

IN RE: PETITIONS FOR SPECIAL HEARING	*	BEFORE THE
SPECIAL EXCEPTION AND VARIANCE		
E side of Pleasant Hill Road, 100' N of the	*	OFFICE OF
c/line of Red Run Boulevard		
4 th Election District	*	ADMINISTRATIVE HEARINGS
4 th Councilmanic District		
(Red Run Road)	*	FOR BALTIMORE COUNTY
Pleasant Hill Limited Liability	*	
Limited Partnership, <i>Legal Owner</i>		
Two Farms, Inc., <i>Contract Purchaser</i>	*	Case No. 2012-0125-SPHXA
Petitioners		

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings for consideration of Petitions for Special Hearing, Special Exception and Variance filed by Pleasant Hill Limited Liability Limited Partnership, legal owner, and Two Farms, Inc., contract purchaser ("Petitioners"). The Special Hearing was filed pursuant to Section 500.7 of the Baltimore County Zoning Regulations ("B.C.Z.R.") to amend the Order and site plan in Case No. 05-409-XA. In addition, Petitioners request Special Exception relief pursuant to B.C.Z.R. Section 405.4.E to expand the special exception area approved in Case No. 05-409-XA and to permit a roll-over car wash as a use in combination with the existing fuel service station. Variance relief is also being sought pursuant to Section 450.4 Attachment 1.3 of the B.C.Z.R. to allow the company logo on a freestanding directional sign to be 4.2 square feet (84% of the sign face area) in lieu of the permitted 1.5 square feet per sign (30% of the sign face area). The subject property and requested relief are more fully described on the site plan which was marked and accepted into evidence as Petitioners' Exhibit 1.

Appearing at the public hearing in support of the requests was Stephen Warfield with Matis Warfield, the professional engineer who prepared the site plan. David H. Karceski, Esquire,

ORDER RECEIVED FOR FILING

Date: 1-5-12

By SMA

appeared as counsel and represented the Petitioners. There were no Protestants or other interested persons present at the hearing, and the file does not contain any letters of protest or opposition.

The Zoning Advisory Committee (ZAC) comments were received and are made part of the record of this case. The only substantive comment was from the Department of Planning, which stated as follows:

The Department of Planning has reviewed the petitioner's request and accompanying site plan. The site is currently improved with a Royal Farm store and associated gas pumps. The pad site on which the applicant proposes the drive thru car wash is unimproved. The Department of Planning is of the opinion that the proposed additional use does not appear to have a negative impact on the health, safety or general welfare of the locality involved. Provide the following for review and approval:

1. A revised landscape plan showing the existing landscaping for the entire site and the proposed landscaping for the subject car wash area.
2. Are additional dumpsters planned to support the carwash? If so, indicate the location of the proposed and existing dumpsters on the site plan. Also provide details of the dumpster enclosure(s).

Petitioners' counsel indicated that Mr. Harden has approved a landscaping plan, and also advised that Petitioners were not going to provide additional dumpsters at the site. As such, the Department of Planning's comments have been addressed.

Petitioner presently operates a fuel service station and Royal Farm Store at the premises, pursuant to the site plan approved in Case 05-409-XA. The approved plan in that case clearly indicated that Lot 3B (as shown on Petitioners' Exhibit 1) was not involved in that prior hearing. It is on that Lot (3B) that Petitioners now propose to construct a roll over car wash.

The B.C.Z.R. permits by special exception in a BM-AS zone a roll over car wash as a "use in combination" with an existing fuel service station. B.C.Z.R. § 405.4.E.2. Petitioner submitted a color photo depicting what the car wash would look like (Exhibit 5), and the design is attractive and is used throughout the region at other Royal Farm Store locations. With regard to the special

ORDER RECEIVED FOR FILING

Date 1-5-12

2

By SMA

exception standards, Petitioners' engineer (who was accepted as an expert witness) Steve Warfield testified (via proffer) that the proposal met all of the requirements set forth in B.C.Z.R. § 502.

By way of elaboration, Mr. Warfield noted that the car wash use is indeed consistent with the zone, as reflected in B.C.Z.R. § 405.4.E, which legislatively declares that the listed uses (one of which is a car wash) are similar to and compatible with the fuel service station existing on site. The engineer also noted that the properties adjacent to the site are zoned ML or BM.

B.C.Z.R. § 405.4.E also requires that the stacking and parking requirements of B.C.Z.R. § 419 (concerning car washes) be met. Here, the plan shows nine (9) stacking spaces, which meets the requirements of § 419.3.A.1. The plan (Exhibit 1) also shows that ten (10) additional parking spaces will be created for vacuuming and drying vehicles, which exceeds the number of spaces required by B.C.Z.R. § 419.3.B. As such, I will grant the special exception relief, and find that the proposed car wash will enhance the existing site, and will not be detrimental to the health, safety or welfare of the neighborhood.

Variance relief is sought under B.C.Z.R. § 450.4, to permit the "Royal Farms" company name to exceed the 30% sign area limitation set forth in the Table of Sign Regulations. Petitioners stress that the three (3) directional signs in question would be less than six (6) feet in height and would have a face area of less than eight (8) square feet, so that the only variance relief needed pertains to the size of the company name. Petitioners note that only text ("Royal Farms") is used on the directional signs (see Exhibit 1, sheet 3), not a company logo or artwork used by many similar businesses. In these circumstances, Mr. Warfield opined that if the lettering could not exceed the 30% limitation, the name would appear extremely small and may not be seen by passing motorists.

Though the B.C.Z.R. contains no limitations on the number of directional signs used at any given establishment, the Petitioners propose only 3 such signs (2 currently exist on site), one for

ORDER RECEIVED FOR FILING

Date 1-5-12

3

By SMA

each access point to the facility. Mr. Warfield testified that the site has a very irregular, triangular shape, and that it is bordered on 3 sides by roadways. Mr. Warfield also noted that there is an extremely wide right-of-way fronting on Red Run Blvd., which means that a passing motorist would need to look 40 feet or more into the site to notice the directional signs. In these circumstances, Mr. Warfield believed the company name lettering would need to be larger and more conspicuous so that customers could safely locate the access points for the business.

Based upon the testimony and evidence presented, I will grant the request for variance relief. I find special circumstances or conditions exist that are peculiar to the land or structure which is the subject of the variance request. I also find that strict compliance with the B.C.Z.R. would result in practical difficulty or unreasonable hardship upon Petitioners.

Under *Cromwell* and its progeny, to obtain variance relief requires a showing that:

- (1) The property is unique; and
- (2) If variance relief is denied, Petitioner will experience a practical difficulty or hardship.

Trinity Assembly of God v. People's Counsel, 407 Md 53, 80 (2008).

The Petitioners have met this test, based on the factors noted above.

Finally, I find that the variance can be granted in harmony with the spirit and intent of the B.C.Z.R., and in such manner as to grant relief without injury to the public health, safety, and general welfare. This is amply demonstrated by the lack of any neighborhood opposition or negative comments from County agencies.

The only remaining issue concerns the petition for special hearing under B.C.Z.R. § 500.7. Counsel indicated the petition was filed at the request of the County zoning office, and it does not

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Date 1-5-12

By S m A

appear as if the B.C.Z.R. or case law sets forth any specific factors or findings that must be made in such a case.

Here, the special hearing petition seeks to amend the Order and site plan approved by Zoning Commissioner Wiseman in Case 05-409-XA. Given that special exception and variance relief is granted herein, it follows inexorably that the site plan and Order in the previous case should be amended to reflect the contents of this Opinion and Order.

Pursuant to the advertisement, posting of the property, and public hearing, and after considering the testimony and evidence offered, I find that Petitioners' Special Exception, Special Hearing and Variance requests should be GRANTED.

THEREFORE, IT IS ORDERED this 5 day of January, 2012, by this Administrative Law Judge, that Petitioners' request for Special Hearing filed pursuant to Section 500.7 of the Baltimore County Zoning Regulations ("B.C.Z.R.") to amend the Order and site plan in Case No. 05-409-XA (in accordance with this Order and the three (3) sheet Site Plan approved herein (Exhibit 1)), be and is hereby GRANTED; and

IT IS FURTHER ORDERED that Petitioners' Special Exception request pursuant to B.C.Z.R. Section 405.4.E to expand the special exception area approved in Case No. 05-409-XA (to encompass the area shown on the Site Plan marked as Exhibit 1) and to permit a roll-over car wash as a use in combination with the existing fuel service station, be and is hereby GRANTED; and

IT IS FURTHER ORDERED that Petitioners' Variance request pursuant to Section 450.4 Attachment 1.3 of the B.C.Z.R. to allow the company name/logo on a freestanding directional sign to be 4.2 square feet (84% of the sign face area) in lieu of the permitted 1.5 square feet per sign (30% of the sign face area), be and is hereby GRANTED.

The relief granted herein shall be subject to the following:

ORDER RECEIVED FOR FILING

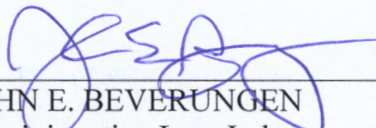
Date 1-5-12

5

By SMA

1. Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, Petitioners would be required to return, and be responsible for returning, said property to its original condition.

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



JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

JEB/sma

ORDER RECEIVED FOR FILING

Date 1-5-12

By SMA



KEVIN KAMENETZ
County Executive

LAWRENCE M. STAHL
Managing Administrative Law Judge
JOHN E. BEVERUNGEN
TIMOTHY M. KOTROCO
Administrative Law Judges

January 5, 2012

David H. Karceski, Esquire
Venable, LLP.
210 W. Pennsylvania Ave., Ste 500
Towson, MD 21204

RE: PETITIONS FOR SPECIAL HEARING SPECIAL EXCEPTION AND VARIANCE
E side of Pleasant Hill Road, 100 feet N of the c/line of Red Run Boulevard
4th Election District – 4th Councilmanic District
(Red Run Road)
Pleasant Hill Limited Liability Limited Partnership, *Legal Owner*
CASE NO. 2012-00125-SPHXA

Dear Mr. Karceski:

Enclosed please find a copy of the decision rendered in the above-captioned matter.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Office of Administrative Hearings at 887-3868.

Very truly yours,

A handwritten signature in black ink, appearing to read "JEB", with a long horizontal stroke extending to the right.

JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

JEB/sma
Enclosure

c:



PETITION FOR ZONING HEARING(S)

To be filed with the Department of Permits, Approvals and Inspections

To the Office of Administrative Law of Baltimore County for the property located at:

address 10968 & 10988 Red Run Boulevard which is presently zoned BM-AS & ML-IM

Deed Reference 10 Digit Tax Account #2500001709 & 2500001710

Property Owner(s) Printed Name(s) Pleasant Hill Limited Liability Limited Partnership

CASE NUMBER 2012-0125-SP4XA Filing Date 11/8/11 Estimated Posting Date / / Reviewer JF

(SELECT THE HEARING(S) BY MARKING ☒ AT THE APPROPRIATE SELECTION AND PRINT OR TYPE THE PETITION REQUEST)

The undersigned legal owner(s) of the property situate in Baltimore County and which is described in the description and plan attached hereto and made a part hereof, hereby petition for:

1. ☒ a Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve

SEE ATTACHED SHEET 1

2. ☒ a Special Exception under the Zoning Regulations of Baltimore County to use the herein described property for

SEE ATTACHED SHEET 2

3. ☒ a Variance from Section(s)

SEE ATTACHED SHEET 3

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the following reasons: (Indicate below your hardship or practical difficulty or indicate below "To Be Presented At Hearing". If you need additional space, you may add an attachment to this petition)

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

I, or we, agree to pay expenses of above petition(s), 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.

Legal Owner(s) Affirmation: I / we do so 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 / these Petition(s).

Contract Purchaser/Lessee: Two Farms, Inc.

SEE ATTACHED SHEET 5

Name- Type or Print

Signature

Mailing Address City State

Zip Code Telephone # Email Address

Attorney for Petitioner:

David H. Karceski

Name- Type or Print

Signature

Suite 500

210 W. Pennsylvania Ave., Towson, MD
Mailing Address City State

21204 / 410-494-6200 / dhkarceski@venable.com
Zip Code Telephone # Email Address

Legal Owners: Pleasant Hill Limited Liability Limited Partnership

SEE ATTACHED SHEET 4

Name #1 - Type or Print

Name #2 - Type or Print

Signature #1

Signature #2

Mailing Address City State

Zip Code Telephone # Email Address

Representative to be contacted:

David H. Karceski

Name- Type or Print

Signature

Suite 500

210 W. Pennsylvania Ave., Towson, MD
Mailing Address City State

21204 / 410-494-6200 / dhkarceski@venable.com
Zip Code Telephone # Email Address

REV. 2/23/11

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Date 1-5-12

By SMA

**PETITION FOR ZONING HEARINGS
ATTACHED SHEET 1**

10968 & 10988 Red Run Boulevard

Special Hearing to amend the order and site plan approved in Case No. 05-409-XA.

**PETITION FOR ZONING HEARINGS
ATTACHED SHEET 2**

10968 & 10988 Red Run Boulevard

Special Exception to expand the special exception area approved in Case No. 05-409-XA and to permit a roll-over car wash as a use in combination with the existing fuel service station pursuant to Section 405.4.E.2 of the Baltimore County Zoning Regulations.

PETITION FOR ZONING HEARINGS
ATTACHED SHEET 3

10968 & 10988 Red Run Boulevard

Variance from Section 450.4 Attachment 1.3 of the Baltimore County Zoning Regulations to allow the company logo on a freestanding directional sign to be 4.2 square feet (84% of the sign face area) in lieu of the permitted 1.5 square feet per sign (30% of the sign face area).

PETITION FOR ZONING HEARINGS
ATTACHED SHEET 4

10968 & 10988 Red Run Boulevard

LEGAL OWNER:

Pleasant Hill Limited Liability Limited Partnership
100 Painters Mill Road
Owings Mills, MD 21117
410-363-3434

By: 

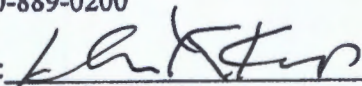
Name: Howard Brown
Title: Authorized Partner

PETITION FOR ZONING HEARINGS
ATTACHED SHEET 5

10968 & 10988 Red Run Boulevard

CONTRACT LESSEE:

Two Farms, Inc.
3611 Roland Avenue
Baltimore, MD 21211
410-889-0200

By: 
Name: John Kemp
Title: Pres

Matis**Warfield**

consulting engineers

ZONING DESCRIPTION to Accompany Petition For Variance, Special Exception and Special Hearing Request

Beginning at a point on the east side of Pleasant Hill Road which is 65.5-feet wide at the distance of 100(+/-)-feet north of the centerline of the nearest improved intersecting street, Red Run Boulevard, which has a variable width. Thence the following courses and distances:

R=10042.00', L=20.18', CHD=N 11° 50'08" E 20.18';

N 11° 47' 23" E 130.80';

N 16° 07' 41" E 146.68';

S 43° 55' 50" E 225.28';

S 41° 04' 05" E 200.00';

S 38° 27' 56" W 157.95';

S 26° 56' 50" W 90.17';

R=616.50', L=50.65', CHD=N 63° 58'03" E 50.63';

N 66° 18' 25" W 135.17';

N 61° 37' 21" W 107.92';

N 67° 44' 21" W 139.84';

N 25° 50' 09" W 52.87'

to the place of beginning,

Containing 2.3804-acres±, and being Lot #3A and Lot #3B in the subdivision known as Pleasant Hill Center, as recorded in Baltimore County Plat Book #78, Folio #202. Also known as 10988 and 10968 Red Run Boulevard, and located in the 4th Election District.

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



Matis Warfield, Inc.

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

ZONING DESCRIPTION to Accompany Petition For Variance, Special Exception and Special Hearing Request

Beginning at a point on the east side of Pleasant Hill Road which is 65.5-feet wide at the distance of 100(+/-)-feet north of the centerline of the nearest improved intersecting street, Red Run Boulevard, which has a variable width. Thence the following courses and distances:

R=10042.00', L=20.18', CHD=N 11° 50'08" E 20.18';

N 11° 47' 23" E 130.80';

N 16° 07' 41" E 146.68';

S 43° 55' 50" E 225.28';

S 41° 04' 05" E 200.00';

S 38° 27' 56" W 157.95';

S 26° 56' 50" W 90.17';

R=616.50', L=50.65', CHD=N 63° 58'03" E 50.63';

N 66° 18' 25" W 135.17';

N 61° 37' 21" W 107.92';

N 67° 44' 21" W 139.84';

N 25° 50' 09" W 52.87'

to the place of beginning,

Containing 2.3804-acres±, and being Lot #3A and Lot #3B in the subdivision known as Pleasant Hill Center, as recorded in Baltimore County Plat Book #78, Folio #202. Also known as 10988 and 10968 Red Run Boulevard, and located in the 4th Election District.

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



Matis Warfield, Inc.

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

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

No. **76037**

Date: **11-8-11**

Fund	Dept	Unit	Sub Unit	Rev Source/ Obj	Sub Rev/ Sub Obj	Dept	Obj	BS Acct	Amount
001	506	0000		6150					250.00

Total: **250.00**

Rec
From: **VIENABLE**

For: **SPHYA**
1076X & 1078X Red Run Blvd.

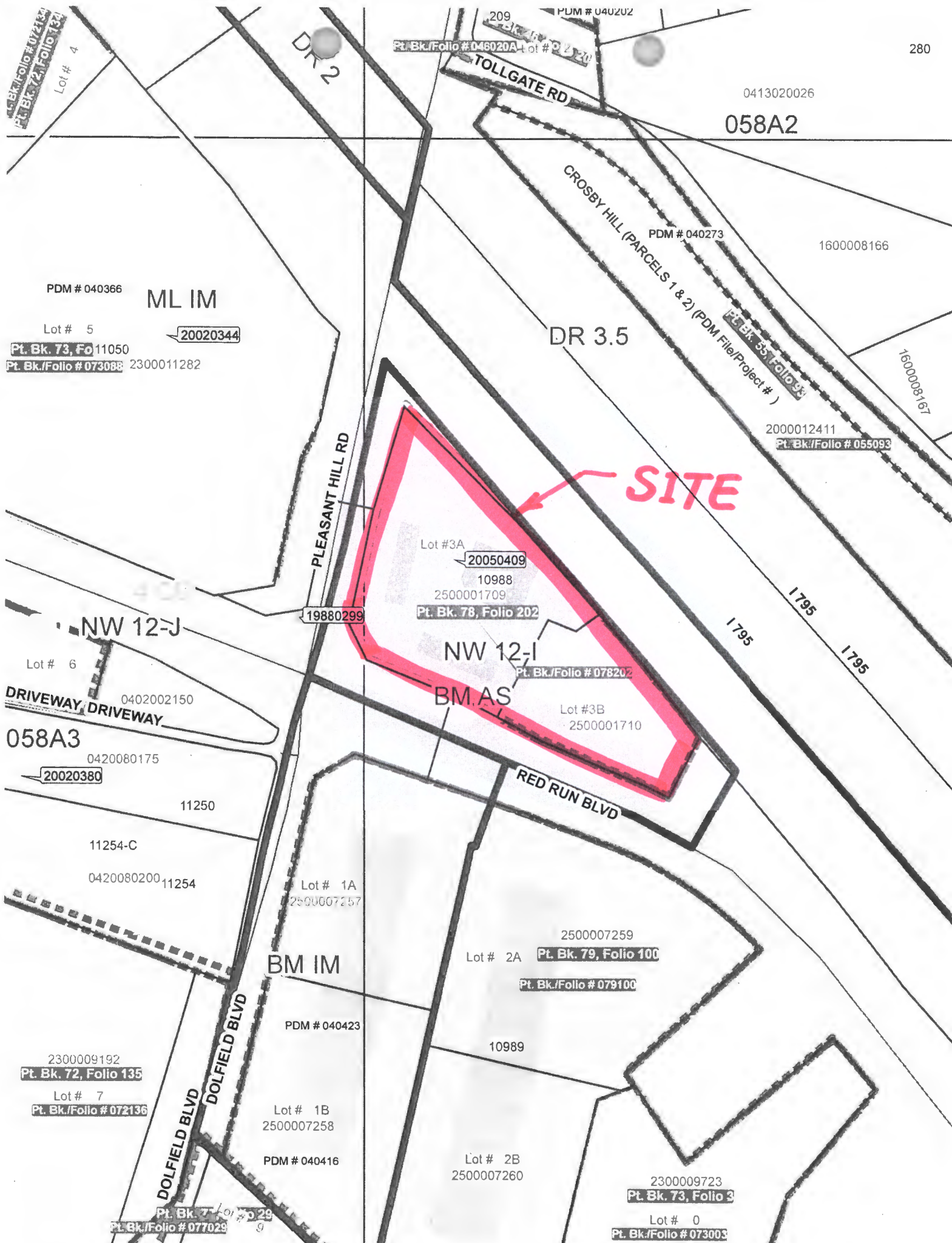
Hearing case # 2012-0125-SPHYA

DISTRIBUTION

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

PAID RECEIPT

**CASHIER'S
 VALIDATION**



Case No.:

2012-0125-SPHXA

Exhibit Sheet

12-2-12
SMA 1-5-12

JLB

12/29

1:30

Petitioner/Developer

Protestants

No. 1	Site Plan	
No. 2	Warfield Resume	
No. 3	Aerial Photo	
No. 4 A-C	Color Photos	
No. 5	Car Wash Photo Sample	
No. 6	My Zoning	
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		

Stephen A. Warfield, P.E.

10540 York Road, Suite M
Hunt Valley, Maryland 21030
(410) 683-7004

Professional Registration

Registered Professional Engineer - Civil Engineering 1995 - Maryland P.E. # 21162

Education

B.S. Civil Engineering - 1990 - University of Maryland, College Park
Master of Environmental Engineering - 1994- Johns Hopkins University

Professional Experience

- 12/94-Present Matis Warfield, Inc.; 10540 York Road, Suite M; Hunt Valley, Maryland 21030:
Currently employed as a principal at Matis Warfield, Inc. Responsible for civil engineering services for the development community. Responsibilities include; planning, design, development, and permitting for site development projects. Responsibilities include; feasibility studies, concept plans, development plans, zoning plans, expert witness testimony, floodplain studies, open channels, stormwater management facilities, storm drain systems, erosion and sediment control plans, highways, pumping stations, utilities, specification development, cost estimating, grading, alternatives analysis, critical area analysis, project management, marketing, administration, client relations, etc.
- 5/91-12/94 Gannett Fleming, Inc.; Suite 200; East Quadrangle; The Village of Cross Keys; Baltimore, Maryland 21210: Supervisors: Fred Wagner-Project Manager, and Dave Ross-Office Manager
Employed as a project engineer by Gannett Fleming, Inc., Baltimore Maryland. Responsible for design and specification development for water treatment plant process design, wastewater treatment plant process and site design, pumping station design, open channel design, stormwater management design, erosion and sediment control design, drainage studies, alternatives analysis, and highway designs.
- 6/90-5/91 George William Stephens, & Associates, Inc.; 658 Kenilworth Drive; Towson, Maryland 21204: Supervisor: Tapobrata Chakrabarti, Partner
Employed as a design engineer by George William Stephens Jr. & Associates, Inc., Towson, Maryland. Performed floodplain studies, designed stormwater management facilities, and designed open channel flow systems for residential, commercial, and industrial development projects. Responsibilities also included development of computer programs to aid stormwater management design.

Professional Affiliations

Baltimore County Engineers Association
Home Builders Association of Maryland
Maryland Society of Professional Engineers

PETITIONER' S

EXHIBIT NO.

2



My Neighborhood Map

Created By
Baltimore County
My Neighborhood



This data is only for general information purposes only. This data may be inaccurate or contain errors or omissions. Baltimore County, Maryland does not warrant the accuracy or reliability of the data and disclaims all warranties with regard to the data, including but not limited to merchantability and fitness for a particular purpose. Baltimore County, Maryland disclaims all obligations, special, indirect, or consequential damages, including costs incurred as a result of using this data.

PETITIONER'S

EXHIBIT NO.

6

Printed 11/28/2011

MEMORANDUM

DATE: February 7, 2012
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2012-0125-A

The appeal period for the above-referenced case expired on February 6, 2012. There being no appeal filed, the subject file is ready for return to the Zoning Review Office and is placed in the 'pick up box.'

c: ✓ Case File
Office of Administrative Hearings

PLEASE PRINT CLEARLY

CASE NAME Red Run Blvd.
CASE NUMBER 2012-0125-SRXA
DATE 12-29-11 @ 1:30 PM

PETITIONER'S SIGN-IN SHEET

[illegible]

CHECKLIST

<u>Comment Received</u>	<u>Department</u>	<u>Support/Oppose/ Conditions/ Comments/ No Comment</u>
<u>11-18</u>	DEVELOPMENT PLANS REVIEW (if not received, date e-mail sent _____)	<u>NC</u>
_____	DEPS (if not received, date e-mail sent _____)	_____
_____	FIRE DEPARTMENT	_____
<u>12-15</u>	PLANNING (if not received, date e-mail sent _____)	<u>Comments</u>
<u>11-14</u>	STATE HIGHWAY ADMINISTRATION	<u>No objection</u>
_____	TRAFFIC ENGINEERING	_____
_____	COMMUNITY ASSOCIATION	_____
_____	ADJACENT PROPERTY OWNERS	_____
ZONING VIOLATION	(Case No. _____)	
PRIOR ZONING	(Case No. <u>05-409-KA</u>)	
NEWSPAPER ADVERTISEMENT	Date: <u>12-13-11</u>	
SIGN POSTING	Date: <u>12-14-11</u> by <u>Block</u>	
PEOPLE'S COUNSEL APPEARANCE	Yes ☒ No ☐	
PEOPLE'S COUNSEL COMMENT LETTER	Yes ☐ No ☐	

Comments, if any: _____

AB 12/29
1:30 PM
205

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon
Deputy Administrative Officer and
Director of Permits, Approvals and Inspections

DATE: December 15, 2011

FROM: Andrea Van Arsdale
Director, Department of Planning

RECEIVED

SUBJECT: 10968 & 10988 Red Run Boulevard

DEC 20 2011

INFORMATION:

OFFICE OF ADMINISTRATIVE HEARINGS

Item Number: 12-125

Petitioner: Pleasant Hill Limited Liability Limited Partnership

Zoning: BM-AS & ML-IM

Requested Action: Special Hearing, Special Exception and Variance

SUMMARY OF RECOMMENDATIONS:

The Department of Planning has reviewed the petitioner's request and accompanying site plan. The site is currently improved with a Royal Farm store and associated gas pumps. The pad site on which the applicant proposes the drive thru car wash is unimproved. The Department of Planning is of the opinion that the proposed additional use does not appear to have a negative impact on the health, safety or general welfare of the locality involved. Provide the following for review and approval:

1. A revised landscape plan showing the existing landscaping for the entire site and the proposed landscaping for the subject car wash area.
2. Are additional dumpsters planned to support the carwash? If so, indicate the location of the proposed and existing dumpsters on the site plan. Also provide details of the dumpster enclosure(s).

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

Prepared by:

Division Chief:
AVA/LL: CM

CORRECTED NOTICE OF ZONING HEARING

The Administrative Law Judge 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: # 2012-0125-SPHXA

10968 & 10988 Red Run Boulevard
E/side of Pleasant Hill Road at the distance of 100 feet
(+/-) north of centerline of Red Run Blvd.
4th Election District — 4th Councilmanic District
Legal Owner(s): Pleasant Hill Limited Liability Limited Partnership

Contract Purchaser: Two Farms, Inc.

Special Hearing: to amend the order and site plan approved in Case 05-409-XA.

Special Exception to expand the special exception area approved in Case 05-409-XA and to permit a roll-over car wash as a use in combination with the existing fuel service station pursuant to Section 405.4.E.2 of the BCZR.

Variance: to allow the company logo on a freestanding directional sign to be 4.2 square feet (84% of the sign face area) in lieu of the permitted 1.5 sq.ft. per sign (30% of the sign face area).

Hearing: Thursday, December 29, 2011 at 1:30 p.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 accommodations 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.

IT 12/635 December 13

292745

CERTIFICATE OF PUBLICATION

12/15/, 2011

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 12/13/, 2011.

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

S. Wilkins

LEGAL ADVERTISING

CERTIFICATE OF POSTING

12012-0125-SPHXA

RE: Case No.: _____

Petitioner/Developer: _____

Two Farms Inc

December 29, 2011

Date of Hearing/Closing: _____

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

Attn: Kristen Lewis:

Ladies and Gentlemen:

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at: _____

10968 & 10988 Red Run Blvd

December 14, 2011

The sign(s) were posted on _____

(Month, Day, Year)

Sincerely,

December 14, 2011

(Signature of Sign Poster)

(Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

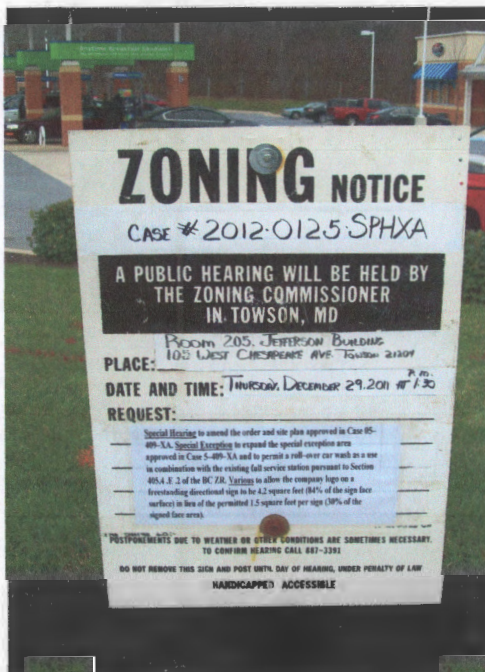
(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)



BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon
Deputy Administrative Officer and
Director of Permits, Approvals and Inspections

DATE: December 15, 2011

FROM: Andrea Van Arsdale
Director, Department of Planning

SUBJECT: 10968 & 10988 Red Run Boulevard

INFORMATION:

Item Number: 12-125

Petitioner: Pleasant Hill Limited Liability Limited Partnership

Zoning: BM-AS & ML-IM

Requested Action: Special Hearing, Special Exception and Variance

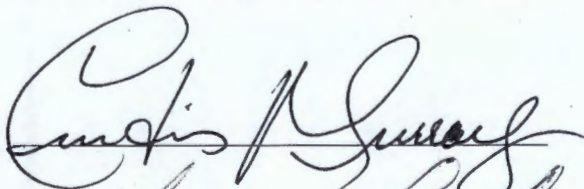
SUMMARY OF RECOMMENDATIONS:

The Department of Planning has reviewed the petitioner's request and accompanying site plan. The site is currently improved with a Royal Farm store and associated gas pumps. The pad site on which the applicant proposes the drive thru car wash is unimproved. The Department of Planning is of the opinion that the proposed additional use does not appear to have a negative impact on the health, safety or general welfare of the locality involved. Provide the following for review and approval:

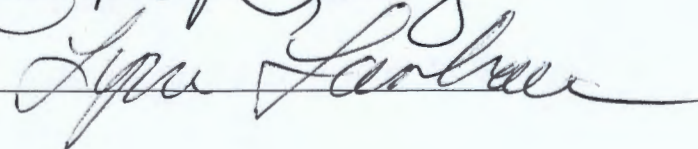
1. A revised landscape plan showing the existing landscaping for the entire site and the proposed landscaping for the subject car wash area.
2. Are additional dumpsters planned to support the carwash? If so, indicate the location of the proposed and existing dumpsters on the site plan. Also provide details of the dumpster enclosure(s).

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

Prepared by:



Division Chief:
AVA/LL: CM





KEVIN KAMENETZ
County Executive

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

December 19, 2011

Howard Brown
Pleasant Hill Liability Ltd.
100 Painters Mill Road
Owings Mills, MD 21117

RE: Case Number 2012-0125 SPHXA, 10968 & 10988 Red Run Boulevard

To Whom It May Concern:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on November 8, 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,

A handwritten signature in black ink, reading "W. Carl Richards, Jr.", is written over the typed name.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR:mcn

Enclosures

c: People's Counsel
David Karceski, 210 W. Pennsylvania Avenue., Ste. 500, Towson, MD 21204
John Kemp, Two Farms, Inc., 3611 Roland Avenue, Baltimore 21211

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits, Approvals
And Inspections

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

SUBJECT: Zoning Advisory Committee Meeting
For November 28, 2011
Item Nos. 2012-120, 122, 123, 124
And 125

DATE: November 18, 2011

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-11282011 -NO COMMENTS.doc



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

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

MARYLAND DEPARTMENT OF TRANSPORTATION

Date: 11-14-11

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

RE: Baltimore County

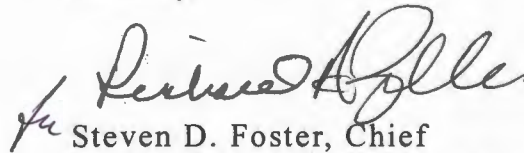
Item No. 2012-0125-SPHXA.
Special Hearing Special Exception Variance
John Kamp/Pleasant Hill Limited
Liability Limited Partnership.
10968 & 10988 Red Run Boulevard.

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. 2012-0125-SPHXA.

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

Sincerely,


Steven D. Foster, Chief
Access Management Division

SDF/rz

My telephone number/toll-free number is _____
Maryland Relay Service for Impaired Hearing or Speech 1.800.735.2258 Statewide Toll Free

Street Address: 707 North Calvert Street • Baltimore, Maryland 21202 • Phone 410.545.0300 • www.roads.maryland.gov



KEVIN KAMENETZ
County Executive

ARNOLD JABLON
Deputy Administrative Officer
Director, Department of Permitting,
Approvals & Inspections
November 30, 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: 2012-0125-SPHXA

10968 & 10988 Red Run Boulevard

E/side of Pleasant Hill Road at the distance of 100 feet (+/-) north of centerline of Red Run Blvd.

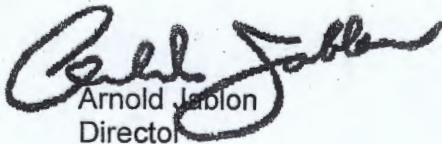
4th Election District – 4th Councilmanic District

Legal Owners: Pleasant Hill Limited Liability Limited Partnership

Contract Purchaser: Two Farms, Inc.

Special Hearing to amend the order and site plan approved in Case 05-409-XA. Special Exception to expand the special exception area approved in Case 05-409-XA and to permit a roll-over car wash as a use in combination with the existing fuel service station pursuant to Section 405.4.E.2 of the BCZR. Variance to allow the company logo on a freestanding directional sign to be 4.2 square feet (84% of the sign face area) in lieu of the permitted 1.5 sq. ft. per sign (30% of the sign face area).

Hearing: Thursday, December 29, 2011 at 1:30 p.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204


Arnold Jablon
Director

AJ:kl

C: David Karceski, 210 W. Pennsylvania Avenue, Towson 21204
Howard Brown, Pleasant Hill Liability Ltd., 100 Painters Mill Rd., Owings Mills 21117
John Kemp, Two Farms, Inc., 3611 Roland Avenue, Baltimore 21211

- NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY WED., DECEMBER 14, 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 410-887-3391.

TO: PATUXENT PUBLISHING COMPANY
Tuesday, December 13, 2011 Issue - Jeffersonian

Please forward billing to:

Kedrick Whitmore
Venable, LLP
210 W. Pennsylvania Avenue, Ste. 500
Towson, MD 21204

410-494-6204

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4th Election District – 4th Councilmanic District

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Contract Purchaser: Two Farms, Inc.

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Arnold Jablon
Director of Permits, Approvals and Inspections for Baltimore County

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KEVIN KAMENETZ
County Executive

ARNOLD JABLON
Deputy Administrative Officer
Director, Department of Permits,
November 30, 2011

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10968 & 10988 Red Run Boulevard

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4th Election District – 4th Councilmanic District

Legal Owners: Pleasant Hill Limited Liability, John Kemp

Contract Purchaser: Two Farms, Inc.

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105 West Chesapeake Avenue, Towson 21204

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

Arnold Jablon
Director

AJ:kl

C: David Karceski, 210 W. Pennsylvania Avenue, Towson 21204
Howard Brown, Pleasant Hill Liability Ltd., 100 Painters Mill Rd., Owings Mills 21117
John Kemp, Two Farms, Inc., 3611 Roland Avenue, Baltimore 21211

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TO: PATUXENT PUBLISHING COMPANY
Tuesday, December 13, 2011 Issue - Jeffersonian

Please forward billing to:

Kedrick Whitmore
Venable, LLP

410-494-6204

210 W. Pennsylvania Avenue, Ste. 500
Towson, MD 21204

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Arnold Jablon

Director of Permits, Approvals and Inspections for Baltimore County

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

RE: PETITION FOR SPECIAL HEARING	*	BEFORE THE OFFICE
SPECIAL EXCEPTION AND VARIANCE		
10968 & 10988 Red Run Blvd; E/S Pleasant	*	OF ADMINISTRATIVE
Hill Road, 100' N of c/line Red Run Blvd		
4 th Election & 4 th Councilmanic Districts	*	HEARINGS FOR
Legal Owner(s): Pleasant Hill Limited Liability		
Limited Partnership	*	BALTIMORE COUNTY
Contract Purchaser(s): Two Farms, Inc		
Petitioner(s)	*	2012-125-SPHXA

* * * * *

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

NOV 17 2011

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 17th day of November, 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 Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

DEPARTMENT OF PERMITS, APPROVALS AND INSPECTIONS
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: 2012-0125-SPHXA

Petitioner: Pleasant Hill Ltd. Liability

Address or Location: 10968 & 10988 Red Run Blvd.

PLEASE FORWARD ADVERTISING BILL TO:

Name: Kedrick Whitmore

Address: 210 W. Pennsylvania Ave.
Towson MD 21204

Telephone Number: 410-494-6204

Revised 2/17/11 DT

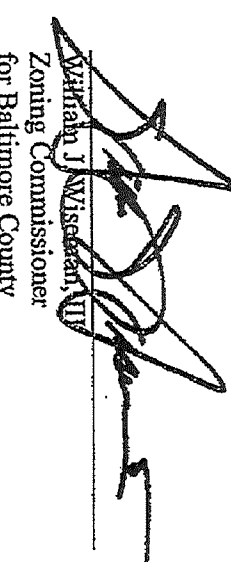
IN RE: PETITIONS FOR SPECIAL EXCEPTION * BEFORE THE
AND VARIANCE - 658 Pleasant Hill Road,
1008 Red Run Boulevard
Baltimore District
4th Circuit District
Pleasant Hill Limited Liability Partnership
Petitioner

* OF BALTIMORE COUNTY
* Case No. 06-409-XA

WHEREFORE, IT IS ORDERED by the Zoning Commission of Baltimore County this 27th day of April 2005 that the Petition for Special Exception to permit a fuel service station on an individual site and a convenience store of less than 1500 sq.ft. and carport restaurant, as used in combination with the proposed fuel service station, pursuant to Sections 405.2.B.1, 405.4.E.1 and 405.E.10 of the Baltimore County Zoning Regulations (B.C.Z.R.), in accordance with Petitioner's Exhibits 1A through 1C, be and is hereby GRANTED, and:

IT IS FURTHER ORDERED that the Petition for Variance seeking relief from Section 405.4.3.a of the B.C.Z.R. to permit seven well-mounted enterprise signs (no more than three on a facade) in lieu of the maximum allowed three well-mounted enterprise signs (no more than two on a facade) for the proposed fuel service station, and from Section 405.4.4.2.b of the B.C.Z.R. to permit a landscape transition area of 0 feet in lieu of the minimum required 6 feet, in accordance with Petitioner's Exhibit 1D, be and is hereby GRANTED, subject to the following restrictions:

- 1) The Petitioner must apply for building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at their own risk until the 30 day-appeal period from the date of this Order has expired. If an appeal is filed, this Order is reversed, the relief granted herein shall be rescinded.
- 2) Access for the fuel service station from Red Run Boulevard shall be provided by a driveway that complies with the requirements of the Department of Transportation (DOT) and is approved by the Bureau of Development Plans Review, dated March 8, 2005.
- 3) When applying for a building permit, the site plan shall must reference this case and set forth and address the restrictions of this Order.

WVW:jls

Zoning Commission
for Baltimore County

IN RE: PETITIONS FOR SPECIAL EXCEPTION * BEFORE THE
AND VARIANCE - 658 Pleasant Hill Road,
1008 Red Run Boulevard
Baltimore District
4th Circuit District
Pleasant Hill Limited Liability Partnership
Petitioner

* OF BALTIMORE COUNTY
* Case No. 06-409-XA

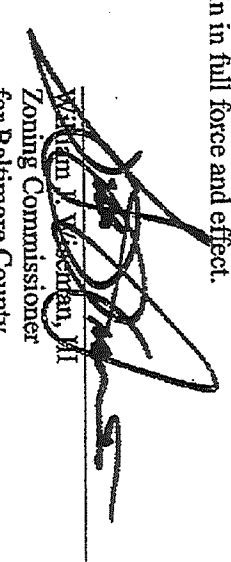
AMENDED ORDER

WHEREAS, this matter came before the Zoning Commission for consideration of Petitions for Special Exception and Variance filed by Pleasant Hill L.L.P., owners of the subject property, through their attorney, Robert A. Hoffman, Esquire. The Petitioners sought special exception for a proposed fuel service station, convenience store with a sales area greater than 1500 sq.ft. and carport restaurant as used in combination, pursuant to Sections 405.2.B.1, 405.4.E.1 and 405.E.10 of the Baltimore County Zoning Regulations (B.C.Z.R.). Variance relief was also requested to allow an increase in the number of well-mounted enterprise signs permitted and from landscape transition area requirements, in accordance with the four-page site plan submitted, which was accepted into evidence and marked as Petitioner's Exhibits 1A through 4D. Pursuant to my Opinion and Order dated April 27, 2005, the relief requested was granted, subject to certain conditions. Subsequent to the issuance of said Order, Counsel for the Petitioners advised this Zoning Commission that the Order inadvertently granted the special exception for a convenience store with a sales area less than 1500 sq.ft. and requested that an Amended Order be issued to correct the error.

WHEREFORE, IT IS ORDERED by the Zoning Commission for Baltimore County this 7th day of May 2005 that the Order issued April 27, 2005 be and the same is hereby AMENDED to reflect that the convenience store will have a sales area greater than 1500 sq.ft. in accordance with the following:

WHEREFORE, IT IS ORDERED by the Zoning Commission of Baltimore County this 9th day of May 2005 that the Petition for Special Exception to permit a fuel service station on an individual site and a convenience store of greater than 1500 sq.ft. and carport restaurant, as used in combination with the proposed fuel service station, pursuant to Sections 405.2.B.1, 405.4.E.1 and 405.E.10 of the Baltimore County Zoning Regulations (B.C.Z.R.), in accordance with Petitioner's Exhibits 1A through 1C, be and is hereby GRANTED, and:

IT IS FURTHER ORDERED that all other terms and conditions of the relief granted in the Order dated April 27, 2005 shall remain in full force and effect.


Zoning Commission
for Baltimore County

WVW:jls

BCZR SECTION 419 STANDARDS:

- 419.1 Roll-over car wash is permitted as a use in combination with a service station subject to the provisions of Section 4205.
- 419.2 Manufacturer's rated hourly production capacity is 28 cars/hour.
- 419.3 Internal paved areas of the car wash site have been laid out to allow automobile circulation in a manner that precludes vehicles from waiting on the street or blocking the right-of-way before exiting entrance.
- Nine stacking spaces have been provided for the proposed roll-over car wash tunnel.
- Parking spaces have been located to avoid conflict with on-site circulation patterns.
- Four parking spaces have been provided for Drying. (Two Required)
- Two additional parking spaces have been provided (Two Required)

- 419.4 The Car Wash is 110-feet from the closest residential zone (50-Feet Required)
- The tunnel exit of car wash facilities is set back 110-feet from the nearest exit drive (50-Feet Required)
- Tunnel entrance or exit does not face an adjacent residentially zoned property.
- All of the walls of the proposed car wash building are glass.
- Except for the required access drives, a 10-foot minimum width landscaped transition area is provided along the perimeter of all car wash operations.
- The landscape transition area shall be planted and screened in accordance with the Landscape Manual requirements for automotive uses.

BCZR SECTION 405.4 STANDARDS:

- Minimum service station site area = 15,000 sq. ft. or 1500 times the # of fuel service spaces plus areas required for uses under BCZR sections 405.4.D or 405.4.E.
- Minimum setbacks
- 35ft. from main structure to street, R/W
- 25ft. from fuel pump to street R/W
- 10ft. from perimeter of paved area to public R/W
- 6ft. from perimeter of paved area to slide and rear property lines of non-residential zones
- 15ft. from perimeter of paved area to property line if property line is within 50ft. of any residentially zoned property other than in a public R/W

SITE DATA

Election District: 4
County Council District: 4
Zoning Map: BM-AS & ML-M (Map 056A/5)
Owner's Name and Address: Pleasant Hill Limited Liability Partnership
1007 Fairview Mill Road, Parkhouse
Owings Mills, MD 21117
Petitioner Address: Two Farms, Inc.
3601 Roland Ave.
Baltimore, MD 21211
Property Address: 10360 Red Run Boulevard
Owings Mills, MD 21117
Lot 3A
Lot 3B
10360 Red Run Boulevard
Owings Mills, MD 21117
Total Gross Area of Site: 103,691 S.F. (2,390 Ac. +/-)
Gross Area of Existing Lot 3A: 63,074 S.F. (1,436 Ac. +/-)
Gross Area of Existing Lot 3B: 54,617 S.F. (1,254 Ac. +/-)
Total Net Area of Site: 103,691 S.F. (2,390 Ac. +/-)
Net Area of Existing Lot 3A: 63,074 S.F. (1,436 Ac. +/-)
Net Area of Existing Lot 3B: 54,617 S.F. (1,254 Ac. +/-)
Existing Zoning: 103-691 S.F. (2,390 Ac. +/-)
Zoning of Lot 3A: 63,074 S.F. (1,436 Ac. +/-)
Zoning of Lot 3B: 54,617 S.F. (1,254 Ac. +/-)
Tax Reference: 04-250000709; 04-250000710
Tax Map: 5B
Parcel: 605 (Lot 3A & Lot 3B)
Existing Use: Fuel Service Station in Combination with Convenience Store and Carry out Restaurant
Proposed Use: Roll-Over Car Wash as a use in combination with an Existing Fuel Service Station
Ancillary Uses: Minor ancillary uses as permitted in Section 405.4.D of the B.C.Z.R. (No additional square footage required)

Building Foot Area:
Lot 3A: 2891 S.F. Convenience Store Use (Existing)
629 S.F. Service Station Use (Existing)
= 5623 S.F. Total for Lot 3A (Existing)
Lot 3B: 1407 S.F. Roll-Over Car Wash Building (Proposed)
Floor Area Ratio:
Lot 3A Convenience Store, etc.: 5623 S.F. + 629 S.F. = 6252 S.F. = 0.08 (4.0 permitted)
Lot 3B Car Wash: 1407 S.F. + 54,617 S.F. = 56,024 S.F. = 0.04 (4.0 permitted)
Existing Building Height: 20' ± (convenience store)
Proposed Building Height: 15'-6" ± (car wash)
SITE AREA REQUIRED FOR COMBINATION USE:
LOT 3A: 12,000 S.F. (service station use)
8 Fuel Service Spaces x 1500 S.F. use 12,000 S.F. (minimum (service station use))
Additional Site Area Factor:
1 ATM x 1000 S.F.: 1000 S.F. (ATM)
4 x 2891: 11,564 S.F. (convenience store use)
6 x 2003: 12,018 S.F. (carwash use)
Total Additional Site Area Required: 33,922 S.F.

PARKING SPACES
Fuel Service w/Combination Uses:
Fuel Service Use: 629 S.F.
Convenience Store/Carwash Use: 4994 S.F.
maximum employees/shift: 4
ATM: 1
4994 S.F. @ 51/1000: 25
1 Roll-over car wash tunnel @ 2/tunnel: 2
2 Vacuum cleaner units @ Unit: 2
2 Additional spaces per car wash tunnel: 2
=> Total Required: 36
Total Provided: 50 (including 2 handicap spaces and 4 vacuum & air spaces)

PARKING SPACE DIMENSIONS:
Royal Farms:
Typical Space: 10' x 16'
Handicap Space: 10' x 16' (with 10'-strip area between 2 spaces)
Car Wash: 10' x 16'
Typical Space: 12.5' x 16'
Vacuum Cleaner Space: 12.5' x 16'
(All parking shall be permanently striped on a durable and dust free surface)



BENCH MARK
HUB #79267- N ELEV: 661.655
N+49.950/67 W-45.34/-05
DESCRIPTION: SQUARE CORNER ON THE SE CORNER OF THE TOP CONCRETE WALL OF THE BRIDGE OVER I-795 ON PLEASANT HILL ROAD SOUTH OF TOLLGATE ROAD

COORDINATES, BEARINGS, AND ELEVATIONS SHOWN HEREIN ARE BASED ON BALTIMORE COUNTY CONTROL

ZONING HEARINGS, CRG, WAIVERS:

02/01/1993 Original CRG Approval
6/19/1997 CRG Plan Approval for first refinements to site to accommodate Final Red Run Bldg. alignment, and to reconfigure the site
8/31/1998 CRG letter issued for second refinements, on current lot 3, to change the size of the building and modify the parking layout.
1/17/1999 CRG letter issued to supersede the previous second refinements. This refinements was for the same modifications to current lot 3 as proposed in the second refinements, with the addition of subdividing the property into three lots and adding retaining walls, and parking
4/20/1999 Second Refinement CRG Plan Approved
2004 CRMP Issue: 4-016
06/06/2005 DRC letter issued for Third Refinement to replace the Office Building on lot 3 with a Service Station (Convenience Store) Carry Out Building on lot 3A, and a Bank on lot 3B.
04/27/2005 Zoning Order Case No. 05-409-XA
Petitioners for special exception and variance
05/9/2005 Amended Order, Zoning Case No. 05-409-XA
01/6/2006 Third Refinement CRG Plan Approved

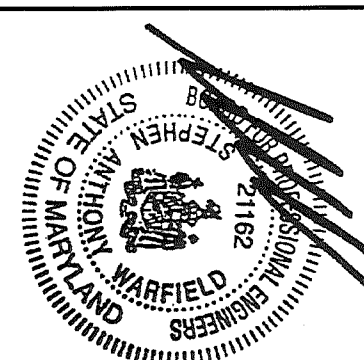
PREVIOUS COMMERCIAL PERMITS

Grading Permit: #B306067
Grading Permit: #B732264 (currently active)
Sign Permit: #B615732
Blgd Permit: #B647421
Typical Permit: #B644550
Blgd Permit: #B644550
Sign Permit: #B672292
Sign Permit: #B681153

BASIC SERVICES MAP

Site is not within any failed Basic Services Map areas per BUI No. 15-11.

Matis Warfield
consulting engineers
10540 York road, suite 100
hunt valley, maryland 21106
phone: 410-683-1798
www.matiswarfield.com

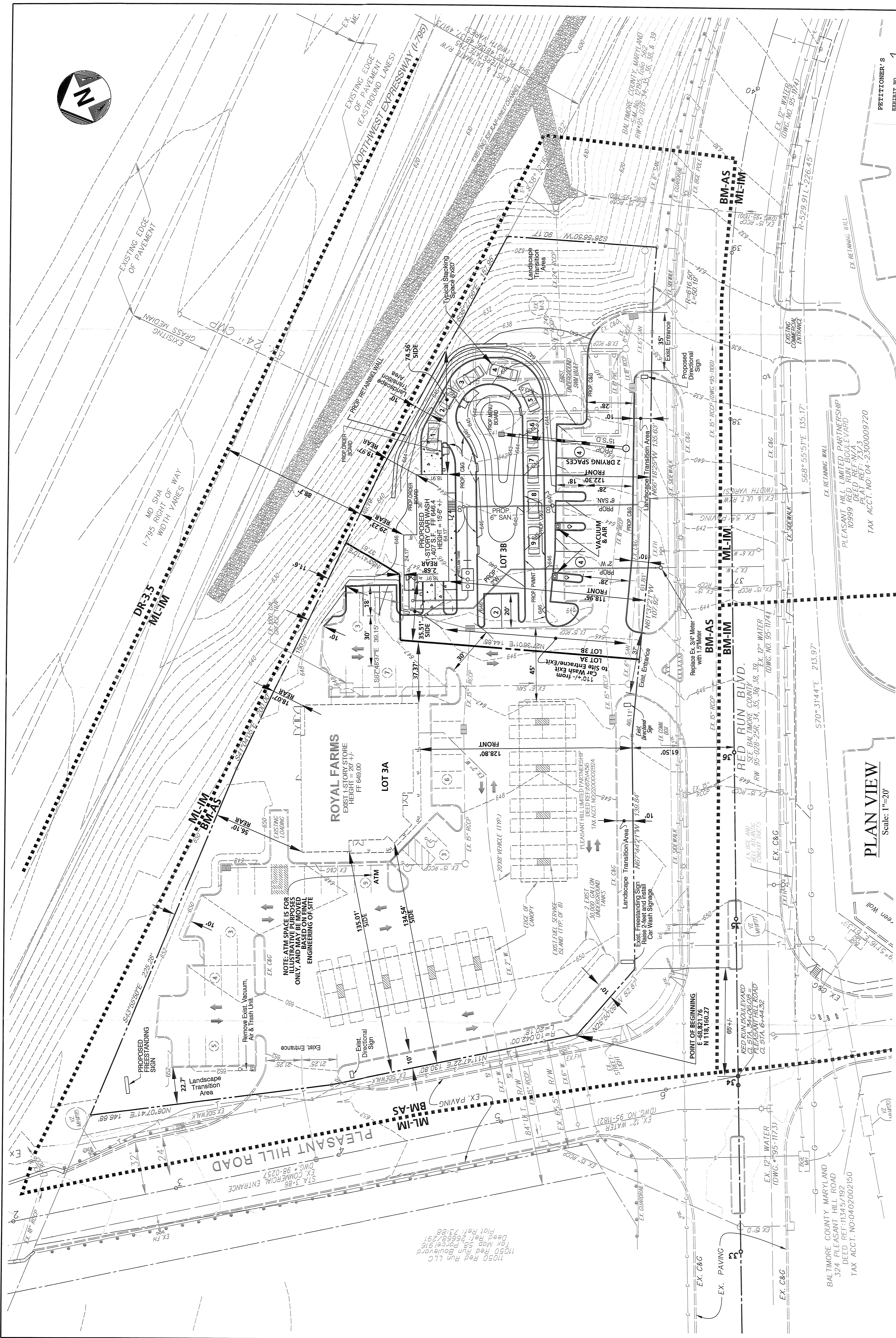


DESIGN: S.A.W.
DRAWN: P.F.L.
CHECKED: S.A.W.

DATE: _____
ITEM: _____

PETITIONER'S
EXHIBIT NO. 1

Plan to Accompany Petition for a Variance
Special Exception, and Special Hearing
ROYAL FARMS STORE
10968 Red Run Boulevard
Baltimore County, Maryland 21117
Tax Map 58, Parcel 605
Scale: AS SHOWN
Sheet 1 of 1

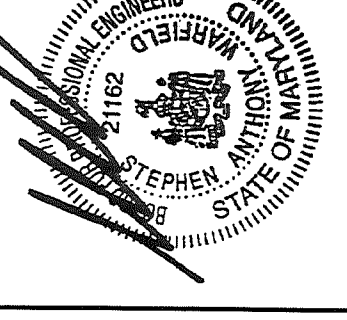


11050 Red Run LLC
Deed Ref: 26568/291
Tax Map 58, Parcel 916
Plot Ref: 73/88

BALTIMORE COUNTY MARYLAND
324 PLEASANT HILL ROAD
DEED REF: 11345/192
TAX ACCT. NO: 0402002150

POINT OF BEGINNING
E 68.821.76
N 118.160.27

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consulting engineers
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OWNER/DEVELOPER
Pleasant Hill Limited Liability
Limited Partnership
100 Painters Mill Road, Penthouse
Owings Mills, MD 21117

DATE	ITEM

ROYAL FARMS STORE
10988 Red Run Boulevard
Owings Mills, Maryland 21117
Baltimore County, Maryland
Election District 4
Councillman District 4
Tax Map 58 - Parcel 605
October 25, 2011
Sheet 2 of 3

Plan to Accompany Petition for a Variance
and Special Exception Hearing
ROYAL FARMS STORE
10988 Red Run Boulevard
Owings Mills, Maryland 21117
Baltimore County, Maryland
Election District 4
Councillman District 4
Tax Map 58 - Parcel 605
October 25, 2011
Sheet 2 of 3



PETITIONER' S

EXHIBIT NO.

3



PETITIONER'S
EXHIBIT NO. 4A



PETITIONER'S
EXHIBIT NO. 4B



PETITIONER'S
EXHIBIT NO. 4C



**ROYAL
FARMS**
TYPICAL CAR WASH

PETITIONER'S
EXHIBIT NO. 5

IN RE: PETITIONERS FOR SPECIAL EXCEPTION • BEFORE THE

100' N of the of Red Run Boulevard
AND VARIANCE - ESTABLISHMENT OF A SERVICE STATION
(0988 Red Run Boulevard)
4th Election District
Petitioners

Pleasant Hill Limited Liability Partnership
Petitioners

Case No. 05-409-XA

WHEREFORE, IT IS ORDERED by the Zoning Commissioner of Baltimore County this 27th day of April 2005 that the Petition for Special Exception to permit a fuel service station on an individual site and a convenience store of less than 1500 sq.ft. and carryout restaurant, as used in combination with the proposed fuel service station, pursuant to Sections 405.2.B.1, 405.4.E.1 and 405.E.10 of the Baltimore County Zoning Regulations (B.C.Z.R.), in accordance with Petitioner's Exhibits 1A through 1C, be and is hereby GRANTED; and, IT IS FURTHER ORDERED that the Petition for Variance seeking relief from Section 404.4.5.a of the B.C.Z.R. to permit seven wall-mounted enterprise signs (no more than three on a facade) in lieu of the maximum allowed three wall-mounted enterprise signs (no more than two on a facade) for the proposed fuel service station; and, from Section 405.4.4.2.b of the B.C.Z.R. to permit a landscape transition area of 0 feet in lieu of the minimum required 6 feet, in accordance with Petitioner's Exhibit 1D, be and is hereby GRANTED, subject to the following restrictions:

- 1) The Petitioners may apply for building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at their own risk until the 30 day-appeal period from the date of this Order has expired. If an appeal is received, this Order is reversed, the relief granted herein shall be rescinded.
- 2) Access for the fuel service station from Red Run Boulevard shall be provided by a 10-foot minimum width landscaped transition area is provided along the perimeter of all car wash operations.
- 3) When applying for a building permit, the site plan filed must reference this case and set forth and address the restrictions of this Order.

WJW/jjs

IN RE: PETITIONERS FOR SPECIAL EXCEPTION • BEFORE THE

100' N of the of Red Run Boulevard
AND VARIANCE - ESTABLISHMENT OF A SERVICE STATION
(0988 Red Run Boulevard)
4th Election District
Petitioners

Pleasant Hill Limited Liability Partnership
Petitioners

Case No. 05-409-XA

AMENDED ORDER

WHEREAS, this matter came before the Zoning Commissioners for consideration of Petitions for Special Exception and Variance filed by Pleasant Hill L.L.P., owners of the subject property, through their attorney, Robert A. Hoffman, Esquires. The Petitioners sought special exception for a proposed fuel service station, convenience store with a sales area greater than 1500 sq.ft. and carryout restaurant as used in combination, pursuant to Sections 405.2.B.1, 405.4.E.1 and 405.E.10 of the Baltimore County Zoning Regulations (B.C.Z.R.). Variance relief was also requested to allow an increase in the number of wall-mounted enterprise signs permitted and from landscape transition area requirements, in accordance with the four-page site plan submitted, which was accepted into evidence and marked as Petitioner's Exhibits 1A through 4D. Pursuant to my Opinion and Order dated April 27, 2005, the relief requested was granted, subject to certain conditions. Subsequent to the issuance of said Order, Counsel for the Petitioners advised this Zoning Commissioner that the Order inadvertently granted the special exception for a convenience store with a sales area less than 1500 sq.ft., and requested that an Amended Order be issued to correct the error.

WHEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 27th day of May 2005 that the Order issued April 27, 2005 be and the same is hereby AMENDED to reflect that the convenience store will have a sales area greater than 1500 sq.ft., in accordance with the following:

WHEREFORE, IT IS ORDERED by the Zoning Commissioner of Baltimore County this 27th day of May 2005 that the Petition for Special Exception to permit a fuel service station on an individual site and a convenience store of greater than 1500 sq.ft. and carryout restaurant, as used in combination with the proposed fuel service station, pursuant to Sections 405.2.B.1, 405.4.E.1 and 405.E.10 of the Baltimore County Zoning Regulations (B.C.Z.R.), in accordance with Petitioner's Exhibits 1A through 1C, be and is hereby GRANTED; and, IT IS FURTHER ORDERED that all other terms and conditions of the relief granted in the Order dated April 27, 2005 shall remain in full force and effect.

WJW/jjs

BCZR SECTION 419 STANDARDS:

- 419.1 Roll-over car wash is permitted as a use in combination with a service station subject to the provisions of Section 405.
- 419.2 Manufacturer's rated hourly production capacity is 20 cars/hour
- 419.3 Internal paved areas of the car wash site have been laid out to allow automobile circulation in a manner that precludes vehicles from waiting on the street or blocking the right-of-way before gaining entrance.
- Nine stacking spaces have been provided for the proposed roll-over car wash tunnel
- Parking spaces have been located to avoid conflict with on-site circulation patterns.
- Four parking spaces have been provided vacuum and air services. (One Required)
- Two parking spaces have been provided for Drying. (Two Required)
- Four additional parking spaces have been provided. (Two Required)

- 419.4 The Car Wash is 110-feet from the closest residential zone. (50-feet Required)
- The tunnel exit of car wash facilities is set back 110-feet from the nearest exit drive. (50-feet Required)

Tunnel entrance or exit does not face an adjacent residentially zoned property.

All of the walls of the proposed car wash building are glass.

Except for the required access drives, a 10-foot minimum width landscaped transition area is provided along the perimeter of all car wash operations.

The landscape transition area shall be planted and screened in accordance with the Landscape Manual requirements for automotive uses.

BCZR SECTION 405.4 STANDARDS:

Minimum service station site area = 15,000 sq. ft. or 1500 times the # of fuel service spaces plus areas required for uses under BCZR sections 405.4.D or 405.4.E.

Minimum Setbacks

- 35ft. from main structure to street R/W
- 25ft. from fuel pump to street R/W
- 15ft. from canopy to street R/W
- 10ft. from perimeter of paved area to public R/W
- 6ft. from perimeter of paved area to slide and rear property lines of non-residential zones
- 15ft. from perimeter of paved area to property line if property line is within 50ft. of any residentially zoned property other than in a public R/W

SITE DATA

Election District: 4
County Council District: 4
Zoning Map: 4
Owner's Name and Address: BM-AS & ML-IM (Map 056A/3)
Pleasant Hill Limited Liability Partnership
1007 Antlers Mill Road, Fentons
Owings Mills, MD 21117

Petitioner Address: 3631 Roland Ave.
Baltimore, MD 21211

Property Address: 10968 Red Run Boulevard
Owings Mills, MD 21117

Lot: 3A

Lot: 3B

Lot: 3C

Lot: 3D

Lot: 3E

Lot: 3F

Lot: 3G

Lot: 3H

Lot: 3I

Lot: 3J

Lot: 3K

Lot: 3L

Lot: 3M

Lot: 3N

Lot: 3O

Lot: 3P

Lot: 3Q

Lot: 3R

Lot: 3S

Lot: 3T

Lot: 3U

Lot: 3V

Lot: 3W

Lot: 3X

Lot: 3Y

Lot: 3Z

Lot: 3AA

Lot: 3AB

Lot: 3AC

Lot: 3AD

Lot: 3AE

Lot: 3AF

Lot: 3AG

Lot: 3AH

Lot: 3AI

Lot: 3AJ

Lot: 3AK

Lot: 3AL

Lot: 3AM

Lot: 3AN

Lot: 3AO

Lot: 3AP

Lot: 3AQ

Lot: 3AR

Lot: 3AS

Lot: 3AT

Lot: 3AU

Lot: 3AV

Lot: 3AW

Lot: 3AX

Lot: 3AY

Lot: 3AZ

Lot: 3BA

Lot: 3BB

Lot: 3BC

Lot: 3BD

Lot: 3BE

Lot: 3BF

Lot: 3BG

Lot: 3BH

Lot: 3BI

Lot: 3BJ

Lot: 3BK

Lot: 3BL

Lot: 3BM

Lot: 3BN

Lot: 3BO

Lot: 3BP

Lot: 3BQ

Lot: 3BR

Lot: 3BS

Lot: 3BT

Lot: 3BU

Lot: 3BV

Lot: 3BW

Lot: 3BX

Lot: 3BY

Lot: 3BZ

Lot: 3CA

Lot: 3CB

Lot: 3CC

Lot: 3CD

Lot: 3CE

Lot: 3CF

Lot: 3CG

Lot: 3CH

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County Council District: 4
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Lot: 3X

Lot: 3Y

Lot: 3Z

Lot: 3AA

Lot: 3AB

Lot: 3AC

Lot: 3AD

Lot: 3AE

Lot: 3AF

Lot: 3AG

Lot: 3AH

Lot: 3AI

Lot: 3AJ

Lot: 3AK

Lot: 3AL

Lot: 3AM

Lot: 3AN

Lot: 3AO

Lot: 3AP

Lot: 3AQ

Lot: 3AR

Lot: 3AS

Lot: 3AT

Lot: 3AU

Lot: 3AV

Lot: 3AW

Lot: 3AX

Lot: 3AY

Lot: 3AZ

Lot: 3BA

Lot: 3BB

Lot: 3BC

Lot: 3BD

Lot: 3BE

Lot: 3BF

Lot: 3BG

Lot: 3BH

Lot: 3BI

Lot: 3BJ

Lot: 3BK

Lot: 3BL

Lot: 3BM

Lot: 3BN

Lot: 3BO

Lot: 3BP

Lot: 3BQ

Lot: 3BR

Lot: 3BS

Lot: 3BT

Lot: 3BU

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Lot: 3BY

Lot: 3BZ

Lot: 3CA

Lot: 3CB

Lot: 3CC

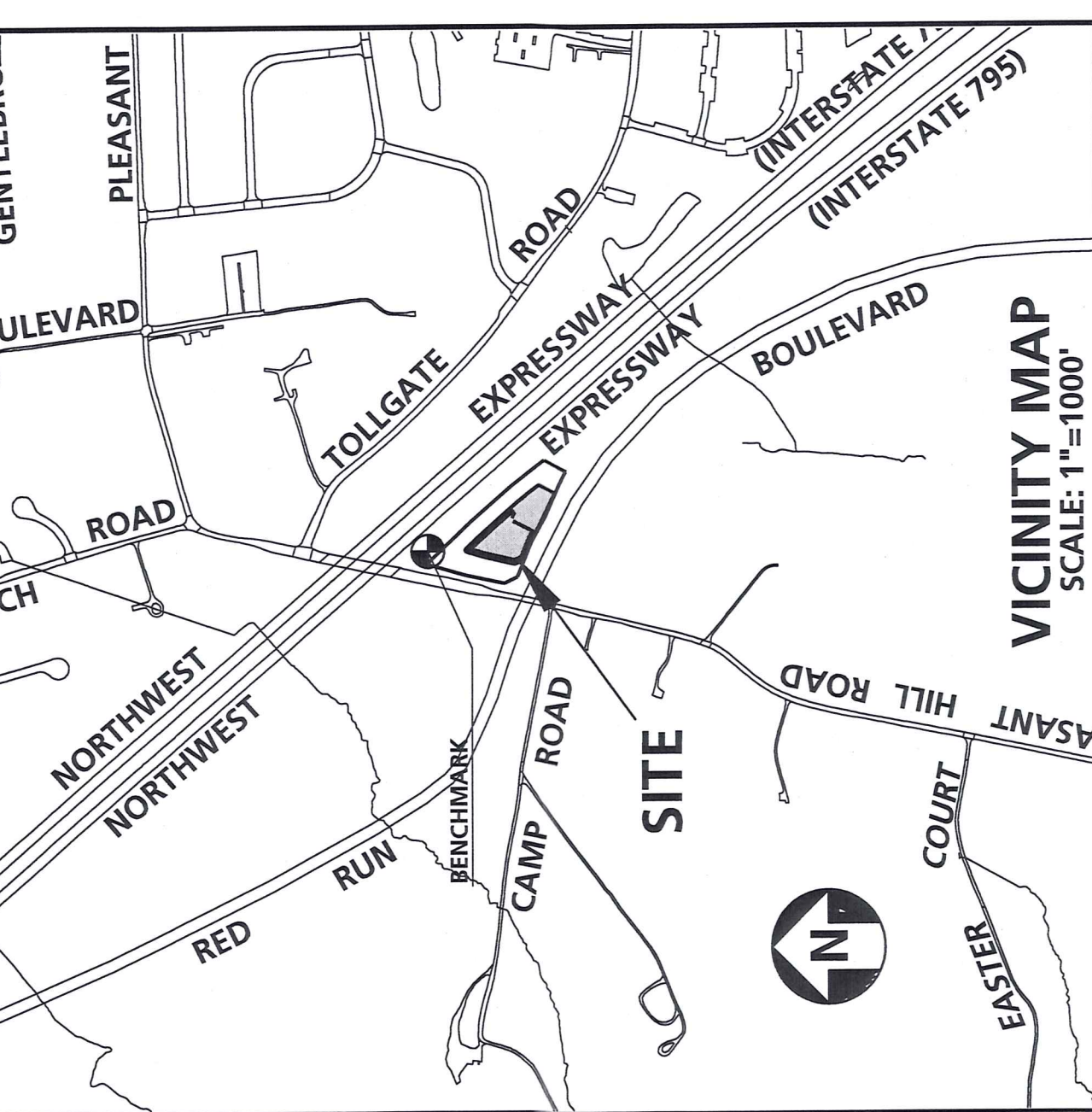
Lot: 3CD

Lot: 3CE

Lot: 3CF

Lot: 3CG

Lot: 3CH



BENCHMARK
HUB #179287 M ELEV=661655
H-4350201 W-46347125

DESCRIPTION SQUARE LOT ON THE SE CORNER
OF THE LOT CONCRETE WALL OF THE BRIDGE OVER
1795 ON PLEASANT HILL ROAD, SOUTH OF TOLLGATE ROAD

COORDINATES, BEARINGS, AND ELEVATIONS SHOWN
HEREON ARE BASED ON BALTIMORE COUNTY CONTROL

ZONING HEARINGS, CRG, WAIVERS:

- 12/30/1993 Original CRG Approval
- 6/19/1997 DRC Plan Approval for first refinement to site to accommodate final Red Run Blvd. alignment, and to reconfigure the site.
- 8/31/1998 DRC letter issued for second refinement, on current lot 3, to change the size of the building and modify the parking layout.
- 1/7/1999 DRC letter issued to supersede the previous second refinement.
- This refinement was for the same modifications to current lot 3 as proposed in the second refinement with the addition of subdividing the property into three lots and adding retaining walls, and parking.
- 4/20/1999 Second Refined CRG Plan Approved
- 2004 CZMP Issue 4-016
- Property rezoned from M-1M to BM-AS
- 06/06/2005 DRC letter issued for Third Refinement to replace the Office Building on Lot 3 with a Service Station (Convenience Store / Carry Out Building on Lot 3A, and a Bank on Lot 3B).
- 04/27/2005 Zoning Order Case No. 05-409-XA
- Petitions for special exception and variance
- 05/19/2005 Amended Order, Zoning Case No. 05-409-XA
- 01/26/2006 Third Refined CRG Plan Approved

PREVIOUS COMMERCIAL PERMITS

- Grading Permit #B306067
- Grading Permit #B732264 (currently active)
- SWM Permit #B615792
- Bldg Permit #B647421
- Task Permit #B664650
- Bldg Permit #B664651
- Sign Permit #B672282
- Sign Permit #B681033

BASIC SERVICES MAP

Site is not within any failed Basic Services Map areas per Bill No. 15-11.

Matis Warfield

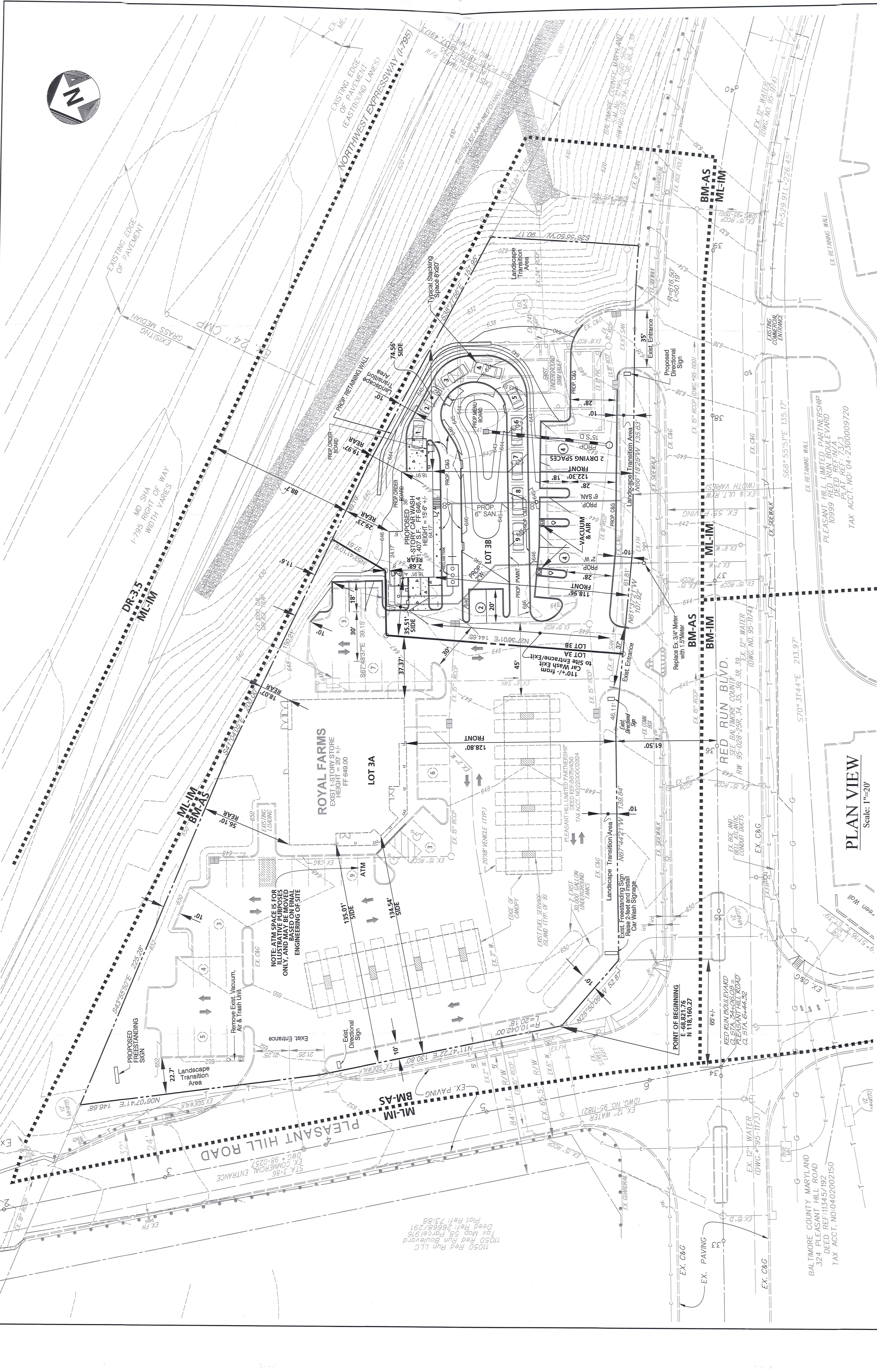
consulting engineers
10540 York road, suite m
hunt valley, maryland 21036
tel: 410-683-1798
fax: 410-683-1798
www.matiswarfield.com



Plan to Accompany Petition for a Variance
Special Exception, and Special Hearing

ROYAL FARMS STORE

10988 Red Run Boulevard
10968 Red Run Boulevard
Baltimore County, Maryland 21117
Election District 4
County Council District 4
Tax Map 58, Parcel 695
C-0000025, 2011
Scale: As Shown
Sheet 1 of 3



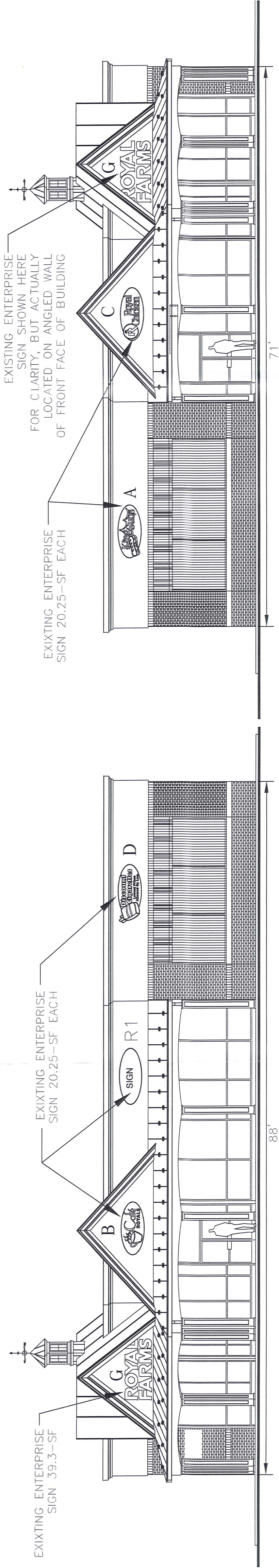
PLAN VIEW
Scale: 1"=20'

Matis Warfield
consulting engineers
10540 York Road, Suite 100
Hunt Valley, MD 21086-7004
Phone: 410-288-7004
www.matiswarfield.com

OWNER/DEVELOPER
Pleasant Hill Limited Liability
Limited Partnership
100 Painters Mill Road, Penthouse
Owings Mills, MD 21117

DATE	ITEM

Plan to Accompany Petition for a Variance
and Special Exception Hearing
ROYAL FARMS STORE
10888 Red Run Boulevard
Pleasant Hill, Maryland 21117
Baltimore County, Maryland
Election District 4
Circumlocution District 4
Scale: As Shown
Tax Map 58 - Parcel 605
October 25, 2013
Sheet 1 of 1

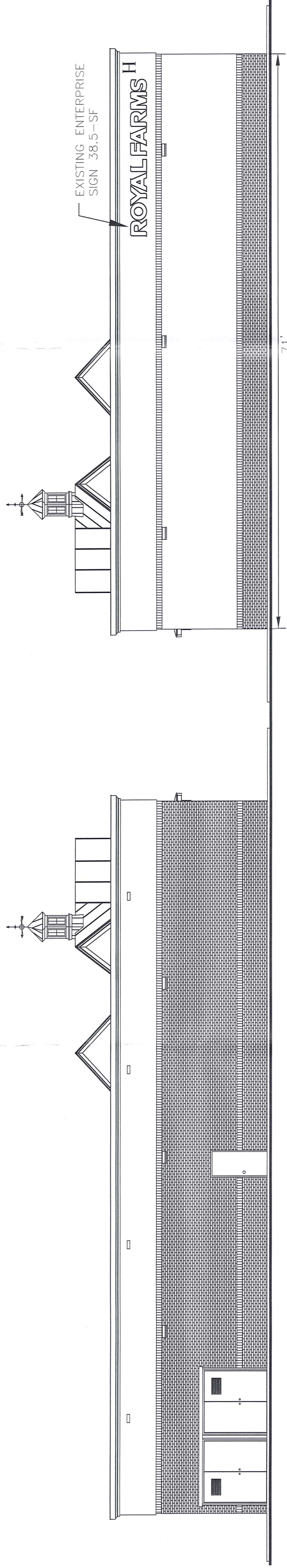


FRONT FACE

SCALE: 1/8" = 1'-0"

LEFT SIDE FACE

SCALE: 1/8" = 1'-0"

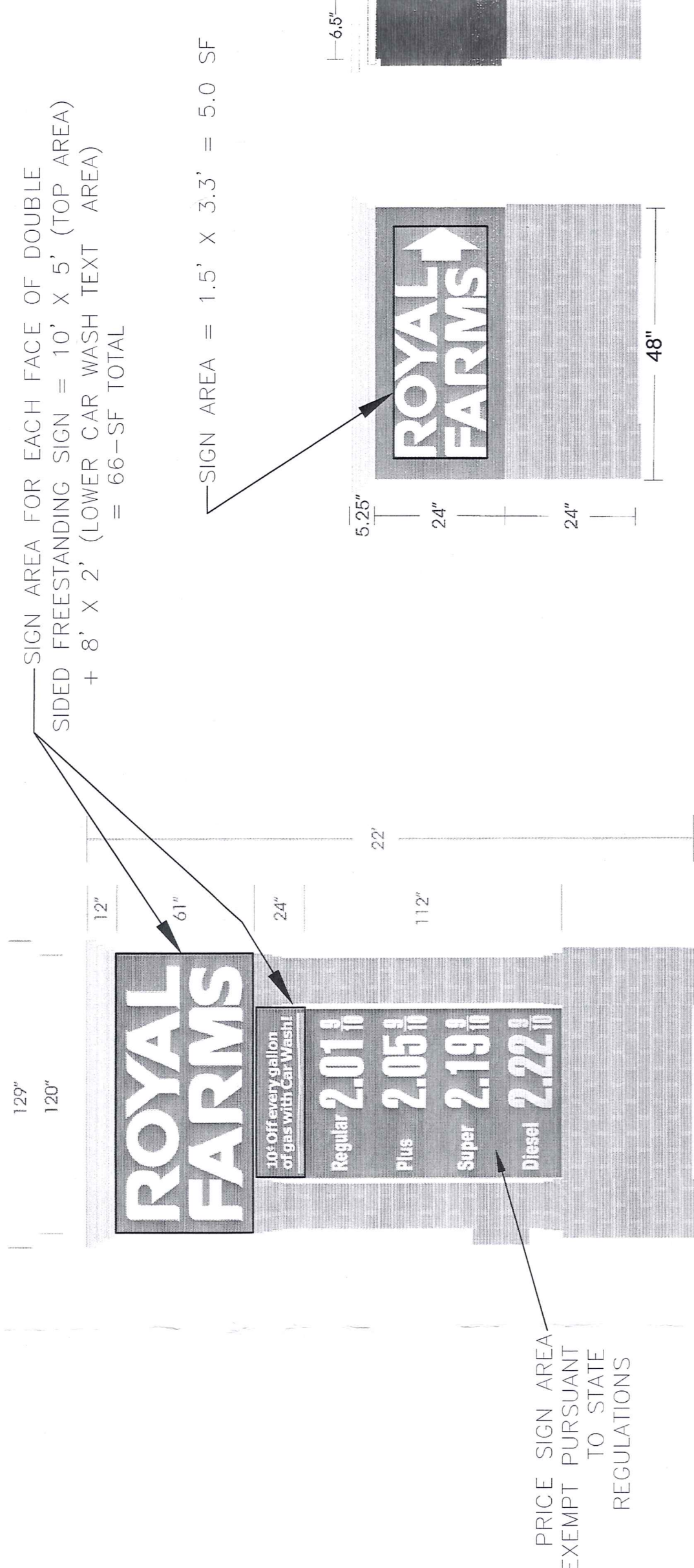


BACK

SCALE: 1/8" = 1'-0"

RIGHT

SCALE: 1/8" = 1'-0"



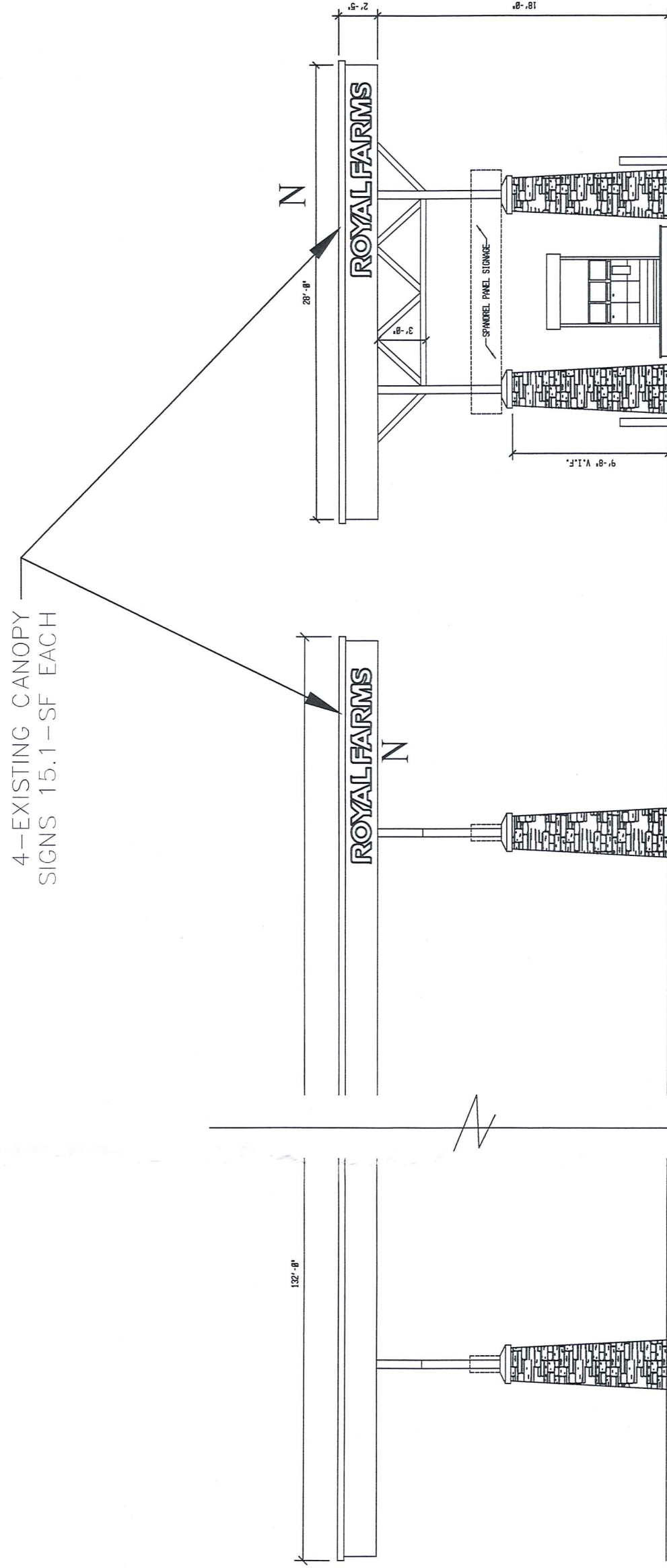
FREESTANDING M PYLON SIGNAGE

FREESTANDING SIGNAGE SUMMARY

- ONE FREESTANDING SIGN ALLOWED FOR EACH FRONTAGE ON A PUBLIC ROAD.
- 100 SF/SIGN ALLOWED SINCE FRONTAGES ARE MORE THAN 300' LONG.
- ONE 5' X 10' = 50 SF FREESTANDING TWO SIDED SIGN EXISTING ALONG RED RUN BLVD FRONTAGE
- CHANGE HEIGHT OF SIGN FROM 20-FEET EXISTING TO 22-FEET PROPOSED. ADD 2'X8' CAR WASH TEXT ABOVE STATE MANDATED PRICE AREA OF SIGN. TOTAL SIGN AREA AFTER CHANGE = 66-SF
- ONE (5' X 10') + (2' X 8') = 66 SF FREESTANDING TWO SIDED SIGN PROPOSED ALONG PLEASANT HILL ROAD FRONTAGE.

DIRECTIONAL K ENTER SIGNAGE

- VARIANCE REQUIRED AS THE SIZE OF THE "ROYAL FARMS" TEXT/LOGO IS LIMITED TO A MAXIMUM OF 30% OF DIRECTIONAL SIGN AREA.
- SIGN AREA = 5.0 SF
- ALLOWABLE TEXT/LOGO AREA = (5.0 SF) X (0.3) = 1.5 SF
- PROPOSED TEXT/LOGO AREA = 1.5' X 2.8' = 4.2 SF
- PROPOSED PERCENT OF SIGN AREA = 84% FOR TEXT/LOGO
- DIRECTIONAL SIGN
- 8 SF ALLOWED
 - 5 SF PROVIDED
 - 2 EXISTING TWO SIDED
 - 1 PROPOSED TWO SIDED



EXISTING CANOPY SIGNAGE N

SCALE: 1/8" = 1'-0"

Plan to Accompany Petition for a Variance and Special Exception Hearing

ROYAL FARMS STORE

10988 Red Run Boulevard
10968 Red Run Boulevard
Baltimore County, Maryland 21117
Tax Map 58 - Parcel 605
October 25, 2011
Sheet 3 of 3

Election District 4
Councilmanic District 4
Scale: As Shown