



JOHN A. OLSZEWSKI, JR.
County Executive

November 16, 2022

C. PETE GUTWALD, AICP, *Director*
Department of Permits,
Approvals & Inspections

Mr. Andrew Adia, President
Mr. Bryan Fletcher, Vice-President
FreeState Gun Range
11500 Crossroads Circle
Middle River, MD 21220

RE: Spirit and Intent Request
Zoning Case 2011-0109-SPH
11500 Crossroads Circle
Election District 15, Councilmanic District 5

Dear Mr. Adia and Mr. Fletcher,

Your letter of October 27, 2022 to the Baltimore County Zoning Review Office has been referred to me for reply. You requested that an approximate 418-square foot area used for manufacturing/assembly of firearms and within the approved and existing indoor firearm practice and training facility be permitted and considered within the "spirit and intent" of the referenced zoning case..

Please be advised that based upon our review of the submitted site plan, floor plan, applicable sections (including Section 253.1.A) of the Baltimore County Zoning Regulations, and the Order of the referenced Zoning Case; the manufacturing/assembly area and operation, as shown, would be permitted and considered as being within the spirit and intent of said case.

This response allows for the manufacturing/assembly activity as illustrated on the submitted floor plan (shown as "Classroom 1") and does not permit or allow retail sales.

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

If you have any questions or concerns, please contact me at your earliest convenience.

Sincerely,



Mitchell Kellman
Zoning Review

IN RE: PETITION FOR SPECIAL HEARING	*	BEFORE THE
W side of Crossroad Circle, 2270 feet S		
of the c/l of MD Route 43	*	DEPUTY ZONING
15 th Election District		
6 th Councilmanic District	*	COMMISSIONER
(11500 Crossroads Circle)		
	*	FOR BALTIMORE COUNTY
FRP Bird River, LLC		
<i>Legal Owner</i>	*	
Freestate Gun Range		CASE NO. 2011-0109-SPH
<i>Contract Lessee</i>	*	

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner for consideration of a Petition for Special Hearing filed by David DeVilliers on behalf of the legal property owner, FRP Bird River, LLC, and Randy Farmer on behalf of the contract lessee, FreeState Gun Range. Petitioner is requesting Special Hearing relief in accordance with Section 500.7 of the Baltimore County Zoning Regulations ("B.C.Z.R.") to approve an indoor firearm practice and training facility pursuant to Section 253.1.A.42 of the B.C.Z.R. The subject property and requested relief are more fully described on the site plan that was marked and accepted into evidence as Petitioner's Exhibit 1.

Appearing at the requisite public hearing in support of the requested special hearing relief were David H. DeVilliers, III, President of FRP Development Corp. on behalf of FRP Bird River, LLC, Randy Farmer and Mark Burger, co-owners of Petitioner FreeState Gun Range, and G. Scott Barhight, Esquire and Adam D. Baker, Esquire, both with Whiteford, Taylor & Preston, LLP as attorneys for Petitioner. Also appearing in support of the requested relief were Mike Stilwell with Action Target Academy, who has been hired for the design and construction of the proposed facility, David Eggleton with Viper Air, Inc., who is designing the air filtration system

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Date 11-23-10

By 103

in the facility, and Iwona Zarska with Baltimore Land Design Group, Inc., the firm that prepared the site plan. There were no Protestants in attendance at the hearing.

Testimony and evidence proceeded by way of a modified proffer from Mr. Barhight, Mr. Farmer, and Mr. Stilwell and revealed that the subject property is rectangular shaped and consists of approximately 4.16 acres located in the Windlass Run Business Park at 11500 Crossroads Circle, on the west side of White Marsh Boulevard (MD Rt. 43) in the White Marsh/Chase area of Baltimore County. The property is currently improved with a 69,474 square foot commercial building and is zoned ML-IM M-43. Petitioner seeks approval of the use of a portion of the property as an indoor firearm practice and training facility. A smaller portion of the leased property will be used for accessory offices, a small refreshment/snack area, a retail area for the sale of goods customarily accessory to the sport, and a simunitions range.¹ In this respect, Petitioner relies on Section 253.1.A.42 of the B.C.Z.R., which lists the uses permitted as of right in the M.L. Zone. Among those uses allowed are "[p]ractice or training physical conditioning facilities and fields for amateur or professional sports organizations provided that there shall not be any accommodations for public spectators, no more than one sports organization uses such a facility at one time, and no such facility includes any lighting that would produce substantial off-site illumination, nor any provisions for selling public admissions to sports events to be conducted thereon." The Regulation also allows offices to be included at the facility as are necessary for the administration of the organization.

Mr. Barhight indicated that prior to filing the Petition for Special Hearing in this matter, he discussed the proposed facility with Timothy Kotroco, Director of Permits and Development Management for Baltimore County. Mr. Kotroco agreed that the use falls within the definition

¹ Simunitions is a technology that simulates realistic close quarters shooting situations using non-toxic, non-lethal cartridges.

of a "practice and training facility," as set forth in Section 253.1.A.42 of the B.C.Z.R., and counter-signed a Zoning Verification letter indicating his position on the matter. Prior to signing the letter, however, Mr. Barhight filed the Petition for Special Hearing on behalf of Petitioner FreeState Gun Range and FRP Bird River LLC. As a result of the filing, Mr. Kotroco indicated that his consent was subject to the Special Hearing. The Zoning Verification letter counter-signed by Mr. Kotroco was marked and accepted into evidence as Petitioner's Exhibit 2.

Mr. Barhight also explained that in Baltimore County, there is precedent for zoning approval of the type of use proposed in the instant matter. In 1993, the Deerco Limited Partnership filed a Petition for Special Hearing (Case No. 93-220-SPH) seeking approval of a practice facility for the sport of conventional/international pistol competition, including Olympic style pistol competition, pistol practice and/or silhouette pistol practice (the case is also known as the "Continental Arms" case). Similar to the FreeState property, the location of the proposed use in the Continental Arms case was within an office/warehouse corridor zoned ML-IM. In addition, the petitioner, Deerco Limited Partnership, relied on Section 253.A.42 of the B.C.Z.R. to support the permissibility of the use. After receiving testimony and evidence on this matter, the Zoning Commissioner found that the use fell within the description of Section 253.A.42 and approved the proposed practice facility. The Continental Arms facility is still in operation today.

Extensive testimony regarding the nature of the proposed use was received from Randy Farmer. As noted above, Mr. Farmer is the owner of FreeState Gun Range and with his partner, Mark Burger, is the driving force behind the proposed practice and training facility in this matter. Mr. Farmer indicated that the facility will include a variety of safety features and practices in its operation including the following: the facility will be locked at all times; members of the public seeking to use the facility will be "buzzed" in by an employee; all employees will have a law enforcement and/or military background; upon entry, all guns must be in a case with their

magazines unloaded; all guns will be inspected to ensure safety and proper functioning; all members of the public seeking to use the facility (1) must read and agree to abide by the range rules, (2) must demonstrate, to the satisfaction of the range employees, satisfactory knowledge and experience in using firearms, and (3) must pass a Maryland gun safety course. Mr. Farmer indicated that the practice facility would use a computer registration system that would keep a record of information for each patron of the facility, including a photocopy of a driver's license (or other identification), a signed waiver, a consent to the rules of the range, and verification of passage of the Maryland gun safety course. Mr. Farmer added that there would be a range safety officer on duty at all times during operating hours to ensure the safety of the range patrons.

Mr. Farmer also testified that the proposed range will serve the practice needs of sport shooting enthusiast as well as the training needs of law enforcement officers and other individuals whose profession involves shooting a firearm. Although the facility may host shooting competitions, there are no accommodations for spectators nor would there be any provision for public paid admission to events conducted on the site.

Adding to Mr. Barhight's proffer, Mike Stilwell with Action Target Academy offered testimony regarding the design of the facility. Mr. Stilwell has extensive experience in the development and design of firearm practice ranges and, in fact, owns a range of his own that he has operated for over ten years. Mr. Barhight proffered that Mr. Stilwell would have been qualified as an expert in the field of firearm practice range design and offered testimony in his capacity as such an expert. Mr. Stilwell described in detail many of the safety features incorporated into the design of the range. In addition, he indicated that the use of the site as a firearm range would be compatible with future tenants in the building and would be an appropriate use of the space.

Discussing the air ventilation system to be installed at the facility, Mr. Barhight proffered the testimony of David Eggleton with Viper Air, Inc. Mr. Barhight indicated that Mr. Eggleton would have been qualified as an expert in the field of mechanical engineering and offered testimony in his capacity as such an expert. Through his proffer, Mr. Barhight stated that Mr. Eggleton would testify that the air ventilation system would be designed and installed to ensure that airflow is controlled within the space and that lead from the firing range would be removed and dispersed in a safe manner according to environmental requirements.

Next, Mr. Barhight proffered the testimony of David DeVilliers with FRP Bird River LLC, the owner of the subject property. The testimony indicated that the owner/landlord is aware of the proposed use and is comfortable with the use and the tenant. In addition, the owner is satisfied that the use will have adequate parking without taking away parking from other tenants within the building.

Finally, Mr. Barhight proffered the testimony of Iwona Zarska, a professional engineer with Baltimore Land Design Group, Inc. Ms. Zarska prepared the site plan which accompanied the Petition for Special Hearing and which was accepted into evidence as Petitioner's Exhibit 1. Mr. Barhight proffered that Ms. Zarska would testify that the proposed use fits within the criteria of the use permitted by right in Section 253.1.A.42 of the B.C.Z.R. and that there is adequate parking for the use. Mr. Barhight submitted a Spirit and Intent letter signed by Mr. Kotroco that was marked and accepted into evidence as Petitioner's Exhibit 3, indicating the proposed parking for the facility is acceptable. Mr. Barhight concluded his proffer of Ms. Zarska's testimony by indicating that the use does not pose a threat to the health, safety and general welfare of the surrounding community.

Through the testimony provided, the Petitioner contends, and I agree, that the proposed facility meets each of the six requirements in the definition set forth in Section 253.1.A.42. First,

the Petitioner alleges that the proposed facility is a practice and training facility for shooting enthusiasts and professionals. This assertion is correct. The entire purpose of the use is to provide shooting enthusiasts and professionals the opportunity to practice and train through the use of the firing range. Petitioner clearly complies with this requirement.

Second, Petitioner must demonstrate that the facility is used by an amateur or professional sports organization. As to this requirement, a determination must be made as to whether the proposed activity is indeed a sport. The Zoning Commissioner in the Continental Arms case, when faced with the same question, concluded that shooting is indeed a sport and I concur with his conclusion and his analysis in this regard. Shooting has long been considered a sport. It is recognized as an inter-collegiate sport competition by the National Collegiate Athletic Association and is part of the international Olympic Games competition. With respect to the organization component, the organization is the FreeState Gun Range. As testified by Randy Farmer, FreeState Gun Range is dedicated to promoting this particular sport by providing a safe location for enthusiasts to practice and train. Thus, Petitioner has satisfied this portion of the definition.

The remaining four considerations provided by the definition relating to the requirements that there be no accommodation for spectators, that use of the facility is limited to one organization, that there be no off-site lighting and that selling public admissions to sports events are not permitted, were all addressed affirmatively by Mr. Farmer in his testimony and demonstrate compliance with those elements.

The Zoning Advisory Committee (ZAC) comments were received and are contained within the case file. Revised comments were received from the Office of Planning dated November 10, 2010 which indicates that they do not oppose the subject use provided the

following aspects of the operation are fully explained and documented as part of the Zoning Commissioner's Order:

1. Description of how sound will be mitigated to ensure that there will be no adverse impacts on neighboring properties.
2. Means and methods of lead disposal.
3. Description of how the building will be retrofitted (interior and exterior) for the proposed use.

Comments were also received from the Fire Department dated October 4, 2010 which indicates that the site shall be made to comply with all applicable parts of the Baltimore County Fire Prevention Code prior to occupancy or beginning of operation. A Use and Occupancy inspection and approval is required prior to occupancy.

After consideration of the uncontroverted testimony and evidence offered, it is clear that the proposed use is permitted as of right pursuant to Section 253.1.A.42 of the B.C.Z.R. Thus, the Petition for Special Hearing shall be granted. Moreover, I am also persuaded that this use will not be detrimental to the health, safety or general welfare of the surrounding community. It is clear that practice facilities such as the one proposed are highly regulated and thoughtfully constructed so as to provide the maximum safety to firearm sports enthusiasts and to prevent any adverse impact to the surrounding community. There was extensive testimony presented as to the safety features incorporated into the facility which will eliminate sound outside of the building, provide lead abatement or similar obnoxious affects, and generally eliminate any adverse impact to the range's neighbors. It is clear that, if properly maintained, the use will not be detrimental to either the participants, co-tenants of the building and surrounding commercial property owners.

ORDER RECEIVED FOR FILING

Date

11-23-10

By

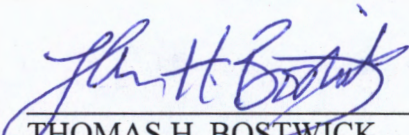
103

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and after considering the testimony and evidence offered by Petitioner, I find that Petitioner's request for special hearing should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County, this 23rd day of November, 2010 that Petitioner's request for Special Hearing relief in accordance with Section 500.7 of the Baltimore County Zoning Regulations ("B.C.Z.R.") to approve an indoor firearm practice and training facility pursuant to Section 253.1.A.42 of the B.C.Z.R. be and is hereby **GRANTED** subject to the following conditions:

1. Petitioner may apply for permits and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at its own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, Petitioner would be required to return, and be responsible for returning, said property to its original condition.
2. The site shall be made to comply with all applicable parts of the Baltimore County Fire Prevention Code prior to occupancy or beginning of operation. A Use and Occupancy inspection and approval is required prior to occupancy.

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


THOMAS H. BOSTWICK
Deputy Zoning Commissioner
for Baltimore County

THB:pz

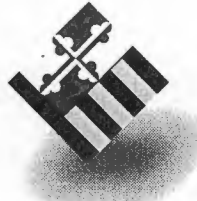
ORDER RECEIVED FOR FILING

Date

11-23-10

By

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BALTIMORE COUNTY
M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

November 23, 2010

THOMAS H. BOSTWICK
Deputy Zoning Commissioner

G. Scott Barhight, Esquire
Adam D. Baker, Esquire
Whiteford, Taylor & Preston, L.L.P.
Towson Commons, Suite 300
One West Pennsylvania Avenue
Towson, MD 21204

Re: PETITION FOR SPECIAL HEARING

W side of Crossroad Circle, 2270 feet S of the c/l of MD Route 43

15th Election District - 6th Councilmanic District

(11500 Crossroads Circle)

FRP Bird River, LLC - *Legal Owner*; Freestate Gun Range - *Contract Lessee*

CASE NO. 2011-0109-SPH

Dear Counsel:

Enclosed please find the decision rendered in the above-captioned case.

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,

THOMAS H. BOSTWICK
Deputy Zoning Commissioner
for Baltimore County

Enclosure

- c: David H. DeVilliers, III, President, FRP Development Corporation, 34 Loveton Circle,
Suite 100, Sparks, MD 21152
Randy Farmer, 12106 Jerusalem Road, Kingsville, MD 21087
Mark Burger, 3040 White Hall Road, White Hall, MD 21161
Mike Stilwell, Action Target Academy, 2819 Arapaho Lane, Provo, UT 84604
David Eggleton, Viper Air, Inc., 913 Ridgebrook Road, Sparks, MD 21152
Iwona Zarska, Baltimore Land Design Group, Inc., 222 Schilling Circle, Suite 105,
Hunt Valley, MD 21031
Gary Applestein, 111 South Calvert Street, Suite 2800, Baltimore, MD 21201



Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at 11500 Crossroads Circle

which is presently zoned ML-IM M43

(This petition **must** be filed in person, in the zoning office, in triplicate, with original signatures.)

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
(This box to be completed by planner)

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 bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

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

Contract Purchaser/Lessee:

Freestate Gun Range c/o Randy Farmer

Name - Type or Print

Signature

12106 Jerusalem Road

Address

Telephone No.

Kingsville, Maryland 21087

City

State

Zip Code

Attorney For Petitioner:

G. Scott Barhight

Name - Type or Print

Signature

Whiteford, Taylor & Preston, LLP

Company

One W. Pennsylvania Ave., St. 300 410-832-2000

Address

Telephone No.

Towson, Maryland 21204-5025

City

State

Zip Code

Legal Owner(s):

FRP Bird River LLC c/o David DeVilliers

Name - Type or Print

Signature

David H. deVilliers, Jr., President

Name - Type or Print

FRP Development Corp.

Signature

34 Loveton Cir., Suite 100

Address

Telephone No.

Sparks, Maryland 21152

City

State

Zip Code

Representative to be Contacted:

G. Scott Barhight

Name

One W. Pennsylvania Ave., St. 300 410-832-2000

Address

Telephone No.

Towson, Maryland 21204-5025

City

State

Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING _____

Case No. 2011-0109-SPH

ORDER RECEIVED FOR FILING

UNAVAILABLE FOR HEARING

Reviewed By ATSU

Date 9/21/2010

Date 11-23-10

By WJ

1. An indoor firearm practice and training facility pursuant to Section 253.1.A.42 of the Baltimore County Zoning Regulations.

417957

2011-0109-SPH

**DESCRIPTION TO ACCOMPANY PETITION
FOR SPECIAL HEARING
11500 CROSSROADS CIRCLE
BALTIMORE COUNTY, MARYLAND
15th ELECTION DISTRICT; 6th COUNCILMANIC DISTRICT**

September 13, 2010

Beginning at the point located on the west side of Crossroads Circle having a 60' width of the right-of-way, said point being located southerly 2270 feet, more or less, from the centerline of MD. Rte. 43, thence running the following courses and distances:

1. South 06° 39' 53" East, 378.31 feet; thence,
2. South 83° 19' 42" West, 525.00 feet; thence,
3. North 06° 39' 53" West, 398.06 feet; thence,
4. North 83° 20' 07" East, 247.19 feet; thence,
5. North 89° 02' 45" East, 197.87 feet; thence
6. North 83° 20' 07" East, 80.92 feet; to the point of beginning.

Containing 205,429 square feet or 4.716 acres, more or less.

This description is intended for special hearing purposes only and shall not be used for conveyance of land.



2011-0109-SPH

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

No. **59513**
 Date: **9/21/10**

PAID RECEIPT

BUSINESS ACTUAL TIME DEW
 9/21/2010 9/21/2010 10:12:55 5
 REG 4503 WALKON RODE LRD
 >> RECEIPT # 480083 9/21/2010 OFLN
 5 528 ZONING VERIFICATION
 DE NO. 059513
 Recpt Int 1325.00
 1325.00 CA 1.00 CA
 Baltimore County, Maryland

Fund	Dept	Unit	Sub Unit	Rev Source/ Obj	Sub Rev/ Obj	Dept Obj	BS Acct	Amount
001	806	0000		6150				\$ 325

Total: **\$ 325**

Rec From: **WHITEFORD, TAYLOR & PRESTON LL P.**
 For: **11500 CROSSROADS CIRCLE**
2011-0109-SPH

DISTRIBUTION

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

**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: # 2011-0109-SPH

11500 Crossroads Circle
W/side of Crossroads Circle, 2270 feet south of the centerline of MD Route 43.
5th Election District
6th Councilmanic District

Legal Owners(s):

FRP Bird River, LLC
c/o David DeVilliers

Contract Purchaser:

Freestate Gun Range
c/o Randy Farmer

Special Hearing: for an indoor firearm practice and training facility.

Hearing: Friday, November 12, 2010 at 9:00 a.m.
In Room 104, Jefferson Building, 105 West Chesapeake Avenue, Towson 21204.

WILLIAM J. WISEMAN, III
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.

JT/10/367 Oct. 28 259189

CERTIFICATE OF PUBLICATION

10/28/, 2010

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 10/28/, 2010.

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

S. Wilkinson

LEGAL ADVERTISING

CERTIFICATE OF POSTING

2011-0109-SPH

RE: Case No.: _____

Petitioner/Developer: _____
Freestate Gun Range c/o Randy Farmer

Nov. 12 2010

Date of Hearing/Closing: _____

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

Attn: Kristin Matthews

Ladies and Gentlemen:

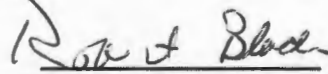
This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were
posted conspicuously
11500 Crossroads Circle

October 27, 2010

The sign(s) were posted on _____

(Month, Day, Year)

Sincerely,

 _____
(Signature of Sign Poster) October 28 2010
(Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)

ZONING NOTICE

CASE # 2011-0109-SPH

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

Room 104, JEFFERSON BUILDING
PLACE 105 WEST CHESAPEAKE AVE. TOWSON 21204

DATE AND TIME: FRIDAY, NOVEMBER 12, 2010 AT 9:00 A.M.

REQUEST SPECIAL HEARING FOR AN INDOOR FIREARM
PRACTICE AND TRAINING FACILITY.

POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES NECESSARY.
TO CONFIRM HEARING CALL 887-3391

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

TO: PATUXENT PUBLISHING COMPANY
Thursday, October 28, 2010 Issue - Jeffersonian

Please forward billing to:

G. Scott Barhight
Whiteford, Taylor & Preston
1 West Pennsylvania Ave., Ste. 300
Towson, MD 21204

410-832-2000

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: 2011-0109-SPH

11500 Crossroads Circle

W/side of Crossroads Circle, 2270 feet south of the centerline of MD Route 43

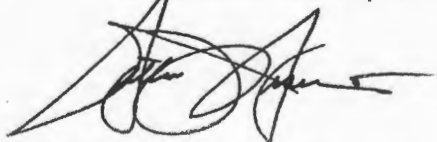
5th Election District – 6th Councilmanic District

Legal Owners: FRP Bird River, LLC c/o David DeVilliers

Contract Purchaser: Freestate Gun Range c/o Randy Farmer

Special Hearing for an indoor firearm practice and training facility.

Hearing: Friday, November 12, 2010 at 9:00 a.m. in Room 104, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204



WILLIAM J. WISEMAN III
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
MARYLAND

JAMES T. SMITH, JR.
County Executive

TIMOTHY M. KOTROCO, *Director*
Department of Permits and
Development Management

October 6, 2010

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: 2011-0109-SPH

11500 Crossroads Circle

W/side of Crossroads Circle, 2270 feet south of the centerline of MD Route 43

5th Election District – 6th Councilmanic District

Legal Owners: FRP Bird River, LLC c/o David DeVilliers

Contract Purchaser: Freestate Gun Range c/o Randy Farmer

Special Hearing for an indoor firearm practice and training facility.

Hearing: Friday, November 12, 2010 at 9:00 a.m. in Room 104, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

Timothy Kotroco
Director

TK:kl

C: G. Scott Barhight, 1 West Pennsylvania Avenue, Ste. 300, Towson 21204
David DeVilliers, FRP, 34 Loveton Circle, Ste. 100, Sparks 21152
Randy Farmer, Freestate Gun Range, 12106 Jerusalem Road, Kingsville 21087

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY THURSDAY, OCTOBER 28, 2010**
- (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.**

**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: 2011-0109-JPH

Petitioner: FREESTATE GUN RANGE

Address or Location: 11500 CROSSROADS CIRCLE

PLEASE FORWARD ADVERTISING BILL TO:

Name: G. SCOTT BARKHART

Address: WHITEFORD TAYLOR & PRESTON
1 W. PENNSYLVANIA AVE, STE 300
TOWSON, MD 21204

Telephone Number: 410.832.2000



BALTIMORE COUNTY
M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

TIMOTHY M. KOTROCO, *Director*
Department of Permits and
Development Management

November 3, 2010

G. Scott Barhight
Whiteford, Taylor & Preston, LLP
1 W. Pennsylvania Ave. Ste. 300
Towson, MD 21204

Dear: G. Scott Barhight

RE: Case Number 20111-0109-SPH, 11500 Crossroads Cir.

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on September 21, 2010. This letter is not an approval, but only a **NOTIFICATION**.

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

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

Very truly yours,

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR:lnw

Enclosures

c: People's Counsel
David Devilliers Jr.: FRP Bird River LLC; 34 Loveton Cir. Ste. 100; Sparks, MD 21153
Randy Farner: Freestate Gun Range ; 12106 Jerusalem Rd.; Kingsville, MD 21087



Baltimore County
Fire Department

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

County Office Building, Room 111
Mail Stop #1105
111 West Chesapeake Avenue
Towson, Maryland 21204

October 4, 2010

ATTENTION: Kristen Mathews
ZAC Agenda Oct. 18, 2010

Case Number: 2011-0109-SPH
11500 Crossroads Cir.
Freestate Gun Range

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

A Use & Occupancy inspection and approval is required prior to occupancy.

Lt. Jimmie D. Mezick
Fire Marshal's Office
410-887-4880
MS-1102F

cc: File



TB
11-12-10

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Timothy M. Kotroco, Director
Department of Permits and
Development Management

DATE: November 10, 2010

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

RECEIVED

NOV 12 2010

SUBJECT: 11500 Crossroads Circle

ZONING COMMISSIONER

INFORMATION:

Item Number: 11-109 (*revised*)

Petitioner: FRP Bird River LLC c/o David DeVillers

Zoning: ML-IM, M43

Requested Action: Special Hearing

A special hearing is requested to permit an indoor firearm practice and training facility pursuant to Section 253.1.A.42 of the Baltimore County Zoning Regulations.

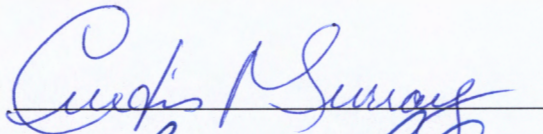
SUMMARY OF RECOMMENDATIONS:

The Office of Planning has reviewed the petitioner's request and accompanying site plan. The Office of Planning does not oppose the subject use provided the following aspects of the operation are fully explained and documented as part of the Zoning Commissioners Order:

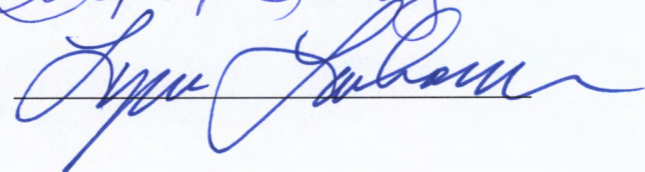
1. Description of how sound will be mitigated to ensure that there will be no adverse impacts on neighboring properties.
2. Means and methods of lead disposal.
3. Description of how the building will be retrofitted (interior and exterior) for the proposed use.

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

Prepared by:



Division Chief:
AFK/LL: CM



TB 11/12
9Am

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Timothy M. Kotroco, Director
Department of Permits and
Development Management

DATE: October 19, 2010

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

RECEIVED

SUBJECT: 11500 Crossroads Circle

OCT 29 2010

INFORMATION:

ZONING COMMISSIONER

Item Number: 11-109

Petitioner: FRP Bird River LLC c/o David DeVillers

Zoning: ML-IM, M43

Requested Action: Special Hearing

A special hearing is requested to permit an indoor firearm practice and training facility pursuant to Section 253.1.A.42 of the Baltimore County Zoning Regulations.

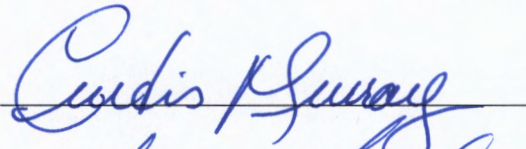
SUMMARY OF RECOMMENDATIONS:

The Office of Planning has reviewed the petitioner's request and accompanying site plan. The Office of Planning does not oppose the subject use provided the following aspects of the operation are fully explained and documented as part of the Zoning Commissioners Order:

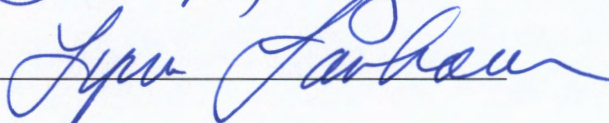
1. Description of how sound will be mitigated to ensure that there will be no adverse impacts on neighboring properties.
2. Means and methods of lead disposal.
3. Description of how the building will be retrofitted (interior and exterior) for the proposed use.
4. Restriction that ammunition will not be sold on site.

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

Prepared by:



Division Chief:
AFK/LL: CM



BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

TO: Timothy M. Kotroco, Director
Department of Permits &
Development Management

FROM: Dennis A. Kennedy, Supervisor
Bureau of Development Plans
Review

SUBJECT: Zoning Advisory Committee Meeting
For October 18, 2010
Item Nos. 2011- 103, 106, 107, 108,
109, 110, 111, 112, 113, 115, 116,
117, 118, 119, 120, 121 and 122

DATE: October 7, 2010

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

DAK:CEN:cab

cc: File

G:\DevPlanRev\ZAC -No Comments\ZAC-10182010 -NO COMMENTS.doc



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

State Highway
Administration

Beverley K. Swaim-Staley, Secretary
Neil J. Pedersen, Administrator

MARYLAND DEPARTMENT OF TRANSPORTATION

Date: Oct. 15, 2010

Ms. Kristen Matthews
Baltimore County Office Of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

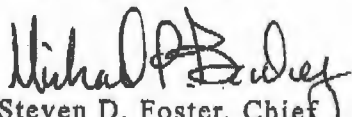
RE: Baltimore County
Item No. 2011-0109-SPH
11500 CROSSROAD CIR.
FRP BIRD RIVER, LLC
SPECIAL HEARING -

Dear Ms. Matthews:

Thank you for the opportunity to review your referral request on the subject of the above captioned. We have determined that the subject property does not access a State roadway and is not affected by any State Highway Administration projects. Therefore, based upon available information this office has no objection to Baltimore County Zoning Advisory Committee approval of Item No. 2011-0109-SPH.

Should you have any questions regarding this matter, please contact Michael Bailey at 410-545-5593 or 1-800-876-4742 extension 5593. Also, you may E-mail him at (mbailey@sha.state.md.us).

Very truly yours,


For Steven D. Foster, Chief
Engineering Access Permits
Division

SDF/mb

TB 11/12 9AM

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



TO: Timothy M. Kotroco
FROM: Dave Lykens, DEPRM - Development Coordination
DATE: October 26, 2010
SUBJECT: Zoning Item # 11-109-SPH
Address 11500 Crossroads Circle
(FRP Bird River, LLC Property)

RECEIVED

OCT 26 2010

ZONING COMMISSIONER

Zoning Advisory Committee Meeting of October 4, 2010.

X The Department of Environmental Protection and Resource Management has no comments on the above-referenced zoning item.

Reviewer: JWL Date: 10/26/10

RE: PETITION FOR SPECIAL HEARING	*	BEFORE THE
11500 Crossroads Circle; W/S Crossroads		
Circle, 2270' S of c/line MD Route 43	*	ZONING COMMISSIONER
5 th Election & 6 th Councilmanic Districts		
Legal Owner(s): FRP Bird River, LLC	*	FOR
Contract Purchaser(s): Freestate Gun Range		
Petitioner(s)	*	BALTIMORE COUNTY
	*	2011-109-SPH

* * * * *

ENTRY OF APPEARANCE

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

RECEIVED

OCT 12 2010

.....

Peter Max Zimmerman

 PETER MAX ZIMMERMAN
 People's Counsel for Baltimore County

Carole S. Demilio

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

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 12th day of October, 2010, a copy of the foregoing Entry of Appearance was mailed to G. Scott Barhight, Esquire, Whiteford, Taylor & Preston, One W. Pennsylvania Avenue, Suite 300, Towson, MD 21204, Attorney for Petitioner(s).

Peter Max Zimmerman

 PETER MAX ZIMMERMAN
 People's Counsel for Baltimore County

TB 11/12
9am

From: People's Counsel
To: Wiseman, Bill
CC: gbarhight@wtplaw.com
Date: 11/05/10 2:36 PM
Subject: FRP Bird River LLC/ Freestate Gun Range Case No: 2011-0109-SPH
Attachments: Re: 2011-0109-SPH

Mr. Wiseman,

On October 18, 2010, our office emailed Chief James Johnson with regard to any concerns his department may have with the above-mentioned petition. Attached is his response to our email.

Rebecca M. Wheatley
Legal Secretary
Office of the People's Counsel for Baltimore County
410-887-2188 Phone

Bill Wiseman - Re: 2011-0109-SPH

From: James Johnson
To: Counsel, People's
Date: 11/04/10 1:26 PM
Subject: Re: 2011-0109-SPH

Ms. Wheatley,

This matter was referred to our Firearms Violence Unit, and has been reviewed by management personnel. We have no concerns about this business or those involved in the operations of same. We will continue to monitor them and their progress.

Thank you for the opportunity to comment on this petition.

Sincerely,

Chief James W. Johnson

Chief James W. Johnson
Office of the Chief
Baltimore County Police Department
700 East Joppa Road
Towson, Maryland 21286-5501
410-887-2200, Fax: 410-887-4958
E-mail: jwjohanson@baltimorecountymd.gov

>>> People's Counsel 10/18/10 1:37 PM >>>
Dear Chief Johnson,

As you know, our office of People's Counsel monitors and reviews zoning petitions.

There was recently filed a petition for special hearing to allow an indoor firearm practice and training facility pursuant to Section 253.1.A.42 of the Baltimore County Zoning Regulations. The property is located at 11500 Crossroads Circle. The Legal Owners are FRP Bird River LLC and the Lessee is Freestate Gun Range.

A copy of the petition is attached. The hearing is currently scheduled for November 12, 2010 at 9 a.m. before the Zoning Commissioner.

It occurred to me that your department might be interested in reviewing this proposal. We would welcome any comment if you feel it is appropriate.

Sincerely,

Rebecca Wheatley
People's Counsel Secretary

Rebecca M. Wheatley
Legal Secretary
Office of the People's Counsel for Baltimore County
410-887-2188 Phone
410-823-4236 Fax

WHITEFORD, TAYLOR & PRESTON L.L.P.

9-10-10
10-242

G. SCOTT BARHIGHT
DIRECT LINE (410) 832-2050
DIRECT FAX (410) 339-4057
gbarhight@wtplaw.com

TOWSON COMMONS, SUITE 300
ONE WEST PENNSYLVANIA AVENUE
TOWSON, MARYLAND 21204-5025
MAIN TELEPHONE (410) 832-2000
FACSIMILE (410) 832-2015

BALTIMORE, MD
COLUMBIA, MD
FALLS CHURCH, VA
TOWSON, MD
WASHINGTON, DC
WILMINGTON, DE*

WWW.WTPLAW.COM
(800) 987-8705

August 23, 2010

Via Hand Delivery

Mr. Timothy M. Kotroco, Director
Baltimore County Department of Permits and Development Management
111 W. Chesapeake Avenue, Room 111
Towson, MD 21204

**Re: Expedited Zoning Verification Letter
11500 Crossroads Circle, Tax Map 83, Parcel 360, Lot 5**

Dear Mr. Kotroco:

Please accept this letter as a request for your confirmation regarding the proposed use on the above-referenced property. Whiteford, Taylor & Preston, LLP represents the Combat Shooter, Inc. dba FreeState Gun Range ("FreeState Gun Range"), the contract lessee of a portion of the building located on the above-referenced property. A check in the amount of \$250.00 is enclosed in order to expedite this request.

The above-referenced parcel is part of the Windlass Run Business Park, located on the west side of White Marsh Boulevard in the 15th Election District, Baltimore, Maryland, as further described in the attachments to this letter. Specifically, attached please find the pertinent information from SDAT, a zoning map, an aerial photograph, and a copy of the record plat for Windlass Run Business Park. The property is zoned ML-IM M43. The 4.716 acre tract is currently improved with a 69,474 square foot commercial building, the first of five commercial buildings to be constructed for the approved Windlass Run Business Park.

Our client is proposing a public, indoor gun practice facility designed and intended for use by sport shooters, law enforcement, security companies, and the general public. The building which will contain the facility is located more than one-half mile from the nearest existing residential use. FreeState Gun Range will provide classes for personal safety training and hunter safety training. In addition to the prototypical practice range for shooting enthusiasts, FreeState Gun Range, intends to install a Simunitions range. Simunitions is a technology that simulates realistic close quarters shooting situations using non-toxic, non-lethal cartridges.

The practice facility will be designed and constructed to be "state-of-the-art". It will incorporate a variety of safety features into the construction, including the following:

- Exterior range walls and floors will be poured concrete.
- Interior range walls will be filled block construction.

2011-0109-SPH

- Range ceiling will be made from AR-500 steel.
- Bullet trap will be Rubber Berm Type framed in AR-500 steel.
- State-of-the-Art HEPA filter ventilation system to prevent lead emissions.

Safety and protocol will be paramount in maintaining a safe operation. The practice facility will apply the following measures in order to ensure the safety of the operation:

- All employees must have military and/or law enforcement background.
- Range Safety Officers will be on duty full-time when the range is open.
- Range Safety Officers will be retired or off-duty law enforcement.
- Trainers will have current certifications in the courses that they are offering.
- All firearms brought into the building must be unloaded and cased (On-duty law enforcement are the exception).
- All firearms are subject to inspection upon entering the building.
- Security cameras will be operating at all times in all parts of the range and accessory facilities.
- Prior to being permitted to shoot, all shooters must take and pass a basic gun safety course.
- Anyone not obeying range rules will be ejected from the facility.

The following firearms will be permitted:

- Pistols: up to 50 caliber
- Rifles: up to .308 caliber
- Shotguns: slug only

In review of the Baltimore County Zoning Regulations ("BCZR"), the proposed use is permitted by right. Section 253.1.A of the Baltimore County Zoning Regulations ("BCZR") sets forth the uses permitted as of right within the ML zone. Among the uses allowed are "Practice or training physical conditioning facilities and fields for amateur or professional sports organizations, provided that there shall not be any accommodations for public spectators, no more than one sports organization uses such a facility at one time, and no such facility includes any lighting that would produce substantial off-site illumination, nor any provisions for selling public admissions to sports events to be conducted thereon." BCZR § 253.1.A.42. In addition, the provision permits offices to be included at the facility as are necessary for the administration of the organization.

In the past, Baltimore County has taken the position that the type of practice facility proposed in the instant matter is permitted by right within the ML zone. In 1993, Deerco Limited Partnership filed a Petition for Special Hearing to confirm that a firing range was permitted by right within the ML zone. After thoroughly analyzing whether the proposed use met the definition and criteria for "Practice or training physical conditioning facilities and fields for amateur or professional sports organizations", as set forth above, the Zoning Commissioner granted the Petition. Through information and belief, the firing range that was approved in Case No. 93-220-SPH is the only facility of its kind within the ML zone in Baltimore County. Attached is a copy of the Zoning Commissioner's Findings of Facts and Conclusions of Law in Case No. 93-220-SPH for your review.

The proposed practice facility in the instant matter is very similar, if not identical, to the use approved by the Zoning Commissioner in Case No. 93-220. In addition, under the same reasoning and analysis applied in that case, the proposed facility meets the definition and criteria for "Practice or training physical conditioning facilities and fields for amateur or professional sports organizations". As a result, we postulate that the proposed use is permitted as of right within the zone.

August 23, 2010

Page 3

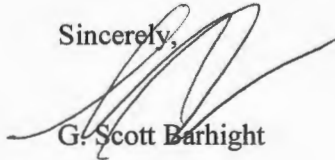
The principal use in this case is the practice facility. Included as accessory to the practice facility will be the offices necessary for the administration of the facility, a small refreshment/snack area, and the sale of goods customarily accessory to the sport.

Thank you in advance for your cooperation and timely response to this request. For your convenience, attached please find the pertinent information from SDAT, a zoning map, an aerial photograph, a copy of the Hearing Officer/Zoning Commissioner's opinion in Case No. 93-220-SPH, a copy of the record plat for Windlass Run Business Park, a copy of a vicinity map showing the location of the proposed facility in relation to the surrounding residential uses, a letter from Colonel John E. Gavrilis, Chief of the Maryland Transit Administration Police Force, in support of the proposed use, and a brochure from CBRE regarding the Windlass Run Business Park

FreeState Gun Range would greatly appreciate your concurrence with its position, as stated in this letter, that the use proposed is permitted by right within the zone. Please indicate your agreement by countersigning this letter in the space indicated below. Should you have any questions or comments about the contents of this letter, please do not hesitate to contact me.

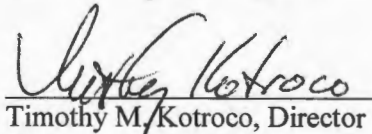
If you would please contact me by phone when the letter is ready, I will arrange to have it picked up.

Sincerely,



G. Scott Barhight

Acknowledged and agreed:



Timothy M. Kotroco, Director

Baltimore County Department of Permits and Development Management

* Subject to SPH b/y Zoning
Commissioner

9/10/2010
Date

Enclosures

GSB:adb

417611

IN RE: PETITION FOR SPECIAL HEARING *	BEFORE THE
SW/S Deereco Road, 460 ft.	
S of c/l Padonia Road *	ZONING COMMISSIONER
9603 Deereco Road, Suite 108 *	
8th Election District *	OF BALTIMORE COUNTY
4th Councilmanic District *	
	CASE # 93-220-SPH
Deereco Limited Partnership *	
Petitioner *	

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as a Petition for Special Hearing, for that property located at 9603 Deereco Road in the Timonium section of Baltimore County. The Petitioner, Deereco Limited Partnership, seeks approval of the use of a portion of the property as a practice facility for the sport of conventional/international pistol competition, including Olympic style pistol competition, pistol practice and/or silhouette pistol practice. Further, a smaller section of the leased property will be used as an office to support such a use.

Appearing on behalf of the Petition was Kurt Petrucci, the Chief Executive Officer of the Amateur Pistol Organization of Maryland. Mr. Petrucci's organization is the proposed lessee/operator of the pistol range. Also appearing in support of the Petition was Charles K. Stark, the surveyor who prepared the plat, and Chris Walsh, a representative of the owner of the site. Also present in support of the Petition was Richard Whiting, an expert firearms range developer from the National Rifle Association, and Alden S. Bradstock, a mechanical engineer, specializing in the design of heating, ventilating and air conditioning systems. The Petitioner was represented by Michael E. Marino, Esquire. Appearing as Protestants were Thomas Kelly and Matthew Walker, both representing the Greater Timonium Community Council.

ORDER RECEIVED FOR FILING

Date

By

4/1/93
M. Marino

Maryland Department of Assessments and Taxation
Real Property Data Search (vw1.1)
BALTIMORE COUNTY

Account Identifier:

District - 15 Account Number - 2500003967

Owner Information

Owner Name:	FRP BIRD RIVER LLC	Use:	INDUS
		Principal Residence:	NO
Mailing Address:	STE 100	Deed Reference:	1)
	34 LOVETON CIR		2)
	SPARKS MD 21152-9202		

Location & Structure Information

Premises Address	Legal Description
11500 CROSSROADS CIR	4.716 AC
BALTIMORE MD 21220	11500 CROSSROADS CIR WS
	WINDLASS RUN BUSINESS PK

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat N
83	19	360					5	3	Plat R

Special Tax Areas

Town Ad Valorem Tax Class

Primary Structure Built	Enclosed Area	Property Land Area	County
2009	68,170 SF	4.72 AC	07

Stories	Basement	Type	Exterior
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Value Information

	Base Value	Value As Of 01/01/2009	Phase-in Assessments	
			As Of 07/01/2010	As Of 07/01/2011
Land	944,000	1,534,000		
Improvements:	2,073,000	2,459,300		
Total:	3,017,000	3,993,300	3,667,866	3,993,300
Preferential Land:	0	0	0	0

Transfer Information

Seller:	Date:	Price:
Type:	Deed1:	Deed2:
Seller:	Date:	Price:
Type:	Deed1:	Deed2:
Seller:	Date:	Price:
Type:	Deed1:	Deed2:

Exemption Information

Partial Exempt Assessments	Class	07/01/2010	07/01/2011
County	000	0	0
State	000	0	0
Municipal	000	0	0

Tax Exempt: NO

Exempt Class:

Special Tax Recapture:

* NONE *

WHITEFORD, TAYLOR & PRESTON L.L.P.

ADAM D. BAKER
DIRECT LINE (410) 832-2052
DIRECT FAX (410) 339-4028
ABaker@wtplaw.com

TOWSON COMMONS, SUITE 300
ONE WEST PENNSYLVANIA AVENUE
TOWSON, MARYLAND 21204-5025
MAIN TELEPHONE (410) 832-2000
FACSIMILE (410) 832-2015

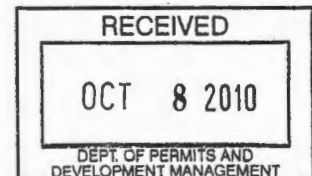
BALTIMORE, MD
COLUMBIA, MD
FALLS CHURCH, VA
TOWSON, MD
WASHINGTON, DC
WILMINGTON, DE*

WWW.WTPLAW.COM
(800) 987-8705

October 8, 2010

Hand Delivery

Timothy M. Kotroco, Esquire
Director,
Baltimore County Permits & Development Management
111 W. Chesapeake Avenue
Towson, MD 21204



Re: Freestate Gun Range - 11500 Crossroads Circle
15th Election District; 6th Councilman District
Case No. 2011-109-SPH
Request for Spirit & Intent Relief

Dear Mr. Kotroco:

This office represents Freestate Gun Range with regard to its Petition for Special Hearing for an indoor firearm practice and training facility pursuant to Section 253.1.A.42 of the Baltimore County Zoning Regulations.

The above-referenced parcel is part of the Windlass Run Business Park, located on the west side of White Marsh Boulevard in the 15th Election District, Baltimore, Maryland. The 4.716 acre tract is currently improved with a 69,474 square foot commercial building, the first of five commercial buildings to be constructed for the approved Windlass Run Business Park. Attached for your reference, please find a copy of the Petition for Special Hearing and a copy of the accompanying Site Plan.

Our client is proposing a public, indoor gun practice and training facility designed and intended for use by sport shooters, law enforcement, security companies, and the general public. The principal use in this case is the practice facility. Included as accessory to the practice facility will be offices necessary for the administration of the facility, a small refreshment/snack area, and the sale of goods customarily accessory to the sport.

Pursuant to Section 409.6.A of the Baltimore County Zoning Regulations, when the number of off-street parking spaces for a particular use is not set forth in the zoning regulations, the Director of the Department of Permits and Development Management shall determine the basis for the number of spaces to be provided. Given the multiple components that support the

October 8, 2010

Page 2

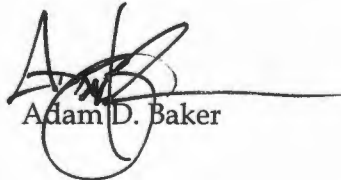
proposed use, below is a proposed breakdown of the parking requirements for your consideration:

Office (2,400SF):	3.3 PS/1,000SF = 7.92PS
Merchandise & Sales (1,600SF):	5.0 PS/1,000SF = 8 PS
Shooting lanes (4,660SF):	10 Shooting Lanes @ 1 PS/lane = 10 PS
Expansion Area (5,000SF):	3 PS (blended) = 15 PS
Total parking spaces required:	41PS
Total parking spaces provided:	41PS

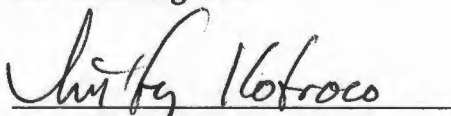
In light of the Baltimore County Zoning Regulations, we respectfully request your agreement that the calculations, as set forth above, represent an acceptable basis upon which to determine the appropriate number of parking spaces for the proposed use. If you are in agreement, please sign below to so indicate.

Thank you for your kind consideration of this matter.

Sincerely,


Adam D. Baker

Read and Agreed:



Timothy M. Kotroco, Esq.
Director, Permits & Development Management

10/12/10
Date

Attachments

Cc: Randy Farmer
G. Scott Barhight, Esq.

AB:adb

417463

SECTION 253, Manufacturing, Light (M.L.) Zone Use Regulations [Bill No. 100-1970EN(1)]

§ 253.1. Uses permitted as of right.

The uses listed in this section, only, shall be permitted as of right in M.L. Zones, subject to any conditions hereinafter prescribed.

A. The following industrial uses:^{EN(2)}

1. Airplane assembly.
2. Automobile assembly.
3. Boatyards (including marinas or marine railways).
4. Bottling establishments, soft-drink.
5. Brewery, Class 5B, if within the urban rural demarcation line [Bill No. 185-1995]
6. Candy manufacture, packaging or treatment.
7. Carpet or rug cleaning.
8. Cellophane-products manufacture or processing-restricted production (See Section 253.3.).
9. Cleaning or dyeing.
10. Concrete products manufacture, including manufacture of concrete blocks or cinder blocks.
11. Cork products manufacture or processing-restricted production (See Section 253.3.).
12. Cosmetics manufacture, compounding, packaging or treatment.
13. Drug manufacture, compounding, packaging or treatment.
14. Electrical appliance assembly.
15. Enameling, japanning or lacquering.
16. Excavations, controlled, except those involving the use of explosives.
17. Fiber products manufacture or processing, including the manufacture or processing of articles made of felt or yarn, or of textiles, canvas or other cloth-restricted production

11500
CASE NAME Crossroads Circle
CASE NUMBER 2011-0109-SPH
DATE 11-17-10

[illegible]

Case No.: 2011-0109-SPH

Exhibit Sheet

Petitioner/Developer

Protestant

No. 1	site plan	
No. 2	8-23-10 Zoning Verification Letter w/ attachments	
No. 3	10-8-10 Spirit + Intent Letter RE: Parking Requirements	
No. 4		
No. 5		
No. 6		
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No. 11		
No. 12		

WHITEFORD, TAYLOR & PRESTON L.L.P.

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August 23, 2010

Via Hand Delivery

Mr. Timothy M. Kotroco, Director
Baltimore County Department of Permits and Development Management
111 W. Chesapeake Avenue, Room 111
Towson, MD 21204

**Re: Expedited Zoning Verification Letter
11500 Crossroads Circle, Tax Map 83, Parcel 360, Lot 5**

Dear Mr. Kotroco:

Please accept this letter as a request for your confirmation regarding the proposed use on the above-referenced property. Whiteford, Taylor & Preston, LLP represents the Combat Shooter, Inc. dba FreeState Gun Range ("FreeState Gun Range"), the contract lessee of a portion of the building located on the above-referenced property. A check in the amount of \$250.00 is enclosed in order to expedite this request.

The above-referenced parcel is part of the Windlass Run Business Park, located on the west side of White Marsh Boulevard in the 15th Election District, Baltimore, Maryland, as further described in the attachments to this letter. Specifically, attached please find the pertinent information from SDAT, a zoning map, an aerial photograph, and a copy of the record plat for Windlass Run Business Park. The property is zoned ML-IM M43. The 4.716 acre tract is currently improved with a 69,474 square foot commercial building, the first of five commercial buildings to be constructed for the approved Windlass Run Business Park.

Our client is proposing a public, indoor gun practice facility designed and intended for use by sport shooters, law enforcement, security companies, and the general public. The building which will contain the facility is located more than one-half mile from the nearest existing residential use. FreeState Gun Range will provide classes for personal safety training and hunter safety training. In addition to the prototypical practice range for shooting enthusiasts, FreeState Gun Range, intends to install a Simunitions range. Simunitions is a technology that simulates realistic close quarters shooting situations using non-toxic, non-lethal cartridges.

The practice facility will be designed and constructed to be "state-of-the-art". It will incorporate a variety of safety features into the construction, including the following:

- Exterior range walls and floors will be poured concrete.
- Interior range walls will be filled block construction.

PETITIONER'S

*Whiteford, Taylor and Preston L.L.P. is a limited liability partnership. Our Delaware office is operated under a separate Delaware limited liability partnership agreement.

EXHIBIT NO.

2

WHITEFORD, TAYLOR & PRESTON L.L.P.

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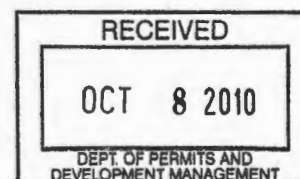
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October 8, 2010

Hand Delivery

Timothy M. Kotroco, Esquire
Director,
Baltimore County Permits & Development Management
111 W. Chesapeake Avenue
Towson, MD 21204



Re: Freestate Gun Range - 11500 Crossroads Circle
15th Election District; 6th Councilman District
Case No. 2011-109-SPH
Request for Spirit & Intent Relief

Dear Mr. Kotroco:

This office represents Freestate Gun Range with regard to its Petition for Special Hearing for an indoor firearm practice and training facility pursuant to Section 253.1.A.42 of the Baltimore County Zoning Regulations.

The above-referenced parcel is part of the Windlass Run Business Park, located on the west side of White Marsh Boulevard in the 15th Election District, Baltimore, Maryland. The 4.716 acre tract is currently improved with a 69,474 square foot commercial building, the first of five commercial buildings to be constructed for the approved Windlass Run Business Park. Attached for your reference, please find a copy of the Petition for Special Hearing and a copy of the accompanying Site Plan.

Our client is proposing a public, indoor gun practice and training facility designed and intended for use by sport shooters, law enforcement, security companies, and the general public. The principal use in this case is the practice facility. Included as accessory to the practice facility will be offices necessary for the administration of the facility, a small refreshment/snack area, and the sale of goods customarily accessory to the sport.

Pursuant to Section 409.6.A of the Baltimore County Zoning Regulations, when the number of off-street parking spaces for a particular use is not set forth in the zoning regulations, the Director of the Department of Permits and Development Management shall determine the basis for the number of spaces to be provided. Given the multiple components that support the

PETITIONER' S

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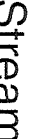
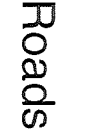
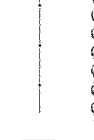
EXHIBIT NO. 3



Plan Sheet: 083A3

Note:
The zoning depicted in this application incorporates the actions of the Baltimore County Board of Appeals through December 31, 2008.
Changes associated with an adopted Community Plan and Baltimore County Board of Appeals actions through December 31, 2008.

Legend

-  Buildings
-  Streams
-  Vegetation
-  Zoning
-  Roads
-  Rail Lines

Baltimore County
Office of Planning and Zoning
Official Zoning Map

082B2	082C2	083A2	083B2	083C2
082B3	082C3	083A3	083B3	083C3
090B1	090C1	091A1	091B1	091C1

Scale

1" = 200'
0 100 200 400 Feet



Data Sources:
Planimetric Data - Baltimore County
OTV/GIS Services Unit
1:2400, from 1985/86 photography
Zoning - Baltimore County Office of Planning
1:2400, 2008

