

Debra Wiley - Re: Fwd: 2011-0165-A

From: Kristen Lewis
To: Wiley, Debra
Date: 5/24/2011 11:11 AM
Subject: Re: Fwd: 2011-0165-A

Hi Debbie,

This case also has a letter of withdrawal in the file dated December 2, 2010 from Venable, and has since been shelved.

>>> Debra Wiley 5/24/2011 11:02 AM >>>
Hi there again,

Just one more, I promise ... The attached was filed by Karceski Nov. 4, 2010. Per data base, set for 1/5/11, however, not reflected on January calendar and no update for new date.

Do you know the status? Thanks again for all your help.

Debbie Wiley
Legal Administrative Secretary
Office of Administrative Hearings
105 West Chesapeake Avenue, Suite 103
Towson, Md. 21204
410-887-3868
410-887-3468 (fax)
dwiley@baltimorecountymd.gov

David H. Karceski

T 410.494.6285
F 410.821.0147
DHKarceski@Venable.com

December 2, 2010

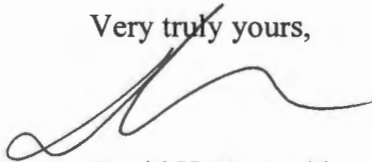
Timothy M. Kotroco, Director
Department of Permits
and Development Management
County Office Building
111 West Chesapeake Avenue
Towson, MD 21204

Re: Case No.: 2011-165-A
Property: 1302 Windlass Drive

Dear Mr. Kotroco:

The purpose of this letter is to confirm that our client, Two Farms, Inc., has withdrawn its Petition for Variance in the above-captioned case. This is without prejudice to the right of Two Farms to seek approvals in the future.

Very truly yours,



David H. Karceski

DHK/rab

cc: Mr. John Kemp





Petition for Variance

to the Zoning Commissioner of Baltimore County for the property
located at 1302 Windlass Drive

which is presently zoned BM-CCC

Deed Reference: 6051 / 232 Tax Account # 18-00004090

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 Variance from Section(s)

See Attached

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the following reasons: (indicate hardship or practical difficulty.)

To be determined at hearing

Property is to be posted and advertised as prescribed by the zoning regulations.

I, or we, agree to pay expenses of above Variance, advertising, posting, etc. and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

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

Contract Purchaser/Lessee:

Name - Type or Print _____

Signature _____

Address _____ Telephone No. _____

City _____ State _____ Zip Code _____

Attorney For Petitioner:

David H. Karceski
Name - Type or Print _____

Signature _____

Venable LLP

Company
210 W. Pennsylvania Ave., Suite 500 410-494-6200

Address _____ Telephone No. _____

Towson MD 21204

City _____ State _____ Zip Code _____

Legal Owner(s):

Two Farms, Inc.

Name - Type or Print _____

Signature _____

John Kemp, President

Name - Type or Print _____

Signature _____

3611 Roland Avenue 410-889-0200

Address _____ Telephone No. _____

Baltimore MD 21211

City _____ State _____ Zip Code _____

Representative to be Contacted:

David H. Karceski

Name _____

210 W. Pennsylvania Ave., Suite 500 410-494-6200

Address _____ Telephone No. _____

Towson MD 21204

City _____ State _____ Zip Code _____

Case No. 2011-0165-A

Office Use Only

Estimated Length of Hearing _____
Unavailable For Hearing _____

Reviewed by [Signature] Date 11/4/10

**Attachment to
Petition for Variance**

1302 Windlass Drive

From Section 450.4.5(a) of the Baltimore County Zoning Regulations to allow a total of 8 wall-mounted enterprise signs in lieu of the 3 permitted wall-mounted enterprise signs, and to allow a maximum of 3 wall-mounted signs on a single façade.

0.165-A

BALTIMORE COUNTY, MARYLAND

Interoffice Memorandum

DATE: November 4, 2010

TO: Zoning Commissioner and File

FROM: Leonard Wasilewski
Planner II, Zoning Review

SUBJECT: **DROP OFF** Petition for Variance Two Farms Inc.
Case No. 2011-0165-A
(1302 Windlass Drive)
Royal Farm Stores

- A. For clarification, this office accepted a **drop off** Petition for sign Variances on November 4, 2010 from the attorney representing petitioner "Two Farms Inc."
- B. During the filing review process the petitioner was advised by Carl Richards that, the site plans require titles and updated zoning information. He was also informed that the site plans did not require engineer seals. Additionally, the petitioner did not submit the required engineer sealed property description. **The petitioner agreed to amend the filing prior to the hearing date and I was instructed to complete my portion of the filing process..**
- C. Please call me if you have any questions. (410-887-3391)

LW

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

No. **61025**

Date: **11/4/10**

PAID RECEIPT

BUSINESS ACTUAL TIME DRN
 11/08/2010 11/05/2010 11:01:29 2

REQ MS05 WALKIN DOOL DMD
 >> RECEIPT # 551470 11/05/2010 OFLN

Fund	Dept	Unit	Sub Unit	Rev Source/ Obj	Sub Rev/ Sub Obj	Dept Obj	BS Acct	Amount
001	806	0000		6150				325.00

Dept 5 528 ZONING VERIFICATION
 CR NO. 061025

Recpt Tot \$325.00
 \$325.00 CK \$0.00 CA
 Baltimore County, Maryland

Total: **325.00**

Rec From: **Venable**

For: **TWO FARMS INC**
1302 Windlass Drive
21220 **2011-0165-A**

DISTRIBUTION

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

**CASHIER'S
 VALIDATION**



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

State Highway
Administration

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

MARYLAND DEPARTMENT OF TRANSPORTATION

Hearing 1/5/11

Date: Nov. 24, 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. 2011-0165-A
1302 WINDLASS DRIVE
TWO FARMS, INC.
VARIANCE -

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. 2011-0165-A.

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,

Michael P. Bailey
For Steven D. Foster, Chief
Engineering Access Permits
Division

SDF/mb

Fire Department

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



Baltimore County

James T. Smith, Jr., County Executive
John J. Hohman, Chief

November 24, 2010

Dept of PDM
Room 111, County Office Building
111 West Chesapeake Ave.
Towson, MD 21204
MS #1105

Attention Kristen Matthews

The Fire Marshal's office has no comment on the following zoning cases:

2011-0159-A, 2011-0160-A, 2011-0161-A, 2011-0162-A, 2011-0163-A, 2011-0163-A,
2011-0165-A, 2011-0166-A, 2011-0167-A, 2011-0168-SPH, 2011-0169-A, 2011-0170-A
2011-0171-XA, 2011-0172-A, 2011-0173-SPH, 2011-0174-A, 2011-0175-A,
2011-0176-SPH, 2011-0177-A, 2011-0178-A, 2011-0179-A.

Thank you,

A handwritten signature in black ink, appearing to read "Steven Judlick".

Steven Judlick, Fire Marshal
Baltimore County Fire Department
Office of the Fire Marshal
410-887-4880

Visit the County's Website at www.baltimorecountyonline.info



Printed on Recycled Paper

1-5

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

FROM: Dennis A. Kennedy^{DAK}, Supervisor
Bureau of Development Plans
Review

SUBJECT: Zoning Advisory Committee Meeting
For November 29, 2010
Item Nos. 2011- 160, 161, 162, 163,
164, 165, 166, 167, 168, 169, 170,
171, 173, 174, 175, 177, 178 and 179

DATE: November 29, 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-11292010 -NO COMMENTS.doc

1/5 11AM 109
not on cal.
Jan.

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: George Klunk, (Acting) Director
Department of Permits and
Development Management

DATE: December 6, 2010

FROM: Jeff Mayhew
(Acting) Director, Office of Planning

SUBJECT: Zoning Advisory Petition(s): **Case(s) 11-165- Variance**

The Office of Planning has reviewed the above referenced case(s) and has no comments to offer.

For further questions or additional information concerning the matters stated herein, please contact Laurie Hay in the Office of Planning at 410-887-3480.

Prepared By: Curtis P. Gurnea

Division Chief: Kevin L. Landon
CM/LL

Per data base search on
5-10-11, hearing date
was 1-5-11 however
not on Jan. calendar
or red binder (case
description).

Need to
confirm

Pet. filed - 11/4/10
Atty - Karwinski

Per data base,
hearing set for 1/5/11
however, no case
describe. + not reflected
on Jan. calendar 5/24
as of 12/25, 3/9, 4/27
5-17

RECEIVED

DEC 08 2010

ZONING COMMISSIONER

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



RECEIVED

DEC 23 2010

ZONING COMMISSIONER

TO: Zoning Commissioner's Office
FROM: Dave Lykens, DEPRM - Development Coordination
DATE: December 22, 2010
SUBJECT: Zoning Item # 11-165-A
Address 1302 Windlass Drive
(Two Farms, Inc. Property)

Zoning Advisory Committee Meeting of November 15, 2010.

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

Reviewer: JWL Date: 12/23/10

adm Clin 12 28

RE: PETITION FOR VARIANCE * BEFORE THE
1302 Windlass Drive; S/S Windlass Dr.@
SW cor. of Windlass Dr. & Middle River Rd* ZONING COMMISSIONER
15th Election & 6th Councilmanic Districts
Legal Owner(s): Two Farms, Inc (Royal Farm)* FOR
Petitioner(s) * BALTIMORE COUNTY
* 2011-165-A

* * * * *

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.

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

RECEIVED

DEC 08 2010

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 8th day of December, 2010, a copy of the foregoing Entry of Appearance was mailed to David Karceski, Esquire, Venable, LLP, 210 W. Pennsylvania Avenue, Suite 500, Towson, MD 21204, Attorney for Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Microsoft Access - [GenInputFrm_View : Form]

File Edit View Insert Format Records Tools Window Help

ZONING CASE HISTORY DATABASE (1939 - PRESENT)

GIS Attribute Table ID
(SEARCH ON THIS FIELD): Case Type Prefix: Case Year: Case Number: Case Type Suffix: Existing Use:

20110165 [] 2011 0165 A Commercial

Legal Owners/Petitioner
(SEARCH ON THIS FIELD): Two Farms, Inc. (Royal Farm Stores)

House/St. Number:	House/Street Number Range:	House/St. No. Suffix:	Prefix Dir.:	Pre. Type:	Street Name (SEARCH ON THIS FIELD):	Suf. Type:	Suffix Dir.:	Suite/Apt./Unit Number:
1302					Windlass	Dr		

Property Description (SEARCH ON THIS FIELD):
 South side of Windlass Drive @ SW corner of Winlass Drive and Middle River Road

Existing Zoning Classification: BM-CCC Area: 1.287 Acres Election District: 15th Councilmanic District: 6th

Critical Area: NO Floodplain: NO Historic Area: NO Related (Prior and Future) Cases:

Violation Cases: Concurrent Cases:

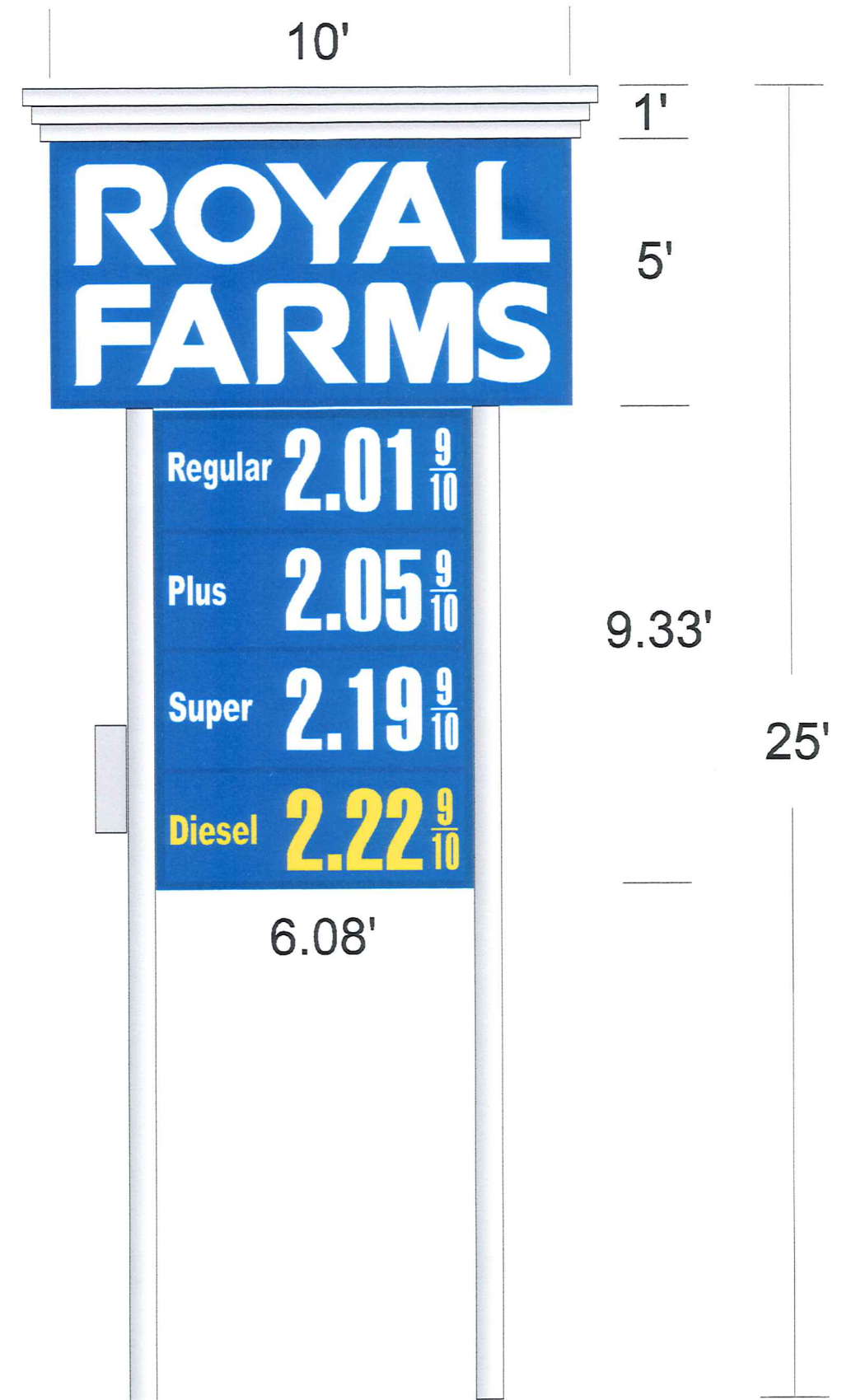
Tax Account ID:	Deed Liber #:	Deed Folio #:	Miscellaneous Notes:
1.) 1800004090	1.) 6051	/ 232	DROP-OFF (See Memo)
2.)	2.)	/	
3.)	3.)	/	

Find Record Next Record Previous Record Preview ZAC Agenda Public Hearings Admin Variances Open MS Word Exit Access Scanned Image

Record: 177 of 26401

Form View

start Novell GroupWise - M... Microsoft Access - [G... 10:09 AM

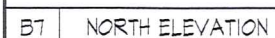
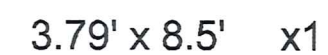


2011-0165-A



CONSULTANT


$$1/4" = 1'-0"$$

$$1/4" = 1'-0"$$

$$1/4'' = 1'-0''$$


N.T.S.

2011-0165-A

PROJECT:
**ROYAL
FARMS**

EXTERIOR ALTERATION

STORE #42

**1302 WINDLASS DRIVE
BALTIMORE, MD 21220**

DWC. TITLE:

DWG. TITLE:
EXTERIOR
CONSTRUCTION
ELEVATION
(FRONT)

ISSUE/REVISIONS:

[illegible]

I HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY
AND THAT I AM A DULY LICENSED PROFESSIONAL ARCHITECT UNDER THE LAWS
OF THE STATE OF MARYLAND, LICENSE NO. 02080 EXPIRATION DATE: 11/01/08

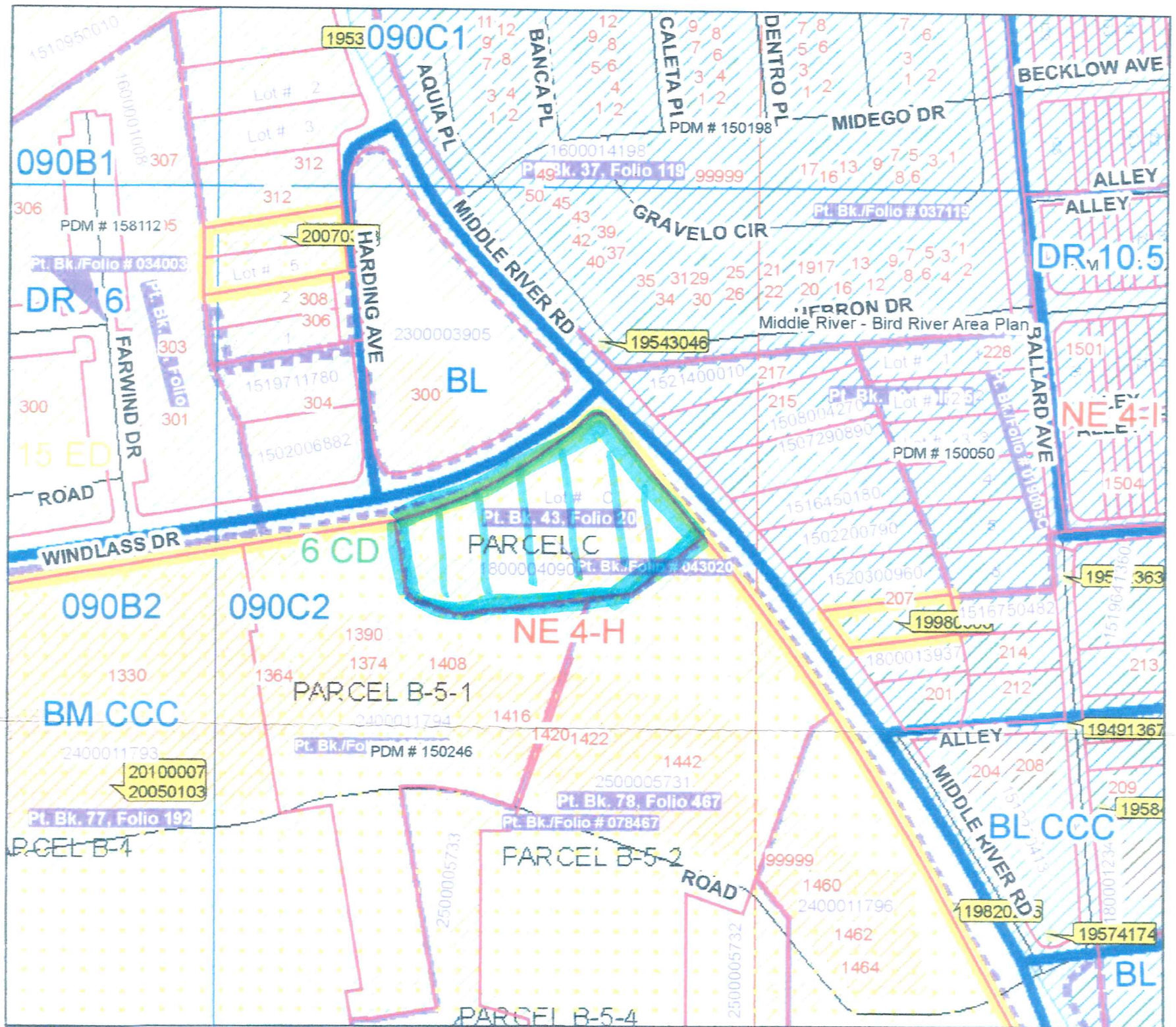
THE STATE OF MARYLAND, LICENSE NO. 0280 EXPIRATION DATE: 10/01/01	
DRAWN BY: BH	CHECKED BY: BH
SCALE: AS NOTED	PROJECT No. 09019
DATE: 01/14/10	FILE NAME:

SHEET NO:

A2.1

RF #42

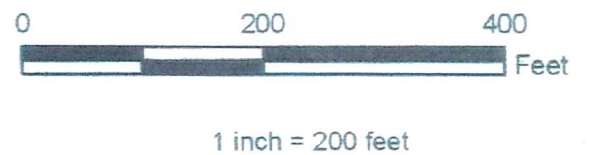
1302 Windlass Drive

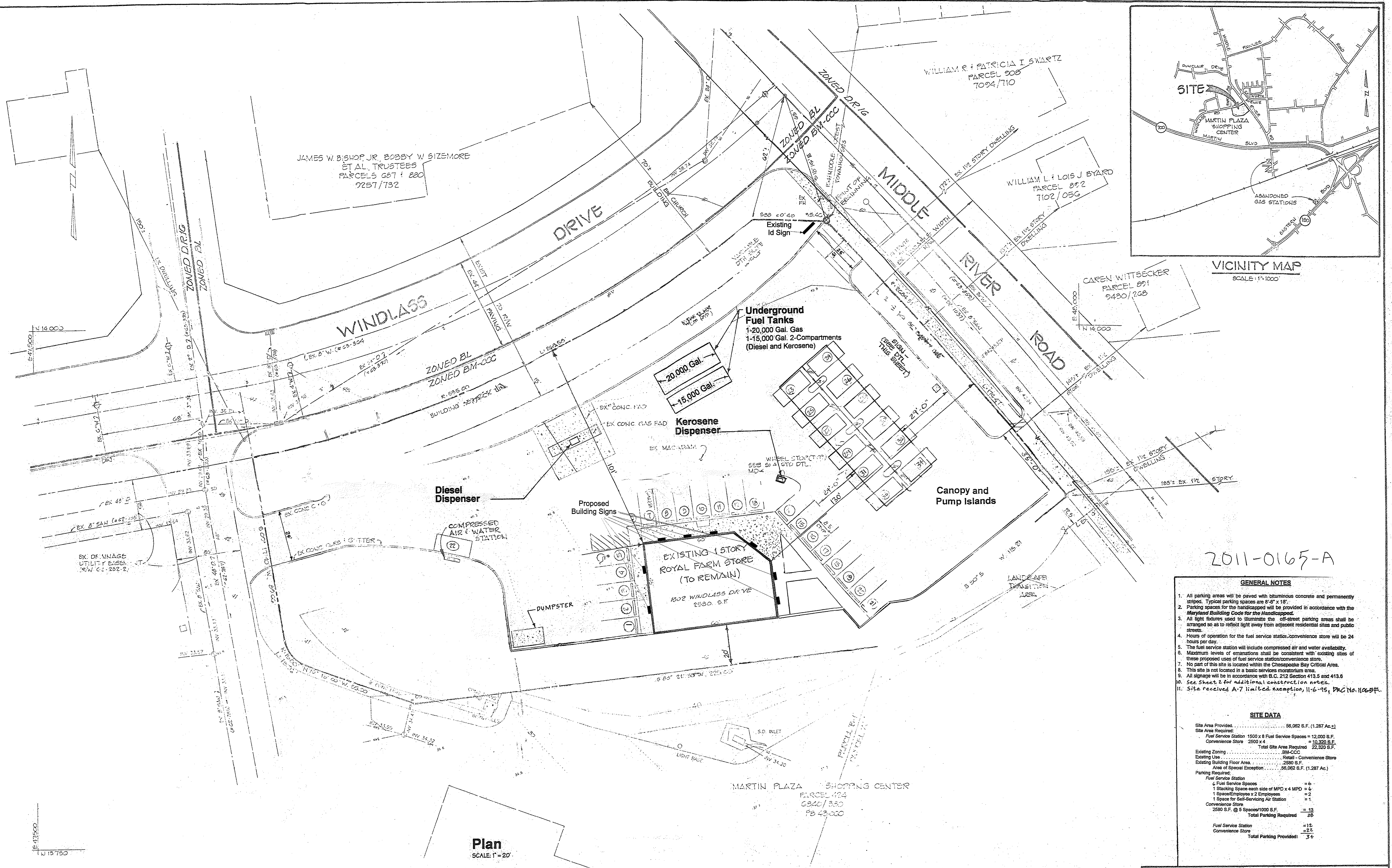


2011-0165-A



Publication Date: October 05, 2010
Publication Agency: Department of Permits & Development Management
Projection/Datum: Maryland State Plane,
FIPS 1900, NAD 1983/91 HARN, US Foot





2011-0165-A

GENERAL NOTES

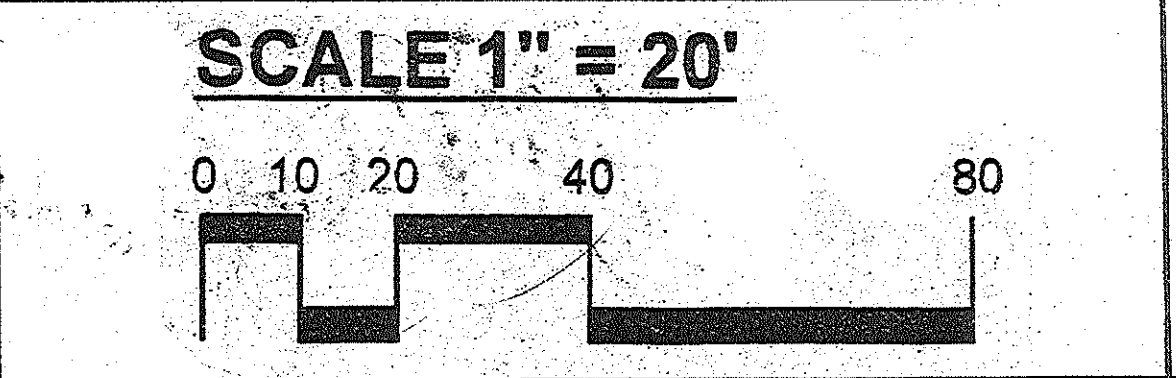
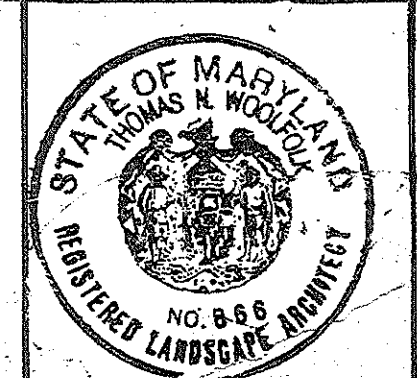
- All parking areas will be paved with bituminous concrete and permanently striped. Typical parking spaces are 8'-6" x 18'.
- Parking spaces for the handicapped will be provided in accordance with the Maryland Building Code for the Handicapped.
- All light fixtures used to illuminate the off-street parking areas shall be arranged so as to reflect light away from adjacent residential sites and public streets.
- Hours of operation for the fuel service station/convenience store will be 24 hours per day.
- The fuel service station will include compressed air and water availability.
- Maximum levels of emanations shall be consistent with existing sites of these proposed uses of fuel service station/convenience store.
- No part of this site is located within the Chesapeake Bay Critical Area.
- This site is not located in a basic services moratorium area.
- All signage will be in accordance with B.C. 212 Section 413.5 and 413.8.
- See Sheet 2 for additional construction notes.
- Site received A-7 limited exemption, 11-6-95, PC No. 11065F.

SITE DATA

Site Area Provided:	56,062 S.F. (1.287 Ac.)
Site Area Required:	
Fuel Service Station 1500 x 8 Fuel Service Spaces = 12,000 S.F.	
Convenience Store 2500 x 4 = 10,320 S.F.	
Total Site Area Required	22,320 S.F.
Existing Zoning	BM-CCC
Existing Use	Retail - Convenience Store
Existing Building Floor Area	2580 S.F.
Area of Special Exception	56,062 S.F. (1.287 Ac.)
Parking Required:	
Fuel Service Station	
4 Fuel Service Spaces	= 6
1 Stacking Space each side of MPD x 4 MPD = 4	
1 Space/Employee x 2 Employees = 2	
1 Space for Self-Servicing Air Station = 1	
Convenience Store	
2580 S.F. @ 5 Spaces/1000 S.F. = 13	
Total Parking Required	26
Fuel Service Station	
Convenience Store	
Total Parking Provided	34

Plan
SCALE: 1" = 20'

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



Owner
Two Farms Inc.
Baltimore, MD 21211
(410) 889-0200

CASE NO. 96-79-XA
SPECIAL EXCEPTION & VARIANCE REQUESTED

- Special exception to permit a fuel service station on an individual site with a use in combination food store with a sales area larger than 1500 S.F. [Section 405.4.E.1 & Section 405.2.B]
- Variance to waive restrooms [Section 405.4.B]

GRANTED WITHOUT CONDITIONS, 10-10-95

REVISED	3-13-96
REVISED	3-4-96
REVISED	2-16-96
REVISED	2-12-96
REVISED	2-2-96
REVISED	12-11-95

Site Plan
ROYAL FARM STORE
1302 Windlass Drive
Baltimore, Maryland 21220

Election District 15
Councilmanic District 5
Scale: 1" = 20'

Tax Map 96 - Parcel 424 C
NOVEMBER 17, 1995
Sheet 1 of 2