulaski Highway
11th Election District – 5th Councilmanic District
Legal Owner: Rodick Realty Partnership I, Donald S Feazell
Contract Purchaser: Cloverland Farms Dairy Inc, John Kemp

Special Hearing to approve an amendment to the site plan previously approved in case no. 99-318-X in accordance with the modified site plan. Special Exception to permit the expansion of an existing fuel service station and the addition of a rollover car wash as a use in combination.

HEARING: Wednesday, August 28, 2002 at 11:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue

Arnold Jablon GDZ
Director

C: Robert A Hoffman, Venable Baetjer & Howard, 210 Allegheny Avenue, Towson 21204
Rodick Realty Partnership I, Donald S Feazell, 1110 Batavia Farm Road, Baltimore 21237
Cloverland Farms Dairy Inc, John Kemp, 3611 Roland Avenue, Baltimore 21211

NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, AUGUST 13, 2002.**
(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.

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on Recycled Paper

Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
pdmlandacq@co.ba.md.us

August 23, 2002

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

Dear Mr. Hoffman:

RE: Case Number: 03-009-SPHX, 10740 Pulaski Highway

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on July 02, 2002.

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: Cloverland Farms Dairy Inc, John M Kemp VP, 3611 Roland Avenue, Baltimore 21211
Rodick Realty Partnership, Donald S Feazell, 1110 Batavia Farm Road, Baltimore 21237
People's Counsel

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on Recycled Paper

Baltimore County
Fire Department

700 East Joppa Road
Towson, Maryland 21286-5500
410-887-4500

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

July 18,2002

ATTENTION: George Zahner

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF July 15, 2002

Item No.: 006; 009; 014; 016

Dear Mr. Zahner:

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", 2000 edition prior to occupancy.

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

cc: File

Printed with Soybean Ink
on Recycled Paper

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits & Development Mgmt.

DATE: August 5, 2002

FROM: Robert W. Bowling, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
For July 22, 2002
Item Nos. 583, 001, 002, 003, 004, 005,
006, 007, 008, 009, 010, 011, 012, 015,
and 016

The Bureau of Development Plans Review has reviewed the subject zoning items, and we have no comments.

RWB:CEN:jrb

cc: File

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO: Arnold Jablon

FROM: R. Bruce Seeley RBS/TLT

DATE: July 29, 2002

SUBJECT: Zoning Item 009
Address 10740 Pulaski Highway (Royal Farm Store)

Zoning Advisory Committee Meeting of July 15, 2002

____ 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).

____ 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).

Additional Comments:

Reviewer: Glen Shaffer Date: July 16, 2002

Jun 8/28

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: July 11, 2002

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

JUL 23 2002

SUBJECT: 10740 Pulaski Highway

INFORMATION:

Item Number: 03-009

Petitioner: Rodick Realty Partnership
c/o Donald S. Feazell

Zoning: BR-AS

Requested Action: Special Exception/Special Hearing

SUMMARY OF RECOMMENDATIONS:

The Office of Planning supports the request to allow a roll-over car wash at an existing service station contingent upon the following:

1. Submit elevation drawings of the proposed structure to this office for review and approval prior to the issuance of any building permits.
2. All temporary (non-permitted) signs should be removed from the site.

Prepared by: Mark A Cumpston

Section Chief: Lynn Lochbaum

AFK/LL:MAC:

Maryland Department of Transportation
State Highway Administration

Parris N. Glendening
Governor

John D. Porcari
Secretary

Parker F. Williams
Administrator

Date: 7·16·02

Mr. George Zahner
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County
Item No. 005 JRF

Dear Mr. Zahner:

We have reviewed the referenced item and have no objection to approval, as a field inspection reveals that the existing entrance(s) on to ~~MD~~/US 40 · are acceptable to the State Highway Administration (SHA) and this development is not affected by any SHA projects.

Should you have any questions regarding this matter, please contact Larry Gredlein at 410-545-5606 or by E-mail at (lgredlein@sha.state.md.us).

Very truly yours,

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

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 SPECIAL EXCEPTION	*	BEFORE THE
	S/west corner of Ebenezer Rd. & Pulaski Highway	*	ZONING COMMISSIONER
	11th Election District 5th Councilmanic District	*	FOR
	Legal Owner:Donald S. Feazell, Gen Prtnr. Rodick Realty Partnership I	*	BALTIMORE COUNTY
	Petitioner(s)	*	03-009-SPHX

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

ENTRY OF APPEARANCE

Please enter the appearance of People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and the passage of any preliminary or final Order. All parties should copy People's Counsel on all correspondence sent/ 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 19th day of July, 2002, a copy of the foregoing Entry of Appearance was mailed to Robert A. Hoffman, VENABLE, BAETJER & HOWARD, LLP 210 Allegheny Avenue, Towson, Maryland 21204 Attorney for Petitioner(s).

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

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

July 25, 2002

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

Dear Mr. Hoffman:

RE: Case Number: 03-009-SPHXA, 10740 Pulaski Highway

The above matter, previously scheduled for Friday, August 23, 2002 at 11:00 a.m., has been postponed at your request. Once the hearing has been rescheduled you will be notified by mail.

Please be advised that, as the individual requesting and receiving the postponement, the responsibility and costs associated with the appropriate posting of the property now lies with you. The petitioner or his/her agent may not personally post or change a zoning sign. One of the currently approved vendors/posters must be contacted to do so. If the property has been posted with notice of the original hearing date, as quickly as possible a notice of the new hearing date should be affixed to the sign(s).

Very truly yours,

Arnold Jablon GDZ
Director

AJ: gdz

C: Rodick Realty Partnership, Donald S Feazell, 1110 Batavia Farm Road, Baltimore 21237
Cloverland Farms Dairy, John M Kemp VP, 3611 Roland Avenue, Baltimore 21211

Printed with Soybean Ink
on Recycled Paper

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
www.venable.com

7/24/02
George
Off

OFFICES IN

MARYLAND
WASHINGTON, D.C.
VIRGINIA

VENABLE
ATTORNEYS AT LAW

Robert A. Hoffman
410-494-6262

rahoffman@venable.com

July 23, 2002

Via Hand Delivery
Arnold Jablon, Director
Department of Permits and Development
Management
County Office Building – Room 111
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: Zoning Case No.: 03-009-SPHXA
Developer: Cloverland Farms Diary, Inc.
Project: 10740 Pulaski Highway

Dear Mr. Jablon:

I represent Cloverland Farms Diary, Inc. in the above-captioned matter. The hearing for this matter has been scheduled for Friday, August 23, 2002, at 11:00 a.m. Unfortunately, I will be out of town the week of August 19-August 23 and will return to the office on Monday, August 26. I am, therefore, respectfully requesting that the hearing in the above-referenced matter be postponed and rescheduled, if possible, for Tuesday, August 27 or Wednesday, August 28.

Thank you for your consideration.

Very truly yours,

Robert A. Hoffman

cc: Mr. John Kemp

RAH/ald

TO1DOCS1/ald99/#141607 v1

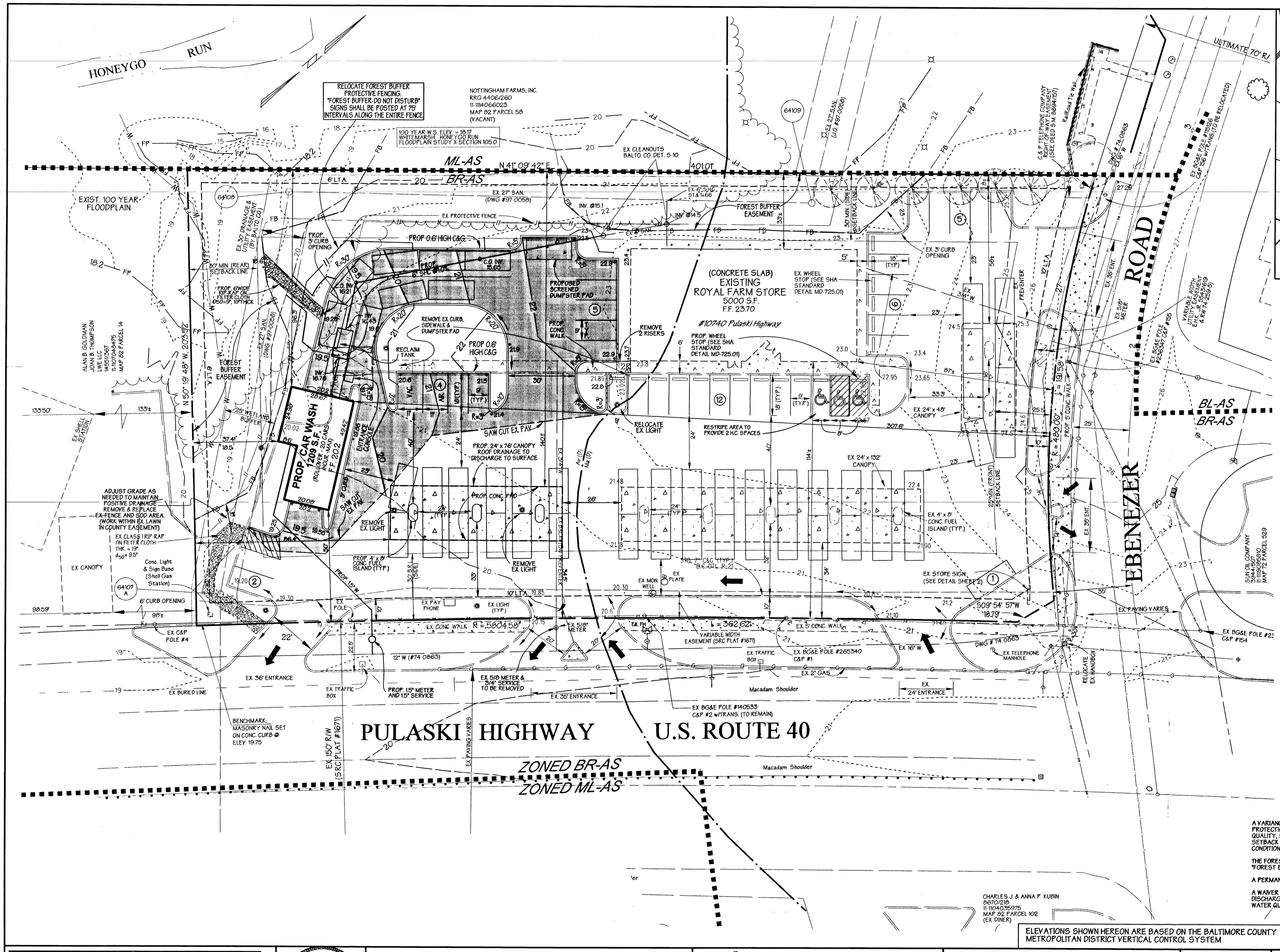
RECEIVED
02-2370
JUL 24 2002
DEPT OF PERMITS AND
DEVELOPMENT MANAGEMENT

Case Number #03-009-SPHX
8/28/02

PLEASE *PRINT* LEGIBLY

PETITIONER'S SIGN-IN SHEET

Name	Address	City, State	Zip Code
DAVID KARCESKI	210 Allegheny Avenue	Towson MD	21204
Steve Feezell	1002 Klenderct.	Bel Air MD	21014
Ken Schmidt	325 Gambrills, Rd Suite	Gambrills, MD	21054
NICK BRODER	10540 YORK Rd. Suite M	Hunt Valley, MD	21030
JOHN KEMP	3611 ROLAND AVE	Balto, MD	21211


HONEYGO RUN
RELOCATE FOREST BUFFER PROTECTIVE FENCING. "FOREST BUFFER-DO NOT DISTURB" SIGNS SHALL BE POSTED AT 75' INTERVALS ALONG THE ENTIRE FENCE
NOTTINGHAM FARMS, INC.
RKG 4406/260
11-1114066023
MAP 82 PARCEL 58
(VACANT)
100 YEAR W.S. ELEV. = 18.17
WHITEMARSH, HONEYGO RUN
FLOODPLAIN STUDY X-SECTION 105.0
ML-AS
N 41° 09' 42" E
BR-AS
EXIST. 100 YEAR FLOODPLAIN
EX. 27" SAN. (DWG #97-0059)
EX PROTECTIVE FENCE
FOREST BUFFER EASEMENT
PROP. 0.6' HIGH C&G
PROP. 3' CURB OPENING
PROPOSED SCREENED DUMPSTER PAD
REMOVE EX. CURB, SIDEWALK & DUMPSTER PAD
RECLAIM TANK
(CONCRETE SLAB) EXISTING ROYAL FARM STORE 5000 S.F. F.F. 23.70
#10740 Pulaski Highway
PROP. WHEEL STOP (SEE SHA STANDARD DETAIL MD-725.01)
REMOVE 2 RISERS
PROP. CAR WASH 1209 S.F. (KOLMATRIX 20 CARS HOUR MAX) F.F. 202
SAW CUT EX. PAV.
PROP. 24' x 76' CANOPY ROOF DRAINAGE TO DISCHARGE TO SURFACE
RELOCATE EX. LIGHT
RESTRIPE AREA TO PROVIDE 2 HC. SPACES
EX 24' x 132' CANOPY
EX 24' x 48' CANOPY
EX. 4' x 8' CONC. FUEL ISLAND (TYP.)
EX. STORE SIGN (SEE DETAIL SHEET 2)
ADJUST GRADE AS NEEDED TO MAINTAIN POSITIVE DRAINAGE. REMOVE & REPLACE EX. FENCE AND SOD AREA (WORK WITHIN EX. LAWN IN COUNTY EASEMENT)
EX. CLASS I RIP RAP ON FILTER CLOTH THK. = 19" d50 = 9.5"
EX. CANOPY
Conc. Light & Sign Base (Shell Gas Station)
6' CURB OPENING
EX. C&P POLE #4
EX. 36' ENTRANCE
EX. BURIED LINE
BENCHMARK: MASONRY NAIL SET ON CONC. CURB @ ELEV. 19.75
EX. 150' R/W (SRC PLAT #1671)
PULASKI HIGHWAY
U.S. ROUTE 40
EBENEZER ROAD
ULTIMATE 70' R/W
BL-AS
BR-AS
ZONED BR-AS
ZONED ML-AS
Macadam Shoulder
EX. 24' ENTRANCE
EX. 35' ENTRANCE
EX. BG&E POLE #140533 C&P #2 W/TRANS. (TO REMAIN)
EX. BG&E POLE #265340 C&P #1
EX. TELEPHONE MANHOLE
EX. 5/8" METER & 3/4" SERVICE TO BE REMOVED
PROP. 1.5" METER AND 1.5" SERVICE
EX. 5/8" METER
EX. FIRE HYDRANT
EX. MON WELL
EX. PLATE
EX. FAY PHONE
EX. LIGHT (TYP.)
EX. POLE
EX. TRAFFIC BOX
VARIABLE WIDTH EASEMENT (SRC PLAT #1671)
EX. 5' CONC. WALK
EX. 2" GAS
EX. 16" W.
EX. 36" ENT.
EX. 36" ENT.
EX. PAVING VARIES
RELOCATE EX. MAILBOX
CHARLES J. & ANNA P. KUBIN 8670/218 11-1104026975 MAP 82 PARCEL 102 (EX. DINER)
SUN OIL COMPANY 11-1114025010 MAP 72 PARCEL 523
ALAN B. GOLDMAN JOAN B. THOMPSON LWE LLC 14501/264 11-1104004475 MAP 82 PARCEL 14
N 50° 19' 48" W, 207.52'
S 09° 54' 57" W 18.79'
R = 450.00'
L = 362.62'
R = 5604.58'
EX. GAS VALVE
EX. CONC. WALK
EX. 3' CURB OPENING
EX. 36" ENT.
EX. 36" ENT.
EX. 16" W.
EX. 12" W (#74-0863)
EX. 12" W (#74-0863)
EX. 24" ENTRANCE
EX. PAVING VARIES
EX. BG&E POLE #2
C&P #154
EX. C&P TELEPHONE COMPANY 11-1114025010 (SEE PLAT SHEET 3)
EX. BGE POLE #265340 C&P #86 W/TRANS. (TO BE RELOCATED)
MARYLAND NORTH UTILITY EASEMENT 11-1114025019 4 R/W 74-2093-5)
EX. BGE POLE #265341 C&P #85
EX. SIGN METER
PREVENTER
EX. 3/4" W
EX. 12" W
EX. 16" W.
EX. 36" ENT.
EX. 36" ENT.
EX. 24" ENTRANCE
EX. 35' ENTRANCE
EX. 36" ENTRANCE
EX. 12" W (#74-0863)
EX. 12" W (#74-0863)
EX. 16" W.
EX. 2" GAS
EX. 5' CONC. WALK
EX. CONC. WALK
EX. 5' CONC. WALK
EX. 4' x 8' CONC. FUEL ISLAND (TYP.)
EX. 24' x 132' CANOPY
EX. 24' x 48' CANOPY
EX. 3' CURB OPENING
PROP. 0.6' HIGH C&G
PROP. 3' CURB OPENING
PROP. 6' WIDE RIP-RAP ON FILTER CLOTH D50=9", 19" THICK
PROP. CONC. WALK
PROP. CONC. PAD
PROP. 4' x 8' CONC. FUEL ISLAND (TYP.)
REMOVE EX. LIGHT
REMOVE EX. LIGHT
PROP. 15" W
PROP. 5' CONC. WALK
EX. 36" ENT.
EX. 36" ENT.
EX. 16" W.
EX. 12" W (#74-0863)
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EX. 24" ENTRANCE
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EX. 5' CONC. WALK
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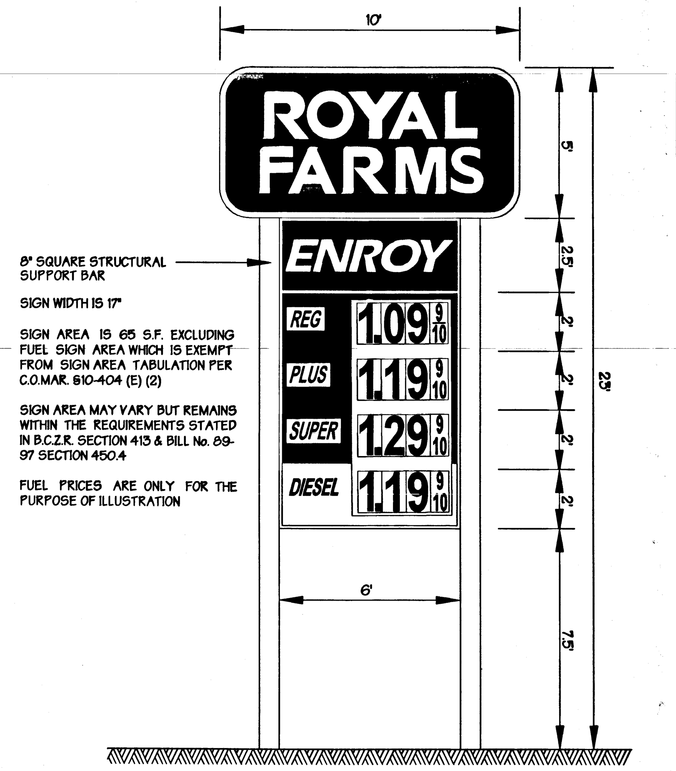
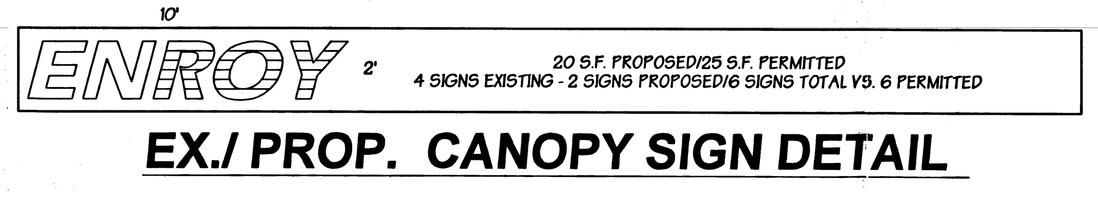
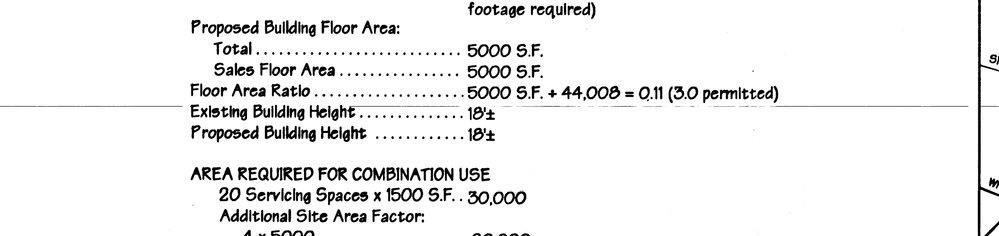


EX. STORE SIGN DETAIL

NO SCALE



EX./ PROP. CANOPY SIGN DETAIL



54 S.F PROPOSED/ 2 x 86'(BUILDING LENGTH) = 172 S.F. ALLOWED

EX. BUILDING FACE SIGN DETAIL

NO SCALE

ROYAL FARMS STORE	
Hours of Operation	24 Hours/7 Days per Week
Max. Number of Employees	15-20
Max. Number of Employees/Shift	Morning/Afternoon = 3 Afternoon/Evening = 3 Night = 2

SITE DATA

Site Area	76,391 S.F. (1.75 Ac.±)
Existing Zoning	BR-AS
Existing Use	Convenience Store w/Fuel Pumps
Proposed Use	Convenience Store w/Fuel Pumps = Car Wash
Deed Reference	10445/555
Tax Account Number	11-1600003871
Ancillarly Uses	Minor ancillary uses as permitted in Section 405.4.D. of the B.C.Z.R. (No additional square footage required)
Proposed Building Floor Area:	
Total	5000 S.F.
Sales Floor Area	5000 S.F.
Floor Area Ratio	5000 S.F. + 44,008 = 0.11 (3.0 permitted)
Existing Building Height	18'±
Proposed Building Height	18'±

AREA REQUIRED FOR COMBINATION USE

20 Servicing Spaces x 1500 S.F.	30,000
Additional Site Area Factor:	
4 x 5000	20,000
ATM	1000
Site Area Required	51,000 S.F.
Area of Special Exception	76,391 S.F.

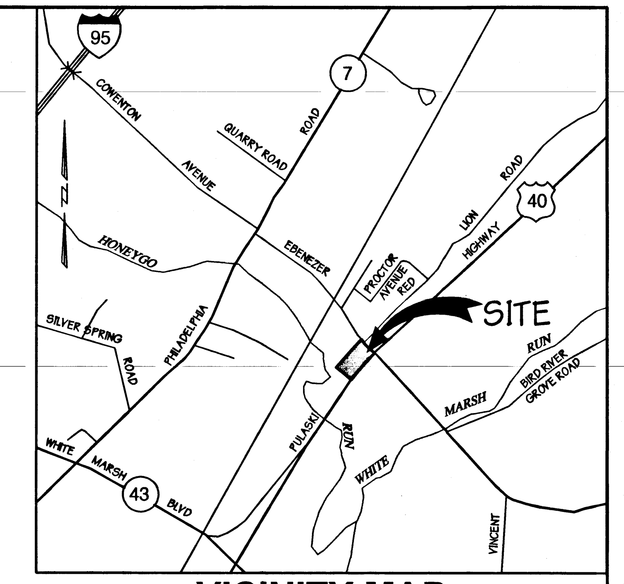
PARKING SPACES

Fuel Service w/Combination Use:	
5000 S.F. @ 5/1000	= 25
maximum employee shift	3
air	1
ATM	1
Car Wash (2 dry + 2 roll over)	4
Vacuum	1
Total Required	35
Total Provided	35

PARKING SPACE DIMENSIONS:

Typical Space	9' x 18'
Handicap Space	16' x 18'

(All spaces to be permanently striped)



VICINITY MAP

SCALE: 1" = 1000'

ZONING HISTORY:

89-494 XA - - - - - Special Exception for a food store with less than 5000 S.F. as a use in combination with an automotive service station and a variance to allow 4 freestanding signs totalling 255.87 S.F. in lieu of the permitted 3 signs totalling 100 S.F.
[Dismissed after requested postponement was never rescheduled]

W-89-110 - - - - - Waiver granted for CRG process and meeting

99-318-X - - - - - Special Exception [APPROVED] to permit an automobile service station use in combination with a food store with a sales area larger than 1,500 s.f.

DRC # 08169J - - (A)(7) Limited Exemption Granted 11/5/99.

PREVIOUS COMMERCIAL PERMITS

B408181 - - - - - Permit to construct Royal Farms Convenience Store [Completed 2001]

B449135 - - - - - Permit to construct canopy over gasoline pump islands [Completed 2001]

ZONING ORDER - CASE 99-318-X

IN RE: PETITION FOR SPECIAL EXCEPTION
NW/S Pulaski Highway, at SW/S
Ebenezer Road
(10740 Pulaski Highway)
11th Election District
5th Councilmanic District

Rodick Realty Partnership I, Owners;
Cloverland Farms Dairy, Inc., Contr. Lessee

- BEFORE THE
- DEPUTY ZONING COMMISSIONER
- OF BALTIMORE COUNTY
- Case No. 99-318-X

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 23rd day of June, 1999 that the Petition for Special Exception to permit an automobile service station use in combination with a food store with a sales area larger than 1,500 sq.ft., pursuant to Section 405.4.E.1 of the Baltimore County Zoning Regulations (B.C.Z.R.), in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restriction:

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.

TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

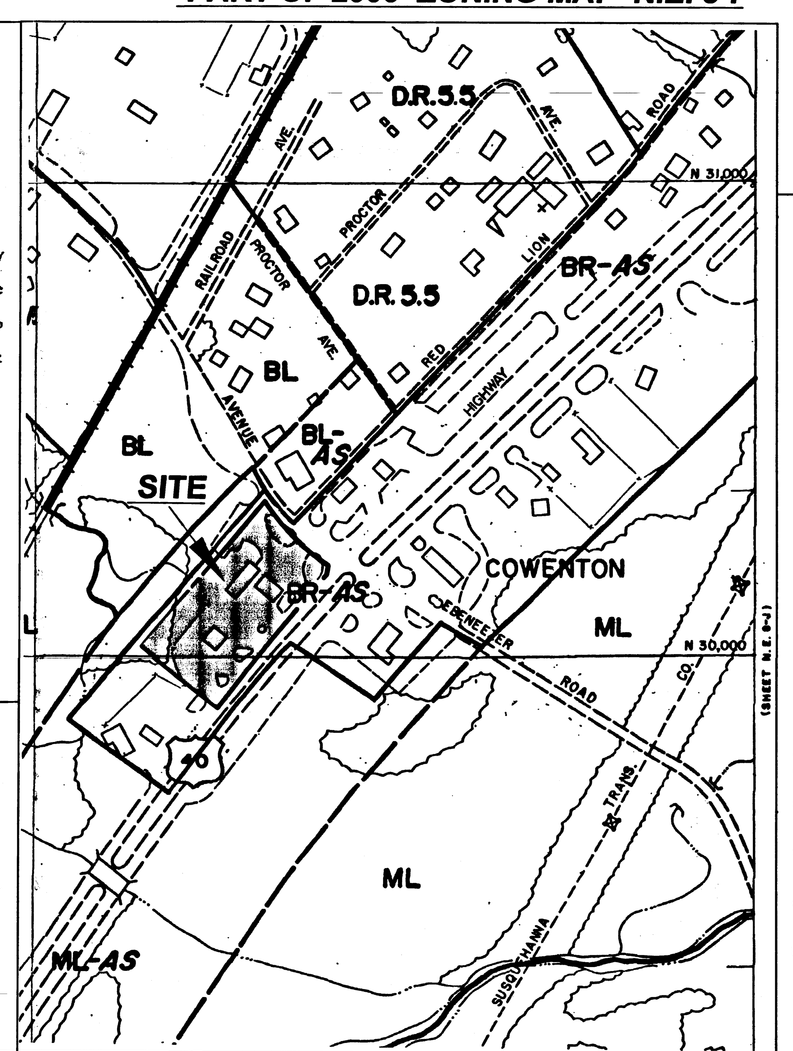
A VARIANCE WAS GRANTED BY THE BALTIMORE COUNTY DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT FROM REGULATIONS FOR THE PROTECTION OF WATER QUALITY, STREAMS, WETLANDS AND FLOODPLAINS. THE FOREST BUFFER EASEMENT AND BUILDING SETBACK SHOWN HEREON ARE REFLECTIVE OF THE FACT THAT THIS VARIANC WAS GRANTED. CONDITIONS WERE PLACED ON THIS VARIANCE TO REDUCE WATER QUALITY IMPACTS.

THE FOREST BUFFER EASEMENT HAS BEEN PERMANTLY POSTED AT 75' INTERVALS WITH "FOREST BUFFER - DO NOT DISTURB" SIGNS THAT ARE AVAILABLE FROM THIS DEPARTMENT.

A PERMANENT FENCE HAS BEEN INSTALLED ALONG THE LIMIT OF THE FOREST BUFFER EASEMENT.

A WAIVER OF STORM WATER MANAGEMENT WAS GRANTED OCTOBER 4, 1999 FOR THIS PROJECT. DISCHARGING OF THE NEW IMPERVIOUS AREA ACROSS ON SITE VEGETATION WILL PROVIDE WATER QUALITY

PART OF 2000 ZONING MAP N.E. 8-I



(A)(7) LIMITED EXEMPTION DETERMINATION

Baltimore County Government
Department of Permits and
Development Management

111 West Chesapeake Ave.
Towson, Md. 21204 410-887-3335

November 5, 1999

Matis Warfield, Inc.
6600 York Road
Baltimore, MD 21212

RE: Royal Farm Store
10740 Pulaski Highway
DRC Number 081691; Dist. 11C5

Dear Sir:

Pursuant to Article 25A, Section 5 (U) of the Annotated Code of Maryland, and as provided in Section 602 (d) of the Baltimore County Charter, and Section 26-132 of the Baltimore County Code, this letter constitutes an administrative order and decision on the request for issuance, renewal, or modification of a license, permit, approval, exemption, waiver, or other form of permission you filed with this department.

Your request has been submitted for careful review and consideration to the Development Review Committee (DRC), which is composed of representatives from each of those departments involved in land-use decisions. These representatives are designees of the directors of these departments. The purpose of the DRC is to ensure compliance with Section 26-171 and Section 26-211 of the Baltimore County Code, and to make recommendations to the Director, Department of Permits and Development Management.

The DRC has, in fact, met in an open meeting on October 25, 1999, and made the following recommendations:

The DRC has determined that your project meets the requirements of a limited exemption under Section 26-171 (A)(7).

Now that you have received an A-7 limited exemption, please proceed with building permit application.

Matis Warfield, Inc.
Royal Farm Store
November 5, 1999
Page 2

A copy of this letter must be presented when submitting engineering/construction plans to this office, and/or when applying for a building permit.

Please note that compliance with divisions 3, 4, and 5 of the Development Regulations are required, as is compliance with all applicable zoning regulations. Phase 2 review fees may apply, depending on the amount of site disturbance, and/or the requirement of a Public Works Agreement. Also, sidewalks are required whenever the site is within the Metropolitan District.

Herein, find a commercial site plan checklist that will serve as a guide when preparing plans for building permit applications. Please be advised plans not meeting minimum checklist requirements will not be accepted for filing. This will consequently delay building permit approval. Please note, the "conceptual" plan required for DRC review, does not necessarily meet the checklist guidelines. Therefore, it should not be assumed that the DRC plan is acceptable for building permit applications.

Should you have any questions regarding the above, please contact the Zoning Review Section at 410-887-3391.

I have reviewed the recommendations carefully, and I have determined to adopt the recommendations set forth above. It is this 5th day of November 1999, ordered and decided that the recommendations of the DRC are hereby adopted.

Should you submit an application for any permit that may be required for this project, your application will be processed subject to the conditions set forth above, and any plans, securities, or non-county permits that may be required in accordance with County, State, or Federal regulations.

Additionally, this project is located on a state road; therefore, the State Highway Administration requires the plan to be reviewed prior to the permit approval. For further information, contact Larry Gredlein at 410-545-5600.

Sincerely,

Arnold Jablon
Director

AJ:DTR:dak
c: File
Larry Gredlein

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

Pet. Ex. #1

GENERAL NOTES

1. All work shall conform to Baltimore County standard specifications and details or as shown on these approved plans.
2. The contractor shall notify Miss Utility 1-800-257-7777 five days prior to starting work.
3. It is the responsibility of the contractor to investigate for underground gas and/or electric lines.
4. To our knowledge no wastes or by-products will be produced on the Site.
5. The dumpster shall be screened.
6. See architectural plans for exact building dimensions.
7. All fixtures used to illuminate the off-street parking area shall be so arranged as to reflect the light away from residential sites and public streets. Canopy lighting to be recessed.
8. The proposed sign shall conform with B.C.Z.R.section 450.
9. The contractor is to verify the locations of existing water and sewer connections to the building and to relocate if necessary.
10. A waiver of Stormwater management has been granted - see DEPRM letter 10/4/99
11. Any underground fuel tanks are to be installed in accordance with all local, state and federal regulations.
12. The site shall comply with all applicable sections of the Fire Prevention Code prior to occupancy or beginning of operation.
13. The site is not within the Chesapeake Bay Critical Area.
14. Water, compressed air and public restrooms shall be provided in accordance with the B.C.Z.R. section 405.
15. Existing monotoring wells shall be removed or preserved (as required) in accordance with applicable regulations.
16. See landscape plan for required landscaping.

#007

Matis Warfield
consulting engineers
10540 york road suite m
hunt valley, maryland 21030
phone 410-683-7004
facsimile 410-683-1798
www.matiswarfield.com

PROFESSIONAL ENGINEER No. 18538 STATE OF MARYLAND

OWNER

Rodick Realty Partnership I.
1110 Batavia Farm Road
Baltimore, Maryland 21237

DEVELOPER

Cloverland Farms Dairy, Inc.
3611 Roland Avenue
Baltimore, Maryland 21211-2408
(410) 889-0200

ZONING PETITIONS

1. Special Exception to approve the expansion of the existing fuel service station and the addition of a rollover car wash as a use combination use pursuant to Section 405.2.B.1 and Section 405.4.E.2 of the Baltimore County Zoning Regulations.

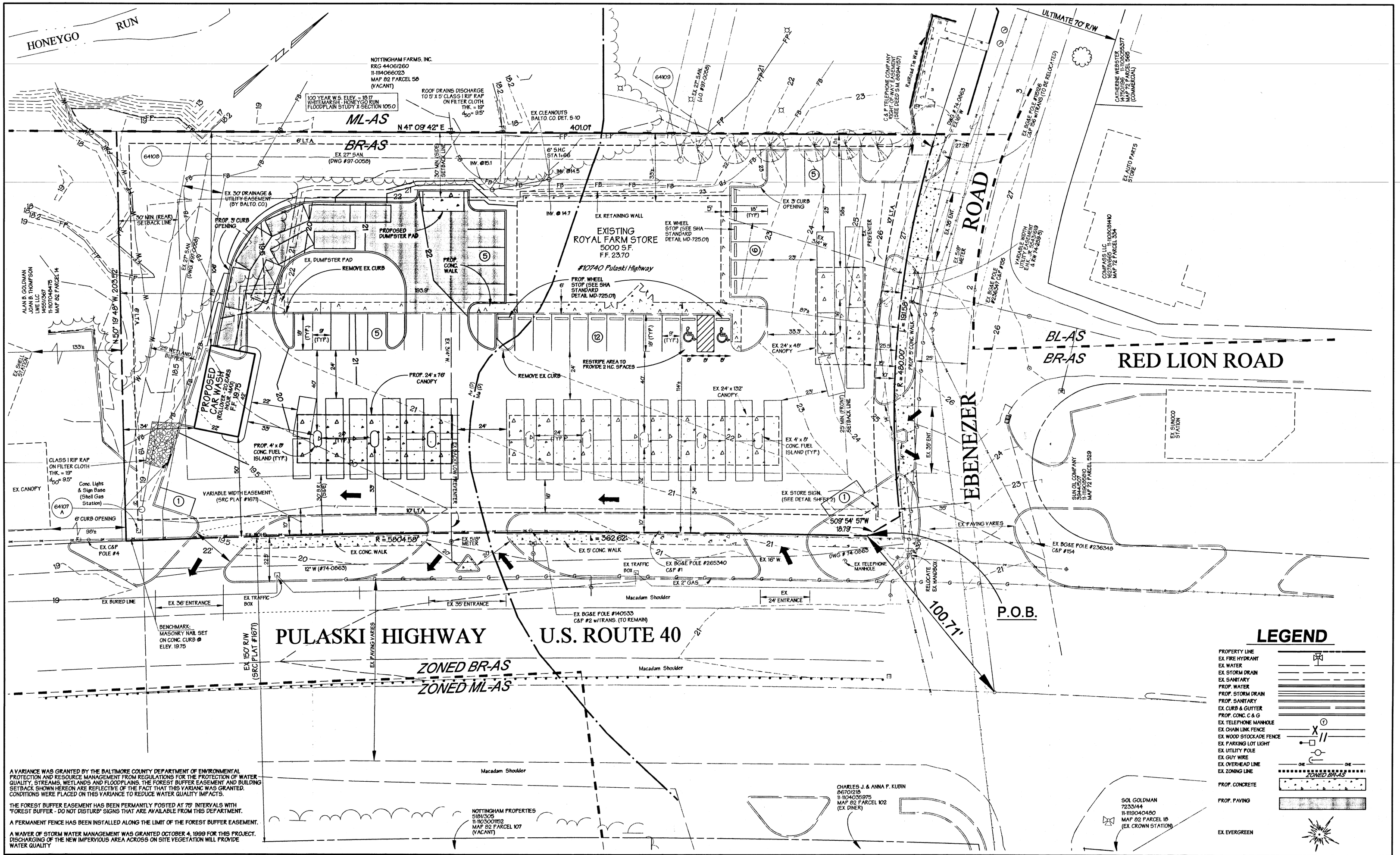
2. Special Hearing to approve an amendment to the site plan previously approved in Case No. 99-318-X in accordance with the modified site plan.

Plan to Accompany A Petition for a
Special Exception and Special Hearing

ROYAL FARMS STORE

10740 Pulaski Highway (U.S. Route 40)
Baltimore County, Maryland 21162

Election District 11 #102 Tax Map 82 - Parcel 15
Councilmanic District 5 June 11, 2002
Scale: As Shown Sheet 1 of 3



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A WAIVER OF STORM WATER MANAGEMENT WAS GRANTED OCTOBER 4, 1999 FOR THIS PROJECT. DISCHARGING OF THE NEW IMPERVIOUS AREA ACROSS ON SITE VEGETATION WILL PROVIDE WATER QUALITY

Matis Warfield
consulting engineers
10540 york road suite m
hunt valley, maryland 21030
phone 410-683-7004
facsimile 410-683-1798
www.matiswarfield.com

PROFESSIONAL ENGINEER No. 18538 JOSHUA M. WARFIELD STATE OF MARYLAND

OWNER
Rodick Realty Partnership I
1110 Batavia Farm Road
Baltimore, Maryland 21237

DEVELOPER
Cloverland Farms Dairy, Inc.
3611 Roland Avenue
Baltimore, Maryland 21211
(410) 889-0200

ZONING PETITIONS

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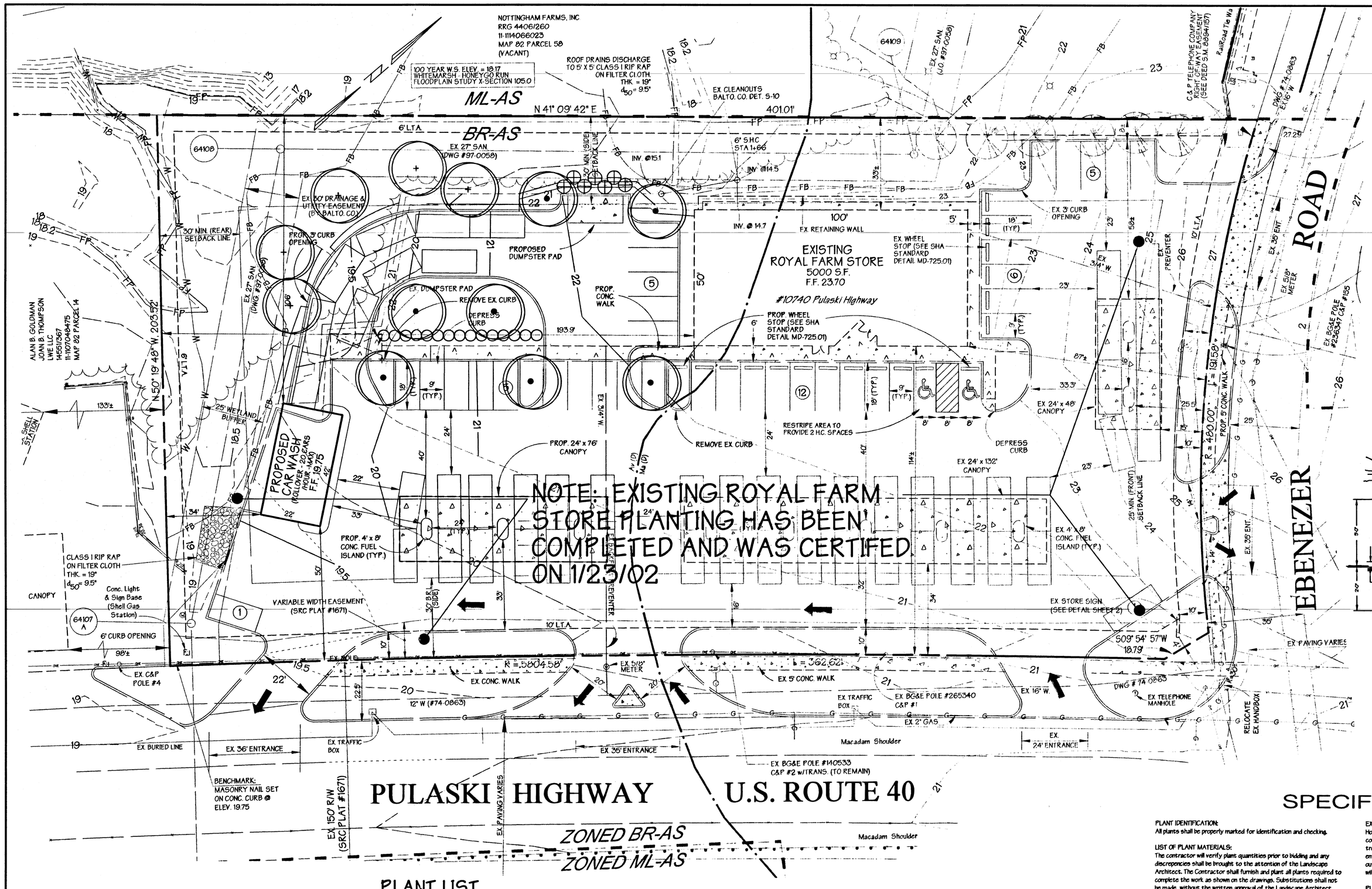
Special Exception and Special Hearing

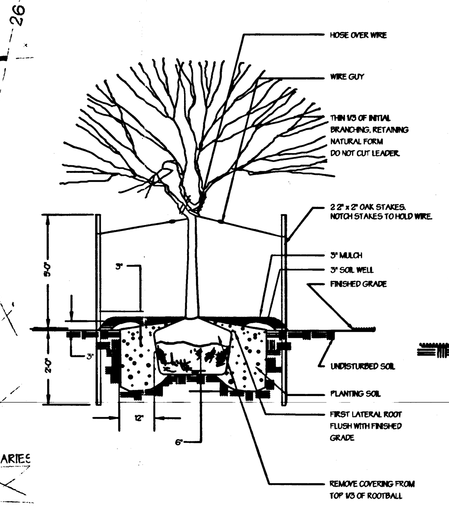
ROYAL FARM STORE

10740 Pulaski Highway (U.S. Route 40)
Baltimore County, Maryland 21162

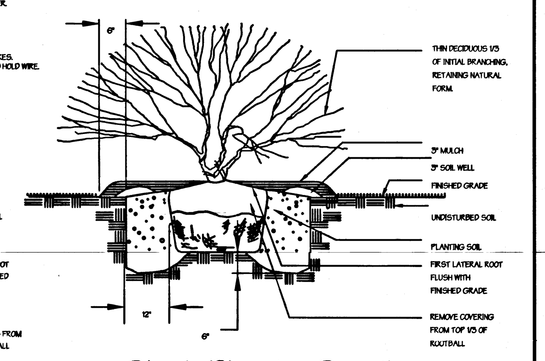
Election District 11 — #102 — Tax Map 82 - Parcel 15
Councilmanic District 5 — June 11, 2002
Scale: 1" = 20' — Sheet 2 of 3



NOTE: EXISTING ROYAL FARM STORE PLANTING HAS BEEN COMPLETED AND WAS CERTIFED ON 1/23/02



Tree Planting Detail
NOT TO SCALE



Shrub Planting Detail
NOT TO SCALE

SPECIFICATIONS FOR PLANTING

PLANT IDENTIFICATION:
All plants shall be properly marked for identification and checking.

LIST OF PLANT MATERIALS:
The contractor will verify plant quantities prior to bidding and any descrepancies shall be brought to the attention of the Landscape Architect. The Contractor shall furnish and plant all plants required to complete the work as shown on the drawings. Substitutions shall not be made without the written approval of the Landscape Architect. This contract will be based on the bidder having verified, prior to bidding, the availability of the required plant materials as specified on the Plant List.

PLANT QUANTITY:
All shrubs shall be dense, heavy to the ground, and well grown, showing evidence of having been sheared regularly, and sound, free of plant disease or insect eggs, and shall have a healthy, normal root system. plants shall be nursery grown. Plants shall not be pruned prior to delivery. The shape of the plant shall in general conform to its natural growth proportions unless otherwise specified. All plants including container grown shall conform to American Standard for Nursery Stock (ANSI z60.1, latest edition), and shall have a well-shaped, heavy branch structure for the species. Evergreen trees are to have an internode no greater than 24" and shall be uniformly well-shaped. All plant sizes shall average at least the middle of the range given in the plant list.

PLANT SPACING:
Plant spacing is to scale on the plan or as shown on the plant list.

SOIL MIX:
Soil mix will be 2/3 existing soil and 1/3 leaf mold or equal organic material, thoroughly mixed and homogenized.

BALL SIZE:
The ball size shall conform to the American Association of Nurserymens publication entitled American Standard For Nursery Stock, ANSI z60.1, latest edition.

EXCAVATION:
Holes for all plants shall be 18" larger in diameter than size of ball or container and shall have vertical sides. Hedges shall be planted in a trench 12" wider than ball diameter. Beds for mass planting shall be entirely rototilled to a depth of 8" and shall be 18" beyond the average outside edge of plant balls. A 2" layer of organic material (i.e., leaf mold) will be incorporated into plant beds by tilling again.

PLANTING:
Backfilling shall be done with soil mix, reasonably free of stones, subsoil, clay, lumps, stumps, roots, weeds, bermuda grass, litter, toxic substances, or any other material which may be harmful to plant growth or hinder grading, planting, or maintence operations. Should any unforeseen or unsuitable planting conditions arise, such as faulty soil drainage or chemical residues, they should be called to the attention of the Landscape Architect and Owner for adjustments before planting. The plant shall be set plumb and straight and shall be staked at the time of planting. Backfill shall be well worked about the roots and settled by watering. Plants will be planted higher than surrounding grade. Shrubs will be 1" higher and trees will be 3" higher. Remove rope from around tree trunks and lay back burlap from top of all B&B material. Nylon or vinyl rope and/or burlap will be completely removed from all plant material prior to planting.

TRANSPLANTING TREES BY TREE MACHINES:
Trees shall be moved by machines that provide a minimum of 9" per 1" of tree caliper. Holes are to be dug by the same size machine as the one transporting the plant. The plant material shall be transplanted in approximately the same growing condition as it is presently growing, in terms of soil type and moisture content. Fertilize and guy as described in those plans and specifications.

CULTIVATION:
All trenches and shrub beds shall be cultivated, edged and mulched to a depth of 3" with shredded bark. The area around isolated plants shall be mulched to at least 6" greater diameter than that of the hole. Plant beds adjacent to buildings shall be mulched to the building wall.

MAINTENANCE:
the Contractor shall be responsible during the contract and up to the time of acceptance for keeping the planting and work incidental thereto in good condition, by replanting, plant replacement, watering, weeding, cultivating, pruning and spraying, resetting and cleaning up and by performing all other necessary operations of care for promotion of good plant growth so that all work is in satisfactory condition at time of acceptance, at no additional cost to the Owner.

FERTILIZER:
Fertilizer shall be a slow release type contained in polyethylene perforated bags with micropore holes for controlled feeding, such as Easy Grow as manufactured by Specialty Fertilizer, Inc., Box 2691, Suffern, New York 10901, or approved equal. The bags shall contain 1 ounce of soluble fertilizer analysis 16-16-16 per unit to last three (3) years and shall be applied during planting as recommended by the manufacturer. If fertilizer packets are not used, the Contractor shall apply granular fertilizer to the soil mix with 10-6-4 analysis, 50% organic, at the following rates: Trees @ 2-3 lbs. per caliper inch; Shrub Beds @ 3-5 lbs per 100 sq.ft.; and Groundcover Beds @ 2-3 lbs. per 100 sq.ft.

GROUNDCOVER:
All areas of groundcover shall be rototilled a depth of 6". Apply 2" of organic material and rototill until thoroughly mixed. Apply fertilizer as stated above.

GUARANTEE AND REPLACEMENT:
All material shall be unconditionally guaranteed for one (1) year. The Contractor is responsible for watering but not for losses or damage caused by mechanical injury or vandalism.

PLANT LIST

KEY	QUANTITY	BOTANICAL NAME / COMMON NAME	SIZE	CONDITION	REMARKS
+	5	QUERCUS PALUSTRIS / PIN OAK	2"-21/2" CAL.	B & B	
·	7	ULMUS PARVIFOLIA 'DYNASTY' / 'DYNASTY' ELM	2"-21/2" CAL.	B & B	
⊕	7	MYRICA PENSYLVANICA / NORTHERN BAYBERRY	24" -30" HT.	B & B	SPACE 5' O.C.
○	15	TAXUS MEDIA 'DENSIFORMIS' / 'DENSIFORMIS ' YEW	24" HT.	B & B	SPACE 4' O.C.

A VARIANCE WAS GRANTED BY THE BALTIMORE COUNTY DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT FROM REGULATIONS FOR THE PROTECTION OF WATER QUALITY, STREAMS, WETLANDS AND FLOODPLAINS. THE FOREST BUFFER EASEMENT AND BUILDING SETBACK SHOWN HEREON ARE REFLECTIVE OF THE FACT THAT THIS VARIANC WAS GRANTED. CONDITIONS WERE PLACED ON THIS VARIANCE TO REDUCE WATER QUALITY IMPACTS.

THE FOREST BUFFER EASEMENT HAS BEEN PERMANTLY POSTED AT 75' INTERVALS WITH 'FOREST BUFFER - DO NOT DISTURB' SIGNS THAT ARE AVAILABLE FROM THIS DEPARTMENT.

A PERMANENT FENCE HAS BEEN INSTALLED ALONG THE LIMIT OF THE FOREST BUFFER EASEMENT.

A WAIVER OF STORM WATER MANAGEMENT WAS GRANTED OCTOBER 4, 1999 FOR THIS PROJECT. DISCHARGING OF THE NEW IMPERVIOUS AREA ACROSS ON SITE VEGETATION WILL PROVIDE WATER QUALITY

GENERAL NOTES:

1. Contractor is to notify Miss Utility a minimum of 72 hours prior to digging. Telephone : 1-800-257-7777
2. The Landscape Architect is to be notified 48 hours before planting begins. The location of all plant material is to be approved in the field by the Landscape Architect.
3. No tree or shrub planting pits are to be left open or unattended.
4. Shrubs are to be grouped into mulched beds. Beds are to be edged and the grass is to be removed prior to mulching.

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF PERMITS DEVELOPMENT MANAGEMENT
Development Plans Review

OWNER'S SIGNATURE AND CERTIFICATION FORM

I certify that I have reviewed this Final Landscape Plan; that I am aware of the regulations presented in the Baltimore County Landscape Manual; and I agree to comply with these regulations and all applicable policy, guidelines and ordinances. I agree to certify the implementation of this approved Final Landscape Plan, upon completion of the landscape installation not later than one (1) year from the date of approval of this plan to the Department of Permits and Development Management, Development Plans Review, County Office Building, Room 211, Towson, MD 21204.

Owner's signature _____ Date _____

Owner's printed name _____ Tele.# _____

(Print) Mailing address-city-state-zip _____

PADM # _____ BUILDING PERMIT # _____

Matis Warfield
consulting engineers
10540 york road suite m
hunt valley, maryland 21030
phone 410-683-7004
facsimile 410-683-1796
www.matiswarfield.com

PROFESSIONAL ENGINEER No. 18858 JOSHUA BRADER III STATE OF MARYLAND

OWNER
Rodick Realty Partnership I
1110 Batavia Farm Road
Baltimore, Maryland 21237

DEVELOPER
Cloverland Farms Dairy, Inc.
3611 Roland Avenue
Baltimore, Maryland 21211
(410) 889-0200

ZONING PETITIONS

1. Special Exception to approve the expansion of the existing fuel service station and the addition of a rollover car wash as a use combination use pursuant to Section 405.2.B.1 and Section 405.4.E.2 of the Baltimore County Zoning Regulations.

2. Special Hearing to approve an amendment to the site plan previously approved in Case No. 99-318-X in accordance with the modified site plan.

Plan to Accompany A Petition for a
Special Exception and Special Hearing

ROYAL FARM STORE

10740 Pulaski Highway (U.S. Route 40)
Baltimore County, Maryland 21162

Election District 11 #102 Tax Map 82 - Parcel 15
Councilmanic District 5 June 11, 2002
Scale: 1" = 20' Sheet 3 of 3

Baltimore County
Zoning Commissioner

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

September 10, 2002

David Karceski, Esquire
Venable, Baetjer & Howard, LLP
210 Allegheny Avenue
Towson, Maryland 21204

Re: Petitions for Special Hearing & Special Exception
Case No. 03-009-SPHX
Property: 10740 Pulaski Highway

Dear Mr. Karceski:

Enclosed please find the decision rendered in the above-captioned case. The petitions for special hearing and special exception have been granted in accordance with the enclosed Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days from the date of the Order to the Department of Permits and Development Management. If you require additional information concerning filing an appeal, please feel free to contact our appeals clerk at 410-887-3391.

Very truly yours,

Timothy Kotroco

Timothy M. Kotroco
Deputy Zoning Commissioner

TMK:raj
Enclosure

Printed with Soybean Ink
on Recycled Paper