

KEVIN KAMENETZ County Executive LAWRENCE M. STAHL
Managing Administrative Law Judge
JOHN E. BEVERUNGEN
Administrative Law Judge

December 11, 2012

David H. Karceski, Esquire 210 W. Pennsylvania Avenue Suite 500 Towson, Maryland 21204

RE:

Petition for Special Exception

Case No.: 2013-0093-X

Property: 11119 McCormick Road

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 410-887-3868.

Sincerely,

JOHNE. BEVERUNGEN Administrative Law Judge for Baltimore County

JEB:sln Enclosure

c: Justin Williams, Esquire, 210 W. Pennsylvania Avenue, Suite 500, Towson, Md. 21204 Ken Schmid, 325 Gambrills Road, Suite E, Gambrills, Md. 21054 Tanya Bensinger, 10540 York Road, Suite M, Hunt Valley, Md. 21030 Steve Warfield, 10540 York Road, Suite M, Hunt Valley, Md. 21030 Jeff Bainbridge, 3611 Roland Avenue, Baltimore, Md. 21211 Robert Becker, P.O. Box 1189, Brooklandville, Md. 21022 Todd Tilson, P.O. Box 1189, Brooklandville, Md. 21022

RE: PETITION FOR SPECIAL EXCEPTION * 11119 McCormick Road; NE/S McCormick

Road, 385' N c/line Wight Avenue

8th Election & 3rd Councilmanic Districts

Legal Owner(s): Consolidated McCormick LLC*

Contract Purchaser(s): Two Farms, Inc

Petitioner(s)

BEFORE THE OFFICE

OF ADMINSTRATIVE

HEARINGS FOR

BALTIMORE COUNTY

2013-093-X

ENTRY OF APPEARANCE

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

Peter Max Zimmerman

PETER MAX ZIMMERMAN

People's Counsel for Baltimore County

RECEIVED

OCT 26 2012

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 26th day of October, 2012, a copy of the foregoing Entry of Appearance was mailed to David Karceski, Esquire, 210 W. Pennsylvania Avenue, Suite 500, Towson, Maryland 21204, Attorney for Petitioner(s).

Peter Max Zummerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

IN RE: PETITION FOR SPECIAL EXCEPTION *

(11119 McCormick Road)

8th Election District

3rd Councilman District

Consolidated McCormick, LLC

Legal Owner

Two Farms, Inc.,

Lessee

Petitioners

BEFORE THE

OFFICE OF

OFFICE OF

ADMINISTRATIVE HEARINGS

FOR BALTIMORE COUNTY

Case No. 2013-0093-X

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (OAH) for Baltimore County as a Petition for Special Exception filed for property located at 11119 McCormick Road. The Petition was filed by David H, Karceski, Esquire, on behalf of the legal owner of the subject property, Consolidated McCormick, LLC, and the lessee, Two Farms, Inc., ("Petitioners"). The Special Exception Petition seeks relief pursuant to §§ 405.2B.1, 405.4.E.1, 405.4.E.2, and 405.4.E.10 of the Baltimore County Zoning Regulations (B.C.Z.R.), to allow a fuel service station on an individual site and a convenience store, carry-out restaurant and a roll-over car wash as uses in combination. The subject property and requested relief are more fully described on the five (5) sheet site plan which was marked and accepted into evidence as Petitioners' Exhibit 1A-E.

Appearing at the hearing was Kenneth Schmid with Traffic Concepts, Inc., Tanya Bensinger and Stephen A. Warfield, both with Matis Warfield, the consulting firm that prepared the site plan, Robert Becker and Todd Tilson of Consolidated McCormick, and Jeff Bainbridge, Director of Real Estate, Royal Farms. David H. Karceski Esquire, and Justin Williams, Esquire, both with Venable, LLP, attended and represented the Petitioners. There were no Protestants in attendance, nor does the file contain any correspondence opposing the project. The file reveals

ORDER RECEIVED FOR FILING

Date 12/11/12

Ву_

that the Petition was properly advertised and the site was properly posted as required by the B.C.Z.R.

The Zoning Advisory Committee (ZAC) comments were received and are made part of the record of this case. ZAC comments were received from Department of Planning (DOP) on November 14, 2012, requesting that Petitioner provide sidewalks along McCormick Road and to the store entry. Counsel explained that a sidewalk already exists along McCormick Road, and the plan also shows a sidewalk to the store entrance. Exhibit 6. In addition, a ZAC comment was received from the Bureau of Development Plans Review (DPR) on October 24, 2012, requesting revision of the plan to show a minimum of 22' drive aisle width. This comment was addressed as a red lined revision to the site plan. Exhibit 1.

Testimony and evidence offered at the hearing revealed that the subject property is 145,220 square feet (3.33 acres) and is zoned BM-IM. The site is currently improved with an 8,500 square feet commercial building that will be razed. The petitioner proposes to construct a Royal Farm store fuel service station on the site, and a convenience store, food carryout and car wash will be included as "uses in combination" with the fuel service station, as permitted by B.C.Z.R. § 405E. As shown on the My Neighborhood maps (Exhibits 3 & 4), the subject property is situated among many other commercial and industrial sites in the Hunt Valley business community. Petitioner requires only special exception relief, as the site plan is, in the words of counsel, "variance free."

SPECIAL EXCEPTION

As noted above, Petitioners seek special exception relief under §§ 405.2B.1, 405.4.E.1, 405.4.E.2, and 405.4.E.10 of the Baltimore County Zoning Regulations (B.C.Z.R.), to use a fuel service station on an individual site and a convenience store, carry-out restaurant and a roll-over car wash as uses in combination. Under Maryland law, a special exception use enjoys a ORDER RECEIVED FOR FILING

Date_12|11|12

presumption that it is in the interest of the general welfare, and therefore, valid. Schultz v. Pritts, 291 Md. 1 (1981). The Schultz standard was revisited in People's Counsel v. Loyola College, 406 Md. 54 (2008), where the court emphasized that a special exception is properly denied only when there are facts and circumstances showing that the adverse impacts of the use at the particular location in question would be above and beyond those inherently associated with the special exception use.¹

Here, there was no evidence presented that the adverse effects from the operation of a fuel service station, convenience store, carry-out restaurant and a roll-over car wash would be any greater at this location than in any other locations in the zone where the use is permitted by special exception. Indeed, Mr. Warfield testified (via proffer) the project satisfied each of the requirements set forth in B.C.Z.R. § 502.1, and would in no way negatively impact the community's health, safety and welfare. Mr. Warfield stressed that no variances were required and that the site is surrounding by the Hunt Valley business community. In addition, Kenneth Schmid (a traffic engineer who was accepted as an expert) testified that the two signalized intersections closest to the site function at an "A" level of service, and that the store would not cause congestion in or overburden the roadways.

Pursuant to the advertisement, posting of the property, and public hearing on this petition, and after considering the testimony and evidence offered, I find that Petitioners' Special Exception request should be granted.

ORDER RECEIVED FOR FILING

Date_|2|||2

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¹ The B.C.Z.R. imposes an additional requirement (above and beyond the § 502.1 standards) for special exception relief in this setting. Specifically, that there not be abandoned fuel service stations in the vicinity of the proposed site. B.C.Z.R. §405.3. Here, Stephen Warfield (a licensed Professional Engineer who was accepted as an expert) testified there is not an abandoned service station within one (1) mile of the subject property.

THEREFORE, IT IS ORDERED by the Administrative Law Judge for Baltimore County, this 11th day of December, 2012, that the Petitioners' request for relief under §§ 405.2B.1, 405.4.E.1, 405.4.E.2, and 405.4.E.10 of the Baltimore County Zoning Regulations ("B.C.Z.R."), to allow a fuel service station on an individual site and a convenience store, carry-out restaurant and a roll-over car wash as uses in combination, be and is hereby GRANTED.

The relief granted herein shall be subject to the following:

- 1. Petitioners may apply for appropriate permits 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.
- 2. The special exception relief granted herein must be utilized within a period of five (5) years from the date hereof.

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

JEB/sln

JOHN E. BEVERUNGEN Administrative Law Judge for Baltimore County

ORDER RECEIVED FOR FILING

Date_

By_



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 11119 McCormick Road, Hunt Valley, MD 21031 which is presently zoned BM-IM

Deed References: 28989/312 10 Digit Tax Account # 1 7 0 0 0 1 0 5 4 9

Property Owner(s) Printed Name(s) Consolidated McCormick LLC

(SELECT THE HEARING(S) BY MARKING X 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:

- a Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether
 or not the Zoning Commissioner should approve
- X a Special Exception under the Zoning Regulations of Baltimore County to use the herein described property for SEE ATTACHED
- 3.____ a Variance from Section(s)

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)

TO BE PRESENTED AT HEARING

Contract Purchaser/Lessee:	Legal Owners (Petitioners):
Two Farms, Inc.	Consolidated McCormick LLC
tame-Type or Print	Name #1 - Type or Print Name #2 - Type or Print
MD President MD	Signature #1 POPELS PACKED, Signature # 2 P.O. Box 1189 Brooklandville MD
Mailing Address City State	Mailing Address City State
21211 ,410-889-0200 ,jsbainbridge@royalfarms.c	com 21022 , 410-823-8100, ext. 2 , tat@cecinv.com
David H. Karceski, Esquire	David H. Karceski, Esquire Name - Type of Print
signature Venable LLP	Signature Venable LLP
210 W. Pennsylvania Ave., Ste. 500 Towson MD	210 W. Pennsylvania Ave., Ste. 500 Towson MD
failing Address City State	Mailing Address City State
21204 , 410-494-6285 , dhkarceski@venable.cc	om 21204 / 410-494-6285 / dhkarceski@venable.c
CASE NUMBER 2013 - 0093 - X Filing Date 10,17,1	Zip Code Telephone # Email Address 2. Do Not Schedule Dates: Reviewer R
LARE ALLEANDER /U/) = (N/)) = A EM- Bids / '/	

ATTACHMENT PETITION FOR SPECIAL EXCEPTION 11119 McCORMICK ROAD

Special Exception to allow a fuel service station on an individual site and a convenience store, carry-out restaurant and roll-over car wash as uses in combination, pursuant to BCZR Sections 405.2.B.1, 405.4.E.1, 405.4.E.2, and 405.4.E.10.

I tem # 0093

5878181-v1



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

All of those lots or parcels of land located in Baltimore County, Maryland, and more particularly described as follows:



BEGINNING for the same at a point on the northeast side of McCormick Road, seventy feet wide, as shown on Baltimore County, Bureau of Land Acquisition Plats RW 66-054-1 and 2, and at the distance of 385(+/-) feet north of the centerline of Wight Avenue. Thence binding on the northeast side of said McCormick Road two courses:

- (1) northwesterly, by a curve to the left with a radius of 6975.81 feet, the distance of 185.77 feet, the chord of said arc being North 23 degrees 23 minutes 37 seconds West 185.76 feet, and
- (2) North 24 degrees 09 minutes 23 seconds West 184.77 feet to a 3/4 inch pipe set on the south outline of Block B, as shown on the Plat of "Resubdivision of Block B, Greater Baltimore Industrial Park", recorded among the aforementioned Land Records in Plat Book RRG No. 29, page 65, thence binding on the outlines of the land shown on said plat two courses:
- (3) North 77 degrees 23 minutes 35 seconds East 259.56 feet to a 1 inch pipe, and
- (4) South 16 degrees 37 minutes 39 seconds East 93.80 feet to a 1 inch pipe set on the third or easterly 316 feet, 6 inch line of the second parcel of land conveyed by Robert Louis Abell to Maryland Properties, Inc., by deed dated December 5, 1966 and recorded among said Land Records in Liber OTG No. 4704, folio 266 thence binding on a part of said third line;
- (5) North 73 degrees 22 minutes 21 seconds East 245.09 feet to the 3/4 inch pipe set at the beginning of the South 16 degrees 23 minutes 16 seconds East, 598.19 foot line of the westernmost outline of the land shown on the plat of "Resubdivision of Block B, Greater Baltimore Industrial Park" recorded among the Land Records of Baltimore County in Plat Book RRG No. 29, folio 65, and thence binding on a part of said line,
- (6) South 16 degrees 37 minutes 09 seconds East 249.15 feet to a point distant 349.04 feet, as measured North 16 degrees 23 minutes 16 seconds West along said line from the end thereof and from the north side of Wight Avenue, seventy feet wide, as shown on Baltimore County, Bureau of Land Acquisition Plat RW 70-170-4, said point also being at the end of the fourth line of the 3.5298 acre parcel described in a deed recorded or intended to be recorded among the Land Records aforesaid, thence binding reversely on said fourth line,
- (7) South 72 degrees 33 minutes 37 seconds West 457.93 feet to the place of BEGINNING.

CONTAINING 3.3338 acres of land, more or less. Tax ID No. 08-1700010549

Being more particularly described as follows:

Matis Warfield, Inc. 10540 York Road, Suite M Hunt Valley, MD 21030 410.683.7004 410.683.1798 FAX www.matiswarfield.com Item#0093

Being known and designated as Lot No. 59, as shown on a plat entitled, "Plat Four, Hunt Valley Business Community" which plat is recorded among the Land Records of Baltimore County in Liber EHK, Jr. 47, folio 50.

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





Item #0093

DEPARTMENT OF PERMITS, APPROVALS AND INSPECTIONS ZONING REVIEW

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:
Item Number or Case Number: 70/3-0093-X Petitioner: CONSOLIDATED McCormick LLC Address or Location: McCormick Road
PLEASE FORWARD ADVERTISING BILL TO: 1 Name: Unstin Williams Address: 210 W- Rennsylvania Ave. Saite Sol Towson MD 21204
Telephone Number: 410 494 6200

		DGET ANI US CASH				No. Date:	4	17 2017	PAID RECEIPT BUSINESS ACTUAL TIME TO 10/17/2012 10/17/
Fund	Dept	Unit	Sub Unit	Rev Source/ Obj	Sub Rev/ Sub Obj	Dept Obj			### 10/17/2012 10/17/2012 10:16:14 ###################################
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For:	Zon	ing hi	odvind	Ca	50#	2013 (2093	- X	
DISTRIBL	ITION								CASHIER'S VALIDATION

CERTIFICATE OF POSTING

	RE: Case No.:	0093-X
	Petitioner/Developer;	
	Consolidated McCormic Two Far	
	December 1 Date of Hearing/Closing:	
Saltimore County Department of Permits, Approvals and Inspections County Office Building, Room 111 11 West Chesapeake Avenue Powson, Maryland 21204		
attn: Kristen Lewis:		
adies and Gentlemen:		
1119 McCormick Road	71 - 20 2012	
he sign(s) were posted on	November 20, 2012	
	(Month, Day, Year)	
	Sincerely, November 2	0, 2012
ZONING NOTICE	(Signature of Sign Poster) (Date)	
A PUBLIC HEATING WILL BE HELD BY	SSG Robert Black	
THE ZONING COMMISSIONER	(Print Name)	
PLATE: NOS DESPERSON BURDOUM PLATE: NOS DEST CHIERTEN MA RAMON POR DATE AND THAN MORNING DECIPIER IN 200, 0° 10°50 REGREST: GYELINE EXEMPLES TO STRONG A DEL	1508 Leslie Road	
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	Dundalk, Maryland 21222	
AND AND THE PARTY OF THE PARTY	(City, State, Zip Code)	
Annual Services Print	(410) 282-7940	
1000	(Telephone Number)	

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: #2013-0093-X
11119 McCormick Road
NE/s McCormick Road, 385 ft. +/- N/of centerline of Wight

8th Election District - 3rd Councilmanic District

Legal Owner(s): Consolidated McCormick, LLC Contract Purchaser/Lessee: Two Farms, Inc. Special Exception to allow a fuel service station on an individual site and a convenience store, carry-out restaurant and roll-over car wash as uses in combination, pursuant to BCZR Sections 405.2.B.1, 405.4.E.1, 405.4.E.2 and 405.4.E.10. Hearing: Monday, December 10, 2012 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

INSPECTIONS FOR BALLIMORE 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.

JT 11/702 November 20

888562



501 N. Calvert Street, Baltimore, MD 21278

November 22, 2012

THIS IS TO CERTIFY, that the annexed advertisement was published in the following newspaper published in Baltimore County, Maryland, ONE TIME, said publication appearing on November 20, 2012.

Ø	The Jeffersonian
	Arbutus Times
	Catonsville Times
	Towson Times
	Owings Mills Times
	NE Booster/Reporter
	North County News

PATUXENT PUBLISHING COMPANY

By: Susan Wilkinson

Sugar Wilkinson



KEVIN KAMENETZ
County Executive

November 8, 2012

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

NOTICE OF ZONING HEARING

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CASE NUMBER: 2013-0093-X

11119 McCormick Road

NE/s McCormick Road, 385 ft. +/- N/of centerline of Wight Avenue

8th Election District – 3rd Councilmanic District Legal Owners: Consolidated McCormick, LLC Contract Purchaser/Lessee: Two Farms, Inc.

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Hearing: Monday, December 10, 2012 at 10:00 a.m. in Room 205, Jefferson Building, 105 West Chesapeake Avenue, Towson 21204

Arnold Jablan

Director

AJ:kl

C: David Karceski, 210 W. Pennsylvania Ave., Ste. 500, Towson 21204 Two Farms, Inc., John Kemp, 3611 Roland Avenue, Baltimore 21211 Consolidated McCormick, Robert Becker, P.O. Box 1189, Brooklandville 21022

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, NOVEMBER 20, 2012.

- (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, November 20, 2012 Issue - Jeffersonian

Please forward billing to:

Justin Williams

410-494-6200

210 W. Pennsylvania Avenue, Ste. 500

Towson, MD 21204

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:

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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.



KEVIN KAMENETZ County Executive

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

December 6, 2012

Consolidated McCormick LLC Robert Becker, Member P. O. Box 1189 Brooklandville, MD 21022

RE: Case Number: 2013-0093 X, Address: 11119 McCormick Road

Dear Mr. Becker:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on October 17, 2012. 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,

U. Carl Rich

W. Carl Richards, Jr. Supervisor, Zoning Review

WCR: jaf

Enclosures

c: People's Counsel

Two Farms, Inc., John Kemp, President, 3611 Roland Avenue, Baltimore MD 21211 David Karceski, Esquire, 210 W. Pennsylvania Avenue, Suite 500, Towson MD 21204

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



Darrell B. Mobley, Acting Secretary Melinda B. Peters, Administrator

MARYLAND DEPARTMENT OF TRANSPORTATION

Date: 10-22-12

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

RE: Baltimore County

Epecial Exception Consolidated M Cormikella

Dear Ms. Lewis:

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. 2013-0093-4-

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).

Sincerely,

Steven D. Foster, Chief

Access Management Division

SDF/raz

12-10 10Am

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO:

Arnold Jablon

DATE: November 9, 2012

Deputy Administrative Officer and

Director of Permits, Approvals and Inspections

FROM:

Andrea Van Arsdale

Director, Department of Planning

RECEIVED

SUBJECT:

11119 McCormick Road

NOV 1 4 2012

OFFICE OF ADMINISTRATIVE HEARINGS

INFORMATION:

Item Number:

13-093

Petitioner:

Consolidated McCormick LLC

Zoning:

BM-IM

Requested Action:

Special Exception

The petitioner requests a special exception from Sections 405.2.B.1, 405.4.E.1, 405.4.E.2, and 405.4.E.10 of the BCZR to allow a fuel service station on an individual site and a convenience store, carry-out restaurant, and roll-over car wash as uses in combination.

SUMMARY OF RECOMMENDATIONS:

The Department of Planning does not oppose the petitioner's request for a special exception. This property was re-zoned from ML-IM to BM-IM during the 2012 CZMP process. The intent was known during the 2012 CZMP process that the site would be used in a commercial capacity. The Department of Planning asks that architectural elevations be submitted for review at the time of building permit and that the design guidelines in the Hunt Valley/Timonium Master Plan are adhered to. With that being said, the Department of Planning is of the opinion that this proposal is appropriate for the area and will not be detrimental to the health, safety, or general welfare of the surrounding community.

Add sidewalks along McCormick Road and to building entry.

For further information concerning the matters stated here in, please contact Jessie Bialek at

410-887-3480.

Prepared by:

Division Chief:

AVA/LL: CM

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

DATE: October 24, 2012

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 05, 2012 Item No. 2013-0093

The Bureau of Development Plans Review has reviewed the subject zoning item and we have the following comment(s).

Revise the plan, to show a minimum of 22' drive aisle width.

DAK:CEN cc: File

ZAC-ITEM NO 13-0093-11052012.doc

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Arnold Jablon

DATE: November 9, 2012

Deputy Administrative Officer and

Director of Permits, Approvals and Inspections

FROM:

TO:

Andrea Van Arsdale

Director, Department of Planning

SUBJECT:

11119 McCormick Road

INFORMATION:

Item Number:

13-093

Petitioner:

Consolidated McCormick LLC

Zoning:

BM-IM

Requested Action:

Special Exception

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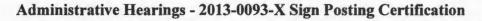
Add sidewalks along McCormick Road and to building entry.

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

Prepared by:

Division Chief:

AVA/LL: CM



From:

"Williams, Justin A." < Justin. Williams@venable.com>

To:

"administrativehearings@baltimorecountymd.gov" <administrativehearings@b...

Date:

12/6/2012 2:55 PM

Subject:

2013-0093-X Sign Posting Certification

Attachments: 2013-0093 Sign Posting.pdf

Good afternoon,

Attached is the certificate of posting for the referenced case. If this is not legible, I can bring over a copy.

Thanks,

Justin

Justin A. Williams, Esq. | Venable LLP t 410.494.6229 | f 410.821.0147 210 W. Pennsylvania Avenue, Suite 500, Towson, MD 21204

Justin.Williams@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.

Maryland Department of Assessments and Taxation Real Property Data Search (vw3.1A) BALTIMORE COUNTY Go Back
View Map
New Search
GroundRent
Redemption
GroundRent
Registration

			Owner Infor	mation					
Owner Name: Mailing Address:	РО ВО	DLIDATED MCCORMI X 1189 KLANDVILLE MD 210		P		Residence:		INDUSTI NO 1) /28989/ 2)	
			tion & Structur	re Informatio	n				
Premises Address MCCORMICK RD HUNT VALLEY MD	21031-0000		LT 300	gal Descrip 25A PT LT 2 N WIGHT A EATER BAL	3-24 3 AV	UST			
Map Grid I	Parcel Sub District	Subdivision	Section	Block	Lot	Assessment Area		Plat No:	
0042 0015 0	434	0000			25A	2		Plat Ref:	0035/
Special Tax Areas		Town Ad Valorem Tax Class	ЮИ	NE					
Primary Structure	Built	Enclosed Are 8484	<u>a</u>	Property 3.3300 AC		Area	<u>C</u>	ounty Use	
Stories Baseme	nt Type OFFICE BUI	Exterior LDING							
			Value Infor	mation					
Land	1,332,500	As Of 01/01/2011 1,332,500	Phase-in As As Of 07/01/2012	As Of 07/01/2	013				
Improvements: Total: Preferential Land:	310,900 1,643,400 0	312,900 1,645,400	1,644,733	1,645,40	00				
Treferential Land.	0		Transfer Info						
	N MARYLAND INC		Transier and	Date: Deed1:		7/2009 89/ 0031 2	Price: Deed2:	\$1,650,0	000
Seller: BELL AT	LANTIC-MD MS LENGTH OTHE	ER		Date: Deed1:		6/2002 29/ 00224	Price: Deed2:	\$0	
	AND PROPERT IES ENGTH IMPROVEI			Date: Deed1:		1/1977 29/ 00224	Price: Deed2:	\$216,69	7
			Exemption In	formation					
Partial Exempt Ass County State	essments			Class 000 000 000		07/01/2012 0.00 0.00 0.00		07/01/201	3
Municipal Tax Exempt: Exempt Class:			-			Special 7	Tax Recap		
Latinpt Class.		Home	stead Applicat	ion Informat	ion				
			· · · · · · · · · · · · · · · · · · ·						

Go Back View Map New Search

District - 08 Account Number - 1700010549



The information shown on this map has been compiled from deed descriptions and plats and is not a property survey. The map should not be used for legal descriptions. Users noting errors are urged to notify the Maryland Department of Planning Mapping, 301 W. Preston Street, Baltimore MD 21201.

If a plat for a property is needed, contact the local Land Records office where the property is located. Plats are also available online through the Maryland State Archives at www.plats.net.

Property maps provided courtesy of the Maryland Department of Planning ©2011. For more information on electronic mapping applications, visit the Maryland Department of Planning web site at www.mdp.state.md.us/OurProducts/OurProducts.shtml

MEMORANDUM

DATE: Ja

January 11, 2013

TO:

Zoning Review Office

FROM:

Office of Administrative Hearings

RE:

Case No. 2013-0093-X - Appeal Period Expired

The appeal period for the above-referenced case expired on January 10, 2013. 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

CASE NAME 13-093-X CASE NUMBER 2012-93-X DATE 12/10/12

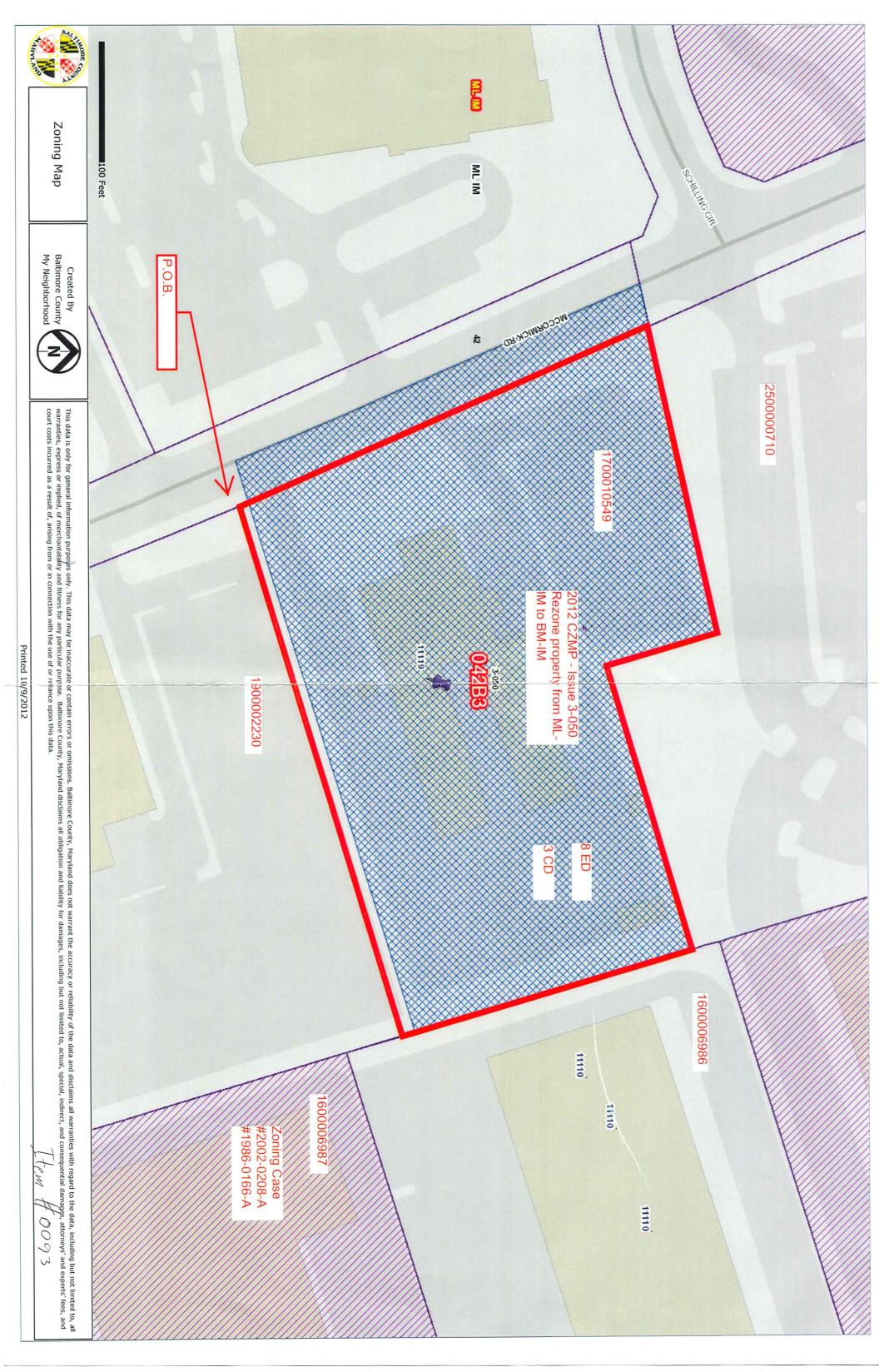
PETITIONER'S SIGN-IN SHEET

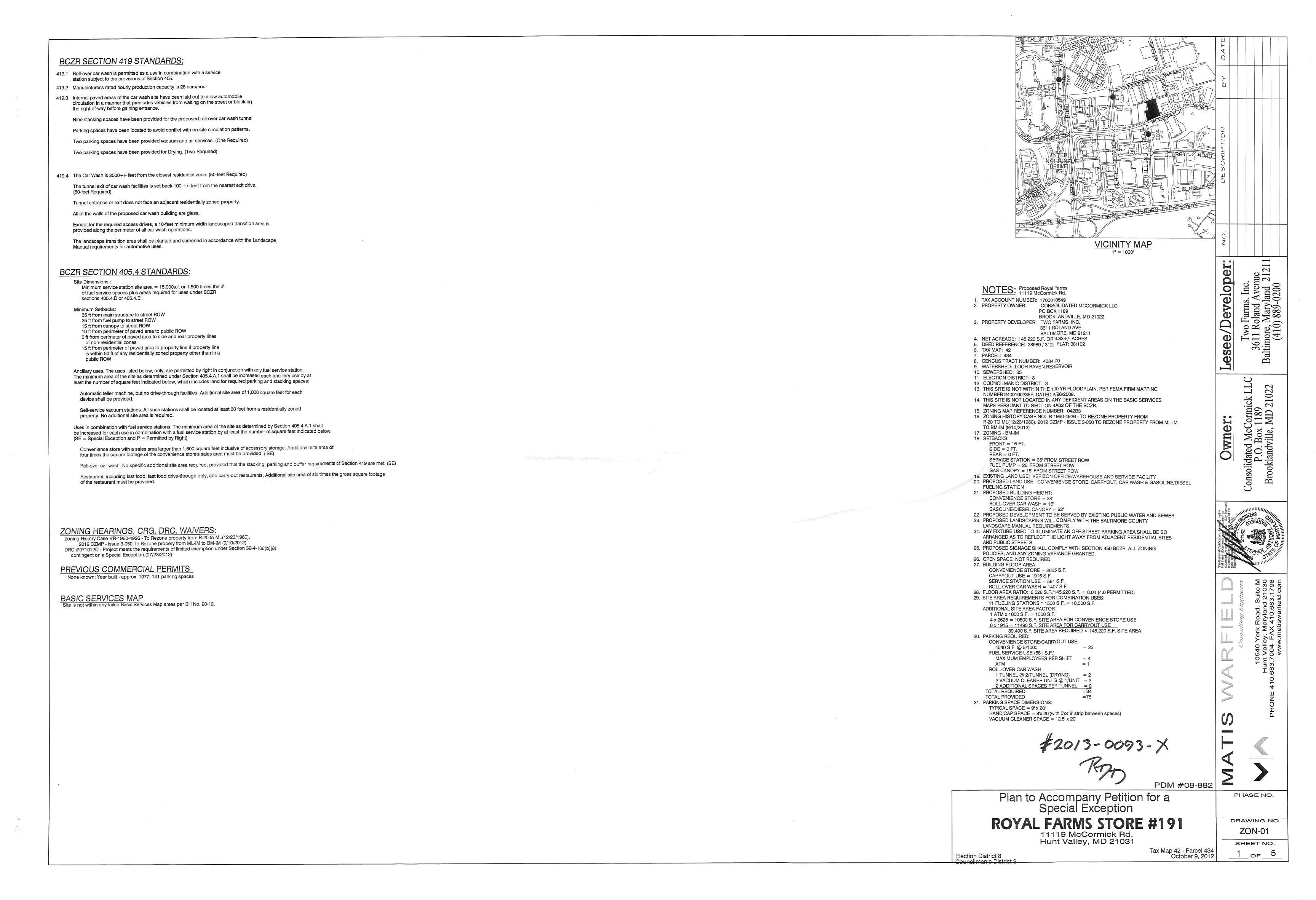
NAME	ADDRESS	CITY, STATE, ZIP	E- MAIL
David Karuski	210 W. Penn. Ave.	suite 500 Dusin	MD 21204
Justin William	325 Ganbrill II Site E. C	Bandulls, Md 21054	KSCHMIDETTENFER-CONCORDIS.COM
Tya Bensinger	10540 York Rd Ste M	Hunt Valley, MD. 21030	then watis warfield com
Steve Warfield	11 D	11 "	steve warfield @ matiswantield
FORERT BECKER	70. BOX 1189 21022	BROOKLAND VILLE, M.) 21022	BBB CECINUICON
TODD TILSON	11	1)	TATECECTIVICAY
	•	·	

CASE NO. 2013- 0093-X

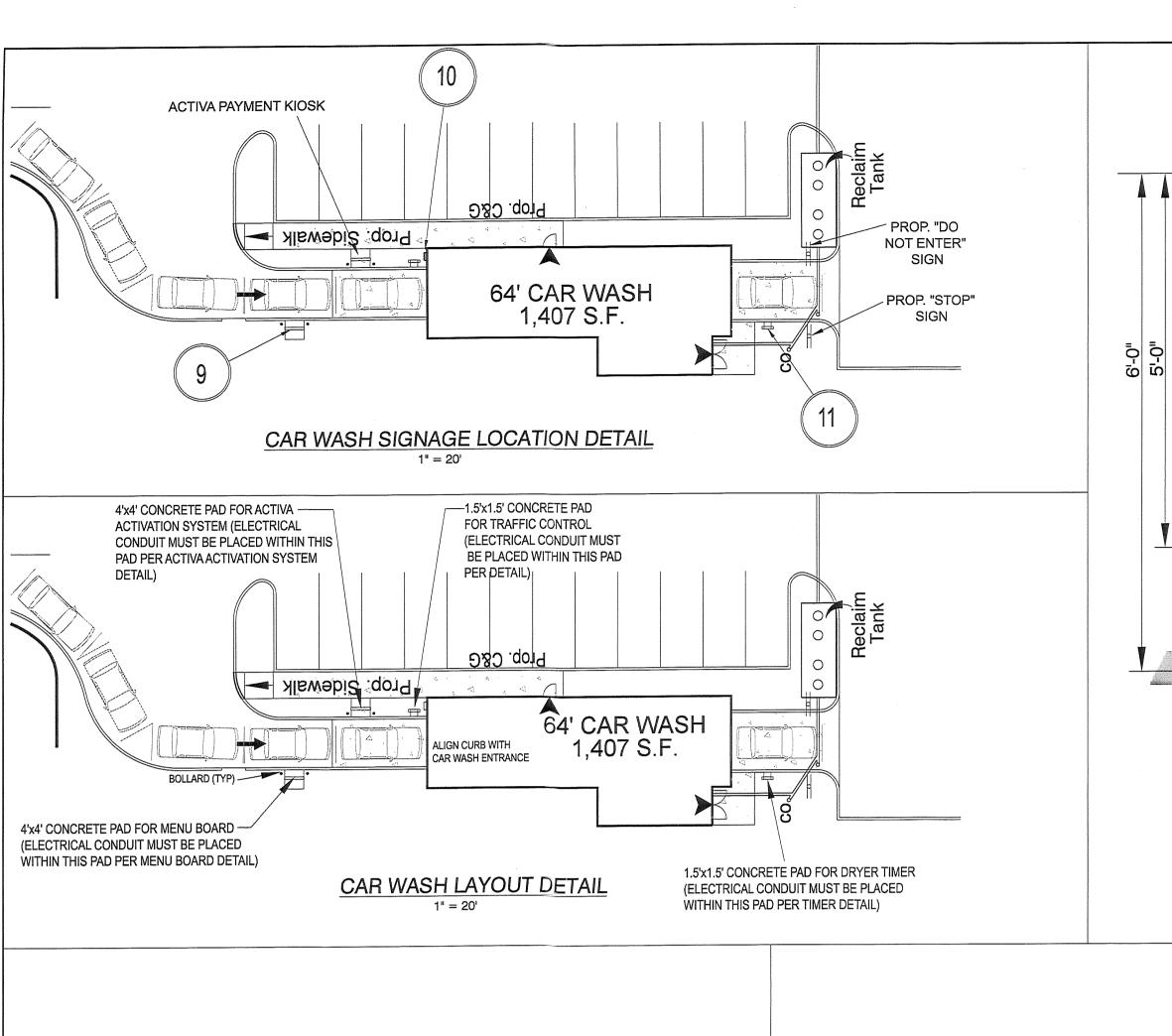
CHECKLIST

Comment Received	<u>Department</u>	Conditions/ Comments/ No Comment
10/24	DEVELOPMENT PLANS REVIEW (if not received, date e-mail sent)	C
	DEPS (if not received, date e-mail sent)	
	FIRE DEPARTMENT	
1/14	PLANNING (if not received, date e-mail sent)	C/W Cond
10/22	STATE HIGHWAY ADMINISTRATION	NO Obj
	TRAFFIC ENGINEERING	
	COMMUNITY ASSOCIATION	
	ADJACENT PROPERTY OWNERS	
ZONING VIOLATI	ON (Case No	
PRIOR ZONING	(Case No. (1960) 4926	
NEWSPAPER ADV	TERTISEMENT Date: 11/20	
SIGN POSTING M	1155ING Date: 1170 126 Karceski Nottfie	by Back
PEOPLE'S COUNSI	EL APPEARANCE Yes No D EL COMMENT LETTER Yes No D	
Comments, if any: _		



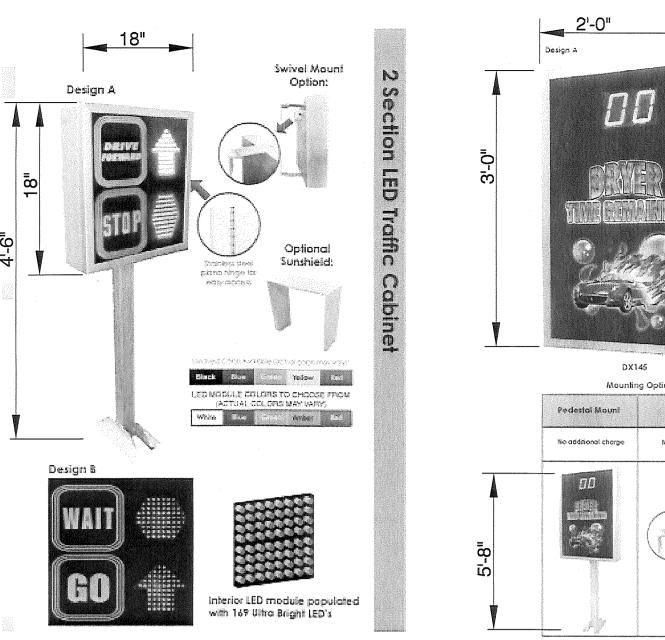












DIRECTIONAL SIGN

CAR WASH TRAFFIC

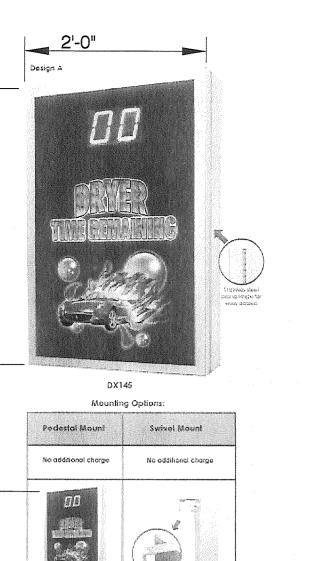
CONTROL SIGN

NOT TO SCALE

DIRECTIONAL ENTER SIGNAGE



132'-0"(Gas Canopy)/41' (DieselCanopy)



Cabinet: .040 Aluminum with acrylic faces. Illuminated with neon.
Installation: Wall mount. Concrete screws.

Total Sign Square Footage: 30.5'

4- CANOPY (2 Per Canopy) SIGNS 15.1-SF EACH

Royal Farms Channel Letters

ROYAL FARMS CHANNEL LETTERS
NOT TO SCALE

40'-0"(Gas Canopy)/24'-0"(Diesel Canopy)

OFT. SPANDREL PANEL FOR SIGNAGE & END BAYS ONLY

22" ROYAL

Concrete block

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

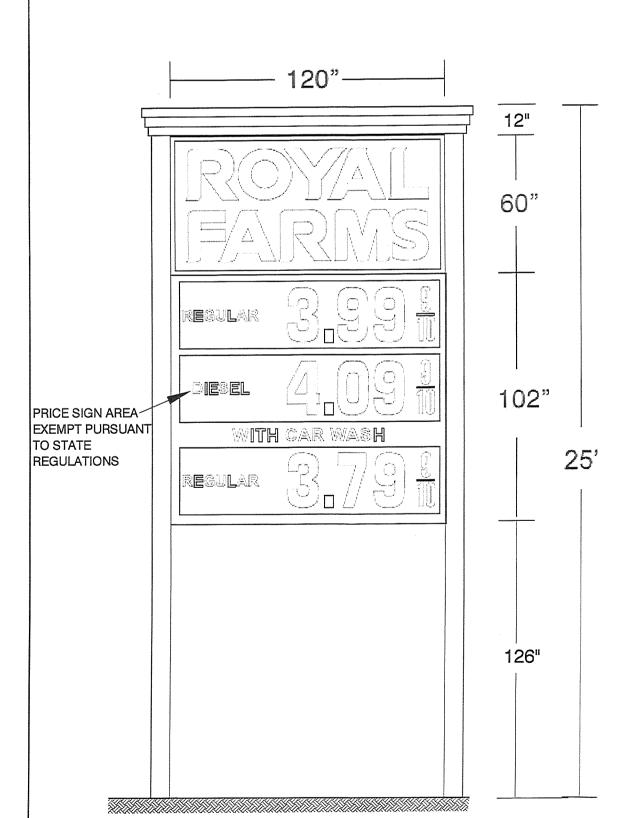
lated McCormick LLC P.O. Box 1189 landville, MD 21022

Consolida P. Brookla

Lesee/Developer:

Owner:

5/05



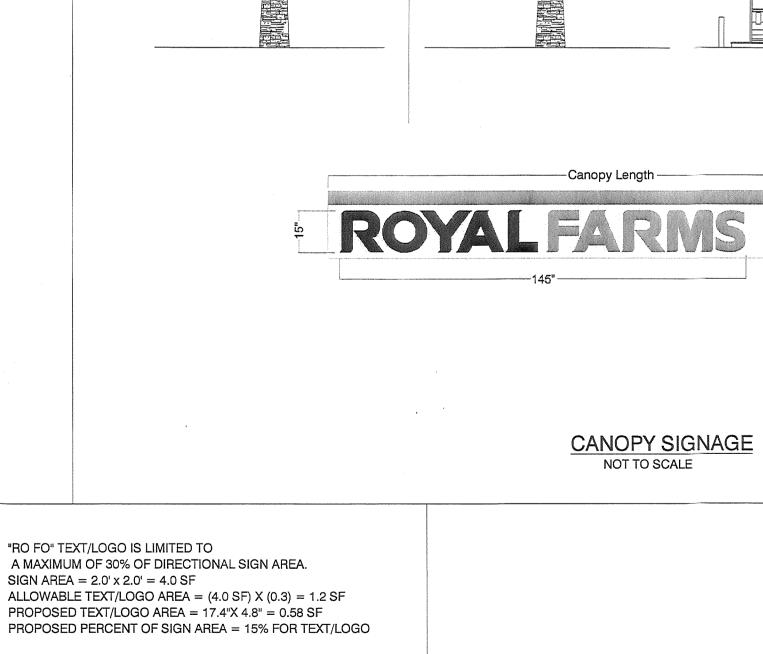
FREESTANDING ENTERPRISE SIGNAGE SUMMARY

ONE FREESTANDING SIGN ALLOWED FOR EACH FRONTAGE ON A PUBLIC ROAD.

100 SF/SIGN ALLOWED SINCE FRONTAGE IS MORE THAN 300' LONG.

- ONE TWO SIDED FREESTANDING PROPOSED ALONG MCCORMICK ROAD SIGN AREA FOR EACH FACE OF DOUBLE SIDED FREESTANDING SIGN = 120" x 60" = 50-SF TOTAL

McCORMICK ROAD FREESTANDING PYLON SIGNAGE No Scale



Election District 8 Councilmanic District 3

Plan to Accompany Petition for a Special Exception

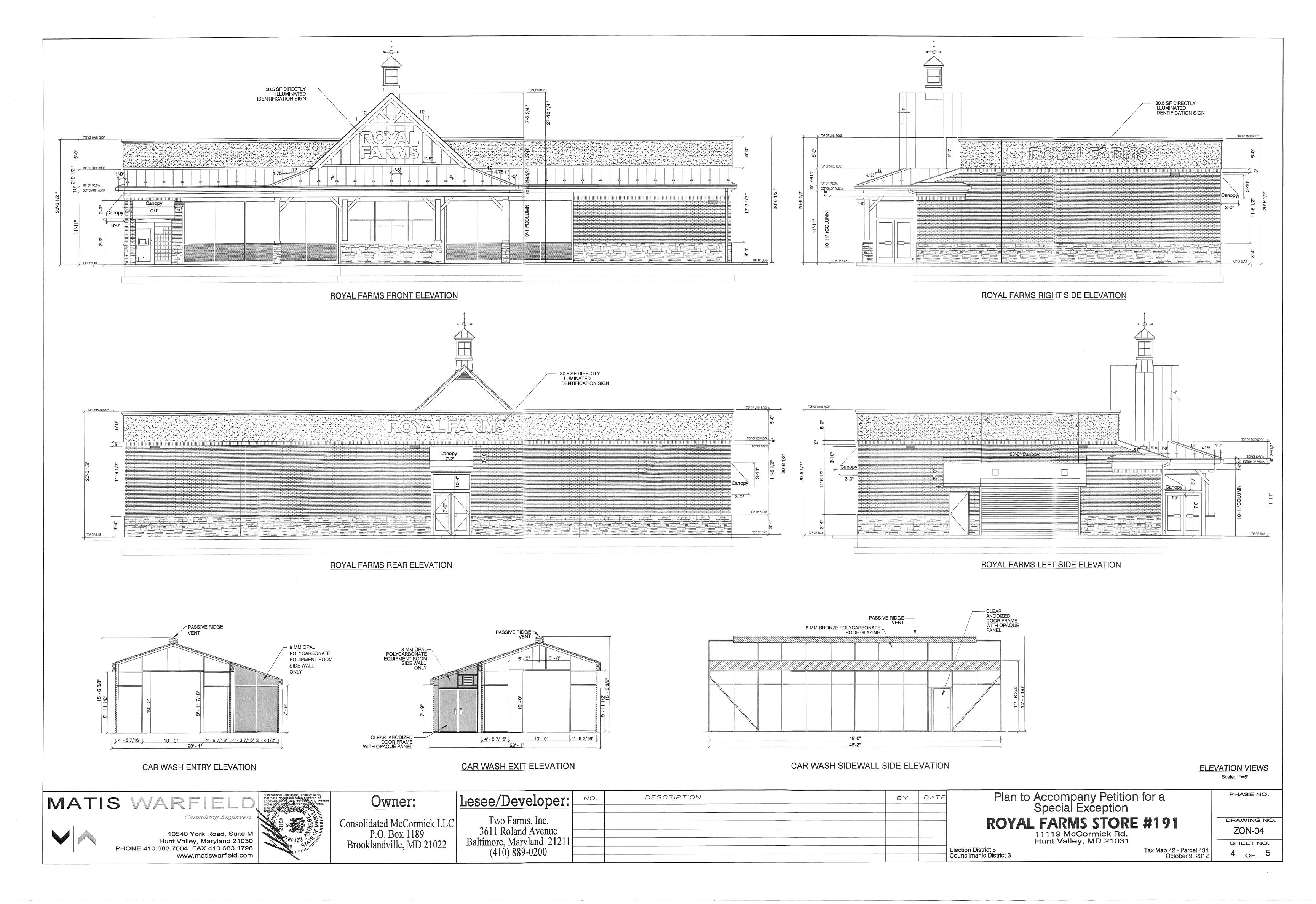
ROYAL FARMS STORE #191

11119 McCormick Rd. Hunt Valley, MD 21031

Tax Map 42 - Parcel 434 October 9, 2012 drawing no.

PHASE NO.

SHEET NO.
__3__OF___5_



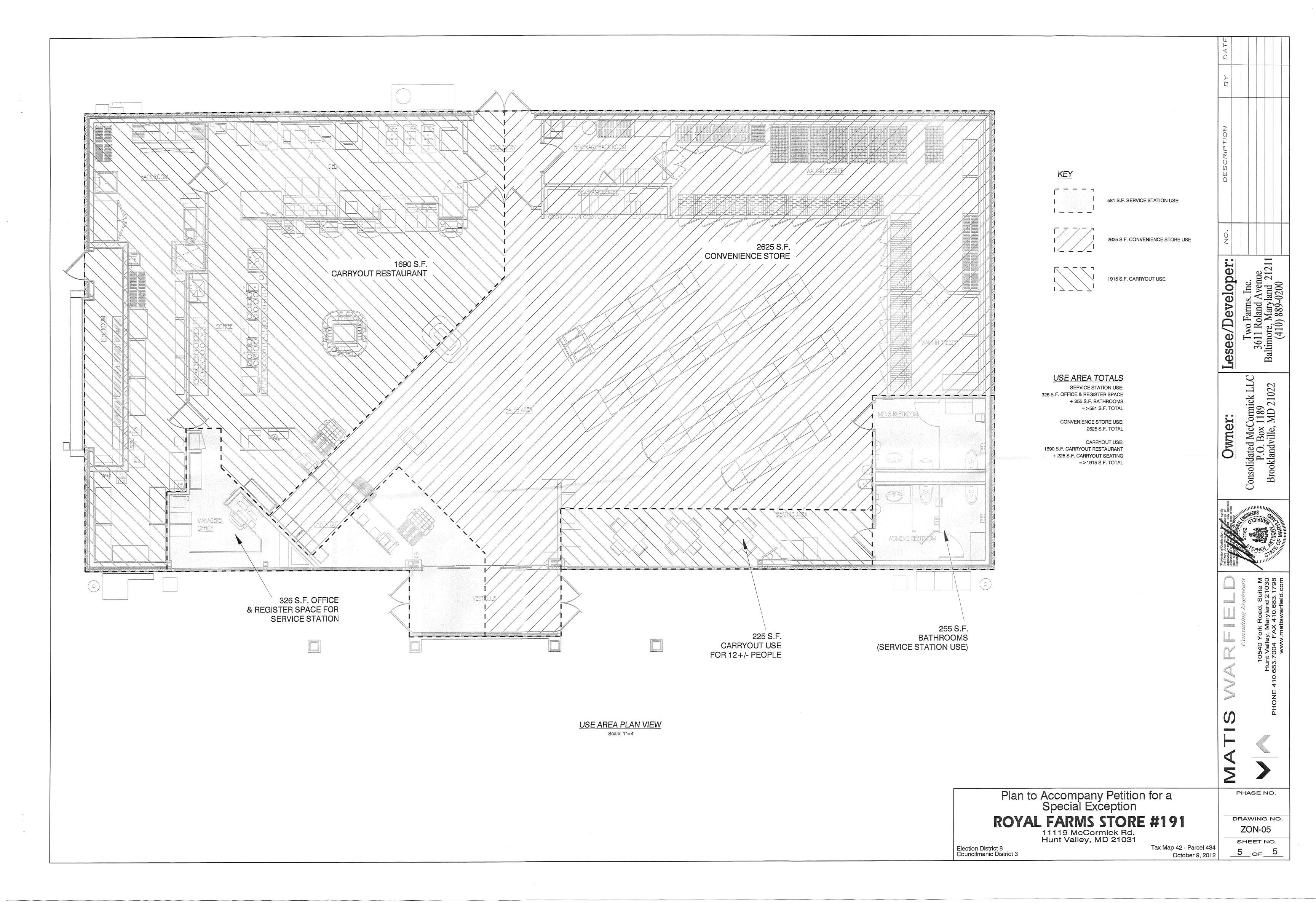
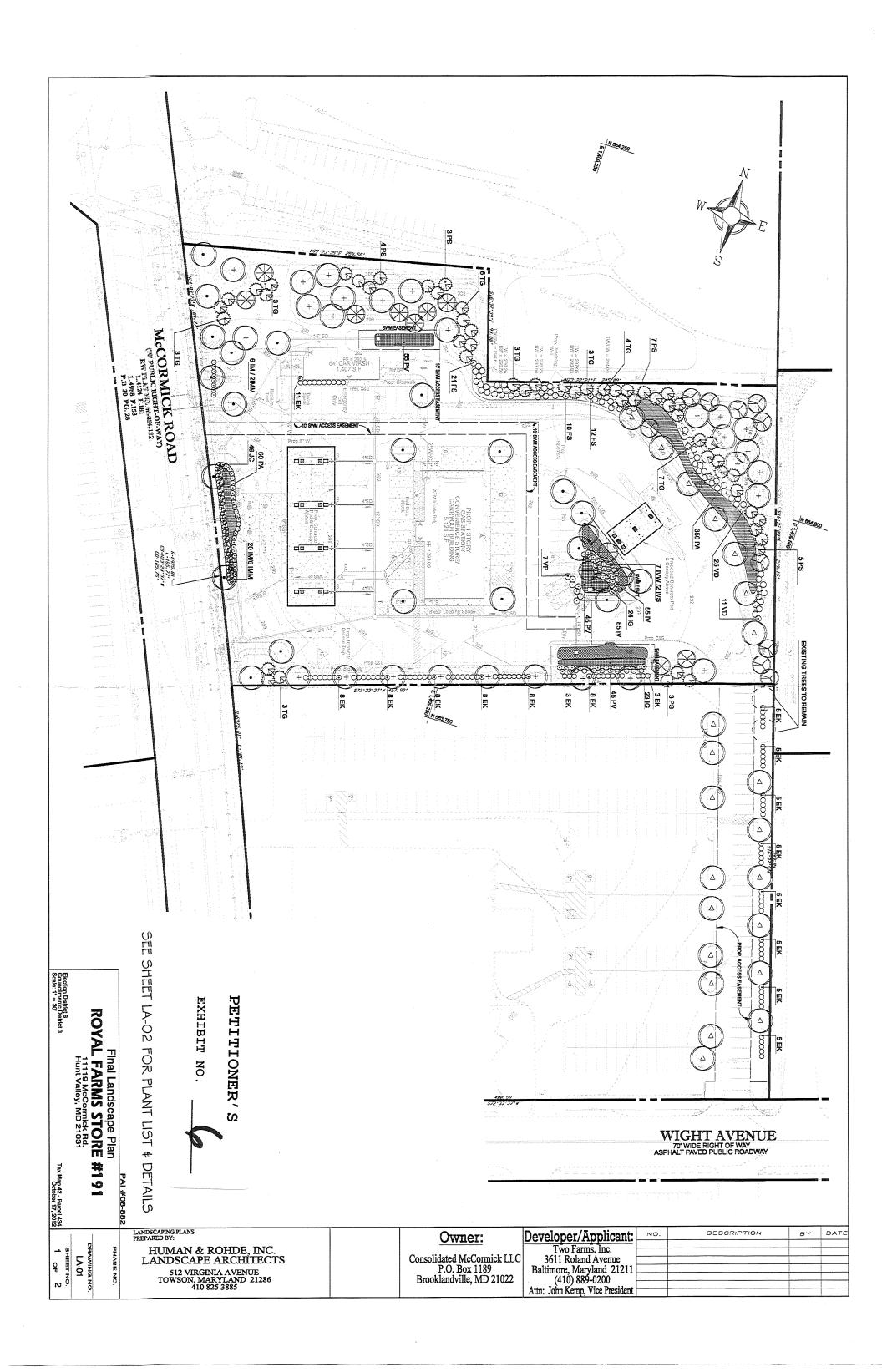


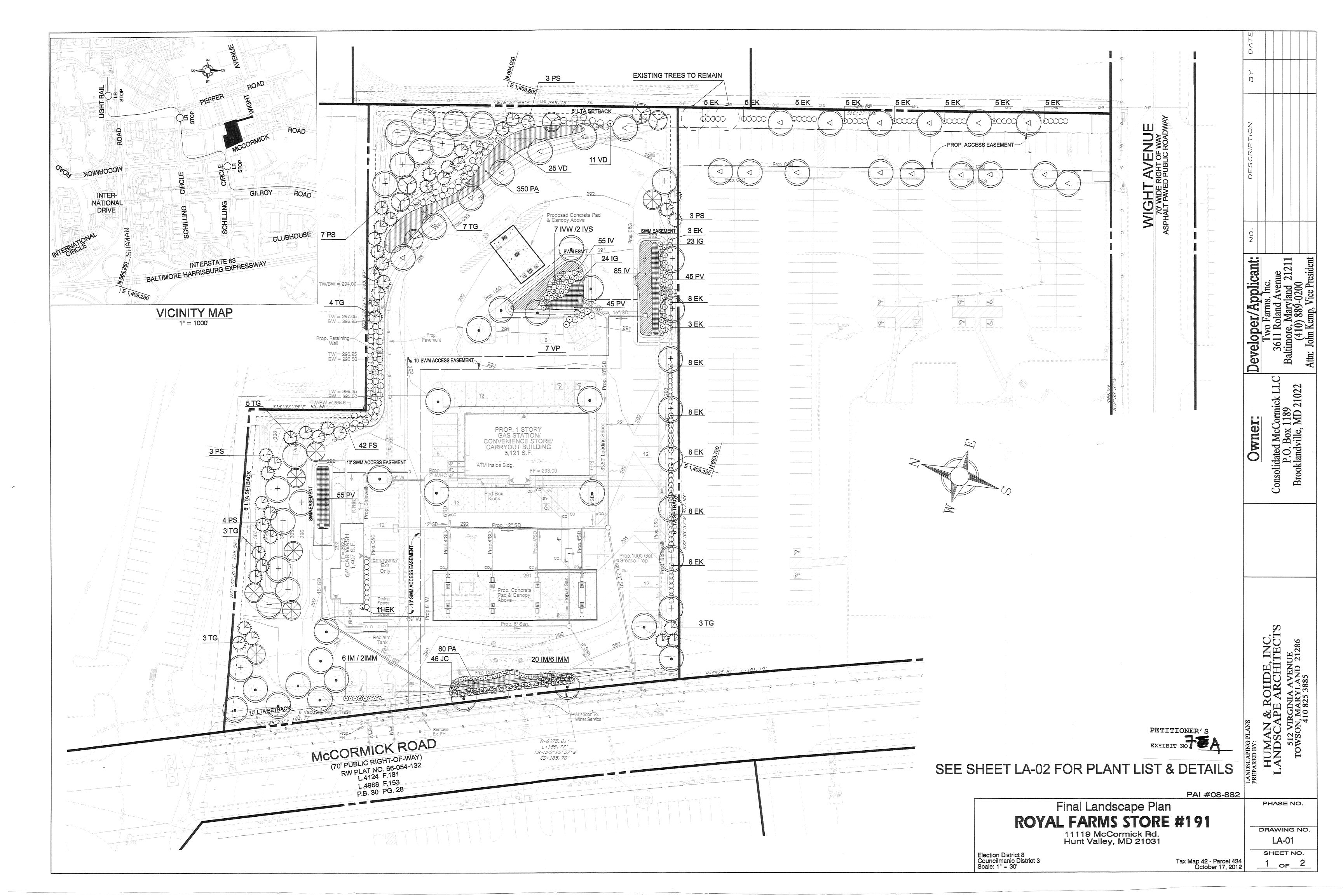
Exhibit Sheet

Petitioner/Developer

Protestant

No. 1 SitE Plan No. 2 CV Warfield No. 3 My Zoning Overhead No. 4 Area Map 5A+5B Photos+map No. 5 No. 6 Exh. re: sidewalks 7A+7B Landscape Plan No. 7 No. 8 CV Schmid No. 9 No. 10 No. 11 No. 12





SPECIFICATIONS FOR PLANTING

Plant Identification: All plants shall be properly marked for identification and checking.

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

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

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

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

Ball Size: The ball size shall conform to the American Association of Nurserymen's publication entitled American Standard for Nursery Stock, ANSI z60.1, latest edition.

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

Planting: Backfilling shall be done with soil mix, reasonably free of stones, subsoil, clay, lumps, stumps, roots, weeds, bermuda grass, litter, toxic substances, or any other material which may be harmful to plant growth or hinder grading, planting, or maintenance operations. Should any unforeseen or unsuitable planting conditions arise, such as faulty soil drainage or chemical residues, they should be called to the attention of the Landscape Architect and Owner for adjustments before planting. The plant shall be set plumb and straight and shall be staked at the time of planting. Backfill shall be well worked about the roots and settled by watering. Plants will be planted higher than surrounding grade.

PLANTING DETAIL FOR EVERGREEN AND DECIDUOUS SHRUBS

NOT TO SCALE

FINISHED GRADE WNDISTURBED SOIL

FLUSH WITH FINISHED GRADE

Shrubs will be 1" higher and trees will be 3" higher. Remove rope from around tree trunks and lay back burlap from top of all B&B material. Nylon or vinyl rope and/or burlap will be completely removed from all plant material prior to planting.

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

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

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

Fertilizer: Fertilizer shall be a slow release type contained in polyethylene perforated bags with micropore holes for controlled feeding, such as Easy Grow as manufactured by Specialty Fertilizer, Inc., Box 355, Suffern, New York 10901, or approved equal. The bags shall contain 1 ounce of soluble fertilizer analysis 16-18-16 per unit to last three (3) years and shall be applied during planting as recommended by the manufacturer. If fertilizer packets are not used, the Contractor shall apply granular fertilizer to the soil mix with 10-6-4 analysis, 50% organic, at the following rates: Trees @ 2-3 lbs. per caliper inch; Shrub Beds @ 3-5 lbs. per 100 sq. ft.; and Groundcover Beds @ 2-3 lbs. per 100 sq. ft.

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

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

GENERAL NOTES:

- Contractor is to notify Miss Utility a minimum of 72 hours prior to digging. Telephone: 1-800-257-7777
- The Landscape Architect is to be notified 48 hours before planting begins. The location of all plant material is to be approved in the field by the Landscape Architect.
- 3. No tree or shrub planting pits are to be left open or unattended.
- 4. Shrubs are to be grouped into mulched beds. Beds are to be edged and the grass is to be removed prior to mulching.
- All areas that are disturbed during construction and are not scheduled to be paved or planted shall be sodded in accordance with MDSHA standard spec.'s.
- 6. Any existing soil conditions that may pose a threat to the life and health of the plant material must be brought to the attention of the Landscape Architect by the Landscape Contractor prior to the installation of the plant material.

KEY	ELEMENT	RATE	LINEAR FEET	PLANTING UNITS (PU)		
А	STREET FRONTAGE	1 PU / 40 LF	370 LF	9		
В	PARKING LOT	1 PU PER 12 SPACES	75	6		
С	ADJACENT PUBLIC ROADWAY	1 PU / 15 LF	300 LF	20		
D	ADJACENT TO COMMERCIAL	1 PU / 10 LF	405 LF	41		
Е	ADJACENT TO COMMERCIAL	1 PU / 10 LF	249 LF	25		
F	ADJACENT TO COMMERCIAL	1 PU / 10 LF	600 LF	60		
G	SERVICE DRIVE	1 PU / 15 LF	578 LF	38		
Н	DUMPSTER	1 PU / 15 LF	40 LF	3		
TOTAL REQUIRED / TOTAL PROPOSED 202 / 202 P.U.'S						

REQUEST FOR WAIVER OF CONDITION J WAS APPROVED 11/ 15 /12

7% OF PARKING LOT RESERVED:
PARKING AREA = 74,529 SF
REQUIRED 7% = 5,217 SF PROVIDED = 7,606 SF

PLANTING CALCULATIONS / AUTOMOTIVE USE

KEY	ELEMENT	RATE	LINEAR FEET	PLANTING UNITS (PU)		
А	STREET FRONTAGE	1 PU / 40 LF	370 LF	9		
В	PARKING LOT	1 PU PER 12 SPACES	75	6		
C	ADJACENT PUBLIC ROADWAY	1 PU / 15 LF	300 LF	20		
D	ADJACENT TO COMMERCIAL	1 PU / 10 LF	405 LF	41		
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F	ADJACENT TO COMMERCIAL	1 PU / 10 LF	600 LF	60		
G	SERVICE DRIVE	1 PU / 15 LF	578 LF	38		
Н	DUMPSTER	1 PU / 15 LF	40 LF	3		
TOTAL REQUIRED / TOTAL PROPOSED 202 / 202 P.U.'S						

PROVIDED: MAJOR TREES = 69 P.U.'S MINOR TREES = 29 P.U.'S SHRUBS = 93 P.U.'S GROUNDCOVERS = 11 P.U.'S TOTAL = 202 P.U.'S

PRUNE 1/3 LEAF AREA BUT RETAIN NATURAL FORM OF 2 PIECES OF REINFORCED RUBBER #12 GALVANIZED WIRE GUYS TWISTED 2"X2" OAK STAKES NOTCH 3" MULCH STAKES TO HOLD WIRE* - 3" SOIL WELL - FINISHED GRADE REMOVE ANY **COVERING AND TYING** UNDISTURBED FROM TOP OF ROOT BALL AND TRUNK FIRST LATERAL **ROOT FLUSH WITH**

PLANTING DETAIL FOR TREES* - 1 - 4" CALIPER

Minimum Landscape Maintenance Requirements

- 1. Lawn areas shall be moved to a height of 2 to 3 inches and not allowed to reach a height of 4 inches before mowing.
- 2. All curbs and walks shall be edged as needed.
- 3. All lawn areas adjacent to building faces or sturctures shall be trimmed.
- 4. A slow release nitrogen balanced fertilizer with a 2-1-1 ratio shall be applied at a rate of 2 pounds of nitrogen per 1000 square feet in September, October, and February.

5. Lime shall be applied at the rate determined by a soils report.

- 6. It is recommended that lawn areas be treated in mid-March to early April with pre-emergent herbicide (Betasan) or equal applied at the manufacturer's recommended rate.
- 7. A post-emergent herbicide (Trimec) or equal is recommended to be sprayed on lawn areas in the late spring or the early fall. Follow manufacturer's rates and recommendations.
- 8. Insecticides and fungicides are recommended for insect and disease control.
- 9. Reseed bare areas of lawn as necessary. Yearly aeration is recommended.
- 10. All trash, litter, and debris shall be removed from lawn areas, parking lots, and shrub beds as needed.
- 11. Mulch all shrub and groundcover bods yearly with 3 inches of shredded hardwood bark.
- 12. Permit shrubs and trees to grow and enlarge to their design size. Consult project landscape architect for
- 13. Prune trees in accordance with Landscape Specification Guidelines for Baltimore-Washington Metro-

FINAL LANDSCAPE PLAN LANDSCAPE ARCHITECT CERTIFICATION FORM It is certified that this landscape plan is in compliance with all plans previously approved by Baltimore County and the Baltimore County comments attendant thereto. John C. Rohde Print Name 12-5-2012 Date

DIANITIICT

PLAI	VI LIS				
KEY	QUANTITY	BOTANICAL NAME COMMON NAME	SIZE	CONDITION	REMARKS
+	25	ACER SACCHARUM 'GREEN MOUNTAIN' 'GREEN MOUNTAIN' SUGAR MAPLE	2-21/2" CAL.	B & B	AS SHOWN
	22	QUERCUS PALUSTRIS PIN OAK	2-21/2" CAL.	B & B	AS SHOWN
\odot	22	ZELKOVA SERRATA 'GREEN VASE' 'GREEN VASE' ZELKOVA	2-21/2" CAL.	B & B	AS SHOWN
	6	CERCIS CANADENSIS 'FOREST PANSY' 'FOREST PANSY' REDBUD	7-8' HT.	B & B	AS SHOWN
	7	LAGERSTOEMIA X 'TUSCARORA' 'TUSCARORA' CRAPEMYRTLE	7-8' HT.	B & B	AS SHOWN
PS	20	PINUS STROBUS EASTERN WHITE PINE	6'-7' HT.	B & B	SPACE 10' O.C. STAGGER
TG	25	THUJA 'GREEN GIANT' 'GREEN GIANT' ARBORVITAE	6'-7' HT.	B & B	SPACE 10' O.C. STAGGER
EK	105	EUONYMUS KIAUTSCHOVICUS 'MANHATTAN' 'MANHATTAN' EUONYMUS	24"-30" HT.	#5 CONT.	SPACE 4' O.C.
FS	42	FORSYTHIA SUSPENSA WEEPING FORSYTHIA	24"-30" HT.	#5 CONT.	SPACE 5' O.C. STAGGER
IM	26	ILEX MESERVEAE 'BLUE PRINCESS 'BLUE PRINCESS' HOLLY	24"-30" HT.	#5 CONT.	SPACE 4' O.C.
IMM	8	ILEX MESERVEAE 'BLUE PRINCE 'BLUE PRINCE' HOLLY	24"-30" HT.	#5 CONT.	SPACE 4' O.C.
IG	47	ILEX GLABRA 'NIGRA' 'NIGRA' INKBERRY HOLLY	18" -24" HT.	#3 CONT.	SPACE 4' O.C. STAGGER
IVW	7	ILEX VERTICILLATA 'WINTER RED' 'WINTER RED' WINTERBERRY HOLLY	24"-30" HT.	#5 CONT.	SPACE 4' O.C. STAGGER
IVS	2	ILEX VERTICILLATA 'SOTHERN GENTLEMAN' MALE WINTERBERRY HOLLY	24"-30" HT.	#5 CONT.	SPACE 4' O.C. STAGGER
IV	140	ITEA VIRGINICA 'LITTLE HENRY' 'LITTLE HENRY' ITEA	18" -24" HT.	#3 CONT.	SPACE 3' O.C. STAGGER
JC	46	JUNIPERUS CHINENSIS SARGENTII SARGENT JUNIPER	18" -24"	#3 CONT.	SPACE 3' O.C. STAGGER
VD	36	VIBURNUM DENTATUM ARROWWOOD VIBURNUM	30"-36" HT.	#5 CONT.	SPACE 5' O.C. STAGGER
VP	7	VIBURNUM PRAGENSE PRAGUE VIBURNUM	30"-36" HT.	#7 CONT.	SPACE 5' O.C. STAGGER
PV	145	PANICUM VIRGATUM 'HEAVY METAL' 'HEAVY METAL' SWITCHGRASS	#1	CONTAINER	SPACE 3' O.C. STAGGER
PA	410	PENNISETUM ALOPECUROIDES 'HAMELN' DWARF FOUNTAIN GRASS	#1	CONTAINER	SPACE 3' O.C. STAGGER

BALTIMORE COUNTY, MARYLAND DEPARTMENT OF PERMITS, APPROVALS & INSPECTIONS Development Plans Review

OWNER'S SIGNATURE AND CERTIFICATION FORM

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

Owner's signature

Date

Consolidated McCormick LLC Owner's printed name

Tele.#

P.O. Box 1189, Brooklandville, MD 21022 (Print) Mailing address-city-state-zip

08-882 BUILDING PERMIT#

PETITIONER'S EXHIBIT

PAI #08-882

Final Landscape Plan Details **ROYAL FARMS STORE #191**

11119 McCormick Rd. Hunt Valley, MD 21031

SHEET NO. _of 2

PHASE NO.

DRAWING NO.

LA-02

Developer//

07

Consol

SCALE: NONE

FINISHED GRADE

*EVERGREEN & DECIDUOUS

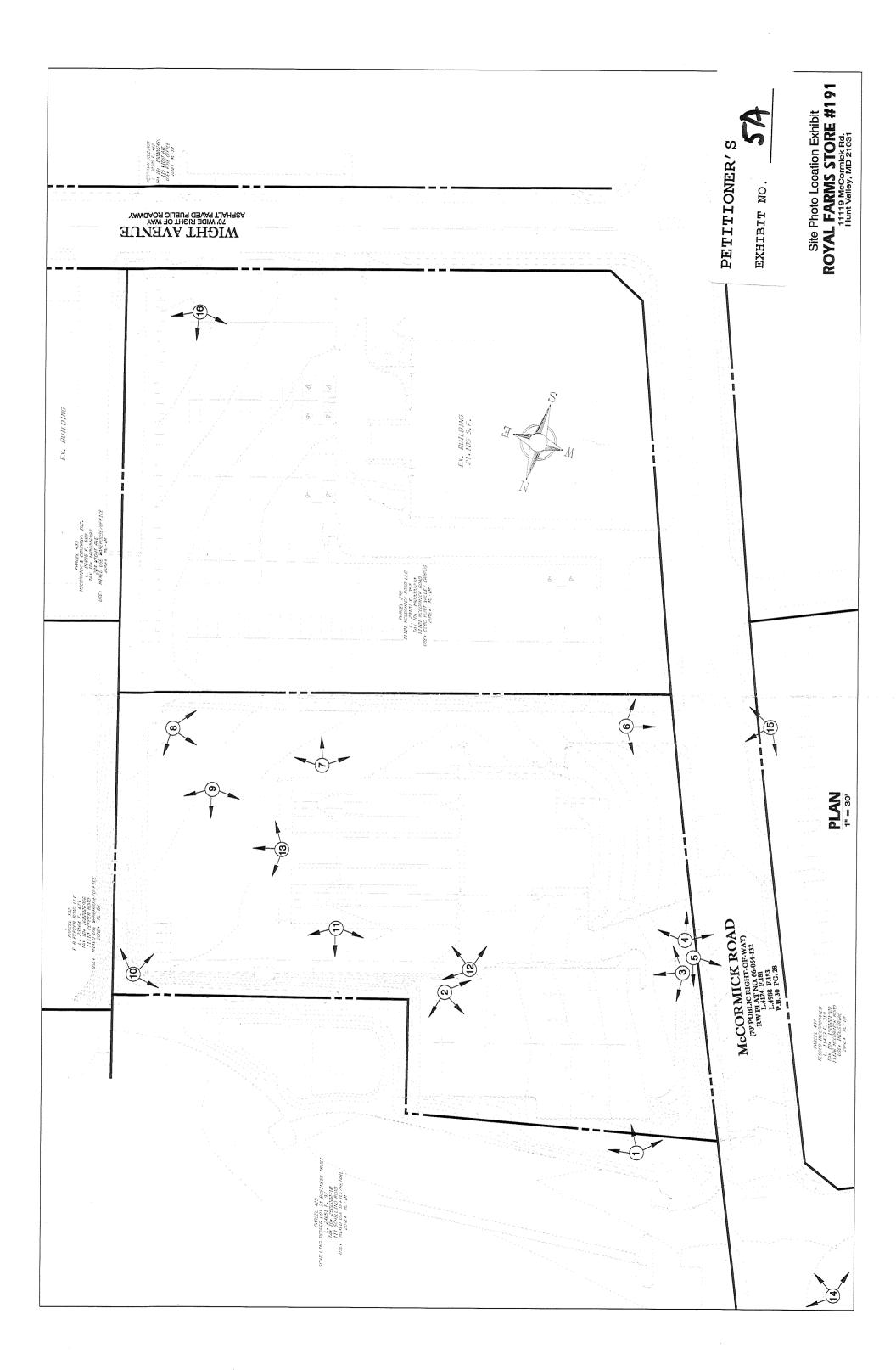
STAKES AND WIRE ARE TO BE

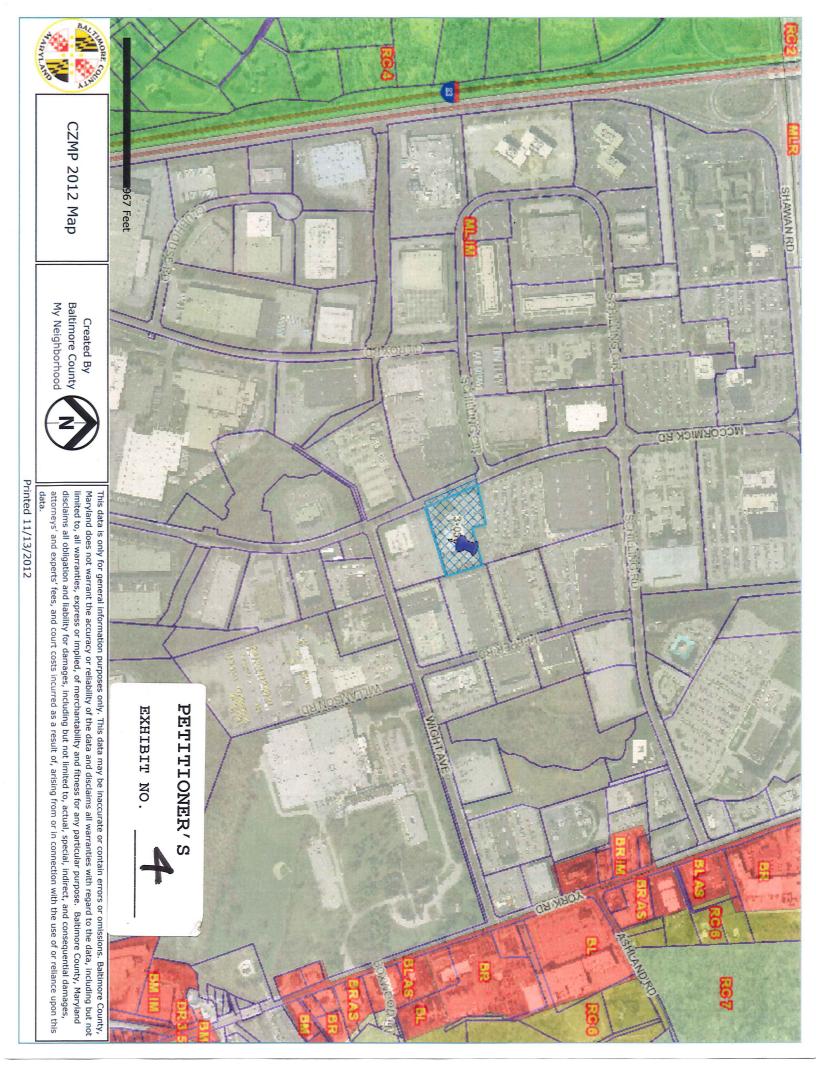
ONE FULL GROWING SEASON.

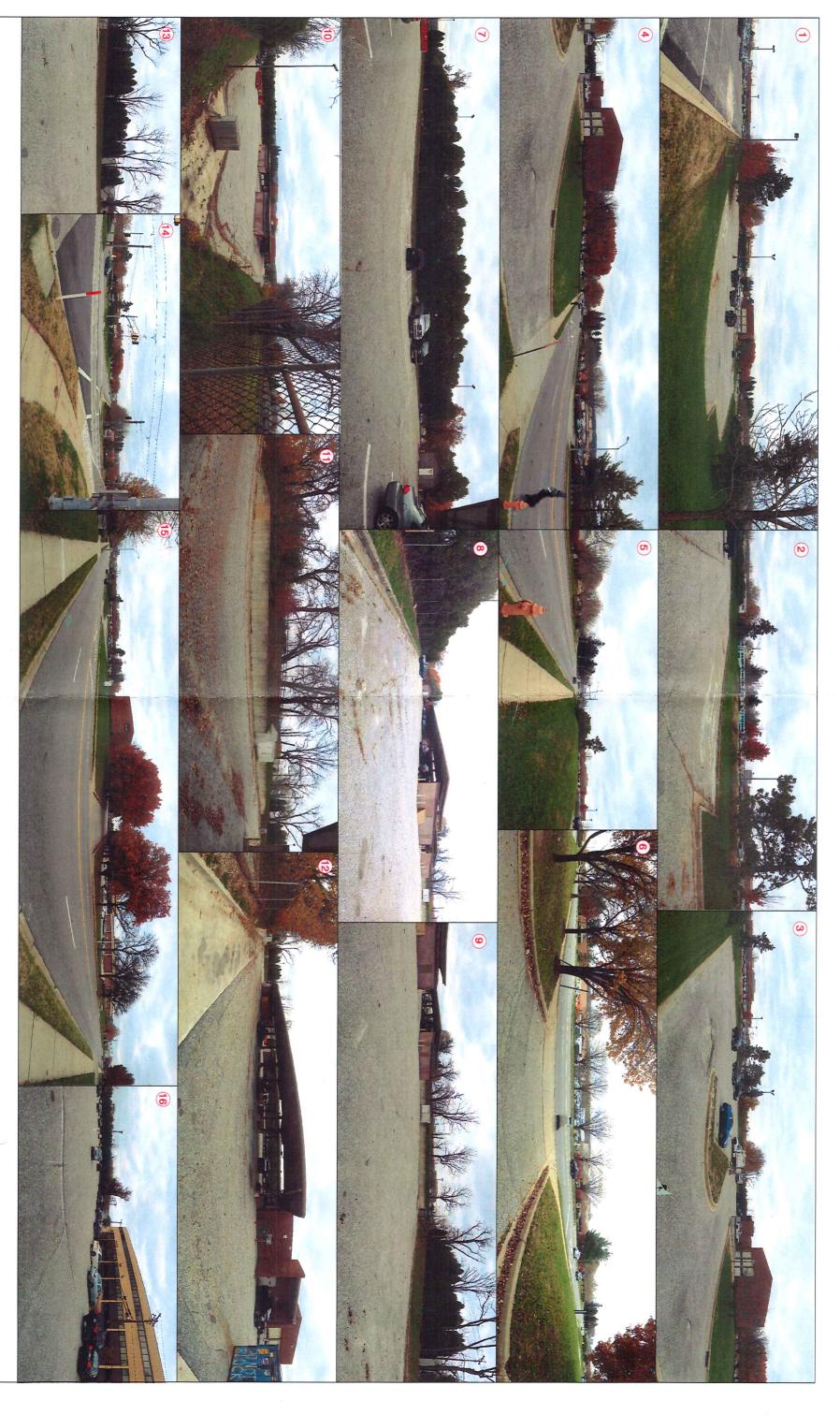
REMOVED AT THE COMPLETION OF

Election District 8
Councilmanic District 3
Scale: 1" = 30'

Tax Map 42 - Parcel 434 December 5, 2012





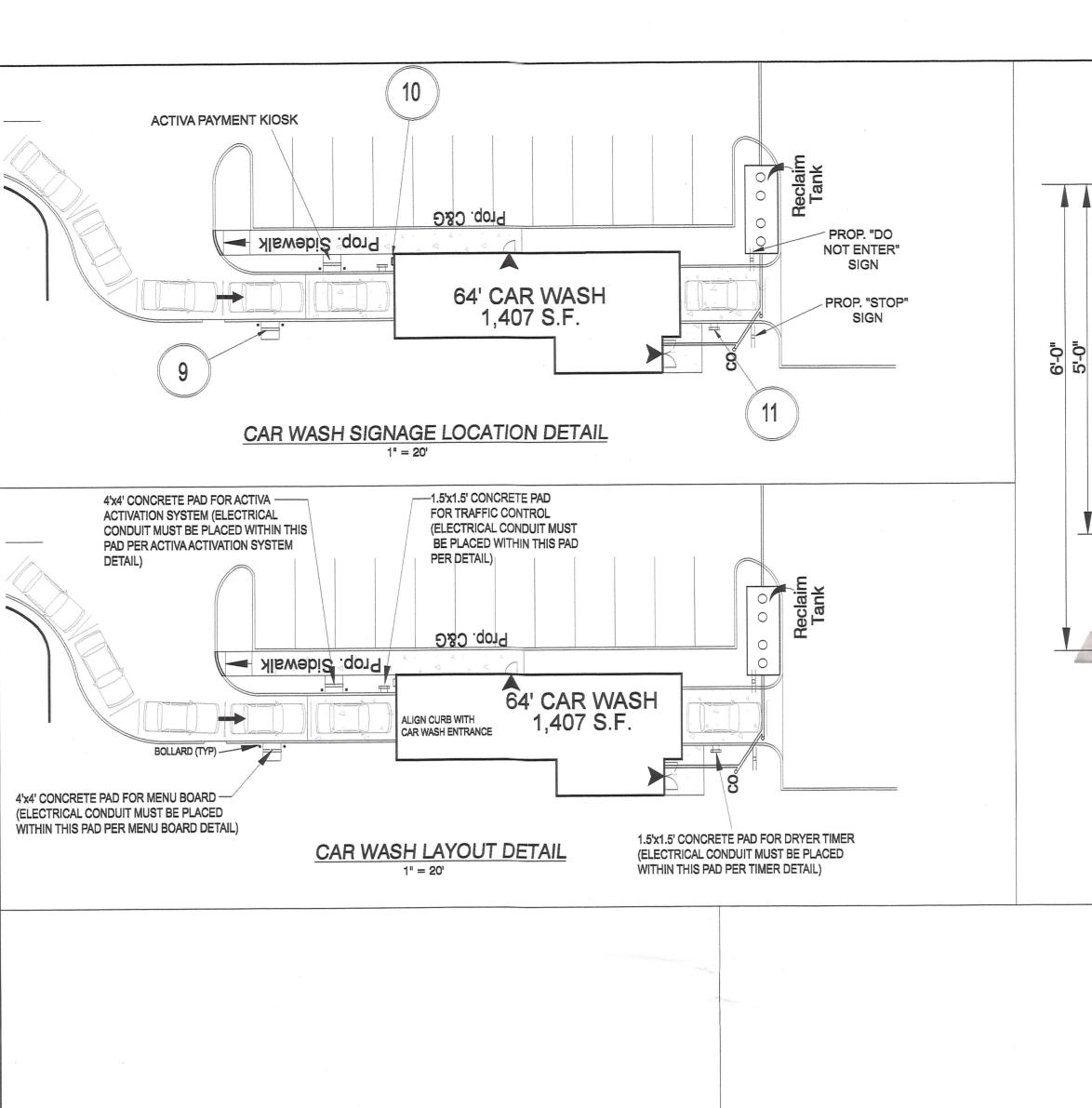


PETITIONER'S

EXHIBIT NO.

Site Photo Location Exhibit
ROYAL FARMS STORE #191
11119 McCormick Rd.
Hunt Valley, MD 21031

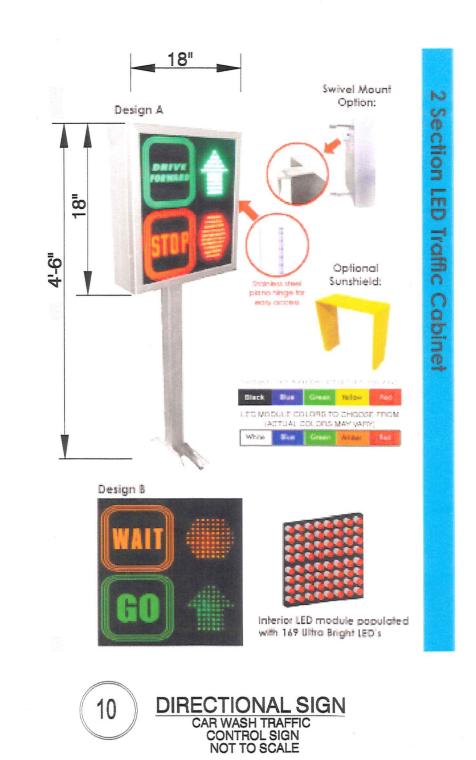
Printed 12/4/2012



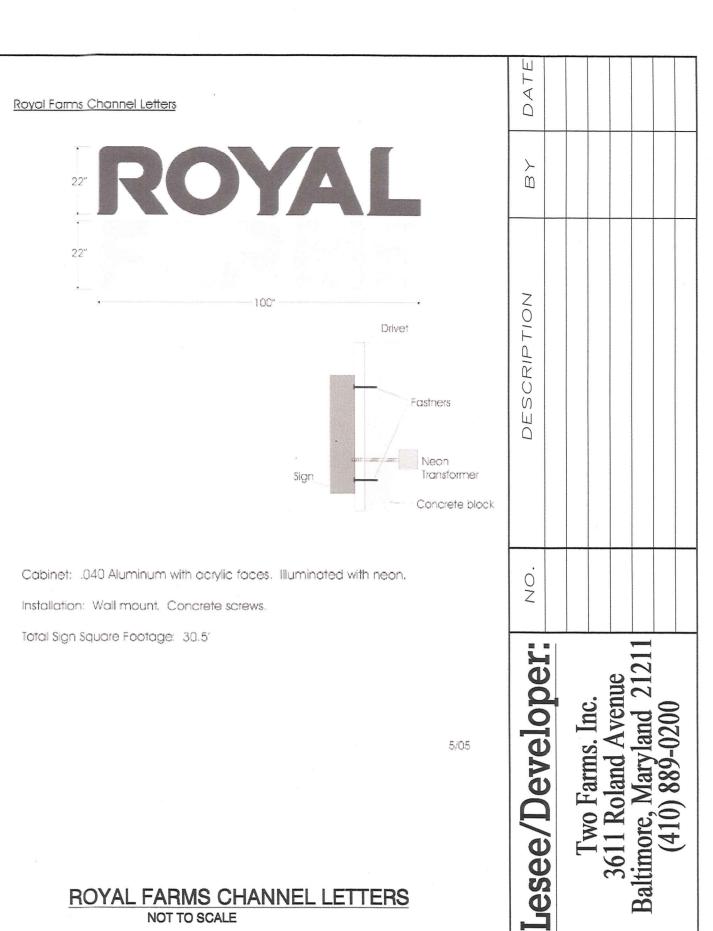


ORDER BOARD SIGN LARGE CAR WASH OPTIONS PRICING CHART

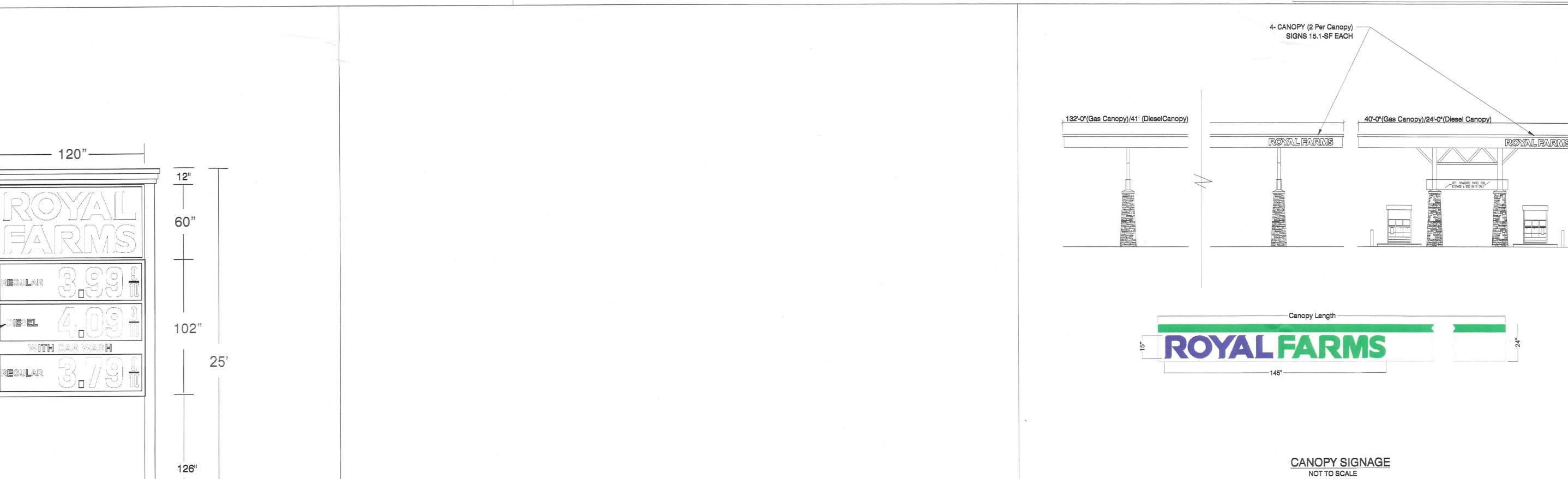
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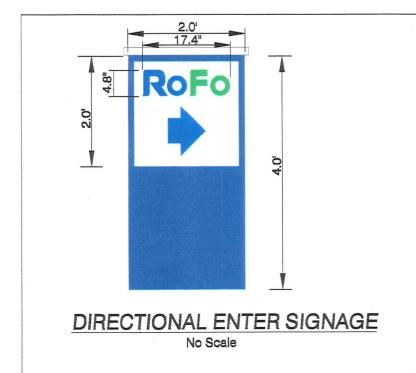






ROYAL FARMS CHANNEL LETTERS NOT TO SCALE





"RO FO" TEXT/LOGO IS LIMITED TO A MAXIMUM OF 30% OF DIRECTIONAL SIGN AREA. SIGN AREA = 2.0' x 2.0' = 4.0 SF ALLOWABLE TEXT/LOGO AREA = (4.0 SF) X (0.3) = 1.2 SF PROPOSED TEXT/LOGO AREA = 17.4"X 4.8" = 0.58 SF PROPOSED PERCENT OF SIGN AREA = 15% FOR TEXT/LOGO

PETITIONER'S

EXHIBIT NO.

Plan to Accompany Petition for a Special Exception

ROYAL FARMS STORE #191

11119 McCormick Rd. Hunt Valley, MD 21031

PHASE NO.

wner:

Brook

DRAWING NO. **ZON-03**

SHEET NO. _3_of_5

McCORMICK ROAD FREESTANDING PYLON SIGNAGE No Scale

SIDED FREESTANDING SIGN = 120" x 60" = 50-SF TOTAL

100 SF/SIGN ALLOWED SINCE FRONTAGE IS MORE THAN 300' LONG.

SIGN AREA FOR EACH FACE OF DOUBLE

- ONE TWO SIDED FREESTANDING PROPOSED ALONG MCCORMICK ROAD

FREESTANDING ENTERPRISE SIGNAGE SUMMARY

ONE FREESTANDING SIGN ALLOWED FOR EACH FRONTAGE ON A PUBLIC ROAD.

126"

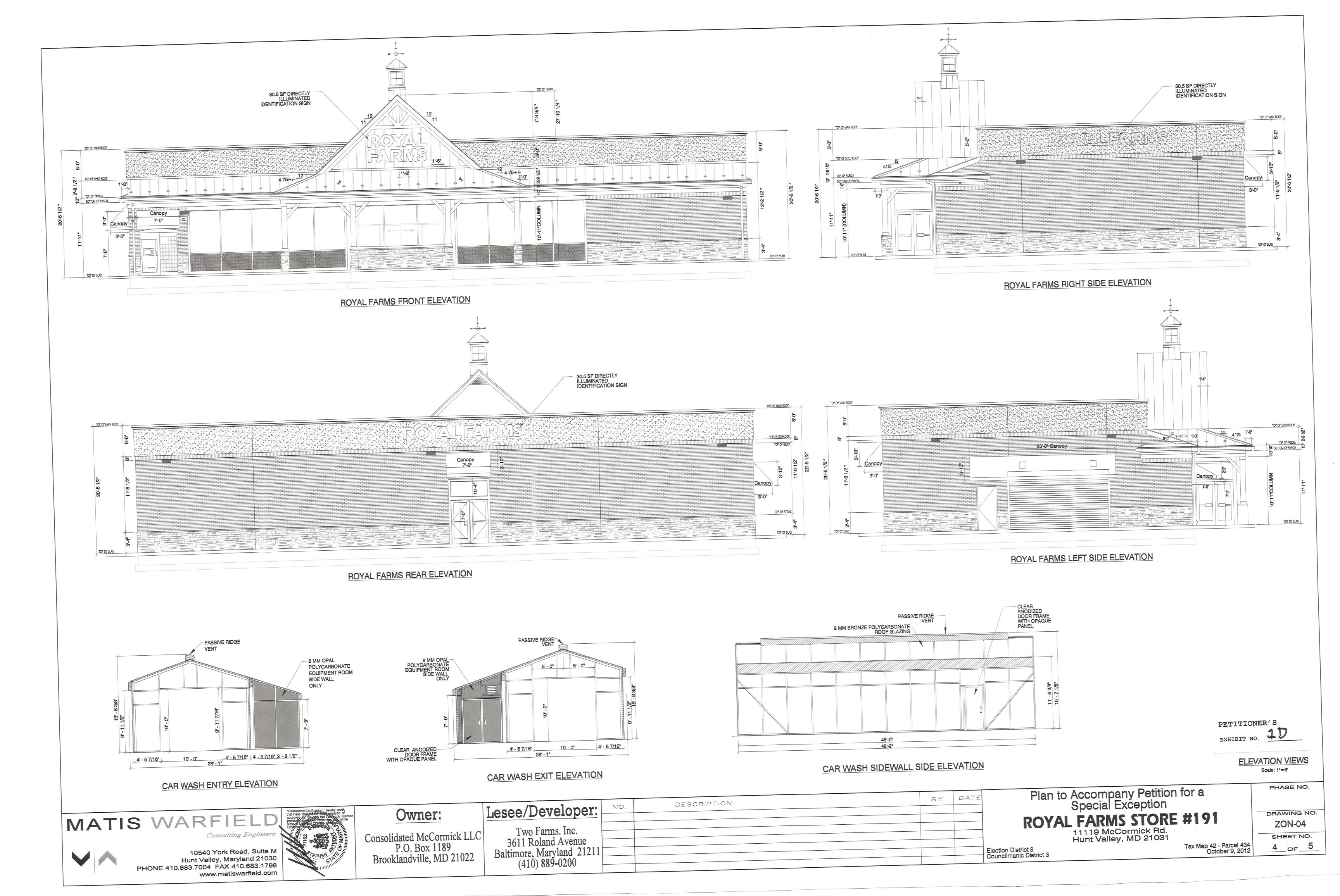
PRICE SIGN AREA
EXEMPT PURSUANT

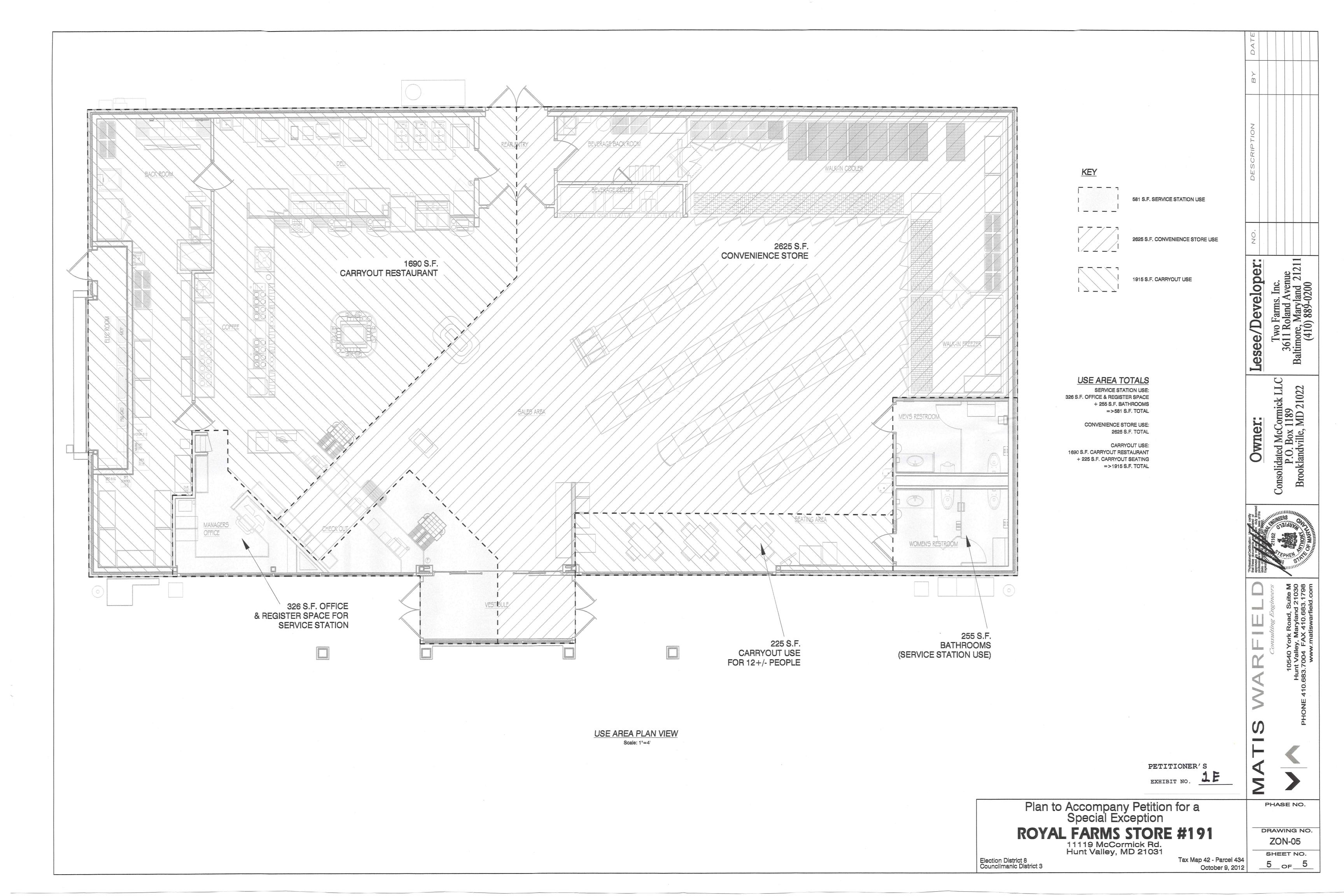
TO STATE

REGULATIONS

Election District 8
Councilmanic District 3

Tax Map 42 - Parcel 434 October 9, 2012





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 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 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.

Two parking spaces have been provided vacuum and air services. (One Required) Two parking spaces have been provided for Drying. (Two Required)

419.4 The Car Wash is 2500+/- feet from the closest residential zone. (50-feet Required)

The tunnel exit of car wash facilities is set back 100 +/- 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-feet 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 = 15,000s.f. or 1,500 times the # of fuel service spaces plus areas required for uses under BCZR sections 405.4.D or 405.4.E

Minimum Setbacks: 35 ft from main structure to street ROW 25 ft from fuel pump to street ROW 15 ft from canopy to street ROW 10 ft from perimeter of paved area to public ROW 6 ft from perimeter of paved area to side and rear property lines of non-residential zones 15 ft from perimeter of paved area to property line if property line is within 50 ft of any residentially zoned property other than in a public ROW

Ancillary uses. The uses listed below, only, are permitted by right in conjunction with any fuel service station. The minimum area of the site as determined under Section 405.4.A.1 shall be increased each ancillary use by at least the number of square feet indicated below, which includes land for required parking and stacking spaces:

Automatic teller machine, but no drive-through facilities. Additional site area of 1,000 square feet for each device shall be provided.

Self-service vacuum stations. All such stations shall be located at least 30 feet from a residentially zoned

Uses in combination with fuel service stations. The minimum area of the site as determined by Section 405.4.A.1 shall be increased for each use in combination with a fuel service station by at least the number of square feet indicated below: (SE = Special Exception and P = Permitted by Right)

Convenience store with a sales area larger than 1,500 square feet inclusive of accessory storage. Additional site area of

four times the square footage of the convenience store's sales area must be provided. (SE) Roll-over car wash. No specific additional site area required, provided that the stacking, parking and buffer requirements of Section 419 are met. (SE)

Restaurant, including fast food, fast food drive-through only, and carry-out restaurants. Additional site area of six times the gross square footage of the restaurant must be provided.

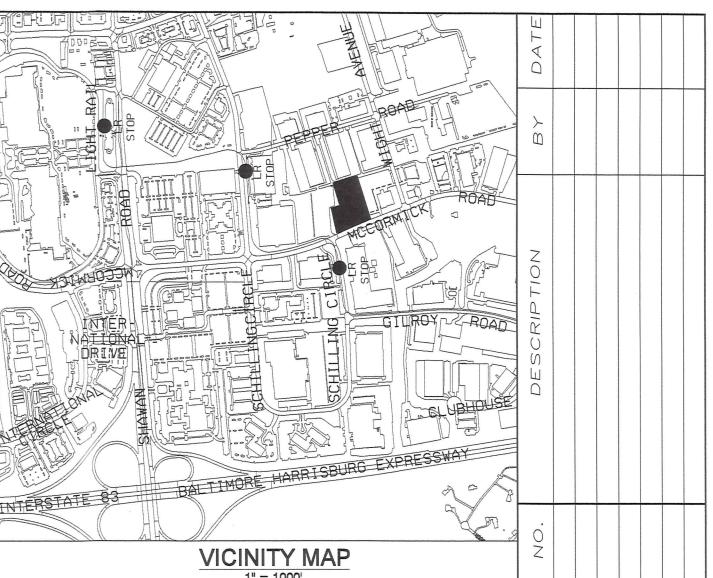
ZONING HEARINGS, CRG, DRC, WAIVERS:

Zoning History Case #R-1960-4926 - To Rezone property from R-20 to ML(12/23/1960). 2012 CZMP - Issue 3-050 To Rezone propery from ML-IM to BM-IM (9/10/2012) DRC #071012C - Project meets the requirements of limited exemption under Section 32-4-106(b)(8) contingent on a Special Exception.(07/23/2012)

PREVIOUS COMMERCIAL PERMITS None known; Year built - approx. 1977; 141 parking spaces

property. No additional site area is required.

BASIC SERVICES MAP
Site is not within any failed Basic Services Map areas per Bill No. 20-12.



1. TAX ACCOUNT NUMBER: 1700010549 2. PROPERTY OWNER: CONSOLIDATED MCCORMICK LLC PO BOX 1189 BROOKLANDVILLE, MD 21022 PROPERTY DEVELOPER: TWO FARMS, INC. 3611 ROLAND AVE.

BALTIMORE, MD 21211 4. NET ACREAGE: 145,220 S.F. OR 3.33+/- ACRES 5. DEED REFERENCE: 28989 / 312; PLAT: 38/102 6. TAX MAP: 42 7. PARCEL: 434 8. CENCUS TRACT NUMBER: 4084.00 9. WATERSHED: LOCH RAVEN RESERVOIR

10. SEWERSHED: 35 11. ELECTION DISTRICT: 8 12. COUNCILMANIC DISTRICT: 3

13. THIS SITE IS NOT WITHIN THE 100 YR FLOODPLAIN, PER FEMA FIRM MAPPING NUMBER 2400100235F, DATED 9/26/2008. 14. THIS SITE IS NOT LOCATED IN ANY DEFICIENT AREAS ON THE BASIC SERVICES

MAPS PERSUANT TO SECTION 4A02 OF THE BCZR. 15. ZONING MAP REFERENCE NUMBER: 042B3 16. ZONING HISTORY CASE NO: R-1960-4926 - TO REZONE PROPERTY FROM R-20 TO ML(12/23/1960). 2012 CZMP - ISSUE 3-050 TO REZONE PROPERTY FROM ML-IM

TO BM-IM (9/10/2012) 17. ZONING - BM-IM 18. SETBACKS: FRONT = 15 FT. SIDE = 0 FT. REAR = 0 FT.

SERVICE STATION = 35' FROM STREET ROW FUEL PUMP = 25' FROM STREET ROW GAS CANOPY = 15' FROM STREET ROW 19. EXISTING LAND USE: VERIZON OFFICE/WAREHOUSE AND SERVICE FACILITY 20. PROPOSED LAND USE: CONVENIENCE STORE, CARRYOUT, CAR WASH & GASOLINE/DIESEL

FUELING STATION 21. PROPOSED BUILDING HEIGHT: CONVENIENCE STORE = 28' ROLL-OVER CAR WASH = 16' GASOLINE/DIESEL CANOPY = 221

22. PROPOSED DEVELOPMENT TO BE SERVED BY EXISTING PUBLIC WATER AND SEWER. 23. PROPOSED LANDSCAPING WILL COMPLY WITH THE BALTIMORE COUNTY LANDSCAPE MANUAL REQUIREMENTS.

24. ANY FIXTURE USED TO ILLUMINATE AN OFF-STREET PARKING AREA SHALL BE SO ARRANGED AS TO REFLECT THE LIGHT AWAY FROM ADJACENT RESIDENTIAL SITES AND PUBLIC STREETS.

25. PROPOSED SIGNAGE SHALL COMPLY WITH SECTION 450 BCZR, ALL ZONING POLICIES, AND ANY ZONING VARIANCE GRANTED. 26. OPEN SPACE: NOT REQUIRED 27. BUILDING FLOOR AREA:

CONVENIENCE STORE = 2625 S.F. CARRYOUT USE = 1915 S.F. SERVICE STATION USE = 581 S.F. ROLL-OVER CAR WASH = 1407 S.F. 28. FLOOR AREA RATIO: 6,528 S.F./145,220 S.F. = 0.04 (4.0 PERMITTED) 29. SITE AREA REQUIREMENTS FOR COMBINATION USES:

11 FUELING STATIONS * 1500 S.F. = 16,500 S.F. ADDITIONAL SITE AREA FACTOR: 1 ATM x 1000 S.F. = 1000 S.F. 4 x 2625 = 10500 S.F. SITE AREA FOR CONVENIENCE STORE USE

6 x 1915 = 11490 S.F. SITE AREA FOR CARRYOUT USE 39,496 S.F. SITE AREA REQUIRED < 145,220 S.F. SITE AREA 30. PARKING REQUIRED: CONVENIENCE STORE/CARRYOUT USE 4540 S.F. @ 5/1000

FUEL SERVICE USE (581 S.F.) MAXIMUM EMPLOYEES PER SHIFT **ROLL-OVER CAR WASH** 1 TUNNEL @ 2/TUNNEL (DRYING) = 2 2 VACUUM CLEANER UNITS @ 1/UNIT = 2 2 ADDITIONAL SPACES PER TUNNEL = 2 TOTAL PROVIDED =75

Election District 8

31. PARKING SPACE DIMENSIONS: TYPICAL SPACE = 9' x 20' HANDICAP SPACE = 8'x 20' (with 5'or 8' strip between spaces) VACUUM CLEANER SPACE = 12.5' x 20'

> PETITIONER'S EXHIBIT NO.

PDM #08-882

Plan to Accompany Petition for a Special Exception

ROYAL FARMS STORE #191

Hunt Valley, MD 21031

Tax Map 42 - Parcel 434

SHEET NO. _of_ 5

PHASE NO.

DRAWING NO.

ZON-01

Two Farms. Inc. 3611 Roland Avenue Baltimore, Maryland 2121 (410) 889-0200

21022

Broo

11119 McCormick Rd.

October 9, 2012



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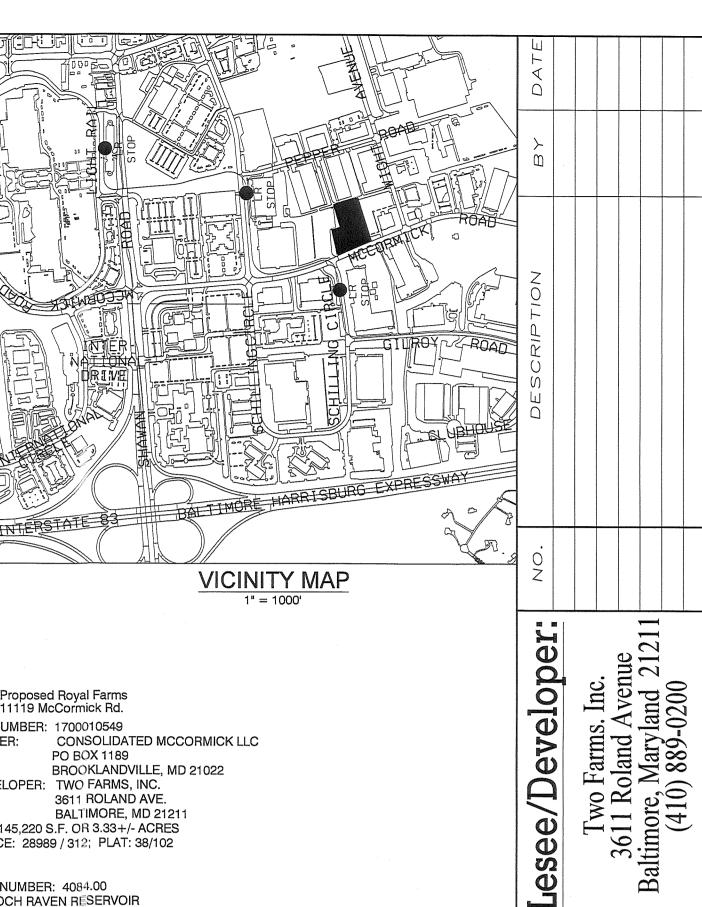
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PREVIOUS COMMERCIAL PERMITS

contingent on a Special Exception.(07/23/2012)

None known; Year built - approx. 1977; 141 parking spaces

BASIC SERVICES MAP
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NOTES: Proposed Royal Farms 11119 McCormick Rd. 1. TAX ACCOUNT NUMBER: 1700010549 PROPERTY OWNER: PO BOX 1189 BROOKLANDVILLE, MD 21022 3. PROPERTY DEVELOPER: TWO FARMS, INC. 3611 ROLAND AVE. BALTIMORE, MD 21211 4. NET ACREAGE: 145,220 S.F. OR 3.33+/- ACRES 5. DEED REFERENCE: 28989 / 312; PLAT: 38/102 6. TAX MAP: 42 7. PARCEL: 434 8. CENCUS TRACT NUMBER: 4084.00 9. WATERSHED: LOCH RAVEN RESERVOIR 10. SEWERSHED: 35 11. ELECTION DISTRICT: 8 12. COUNCILMANIC DISTRICT: 3 13. THIS SITE IS NOT WITHIN THE 100 YR FLOODPLAIN, PER FEMA FIRM MAPPING NUMBER 2400100235F, DATED 9/26/2008. 14. THIS SITE IS NOT LOCATED IN ANY DEFICIENT AREAS ON THE BASIC SERVICES MAPS PERSUANT TO SECTION 4A02 OF THE BCZR. 15. ZONING MAP REFERENCE NUMBER: 042B3 16. ZONING HISTORY CASE NO: R-1960-4926 - TO REZONE PROPERTY FROM R-20 TO ML(12/23/1960). 2012 CZMP - ISSUE 3-050 TO REZONE PROPERTY FROM ML-IM TO BM-IM (9/10/2012) 17. ZONING - BM-IM 18. SETBACKS: FRONT = 15 FT SIDE = 0 FT.REAR = 0 FT.SERVICE STATION = 35' FROM STREET ROW FUEL PUMP = 25' FROM STREET ROW GAS CANOPY = 15' FROM STREET ROW 19. EXISTING LAND USE: VERIZON OFFICE/WAREHOUSE AND SERVICE FACILITY 20. PROPOSED LAND USE: CONVENIENCE STORE, CARRYOUT, CAR WASH & GASOLINE/DIESEL **FUELING STATION** 21. PROPOSED BUILDING HEIGHT: CONVENIENCE STORE = 28' ROLL-OVER CAR WASH = 16' GASOLINE/DIESEL CANOPY = 22' 22. PROPOSED DEVELOPMENT TO BE SERVED BY EXISTING PUBLIC WATER AND SEWER. 23. PROPOSED LANDSCAPING WILL COMPLY WITH THE BALTIMORE COUNTY LANDSCAPE MANUAL REQUIREMENTS. 24. ANY FIXTURE USED TO ILLUMINATE AN OFF-STREET PARKING AREA SHALL BE SO ARRANGED AS TO REFLECT THE LIGHT AWAY FROM ADJACENT RESIDENTIAL SITES AND PUBLIC STREETS. 25. PROPOSED SIGNAGE SHALL COMPLY WITH SECTION 450 BCZR, ALL ZONING POLICIES, AND ANY ZONING VARIANCE GRANTED. 26. OPEN SPACE: NOT REQUIRED 27. BUILDING FLOOR AREA: CONVENIENCE STORE = 2625 S.F. CARRYOUT USE = 1915 S.F. SERVICE STATION USE = 581 S.F. ROLL-OVER CAR WASH = 1407 S.F. 28. FLOOR AREA RATIO: 6,528 S.F./145,220 S.F. = 0.04 (4.0 PERMITTED) 29. SITE AREA REQUIREMENTS FOR COMBINATION USES: 11 FUELING STATIONS * 1500 S.F. = 16,500 S.F. ADDITIONAL SITE AREA FACTOR: $^{\circ}$ 1 ATM x 1000 S.F. = 1000 S.F. 4 x 2625 = 10500 S.F. SITE AREA FOR CONVENIENCE STORE USE 6 x 1915 = 11490 S.F. SITE AREA FOR CARRYOUT USE

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#2013-0093-X

PDM #08-882

Plan to Accompany Petition for a Special Exception

ROYAL FARMS STORE #191

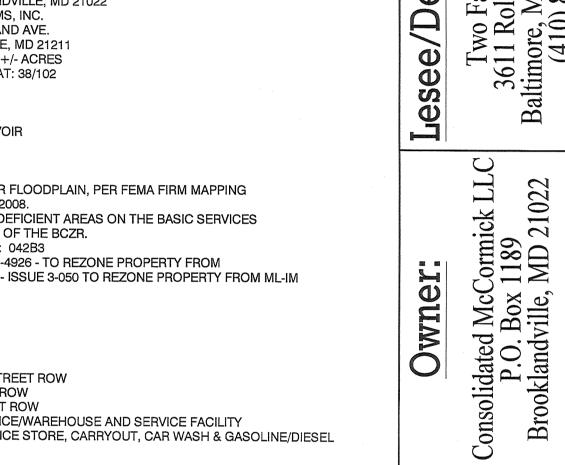
11119 McCormick Rd.

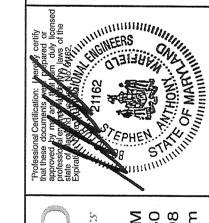
Election District 8

Hunt Valley, MD 21031

Tax Map 42 - Parcel 434

October 9, 2012





Salary Spanis

PHASE NO.

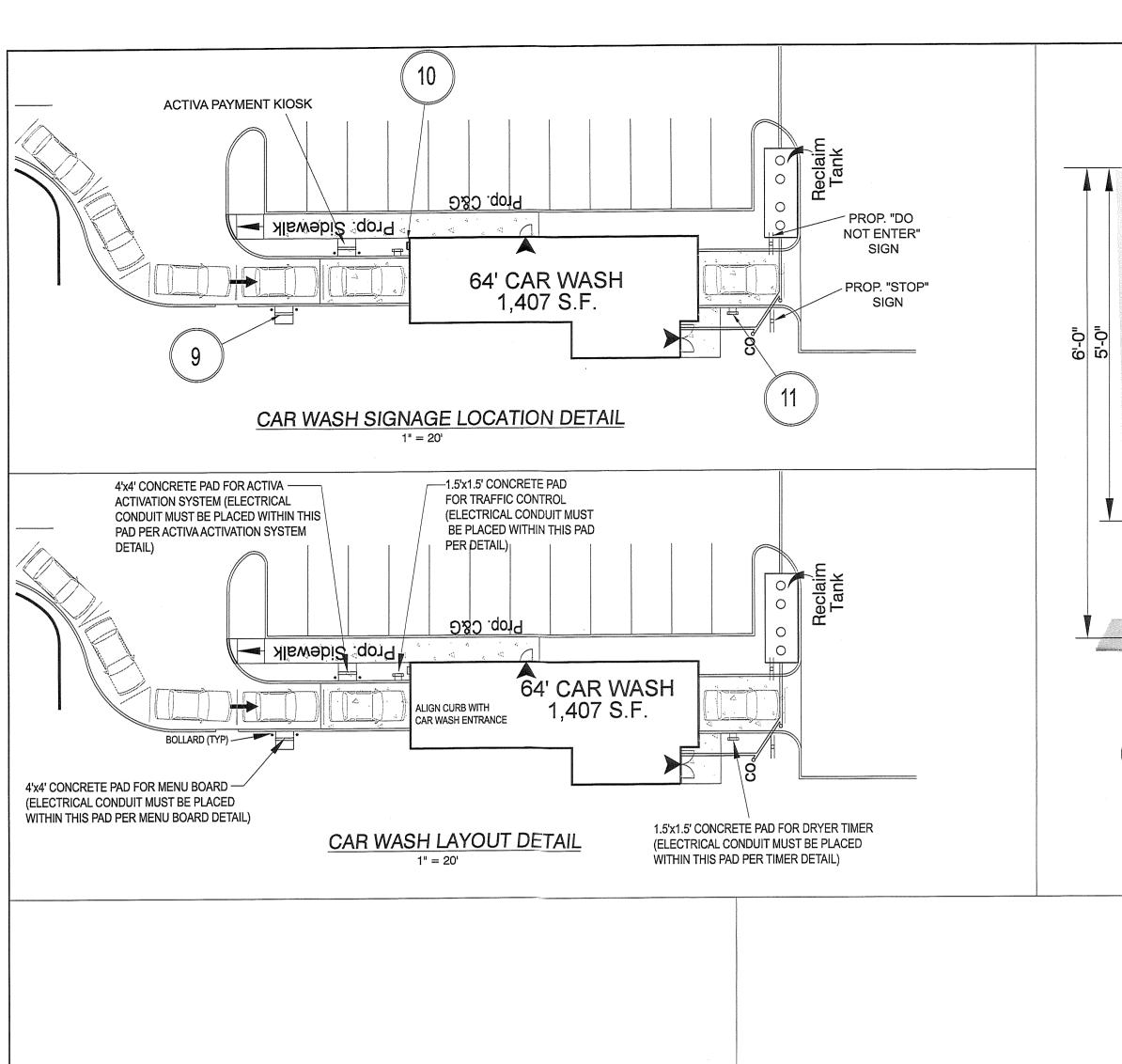
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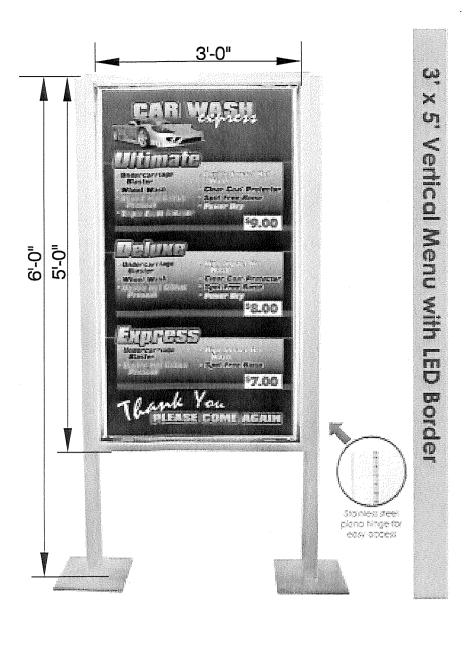
ZON-01

SHEET NO.

_OF__5

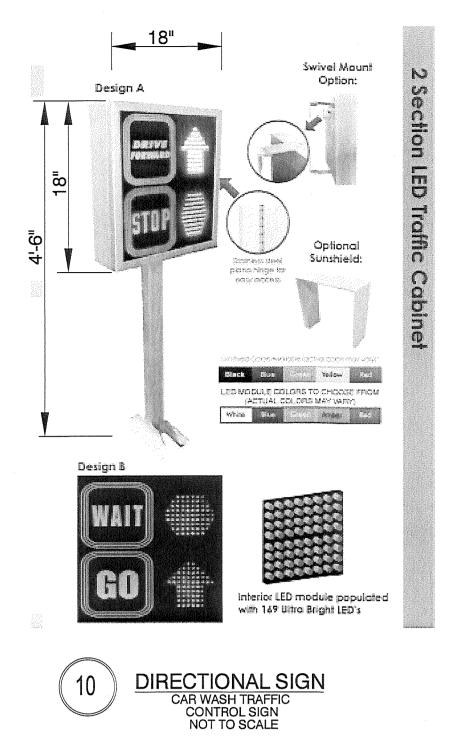


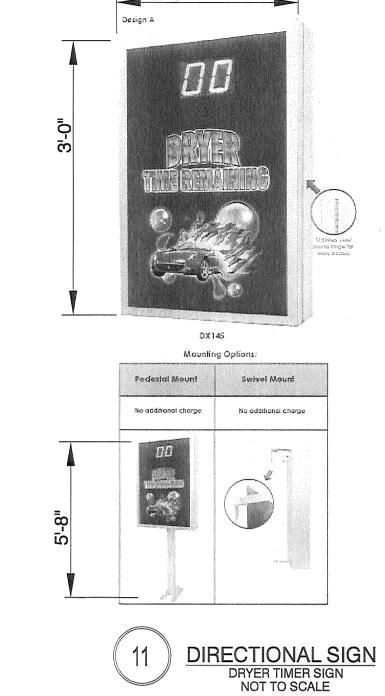


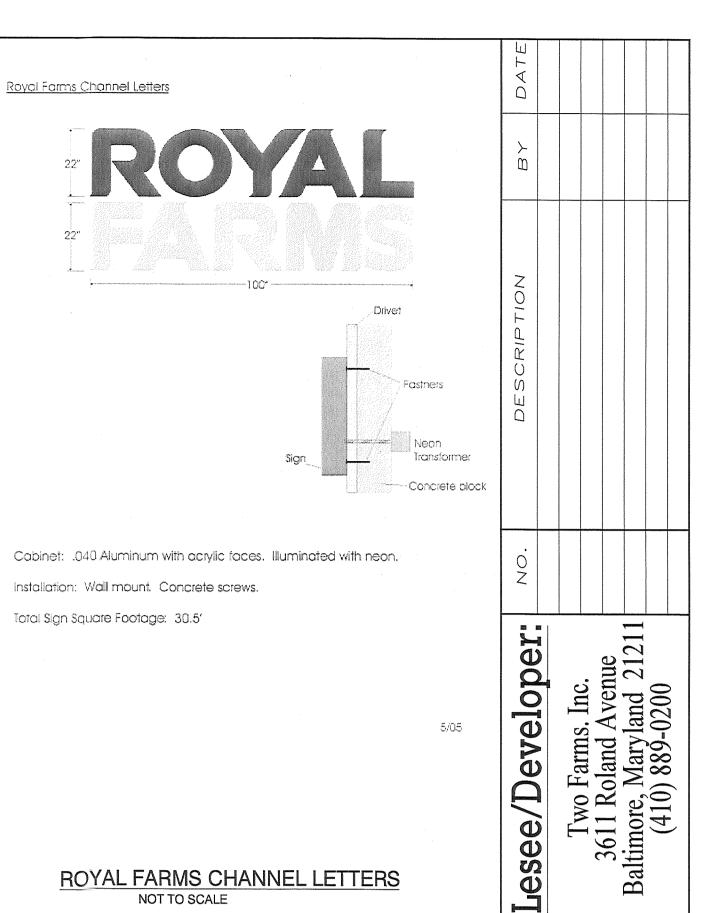


ORDER BOARD SIGN

LARGE CAR WASH OPTIONS PRICING CHART NOT TO SCALE



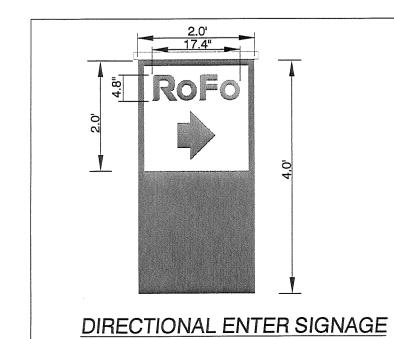




ROYAL FARMS CHANNEL LETTERS NOT TO SCALE

4- CANOPY (2 Per Canopy) -SIGNS 15.1-SF EACH 40'-0"(Gas Canopy)/24'-0"(Diesel Canopy) 132'-0"(Gas Canopy)/41' (DieselCanopy) ROYAL FARMS OPT. SPANDREL PANEL FOR SIGNAGE & END BAYS ONLY —Canopy Length ROYALFARMS

> **CANOPY SIGNAGE** NOT TO SCALE



"RO FO" TEXT/LOGO IS LIMITED TO A MAXIMUM OF 30% OF DIRECTIONAL SIGN AREA. SIGN AREA = $2.0' \times 2.0' = 4.0 \text{ SF}$ ALLOWABLE TEXT/LOGO AREA = (4.0 SF) X (0.3) = 1.2 SF PROPOSED TEXT/LOGO AREA = 17.4"X 4.8" = 0.58 SF PROPOSED PERCENT OF SIGN AREA = 15% FOR TEXT/LOGO

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11119 McCormick Rd. Hunt Valley, MD 21031

Election District 8
Councilmanic District 3

Tax Map 42 - Parcel 434 October 9, 2012

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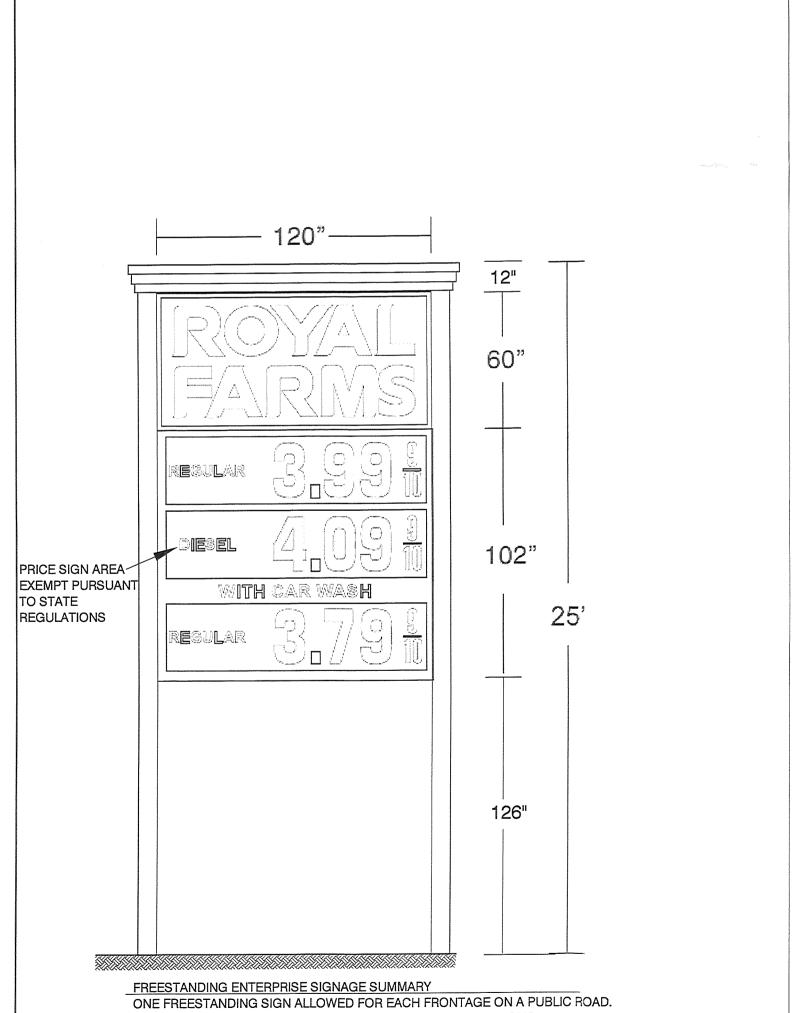
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ZON-03 SHEET NO. 3 of 5



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SIDED FREESTANDING SIGN = 120" x 60" = 50-SF TOTAL

McCORMICK ROAD FREESTANDING PYLON SIGNAGE

No Scale

- ONE TWO SIDED FREESTANDING PROPOSED ALONG MCCORMICK ROAD SIGN AREA FOR EACH FACE OF DOUBLE

