

Petition for Special Exception

located at	3602 Milford Mill Road	
which is presently zoned	BL-CCC	
Deed Reference:	/ Tax Account # 1600005279	

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 Exception under the Zoning Regulations of Baltimore County, to use the herein described property for

See Attached Sheet 1

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 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

NO REVIEW

			perjury, that I/we are the legal ov is the subject of this Petition.	vner(s) of the	property which
Contract Purchase	r/Lessee:		Legal Owner(s):		
See Attached S	Sheet 2		See Attached Sheet 3		
Name - Type or Print			Name - Type or Print		*
Signature			Signature		
Address		Telephone No.	Name - Type or Print		
City	State	Zip Code	Signature		
Attorney For Petitie	oner:		Address		Telephone No.
David HAKarces	ski		Address		relephone No.
Name - Type or Print	1		City	State	Zip Code
Signature			Representative to be Cor	ntacted:	
Venable LLP			David H. Karceski		
Company		***	Name		
210 W. Pennsylvani	*		210 W. Pennsylvania Ave	, Suite 500	
Address		Telephone No.	Address	. 40	Telephone No.
Towson	MD	21204	Towson	MD State	Zip Code
City	State	Zip Code	City OFFICE USE		Zip Code
			ESTIMATED LENGTH OF HE	ARING	
Case No. 2012	-0015-XA		UNAVAILABLE FOR HEARIN	'G	
REV 07/27/2007			Reviewed By D.T. DROP-OFF	Date _	1/15/11 _

Petition for Special Exception 3602 Milford Mill Road

Special exception for a fuel service station on an individual site pursuant to Section 405.2.B.1 of the Baltimore County Zoning Regulations.

Petition for Special Exception 3602 Milford Mill Road

Contract Lessee:

GIANT OF MARYLAND LLC, a Maryland limited liability company

By:

James J. Sylvia

Senior Vice President, Real Estate

1385 Hancock Street

Quincy, Massachusetts 02169-5103

617-770-6225

Petition for Special Exception 3602 Milford Mill Road

Legal Owner:

SAUL SUBSIDIARY I LIMITED PARTNERSHIP,

a Maryland limited partnership

JAUL ONS, INC., genulouther

by:

Signature

BRAN SOWNE

Name – Type or Print

7501 Wisconsin Avenue, Suite 1500 Bethesda, MD 20814-6522



NOPE CO	P	etitio	n for	Varianc	e	
****	to the Zoning Com	mission	er of Balti	more County	for the p	roperty
W. W.	located at	3602	Milford Mill Ro	ad		
MARYLAND	which is presently zon	ned	BL-CCC			
	Deed Reference:	/	Tax Acc	count # 160000527	9	
owner(s) of the	hall be filed with the Depart property situate in Baltimore t hereof, hereby petition for a	County and	which is describ	opment Manageme oed in the descriptio	nt. The und n and plat a	dersigned, legal attached hereto
		See Attach	ned Sheet 1			
of the zoning re	egulations of Baltimore County	, to the zonir	ng law of Baltim	ore County, for the	following rea	asons: (indicate
	To be	determined	d at the heari	ng		
Contract Pure See Attached			perjury, the is the subj	olemnly declare and aff at I/we are the legal ow ect of this Petition. wner(s): ched Sheet 3	irm, under the	e penalties of property which
Signature			Signature			
Address	To	elephone No.	Name - Typ	e or Print		
City	State	Zip Code	Signature			•
David H			Address			Telephone No.
Name - Type r Pri			City		State	Zip Code
N			Represe	entative to be Cor	tacted:	
Venable LLP)			H. Karceski		
210 W. Penns		0-494-6285 Telephone No.	210 W.	Pennsylvania Ave.,	Suite 500	410-494-6285 Telephone No.
Towson	MD	21204	Towson	n	MD	21204
City	State	Zip Code	City		State	Zip Code
20	12 MAIE -VA		Office Line	2nkt		
Case No	12-0015-XA	ε	stimated Length of H	earing		
REV 8/20/07				Date of POPP	1 15 11 -	

Petition for Variance 3602 Milford Mill Road

- 1. Variance from Section 409.6.A.2 of the Baltimore County Zoning Regulations ("BCZR") to permit a total of 250 off-street parking spaces in lieu of the required 325 parking spaces.
- 2. Variance from BCZR Section 405.4.A.2.b to allow a minimum landscape transition area width of 0 feet in the side yard (Side 'D') and rear yard (Side 'C') abutting non-residentially zoned land in lieu of the required 6 feet.
- 3. Variance from BCZR Section 450.4 Attachment 1.3 to allow a freestanding directional sign with a sign face area of 9.4 square feet in lieu of the permitted 8 square feet, with a company name and logo of 45% of the total sign face area in lieu of the permitted 30%, and a height of 12 feet in lieu of the permitted 6 feet.

Petition for Variance 3602 Milford Mill Road

Contract Lessee:

GIANT OF MARYLAND LLC, a Maryland limited liability company

By:

James J. Sylvia

Senior Vice President, Real Estate

1385 Hangock Street

Quincy, Massachusetts 02169-5103

617-770-6225

Petition for Variance 3602 Milford Mill Road

Legal Owner:

SAUL SUBSIDIARY I LIMITED PARTNERSHIP,

a Maryland limited partnership by SAVL QUES, The general judger

Signature Sunse

Bugs DOWNE

Name - Type or Print

7501 Wisconsin Avenue, Suite 1500 Bethesda, MD 20814-6522



Johnson • Bernat • Associates, Inc.

LEGAL DESCRIPTION **OF GIANT FOOD STORE #352** 3600 MILFORD MILL ROAD ON THE PROPERTY OF SAUL SUBSIDIARY 1 DISTRICT 02 **BALTIMORE COUNTY BALTIMORE, MARYLAND**

BEGINNING for the same at a corner common to Saul Subsidiary 1 as recorded in Liber 10683 at page 377 and Hae Young Han as recorded in Liber 10586 at page 183, said corner being in the westerly line of Milford Mill Road, recorded as R/W Plat No.25138, all among the land records of Baltimore County, Maryland; thence departing the common corner and running with the westerly line Milford Mill Road

- 1. along the arc of a curve to the right having a radius of 670.00 feet, a central angle of 09° 15′ 51″, a tangent length of 54.28 feet, a chord direction and distance of South 23° 00' 59" West 108.22 feet. a distance of 108.33 feet to a point of tangency; thence continuing with the westerly line of Milford Mill Road for the next three (3) courses and distances
- 2. South 30° 10' 54" West 203.53 feet to a point; thence
- 3. South 27° 38' 50" West 188.82 feet to a point; thence
- 4. South 73° 51' 40" West 57.70 feet to a point in the northerly line of Liberty Road, MD Route 140 (R/W Plat No. 25138); thence with the northerly line of Liberty Road
- 5. North 65° 42' 24" West 265.19 feet to a corner common to Lot 3, Merkle Property as recorded in Plat Book 72 at page 61 and the land herein described; thence departing the line of Liberty Road and running with the lines common Lots 3 and 1, Merkle Property, Lots 187 through 193, Kershaw Road and Lots 182 through 186, Revised Plat 2 Lagathia, as recorded in Plat Book 10 at page 82, and the Land herein described
- 6. North 17° 57' 47" East 683.49 feet to corner in the southerly line of The Chimes, Inc. common to Lots 182 through 186 and the Land herein described; thence departing the common corner and running with the line common to The Chimes, Inc.,
- 7. South 46° 40' 49" East 437.91 feet to the Point of Beginning, containing 218297 square feet or 5.01141 acres of land.

Johnson • Bernat • Associates, Inc.

Adam S. Bernat, L.S.

S:\Proj\10-085 - Giant millford road\LEGAL DESCRIPTION\GIANT.doc

Engineering • Surveying • Planning



Johnson • Bernat • Associates, Inc.

LEGAL DESCRIPTION OF PROPOSED GIANT FUEL FACILITY 352 GIANT STORE #352 3602 MILFORD MILL ROAD ON A PORTION OF THE PROPERTY OF SAUL SUBSIDIARY 1 DISTRICT 02 BALTIMORE COUNTY BALTIMORE, MARYLAND

BEGINNING for the same at a corner common to Saul Subsidiary 1 as recorded in Liber 10683 at page 377 and Lost 182-186 of the revised Plat 2, Lagathia as recorded in Plat Book 10 at page 82, said corner being in the southerly line of The Chimes, Inc. as recorded in Liber 7092 at page 232, all among the land records of Baltimore County, Maryland; thence departing the common corner and running with the line common to Saul Subsidiary 1 and The Chimes, Inc.

- 1. South 46° 40' 49" East 195.00 feet to a point; thence departing the line of The Chimes, Inc. and running through and across the northwest corner of the land of Saul Subsidiary 1 the following six (6) courses and distances
- 2. South 42° 41' 12" West 72.40 feet to a point; thence
- 3. South 47° 18' 58" East 8.50 feet to a point; thence
- 4. South 42° 41' 02" West 85.64 feet to a point; thence
- 5. North 72° 14' 43" West 47.34 feet to a point; thence
- 6. North 17° 45' 17" East 8.92 feet to a point; thence
- 7. North 72° 02' 13" West 70.47 feet to a point in the line common to Lots 187-193 of the aforementioned revised Plat 2, Lagathia and the land herein described; thence with the common line
- 8. North 17° 57' 47" East 221.87 feet to the Point of Beginning, containing 28,430 square feet or 0.65266 acres of land.

Johnson • Bernat • Associates, Inc.

Adam S. Bernat, L.S.

Date:



S:\Proj\10-085 - Giant millford road\LEGAL DESCRIPTION\Fuel Pump.doc

Engineering • Surveying • Planning

BALTIMORE COUNTY, MARYLAND

04/07/11

Date 04/06/2011

Invoice F040611

Invoice Amount

835.00

K. WHITMORE 46849.293550 FILING FEES - PETITIONS

Amount Paid 835.00

VENABLE LLP • 750 E. Pratt Street Suite 900 • Baltimore, Maryland 21202

BALTIMORE COUNTY, MARYLAND

04/07/11

F 359855

Date 04/06/2011

Invoice F040611

Invoice Amount 835.00

Amount Paid 835.00

K. WHITMORE 46849.293550 FILING FEES - PETITIONS

STOP & SHOP / MICTORD

TO: PATUXENT PUBLISHING COMPANY

Thursday, October 27, 2011 Issue - Jeffersonian

Please forward billing to:

Kedrick Whitmore Venable, LLP 210 W. Pennsylvania Avenue, Ste. 500 Towson, MD 21204 410-494-6204

NOTICE OF ZONING HEARING

The Administrative Law Judges 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: 2012-0015-XA

3602 Milford Mill Road

W/side of Milford Mill Road, 40 feet north of centerline of Liberty Road

2nd Election District – 4th Councilmanic District Legal Owners: Saul Subsidiary I Ltd Partnership

Contract Purchaser: Giant of MD, LLC

<u>Special Exception</u> for a fuel service station on an individual site pursuant to Section 405.2.B.1 of the BCZR. <u>Variance</u> to permit a total of 250 off-street parking spaces in lieu of the required 325 parking spaces; to allow a minimum landscape transition area width of 0 feet in the side yard (Side "D") and rear side yard (Side "C") abutting non-residentially zoned land in lieu of the required 6 feet. To allow a freestanding directional sign with a sign face area of 9.4 square feet in lieu of the permitted 8 square feet, with a company name and logo of 45% of the total sign face area in lieu of the permitted 30% and a height of 12 feet in lieu of the permitted 6 feet.

Hearing: Monday, November 14, 2011 at 10:00 a.m. in Room 205, Jefferson Building, 105 West Chesapeake Avenue, Towson 21204

Arnold Jablon

Director of Permits, Approvals and Inspections for Baltimore County

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ADMINISTRATIVE HEARINGS OFFICE AT 410-887-3868.

(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.



KEVIN KAMENETZ
County Executive

ARNOLD JABLON
Deputy Administrative Officer
Director, Department of Permits,
Approvals & Inspections

October 7, 2011

NEW NOTICE OF ZONING HEARING

The Administrative Law Judges 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: 2012-0015-XA

3602 Milford Mill Road

W/side of Milford Mill Road, 40 feet north of centerline of Liberty Road

2nd Election District – 4th Councilmanic District Legal Owners: Saul Subsidiary I Ltd Partnership

Contract Purchaser: Giant of MD, LLC

<u>Special Exception</u> for a fuel service station on an individual site pursuant to Section 405.2.B.1 of the BCZR. <u>Variance</u> to permit a total of 250 off-street parking spaces in lieu of the required 325 parking spaces; to allow a minimum landscape transition area width of 0 feet in the side yard (Side "D") and rear side yard (Side "C") abutting non-residentially zoned land in lieu of the required 6 feet. To allow a freestanding directional sign with a sign face area of 9.4 square feet in lieu of the permitted 8 square feet, with a company name and logo of 45% of the total sign face area in lieu of the permitted 30% and a height of 12 feet in lieu of the permitted 6 feet.

Hearing: Monday, November 14, 2011 at 10:00 a.m. in Room 205, Jefferson Building, 105 West Chesapeake Avenue, Towson 21204

Arnolo Jablo Director

AJ:kl

C: David Karceski, 210 W. Pennsylvania Avenue, Ste. 500, Towson 21204
James Sylvia, Giant of MD, LLC, 1385 Hancock Street, Quincy MA 02169
Brian Downie, Saul Sudsidiary I, 7501 Wisconsin Ave., Ste. 1500, Bethesda 20814

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY SATURDAY, OCTOBER 29, 2011.

- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ADMINISTRATIVE HEARINGS OFFICE AT 410-887-3868.
- (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICEZATING 1887 C308/10/ffice Building

TO: PATUXENT PUBLISHING COMPANY

Tuesday, August 16, 2011 Issue - Jeffersonian

Please forward billing to:

Kedrick Whitmore
Venable, LLP

210 W. Pennsylvania Avenue, Ste. 500

Towson, MD 21204

410-494-6204

NOTICE OF ZONING HEARING

The Administrative Law Judges 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: 2012-0015-XA

3602 Milford Mill Road

W/side of Milford Mill Road, 40 feet north of centerline of Liberty Road

2nd Election District – 4th Councilmanic District

Legal Owners: Saul Subsidiary I Ltd Partnership

Contract Purchaser: Giant of MD, LLC

Special Exception for a fuel service station on an individual site pursuant to Section 405.2.B.1 of the BCZR. Variance to permit a total of 250 off-street parking spaces in lieu of the required 325 parking spaces; to allow a minimum landscape transition area width of 0 feet in the side yard (Side "D") and rear side yard (Side "C") abutting non-residentially zoned land in lieu of the required 6 feet. To allow a freestanding directional sign face area of 9.4 square feet in lieu of the permitted 8 square feet, with a company name and logo of 45% of the total sign face area in lieu of the permitted 30% and a height of 12 feet in lieu of the permitted 6 feet.

Hearing: Thursday, September 1, 2011 at 10:00 a.m. in Room 205, Jefferson Building, 105 West Chesapeake Avenue, Towson 21204

Arnold Jablon

Director of Permits, Approvals and Inspections for Baltimore County

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ADMINISTRATIVE HEARINGS OFFICE AT 410-887-3868.

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TO: PATUXENT PUBLISHING COMPANY

Tuesday, August 16, 2011 Issue - Jeffersonian

Please forward billing to:

Kedrick Whitmore

Venable, LLP

210 W. Pennsylvania Avenue, Ste. 500

Towson, MD 21204

410-494-6204

CORRECTED NOTICE OF ZONING HEARING

The Administrative Law Judges 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: 2012-0015-XA

3602 Milford Mill Road

W/side of Milford Mill Road, 40 feet north of centerline of Liberty Road

2nd Election District – 4th Councilmanic District

Legal Owners: Saul Subsidiary I Ltd Partnership

Contract Purchaser: Giant of MD, LLC

<u>Special Exception</u> for a fuel service station on an individual site pursuant to Section 405.2.B.1 of the BCZR. <u>Variance</u> to permit a total of 250 off-street parking spaces in lieu of the required 325 parking spaces; to allow a minimum landscape transition area width of 0 feet in the side yard (Side "D") and rear side yard (Side "C") abutting non-residentially zoned land in lieu of the required 6 feet. To allow a freestanding directional sign with a sign face area of 9.4 square feet in lieu of the permitted 8 square feet, with a company name and logo of 45% of the total sign face area in lieu of the permitted 30% and a height of 12 feet in lieu of the permitted 6 feet.

Hearing: Thursday, September 1, 2011 at 10:00 a.m. in Room 205, Jefferson Building, 105 West Chesapeake Avenue, Towson 21204

Arnold Jablon

Director of Permits, Approvals and Inspections for Baltimore County

- NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ADMINISTRATIVE HEARINGS OFFICE AT 410-887-3868.
 - (2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.



KEVIN KAMENETZ County Executive

ARNOLD JABLON
Deputy Administrative Officer
Director, Department of Permits,
Approvals & Inspections

August 4, 2011

NOTICE OF ZONING HEARING

The Administrative Law Judges 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: 2012-0015-XA

3602 Milford Mill Road

W/side of Milford Mill Road, 40 feet north of centerline of Liberty Road

2nd Election District – 4th Councilmanic District Legal Owners: Saul Subsidiary I Ltd Partnership

Contract Purchaser: Giant of MD, LLC

<u>Special Exception</u> for a fuel service station on an individual site pursuant to Section 405.2.B.1 of the BCZR. <u>Variance</u> to permit a total of 250 off-street parking spaces in lieu of the required 325 parking spaces; to allow a minimum landscape transition area width of 0 feet in the side yard (Side "D") and rear side yard (Side "C") abutting non-residentially zoned land in lieu of the required 6 feet. To allow a freestanding directional sign face area of 9.4 square feet in lieu of the permitted 8 square feet, with a company name and logo of 45% of the total sign face area in lieu of the permitted 30% and a height of 12 feet in lieu of the permitted 6 feet.

Hearing: Thursday, September 1, 2011 at 10:00 a.m. in Room 205, Jefferson Building, 105 West Chesapeake Avenue, Towson 21204

with a sign

Arnold Jablo Director

AJ:kl

C: David Karceski, 210 W. Pennsylvania Avenue, Ste. 500, Towson 21204
James Sylvia, Giant of MD, LLC, 1385 Hancock Street, Quincy MA 02169
Brian Downie, Saul Sudsidiary I, 7501 Wisconsin Ave., Ste. 1500, Bethesda 20814

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY WEDNESDAY, AUGUST 17, 2011.

- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ADMINISTRATIVE HEARINGS OFFICE AT 410-887-3868.
- (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 419-887-3390 ffice Building



KEVIN KAMENETZ County Executive

ARNOLD JABLON
Deputy Administrative Officer
Director, Department of Permits,
Approvals & Inspections

August 8, 2011

CORRECTED NOTICE OF ZONING HEARING

The Administrative Law Judges 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: 2012-0015-XA

3602 Milford Mill Road

W/side of Milford Mill Road, 40 feet north of centerline of Liberty Road

2nd Election District – 4th Councilmanic District

Legal Owners: Saul Subsidiary I Ltd Partnership Contract Purchaser: Giant of MD, LLC

Special Exception for a fuel service station on an individual site pursuant to Section 405.2.B.1 of the BCZR. Variance to permit a total of 250 off-street parking spaces in lieu of the required 325 parking spaces; to allow a minimum landscape transition area width of 0 feet in the side yard (Side "D") and rear side yard (Side "C") abutting non-residentially zoned land in lieu of the required 6 feet. To allow a freestanding directional sign with a sign face area of 9.4 square feet in lieu of the permitted 8 square feet, with a company name and logo of 45% of the total sign face area in lieu of the permitted 30% and a height of 12 feet in lieu of the permitted 6 feet.

Hearing: Thursday, September 1, 2011 at 10:00 a.m. in Room 205, Jefferson Building, 105 West Chesapeake Avenue, Towson 21204

Arnold Jabler Director

AJ:kl

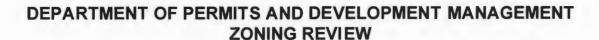
C: David Karceski, 210 W. Pennsylvania Avenue, Ste. 500, Towson 21204 James Sylvia, Giant of MD, LLC, 1385 Hancock Street, Quincy MA 02169 Brian Downie, Saul Sudsidiary I, 7501 Wisconsin Ave., Ste. 1500, Bethesda 20814

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY WEDNESDAY, AUGUST 17, 2011.

(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ADMINISTRATIVE HEARINGS OFFICE AT 410-887-3868.

(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410.887.3390 ffice Building

111 West Chesapeake Avenue, Room 111 | Towson, Maryland 21204 | Phone 410-887-3391 | Fax 410-887-3048 www.baltimorecountymd.gov



ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The <u>Baltimore County Zoning Regulations</u> (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:
Petitioner:
Address or Location: 3602 MILFORD MILL RD.
PLEASE FORWARD ADVERTISING BILL TO: Name: Kednick Whitmose Address: 210 W. Pennsylvania Ave. Towson, MD 21204
Telephone Number: 410-494-6204



KEVIN KAMENETZ County Executive

ARNOLD JABLON
Deputy Administrative Officer
Director, Department of Permits,
Approvals & Inspections

August 19 2011

Saul Subsidiary I Brian Downie 7501 Wisconsin Avenue, Suite 1500 Bethesda, MD 20814

RE: Case Number 2012-0015-XA, 3602 Milford Mill Road

Dear Mr. Downie,

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on July 15, 2011. 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:mcn

Enclosures

c: People's Counsel James Sylvia, Giant of MD< LLC, 1385 Hancock Street, Quincy, MA 02169 David Karceski, 210 W. Pennsylvania Avenue, Suite 500, Towson, MD 21204

9/1 10 am 265

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO:

Arnold Jablon

DATE: August 8, 2011

RECEIVED

AUG 09 2011

OFFICE OF ADMINISTRATIVE HEARINGS

Deputy Administraive Officer and

Director of Permits, Approvals and Inspections

FROM:

Andrea Van Arsdale

Director, Office of Planning

SUBJECT:

3602 Milford Mill Road

INFORMATION:

3602 Millord Mill Road

Item Number:

12-015

Petitioner:

Giant of Maryland LLC

Zoning:

BL-CCC

Requested Action:

Variance

SUMMARY OF RECOMMENDATIONS:

The Office of Planning has reviewed the petitioner's request and accompanying site plan. The subject property is located in a Master Plan designated Commercial Revitalization district. The site is bordered by existing commercial uses including a car wash. The existing bank on the subject property will be razed to accommodate the proposed fuel service area. Upgrades to signage and existing facades for the shopping center should be considered; a sign package and architectural elevations will be required if such an upgrade is planned. The Office of Planning supports the petitioner's request however; the following comment should be made a condition of any relief granted by the Administrative Law Judge:

Provide a landscape plan for review and approval that enhances the existing landscaping along the Milford Mill and Liberty Road frontage of the shopping center.

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

Prepared by:

Division Chief:

JM/LL: CM

BALTIMORE COUNTY, MARYLAND

RECEIVED

Inter-Office Correspondence

JUL 29 2011



OFFICE OF ADMINISTRATIVE HEARINGS

TO:

Lawrence M. Stahl; Managing Administrative Law Judge

Office of Administrative Hearings

FROM:

David Lykens, Department of Environmental Protection and Sustainability

(DEPS) - Development Coordination

DATE:

July 29, 2011

SUBJECT:

DEPS Comment for Zoning Item

12-015-XA

Address

3602 Milford Mill Road

(Saul Subsidiary I Limited Partnership)

Zoning Advisory Committee Meeting of July 25, 2011.

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

Reviewer: Jeff Livingston; Development Coordination

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

DATE: July 27, 2011

Department of Permits, Approvals

And Inspections

FROM:

Dennis A. Kennedy, Supervisor Bureau of Development Plans

Review

SUBJECT:

Zoning Advisory Committee Meeting

For August 08, 2011

Item Nos. 2012-011, 012, 014, 015,016,017

And 019

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

DAK:CEN

cc: File

G:\DevPlanRev\ZAC -No Comments\ZAC-08082011 -NO COMMENTS.doc



KEVIN KAMENETZ County Executive

JOHN J. HOHMAN, Chief Fire Department

July 21,2011

County Office Building, Room 111 111 West Chesapeake Avenue Towson, Maryland 21204

ATTENTION: Zoning Review

Distribution Meeting of: July 25, 2011

Item No.:

Special Hearing: 2012-0013-SPHA

Special Exception: 2012-0014-SPHXA, 2012-0015-XA

Variance: 2012-0015-XA

Comments:

The proposed building shall be designed and constructed so as to meet the applicable provisions of the Baltimore County Fire Prevention Code; Bill # 48-10.

Don W. Muddiman, Inspector Baltimore County Fire Marshal's Office 700 E. Joppa Road, 3RD Floor Towson, Maryland 21286 Office: 410-887-4880

dmuddiman@baltimorecountymd.gov

cc: File



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

Beverley K. Swaim-Staley, Secretary Darrell B. Mobley, Acting Administrator

MARYLAND DEPARTMENT OF TRANSPORTATION

Date: 7-27-//

Ms. Kristen Matthews, Baltimore County Department of Permits, Approvals & Inspections County Office Building, Room 109 Towson, Maryland 21204

RE: **Baltimore County**

Item No. 2012-0015-XA Variance Special Exception Soul Subsidiary I Limited 3602 Milford Mill Partnership MD 26

Dear Ms. Matthews:

We have reviewed the site plan to accompany petition for variance on the subject of the above captioned, which was received on 7-27-11. A field inspection and internal review reveals that an entrance onto MD 26 consistent with current State Highway Administration guidelines is not required. Therefore, SHA has no objection to approval for Vanance Special Exception Case Number 2012-0015-KA.

Should you have any questions regarding this matter feel free to contact Richard Zeller at 410-545-5598 or 1-800-876-4742 extension 5598. Also, you may email him at (rzeller@sha.state.md.us). Thank you for your attention.

Sincerely,

Access Management Division

SDF/rz

RE: PETITION FOR SPECIAL EXCEPTION
AND VARIANCE
3602 Milford Mill Road; W/S Milford Mill
Road, 40' N of c/line Liberty Road
2nd Election & 4th Councilmanic Districts
Legal Owner(s): Saul Subsidiary I Limited
Petitioner(s)

RECEIVED

JUL 25 x011

- BEFORE THE
- * ADMINSTRATIVE LAW
- * JUDGE FOR
- * BALTIMORE COUNTY
- * 2012-015-XA

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 Zummerman

PETER MAX ZIMMERMAN

People's Counsel for Baltimore County

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 25th day of July, 2011, 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 Zummerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

David H. Karceski

dhkarceski@venable.com

T 410.494.6285 F 410.821.0147

September 16, 2011

HAND-DELIVERED

Arnold Jablon, Director
Department of Permits, Approvals and Inspections
County Office Building
111 West Chesapeake Avenue, Room 105
Towson, MD 21204

Re: 3602 Milford Mill Road

Case No. 2012-0015-XA

Dear Mr. Jablon:

Our client, Giant of MD LLC, contract lessee of the above-referenced property, has requested that the hearing in Case No. 2012-0015-XA scheduled for September 1, 2011, be postponed to sometime in November of 2011. By way of this letter, I am respectfully requesting that the Department of Permits, Approvals and Inspections postpone the hearing to a date in November.

I appreciate your consideration of this request.

Very truly yours,

David H. Karceski

cc: Kristen Lewis



October 12, 2011

David H. Karceski

T 410.494.6285 F 410.821.0147 dhkarceski@venable.com

HAND-DELIVERED

Arnold Jablon, Director Department of Permits, Approvals and Inspections County Office Building 111 West Chesapeake Avenue, Room 105 Towson, MD 21204

Re: 3602 Milford Mill Road

Case No. 2012-0015-XA

Dear Mr. Jablon:

By way of this letter, our client Giant of MD LLC, contract lessee of the above-referenced property, is requesting that the hearing in Case No. 2012-0015-XA scheduled for November 14, 2011, be postponed.

I appreciate your consideration of this request.

Very truly yours,

David H. Karceski

cc: Kristen Lewis

Debra Wiley - 2012-0015-XA

From:

Debra Wiley

To:

Lewis, Kristen

Date:

8/26/2011 9:46 AM

Subject: 2012-0015-XA

CC:

Zook, Patricia

Hi Kristen,

In reviewing the above-referenced file, there was no newspaper advertisement or sign posting. I contacted Ked Whitmore with Venable and he indicated that a postponement was requested by way of letter dated August 16th (although dated letter inadvertently reflected September).

In any event since we don't have the September calendar, I will place this file in the pick-up box to be rescheduled.

Also since Thursday is September, when can we anticipate getting a "partial" calendar. Thanks.

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

Debra Wiley - Postponement Letter

From:

"Whitmore, Kedrick N." <KNWhitmore@Venable.com>

To:

'Debra Wiley' <dwiley@baltimorecountymd.gov>

Date: Subject:

8/26/2011 9:33 AM Postponement Letter

Attachments: STOP & SHOP POSTPNEMENT LETTER.pdf

As discussed. The date on the letter reads September, but it should be August. Sorry for the confusion, let me know if you need anything else, thanks.

Kedrick N. Whitmore, Esq. | Venable LLP t 410.494.6204 | f 410.821.0147 | m 703.598.7266 210 W. Pennsylvania Avenue, Suite 500, Towson, MD 21204

KNWhitmore@Venable.com | www.Venable.com

U.S. Treasury Circular 230 Notice: Any tax advice contained in this communication (including any attachments) was not intended or written to be used, and cannot be used, for the purpose of (a) avoiding penalties that may be imposed under the Internal Revenue

Code or by any other applicable tax authority; or (b) promoting, marketing or recommending to another party any tax-related matter addressed herein. We provide this disclosure on all outbound e-mails to assure compliance with new standards of professional practice, pursuant to which certain tax advice must satisfy requirements as to form and substance.

This electronic mail transmission may contain confidential or privileged information. If you believe you have received this message in error, please notify the sender by reply transmission and delete the message without copying or disclosing it.

Debra Wiley - ZAC Comments

From:

Debra Wiley

To:

Kennedy, Dennis; Lanham, Lynn; Livingston, Jeffrey; Lykens, David; M...

Date:

7/27/2011 12:50 PM

Subject: ZAC Comments

Good Afternoon,

Please see the cases listed below and the hearing date, if assigned. If you wish to submit a ZAC comment, please be advised that you must do so before the hearing date. If it's not received by the hearing date, it will not be considered in our decision. Also, please disregard if you've submitted comments.

Thanks.

2012-0011-A - Administrative Variance - 6601 Parsons Ave.

2012-0012-A - 323 Murdock Rd.

2012-0013-SPHA - 3814 Bay Drive [Critical Area & Flood Plain]

2012-0014-SPHXA - 9646 9620 Belair Rd.

2012-0015-XA - 3602 Milford Mill Rd.

2012-0016-A - Administrative Variance - 418 Bloomsbury Ave.

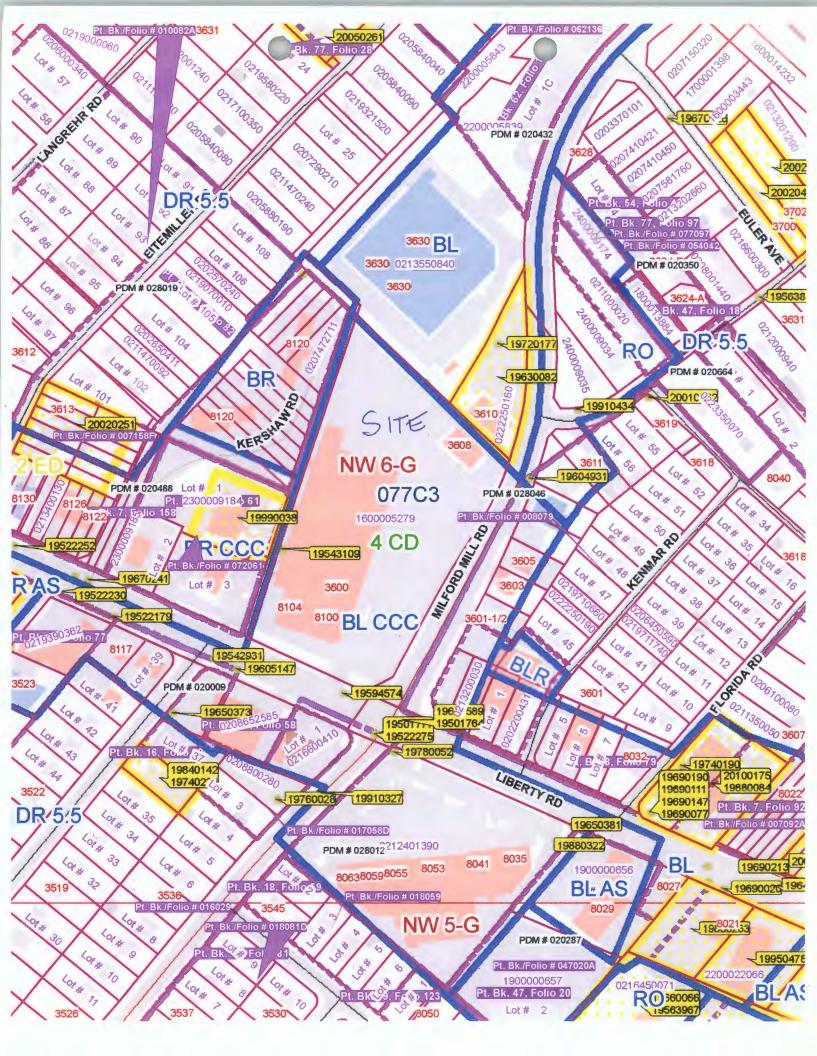
2012-0017-A - Administrative Variance - 8609 Willow Run Rd.

2012-0018-SPH - 212 N. Rolling Rd. [Flood Plain Area]

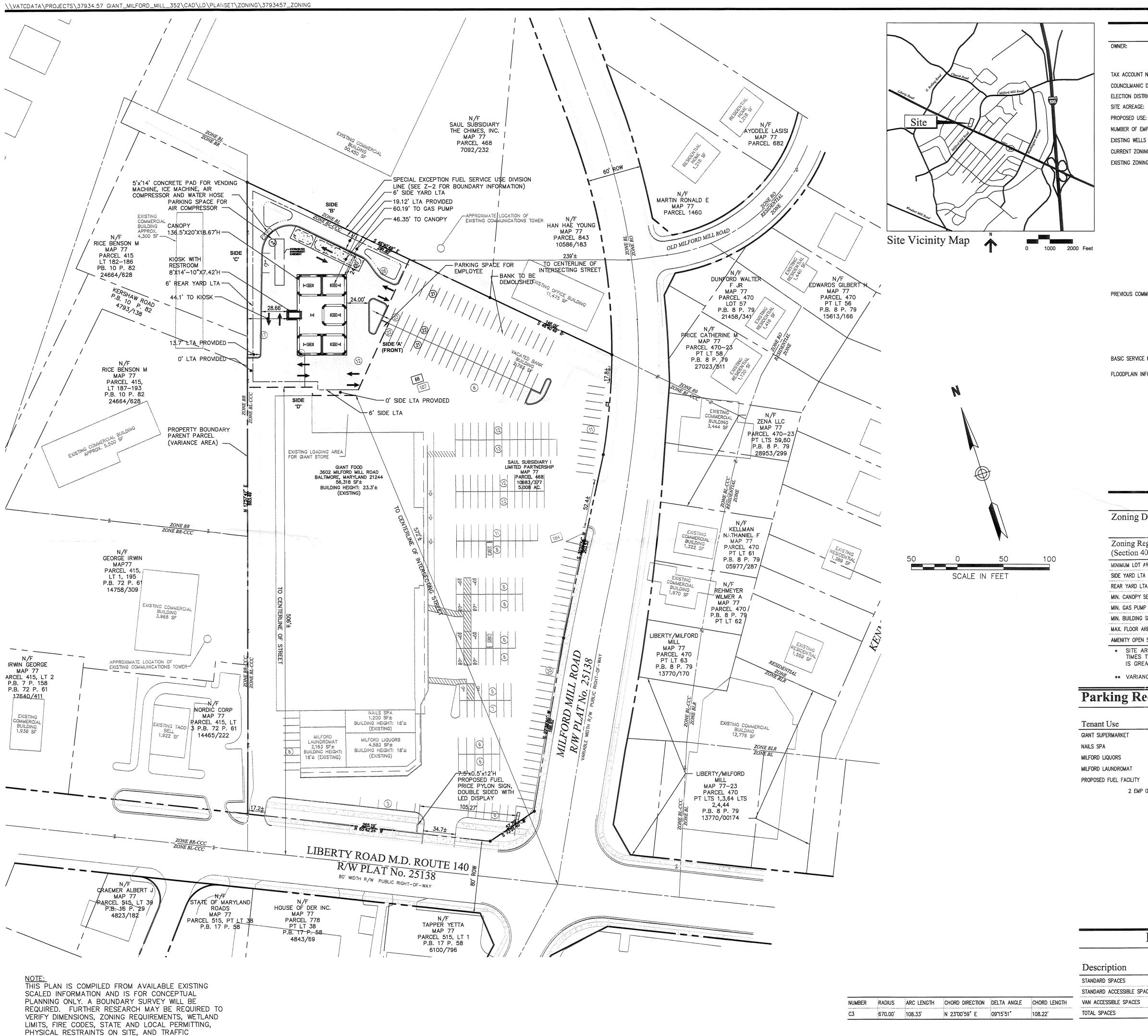
2012-0019-A - Administrative Variance - 4703 Rossford Circle

Please note that no hearing dates have been assigned per the database as of today. Thanks.

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



CIRCULATION.



Site Summary

SAUL SUBSIDIARY I LIMITED PARTNERSHIP 7501 WISCONSIN AVENUE SUITE 1500 BETHESDA, MD 20814-6522 TAX ACCOUNT NUMBER:

16-00-005279 (TAX MAP 77, GRID 23, PARCEL 468) COUNCILMANIC DISTRICT: ELECTION DISTRICT: 4.90 AC / 213,444 SF

PROPOSED USE: 5 PUMP FUEL FACILITY NUMBER OF EMPLOYEES: 1 PER SHIFT EXISTING WELLS OR SEPTIC SYSTEMS: TBD

CURRENT ZONING: BUSINESS LOCAL - COMMERCIAL, COMMUNITY CORE (BL-CCC) EXISTING ZONING CASES: CASE NO. 1764
PETITION FOR ZONING RE-CLASSIFICATION TO USE PROPERTY
FOR COMMERCIAL PURPOSES. ZONING CLASSIFICATION FROM

"A" TO "E." GRANTED 8-24-50. CASE NO. 3109
PETITION FOR ZONING RE-CLASSIFICATION TO PERMIT STORES AND PARKING AREA. ZONING CLASSIFICATION FROM "A" TO

"E." DENIED 10-20-54. GRANTED 3-17-55. CASE NO. 4574-V
PETITION FOR VARIANCE TO THE ZONING REGULATIONS TO PERMIT A SIGN OF 320 SF INSTEAD OF THE ALLOWABLE SIGN OF 100 SF. DENIED 2-17-59.

CASE NO. 5589-V
PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS TO PERMIT A 171 SF SIGN INSTEAD OF THE ALLOWED 150 SF SIGN. GRANTED 7-6-62.

PREVIOUS COMMERCIAL PERMITS: B015236 C-817-89 B066028 C-1401-90 B161170 C-614-93 B244646 C-B464430 C-B466288 C-B470390 C-B472751 C-

BASIC SERVICE MAPS: FLOODPLAIN INFORMATION: B701547 COC-B708531 C-THE PROJECT IS NOT LOCATED WITHIN A DEFICIENT AREA BASED ON THE BASIC SERVICE MAPS THIS PROJECT IS LOCATED WITHIN ZONE X, AREAS OF MINIMAL OR NO FLOODING PER FEMA FLOOD INSURANCE RATE MAP 2400100360F

Owner:

Vanasse Hangen Brustlin, Inc.

Transportation

Land Development

Environmental Services

Vienna, Virginia 22182

8300 Boone Boulevard, Suite 700

703.847.3071 • FAX 703.847.0298

Saul Subsidiary I Limited Partnership 7501 Wisconsin Avenue Suite 1500 Bethesda, MD 20814-6522

Applicant/Contract Lessee: Marc A. Marrocco c/o The Stop and Shop Supermarket Co. 1385 Hancock Street, 10th floor Quincy, MA 02169

Existing Conditions Notes:

- 1. INFORMATION CONTAINED HEREON IS BASED ON FIELD-RUN SURVEYS CONDUCTED DURING THE MONTH OF JANUARY, 2011. COORDINATE VALUES ARE BASED ON MARYLAND STATE PLANE NAD 83/96.
- 2. THIS SURVEY WAS CONDUCTED WITHOUT THE BENEFIT OF A TITLE REPORT. THE PROPERTY IS SUBJECT TO ANY AND ALL EASEMENTS, RIGHTS-OF-WAY AND COVENANTS OF
- 3. UNLESS OTHERWISE NOTED, CURB SHOOTS WHERE TAKEN AT THE FLOW LINE. CURB IS 6" TYPICAL; COMPOSED OF

Zoning District(S):	Business Local (BL-CCC) Fuel Service Stations (Section 405)				
Zoning Regulation Requirements (Section 495)	Required	Provided			
MINIMUM LOT AREA	15000 SF*	28,514 SF			
SIDE YARD LTA	6 FT	0 TO 19 FT**			
REAR YARD LTA	6 FT	0 TO 13 FT**			
MIN. CANOPY SETBACK	15 FT	46±			
MIN. GAS PUMP SETBACK	15 FT	60±			
MIN. BUILDING SETBACK	35 FT	44±			
MAX. FLOOR AREA RATIO	4.0	0.3±			
AMENITY OPEN SPACE RATIO	0.2	.26 (SPEX) / .07 (SITE)			

IS GREATER. $(1,500 \times 5 = 7,500 \text{ SF})$ ** VARIANCE IS REQUESTED (SIDE 'C' AND SIDE 'D' ONLY)

Parking Requirements Tabulation (Proposed)

Tenant Use	GFA (SF)		Parking	Gene	eration		Required Spaces
GIANT SUPERMARKET	56,318 SF	X	5 SPACES	/	1,000	=	282 SPACES
NAILS SPA	1,200 SF	x	5 SPACES	/	1,000	=	6 SPACES
MILFORD LIQUORS	4,582 SF	x	5 SPACES	/	1,000	=	23 SPACES
MILFORD LAUNDROMAT	2,163 SF	x	5 SPACES	/	1,000	=	11 SPACES
PROPOSED FUEL FACILITY	1 AIR COMP.	x	1 SPACES	/	1 AC	=	1 SPACES
2 EMP C	N LARGEST SHIFT	x	1 SPACES	/	1 EMP	=	2 SPACES
			TOTAL I	PARKIN	ig required	=	325 SPACES

No.		Revision		Date	Appv
Design	ed by CDS	Drawn by	JM/TS	Checked by	DS
CAD c	hecked by TS		Approved	by CDS	
Scale	1"=50'		Date Ap	oril 6, 2011	
Projec	t Title				
Dr	010000	1 Cia	nnt		

Proposed Giant Fuel Facility #352 Giant Store #352 3602 Milford Mill Road Baltimore, Baltimore County, Maryland

County Review

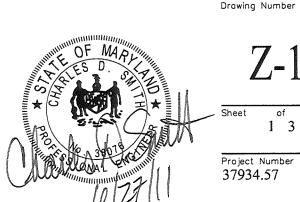
Not Approved for Construction
Drawing Title

Plan to Accompany Petition for Special Exception and Variance

Parking	Summa	ry	Chart	•
	Size		Si	กล

	Si	ze	Spaces			
Description	Required	Provided	Existing	Required	Provided**	
STANDARD SPACES	8.5'X18'	8.5'X18'	278	317	239	
STANDARD ACCESSIBLE SPACES *	8 x 18	8 x 18		7	1	
VAN ACCESSIBLE SPACES	8 x 18	8 x 18	12	1	10	
TOTAL SPACES		The second section of the sect	291	325	250	

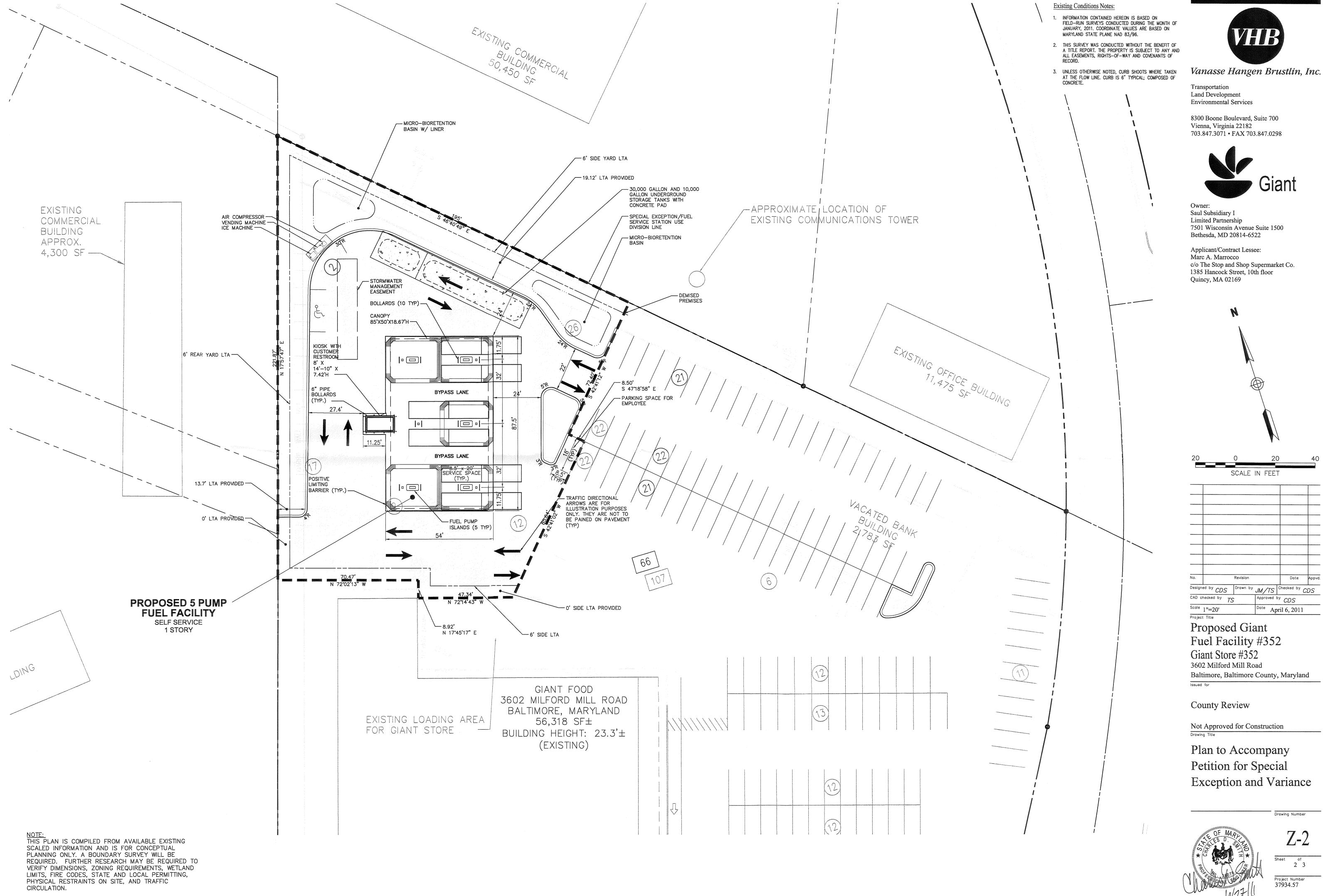
* ADA/STATE/LOCAL REQUIREMENTS ** A PARKING VARIANCE WILL BE REQUIRED



Project Number 37934.57

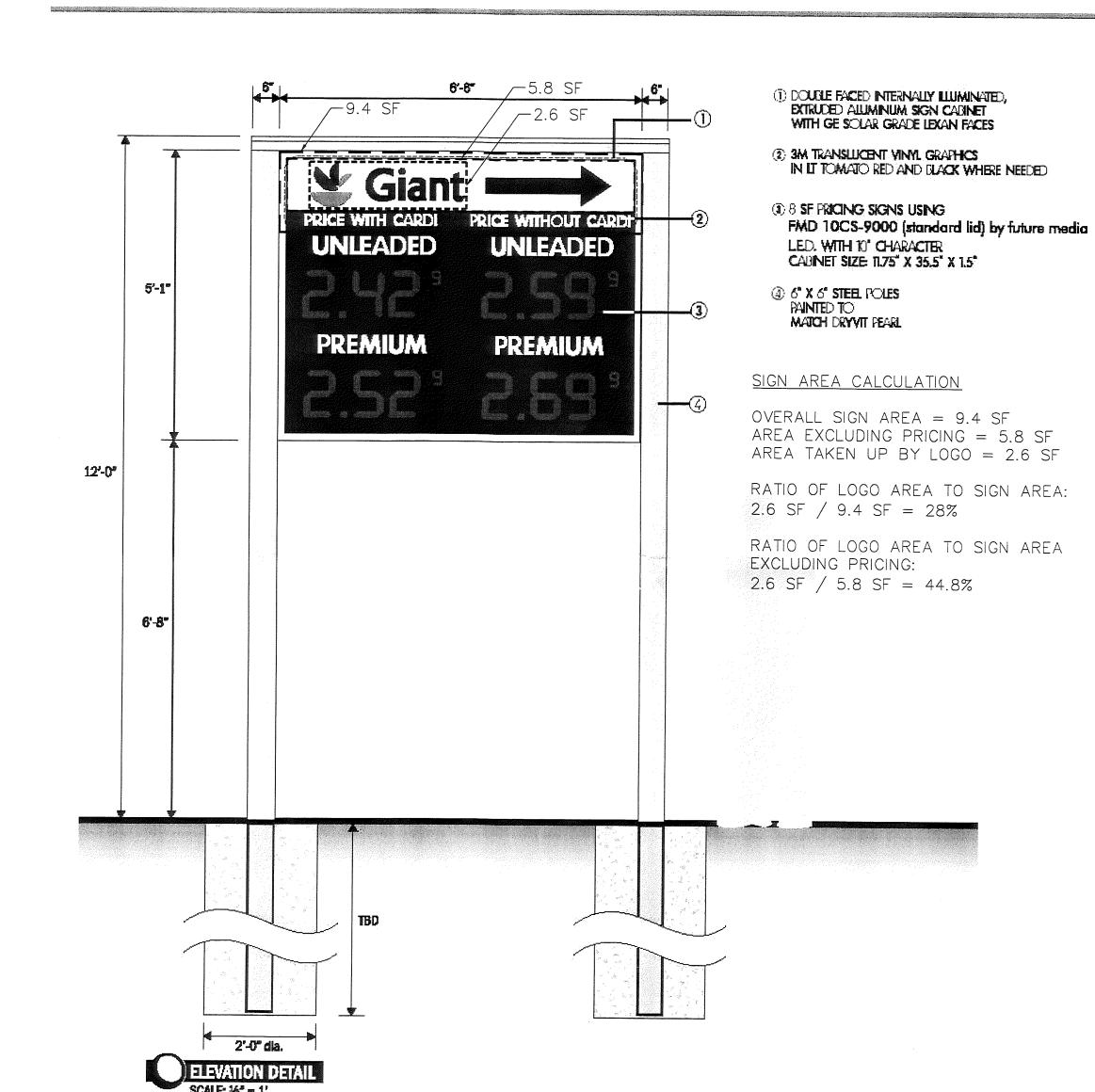
3793457_ZONING.DWG

\\VATCDATA\PROJECTS\37934.57 GIANT_MILFORD_MILL_352\CAD\LD\PLANSET\ZONING\3793457_ZONING



Project Number 37934.57

3793457_ZONING.DWG

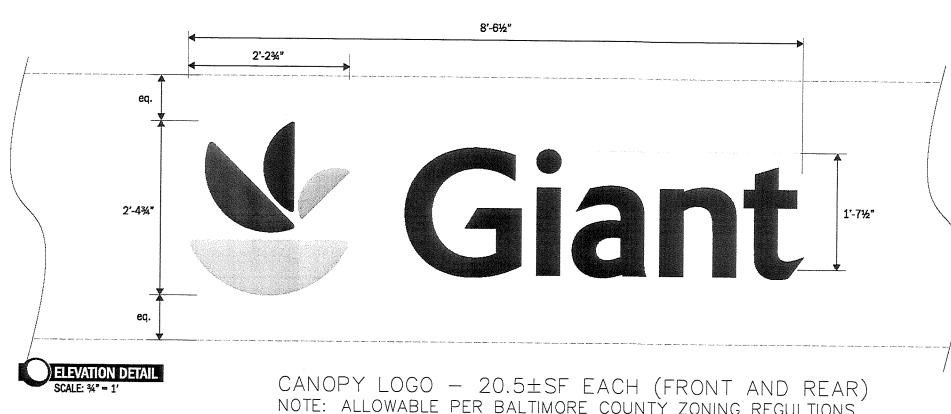


\\VATCDATA\PROJECTS\37934.57 GIANT_MILFORD_MILL_352\CAD\LD\PLANSET\ZONING\3793457_ZONING

Freestanding Directional Sign

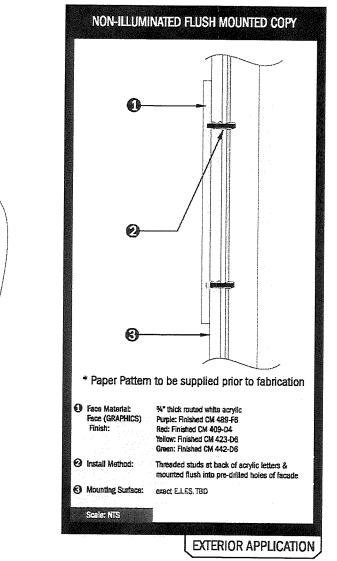
N.T.S.

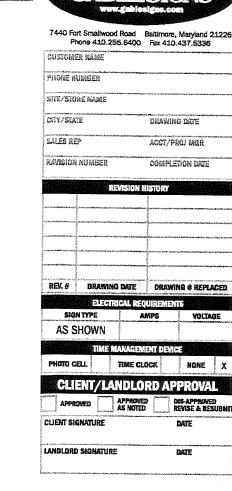
NOTE:
THIS PLAN IS COMPILED FROM AVAILABLE EXISTING SCALED INFORMATION AND IS FOR CONCEPTUAL PLANNING ONLY. A BOUNDARY SURVEY WILL BE REQUIRED. FURTHER RESEARCH MAY BE REQUIRED TO VERIFY DIMENSIONS, ZONING REQUIREMENTS, WETLAND LIMITS, FIRE CODES, STATE AND LOCAL PERMITTING, PHYSICAL RESTRAINTS ON SITE, AND TRAFFIC CIRCULATION.



87'-6"

NOTE: ALLOWABLE PER BALTIMORE COUNTY ZONING REGULTIONS SECTION 450.4, ATTACHMENT 1.5(e)





Vanasse Hangen Brustlin, Inc.

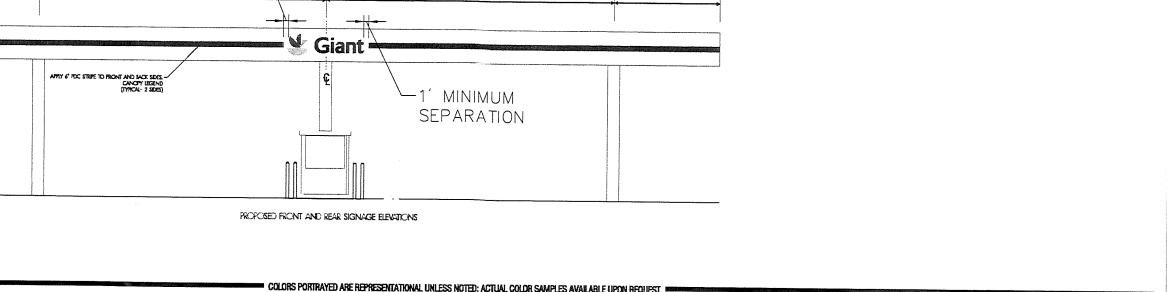
Transportation Land Development Environmental Services

8300 Boone Boulevard, Suite 700 Vienna, Virginia 22182 703.847.3071 • FAX 703.847.0298



Saul Subsidiary I Limited Partnership 7501 Wisconsin Avenue Suite 1500 Bethesda, MD 20814-6522

Applicant/Contract Lessee: Marc A. Marrocco c/o The Stop and Shop Supermarket Co. 1385 Hancock Street, 10th floor Quincy, MA 02169



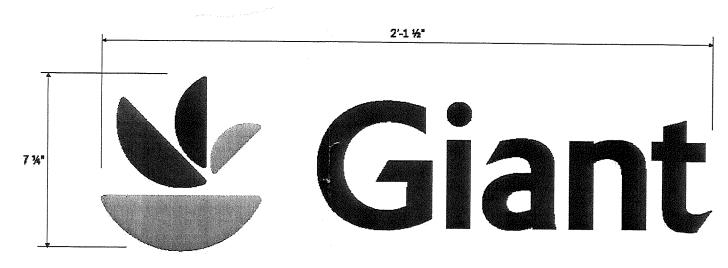
This drawing remains the exclusive property of GableSigns & Graphics, inc... It is submitted for your consideration in the purchase of the product(s) manufactured according to these plans. This design cannot be copied in whole or in part, aftered or exhibited in any manner without written permission of Gable Signs & Graphics, Inc.. Exceptions are previously copyrighted artwork supplied by client.

11'-9"

SIZE As Noted
1st or 2nd Surface 1st Surafce

INSTALL METHOD apply graphics to clean surface

-Routed Letters / Logo 2 (Mtd. to Existing Facade) DRAWING NUMBER SKEET NUMBER 15158ca 1 of 3



1' MINIMUM

32'-0"

SEPARATION -

ELEVATION DETAIL TOP qty 10
SCALE: 3" - 1"

15'-0"

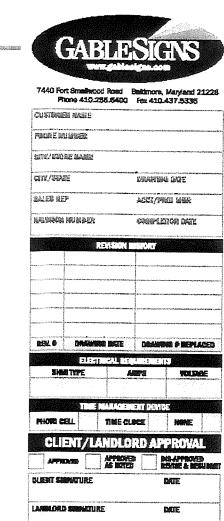
ELEVATION VIEW



4 Giant -- UNDER CANOPY SIGNAGE SHALL NOT BE COUNTED TOWARDS SIGNAGE LIMITS PER BALTIMORE COUNTY ZONING REGULATIONS SECTION 450.4, ATTACHMENT 1.5(e) AND SECTION 450.2.C.4. Giant

GRAPHICS Applied 3M 230-43 trans, tomato red, trans custom orange/yellow, SPECIFICATION 3M 230-106 trans apple green, trans custom purple.

TYP. ELEVATION
SCALE: NTS



-Vinyl Logo

(Month to existing pumps)

3 of 3

Not Approved for Construction Plan to Accompany Petition for Special

County Review

Designed by CDS Drawn by JM/TS Checked by CDS

Baltimore, Baltimore County, Maryland

Exception and Variance

April 6, 2011

CAD checked by TS

Proposed Giant

Giant Store #352

3602 Milford Mill Road

Fuel Facility #352

Scale N.T.S.

Project Title



3793457_ZONING.DWG

Drawing Number

Project Number 37934.57

· COLORS PORTRAYED ARE REPRESENTATIONAL UNLESS NOTED; ACTUAL COLOR SAMPLES AVAILABLE UPON REQUEST.