

BALTIMORE COUNTY, MARYLAND

Board of Appeals of Baltimore County

Interoffice Correspondence

DATE: November 3, 2014

TO: David Duvall
Zoning Review Office
Permits, Approvals & Inspections

FROM: Tammy McDiarmid, Legal Secretary
Board of Appeals

SUBJECT: CLOSED APPEAL CASE FILES/CASES DISMISSED

The following cases have been closed as of the above date and are being returned to your office for storage.

<u>Case No:</u>	<u>Case Name:</u>
08-456-X	Prigel Family Creamery
12-091-X	Rainbow Hall, LLC (2 Folders)
13-132-XA	9400 Liberty Limited Partnership

c: Arnold Jablon, Director/Permits, Approvals & Inspections
Michael Field, County Attorney
Nancy West, Assistant County Attorney

2/4/14

IN RE: PETITION FOR
SPECIAL EXCEPTION
(9043 Liberty Road)

2nd Election District
4th Councilmanic District
9400 Liberty Limited Partnership
Legal Owner
Two Farms, Inc.
Contract Purchaser/Lessee
Petitioners

* BEFORE THE
* OFFICE OF
* ADMINISTRATIVE HEARINGS
* FOR BALTIMORE COUNTY
* Case No. 2013-0132-XA

* * * * *

ORDER AND OPINION

(ON REMAND FROM BOARD OF APPEALS)

By Order dated April 30, 2013, petitions for special exception and variance were granted in the above case, allowing Petitioners to construct and operate a fuel station on an individual site, and a convenience store having a sales area larger than 1,500 sq. ft., carry-out restaurant and roll-over car wash as uses in combination. Thereafter, an appeal to the Board of Appeals of Baltimore County (CBA) was filed by several members of the community (Protestants), and the CBA remanded the case to this Office for consideration of an amended zoning petition, which was marked and accepted as Petitioners' Ex. No. 19. The amended petition has eliminated the car wash as an element of the requested special exception, and the petition for variance (pertaining to the car wash) has also been withdrawn. The Petitioners have also filed an amended site plan which shows that a car wash facility is no longer proposed at the subject property. Petitioners' Ex. No. 20.

David H. Karceski, Esquire, appeared at the hearing and explained the amended petition, and J. Carroll Holzer, Esquire, on behalf of the Protestants (See Protestants' Ex. No. 4), indicated that there was no opposition to the amended petition. Mr. Holzer explained that the primary

ORDER RECEIVED FOR FILING

Date 2/4/14

By Sen

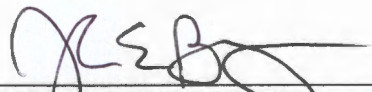
concern of his clients was the proposed car wash, and now that it has been eliminated, the Protestants no longer oppose the project.

THEREFORE, IT IS ORDERED by the Administrative Law Judge for Baltimore County, this 4th day of February, 2014, that the Petition for Special Exception to allow a fuel station on an individual site, and a convenience store having a sales area larger than 1,500 sq. ft. and a carry-out restaurant as uses in combination, be and is hereby GRANTED.

The relief granted herein shall be subject to and conditioned upon 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 must be utilized within five (5) years of the date of this Order.

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/sln

ORDER RECEIVED FOR FILING

Date 2/4/14
By sen

KEVIN KAMENETZ
County Executive



LAWRENCE M. STAHL
Managing Administrative Law Judge
JOHN E. BEVERUNGEN
Administrative Law Judge

February 4, 2014

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

RE: REMAND- Petitions for Special Exception and Variance
Case No.: 2013-0132-XA
Property: 9043 Liberty 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,

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

JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

JEB:sln
Enclosure

c: J. Carroll Holzer, Esquire, 508 Fairmont Avenue, Towson, Maryland 21204

10/22/13

IN THE MATTER OF
9400 LIBERTY LIMITED PARTNERSHIP - Legal Owner
Two Farms, Inc – Contract Purchaser/Lessee
9043 Liberty Road

2nd Election District, 4th Councilmanic District

RE: Petition for Special Exception and Variance

* BEFORE THE
* BOARD OF APPEALS
* OF
* BALTIMORE COUNTY
* Case No. 13-132-XA

* * * * *

ORDER OF REMAND

This case comes to the Board on appeal of the request by Petitioner, 9400 Liberty Limited Partnership (the "Petitioner") in which a special exception was granted by the Administrative Law Judge pursuant to Baltimore County Zoning Regulations ("B.C.Z.R.") §§405.2.B.1, 405.4.E.1, 405.4E.2 and 405.4E.10 to allow a fuel station on an individual site and a convenience store having a sales area larger than 1,500 sq. ft, a carry-out restaurant and a roll-over car wash as uses in combination and variance relief was granted from BCZR §§419.4.B.1 and 405.4.A.3.c(2) to allow a car wash tunnel entrance to face an adjacent residentially zoned property and to allow 10 stacking spaces in lieu of the required 20 stacking spaces. The Protestants, Darrell Blain, Sr., Terri Davis, Kim Grooms, James Stukes, Gawith DeSilva, Greetha DeSilva, Lamont Mitchell, Teara DeLord, Gail Elliott, Jorge Rodriguez, Jaswinder Chana, Demitu Dingeta, Derick Vanterpool, Champion Cutz, and James Powell (the "Protestants"), were represented by J. Carroll Holzer, Esquire. This Board convened for public hearing on the scheduled date of October 8, 2013. David Karceski, Esquire, appeared on behalf of the Petitioner and J. Carroll Holzer, Esquire, appeared on behalf of the Protestants. At that time, and for reasons as stated on the record, the Petitioner, through counsel, moved for the matter to be remanded to the Office of Administrative Hearings for

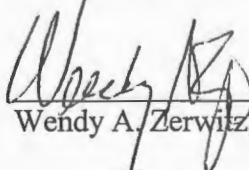
consideration of an amendment to the Petition for Special Exception and Variance. The Protestants, through counsel, agreed that the case should be remanded for further consideration.

Upon consideration of the agreement of the Parties to remand the case, it is this 22nd day of October, 2013, by the Board of Appeals of Baltimore County

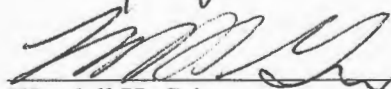
ORDERED that said request for remand be and is hereby **GRANTED**; and it is further

ORDERED that the above captioned case is **REMANDED** to the Office of Administrative Hearings for consideration of the amendment.

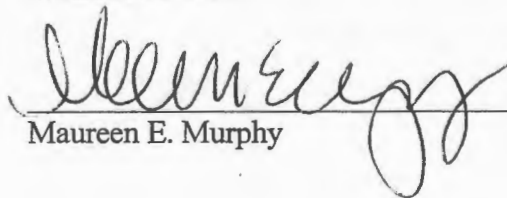
**BOARD OF APPEALS
OF BALTIMORE COUNTY**



Wendy A. Zerwitz, Panel Chairman



Wendell H. Grier



Maureen E. Murphy



Board of Appeals of Baltimore County

JEFFERSON BUILDING
SECOND FLOOR, SUITE 203
105 WEST CHESAPEAKE AVENUE
TOWSON, MARYLAND, 21204
410-887-3180
FAX: 410-887-3182

October 22, 2013

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

J. Carroll Holzer, Esquire
508 Fairmount Avenue
Towson, MD 21286

RE: *In the Matter of: 9400 Liberty Limited Partnership – Legal Owners/Petitioners*
Two Farms, Inc. – Contract Purchaser/Lessee
Case No.: 13-132-XA

Dear Counsel:

Enclosed please find a copy of the Order of Remand issued this date by the Board of Appeals of Baltimore County in the above subject matter.

The Board of Appeals case file is hereby being returned to the Office of Administrative Hearings pursuant to the Order.

Should you have any questions, please do not hesitate to contact me.

Very truly yours,

Sunny Cannington

Krysundra "Sunny" Cannington
Acting Administrator

Enclosure
Duplicate Original Cover Letter

c: See attached Distribution List

c: Counsel for Legal Owner/Petitioner
Legal Owner/Petitioner
Contract Purchaser/Lessee

: David H. Karceski, Esquire
: 9400 Liberty Limited Partnership
: Two Farms, Inc.

Counsel for Appellants/Protestants
Appellants/Protestants

: J. Carroll Holzer, Esquire
: Darrell Blain, Sr.
Terri Davis and Kim Grooms

Supplemental Protestants

: James Stukes
Gawith DeSilva
Greetha DeSilva
Lamont Mitchell
Teara DeLord
Gail Elliott
Jorge Rodriguez
Jaswinder K. Chana
Demitu Dingeta
Derick Vanterpool
Champion Cutz
James Powell

Stanford Hess
Mark Keeley
Jeff Bainbridge
Neil Shad
Bill Monk
Jeff and Shirley Supik
Joss Yocum
Dominique Duane
Dorothea Rogers
Anthony and Jacki Towns
Rex Ford
Michael Shephard
Janice Hicks
Michael Jacobs
Edele Cook

R. Eastman
Kenneth Wehts
George Webster
Chris Williams
Kay Patterson
Charles Jackson
Carla Scott
Kenneth Bronson
Jose Cruz
Mary Dunn
James and Janice Stoker
Ann Skinner
Sharon Shaw
Patricia Brundick
Robert Sullivan

Mildred Reese
Mr. and Mrs. David Yingling
Jolene Loveslee
Patricia Reynolds
Paul and Tanya Casey
Demetrius Lewis
Allan and Keishia Polston
Mario Lee
Kenneth Charles
Will Percival
Simon Davis
Gail McCorkle
Joshua Skim
Tom Messick
Sonya Pirtle

Office of People's Counsel
Lawrence M. Stahl, Managing Administrative Law Judge
John E. Beverungen, Administrative Law Judge
Arnold Jablon, Director/PAI
Andrea Van Arsdale, Director/Department of Planning
Nancy West, Assistant County Attorney
Michael Field, County Attorney, Office of Law

4/30/13

**IN RE: PETITIONS FOR SPECIAL EXCEPTION *
AND VARIANCE**

(9043 Liberty Road)
2nd Election District
4th Councilmanic District
9400 Liberty Limited Partnership
Legal Owner
Two Farms, Inc.
Contract Purchaser/Leesee
Petitioner

BEFORE THE

* OFFICE OF

* ADMINISTRATIVE HEARINGS

* FOR BALTIMORE COUNTY

* **Case No. 2013-0132-XA**

* * * * *

ORDER AND OPINION

This matter comes before the Office of Administrative Hearings (OAH) as Petitions for Special Exception and Variance filed for property located at 9043 Liberty Road. The Petitions were filed by David H. Karceski, Esq., on behalf of 9400 Liberty Limited Partnership, the legal owners of the subject property. The Special Exception Petition seeks relief per Baltimore County Zoning Regulations (B.C.Z.R.) Sections 405.2.B.1, 405.4.E.1, 405.4.E.2 and 405.4.E.10 to allow a fuel station on an individual site and a convenience store having a sales area larger than 1,500 sq. ft., carry-out restaurant and a roll-over car wash as uses in combination. Petitioner is also requesting Variance relief from §§ 419.4.B.1 and 405.4.A.3.c(2): (1) to allow a car wash tunnel entrance to face an adjacent residentially zoned property; and (2) to allow 10 stacking spaces in lieu of the required 20 stacking spaces. Petitioner submitted at the hearing an amended site plan which reflects that the variance relief with respect to the "stacking spaces" is no longer required. The subject property and requested relief are more fully described on the site plan and amended site plan which were marked and accepted into evidence as Petitioner's Exhibits 1 & 11, respectively.

Appearing at the hearing in support of the Petitions were Mark Keeley, Jeff Bainbridge, Neil Shade and Bill Monk. David H. Karceski, Esquire, and Justin Williams, Esquire, attended and represented the Petitioners. Several members of the community appeared in opposition to the

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Date

4/30/13

By

Sen

Petitions (represented by J. Carroll Holzer, Esquire), and their names are included within the case file. The file reveals 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. The Bureau of Development Plans Review (DPR) noted a landscape plan would need to be approved prior to permit issuance, and the Department of Planning identified certain concerns with the proposed signage and landscaping.

Testimony and evidence offered at the hearing revealed that the subject property is 1.109 acres (Lot 1) and 1.305 acres (Lot 2) and is zoned BR-AS. The Petitioner proposes to construct and operate at the location a Royal Farm Store with gas dispensers, convenience store and car wash. To do so, the Petitioner requires Special Exception and Variance relief.

SPECIAL EXCEPTION

As noted above, Petitioner seeks Special Exception relief to allow a fuel station on an individual site and a convenience store having a sales area larger than 1,500 sq. ft., carry-out restaurant and a roll-over car wash as uses in combination per Baltimore County Zoning Regulations (B.C.Z.R.) sections 405.2.B.1, 405.4.E.1, 405.4.E.2 and 405.4.E.10. Under Maryland law, a Special Exception use enjoys a 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.

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Date

4/30/13

By

SEN

In this case, although several neighboring residents through counsel indicated they were opposed to the project, the protestants did not produce testimony or evidence sufficient to overcome the Special Exception presumption. As such, the petition for Special Exception will be granted.

VARIANCE

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).

Petitioner has met this test. William Monk, who was accepted as an expert in land planning and the B.C.Z.R., testified the property is unique because the site "narrows" at the top and the topography dictates that the Storm Water Management facility be positioned at the front of the site adjoining Liberty Road. Thus, I believe the site is unique for zoning purposes.

If the B.C.Z.R. were strictly enforced, the Petitioner would suffer a practical difficulty and/or hardship, given it would be unable to construct the proposed improvements. 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 demonstrated by the absence of County opposition.

Pursuant to the advertisement, posting of the property, and public hearing on these petitions, and after considering the testimony and evidence offered, I find that Petitioner's Special Exception and Variance requests should be granted.

ORDER RECEIVED FOR FILING

Date 4/30/13

By Sen

THEREFORE, IT IS ORDERED by the Administrative Law Judge for Baltimore County, this 30th day of April, 2013, that Petitioner's request for Special Exception relief under sections 405.2.B.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 station on an individual site and a convenience store having a sales area larger than 1,500 sq. ft., carry-out restaurant and a roll-over car wash as uses in combination, be and is hereby GRANTED; and

IT IS FURTHER ORDERED that Petitioner's request for Variance relief from Section 419.4.B.1 of the B.C.Z.R., to allow a car wash tunnel entrance to face an adjacent residentially zoned property, be and is hereby GRANTED.

The relief granted herein shall be subject to and conditioned upon the following:

1. Petitioner may apply for appropriate permits and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at its own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, Petitioner would be required to return, and be responsible for returning, said property to its original condition.
2. The Special Exception must be utilized within 2 years of the date of this Order, unless this utilization period is extended by subsequent Order.
3. The car wash facility shall be restricted to the following hours of operation: 9:00 a.m. to 9:00 p.m. daily.
4. The entrance and exit doors for the car wash facility must remain closed during operation.
5. The car wash facility shall be lighted/illuminated only during the hours of operation noted above.

ORDER RECEIVED FOR FILING

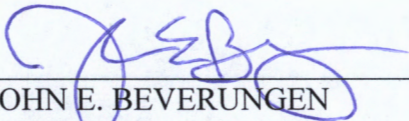
Date

4/30/13

By

Sen

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/sln

ORDER RECEIVED FOR FILING

Date

4/30/13

By

sln



KEVIN KAMENETZ
County Executive

LAWRENCE M. STAHL
Managing Administrative Law Judge
JOHN E. BEVERUNGEN
Administrative Law Judge

April 30, 2013

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

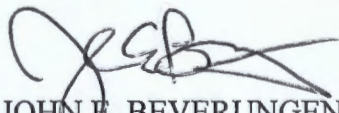
RE: Petitions for Special Exception and Variance
Case No.: 2013-0132-XA
Property: 9043 Liberty Road

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,


JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

JEB:slm
Enclosure

c: Stanford Hess, 6440 Baltimore National pike, Baltimore, Maryland 21228
Mark Keeley, 325 Gambrills Road, Gambrills, Maryland 21054
Jeff Bainbridge, 3611 Roland Avenue, Baltimore, Maryland 21211
Neil Shade, 606 Bosley Avenue, Towson, Maryland 21204
Bill Monk, 1220-C East Joppa Road, Towson, Maryland 21286
Jeff & Shirley Supik, 3525 Rolling Road, Rockdale, Maryland 21244
Joss Yocum, 1813 W. Union Street, Allentown, PA 18104
J. Carroll Holzer, Esquire, 508 Fairmont Avenue, Towson, Maryland 21204



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 9043 Liberty Road

which is presently zoned BR-AS

Deed References: 15224-220

10 Digit Tax Account # 22000238000

Property Owner(s) Printed Name(s) 9400 Liberty Limited Partnership

(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:

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

2. X a Special Exception under the Zoning Regulations of Baltimore County to use the herein described property for
SEE ATTACHMENT A

3. X a Variance from Section(s)

SEE ATTACHMENT B

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 DETERMINED AT HEARING

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

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

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.

Name- Type or Print John Kemp, President

Signature

3611 Roland Avenue, Baltimore, MD
Mailing Address City State

21211 / 410-889-0200 / jsbainbridge@royalfarms.com
Zip Code Telephone # Email Address

Attorney for Petitioner:

David H. Karceski, Esquire

Name- Type or Print

Signature Venable LLP

210 W. Pennsylvania Ave., Ste. 500 Towson MD
Mailing Address City State

21204 / 410-494-6285 / dhkarceski@venable.com
Zip Code Telephone # Email Address

Legal Owners (Petitioners):

9400 Liberty Limited Partnership

Name #1 - Type or Print

Name #2 - Type or Print

Signature #1

Signature #2

6440 Baltimore National Pike, Baltimore, MD
Mailing Address City State

21228 / /
Zip Code Telephone # Email Address

Representative to be contacted:

David H. Karceski, Esquire

Name - Type or Print

Signature Venable LLP

210 W. Pennsylvania Ave., Ste. 500 Towson MD
Mailing Address City State

21204 / 410-494-6285 / dhkarceski@venable.com
Zip Code Telephone # Email Address

CASE NUMBER 2013-0132-X1 Filing Date 12/6/12

Do Not Schedule Dates:

ORDER RECEIVED FOR FILING
REV. 10/4/11

Date

By

ATTACHMENT A
PETITION FOR SPECIAL EXCEPTION
9043 LIBERTY ROAD

Special Exception to allow a fuel service station on an individual site and a convenience store having a sales area larger than 1,500 square feet, 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.

amended
2/3/14

PHK

ATTACHMENT B
PETITION FOR VARAINCE
9043 LIBERTY ROAD

~~Variance from BCZR Section 419.4.B.1 to allow a car wash tunnel entrance to face an adjacent
residentially zoned property.~~

amended
2/3/14
DHK

~~Variance from BCZR Section 405.4.A.3.c(2) to allow 10 stacking spaces in lieu of the required
20 stacking spaces.~~



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 9043 Liberty Road which is presently zoned BR-AS

Deed References: 15224-220 10 Digit Tax Account # 22000239000

Property Owner(s) Printed Name(s) 9400 Liberty Limited Partnership

(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

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

SEE ATTACHMENT A

3. ☒ a Variance from Section(s)

SEE ATTACHMENT B

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 DETERMINED AT HEARING

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

I, or we, agree to pay expenses of above 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.

Name- Type or Print John Kemp, President

Signature [Signature]

3611 Roland Avenue, Baltimore, MD
Mailing Address City State

21211 / 410-889-0200 / jsbainbridge@royalfarms.com
Zip Code Telephone # Email Address

Attorney for Petitioner:

David H. Karceski, Esquire

Name- Type or Print

Signature Venable LLP

210 W. Pennsylvania Ave., Ste. 500 Towson MD
Mailing Address City State

21204 / 410-494-6285 / dhkarceski@venable.com
Zip Code Telephone # Email Address

Legal Owners (Petitioners):

9400 Liberty Limited Partnership

Name #1 - Type or Print Name #2 - Type or Print

Signature #1

Signature #2

6631 Baltimore National Pike, Baltimore, MD
Mailing Address City State

21228 / /
Zip Code Telephone # Email Address

Representative to be contacted:

David H. Karceski, Esquire

Name - Type or Print

Signature Venable LLP

210 W. Pennsylvania Ave., Ste. 500 Towson MD
Mailing Address City State

21204 / 410-494-6285 / dhkarceski@venable.com
Zip Code Telephone # Email Address

CASE NUMBER 2013-0132-XA

Filing Date 12/6/12

Do Not Schedule Dates: _____

Reviewer JS

ORDER RECEIVED FOR FILING REV. 10/4/11

Date 4/30/13

By Sen

ATTACHMENT A
PETITION FOR SPECIAL EXCEPTION
9043 LIBERTY ROAD

Special Exception to allow a fuel service station on an individual site and a convenience store having a sales area larger than 1,500 square feet, 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.

ATTACHMENT B
PETITION FOR VARAINCE
9043 LIBERTY ROAD

Variance from BCZR Section 419.4.B.1 to allow a car wash tunnel entrance to face an adjacent residentially zoned property.

Variance from BCZR Section 405.4.A.3.c(2) to allow 10 stacking spaces in lieu of the required 20 stacking spaces.

MORRIS & RITCHIE ASSOCIATES, INC.

ARCHITECTS, ENGINEERS, PLANNERS, SURVEYORS,
AND LANDSCAPE ARCHITECTS



Zoning Description

Beginning at a point located at the intersection of Liberty Road (Maryland Route 26) and Offutt Road, South 12 degrees 57 minutes 55 seconds East, 71.97 feet to a point. **Thence** the following courses and distances, referred to the Maryland Coordinate System (NAD '83/91):

North 86 degrees 1 minute 2 seconds East, 16.78 feet to a point; South 57 degrees 11 minutes 25 seconds East, 214.05 feet to a point; South 32 degrees 48 minutes 35 seconds West, 15.00 feet to a point; South 57 degrees 11 minutes 25 seconds East, 3.87 feet to a point; South 30 degrees 38 minutes 41 seconds West, 364.79 feet to a point; North 64 degrees 4 minutes 45 seconds West, 289.82 feet to a point; North 36 degrees 14 minutes 6 seconds East, 274.05 feet to a point; an arc with a radius of 315.00 feet and length of 37.30 feet to a point; an arc with a radius of 919.44 feet and length of 75.50 feet to a point; North 48 degrees 20 minutes 29 seconds East, 20.73 feet to a point.

Containing an area of 105,133 square feet or 2.41 acres of land, more or less and being located in the Second Election District of Baltimore County Maryland.



2013-0132-XA

1220-C East Joppa Road, Suite 505, Towson, MD 21286 (410) 821-1690 Fax: (410) 821-1748 www.mragta.com

Abingdon, MD
(410) 515-9000

Laurel, MD
(410) 792-9792

Towson, MD
(410) 821-1690

Georgetown, DE
(302) 855-5734

Wilmington, DE
(302) 326-2200

York, PA
(717) 751-6073

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/neighbor 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:

Petitioner:

Address or Location:

2013-132-XA

9400 Liberty Limited Partnership

9043 ~~1403~~ Liberty Road

PLEASE FORWARD ADVERTISING BILL TO:

Name:

Address:

Telephone Number:

Justin Williams

Venable LLP

210 W. Penn. Ave, Suite 500
Towson MD 21204

(410) 494-6200

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

No. **90146**

Date: **12/6/12**

PAID RECEIPT

RECEIVED ACTUAL TIME
 12/06/2012 12/06/2012 11:11:59 5

REG. METER: 100146 REGS. LRB
 RECEIPT # 628530 12/06/2012

FOR ZONING VERIFICATION

Receipt Tot 1835.00
 1835.00 OK 9.00 CA
 Baltimore County, Maryland

Fund	Dept	Unit	Sub Unit	Rev Source/Obj	Sub Rev/Obj	Dept	Obj	BS Acct	Amount
001	806	0001		6150					1835.00

Total: **1835.00**

Rec From: **9400 LIBERTY LIMITED PARTNERSHIP**

For: _____

DISTRIBUTION

WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER GOLD - ACCOUNTING

PLEASE PRESS HARD!!!!

**CASHIER'S
 VALIDATION**

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

No.

94608

Date:

5-28-13

Fund	Dept	Unit	Sub Unit	Rev Source/ Obj	Sub Rev/ Sub Obj	Dept Obj	BS Acct	Amount
001	806	000		6150				650.00

Total:

650.00

Rec

From:

J. Carroll Hizer, P.A.

For:

Appeal (9043 Liberty Rd.)

2013-0132-80

9400 Liberty Limited Partnership

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

GOLD - ACCOUNTING

PLEASE PRESS HARD!!!!

PAID RECEIPT

DATE: 5/28/2013 14:52:36

REF: 855607 5/28/2013

RECEIPT # 855607 5/28/2013

5 528 ZONING VERIFICATION

5 528 ZONING VERIFICATION

5 528 ZONING VERIFICATION

5 528 ZONING VERIFICATION

5 528 ZONING VERIFICATION

5 528 ZONING VERIFICATION

5 528 ZONING VERIFICATION

**CASHIER'S
 VALIDATION**

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: # 2013-0132-XA

9043 Liberty Road

S/e corner of the intersection of Liberty Road and Offutt Road

4th Election District - 2nd Councilmanic District

Legal Owner(s): 9400 Liberty Limited Partnership

Contract Purchaser: Two Farms, Inc.

Special Exception: to allow a fuel station on an individual site and a convenience store having a sales area larger than 1,500 sq. ft., carry-out restaurant and a roll-over car wash as uses in combination. **Variance:** to allow a car wash tunnel entrance to face an adjacent residentially zoned property; to allow 10 stacking spaces in lieu of the required 20 stacking spaces.

Hearing: Thursday, February 28, 2013 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.
2/008 Feb. 7

902798



501 N. Calvert Street, Baltimore, MD 21278

February 7, 2013

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 February 7, 2013.

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

PATUXENT PUBLISHING COMPANY

By: Susan Wilkinson

Susan Wilkinson

CERTIFICATE OF POSTING

2013-0132-XA

RE: Case No.: _____

Petitioner/Developer: _____

Two Farm, Inc.

February 28, 2013

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: _____

9043 Liberty Rd

February 8, 2013

The sign(s) were posted on _____
(Month, Day, Year)

Sincerely,

February 8, 2013

(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)





Board of Appeals of Baltimore County

JEFFERSON BUILDING
SECOND FLOOR, SUITE 203
105 WEST CHESAPEAKE AVENUE
TOWSON, MARYLAND, 21204
410-887-3180
FAX: 410-887-3182

July 24, 2013

NOTICE OF REASSIGNMENT

CASE #: 13-132-XA

IN THE MATTER OF: 9400 Liberty Limited Partnership – LO
Two Farms, Inc. – CP/Lessee
9043 Liberty Road/2nd E; 4th C

Re: Petition for Special Exception to allow a fuel service station on an individual site and a convenience store having a sales area larger than 1,500 sq ft, carry-out restaurant and roll-over car wash as uses in combination; and
Petition for Variance to allow a car wash tunnel entrance to face an adjacent residentially zoned property and to allow 10 stacking spaces in lieu of the required 20 stacking spaces.

4/30/13 Opinion and Order of the Administrative Law Judge wherein the requested relief was GRANTED with restrictions.

This matter was to be heard on Thursday, July 11, 2013 and has been postponed. The matter has been re-assigned to the following dates and time:

ASSIGNED FOR: **TUESDAY, OCTOBER 8, 2013, AT 10:00 A.M and**
WEDNESDAY, OCTOBER 9, 2013 AT 10:00 A.M. (if necessary)

LOCATION: Hearing Room #2, Second Floor, Suite 206
Jefferson Building, 105 W. Chesapeake Avenue, Towson

NOTICE: This appeal is an evidentiary hearing; therefore, parties should consider the advisability of retaining an attorney.

Please refer to the Board's Rules of Practice & Procedure, Appendix B, Baltimore County Code.

IMPORTANT: No postponements will be granted without sufficient reasons; said requests must be in writing and in compliance with Rule 2(b) of the Board's Rules. No postponements will be granted within 15 days of scheduled hearing date unless in full compliance with Rule 2(c).

If you have a disability requiring special accommodations, please contact this office at least one week prior to hearing date.

Krysundra "Sunny" Cannington
Acting Administrator

Page 2

Distribution List

c:	Counsel for Legal Owner/Petitioner	:	David H. Karceski, Esquire
	Legal Owner/Petitioner	:	9400 Liberty Limited Partnership
	Contract Purchaser/Lessee	:	Two Farms, Inc.
	Counsel for Appellants/Protestants	:	J. Carroll Holzer, Esquire
	Appellants/Protestants	:	Darrell Blain, Sr.
			Terri Davis and Kim Grooms
	Supplemental Protestants	:	James Stukes
			Gawith DeSilva
			Greetha DeSilva
			Lamont Mitchell
			Teara DeLord
			Gail Elliott
			Jorge Rodriguez
			Jaswinder K. Chana
			Demitu Dingeta
			Derick Vanterpool
			Champion Cutz
			James Powell
Stanford Hess	R. Eastman	Mildred Reese	
Mark Keeley	Kenneth Wehts	Mr. and Mrs. David Yingling	
Jeff Bainbridge	George Webster	Jolene Loveslee	
Neil Shad	Chris Williams	Patricia Reynolds	
Bill Monk	Kay Patterson	Paul and Tanya Casey	
Jeff and Shirley Supik	Charles Jackson	Demetrius Lewis	
Joss Yocum	Carla Scott	Allan and Keishia Polston	
Dominique Duane	Kenneth Bronson	Mario Lee	
Dorothea Rogers	Jose Cruz	Kenneth Charles	
Anthony and Jacki Towns	Mary Dunn	Will Percival	
Rex Ford	James and Janice Stoker	Simon Davis	
Michael Shephard	Ann Skinner	Gail McCorkle	
Janice Hicks	Sharon Shaw	Joshua Skim	
Michael Jacobs	Patricia Brundick	Tom Messick	
Edele Cook	Robert Sullivan	Sonya Pirtle	

Office of People's Counsel
Lawrence M. Stahl, Managing Administrative Law Judge
John E. Beverungen, Administrative Law Judge
Arnold Jablon, Director/PAI
Andrea Van Arsdale, Director/Department of Planning
Nancy West, Assistant County Attorney
Michael Field, County Attorney, Office of Law



Board of Appeals of Baltimore County

JEFFERSON BUILDING
SECOND FLOOR, SUITE 203
105 WEST CHESAPEAKE AVENUE
TOWSON, MARYLAND, 21204
410-887-3180
FAX: 410-887-3182

June 5, 2013

NOTICE OF ASSIGNMENT

CASE #: 13-132-XA

IN THE MATTER OF: 9400 Liberty Limited Partnership – LO
Two Farms, Inc. – CP/Lessee
9043 Liberty Road/2nd E; 4th C

Re: Petition for Special Exception to allow a fuel service station on an individual site and a convenience store having a sales area larger than 1,500 sq ft, carry-out restaurant and roll-over car wash as uses in combination; and
Petition for Variance to allow a car wash tunnel entrance to face an adjacent residentially zoned property and to allow 10 stacking spaces in lieu of the required 20 stacking spaces.

4/30/13 Opinion and Order of the Administrative Law Judge wherein the requested relief was GRANTED with restrictions.

ASSIGNED FOR: **THURSDAY, JULY 11, 2013 , AT 10:00 A.M**

LOCATION: Hearing Room #2, Second Floor, Suite 206
Jefferson Building, 105 W. Chesapeake Avenue, Towson

NOTICE: This appeal is an evidentiary hearing; therefore, parties should consider the advisability of retaining an attorney.

Please refer to the Board's Rules of Practice & Procedure, Appendix B, Baltimore County Code.

IMPORTANT: No postponements will be granted without sufficient reasons; said requests must be in writing and in compliance with Rule 2(b) of the Board's Rules. No postponements will be granted within 15 days of scheduled hearing date unless in full compliance with Rule 2(c).

If you have a disability requiring special accommodations, please contact this office at least one week prior to hearing date.

Theresa R. Shelton, Administrator

Page 2

Distribution List

c: Counsel for Legal Owner/Petitioner : David H. Karceski, Esquire
Legal Owner/Petitioner : 9400 Liberty Limited Partnership
Contract Purchaser/Lessee : Two Farms, Inc.

Counsel for Appellants/Protestants : J. Carroll Holzer, Esquire
Appellants/Protestants : Darrell Blain, Sr.
Terri Davis and Kim Grooms

Supplemental Protestants : James Stukes
Gawith DeSilva
Greetha DeSilva
Lamont Mitchell
Teara DeLord
Gail Elliott
Jorge Rodriguez
Jaswinder K. Chana
Demitu Dingeta
Derick Vanterpool
Champion Cutz
James Powell.

Stanford Hess
Mark Keeley
Jeff Bainbridge
Neil Shad
Bill Monk
Jeff and Shirley Supik
Joss Yocum
Dominique Duane
Dorothea Rogers
Anthony and Jacki Towns
Rex Ford
Michael Shephard
Janice Hicks
Michael Jacobs
Edele Cook

R. Eastman
Kenneth Wehts
George Webster
Chris Williams
Kay Patterson
Charles Jackson
Carla Scott
Kenneth Bronson
Jose Cruz
Mary Dunn
James and Janice Stoker
Ann Skinner
Sharon Shaw
Patricia Brundick
Robert Sullivan

Mildred Reese
Mr. and Mrs. David Yingling
Jolene Loveslee
Patricia Reynolds
Paul and Tanya Casey
Demetrius Lewis
Allan and Keishia Polston
Mario Lee
Kenneth Charles
Will Percival
Simon Davis
Gail McCorkle
Joshua Skim
Tom Messick
Sonya Pirtle

Office of People's Counsel
Lawrence M. Stahl, Managing Administrative Law Judge
John E. Beverungen, Administrative Law Judge
Arnold Jablon, Director/PAI
Andrea Van Arsdale, Director/Department of Planning
Nancy West, Assistant County Attorney
Michael Field, County Attorney, Office of Law

TO: PATUXENT PUBLISHING COMPANY
Thursday, February 7, 2013 Issue - Jeffersonian

Please forward billing to:

Justin Williams
Venable, LLP
210 W. Pennsylvania Avenue, Ste. 500
Towson, MD 21204

410-494-6200

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 NUMBER: 2013-0132-XA

9043 Liberty Road

S/e corner of the intersection of Liberty Road and Offutt Road

4th Election District – 2nd Councilmanic District

Legal Owners: 9400 Liberty Limited Partnership

Contract Purchaser: Two Farms, Inc.

Special Exception to allow a fuel station on an individual site and a convenience store having a sales area larger than 1,500 sq. ft., carry-out restaurant and a roll-over car wash as uses in combination. Variance to allow a car wash tunnel entrance to face an adjacent residentially zoned property; to allow 10 stacking spaces in lieu of the required 20 stacking spaces.

Hearing: Thursday, February 28, 2013 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 ACCOMODATIONS, PLEASE CONTACT THE ADMINISTRATIVE HEARINGS OFFICE AT 410-887-3868.
- (2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.



KEVIN KAMENETZ
County Executive

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

January 15, 2013

NEW NOTICE OF ZONING HEARING

The Administrative Law Judges of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 2013-0132-XA

9043 Liberty Road

S/e corner of the intersection of Liberty Road and Offutt Road

4th Election District – 2nd Councilmanic District

Legal Owners: 9400 Liberty Limited Partnership

Contract Purchaser: Two Farms, Inc.

Special Exception to allow a fuel station on an individual site and a convenience store having a sales area larger than 1,500 sq. ft., carry-out restaurant and a roll-over car wash as uses in combination. Variance to allow a car wash tunnel entrance to face an adjacent residentially zoned property; to allow 10 stacking spaces in lieu of the required 20 stacking spaces.

Hearing: Thursday, February 28, 2013 at 1:30 p.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

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

Arnold Jablon
Director

AJ:kl

C: David Karceski, 210 W. Pennsylvania Avenue, Ste. 500, Towson 21204
Two Farms, Inc. 3611 Roland Avenue, Baltimore 21211
9400 Liberty Ltd. Partnership, 6440 Baltimore National Pike, Baltimore 21228

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY FRIDAY, FEBRUARY 8, 2013.**
- (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, January 22, 2013 Issue - Jeffersonian

Please forward billing to:

Justin Williams
Venable, LLP
210 W. Pennsylvania Avenue, Ste. 500
Towson, MD 21204

410-494-6200

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 NUMBER: 2013-0132-XA

9043 Liberty Road

S/e corner of the intersection of Liberty Road and Offutt Road

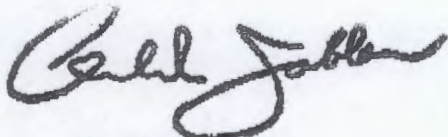
4th Election District – 2nd Councilmanic District

Legal Owners: 9400 Liberty Limited Partnership

Contract Purchaser: Two Farms, Inc.

Special Exception to allow a fuel station on an individual site and a convenience store having a sales area larger than 1,500 sq. ft., carry-out restaurant and a roll-over car wash as uses in combination. Variance to allow a car wash tunnel entrance to face an adjacent residentially zoned property; to allow 10 stacking spaces in lieu of the required 20 stacking spaces.

Hearing: Monday, February 11, 2013 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 ACCOMODATIONS, PLEASE CONTACT THE ADMINISTRATIVE HEARINGS OFFICE AT 410-887-3868.
- (2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.



KEVIN KAMENETZ
County Executive

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

January 4, 2013

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: 2013-0132-XA

9043 Liberty Road

S/e corner of the intersection of Liberty Road and Offutt Road

4th Election District – 2nd Councilmanic District

Legal Owners: 9400 Liberty Limited Partnership

Contract Purchaser: Two Farms, Inc.

Special Exception to allow a fuel station on an individual site and a convenience store having a sales area larger than 1,500 sq. ft., carry-out restaurant and a roll-over car wash as uses in combination. Variance to allow a car wash tunnel entrance to face an adjacent residentially zoned property; to allow 10 stacking spaces in lieu of the required 20 stacking spaces.

Hearing: Monday, February 11, 2013 at 1:30 p.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

A handwritten signature in black ink, appearing to read "Arnold Jablon", is written over the printed name and title.

Arnold Jablon
Director

AJ:kl

C: David Karceski, 210 W. Pennsylvania Avenue, Ste. 500, Towson 21204
Two Farms, Inc. 3611 Roland Avenue, Baltimore 21211
9400 Liberty Ltd. Partnership, 6440 Baltimore National Pike, Baltimore 21228

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, JANUARY 22, 2013.**
- (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.



KEVIN KAMENETZ
County Executive

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

February 20, 2013

9400 Liberty Limited Partnership
6440 Baltimore National Pike
Baltimore MD 21228

RE: Case Number: 2013-0132 XA, Address: 9043 Liberty Road

To Whom It May Concern:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on December 6, 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,

A handwritten signature in black ink that reads "W. Carl Richards, Jr." The signature is written in a cursive style.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: jaf

Enclosures

c: People's Counsel
David Karceski, Esquire, 210 W. Pennsylvania Avenue, Suite 500, Towson, MD 21204

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: July 8, 2013

FROM: Andrea Van Arsdale
Director, Department of Planning

SUBJECT: 9403 Liberty Road

INFORMATION: Amended

Item Number: 13-132

Petitioner: Two Farms, Inc.

Zoning: BR-AS

Requested Action: Special Exception and Variance

SUMMARY OF RECOMMENDATIONS:

The Department of Planning has reviewed the petitioner's request and accompanying site plan. The petitioner seeks a special exception for a fuel service station and convenience store. The petitioner seeks variances to allow a car wash tunnel entrance to face an adjacent residential zone and allow 10 stacking spaces in lieu of the required 20.

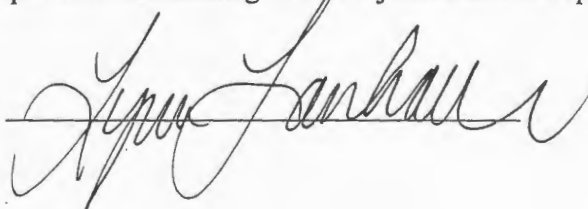
The Department of Planning offers amended comments regarding this proposal due to the receipt of additional information and plans.

Regarding the Department of Planning's request for road improvements along Offutt Road, additional information was received from Baltimore County Developers Plans Review. The Offutt Road intersection was shifted toward this site because of a very large pole on the other side of Offutt Road. The pavement width at the intersection was narrowed to 44' from 64' at the intersection. It was agreed that there was no need for improvements to Offutt Road beyond the intersection.

The Department of Planning has also received a Schematic Landscape Plan that illustrates proposed landscaping that exceeds the minimum required landscaping per the Baltimore County Landscape Manual (60 planting units required; 80 planting units proposed). The plan shows a 6' tall privacy fence as well as evergreen and deciduous trees and shrubs along the residential properties. Additional landscaping is proposed along the public roads and shrub masses at the base of the proposed signs in lieu of the stone base. The proposed sign height of 25' meets the height requirements of the BCZR and is appropriate for the Liberty Road commercial corridor.

Therefore, the Department of Planning has no objection to this request.

Division Chief:
AVA/LL



2-28-13
130

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: December 24, 2012

FROM: Andrea Van Arsdale
Director, Department of Planning

SUBJECT: 9403 Liberty Road

INFORMATION:

Item Number: 13-132

Petitioner: Two Farms, Inc.

Zoning: BR-AS

Requested Action: Special Exception and Variance

SUMMARY OF RECOMMENDATIONS:

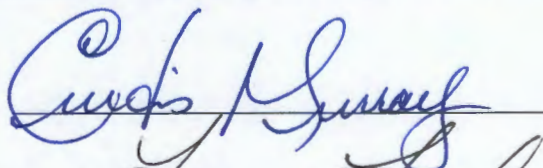
The Department of Planning has reviewed the petitioner's request and accompanying site plan. The petitioner seeks a special exception for a fuel service station and convenience store. The petitioner seeks variances to allow a car wash tunnel entrance to face an adjacent residential zone and allow 10 stacking spaces in lieu of the required 20.

The Department of Planning offers the following comments:

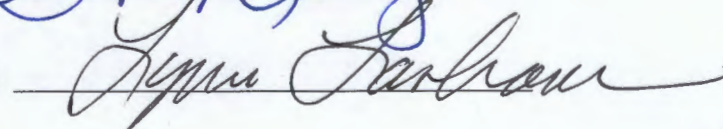
1. Provide a landscape plan beyond the minimum required landscaping per the Baltimore County Landscape Manual. Landscaping shall be reviewed and approved by Jean Tansey, Baltimore County Landscape Architect. Aesthetic enhancing landscaping along Liberty Road, Offutt Road and Keck Avenue would be appropriate. The base landscaping should be year round species with seasonal supplemental landscaping throughout the year.
2. Provide curb, gutter and sidewalk along the Offutt Road frontage of the property (both sides of Offutt Road are currently zoned commercial).
3. The proposed pylon sign should incorporate stone material, similar to the canopy post base(s).
4. The proposed "goal post" pylon sign seems a bit large (in height) for this portion of Liberty Road. The petitioner shall consider lowering the sign or offer justification for the proposed height.

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

Prepared by:



Division Chief:
AVA/LL: CM



RECEIVED

JAN 03 2013

OFFICE OF ADMINISTRATIVE HEARINGS

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



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

MARYLAND DEPARTMENT OF TRANSPORTATION

Date: 12-18-12

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

RE: Baltimore County

Item No. 2013-0132-XA
Special Exception Variance
9400 Liberty Limited Partnership
9043 Liberty Road
MD26

Dear Ms. Lewis:

★ We have reviewed the site plan to accompany petition for variance on the subject of the above captioned, which was received on 12-11-12. A field inspection and internal review reveals that an entrance onto MD26 consistent with current State Highway Administration guidelines is required. As a condition of approval for Variance, Case Number 2013-0132-XA the applicant must contact the State Highway Administration to obtain an entrance permit.

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

Sincerely,

A handwritten signature in blue ink, appearing to read "Steven D. Foster".
Steven D. Foster, Chief
Access Management Division

SDF/raz

\cc: Mr. Michael Pasquariello, Utility Engineer, SHA
Mr. David Peake, District Engineer, SHA

★ see attached letter from SHA. These comments remain in effect.



New File

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

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

MARYLAND DEPARTMENT OF TRANSPORTATION

September 28, 2012

Ms. Colleen M. Kelly
Development Manager
Development/Management/Permits
Inspections & Approvals
County Office Building-Room 123
111 West Chesapeake Avenue
Towson, MD 21204

RE: Baltimore County
MD 26 (south side)
at Offutt Road (southeast corner)
"Royal Farms Store #173"
DRC 100912A
Mile Post 5.22

Dear Ms. Kelly:

Thank you for the opportunity to review the plan for the proposed Royal Farms Store on MD 26. The State Highway Administration (SHA) offers the following:

- An access permit will be required for frontage and entrance improvements on MD 26 that must be obtained from the Access Management Division (AMD). SHA would like the opportunity to review a traffic impact analysis to determine the developmental impacts to the surrounding road network. We require six (6) copies of the study for our review.
- The following criteria and details will apply to the proposed entrance and frontage improvements on MD 26 and should be reflected on future plan submittals however additional improvements may be required after SHA has had opportunity to review the requested traffic impact study:
 1. SHA's decision to allow the proposed 35' entrance design reflecting right/in, right/out, left in movements on MD 26 will be determined after the requested traffic analysis has been reviewed.
 2. All proposed curb & gutter within SHA right-of-way must be 8" Type 'A' curb & gutter (MD 620.02).
 3. All sidewalk along the property frontage on MD 26 must be upgraded to be 5' wide and have a crossslope that does not exceed 2%.
 4. Sidewalk ramps must be constructed on the entrance radii and the radius at Offutt Road. The most current standard MD 655.11, 655.12, 655.13, whichever is appropriate must be utilized and that number standard noted on the plan. A copy of that standard should not be placed on the plan as it may not represent the most current standard which is the requirement.
 5. A 60" pathway with no greater than a 2% crossslope must be maintained across the entrances between the sidewalk ramps and island cut-through. This note shall be placed on the plan.

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

6. The SHA full depth paving section to be utilized for the entrance construction should be shaded or hatched on the plan from the edge of the travel lane to the right-of-way line and noted on the plans as follows:

2" Hot Mix Asphalt Superpave 12.5 mm for Surface - PG 64-22, Level 2

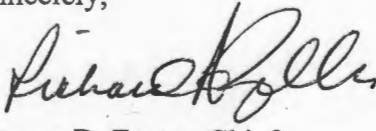
6" Hot Mix Asphalt Superpave 19.0 mm for Base - PG 64-22, Level 2 (two 3" lifts)

12" Base Course Using Graded Aggregate (two 6" lifts)

- A copy of the Access Management Division (AMD) plan submission checklist is attached for the design engineer's use in preparing the revised plans. We will defer any further comments regarding entrance and road improvements until SHA has had the opportunity to review the requested traffic impact analysis.
- The developer's design engineer must coordinate the development of this site with an SHA special project that is being constructed under contract BA433A21. The District 4 project engineer is Mr. Ed Bokman, he can be reached at 410-229-2323. A copy of the plan will be forwarded to his office with a copy of this letter.

If there are any questions, please contact Richard Zeller at 410-545-5598 or our toll free number in Maryland only, 1-800-876-4742 (extension 5598). You may also E-mail him (rzeller@sha.state.md.us).

Sincerely,


for Steven D. Foster, Chief
Access Management Division

Attachment:

cc: Mr. Dennis A. Kennedy / Baltimore County Development Management
111 W. Chesapeake Avenue, Towson, MD 21204
Ms. Darlene Kuluch / Baltimore County Development Management
111 W. Chesapeake Avenue, Towson, MD 21204
Morris & Ritchie Associates, Inc. / 1220-C East Joppa Road, Suite 505
Towson, MD 21286 **w/attachment**
Two Farms, Inc. / 3611 Roland Avenue, Baltimore, MD 21211
Mr. David Peake, District 4 - District Engineer
Mr. Michael Pasquariello, District 4 Utility Engineer **w/plan**
Mr. Donald Distance, District 4 Traffic **w/plan**
Mr. Ed Bokman, District 4 Special Projects **w/plan**

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 December 24, 2012
Item No. 2013-0132

DATE: December 17, 2012

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

A landscape plan must be received and approved prior to the issuance of any permits for this site.

DAK:CEN
Cc: file

ZAC-ITEM NO 13-0132-12242012.doc

RE: PETITION FOR SPECIAL EXCEPTION	*	BEFORE THE OFFICE
AND VARIANCE		
9043 Liberty Road; S/E corner of	*	OF ADMINISTRATIVE
Liberty Road & Offutt Road		
4 th Election & 2 nd Councilmanic Districts	*	HEARINGS FOR
Legal Owner(s): 9400 Liberty Limited Pship	*	BALTIMORE COUNTY
Petitioner(s)		
	*	2013-132-XA
* * * * *		

ENTRY OF APPEARANCE

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

RECEIVED

DEC 14 2012

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 14th day of December, 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 Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

IN RE: PETITIONS FOR SPECIAL
EXCEPTION & VARIANCE
(9043 Liberty Road)

2nd Election District
4th Council District
9400 Liberty Limited Partnership
Legal Owner: Two Farms, Inc.
Contract Purchaser/Leesee
Petitioner

* BEFORE THE
* BALTIMORE COUNTY OFFICE
* OF ADMINISTRATIVE HEARINGS
* Case No.: 2013-0132-XA

* * * * *

NOTICE OF APPEAL

Darrell Blain, Sr., 3503 Offutt Road; Ms. Terri Davis, 9012 Wilbur Ave.; Ms. Kim Grooms, 9010 Wilbur, all of Randallstown, MD 21133, as well as individuals on the attached lists, Appellants, by their attorney, ***J. Carroll Holzer, Esquire***, feeling aggrieved by the Order and Opinion of the Administrative Law Judge in the above referenced matter, hereby file this appeal to the County Board of Appeals from the Administrative Law Judge's Opinion & Order dated April 30, 2013 (See attached Order and Opinion).

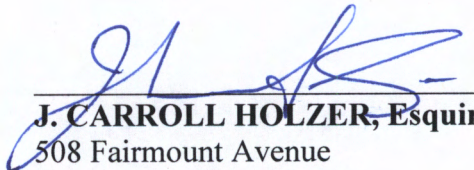
Filed concurrently with this Notice of Appeal is a check made payable to Baltimore County to cover costs. Appellants were parties below and fully participated in the proceedings.

Respectfully submitted,

RECEIVED

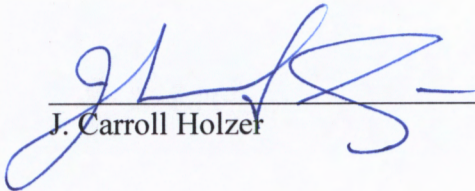
MAY 28 2013

OFFICE OF ADMINISTRATIVE HEARINGS


J. CARROLL HOLZER, Esquire
508 Fairmount Avenue
Towson, Maryland 21286
410-825-6961
Attorney for Appellants

CERTIFICATE OF SERVICE

I HEREBY CERTIFY on the ^{28th} day of May, 2013 that a copy of the Notice of Appeal was mailed first class, postage prepaid, to: David H. Karceski, Esquire, 210 W. Pennsylvania Ave., Suite 500, Towson, MD 21204; and the County Board of Appeals, 105 West Chesapeake Avenue, Suite 203, Towson, MD 21204.


J. Carroll Holzer

Royal Farms Store #173
9043 Liberty Road
Randallstown, MD 21133

Petitioner

* BEFORE THE
* ADMINISTRATIVE LAW JUDGE
* Case No.: 2013-0132-XA
*

* * * * *

OPPOSITION TO PROPOSED CAR WASH

SUPPLEMENTAL PROTESTANTS

Mr. James Stukes
3808 Greerash Court
Randallstown, Maryland 21133

Gawith DeSilva
9124 Liberty Road
Randallstown, Maryland 21133

Greetha DeSilva
3502 Avery Hill Drive
Randallstown, Maryland 21133

Mr. Lamont Mitchell
4 Trunk Lily Court
Randallstown, Maryland 21133

Teara DeLord
9006 Allenswood Road
Randallstown, Maryland 21133

Ms. Gail Elliott
9006 Allenwood Road
Randallstown, Maryland 21133

Mr. Jorge Rodriguez
9132 Liberty Road
Randallstown, Maryland 21133

Jaswinder K. Chana
3702 Cassen Road
Randallstown, Maryland 21133

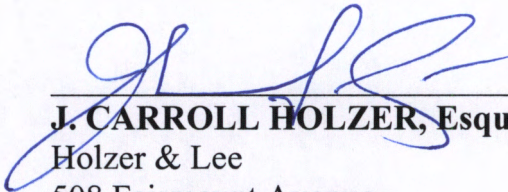
Demitu Dingeta
18 Coachman Court
Randallstown, Maryland 21133

Derick Vanterpool
2809 Granite Road
Woodstock, Maryland 21163

Champion Cutz
9033 Liberty Road
Randallstown, Maryland 21133

Mr. James Powell
10 Coachman Court
Randallstown, Maryland 21133

Respectfully submitted,



J. CARROLL HOLZER, Esquire
Holzer & Lee
508 Fairmount Avenue
Towson, Maryland 21286
410-825-6961
Attorney for Protestants'

Royal Farms Store #173
9043 Liberty Road
Randallstown, MD 21133

Petitioner

* BEFORE THE
* ADMINISTRATIVE LAW JUDGE
* Case No.: 2013-0132-XA
*

* * * * *

OPPOSITION TO PROPOSED CAR WASH

Mr. Dominique Duane
3445 Carriage Hill Circle
Randallstown, MD 21133

Ms. Dorothea E. Rogers
8602 Woodbrook Court
Randallstown, MD 21133

Mr. Anthony Towns
4018 Winlee Road
Randallstown, MD 21133

Ms. Jacki Towns
4018 Winlee Road
Randallstown, MD 21133

Mr. Rex Ford
3712 Tallgrass Court
Randallstown, MD 21133

Mr. Michael A. Shephard
5 Robins Nest Court
Randallstown, MD 21133

Ms. Janice C. Hicks
9747 Custice Road
Randallstown, MD 21133

Mr. Michael Jacobs
4134 Daylily Drive
Randallstown, MD 21133

Edele Cook
4800 Lyons Heart Drive
Randallstown, MD 21133

R. Eastman
387 Byrd Bee Road
Randallstown, MD 21133

Mr. Kenneth M. Wehts
9003 Orchard View Avenue
Randallstown, MD 21133

Mr. George Webster
9003 Orchard View Avenue
Randallstown, MD 21133

Mr. Chris Williams
4322 Huntshire Road
Randallstown, MD 21133

Ms. Kay Patterson
4 Foxhound Court
Randallstown, MD 21133

Mr. Charles Jackson
4321 Breens Cop Circle
Randallstown, MD 21133

Ms. Carla Scott
4404 Deer Park Drive
Owings Mills, Maryland 21117

Mr. Kenneth Bronson
9618 Mundoza
Randallstown, MD 21133

Mr. Jose' Cruz
3413 Offutt Road
Randallstown, MD 21133

Ms. Mary J. Dunn
3404 Offutt Road
Randallstown, MD 21133

Mr. James Stoker
3501 Offutt Road
Randallstown, MD 21133

Mr. Darrell Blaine Sr
3503 Offutt Rd.
Randallstown, MD 21133

Mrs. Ann Skinner
3409 Carroll Ave.
Randallstown, MD 21133

Mrs. Sharon Shaw
3725 Collier Rd.
Randallstown, MD 21133

Ms. Patricia Brundick
3328 Offutt Road, #1
Randallstown, MD 21133

Mr. Robert Sullivan
3330 Offutt Road
Randallstown, MD 21133

Ms. Mildred Reese
9011 Wilbur Avenue
Randallstown, MD 21133

Ms. Kim Groomes
9010 Wilbur Avenue
Randallstown, MD 21133

Mr. & Mrs. David Yingling
9007 Wilbur Avenue
Randallstown, MD 21133

Ms. Jolene C. Loveslee
9008 Wilbur Avenue
Randallstown, MD 21133

Mrs. Patricia Reynolds
3501 Offutt Rd.
Randallstown, MD 21133

Mr./Mrs. Tanya and Paul Casey
9000 Wilbur Ave.
Randallstown, MD 21133

Mr. Demetrius Lewis
3504 Bayer Ave.
Randallstown, MD 21133

Mr./Mrs. Allan & Keishia Polston
9005 Wilbur Ave.
Randallstown, MD 21133

Mr. Mario Lee
9003 Wilbur Ave
Randallstown, MD 21133

Mr. Kenneth Charles
3503 Carroll Ave.
Randallstown, MD 21133

Mr. Will Percival
3501 Carroll Ave.
Randallstown, MD 21133

Mr. Simon Davis
3411 Offutt Road
Randallstown, MD 21133

Mrs. Gail McCorkle
9001 Wilbur Ave.
Randallstown, MD 21133

Mr. Joshua Skim
3409 Carroll Ave.
Randallstown, MD 21133

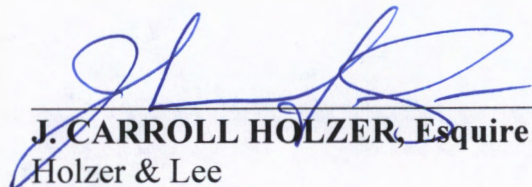
Mr. Terri Davis
9012 Wilbur Ave.
Randallstown, MD 21133

Mr. Tom Messick
3502 Carroll Ave.
Randallstown, MD 21133

Mrs. Janice Stoker
3501 Offutt Rd.
Randallstown, MD 21133

Mrs. Sonya Pirtle
3611 Chapman Road
Randallstown, MD 21133

Respectfully submitted,



J. CARROLL HOLZER, Esquire
Holzer & Lee
508 Fairmount Avenue
Towson, Maryland 21286
410-825-6961
Attorney for Protestants'



KEVIN KAMENETZ
County Executive

LAWRENCE M. STAHL
Managing Administrative Law Judge
JOHN E. BEVERUNGEN
Administrative Law Judge

May 30, 2013

RECEIVED
MAY 30 2013

BALTIMORE COUNTY
BOARD OF APPEALS

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

Re: Petitions for Special Exception and Variance
Case Number: 2013-0132-XA
Location: 9043 Liberty Road

Dear Mr. Karceski:

Please be advised that an appeal of the above-referenced case was filed in this Office on May 28, 2013. All materials relative to the case have been forwarded to the Baltimore County Board of Appeals ("Board").

If you are the person or party taking the appeal, you should notify other similarly interested parties or persons known to you of the appeal. If you are an attorney of record, it is your responsibility to notify your client.

If you have any questions concerning this matter, please do not hesitate to contact the Board at 410-887-3180.

Sincerely,

A handwritten signature in black ink, appearing to read "L. Stahl", is written over the word "Sincerely,".

LAWRENCE M. STAHL
Managing Administrative Law Judge
for Baltimore County

LMS:sln

c: Baltimore County Board of Appeals
Peter Max Zimmerman, People's Counsel for Baltimore County
Stanford Hess, 6440 Baltimore National pike, Baltimore, Maryland 21228
Mark Keeley, 325 Gambrills Road, Gambrills, Maryland 21054
Jeff Bainbridge, 3611 Roland Avenue, Baltimore, Maryland 21211

Bill Monk, 1220-C East Joppa Road, Towson, Maryland 21286
Jeff & Shirley Supik, 3525 Rolling Road, Rockdale, Maryland 21244
Joss Yocum, 1813 W. Union Street, Allentown, PA 18104
J. Carroll Holzer, Esquire, 508 Fairmont Avenue, Towson, Maryland 21204

APPEAL

Petition for Special Exception
(9043 Liberty Road)
2nd Election District – 4th Councilmanic District
Legal Owners: 9400 Liberty Limited Partnership

Case No. 2013-0132-XA

- ✓ Petition for Variance (December 6, 2012) # Special Exception
- ✓ Zoning Description of Property
- ✓ Notice of Zoning Hearing (January 15, 2013)
- ✓ Certificate of Publication (The Jeffersonian – February 07, 2013)
- ✓ Certificate of Posting (February 08, 2013) by Robert Black
- ✓ Entry of Appearance by People's Counsel (December 14, 2012)
- ✓ Petitioner(s) Sign-in Sheet – 1 sheet
- ✓ Citizen(s) Sign-in Sheet – 1 sheet
- ✓ Zoning Advisory Committee Comments

RECEIVED

MAY 30 2013

BALTIMORE COUNTY
BOARD OF APPEALS

Petitioner(s) Exhibits

- ✓1. (1A-1F)- Site Plan
- ✓2. Monk CV
- ✓3. (3A-3H) Color Photos
- ✓4. 4A & 4B Renderings
- ✓5. "Zoning Exhibit"
- ✓6. CZMP Log
- ✓7. CZMP Map
- ✓8. Schematic Landscape plan
- ✓9. "Aerial Exhibit"
- ✓10. Air Blade dryer Decibel level exhibit
- ✓11. 11A, 11B & 11E Revised site plan
- ✓12. Schematic Landscape plan
- ✓13. Illumination Calculations
- ✓14. Keeley CV
- ✓15. 2012 Basic Services Map
- ✓16. Draft 2013-Basic Services Map
- ✓17. Shade CV
- ✓18. Site Plan with sound levels

Protestant(s) Exhibits –

- ✓1. (1A-1F) Color Photos
- ✓2. List of Protestants 2-26-13
- ✓3. List of Protestants 4-21-13

- ✓ Miscellaneous (Not Marked as Exhibits) – Letters & E-mails
- ✓ Administrative Law Judge Order (GRANTED – April 30, 2013)
- ✓ Notice of Appeal – May 28, 2013 from J. Carroll Holzer, Esquire

APPEAL

**Petition for Special Exception
(9043 Liberty Road)
2nd Election District – 4th Councilmanic District
Legal Owners: 9400 Liberty Limited Partnership**

Case No. 2013-0132-XA

Petition for Variance (December 6, 2012)

Zoning Description of Property

Notice of Zoning Hearing (January 15, 2013)

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Zoning Advisory Committee Comments

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Miscellaneous (Not Marked as Exhibits) – Letters & E-mails

Administrative Law Judge Order (GRANTED – April 30, 2013)

Notice of Appeal – May 28, 2013 from J. Carroll Holzer, Esquire

David H. Karceski

T 410.494.6285

F 410.821.0147

dhkarceski@venable.com

January 7, 2013

Hand-Delivered

Mr. Arnold Jablon, Director
Baltimore County Department of Permits,
Approvals and Inspections
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

Re: 9043 Liberty Road
Case No.: 2013-0132-XA

Dear Mr. Jablon:

Our client and petitioner in Case No. 2013-0132-XA, Two Farms, Inc., requests a postponement of the public hearing scheduled for Monday, February 11, 2013 at 1:30 p.m. The reason for the request is that one of the Petitioner's witnesses will be unable to testify on that date. Therefore, I am respectfully requesting that the Department of Permits, Approvals and Inspections postpone and reschedule the hearing.

I appreciate your consideration of this request.

Very truly yours,



David H. Karceski

DHK:cak

cc: Mr. Jeffrey S. Bainbridge



LAW OFFICES

J. CARROLL HOLZER, PA

J. HOWARD HOLZER
1907-1989

THOMAS J. LEE
OF COUNSEL

THE 508 BUILDING

508 FAIRMOUNT AVE.

TOWSON, MD 21286

(410) 825-6961

FAX: (410) 825-4923

E-MAIL: JCHOLZER@CAVTEL.NET

December 31, 2013
#8052

RE: *Royal Farms/Car Wash*
9043 Liberty Road

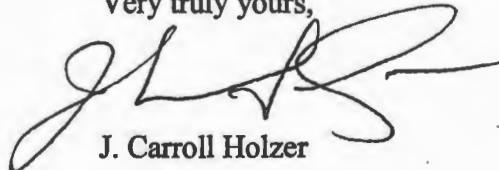
Dear Protestants:

Please be advised that through negotiations between Royal Farms and myself, we have eliminated the car wash, which was the item which caused the most objection to the proposed Royal Farms store. I am enclosing a copy of a portion of a Site Plan which shows the Royal Farms convenient store and the area in which the proposed car wash was located. You will see that it is now grass and landscaped area on the south side of the site.

As the elimination of this car wash reduces the majority of objections that the Community had to this proposal, we will no longer be objecting to the development of this site at the re-hearing before the Administrative Law Judge Beverungen.

If you have any questions, please feel free to contact me.

Very truly yours,



J. Carroll Holzer

JCH:mlg

Enclosure

cc: Protestants

From: "Karciski, David H." <DKarciski@Venable.com>
To: Krysundra Cannington <kcannington@baltimorecountymd.gov>, J Carroll Holz...
Date: 7/15/2013 9:20 AM
Subject: RE: 9400 Liberty Limited Partnership

Sunny

Both dates do not work for us. Are any dates available the last two weeks of August?

Thanks

David Karciski, Esq. | Venable LLP
t 410.494.6285 | f 410.821.0147 | m 443.956.7425
210 W. Pennsylvania Avenue, Suite 500, Towson, MD 21204

DKarciski@Venable.com | www.Venable.com

-----Original Message-----

From: Krysundra Cannington [mailto:kcannington@baltimorecountymd.gov]
Sent: Friday, July 12, 2013 9:53 AM
To: J Carroll Holzer; Karciski, David H.
Subject: Re: 9400 Liberty Limited Partnership

Carroll and David,

I apologize for the confusion. Sterling is right. I meant Wednesday the 14th, I typed the wrong date. (It was very early when I sent that message.)

Sunny

>>> J Carroll Holzer <jcholzer@cavtel.net> 7/12/2013 9:34 AM >>>

Sunny

The best date is August 8 because Mr. Holzer has a hearing in the City of Annapolis on August 13. As I mentioned yesterday August 14 works for Mr. Holzer, but apparently not for the Board.
Thanks for keeping on top of this without Theresa as your side kick.
Sterling

On Fri, Jul 12, 2013 at 8:04 AM, Krysundra Cannington <kcannington@baltimorecountymd.gov> wrote:

> Good morning,
>
> To follow up, the following dates are available on the Board's calendar.
> Please advise which date works best for the rescheduling of the above
> referenced matter.
>
> Thursday, August 8, 2013 at 10 a.m.
> Tuesday, August 13, 2013 at 10 a.m.
>
> Thank you.
>
> Sunny

From: "Karceski, David H." <DKarceski@Venable.com>
To: Krysundra Cannington <kcannington@baltimorecountymd.gov>
CC: "jcholzer@cavtel.net" <jcholzer@cavtel.net>
Date: 7/17/2013 1:35 PM
Subject: RE: 9400 Liberty Limited Partnership

Sunny:

September 18th and 25th work for Petitioner.

Thank you
David

David Karceski, Esq. | Venable LLP
t 410.494.6285 | f 410.821.0147 | m 443.956.7425
210 W. Pennsylvania Avenue, Suite 500, Towson, MD 21204

DKarceski@Venable.com | www.Venable.com

-----Original Message-----

From: Krysundra Cannington [mailto:kcannington@baltimorecountymd.gov]
Sent: Wednesday, July 17, 2013 10:29 AM
To: Karceski, David H.
Cc: jcholzer@cavtel.net
Subject: RE: 9400 Liberty Limited Partnership

David,

No problem. I have 9/17/, 9/18, 9/25, and 9/26 currently open.

Please advise if we need to look into October.

Sunny

Krysundra "Sunny" Cannington
Legal Secretary and Acting Administrator Board of Appeals of Baltimore County Jefferson Building, Suite 203
105 W. Chesapeake Avenue
Towson, MD 21204
(410) 887-3180

Confidentiality Statement

This electronic mail transmission contains confidential information belonging to the sender which is legally privileged and confidential. The information is intended only for the use of the individual or entity named above. If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution, or taking of any action based on the contents of this electronic mail transmission is strictly prohibited. If you have received this electronic mail transmission in error, please immediately notify the sender.

>>> "Karceski, David H." <DKarceski@Venable.com> 7/17/2013 10:23 AM >>>

Sunny

My mistake. I meant to ask about available dates between September 19th and 30th.

Thank you
David

David Karceski, Esq. | Venable LLP
t 410.494.6285 | f 410.821.0147 | m 443.956.7425
210 W. Pennsylvania Avenue, Suite 500, Towson, MD 21204

DKarceski@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.

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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.

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Follow up

8/1

wait
for David

10/8/
10/9

Holzer
OK

From: Krysundra Cannington
To: Karceski, David H.
CC: jcholzer@cavtel.net
Date: 7/17/2013 1:54 PM
Subject: RE: 9400 Liberty Limited Partnership

David,

Sounds good. I'll wait to hear back from Carroll to be sure.

Sunny

>>> "Karceski, David H." <DKarceski@Venable.com> 7/17/2013 1:35 PM >>>
Sunny:

September 18th and 25th work for Petitioner.

Thank you
David

David Karceski, Esq. | Venable LLP
t 410.494.6285 | f 410.821.0147 | m 443.956.7425
210 W. Pennsylvania Avenue, Suite 500, Towson, MD 21204

DKarceski@Venable.com | www.Venable.com

-----Original Message-----

From: Krysundra Cannington [<mailto:kcannington@baltimorecountymd.gov>]
Sent: Wednesday, July 17, 2013 10:29 AM
To: Karceski, David H.
Cc: jcholzer@cavtel.net
Subject: RE: 9400 Liberty Limited Partnership

David,

No problem. I have 9/17/, 9/18, 9/25, and 9/26 currently open.

Please advise if we need to look into October.

Sunny

Krysundra "Sunny" Cannington
Legal Secretary and Acting Administrator Board of Appeals of Baltimore County Jefferson Building, Suite 203
105 W. Chesapeake Avenue
Towson, MD 21204
(410) 887-3180

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>>> "Karczeski, David H." <DKarczeski@Venable.com> 7/17/2013 10:23 AM >>>

Sunny

My mistake. I meant to ask about available dates between September 19th and 30th.

Thank you
David

David Karczeski, Esq. | Venable LLP
t 410.494.6285 | f 410.821.0147 | m 443.956.7425
210 W. Pennsylvania Avenue, Suite 500, Towson, MD 21204

DKarczeski@Venable.com | www.Venable.com

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From: "Karciski, David H." <DKarciski@Venable.com>
To: Krysundra Cannington <kcannington@baltimorecountymd.gov>
CC: "jcholzer@cavtel.net" <jcholzer@cavtel.net>
Date: 7/23/2013 4:23 PM
Subject: RE: 9400 Liberty Limited Partnership

Sunny:

October 8th and 9th work for Carroll as well. He informed me by a voicemail this morning.

Thanks,
David

David Karciski, Esq. | Venable LLP
t 410.494.6285 | f 410.821.0147 | m 443.956.7425
210 W. Pennsylvania Avenue, Suite 500, Towson, MD 21204

DKarciski@Venable.com | www.Venable.com

-----Original Message-----

From: Krysundra Cannington [mailto:kcannington@baltimorecountymd.gov]
Sent: Thursday, July 18, 2013 10:48 AM
To: Karciski, David H.
Cc: jcholzer@cavtel.net
Subject: RE: 9400 Liberty Limited Partnership

David,

Pursuant to my conversation with Cindy, Carroll has indicated that he will not available on 9/18 or 9/25. He will be out of state at a convention.

Unless one of the earlier dates I provided has become available by your clients and witnesses, we are now looking into October.

The first available dates I have in October are 10/3, 10/8, 10/9, 10/10, 10/16, and 10/17.

Please advise if any of these dates work.

Thank you.

Sunny

Krysundra "Sunny" Cannington
Legal Secretary and Acting Administrator Board of Appeals of Baltimore County Jefferson Building, Suite 203
105 W. Chesapeake Avenue
Towson, MD 21204
(410) 887-3180

Confidentiality Statement

This electronic mail transmission contains confidential information belonging to the sender which is legally privileged and confidential. The information is intended only for the use of the individual or entity named above. If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution, or taking of any action based on the contents of this electronic mail transmission is strictly prohibited. If you have received this electronic mail transmission in error, please immediately notify the sender.

>>> "Karciski, David H." <DKarciski@Venable.com> 7/17/2013 1:35 PM >>>

Sunny:

September 18th and 25th work for Petitioner.

Thank you
David

David Karciski, Esq. | Venable LLP
t 410.494.6285 | f 410.821.0147 | m 443.956.7425
210 W. Pennsylvania Avenue, Suite 500, Towson, MD 21204

DKarciski@Venable.com | www.Venable.com

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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.

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Debra Wiley - Re: Case No. 2013-0132-XA - Remand (Two Farms, Inc., 9400 Liberty Limited Partnership)

From: J Carroll Holzer <jcholzer@cavtel.net>
To: Debra Wiley <dwiley@baltimorecountymd.gov>
Date: 1/27/2014 10:29 AM
Subject: Re: Case No. 2013-0132-XA - Remand (Two Farms, Inc., 9400 Liberty Limited Partnership)
CC: David Karceski <dkarceski@venable.com>, John Beverungen <jbeverungen@bal...

Debbie
Thanks. Got it and will put on the calendar.
Sterling

On Mon, Jan 27, 2014 at 10:24 AM, Debra Wiley <dwiley@baltimorecountymd.gov> wrote:

Good Morning,

This is to confirm that the above case, which was remanded from the Board of Appeals, has been scheduled for a hearing on Monday, February 3, 2014 @ 11:00 AM in Room 205. It is my understanding that the property will not be re-posted.

Thank you.

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

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*Scheduling
Correspondence*

--
Very truly yours,
J. Carroll Holzer

JB 2/3
11Am**Debra Wiley - Case No. 2013-0132-XA - Remand (Two Farms, Inc., 9400 Liberty Limited Partnership)**

From: Debra Wiley
To: Karceski, David; jcholzer@cavtel.net
Date: 1/27/2014 10:24 AM
Subject: Case No. 2013-0132-XA - Remand (Two Farms, Inc., 9400 Liberty Limited Partnership)
CC: Beverungen, John
BC: Lewis, Kristen

Good Morning,

This is to confirm that the above case, which was remanded from the Board of Appeals, has been scheduled for a hearing on Monday, February 3, 2014 @ 11:00 AM in Room 205. It is my understanding that the property will not be re-posted.

Thank you.

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

JB 2/3 @ 11 am

Debra Wiley - Re: Case No. 2013-0132-XA (Two Farms, Inc., 9400 Liberty Limited Partnership)

From: Kristen Lewis
To: Wiley, Debra
Date: 1/23/2014 9:25 AM
Subject: Re: Case No. 2013-0132-XA (Two Farms, Inc., 9400 Liberty Limited Partnership)

Hi Debbie,

The case has been set for February 3rd at 11 a.m. in Room 205.

>>> Debra Wiley 1/22/2014 1:31 PM >>>

Hi Kristen,

Per Dave Karceski, the above has been scheduled for a hearing. This was Remanded from BOA to OAH.

Can you tell me the date, time, etc.

Thanks in advance.

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

Debra Wiley - Case No. 2013-0132-XA (Two Farms, Inc., 9400 Liberty Limited Partnership)

From: Debra Wiley
To: Lewis, Kristen
Date: 1/22/2014 1:31 PM
Subject: Case No. 2013-0132-XA (Two Farms, Inc., 9400 Liberty Limited Partnership)

*New date -
Not in
data
base.
1/22*

Hi Kristen,

Per Dave Karceski, the above has been scheduled for a hearing. This was Remanded from BOA to OAH.

Can you tell me the date, time, etc.

Thanks in advance.

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

Debra Wiley - Re: 2013-0132-XA - Remanded from BOA to OAH

From: Kristen Lewis
To: Wiley, Debra
Date: 12/26/2013 2:51 PM
Subject: Re: 2013-0132-XA - Remanded from BOA to OAH

No the 2014 case I have on the January calendar isn't the same one as the Holzer/Karceski case which is with the Sparks HOH. Both me and Darryl had talked with Justin about a date in February but he was waiting to hear back from everyone as to their availability. Once he lets me know I will get back to you.

>>> Debra Wiley 12/26/2013 2:43 PM >>>
Kristen,

So, this is not the one with Holzer and Karceski? Last time I spoke to them, John was not available Feb. 14th. Have they consulted with you about any dates in February or March ?

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

>>> Kristen Lewis 12/26/2013 2:35 PM >>>
Hi Debbie,

The case I have scheduled for January 21st is 2014-0132-XA not 2013-0132-XA.

>>> Debra Wiley 12/26/2013 2:24 PM >>>
Hi Kristen,

In reference to the above hearing, I notice that it's scheduled for January 21st @ 1:30 PM.

Can you tell me if that's just a "hold" or have all parties agreed and it has been confirmed.

Thanks in advance.

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

Debra Wiley - Case No. 2013-0132-XA - Remanded to OAH

From: Debra Wiley
To: Karceski, David; jcholzer@cavtel.net
Date: 11/22/2013 2:16 PM
Subject: Case No. 2013-0132-XA - Remanded to OAH

Good Afternoon,

As you may recall, December dates did not work for counsel. In October, Judge Beverungen requested that Kristen Lewis be contacted for January dates. It is my understanding, to date, that this has not been addressed.

Please give our office an update. Thanks in advance.

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

>>> Debra Wiley 10/28/2013 11:21 AM >>>
Good Morning,

I have passed the information along to Judge Beverungen. He has asked that counsel contact Kristen Lewis regarding dates for the January calendar and that he does not have any dates of unavailability blocked out.

Please let me know when you have an agreed-upon date, time & location.

Thanks again.

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

>>> "Karceski, David H." <DKarceski@Venable.com> 10/28/2013 11:11 AM >>>

Hello Debbie:

I spoke with Carroll this morning. These dates do not work for us. Would you please provide some other possible dates in January?

Thank you,

David

David Karceski, Esq. | Venable LLP
t 410.494.6285 | f 410.821.0147 | m 443.956.7425
210 W. Pennsylvania Avenue, Suite 500, Towson, MD 21204

DKarceski@Venable.com | www.Venable.com

From: Karceski, David H.
Sent: Friday, October 25, 2013 11:29 AM
To: 'Debra Wiley'; jcholzer@cavtel.net
Cc: Kristen Lewis
Subject: RE: Case No. 2013-0132-XA - Remanded to OAH

Good Afternoon Debbie

I left a phone message for Carroll and am waiting to hear back from my client about 12/16 or 12/20. I will let you know as soon as I speak with Carroll and have a response from my client.

Thanks for your email.

David

David Karceski, Esq. | Venable LLP
t 410.494.6285 | f 410.821.0147 | m 443.956.7425
210 W. Pennsylvania Avenue, Suite 500, Towson, MD 21204

DKarceski@Venable.com | www.Venable.com

From: Debra Wiley [<mailto:dwiley@baltimorecountymd.gov>]
Sent: Thursday, October 24, 2013 9:29 AM
To: jcholzer@cavtel.net; Karceski, David H.
Cc: Kristen Lewis
Subject: Case No. 2013-0132-XA - Remanded to OAH

Good Morning Gentlemen:

As you may or may not be aware, the above-referenced case has been remanded to our office (see attached decision from BOA). In speaking with John Beverungen, he has agreed to provide three (3) available dates that have been confirmed with Kristen Lewis. They are as follows:

Monday, December 16th @ 10 AM, Room 205

Friday, December 20th @ 10 AM, Room 205

Tuesday, December 31st @ 10 AM, Room 205

Please agree on one and let me know ASAP; I will then notify all appropriate parties. If none of the dates work for you, please get together and provide me with an additional three agreed upon dates. I will then check with John Beverungen and Kristen Lewis for availability.

Thanks in advance for your cooperation.

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

>>> <officeofhearings@baltimorecountymd.gov> 10/23/2013 11:35 AM >>>
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Queries to: officeofhearings@baltimorecountymd.gov

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Message Id: 528F673F.D00 : 38 : 53259
Subject: Case No. 2013-0132-XA - Remanded to OAH
Created By: dwiley@baltimorecountymd.gov
Scheduled Date:
Creation Date: 11/22/2013 2:16 PM
From: Debra Wiley

Recipients

Recipient	Action	Date & Time	Comment
 cavtel.net	Transferred	11/22/2013 2:16 PM	
To: jcholzer@cavtel.net (jcholzer@cavtel.net)			
 COB_PO.COB_DOM	Delivered	11/22/2013 2:16 PM	
BC: Kristen Lewis (klewis@baltimorecountymd.gov)			
 venable.com	Transferred	11/22/2013 2:16 PM	
To: David Karceski (dkarceski@venable.com)			

Post Offices

Post Office	Delivered	Route
cavtel.net		cavtel.net
COB_PO		gov
venable.com		

Files

File
IMAGE.J
IMAGE.J
IMAGE.J
IMAGE.J
IMAGE.J
IMAGE.J
MESSA
Mime.8
TEXT.H

Options

Auto Delete:
Concealed Subject: No
Expiration Date: None
Notify Recipients: Yes
Priority: Standard
Reply requested by: None
Security: Standard
To Be Delivered: Immediate

Record Id

Record Id: 528F673F.NCH_DOM.NCH_PO.100.1687076.1.1A331.1
Common Record Id: 528F673F.NCH_DOM.NCH_PO.200.2000026.1.42B49.1

Debra Wiley - RE: Case No. 2013-0132-XA - Remanded to OAH

From: Debra Wiley
To: Holzer, J Carroll; Karceski, David H.
Date: 12/12/2013 9:50 AM
Subject: RE: Case No. 2013-0132-XA - Remanded to OAH
CC: Lewis, Kristen; Williams, Justin A.

Good Morning,

After speaking to Kristen Lewis this morning, she brought to my attention that Judge Beverungen is not available on Feb. 14th. Therefore, please select at least three (3) days of availability and contact Kristen immediately so that this can be scheduled.

Thank you.

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

>>> "Karceski, David H." <DKarceski@Venable.com> 12/11/2013 10:25 AM >>>
Debbie & Carroll:

We will notify the Zoning Office and ask to reserve the date.

Thank you,
David

David Karceski, Esq. | Venable LLP
t 410.494.6285 | f 410.821.0147 | m 443.956.7425
210 W. Pennsylvania Avenue, Suite 500, Towson, MD 21204

DKarceski@Venable.com | www.Venable.com

From: J Carroll Holzer [mailto:jcholzer@cavtel.net]
Sent: Wednesday, December 11, 2013 10:22 AM
To: Karceski, David H.
Cc: Debra Wiley
Subject: Re: Case No. 2013-0132-XA - Remanded to OAH

David & Debi

In the Matter of 9400 Liberty Limited Partnership, Case No. 13-132-XA, I am available on Feb. 14, 2014.

Thanks,
Carroll Holzer

On Tue, Dec 10, 2013 at 3:15 PM, Karceski, David H. <DKarceski@venable.com> wrote:
Hello Debbie

Carroll and I are communicating by email about a date for the hearing. Carroll has a number of clients to check with on dates. I will email you as soon as I hear back from him.

Thanks
David

Sent from my BlackBerry 10 smartphone on the Verizon Wireless 4G LTE network.

From: Debra Wiley
Sent: Friday, November 22, 2013 2:16 PM
To: Karceski, David H.; jcholzer@cavtel.net
Subject: Case No. 2013-0132-XA - Remanded to OAH

Good Afternoon,

As you may recall, December dates did not work for counsel. In October, Judge Beverungen requested that Kristen Lewis be contacted for January dates. It is my understanding, to date, that this has not been addressed.

Please give our office an update. Thanks in advance.

Debbie Wiley
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Towson, Md. 21204
[410-887-3868](tel:410-887-3868)
[410-887-3468](tel:410-887-3468) (fax)
dwiley@baltimorecountymd.gov

>>> Debra Wiley 10/28/2013 11:21 AM >>>
Good Morning,

I have passed the information along to Judge Beverungen. He has asked that counsel contact Kristen Lewis regarding dates for the January calendar and that he does not have any dates of unavailability blocked out.

Please let me know when you have an agreed-upon date, time & location.

Thanks again.

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

>>> "Karczeski, David H." <DKarczeski@Venable.com> 10/28/2013 11:11 AM >>>

Hello Debbie:

I spoke with Carroll this morning. These dates do not work for us. Would you please provide some other possible dates in January?

Thank you,

David

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 t 410.494.6285 | f 410.821.0147 | m 443.956.7425
 210 W. Pennsylvania Avenue, Suite 500, Towson, MD 21204

DKarczeski@Venable.com | www.Venable.com

From: Karczeski, David H.
Sent: Friday, October 25, 2013 11:29 AM
To: 'Debra Wiley'; jcholzer@cavtel.net
Cc: Kristen Lewis
Subject: RE: Case No. 2013-0132-XA - Remanded to OAH

Good Afternoon Debbie

I left a phone message for Carroll and am waiting to hear back from my client about 12/16 or 12/20. I will let you know as soon as I speak with Carroll and have a response from my client.

Thanks for your email.

David

David Karczeski, Esq. | Venable LLP
 t 410.494.6285 | f 410.821.0147 | m 443.956.7425
 210 W. Pennsylvania Avenue, Suite 500, Towson, MD 21204

DKarczeski@Venable.com | www.Venable.com

From: Debra Wiley [<mailto:dwiley@baltimorecountymd.gov>]
Sent: Thursday, October 24, 2013 9:29 AM
To: jcholzer@cavtel.net; Karczeski, David H.
Cc: Kristen Lewis
Subject: Case No. 2013-0132-XA - Remanded to OAH

Good Morning Gentlemen:

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Monday, December 16th @ 10 AM, Room 205
 Friday, December 20th @ 10 AM, Room 205
 Tuesday, December 31st @ 10 AM, Room 205

Please agree on one and let me know ASAP; I will then notify all appropriate parties. If none of the dates work for you, please get together and provide me with an additional three agreed upon dates. I will then check with John Beverungen and Kristen Lewis for availability.

Thanks in advance for your cooperation.

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

>>> <officeofhearings@baltimorecountymd.gov> 10/23/2013 11:35 AM >>>
 This E-mail was sent from "zoneprt1" (Aficio MP 2852).

Scan Date: 10.23.2013 11:35:52 (-0400)
 Queries to: officeofhearings@baltimorecountymd.gov

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2013-0132-X1

Maryland Department of Assessments and Taxation
Real Property Data Search (vw3.1A)
BALTIMORE COUNTY

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[GroundRent Registration](#)

Account Identifier:

District - 02 Account Number - 2200023899

Owner Information

Owner Name:	9400 LIBERTY LIMITED PARTNERSHIP	Use:	COMMERCIAL
Mailing Address:	C/O ANTWERPEN AUTOMOTIVE GROUP 6631 BALTO NAT'L PIKE BALTIMORE MD 21228-3908	Principal Residence:	NO
		Deed Reference:	1) /16934/ 00517 2)

Location & Structure Information

Premises Address	Legal Description
9043 LIBERTY RD	1.112 AC
0-0000	9043 LIBERTY RD SS
	9043 LIBERTY RD

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat No:
0077	0007	1200		0000			1	1	
									Plat Ref: 0067/ 0120

Special Tax Areas	Town NONE
	Ad Valorem
	Tax Class

Primary Structure Built	Enclosed Area	Property Land Area	County Use
	9310	48,438 SF	06

Stories	Basement	Type	Exterior
		AUTO SHOWROOM	

Value Information

	Base Value	Value	Phase-in Assessments	
		As Of	As Of	As Of
		01/01/2013	07/01/2012	07/01/2013
Land	222,000	222,000		
Improvements:	662,700	647,800		
Total:	884,700	869,800	884,700	869,800
Preferential Land:	0			0

Transfer Information

Seller:	SILVER RANDALLSTOWN LLC	Date:	10/11/2002	Price:	\$1,000,000
Type:	ARMS LENGTH IMPROVED	Deed1:	/16934/ 00517	Deed2:	
Seller:	VEI RANDALLSTOWN LLC	Date:	05/13/1997	Price:	\$1,417,708
Type:	ARMS LENGTH IMPROVED	Deed1:	/12175/ 00313	Deed2:	
Seller:	T L C LAND L L C	Date:	08/02/1995	Price:	\$610,000
Type:	NON-ARMS LENGTH OTHER	Deed1:	/11149/ 00688	Deed2:	

Exemption Information

Partial Exempt Assessments	Class	07/01/2012	07/01/2013
County	000	0.00	
State	000	0.00	
Municipal	000	0.00	0.00

Tax Exempt:

Special Tax Recapture:

Exempt Class:

NONE

Homestead Application Information

Homestead Application Status:	No Application
--------------------------------------	----------------

Maryland Department of Assessments and Taxation
Real Property Data Search (vw3.1A)
BALTIMORE COUNTY

[Go Back](#)
[View Map](#)
[New Search](#)
[GroundRent Redemption](#)
[GroundRent Registration](#)

Account Identifier:

District - 02 Account Number - 2200023900

Owner Information

Owner Name:	9400 LIBERTY LIMITED PARTNERSHIP	Use:	COMMERCIAL
Mailing Address:	C/O ANTWERPEN AUTOMOTIVE GROUP 6631 BALTO NATL PIKE BALTIMORE MD 21228-3908	Principal Residence:	NO
		Deed Reference:	1) /15224/ 00220 2)

Location & Structure Information

Premises Address	Legal Description
9043A LIBERTY RD	1.319 AC
0-0000	9043A LIBERTY RD SSR
	9043 LIBERTY RD

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat No:	Plat Ref:
0077	0007	1200		0000			2	1		0067/ 0120

Special Tax Areas	Town	NONE
	Ad Valorem	
	Tax Class	

Primary Structure Built	Enclosed Area	Property Land Area	County Use
2001	14565	57,455 SF	06

Stories	Basement	Type	Exterior
1.000000		AUTO SHOWROOM	

Value Information

	Base Value	Value	Phase-in Assessments	
		As Of	As Of	As Of
		01/01/2013	07/01/2012	07/01/2013
Land	264,000	264,000		
Improvements:	520,200	498,600		
Total:	784,200	762,600	784,200	762,600
Preferential Land:	0			0

Transfer Information

Seller:	T L C LAND LLC	Date:	05/22/2001	Price:	\$700,000
Type:	ARMS LENGTH IMPROVED	Deed 1:	/15224/ 00220	Deed 2:	
Seller:		Date:		Price:	
Type:		Deed 1:		Deed 2:	
Seller:		Date:		Price:	
Type:		Deed 1:		Deed 2:	

Exemption Information

Partial Exempt Assessments	Class	07/01/2012	07/01/2013
County	000	0.00	
State	000	0.00	
Municipal	000	0.00	0.00

Tax Exempt:	Special Tax Recapture:
Exempt Class:	NONE

Homestead Application Information

Homestead Application Status:	No Application
--------------------------------------	----------------

CASE NAME 9043 Liberty Rd
CASE NUMBER Case No. 2013-131XA
DATE 2/28/13

[illegible]

CASE NAME 9043 Liberty
CASE NUMBER 2013-132 XA
DATE 2/28/13

Prot.

~~CITIZEN~~'S SIGN - IN SHEET

ADDRESS

CITY, STATE, ZIP

E - MAIL

[illegible]

CASE NAME 9043 Liberty
CASE NUMBER 2013-132
DATE 4-22-13

[illegible]

CASE NAME 9043 Liberty Rd.
CASE NUMBER 2013-132-XA
DATE 4-22-13

CITIZEN'S SIGN - IN SHEET

NAME _____

ADDRESS

CITY, STATE, ZIP

E - MAIL

E - MAIL
epsaf@house.su.ri.k@

[illegible]

CASE NAME 9043 Liberty Rd.
CASE NUMBER 2013-0132-KA
DATE 2-3-14 (Remand)

CASE NAME 9043 Liberty Rd.
CASE NUMBER 2013-0132-KA
DATE 2-3-14 (Remand)

[illegible]

CASE NAME 9043 Liberty Rd.
CASE NUMBER 2013-0132-1A
DATE 2-3-14 (Rehard)

NAME _____

CITY, STATE, ZIP

E - MAIL

[illegible]

9/30/02

IN RE: PETITION FOR SPECIAL EXCEPTION
SW/S Liberty Road at
SW/S of Offutt Road
2nd Election District
2nd Councilmanic District
(9043 Liberty Road)

BEFORE THE
DEPUTY ZONING COMMISSIONER
OF BALTIMORE COUNTY
CASE NO. 03-089-X

Silver/Randallstown, LLC, Legal Owner
and
9400 Liberty Road Ltd. Partnership,
Contract Purchaser/Lessee
Petitioners

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a Petition for Special Exception filed by the legal owner of the subject property, Silver/Randallstown, LLC and 9400 Liberty Road Limited Partnership, the lessee. The special exception request involves property located at 9043 Liberty Road, which property is zoned BR-AS. The Petitioners are requesting permission to utilize the subject property as a used motor vehicle sales area.

Appearing at the hearing on behalf of the special exception request were Thomas A. Church, the professional engineer who prepared the site plan of the property, Stanley Kaufman, appearing on behalf of the owner of the property and Richard Rubin and Brett Rife, attorneys at law, representing the Petitioners. There were no protestants in attendance.

Testimony and evidence indicated that the property, which is the subject of this special exception request, consists of 1.112 acres, more or less, zoned BR-AS. The subject property is improved with a one-story concrete block building consisting of 9,447 sq. ft. It was formerly used as a CVS Pharmacy. Prior to that the property was operated as a car dealership.

Recently, the Petitioner purchased the subject property and is now desirous of once again utilizing the site as an automobile dealership. The long-range plans are to operate a Mitsubishi new car and used car dealership from the subject site. However, in the interim, prior to the time

Case No.: 2013-0132-XA

JB
4/22
10 Am

Exhibit Sheet

Petitioner/Developer

Alu 4-30-13
Protestants

No. 1	1A-1F Site plan	1A-1F Color photos
No. 2	Monk CV	List of protestants 2-26-13
No. 3	3A-3H Color photos	List of protestants 4-21-13
No. 4	4A+4B Renderings	
No. 5	"Zoning Exhibit"	
No. 6	CZMP Log	
No. 7	CZMP map	
No. 8	Schematic Landscape plan	
No. 9	"Aerial Exhibit"	
No. 10	Air Blade dryer decibel level exhibit	
No. 11	IIA, IIB, IIE Revised Site plan	
No. 12	Schematic landscape plan	
13	Illumination calculations	

14 Keeley CV

Case No.: 2013-132-XA (cont'd)

Exhibit Sheet

Petitioner/Developer

Protestant

No. 3 15	2012 Basic Sucs. Map	
No. 4 16	Draft 2013 Basic Sucs. Map	
No. 5 17	Shade CV	
No. 6 18	Site plan with Sound levels	
No. 5		
No. 6		
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		

Case No.: 2013-0132-XA (Remand)

JB
2/3
10 Am

Exhibit Sheet

Exhibit Numbers continue from 4-22-13 hearing

ser
2/4/14

Petitioner/Developer

Respondent

/Protestants

No. 19	Amended Zoning Petition	No. 4 12-31-13 letter w/ attachments from attorney Holzer
No. 20	Amended Site Plan	
No. 21	Amended Landscape plan	
No. 22	Amended Site Lighting Exhibit	
No. 5		
No. 6		
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		

WILLIAM P. MONK
Principal

Project Assignment:

Principal, Project Manager, Urban
Design and Site Planning, Expert
Witness

Years of Experience:

MRA: 10
Other Firms: 25

Education:

Master of Urban Planning,
University of Illinois, 1975
Bachelor of Urban Planning,
University of Illinois, 1973

Professional and Industry Affiliations:

Mayor's Transition Committee for
Economic Development, Mayor
Martin O'Malley, City of
Baltimore 1999-2000
Greater Towson Committee
(formerly Towson Development
Corporation)
President 1998-2000
Bd. of Directors 1994-2010
Chairman of the Baltimore County
Design Review Panel, 2008-
present
Tomorrow's Towson Urban Design
Committee (member)
National Association of Industrial
and Office Properties (member)
Baltimore Development Work Group
(member)
International Council of Shopping
Centers (ICSC)

Past Member:

American Planning Association
National Golf Association
Citizens Planning & Housing Association
(CPHA) (past board member)



**MORRIS & RITCHIE
ASSOCIATES, INC.**

Qualifications:

Mr. Monk is a Principal of MRA and provides site planning/design, project management, and government and community liaison services to institutional, commercial/retail, industrial, and residential clients throughout the mid-Atlantic region. Mr. Monk has worked in Baltimore City for over 35 years, representing commercial/retail and residential clients, as well as serving on nonprofit boards, ad hoc committees, and providing pro bono professional services.

Mr. Monk has extensive experience providing expert witness testimony. He is an approved expert witness in several jurisdictions throughout the mid-Atlantic region, including Prince George's County, Annapolis, Anne Arundel County, Baltimore, Baltimore County, Carroll County, Frederick County, Harford County, Howard County, and St. Charles Community in Maryland. Furthermore, he has testified in more than 300 zoning hearings over the past 35 years.

Sample projects managed and designed by Mr. Monk include the following:

COMMERCIAL/ RETAIL CENTERS

Bay River – Planned Business Community, Havre de Grace, Maryland
Project Manager/Chief Designer for a 76-acre mixed-use master planned business community containing over 900,000 SF of retail, office, and institutional space. Located at the interchange of I-95 and MD 155, the "Gateway" to the historic city of Havre de Grace.

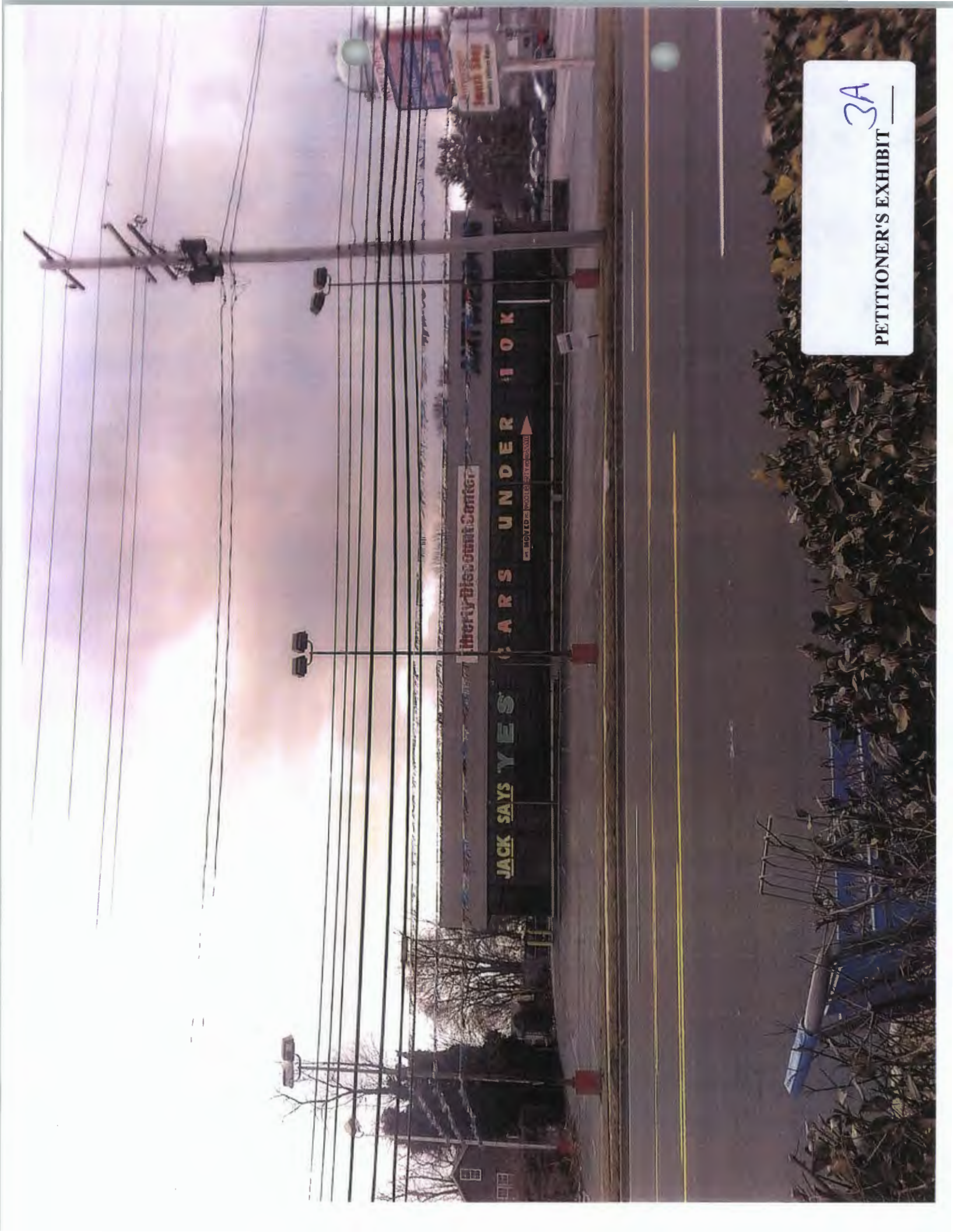
Hampstead Business Park, Hampstead, Maryland - Project management and site planning for a 26-acre mixed-use (industrial, office, and retail) planned community at the crossroads of the new Hampstead By-Pass and MD Route 482.

Solo Cup Site, Owings Mills, Maryland - Project Manager and Designer in the preparation of a mixed-use (office, retail, and residential) planned community containing over 900,000 SF for this 51-acre site in Baltimore County.

Reisterstown Plaza, Baltimore, Maryland - Principal-In-Charge responsible for design/site planning studies for the reconfiguration expansion of the retail center consisting of over 100,000 SF.

Towson Commons Redevelopment Studies and Design, Towson, Maryland
Project Manager for ongoing redevelopment design studies intended to reposition the street-level retail component of a 15-year old mixed-use project that includes a proposed 20-story residential tower and an existing 10-story office tower. The Redevelopment Study process began with a survey of existing commercial real estate market opportunities in the area, and has focused on adding a strong residential component, while reinforcing the project's strength as an office location of choice and creating new retail and restaurant opportunities with direct street level pedestrian access. Upfront project feasibility studies included surveying, site engineering, and securing government entitlement approvals.

Continued on the next page...



3A

PETITIONER'S EXHIBIT



313

3C













Baltimore County 2012 Comprehensive Zoning Map Process
Log of Issues For District 4
August 30, 2012

Issue Number	Petitioner	Merritt Properties, LLC	Location	East side of Rolling Rd, 500' north of Tudsbury Rd			
4-013	Existing Zoning and Acres	Requested Zoning and Acres	Final Staff Recommendation	Planning Board Recommendations	Final County Council Decision		
	ML IM 2.06	BM IM 2.06	BM IM 2.06	BM IM 2.06	BM IM 2.06		
	2.06	2.06	2.06	2.06	2.06		
Comments							

Issue Number	Petitioner	Merritt Properties, LLC	Location	East side of Rolling Rd, 325' north of Tudsbury Rd			
4-014	Existing Zoning and Acres	Requested Zoning and Acres	Final Staff Recommendation	Planning Board Recommendations	Final County Council Decision		
	ML IM 1.27	BM IM 1.27	BM IM 1.27	BM IM 1.27	BM IM 1.27		
	1.27	1.27	1.27	1.27	1.27		
Comments							

Issue Number	Petitioner	Hebbville Auto Repair	Location	West side of Pine Ave, 195' north of Windsor Mill Rd			
4-015	Existing Zoning and Acres	Requested Zoning and Acres	Final Staff Recommendation	Planning Board Recommendations	Final County Council Decision		
	DR 5.5 0.44	BM 0.45	DR 5.5 0.44	DR 5.5 0.44	DR 5.5 0.44		
	0.45	0.45	0.45	0.45	0.45		
Comments							

Issue Number	Petitioner	9400 Liberty Limited Partnership	Location	9043 Liberty Rd			
4-016	Existing Zoning and Acres	Requested Zoning and Acres	Final Staff Recommendation	Planning Board Recommendations	Final County Council Decision		
	BL 0.02	BR AS 1.43	BR AS 1.43	BR AS 1.43	BR AS 1.43		
	BR 1.39	1.43	1.43	1.43	1.43		
	1.43						
Comments							

(Total acreages may not equal due to rounding.)

J. MARK KEELEY, PTP
6533 Greenmount Drive • Elkridge, MD 21075
410-615-0067 (Cell) 410-923-7101 (Office)

PROFESSIONAL SKILLS

Thorough knowledge of transportation planning principals and practices, including the relationship between transportation, environmental, economic, and social factors that influence urban and rural land use patterns. Computer software Packages: Microsoft software packages, TP +, MINUTP, Highway Capacity Software (HCS), SIDRA, Critical Lane Volume Analysis

EDUCATION

TOWSON UNIVERSITY
8000 York Road
Towson, MD 21252
M.A. Degree - Geography and Planning, 1993

SALISBURY UNIVERSITY
1101 Camden Avenue
Salisbury, MD 21801
B.A. Degree 1987

MT. ST. JOSEPH HIGH SCHOOL
4403 Frederick Avenue
Baltimore, MD 21229
Graduated May 1983

PROFESSIONAL EXPERIENCE

TRAFFIC CONCEPTS, INC
325 Gambrills Road, Suite B Gambrills Maryland 21054

Project Manager/Transportation Planner, July 2005-Present

- Project Manager for Traffic Impact Studies and Planning/Traffic Engineering Services Division.
- Develop price proposals and budgets for the preparation of traffic engineering services.
- Develop business relationships to advance business products and services.
- Provide expert testimony at public hearings.
- Develop complex master planning studies, traffic impact analyses and parking studies for private and public sector clients.
- Address technical comments received from reviewing agencies and provide traffic mitigation strategies and solutions for clients.
- Represent clients at project Scoping Meetings, Planning Commission Meetings, Board of Appeals Hearings, and Community Input Meetings.
- Negotiate traffic mitigation solutions with county and state officials.

NEIL THOMPSON SHADE
President and Principal Consultant

Mr. Shade has 32 years of experience in consulting, project management, and teaching in acoustics, noise control, and sound systems design. He has served as Principal Consultant on over 1200 projects representing most building types. In addition to his acoustic consulting practice, Mr. Shade is former Director of the Acoustics Program at the Johns Hopkins University/Peabody Institute. He holds a B.S. Degree in Audio Technology and Acoustics and studied under the noted acoustician Richard V. Waterhouse.

Consulting Experience

Mr. Shade is President of Acoustical Design Collaborative, Ltd where he is responsible for the overall management and technical aspects of the firm's acoustic consulting projects. He serves as Principal Consultant for diverse projects including broadcast facilities, educational buildings, environmental noise, historical renovation, medical facilities, multi-family housing, performing arts spaces, and worship houses. His work involves acoustic measurements, client liaison, criteria development, calculations, specification writing, and drawing preparation for room acoustics, equipment noise control, sound isolation, and audio/visual system design projects.

Prior to forming Acoustical Design Collaborative, Ltd, Mr. Shade was Project Manager of Architectural Acoustics for Wyle Laboratories in Arlington, VA. During this period he consulted on a wide range of projects involving architectural acoustics, environmental noise, HVAC equipment noise and vibration control, sound isolation, and sound systems design. Specific projects included airports, courthouses, educational buildings, governmental centers, hospitals, performing arts spaces, recording studios, and worship houses.

Mr. Shade began his acoustics career as a staff acoustician with Paul S. Veneklasen Associates/Western Electro-Acoustics Laboratory in Santa Monica, CA. He performed calibrations on acoustic transducers and conducted field and laboratory acoustic tests to ASTM standards. Mr. Shade also consulted on many building projects including convention centers, educational buildings, hospitals, performing arts spaces, and research centers.

During his years in college, Mr. Shade was employed in the naval architecture/marine engineering industry as a draftsman and mechanical designer working on naval ship projects.

Teaching Experience

Johns Hopkins University/Peabody Institute, Baltimore, MD. Director Acoustics Program, 2000 to 2010 and Adjunct Faculty 2011 to present. Teaches courses in Acoustic Measurements, Architectural Acoustics, Computer Modeling, Electro-Acoustics, Musical Acoustics, Noise Control, Professional Practices, Psychoacoustics, Physical Acoustics, and Sound Systems.

American University, Physics/Audio Technology Department, Washington, D.C. Adjunct Faculty, 1988 to 2000. Taught courses in Architectural Acoustics, Advanced Architectural Acoustics, Audio Technology, and Sound System Design.

University of Maryland, School of Architecture, College Park, MD. Guest Lecturer, 1987 to 1992. Taught courses in Architectural Acoustics and juried student design work.



Amended 4/30/13, Amended 2/3/14

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 9043 Liberty Road which is presently zoned BR-AS
 Deed References: 15224-220 10 Digit Tax Account # 2 2 0 0 2 3 9 0 0 0
 Property Owner(s) Printed Name(s) 9400 Liberty Limited Partnership

(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:

- 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
- 2 X a Special Exception under the Zoning Regulations of Baltimore County to use the herein described property for
SEE ATTACHMENT A
- 3 X a Variance from Section(s)
SEE ATTACHMENT B

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 DETERMINED AT HEARING

Property is to be posted and advertised as prescribed by the zoning regulations.
 I, or we, agree to pay expenses of above 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.

Name- Type or Print John Kemp, President

Signature _____

3611 Roland Avenue, Baltimore, MD
 Mailing Address City State

21211 / 410-889-0200 / jsbainbridge@royalfarms.com
 Zip Code Telephone # Email Address

Attorney for Petitioner:

David H. Karceski, Esquire

Name- Type or Print _____

Signature Venable LLP

210 W. Pennsylvania Ave., Ste. 500 Towson MD
 Mailing Address City State

21204 / 410-494-6285 / dhkarceski@venable.com
 Zip Code Telephone # Email Address

Legal Owners (Petitioners):

9400 Liberty Limited Partnership

Name #1 - Type or Print _____ Name #2 - Type or Print _____

Signature #1 [Signature] Signature #2 _____

6440 Baltimore National Pike, Baltimore, MD
 Mailing Address City State

21228 / _____ / _____
 Zip Code Telephone # Email Address

Representative to be contacted:

David H. Karceski, Esquire

Name - Type or Print _____

Signature Venable LLP

210 W. Pennsylvania Ave., Ste. 500 Towson MD
 Mailing Address City State

21204 / 410-494-6285 / dhkarceski@venable.com
 Zip Code Telephone # Email Address

CASE NUMBER 2013-0132-XA Filing Date 12/6/12 Do Not Schedule Dates: _____ Reviewer JS

REV. 10/4/11

Petitioner #19

Case No.: 2013-0132-XA

JB
4/22
10 Am

Exhibit Sheet

Petitioner/Developer

Alu
4-30-13
Protestants

No. 1	1A-1F Site plan	1A-1F Color photos
No. 2	Monk CV	List of protestants 2-26-13
No. 3	3A-3H Color photos	List of protestants 4-21-13
No. 4	4A+4B Renderings	
No. 5	"Zoning Exhibit"	
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No. 10	Air Blade dryer decibel level exhibit	
No. 11	11A, 11B, 11E Revised Site plan	
No. 12	Schematic landscape plan	
13	Illumination calculations	

14 Keeley CV

PROTESTANT'S

EXHIBIT NO.

1A



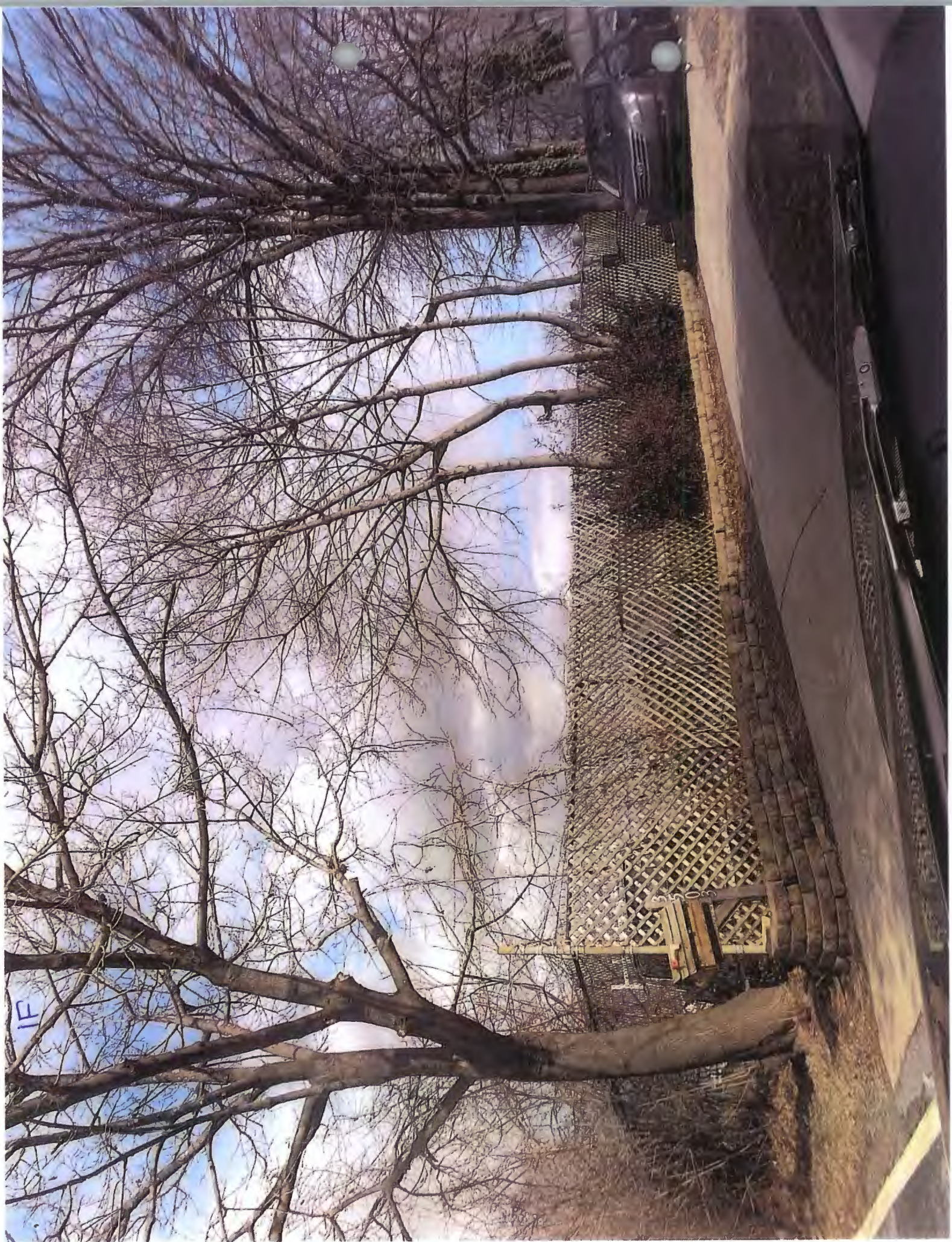


(B)









Royal Farms Store #173
9043 Liberty Road
Randallstown, MD 21133

Petitioner

* BEFORE THE
* ADMINISTRATIVE LAW JUDGE

* Case No.: 2013-0132-XA
*

* * * * *

OPPOSITION TO PROPOSED CAR WASH

Mr. Dominique Duane
3445 Carriage Hill Circle
Randallstown, MD 21133

Ms. Dorothea E. Rogers
8602 Woodbrook Court
Randallstown, MD 21133

Mr. Anthony Towns
4018 Winlee Road
Randallstown, MD 21133

Ms. Jacki Towns
4018 Winlee Road
Randallstown, MD 21133

Mr. Rex Ford
3712 Tallgrass Court
Randallstown, MD 21133

Mr. Michael A. Shephard
5 Robins Nest Court
Randallstown, MD 21133

Ms. Janice C. Hicks
9747 Custice Road
Randallstown, MD 21133

Mr. Michael Jacobs
4134 Daylily Drive
Randallstown, MD 21133

Edele Cook
4800 Lyons Heart Drive
Randallstown, MD 21133

R. Eastman
387 Byrd Bee Road
Randallstown, MD 21133

Mr. Kenneth M. Wehts
9003 Orchard View Avenue
Randallstown, MD 21133

Mr. George Webster
9003 Orchard View Avenue
Randallstown, MD 21133

Mr. Chris Williams
4322 Huntshire Road
Randallstown, MD 21133

Ms. Kay Patterson
4 Foxhound Court
Randallstown, MD 21133

Prot. No. 2

Royal Farms Store #173
9043 Liberty Road
Randallstown, MD 21133

Petitioner

* BEFORE THE
* ADMINISTRATIVE LAW JUDGE
* Case No.: 2013-0132-XA
*

* * * * *

OPPOSITION TO PROPOSED CAR WASH

Mr. Dominique Duane
3445 Carriage Hill Circle
Randallstown, MD 21133

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8602 Woodbrook Court
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R. Eastman
387 Byrd Bee Road
Randallstown, MD 21133

Mr. Kenneth M. Wehts
9003 Orchard View Avenue
Randallstown, MD 21133

Mr. George Webster
9003 Orchard View Avenue
Randallstown, MD 21133

Mr. Chris Williams
4322 Huntshire Road
Randallstown, MD 21133

Ms. Kay Patterson
4 Foxhound Court
Randallstown, MD 21133

Prot. # 3



LAW OFFICES

J. CARROLL HOLZER, PA

J. HOWARD HOLZER

1907-1989

THOMAS J. LEE

OF COUNSEL

THE 508 BUILDING

508 FAIRMOUNT AVE.

TOWSON, MD 21286

(410) 825-6961

FAX: (410) 825-4923

E-MAIL: JCHOLZER@CAVTEL.NET

December 31, 2013

#8052

RE: *Royal Farms/Car Wash*
9043 Liberty Road

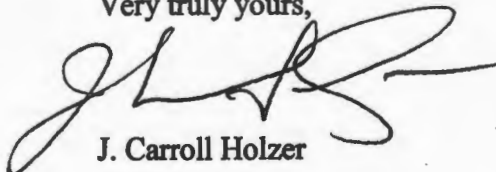
Dear Protestants:

Please be advised that through negotiations between Royal Farms and myself, we have eliminated the car wash, which was the item which caused the most objection to the proposed Royal Farms store. I am enclosing a copy of a portion of a Site Plan which shows the Royal Farms convenient store and the area in which the proposed car wash was located. You will see that it is now grass and landscaped area on the south side of the site.

As the elimination of this car wash reduces the majority of objections that the Community had to this proposal, we will no longer be objecting to the development of this site at the re-hearing before the Administrative Law Judge Beverungen.

If you have any questions, please feel free to contact me.

Very truly yours,



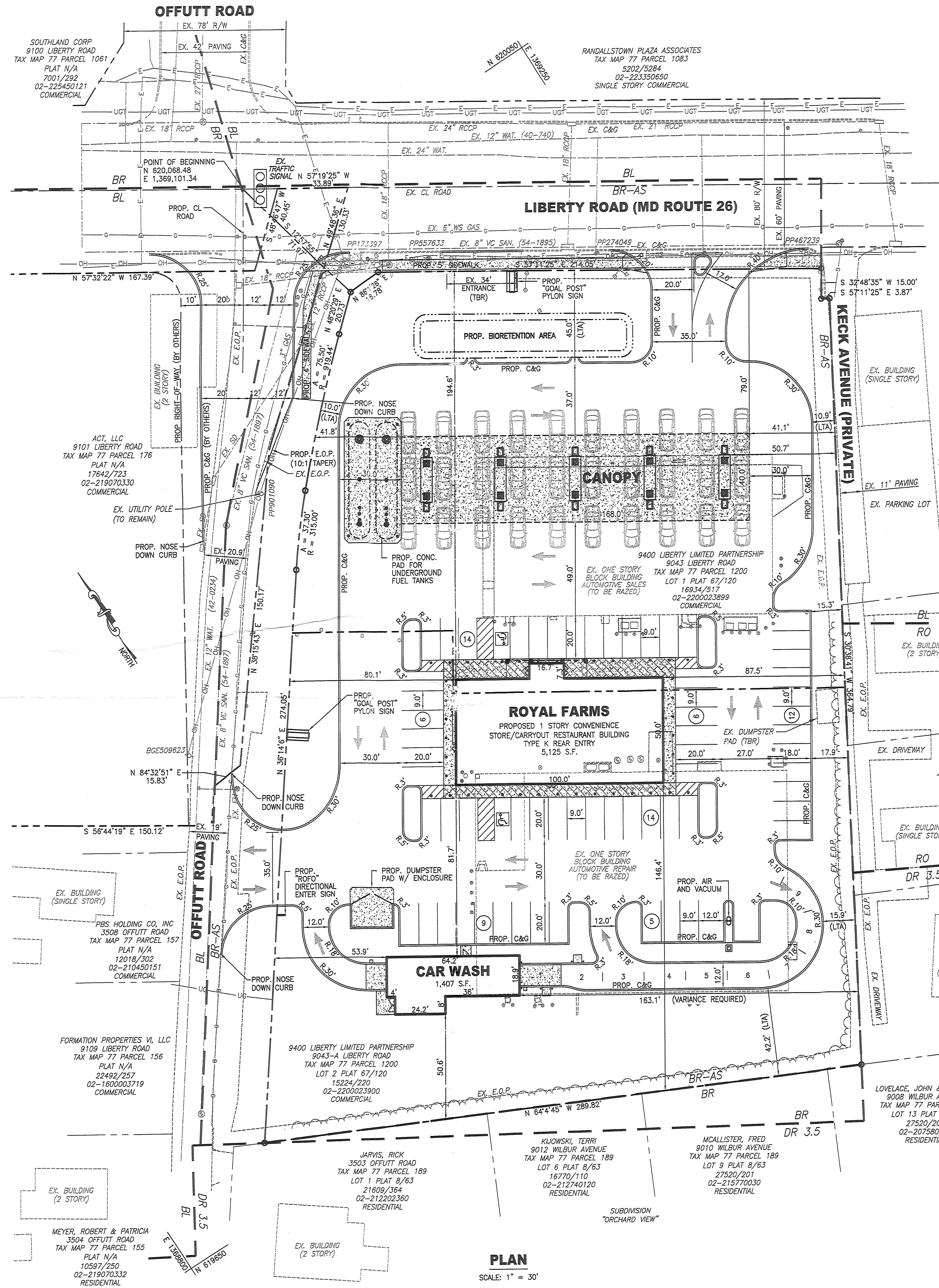
J. Carroll Holzer

JCH:mlg

Enclosure

cc: Protestants

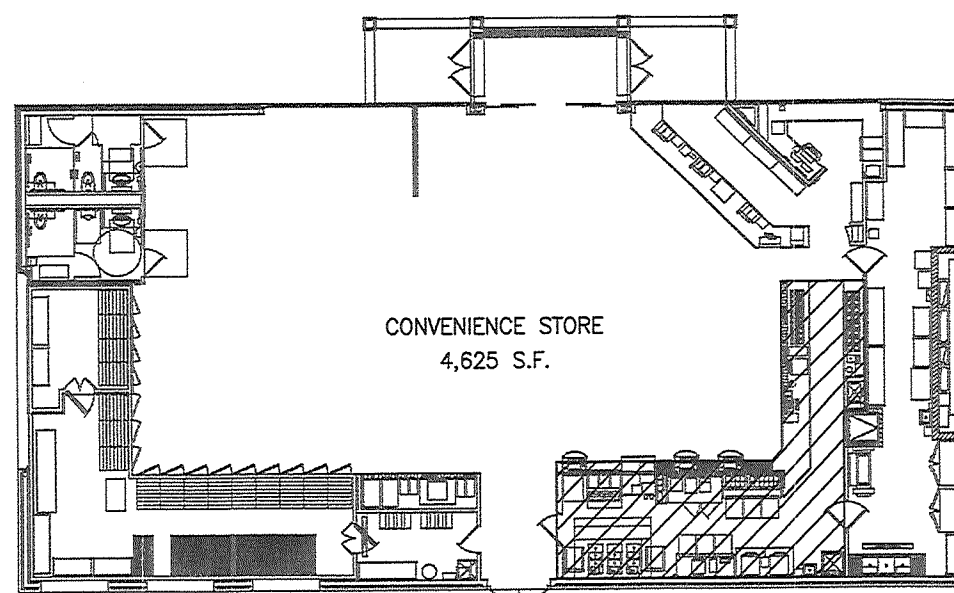
Prot. #4



PLAN

SCALE: 1" = 30'

CARRY OUT RESTAURANT
500 S.F.



BUILDING INTERIOR LAYOUT

SCALE: 1" = 20'

LEGEND

- EX. PROPERTY LINE
- EX. ADJACENT PROPERTY LINE
- EX. RIGHT OF WAY LINE
- EX. BUILDING
- PROP. BUILDING
- EX. CONCRETE
- PROP. CONCRETE
- PROP. STAMPED CONCRETE
- PROP. PAVEMENT
- EX. CURB
- EX. EDGE OF PAVING
- PROP. CURB
- EX. WOODS LINE
- EX. SANITARY SEWER
- EX. STORM DRAIN
- EX. WATER
- EX. UNDERGROUND LINE
- EX. OVERHEAD LINE
- EX. LIGHT POLE
- EX. UTILITY POLE
- EX. GAS
- EX. ZONING LINE

BENCHMARKS

AZ.MK. #42 N 620566.57
ELEV. 588.73 E 1368191.17
DESCRIPTION: MONUMENT LOCATED 11.95' WEST OF SEWER
MANHOLE NORTH OF STAR CAR WASH LOCATED ON LIBERTY ROAD.
GIS #42 N 620255.77
ELEV. 591.33 E 1368660.60
DESCRIPTION: MONUMENT LOCATED 52' NORTHWEST OF THE
NORTHWEST CORNER OF THE BALTIMORE COUNTY POLICE
SUB-STATION AT THE SOUTHWEST CORNER OF LIBERTY ROAD AND
OFFUTT ROAD.

SPECIAL EXCEPTION AREA

FUEL SERVICE STATION
(20 FUELING POSITIONS x 1,500 S.F.) = 30,000 S.F.
CONVENIENCE STORE
(4 x 4,625 S.F.) = 18,500 S.F.
ATM MACHINE
(1 ATM x 1,000 S.F.) = 1,000 S.F.
CARRY OUT RESTAURANT
(6 x 500 S.F.) = 3,000 S.F.
REQUIRED TOTAL AREA = 52,500 S.F.
PROVIDED TOTAL AREA = 105,133 S.F.

PARKING TABULATIONS CHART

(PARKING SPACES REQUIRED BY BC2R SECTION 409.6A)

USE	GROSS S.F.	PARKING RATE	PARKING SPACES REQUIRED PER SECTION 409.6A
CONVENIENCE STORE AND CARRY OUT RESTAURANT W/ GASOLINE	5,125	5/1,000 S.F.	26
MAXIMUM # EMPLOYEES ON SHIFT			4
ATM			1
ROLL-OVER CAR WASH (9 STACKING)	1,407	2/ROLL-OVER	2
VACUUM		1/VACUUM	2
2 ADDITIONAL SPACES AT A ROLL-OVER CARWASH			2
GRAND TOTAL BUILDING S.F.	6,532		
TOTAL PARKING REQUIRED			37
TOTAL PARKING PROVIDED (INCLUDE TWO HANDICAP SPACES)			66

COMMERCIAL PERMIT HISTORY

9043 LIBERTY ROAD
PERMIT # B328745 TYPE: SIGN
PERMIT # B435298 TYPE: SIGN
PERMIT # B452134 TYPE: TANK (COMMERCIAL)
PERMIT # B501004 TYPE: BUILDING (COMMERCIAL)
PERMIT # B504417 TYPE: BUILDING (COMMERCIAL)
PERMIT # B513378 TYPE: SIGN
PERMIT # B896384 TYPE: SIGN

9043-A LIBERTY ROAD
PERMIT # B452668 TYPE: BUILDING (COMMERCIAL)
PERMIT # B459715 TYPE: BUILDING (COMMERCIAL)

ZONING HISTORY

CASE NO. R-1954-2871 - CHANGE FROM "A" RESIDENTIAL TO "E" COMMERCIAL FOR
ADDITIONAL PARKING FOR SCHMIDT MOTOR USED CARE LOT. APPROVED APRIL 26TH 1954.

CASE NO. R-1961-5289 - FOR USE AS FARMING IMPLEMENT SALES AND SERVICE.
WITHDRAWN JUNE 9TH 1961.

CASE NO. 1982-5749-X - SPECIAL EXCEPTION FOR USED MOTOR VEHICLE OUTDOOR
SALES AREA SEPARATED FROM SALES AGENCY BUILDING. DENIED, APPEALED AND
DISMISSED JANUARY 24TH 1963.

CASE NO. 2003-0089-X - PETITION FOR SPECIAL EXCEPTION TO PERMIT A USED MOTOR
VEHICLE SALES AREA. APPROVED OCTOBER 4TH 2002.

DR. NO. 05015D - A BUILDING ADDITION WAS DETERMINED TO BE A LIMITED EXEMPTION
UNDER SECTION 26-171(c)(7) MAY 30TH 1995.

CZMP ISSUE NO. 4-016 - REZONE APPROXIMATELY 1.41 ACRES OF 9043A LIBERTY ROAD
(LOT 2) FROM BR, DR3.5, BL AND RO TO BR-AS.

PROFESSIONAL CERTIFICATION

I HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED
OR APPROVED BY ME, AND THAT I AM A FULLY LICENSED
PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF
MARYLAND, LICENSE NO. 38291, EXPIRATION DATE: 01/13/2014

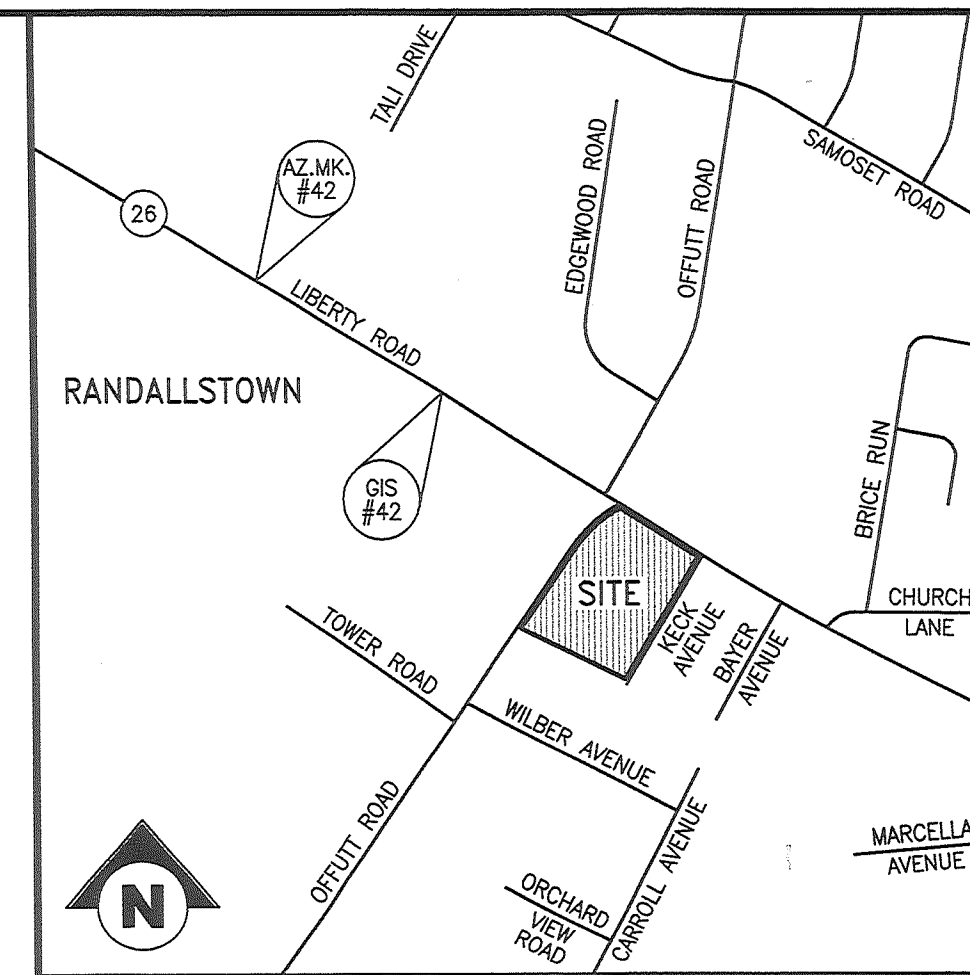
OWNER /
CONTRACT SELLER

9400 LIBERTY LIMITED PARTNERSHIP
C/O ANTWERPEN AUTOMOTIVE GROUP
6531 BALTIMORE NATIONAL PIKE
BALTIMORE, MARYLAND 21228

DEVELOPER /
CONTRACT PURCHASER

TWO FARMS, INC.
3611 ROLAND AVENUE
BALTIMORE, MARYLAND 21211
ATTN: MR. JEFF BAINBRIDGE
PHONE: (410) 494-1631

DESIGN & DRAWING BASED ON
MARYLAND COORDINATE SYSTEM:
HORIZONTAL NAD 83(1981)
VERTICAL NAVD 88

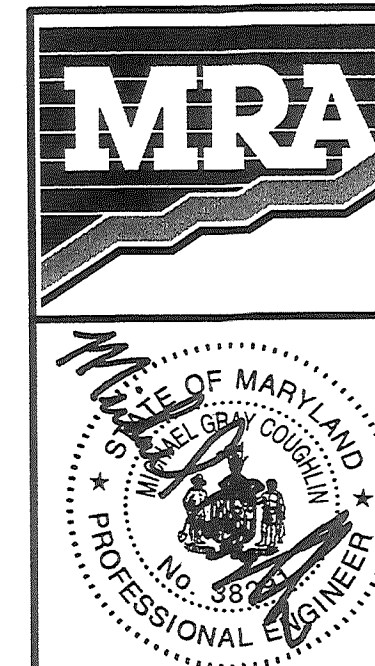


VICINITY MAP

SCALE: 1" = 500'

GENERAL NOTES

- PROPERTY INFORMATION:
A. PROPERTY ADDRESS: 9043 LIBERTY ROAD (LOT 1)
9043-A LIBERTY ROAD (LOT 2)
B. SITE AREA: 48,300 S.F. ±, 1.109 AC. ± (LOT 1)
56,833 S.F. ±, 1.305 AC. ± (LOT 2)
C. ELECTION DISTRICT: 4
D. COUNCILMANIC DISTRICT: 4696
E. CENSUS TRACT: 402503
F. TAX MAP: 77
G. TAX ACCOUNT NO.: 2200023899 (LOT 1)
2200023900 (LOT 2)
2. ZONING: BR-AS
3. ZONING MAP REFERENCE: 077A2
4. FLOOR AREA RATIO: PERMITTED = 2.0
PROVIDED = 0.06 (6,532 SF / 105,133 SF)
5. EXISTING LAND USE: COMMERCIAL / AUTOMOTIVE SALES & REPAIR
PROPOSED LAND USE: CONVENIENCE STORE AND CARRY OUT
RESTAURANT WITH GASOLINE
ROLLOVER CAR WASH
6. SETBACKS: (TO PROPERTY LINE)
REQUIRED PROVIDED
FRONT 50' 194.8' ±
SIDE 30' 80.1' ±
REAR 30' 146.4' ±
CAR WASH 50' 50.8' ±
CANOPY 15' 41.1' ±
FUEL PUMPS 25' 50.7' ±
7. LANDSCAPE TRANSITION AREAS (LTAs) REQUIRED PROVIDED (MIN)
ALONG OFFUTT ROAD (PUBLIC) 10' 10'
ALONG LIBERTY ROAD (PUBLIC) 10' 45'
ALONG REAR YARD (BR ZONE) 15' 42.2'
ALONG SIDE YARD (BL & RO ZONE) 6' 10.9'
ALONG SIDE YARD (DR 3.5 ZONE) 15' 15.9'
8. HEIGHT REQUIREMENTS: NOT TO EXCEED 40'
PROPOSED BUILDING HEIGHT: C-STORY = 30' FROM EXTERIOR FINISHED
GRADE TO TOP OF ROOF GABLE
35' FROM EXTERIOR FINISHED GRADE
TO TOP OF CUPOLA
CANOPY = 21'
CARWASH = 17'
9. THIS SITE IS SERVICED BY PUBLIC WATER AND SEWER.
10. SCREENING AND LANDSCAPING SHALL COMPLY WITH THE BALTIMORE COUNTY LANDSCAPE
MANUAL.
11. THE SITE IS NOT LOCATED IN A 100 YEAR FLOODPLAIN.
12. THE SITE IS NOT LOCATED IN ANY FAILED BASIC SERVICES AREAS.
13. THERE ARE NO KNOWN EXISTING WELLS OR SEPTIC FIELDS ON THE PROPERTY.
14. ANY FIXTURE USED TO ILLUMINATE AN OFF-STREET PARKING AREA SHALL BE ARRANGED AS TO
REFLECT THE LIGHT AWAY FROM ADJACENT RESIDENTIAL SITE AND PUBLIC STREETS.
15. A REST ROOM FACILITY, WATER AND COMPRESSED AIR SHALL BE PROVIDED FOR CUSTOMERS.
16. SIGNAGE ON THIS SITE SHALL CONFORM WITH THE SIGNAGE REQUIREMENTS OF THE BALTIMORE
COUNTY ZONING REGULATIONS SECTION, 450.
17. THERE ARE NO ABANDONED FUEL SERVICE STATIONS WITHIN ONE MILE OF THE SITE (SECTION
405.3, BC2R)
18. STACKING FOR CAR WASH SHALL COMPLY WITH SECTION 419, BC2R.
STACKING REQUIRED = 9
STACKING PROVIDED = 9
REASON FOR SPECIAL EXCEPTION AND VARIANCE
1. SPECIAL EXCEPTION TO ALLOW A FUEL SERVICE STATION ON AN INDIVIDUAL SITE AND A
CONVENIENCE STORE HAVING A SALES AREA LARGER THAN 1,500 SQUARE FEET, CARRY-OUT
RESTAURANT, AND ROLL-OVER CAR WASH AS USES IN COMBINATION, PURSUANT TO BC2R
SECTIONS 405.2.B.1, 405.4.E.1, 405.4.E.2, AND 405.4.E.10.
2. VARIANCE FROM BC2R 419.4.B.1 TO ALLOW A CAR WASH TUNNEL ENTRANCE TO FACE AN
ADJACENT RESIDENTIALLY ZONED PROPERTY.
3. VARIANCE FROM BC2R SECTION 405.4.A.3.c(2) TO ALLOW 10 STACKING SPACES IN LIEU OF THE
REQUIRED 20 STACKING SPACES.



MORRIS & RITCHIE ASSOCIATES, INC.
ENGINEERS, PLANNERS, SURVEYORS, ARCHITECTS AND LANDSCAPE ARCHITECTS

1220-C EAST JOPPA ROAD SUITE 505
TOWSON, MARYLAND 21286
(410) 821-1690
FAX (410) 821-1748

PLAN TO ACCOMPANY
SPECIAL EXCEPTION AND VARIANCE

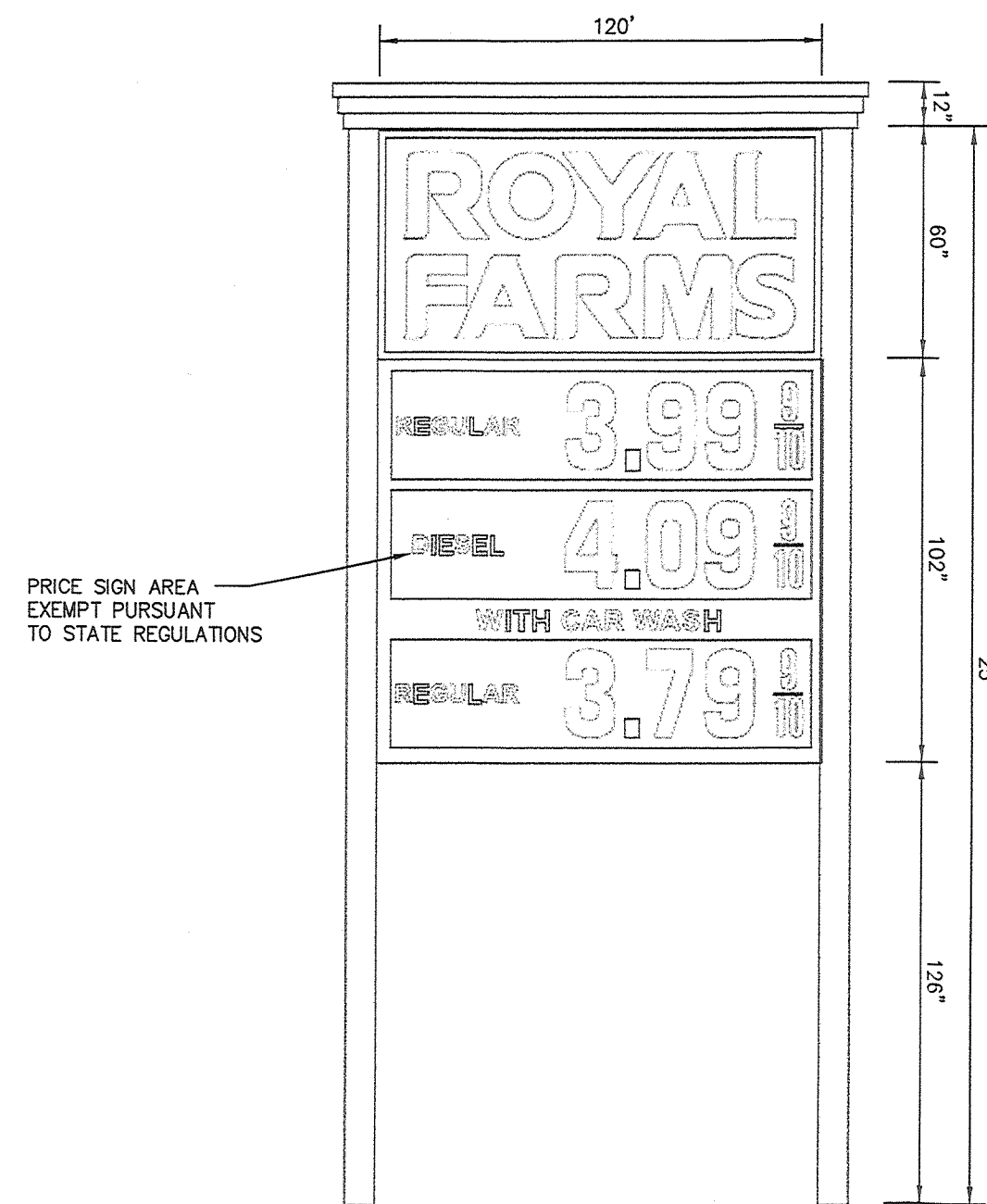
SITE PLAN
ROYAL FARMS STORE #173

9043 LIBERTY ROAD

2ND ELECTION DISTRICT BALTIMORE COUNTY, MARYLAND 4TH COUNCILMANIC DISTRICT

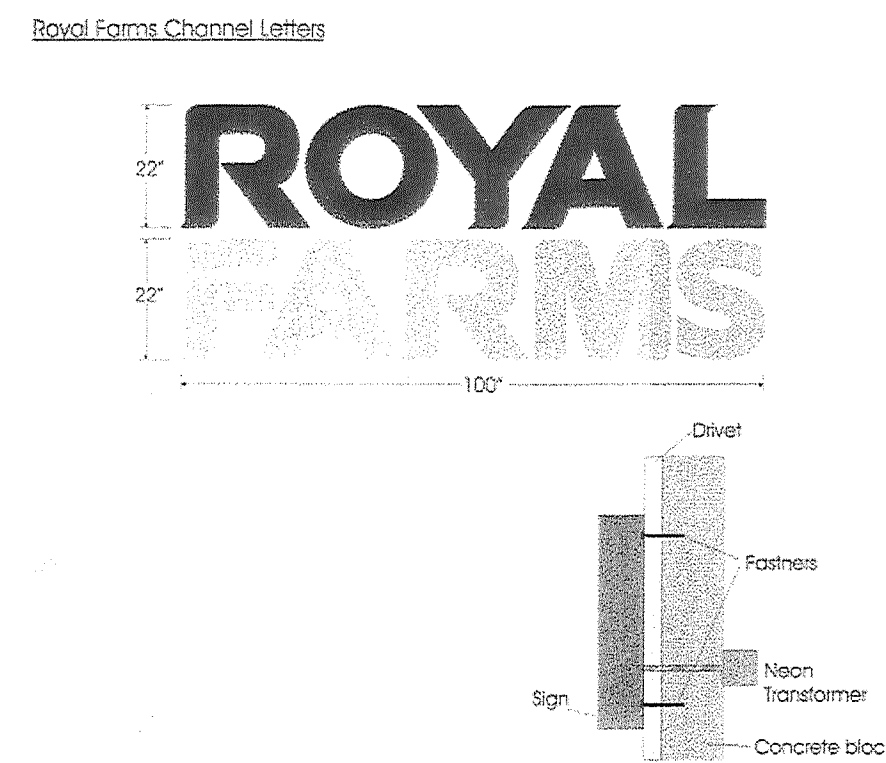
DATE	REVISIONS	JOB NO.:
		17108
		SCALE: AS SHOWN
		DATE: 11/29/2012
		DRAWN BY: T.H.S.
		DESIGN BY: T.H.S.
		REVIEW BY: M.G.C.
		SHEET: 01 OF 06

PETITIONER'S EXHIBIT



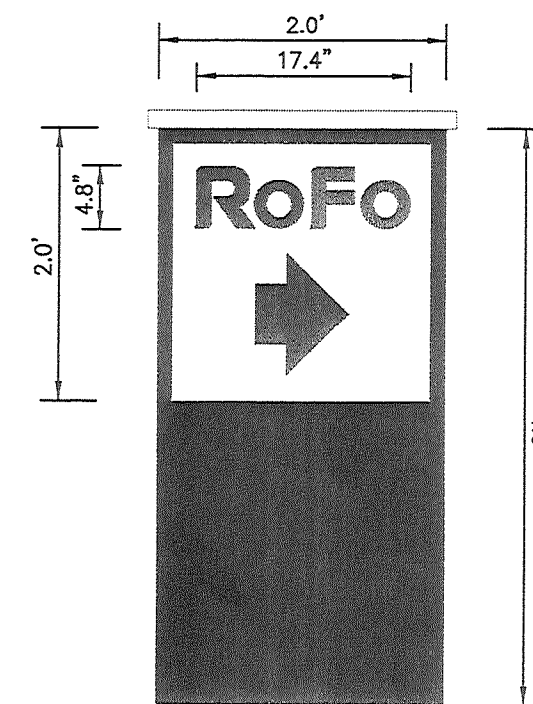
FREESTANDING ENTERPRISE SIGNAGE SUMMARY
 ONE FREESTANDING SIGN ALLOWED FOR EACH FRONTAGE ON A PUBLIC ROAD.
 100 SF/SIGN ALLOWED SINCE FRONTAGE IS MORE THAN 300' LONG.
 - ONE TWO SIDED FREESTANDING PROPOSED ALONG MCCORMICK ROAD
 SIGN AREA FOR EACH FACE OF DOUBLE
 SIDED FREESTANDING SIGN = 120' x 60' = 50-SF TOTAL

"GOAL POST" PYLON SIGN
 NOT TO SCALE



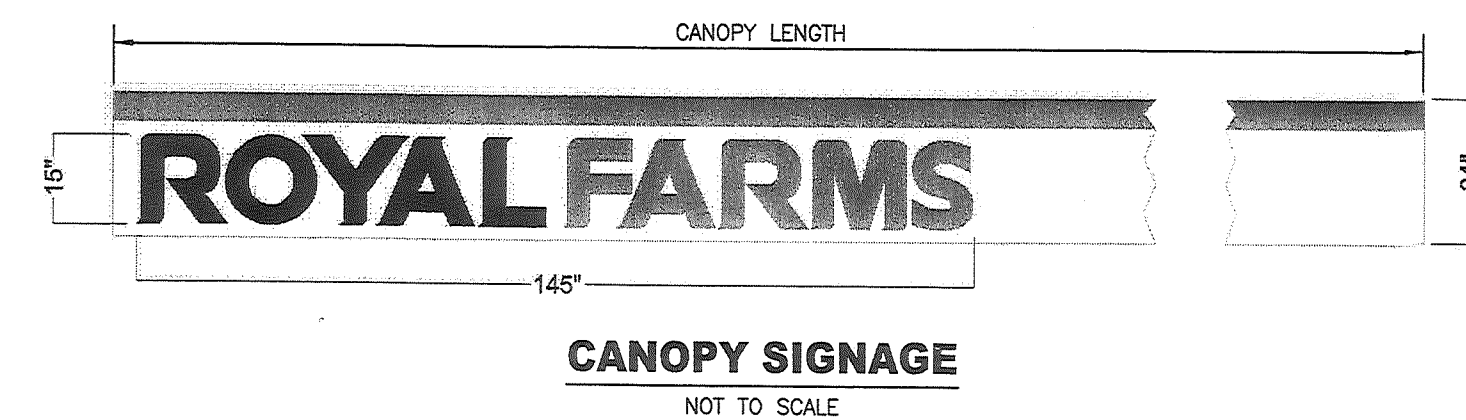
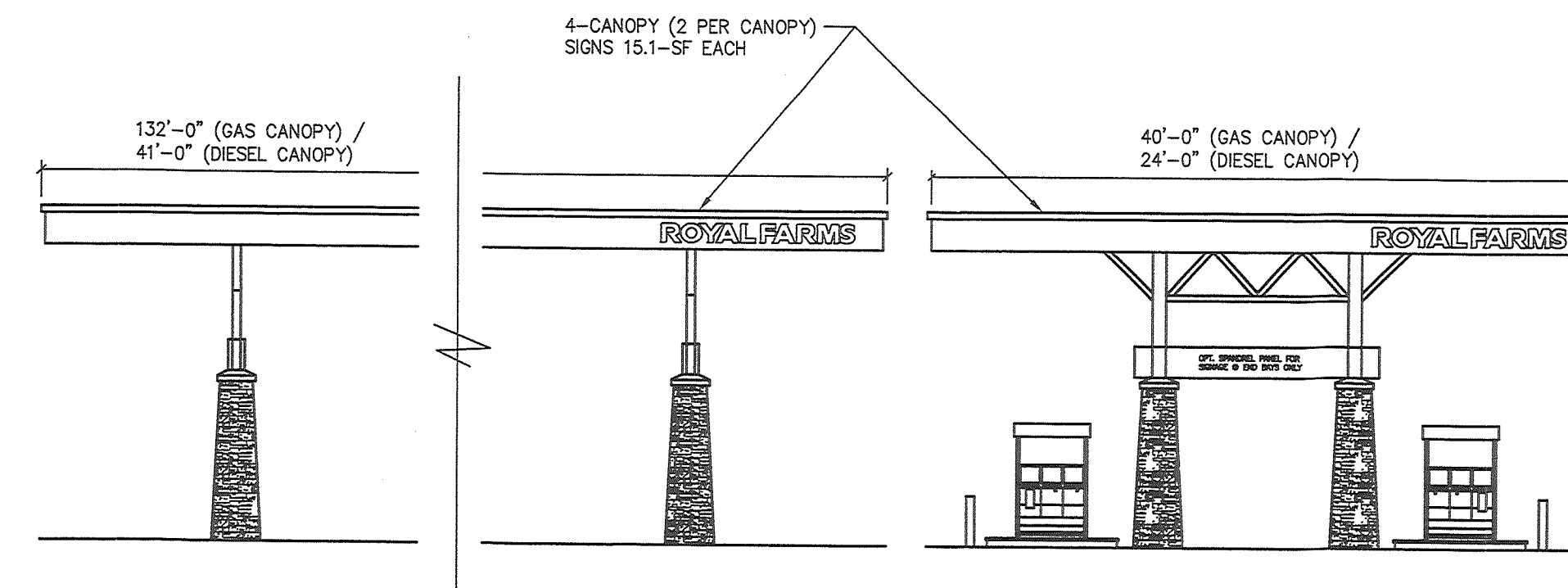
Cabinet: .040 Aluminum with acrylic faces. Illuminated with neon.
 Installation: Wall mount. Concrete screws.
 Total Sign Square Footage: 30.5'

ROYAL FARMS CHANNEL LETTERS
 NOT TO SCALE

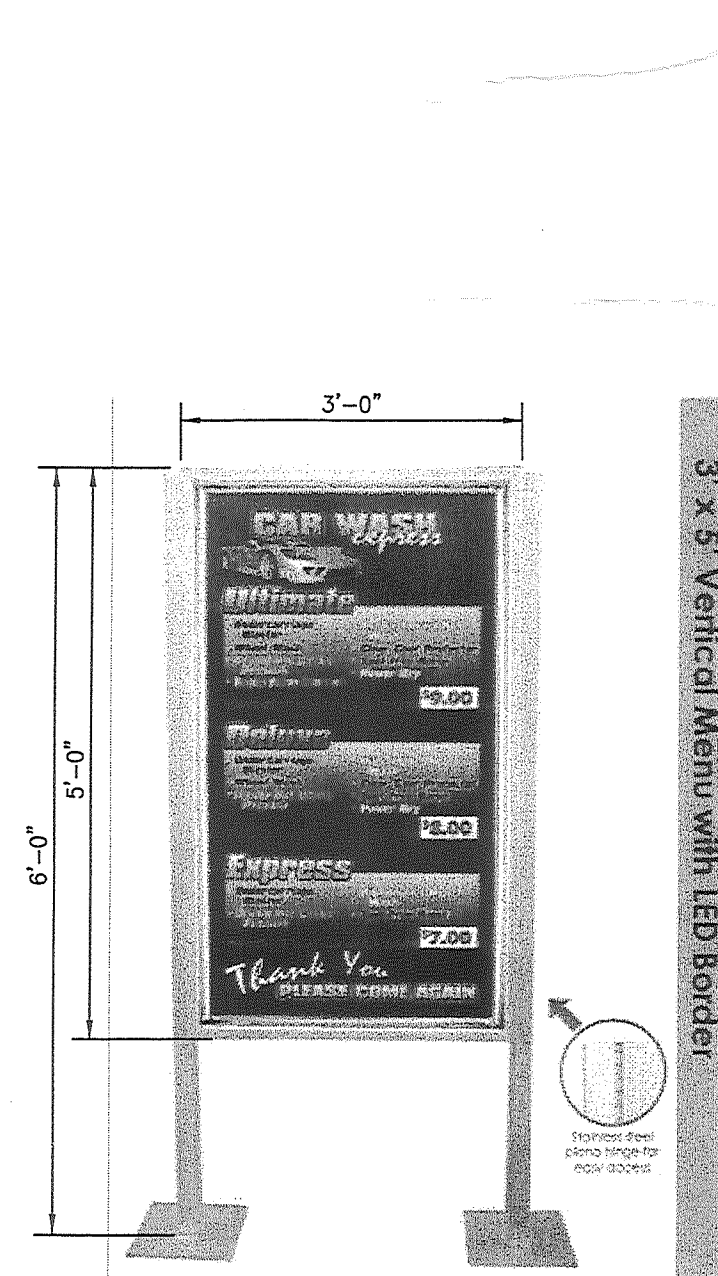


"RO FO" TEXT/LOGO IS LIMITED TO
 A MAXIMUM OF 30% OF DIRECTIONAL SIGN AREA.
 SIGN AREA = 2.0' x 2.0' = 4.0 SF
 ALLOWABLE TEXT/LOGO AREA = (4.0 SF) x (0.3) = 1.2 SF
 PROPOSED TEXT/LOGO AREA = 17.4' x 4.8' = 0.58 SF
 PROPOSED PERCENT OF SIGN AREA = 15% FOR TEXT/LOGO

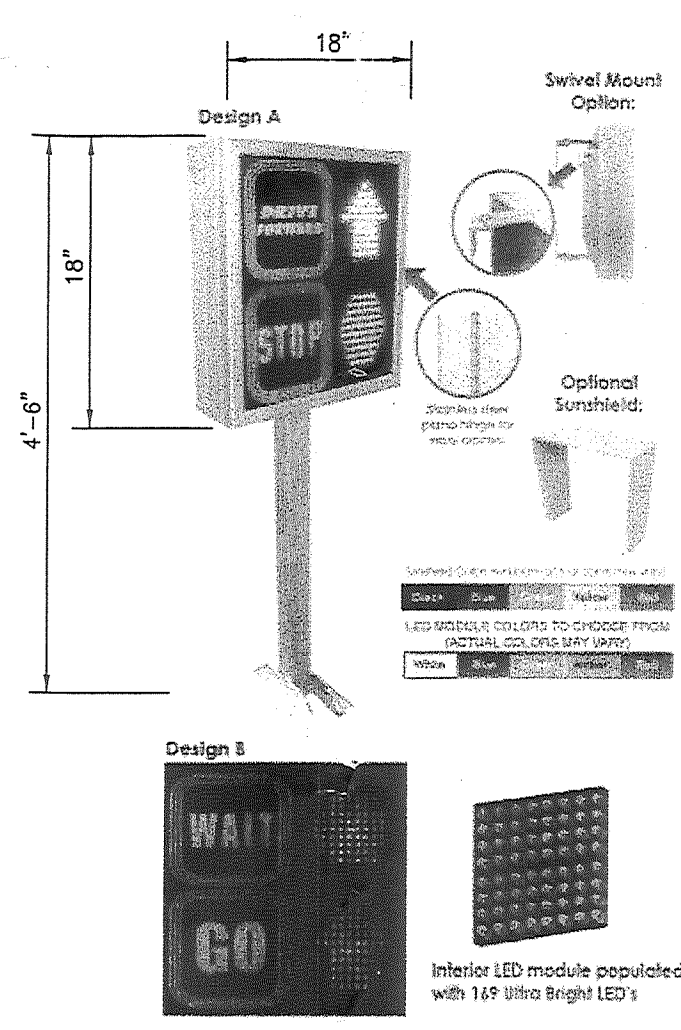
DIRECTIONAL ENTER SIGN
 NOT TO SCALE



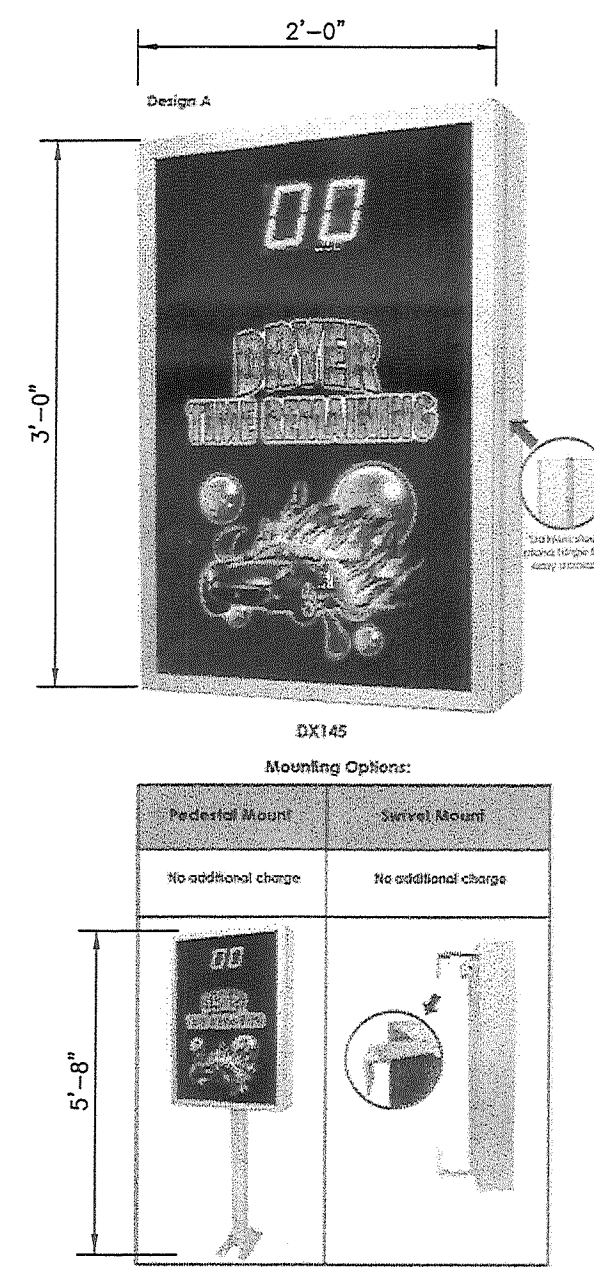
CANOPY SIGNAGE
 NOT TO SCALE



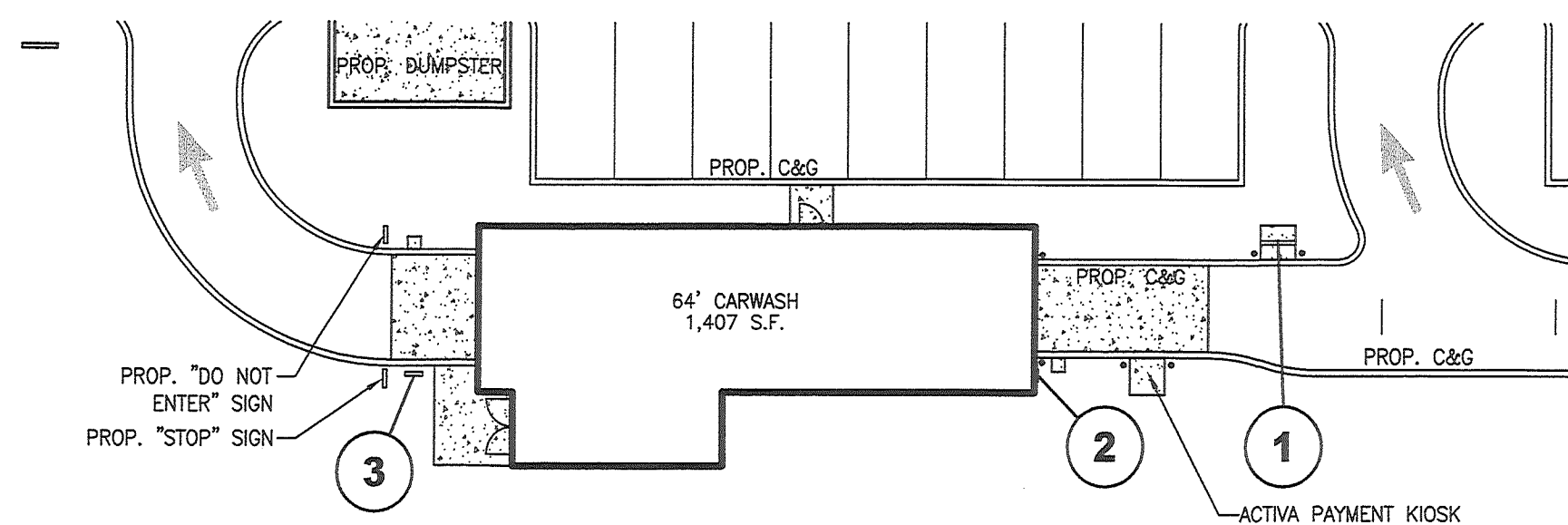
1 ORDER BOARD SIGN
 LARGE CAR WASH OPTIONS
 PRICING CHART
 NOT TO SCALE



2 DIRECTIONAL SIGN
 CAR WASH TRAFFIC
 CONTROL SIGN
 NOT TO SCALE



3 DIRECTIONAL SIGN
 DRYER TIMER SIGN
 NOT TO SCALE



CAR WASH SIGN LOCATION DETAIL
 SCALE: 1" = 20'

PROFESSIONAL CERTIFICATION

I HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED
 OR APPROVED BY ME, AND THAT I AM A DULY LICENSED
 PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF
 MARYLAND, LICENSE NO. 38291, EXPIRATION DATE: 01/13/2014

**OWNER /
 CONTRACT SELLER**

9400 LIBERTY LIMITED PARTNERSHIP
 C/O ANTWERPEN AUTOMOTIVE GROUP
 6631 BALTIMORE NATIONAL PIKE
 BALTIMORE, MARYLAND 21228

**DEVELOPER /
 CONTRACT PURCHASER**

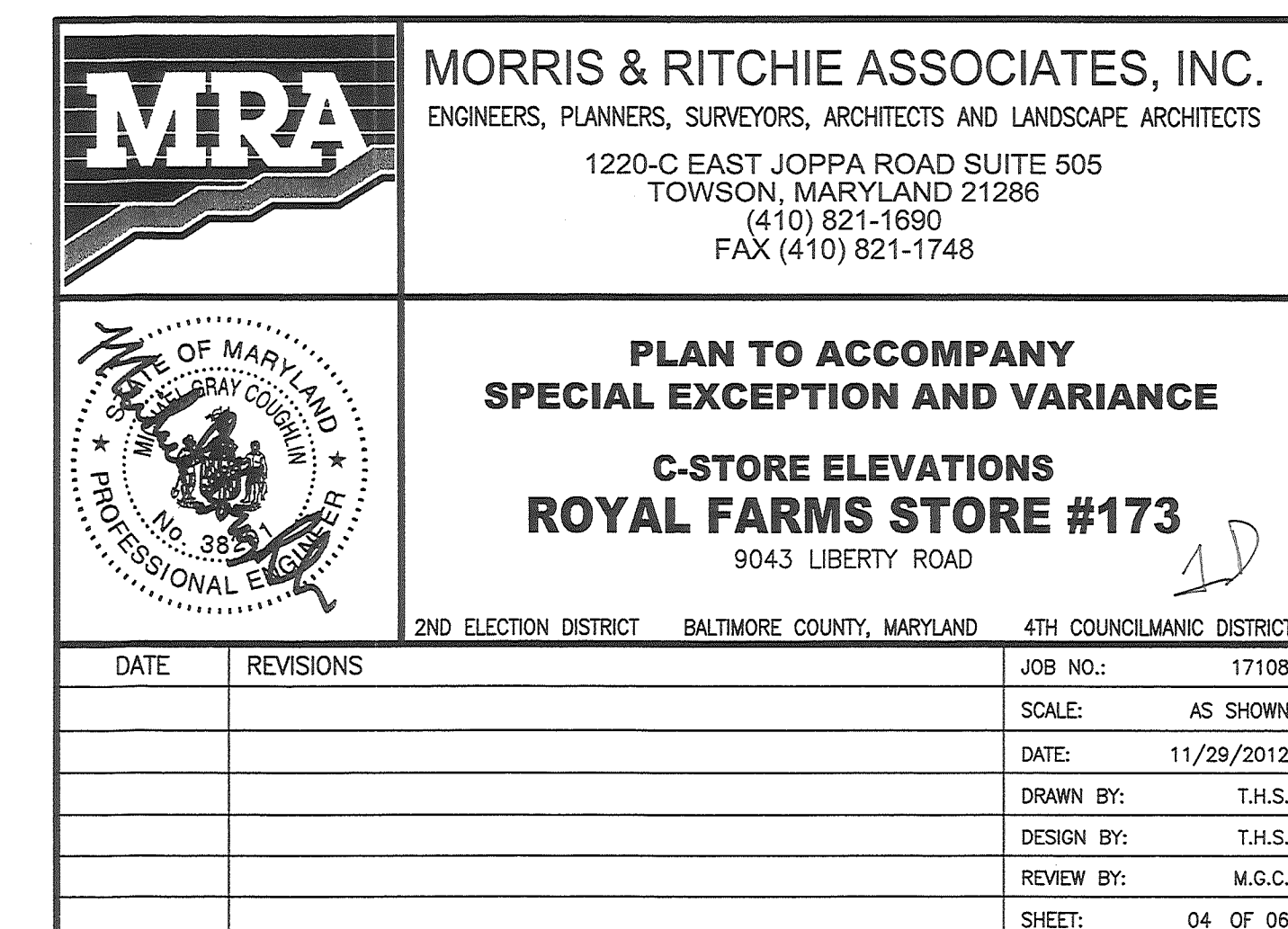
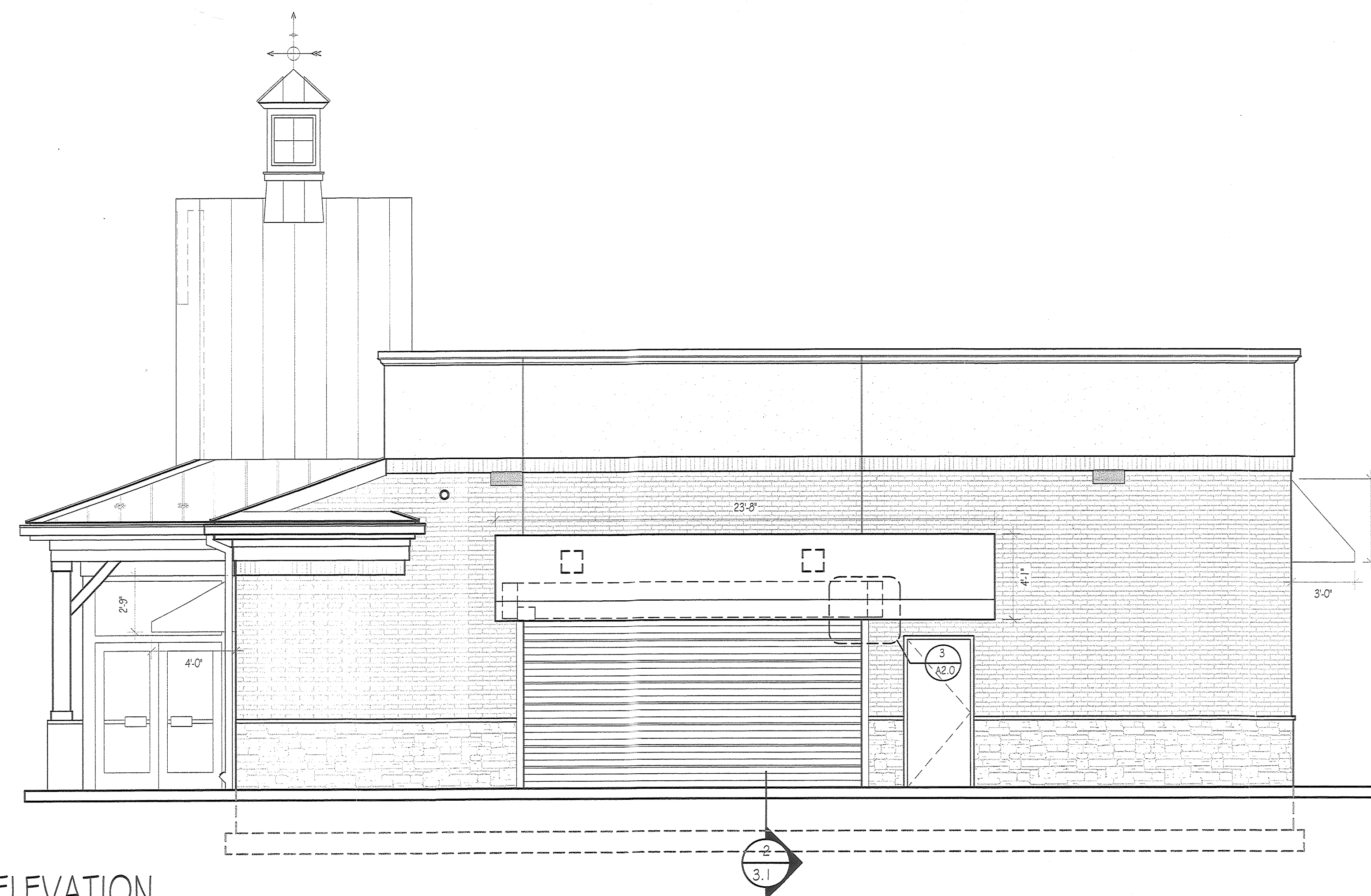
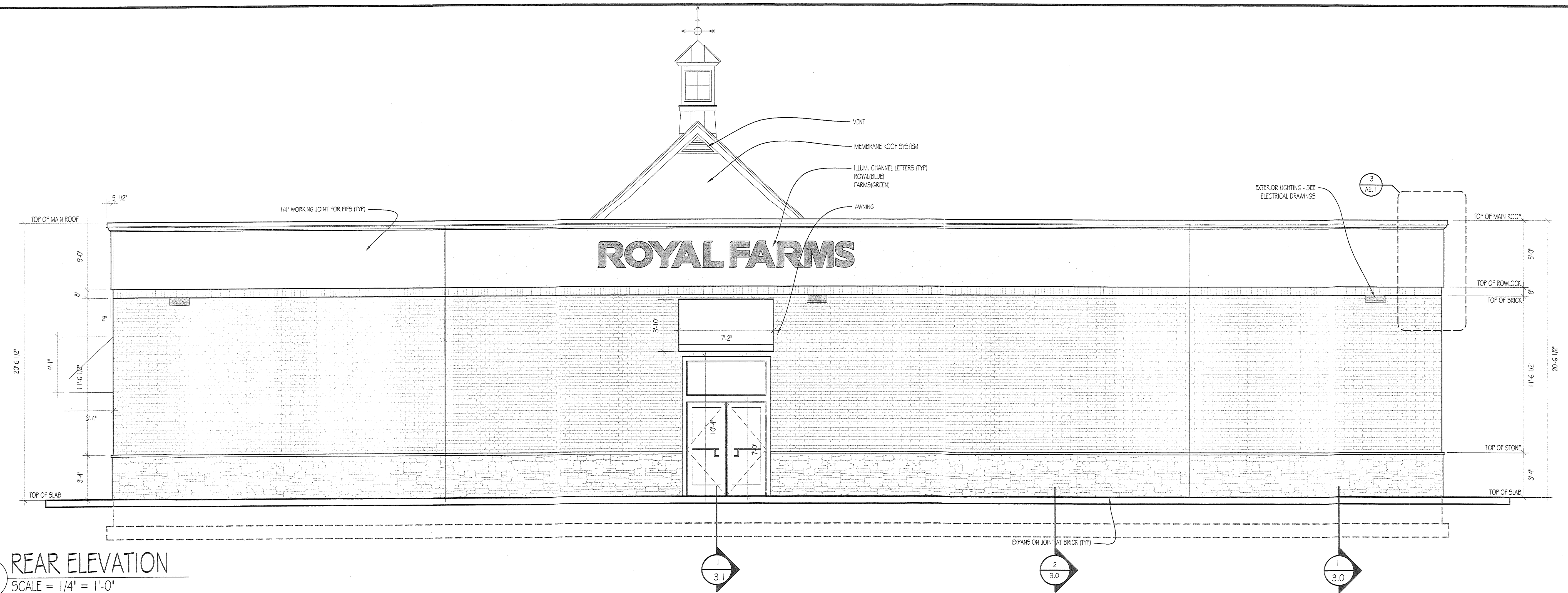
TWO FARMS, INC.
 3611 ROLAND AVENUE
 BALTIMORE, MARYLAND 21211
 ATTN: MR. JEFF BAINBRIDGE
 PHONE: (410) 494-1631

DESIGN & DRAWING BASED ON
 MARYLAND COORDINATE SYSTEM:
 HORIZONTAL NAD 83/(1991)
 VERTICAL NAVD 88

THE CORRECTNESS OR COMPLETENESS OF EXISTING INFORMATION SHOWN ON THE
 DRAWINGS IS NOT WARRANTED OR GUARANTEED. THE CONTRACTOR SHALL VERIFY THE
 LOCATION OF UTILITIES AND UNDERGROUND FACILITIES, BY TEST PITS OR OTHER
 METHODS APPROVED BY THE OWNER'S REPRESENTATIVE, AS REQUIRED TO VERIFY EXACT
 LOCATIONS AND DEPTHS WITHIN THE LIMIT OF DISTURBANCE. ALL DISCREPANCIES
 BETWEEN INFORMATION SHOWN ON THE DRAWINGS AND THAT VERIFIED IN THE FIELD
 SHALL BE REPORTED TO THE OWNER'S REPRESENTATIVE PRIOR TO BEGINNING WORK.

		MORRIS & RITCHIE ASSOCIATES, INC. ENGINEERS, PLANNERS, SURVEYORS, ARCHITECTS AND LANDSCAPE ARCHITECTS 1220-C EAST JOPPA ROAD SUITE 505 TOWSON, MARYLAND 21286 (410) 821-1690 FAX (410) 821-1748	
		PLAN TO ACCOMPANY SPECIAL EXCEPTION AND VARIANCE SIGN DETAILS ROYAL FARMS STORE #173 9043 LIBERTY ROAD 2ND ELECTION DISTRICT BALTIMORE COUNTY, MARYLAND 4TH COUNCILMANIC DISTRICT	
DATE	REVISIONS	JOB NO.:	17108
		SCALE:	AS SHOWN
		DATE:	11/29/2012
		DRAWN BY:	T.H.S.
		DESIGN BY:	T.H.S.
		REVIEW BY:	M.G.C.
		SHEET:	02 OF 06

		MORRIS & RITCHIE ASSOCIATES, INC. ENGINEERS, PLANNERS, SURVEYORS, ARCHITECTS AND LANDSCAPE ARCHITECTS 1220-C EAST JOPPA ROAD SUITE 606 TOWSON, MARYLAND 21286 (410) 821-1690 FAX (410) 821-1748	PLAN TO ACCOMPANY SPECIAL EXCEPTION AND VARIANCE C-STORE ELEVATIONS ROYAL FARM STORE #173 9043 LIBERTY ROAD BALTIMORE COUNTY, MARYLAND	2ND AND ELECTION DISTRICT BALTIMORE COUNTY, MARYLAND	DATE REVISIONS	JOB NO.: 17108 SCALE: AS SHOWN DATE: 11/29/2012 DRAWN BY: T.H.S. DESIGN BY: T.H.S. REVIEW BY: M.G.C. SHEET: 03 OF 08
---	---	--	---	---	------------------------------	---



ACM BUMPER COLOR _____
FINISH _____
CONFIRM _____
MFG. _____
PART/COLOR # _____
SIGN _____
DATE _____

PASSIVE RIDGE VENT

8MM OPAL POLYCARBONATE ROOF GLAZING

8MM OPAL POLYCARBONATE EQUIPMENT ROOM SIDE WALL ONLY

RIDGE VENT COLOR RAL # _____
CONFIRM _____
MFG. _____
PART/COLOR # _____
SIGN _____
DATE _____

15'-6 7/8"

11'-6 1/4"

8'-11 1/8"

4'-0"

24'-0"

64'-2"

G-1

A

B

C S4.1

D S4.1

E

F

1'-6"
REFERENCE

ALL BUILDING FRAMING
COMPONENTS POST/TRUSSES
GLAZING COVERS EXT.
COLOR RAL # _____
CONFIRM _____
MFG. _____
PART/COLOR # _____
SIGN _____
DATE _____

DATE _____

PASSIVE RIDGE VENT

8MM BRONZE POLYCARBONATE ROOF GLAZING

A

C

C
S4.1

CLEAR ANODIZED DOOR FRAME WITH OPAQUE PANEL

G-3

G-5

G-4

G-1

G-1

G-1

G-1

G-1

G-1

G-1

G-1

G-1

G-1

G-1

G-1

G-1

G-1

G-1

G-1

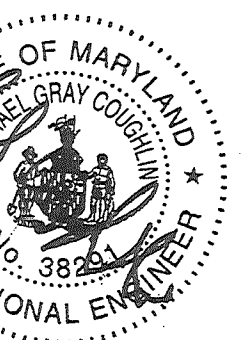
11'-6"

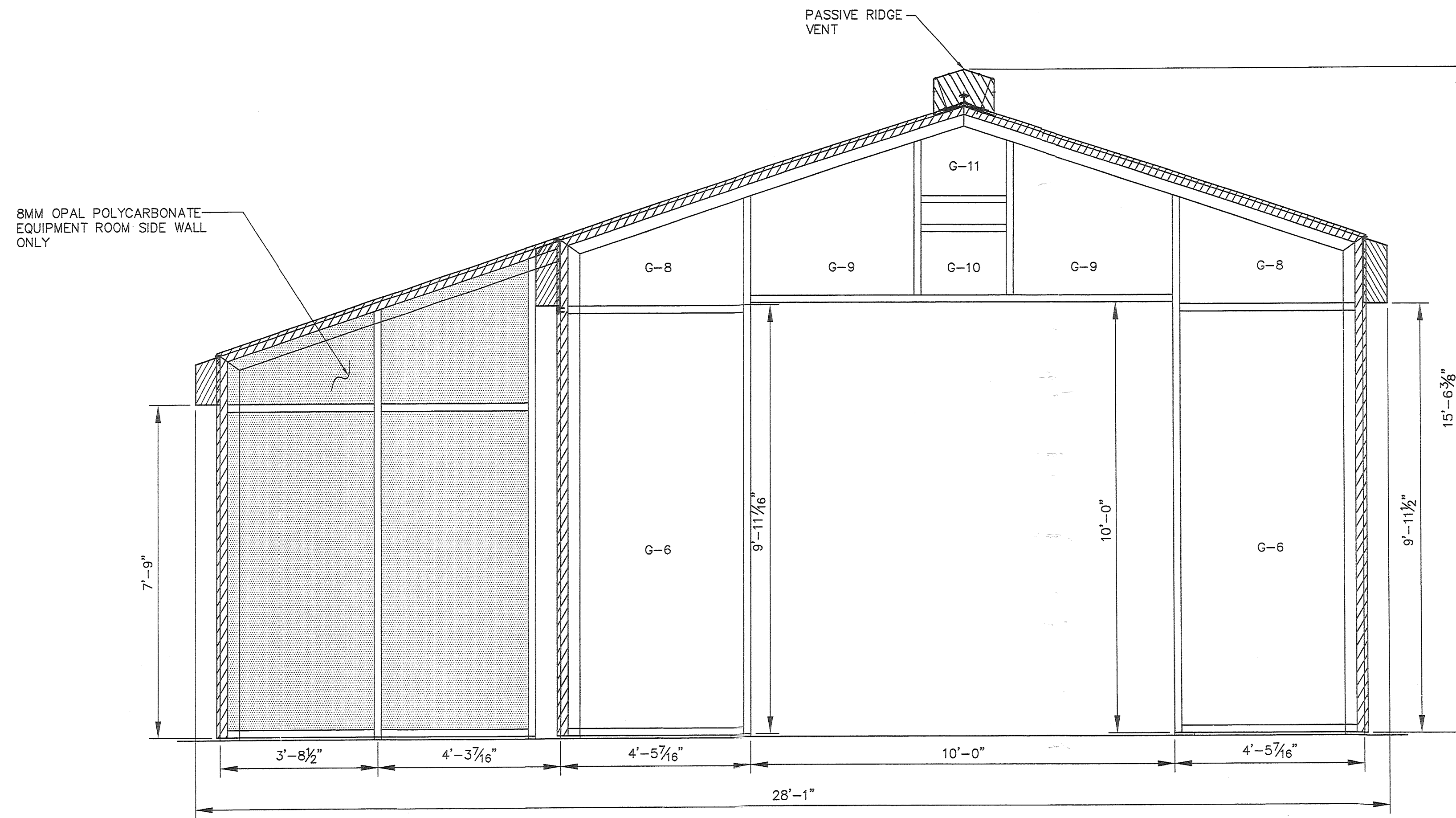
15'-6 3/8"

64'-0"

64'-2"

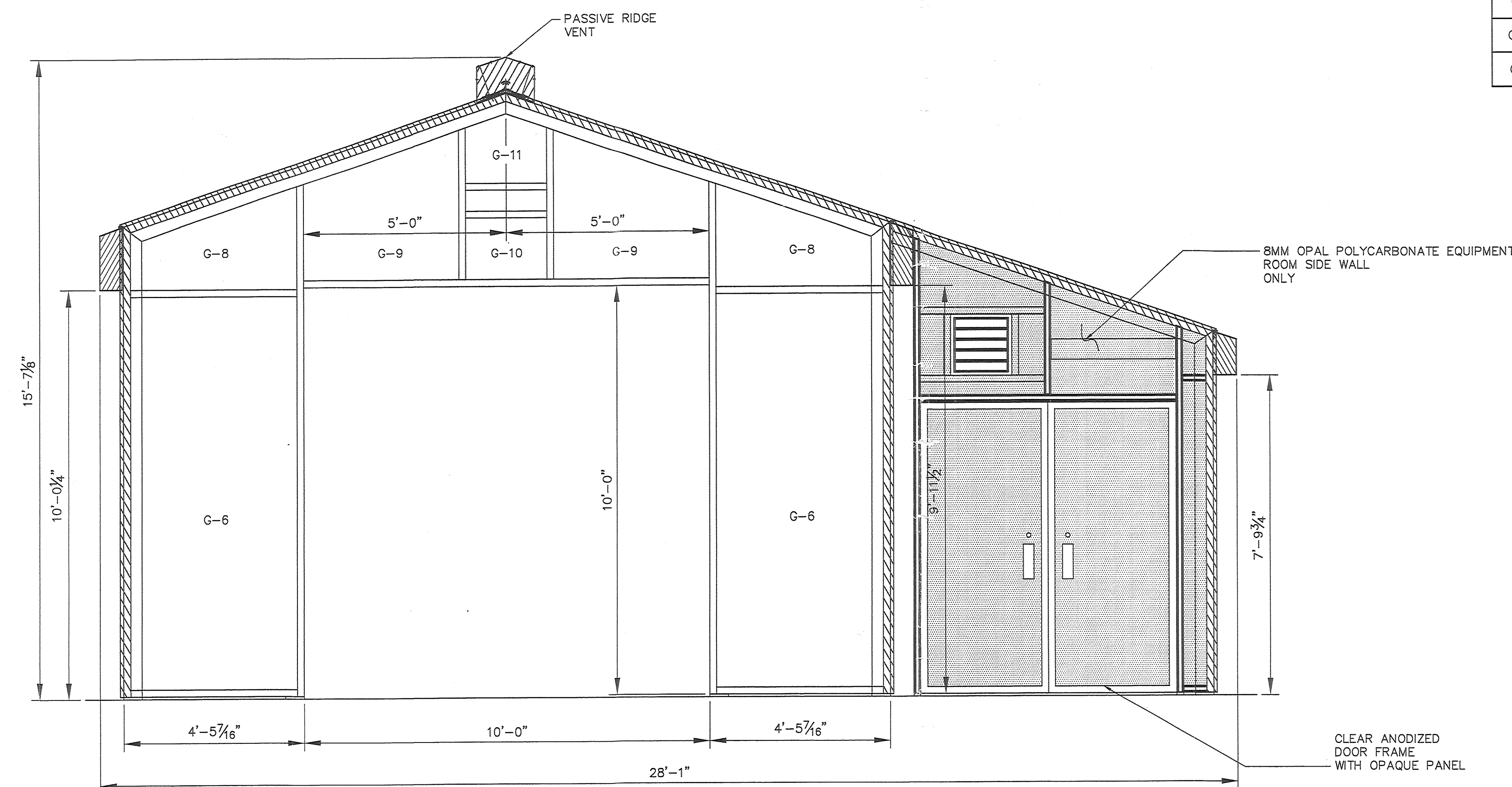
Diagram of a trapezoidal roof section. The vertical height is dimensioned as $10\frac{1}{2}"$ and labeled "REFERENCE".

	MORRIS & RITCHIE ASSOCIATES, INC. ENGINEERS, PLANNERS, SURVEYORS, ARCHITECTS AND LANDSCAPE ARCHITECTS 1220-C EAST JOPPA ROAD SUITE 505 TOWSON, MARYLAND 21286 (410) 821-1690 FAX (410) 821-1748
	PLAN TO ACCOMPANY SPECIAL EXCEPTION AND VARIANCE CAR WASH ELEVATIONS ROYAL FARMS STORE #173 9043 LIBERTY ROAD
2ND ELECTION DISTRICT BALTIMORE COUNTY, MARYLAND 4TH COUNCILMANIC DISTRICT	
DATE	JOB NO.: 17108
REVISIONS	SCALE: AS SHOWN
	DATE: 11/29/2012
	DRAWN BY: T.H.S.
	DESIGN BY: T.H.S.
	REVIEW BY: M.G.C.
	SHEET: 05 OF 06

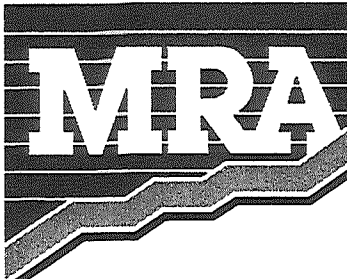
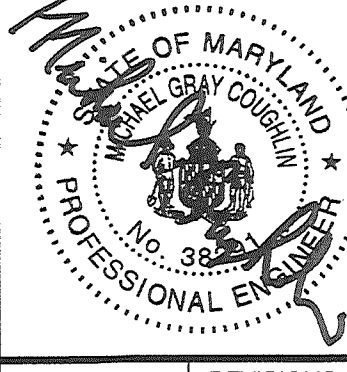


A ENTRY ELEVATION
S4.2 SCALE: 1/2" = 1'-0"

GLASS SCHEDULE			
TAG	DESCRIPTION	LENGTH	NUMBER OF PCS.
G-6	1/4" TEMPERED GLASS	50 7/8" X 116 7/16"	4 PIECES
G-8	1/4" TEMPERED GLASS	50 7/8" X H1 31 1/2" X H2 18 1/8"	4 PIECES
G-9	1/4" TEMPERED GLASS	47 1/4" X H1 48 9/16" X H2 32 1 3/16"	4 PIECES
G-10	1/4" TEMPERED GLASS	25 1/4" X 19 1/4"	2 PIECES
G-11	1/4" TEMPERED GLASS	25 1/4" X H1 20 1 1/16" X H2 24 7/8" X H3 20 1 1/16"	2 PIECES



B EXIT ELEVATION
S4.2 SCALE: 1/2" = 1'-0"

	MORRIS & RITCHIE ASSOCIATES, INC. ENGINEERS, PLANNERS, SURVEYORS, ARCHITECTS AND LANDSCAPE ARCHITECTS 1220-C EAST JOPPA ROAD SUITE 505 TOWSON, MARYLAND 21286 (410) 821-1690 FAX (410) 821-1748		
	PLAN TO ACCOMPANY SPECIAL EXCEPTION AND VARIANCE CAR WASH ELEVATIONS ROYAL FARMS STORE #173 9043 LIBERTY ROAD 2ND ELECTION DISTRICT BALTIMORE COUNTY, MARYLAND 4TH COUNCILMANIC DISTRICT		
	DATE REVISIONS		JOB NO.: 17108 SCALE: AS SHOWN DATE: 11/29/2012 DRAWN BY: T.H.S. DESIGN BY: T.H.S. REVIEW BY: M.G.C. SHEET: 06 OF 06



PETITIONER'S EXHIBIT 4A

ROYAL FARMS

G & K-Type Store with Car Wash Rendered Perspective
May 09, 2012

* FOR ILLUSTRATIVE
PURPOSES ONLY

RATCLIFFE
ARCHITECTS

10404 Stevenson Road Stevenson, Maryland 21153
Phone: 410-484-7010 Fax: 410-484-3819 peter@ratcliffearchitects.com

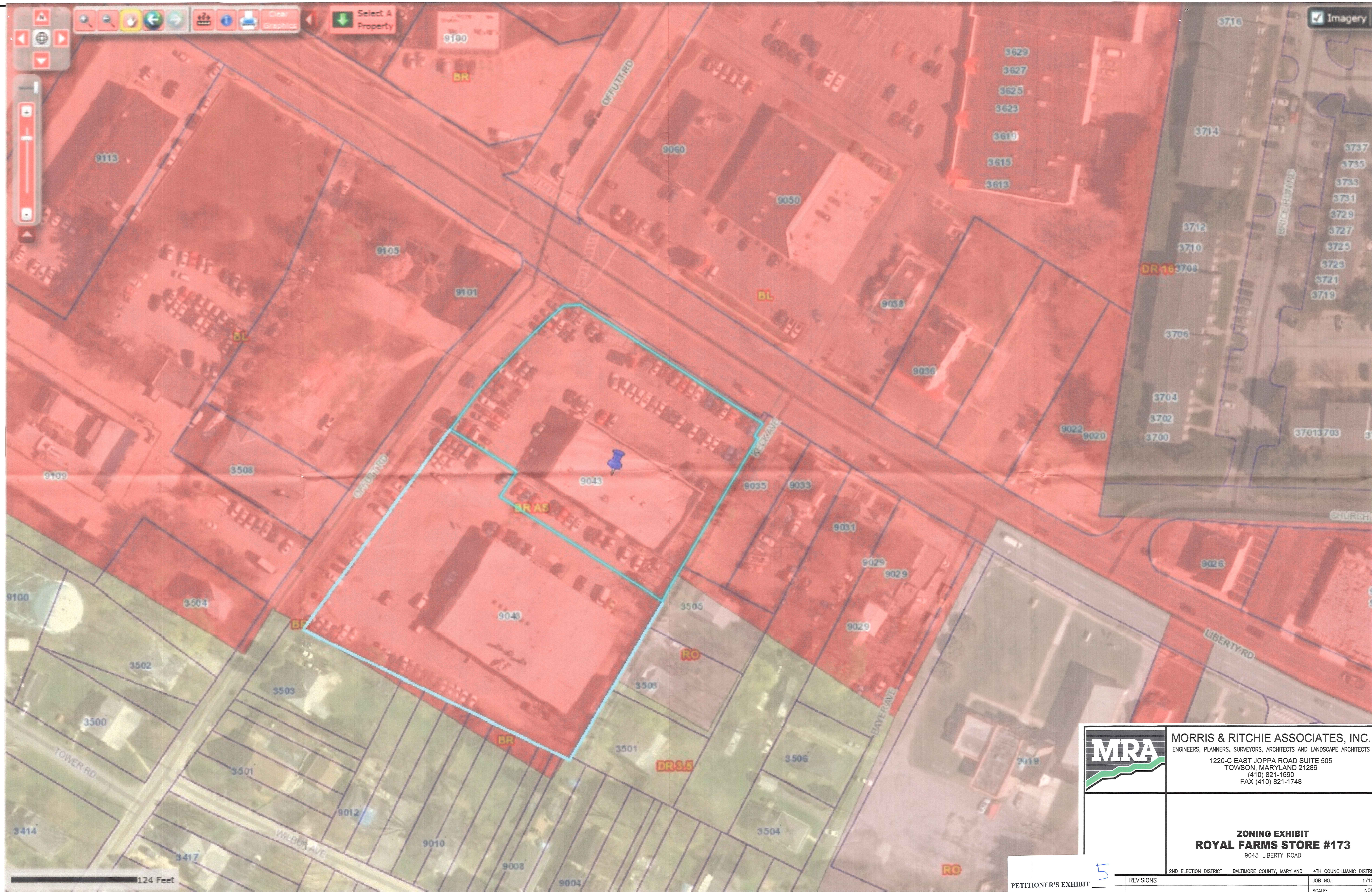


ROYAL FARMS

G & K-Type Store Rendered Perspective 2
May 09, 2012

RATCLIFFE ^{4B}
ARCHITECTS

10404 Stevenson Road Stevenson, Maryland 21153
Phone: 410-484-7010 Fax: 410-484-3819 peter@ratcliffearchitects.com



MORRIS & RITCHIE ASSOCIATES, INC.
ENGINEERS, PLANNERS, SURVEYORS, ARCHITECTS AND LANDSCAPE ARCHITECTS
1220-C EAST JOPPA ROAD SUITE 505
TOWSON, MARYLAND 21286
(410) 821-1690
FAX (410) 821-1748

ZONING EXHIBIT
ROYAL FARMS STORE #173
9043 LIBERTY ROAD

2ND ELECTION DISTRICT BALTIMORE COUNTY, MARYLAND 4TH COUNCILMANIC DISTRICT

PETITIONER'S EXHIBIT

REVISIONS	JOB NO.: 17108
	SCALE: NONE
	DATE: 11/29/2012
	DRAWN BY: T.H.S.
	DESIGN BY: T.H.S.
	REVIEW BY: M.G.C.
	SHEET: 01 OF 01



PLAN
SCALE: 1" = 30'

LEGEND

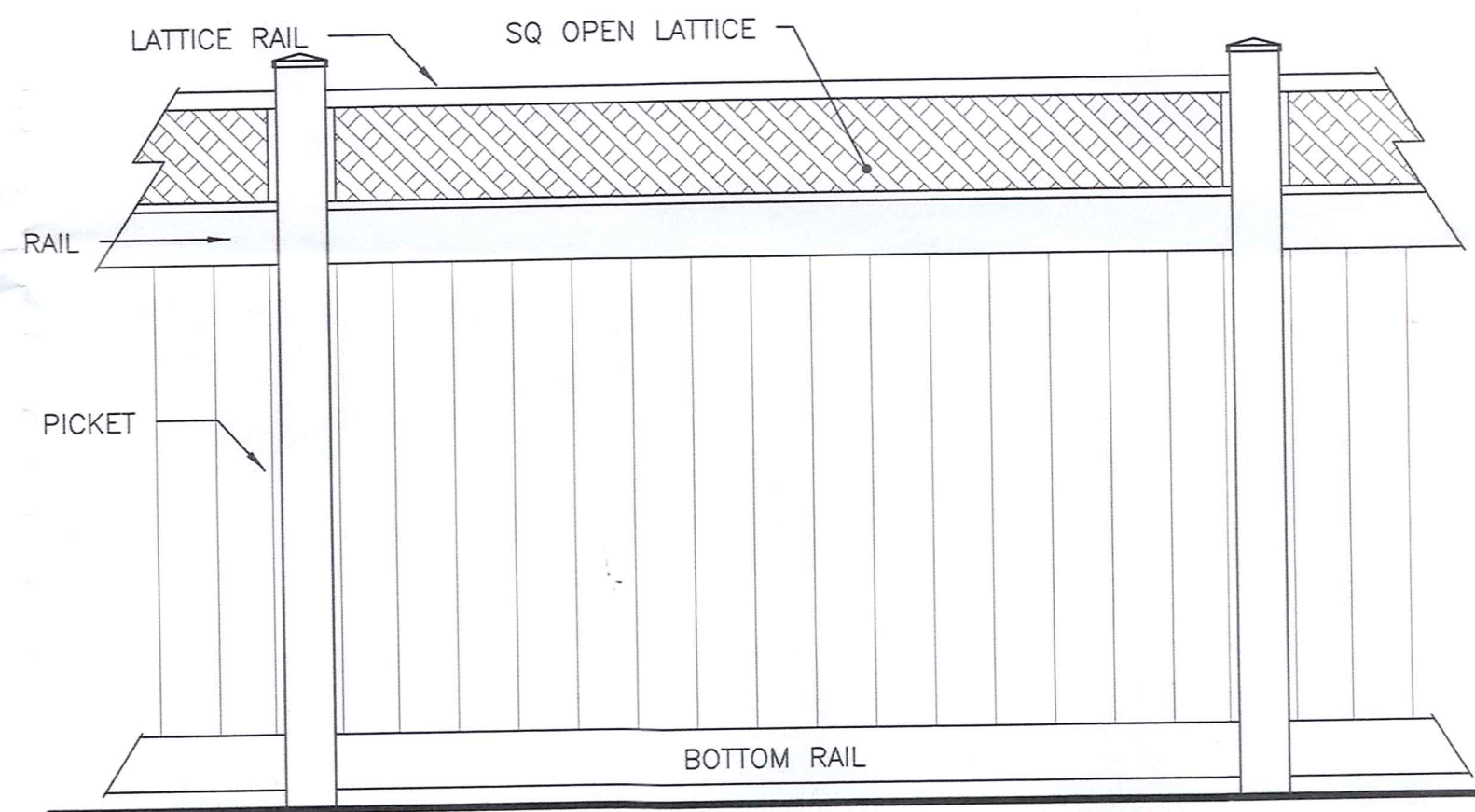
- EX. PROPERTY LINE
- EX. ADJACENT PROPERTY LINE
- EX. RIGHT OF WAY LINE
- EX. BUILDING
- PROP. BUILDING
- EX. CONCRETE
- PROP. CONCRETE
- PROP. STAMPCRETE
- PROP. PAVEMENT
- EX. CURB
- PROP. CURB
- EX. WOODS LINE
- EX. SANITARY SEWER
- EX. STORM DRAIN
- EX. WATER
- EX. UNDERGROUND LINE
- EX. OVERHEAD LINE
- EX. LIGHT POLE
- EX. UTILITY POLE
- EX. GAS
- PROP. MAJOR DECIDUOUS TREE
- PROP. EVERGREEN TREE
- PROPOSED SHRUB
- PROPOSED PRIVACY FENCE

LANDSCAPE CALCULATIONS:
REQUIRED LANDSCAPING:

NO. DESCRIPTION	RATE	QUANTITY	PLANTING UNITS (PU)
1. AUTOMOTIVE USES			
ADJACENT TO PUBLIC ROAD	1 PU/15 LF	615 LF	41.0 PU
ADJACENT TO RESIDENTIAL	1 PU/10 LF	500 LF	50.0 PU
CREDIT FOR PROP. PRIVACY FENCE	1 PU/10 LF	480 LF	-48.0 PU
ADJACENT TO COMMERCIAL	1 PU/10 LF	170 LF	17.0 PU
TOTAL REQUIRED LANDSCAPING			60.0 PU

PROPOSED LANDSCAPING:

NO. DESCRIPTION	RATE	QUANTITY	PLANTING UNITS (PU)
1. MAJOR TREES	1 PU/TREE	18	18 PU
2. MINOR TREES	1 PU/2 TREES	0	0 PU
3. EVERGREEN TREES	1 PU/2 TREES	34	17 PU
4. SHRUBS	1 PU/5 SHRUBS	199	39.8 PU
5. PRIVACY FENCE	-	480 LF	-
TOTAL PROPOSED LANDSCAPING			74.8 PU



FENCE NOTES:

- 6" TALL WHITE VINYL PRIVACY FENCE.
- 8" PANEL SECTIONS MEASURED FROM CENTER OF POST TO CENTER OF POST.
- USE LONG FENCE HILLSIDE W/LATTICE MODEL OR APPROVED EQUAL.
- FOLLOW ALL MANUFACTURER'S SPECIFICATIONS FOR PROPER POST INSTALLATION.
- PROVIDE SHOP DRAWINGS FOR APPROVAL BY OWNER AND LANDSCAPE ARCHITECT PRIOR TO INSTALLATION.

PRIVACY FENCE SECTION ELEVATION

NOT TO SCALE

PROFESSIONAL CERTIFICATION

I HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME, AND THAT I AM A DULY LICENSED PROFESSIONAL LANDSCAPE ARCHITECT UNDER THE LAWS OF THE STATE OF MARYLAND, LICENSE NO. 38291, EXPIRATION DATE: 08/20/2014

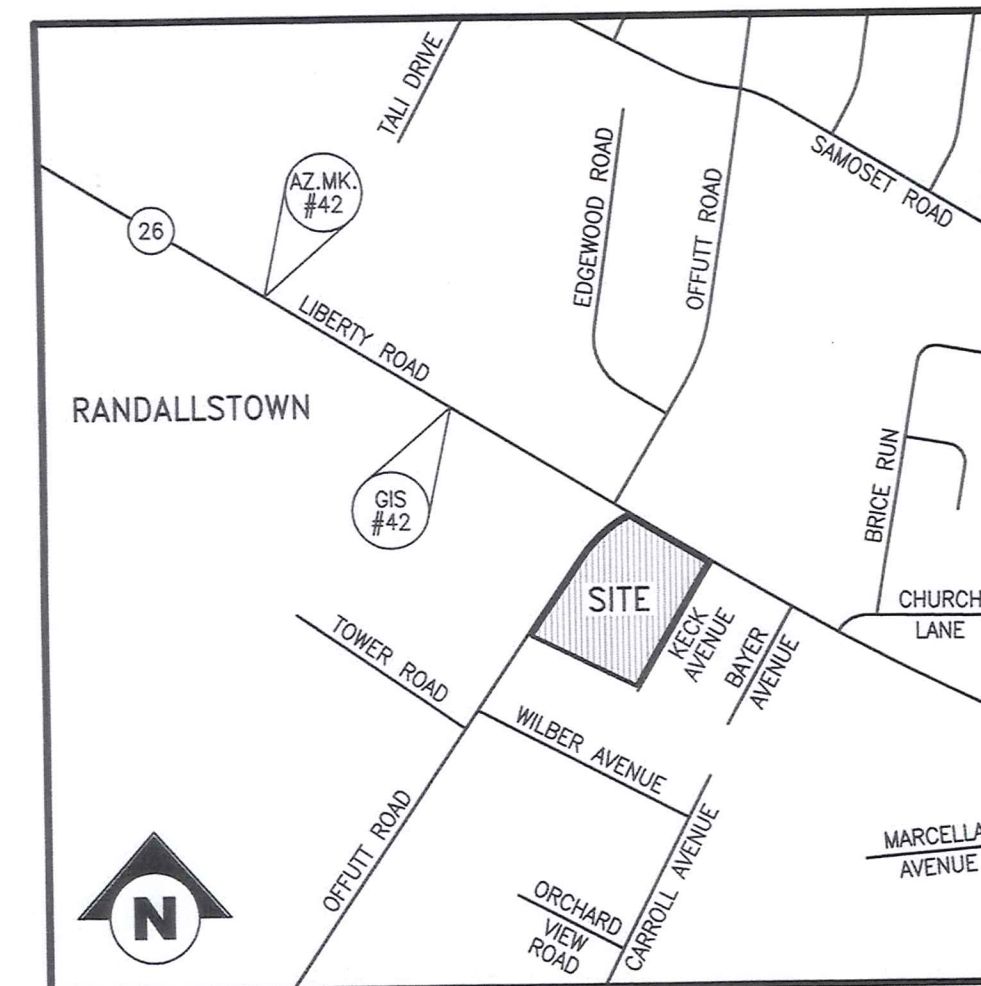
OWNER /
CONTRACT SELLER

9400 LIBERTY LIMITED PARTNERSHIP
C/O ANTHEMWAY AUTOMOTIVE GROUP
6631 BALTIMORE NATIONAL PIKE
BALTIMORE, MARYLAND 21228

DEVELOPER /
CONTRACT PURCHASER

TWO FARMS, INC.
3611 ROLAND AVENUE
BALTIMORE, MARYLAND 21211
ATTN: MR. JEFF BAINBRIDGE
PHONE: (410) 494-1631

DESIGN & DRAWING BASED ON
MARYLAND COORDINATE SYSTEM:
HORIZONTAL NAD 83/(1991)
VERTICAL NAVD 88



VICINITY MAP

SCALE: 1" = 500'

BENCHMARKS

AZ.MK. #42
ELEV. 586.73
DESCRIPTION: MONUMENT LOCATED 11.95' WEST OF SEWER
MANHOLE NORTH OF STAR CAR WASH LOCATED ON LIBERTY ROAD.
OS #42
ELEV. 591.33
DESCRIPTION: MONUMENT LOCATED 52' NORTHWEST OFF THE
NORTHWEST CORNER OF THE BALTIMORE COUNTY POLICE
SUB-STATION AT THE SOUTHWEST CORNER OF LIBERTY ROAD AND
OFFUTT ROAD.

PETITIONER'S EXHIBIT



MORRIS & RITCHIE ASSOCIATES, INC.
ENGINEERS, PLANNERS, SURVEYORS AND LANDSCAPE ARCHITECTS

1220-C EAST JOPPA ROAD, SUITE 505
TOWSON, MARYLAND 21286
(410) 821-1690
FAX (410) 821-1748

SCHEMATIC LANDSCAPE PLAN

ROYAL FARMS STORE #173

9043 LIBERTY ROAD
2ND ELECTION DISTRICT
4TH COUNCILMANIC DISTRICT
BALTIMORE COUNTY, MARYLAND

DATE	REVISIONS	JOB NO.: 17108
		SCALE: 1" = 30'
		DATE: 01/21/2013
		DRAWN BY: M.A.B.
		DESIGN BY: M.A.B.
		REVIEW BY: M.G.C.
		SHEET: 01 OF 01

THE CORRECTNESS OR COMPLETENESS OF EXISTING INFORMATION SHOWN ON THE DRAWINGS IS NOT WARRANTED OR GUARANTEED. THE CONTRACTOR SHALL VERIFY THE LOCATION OF UTILITIES AND UNDERGROUND FACILITIES, BY TEST PITS OR OTHER METHODS APPROVED BY THE OWNER'S REPRESENTATIVE, AS REQUIRED TO VERIFY EXACT LOCATIONS AND DEPTHS WITHIN THE LIMIT OF DISTURBANCE. ALL DISCREPANCIES BETWEEN INFORMATION SHOWN ON THE DRAWINGS AND THAT VERIFIED IN THE FIELD SHALL BE REPORTED TO THE OWNER'S REPRESENTATIVE PRIOR TO BEGINNING WORK.



PLAN
SCALE: 1" = 30'

LEGEND

- EX. PROPERTY LINE
- EX. ADJACENT PROPERTY LINE
- EX. RIGHT OF WAY LINE
- EX. BUILDING
- EX. CONCRETE
- EX. STAMP CONCRETE
- EX. PAVEMENT
- EX. CURB
- EX. C&G
- EX. WOODS LINE
- EX. SANITARY SEWER
- EX. STORM DRAIN
- EX. WATER
- EX. UNDERGROUND LINE
- EX. OVERHEAD LINE
- EX. LIGHT POLE
- EX. UTILITY POLE
- EX. GAS

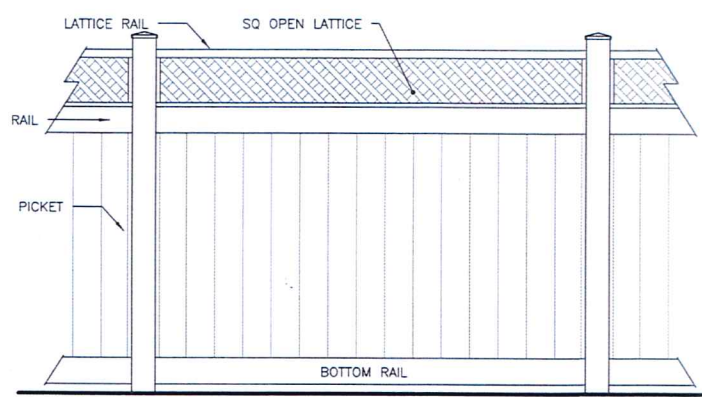
PROF. MAJOR DECIDUOUS TREE
PROF. EVERGREEN TREE
PROPOSED SHRUB
PROPOSED PRIVACY FENCE

**LANDSCAPE CALCULATIONS:
REQUIRED LANDSCAPING:**

NO.	DESCRIPTION	RATE	QUANTITY	PLANTING UNITS (PU)
1.	AUTOMOTIVE USES			
	ADJACENT TO PUBLIC ROAD	1 PU/15 LF	615 LF	41.0 PU
	ADJACENT TO RESIDENTIAL	1 PU/10 LF	500 LF	50.0 PU
	CREDIT FOR PROP. PRIVACY FENCE	1 PU/10 LF	480 LF	-48.0 PU
	ADJACENT TO COMMERCIAL	1 PU/10 LF	170 LF	17.0 PU
TOTAL REQUIRED LANDSCAPING				60.0 PU

PROPOSED LANDSCAPING:

NO.	DESCRIPTION	RATE	QUANTITY	PLANTING UNITS (PU)
1.	MAJOR TREES	1 PU/TREE	18	18 PU
2.	MINOR TREES	1 PU/2 TREES	0	0 PU
3.	EVERGREEN TREES	1 PU/2 TREES	34	17 PU
4.	SHRUBS	1 PU/5 SHRUBS	199	39.8 PU
5.	PRIVACY FENCE	-	480 LF	-
TOTAL PROPOSED LANDSCAPING				74.8 PU



FENCE NOTES:

1. 6" TALL WHITE VINYL PRIVACY FENCE.
2. 8" PANEL SECTIONS MEASURED FROM CENTER OF POST TO CENTER OF POST.
3. USE LONG FENCE HILLSIDE W/LATTICE MODEL OR APPROVED EQUAL.
4. FOLLOW ALL MANUFACTURER'S SPECIFICATIONS FOR PROPER POST INSTALLATION.
5. PROVIDE SHOP DRAWINGS FOR APPROVAL BY OWNER AND LANDSCAPE ARCHITECT PRIOR TO INSTALLATION.

PRIVACY FENCE SECTION ELEVATION
NOT TO SCALE

PROFESSIONAL CERTIFICATION

I HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME, AND THAT I AM A DULY LICENSED PROFESSIONAL LANDSCAPE ARCHITECT UNDER THE LAWS OF THE STATE OF MARYLAND, LICENSE NO. 38291, EXPIRATION DATE: 08/20/2014.

**OWNER /
CONTRACT SELLER**

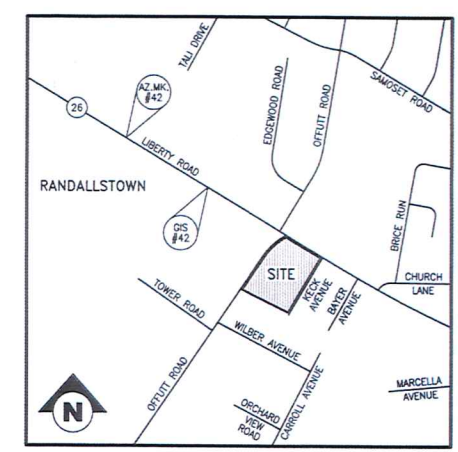
9400 LIBERTY LIMITED PARTNERSHIP
C/O ANTHEMPER AUTOMOTIVE GROUP
6631 BALTIMORE NATIONAL PIKE
BALTIMORE, MARYLAND 21228

**DEVELOPER /
CONTRACT PURCHASER**

TWO FARMS, INC.
3611 ROLAND AVENUE
BALTIMORE, MARYLAND 21211
ATTN: MR. JEFF BANBRIDGE
PHONE: (410) 494-1631

DESIGN & DRAWING BASED ON
MARYLAND COORDINATE SYSTEM:
HORIZONTAL NAD 83/(1991)
VERTICAL NAVD 88

THE CORRECTNESS OR COMPLETENESS OF EXISTING INFORMATION SHOWN ON THE DRAWINGS IS NOT WARRANTED OR GUARANTEED. THE CONTRACTOR SHALL VERIFY THE LOCATION OF UTILITIES AND UNDERGROUND FACILITIES, BY TEST PITS OR OTHER METHODS APPROVED BY THE OWNER'S REPRESENTATIVE, AS REQUIRED TO VERIFY EXACT LOCATIONS AND DEPTHS WITHIN THE LIMIT OF DISTURBANCE. ALL DISCREPANCIES BETWEEN INFORMATION SHOWN ON THE DRAWINGS AND THAT VERIFIED IN THE FIELD SHALL BE REPORTED TO THE OWNER'S REPRESENTATIVE PRIOR TO BEGINNING WORK.



VICINITY MAP
SCALE: 1" = 500'

BENCHMARKS

BZ MK #42
ELEV. 586.73
DESCRIPTION: MONUMENT LOCATED 11.95' WEST OF SEWER MANHOLE NORTH OF STAR CAR WASH LOCATED ON LIBERTY ROAD.

GIS #42
ELEV. 591.33
DESCRIPTION: MONUMENT LOCATED 52' NORTHWEST OFF THE NORTHWEST CORNER OF THE BALTIMORE COUNTY POLICE SUB-STATION AT THE SOUTHWEST CORNER OF LIBERTY ROAD AND OFFUTT ROAD.

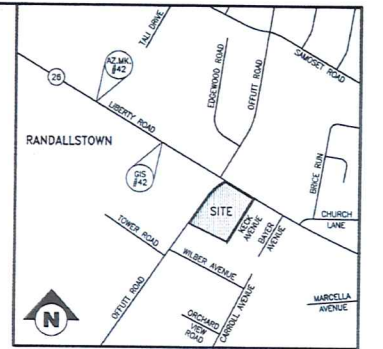
		MORRIS & RITCHIE ASSOCIATES, INC. ENGINEERS, PLANNERS, SURVEYORS AND LANDSCAPE ARCHITECTS	
		1220-C EAST JOPPA ROAD, SUITE 505 TOWSON, MARYLAND 21286 (410) 821-1690 FAX (410) 821-1748	
		SCHEMATIC LANDSCAPE PLAN	
		ROYAL FARMS STORE #173 9043 LIBERTY ROAD 2ND ELECTION DISTRICT 4TH COUNCILMANIC DISTRICT BALTIMORE COUNTY, MARYLAND	
DATE	REVISIONS	JOB NO.:	17108
		SCALE:	1" = 30'
		DATE:	01/21/2013
		DRAWN BY:	M.A.B.
		DESIGN BY:	M.A.B.
		REVIEW BY:	M.G.C.
		SHEET:	01 OF 01

#3



PETITIONER'S EXHIBIT 9

		MORRIS & RITCHIE ASSOCIATES, INC. ENGINEERS, PLANNERS, SURVEYORS, ARCHITECTS AND LANDSCAPE ARCHITECTS 1220-C EAST JOPPA ROAD SUITE 505 TOWSON, MARYLAND 21286 (410) 821-1690 FAX (410) 821-1748	
		AERIAL EXHIBIT ROYAL FARMS STORE #173 9043 LIBERTY ROAD 2ND ELECTION DISTRICT BALTIMORE COUNTY, MARYLAND 4TH COUNCILMANIC DISTRICT	
DATE	REVISIONS	JOB NO.:	17108
		SCALE:	NONE
		DATE:	11/29/2012
		DRAWN BY:	T.H.S.
		DESIGN BY:	T.H.S.
		REVIEW BY:	M.G.C.
		SHEET:	01 OF 01



VICINITY MAP
SCALE: 1" = 300'

Decibels - A unit of a logarithmic scale to describe a ratio. When such a scale is used, the term 'level' is used to convey the fact that the measure is a logarithmic (base 10) ratio. In this case the term refers to the sound pressure level.

Threshold of hearing	0 dB	Motorcycle (30 feet)	88 dB
Rustling leaves	20 dB	Foodblender (3 feet)	90 dB
Quiet whisper (3 feet)	30 dB	Subway (inside)	94 dB
Quiet home	40 dB	Diesel truck (30 feet)	100 dB
Quiet street	50 dB	Power mower (3 feet)	107 dB
Normal conversation	60 dB	Pneumatic riveter (3 feet)	115 dB
Inside car	70 dB	Chainsaw (3 feet)	117 dB
Loud singing (3 feet)	75 dB	Amplified Rock and Roll (6 feet)	120 dB
Automobile (25 feet)	80 dB	Jet plane (100 feet)	130 dB

Typical average decibel levels (dBA) of some common sounds:
A unit of a logarithmic scale of power or intensity called the power level or intensity level. The decibel is defined as one tenth of a bel where one bel represents a difference in level between two intensities I_1 and I_2 where one is ten times greater than the other. Thus, the intensity level is the comparison of one intensity to another and may be expressed:

Intensity level = $10 \log_{10} (I_1/I_2)$ (dB)
For instance, the difference between intensities of 10^{-14} watts/m² and 10^{-12} watts/m², an actual difference of 10,000 units, can be expressed as a difference of 40 decibels.
Because of the very large range of sound intensity which the ear can accommodate, from the loudest (1 watt/m²) to the quietest (10^{-14} watts/m²), it is convenient to express these values as a function of powers of 10. This entire range of intensities can be expressed on a scale of 120 dB. (The physicist Alexander Wood once compared this range from loudest to quietest to the energy received from a 50 watt bulb situated in London, ranging from a person near the bulb to someone in New York.) The result of this logarithmic basis for the scale is that increasing a sound intensity by a factor of 10 raises its level by 10 dB, increasing it by a factor of 100 raises its level by 20 dB; by 1,000, 30 dB and so on. When two sound sources of equal intensity or power are measured together, their combined intensity level is 3 dB higher than the level of either separately.
0 dB is defined as the threshold of hearing, and it is with reference to this internationally agreed upon quantity that decibel measurements are made. In some situations, such as tape recording, a given intensity level is assigned 0 dB, and other levels are measured in negative decibels in comparison to it.
Decibels may be qualified as dBA, dBB, dBC. The term became accepted in the 1920s and since then noise measurement has generally come to rely on the decibel scale and others derived from it.

LEGEND

---	EX. PROPERTY LINE
---	EX. ADJACENT PROPERTY LINE
---	EX. RIGHT OF WAY LINE
---	EX. BUILDING
---	PROP. BUILDING
---	EX. CONCRETE
---	PROP. CONCRETE
---	PROP. STAMPORETE
---	PROP. PAVEMENT
---	EX. CURB
---	EX. EDGE OF PAVING
---	PROP. CURB
---	EX. WOODS LINE
---	EX. SANITARY SEWER
---	EX. STORM DRAIN
---	EX. WATER
---	EX. UNDERGROUND LINE
---	EX. OVERHEAD LINE
---	EX. LIGHT POLE
---	EX. UTILITY POLE
---	EX. GAS
---	EX. ZONING LINE

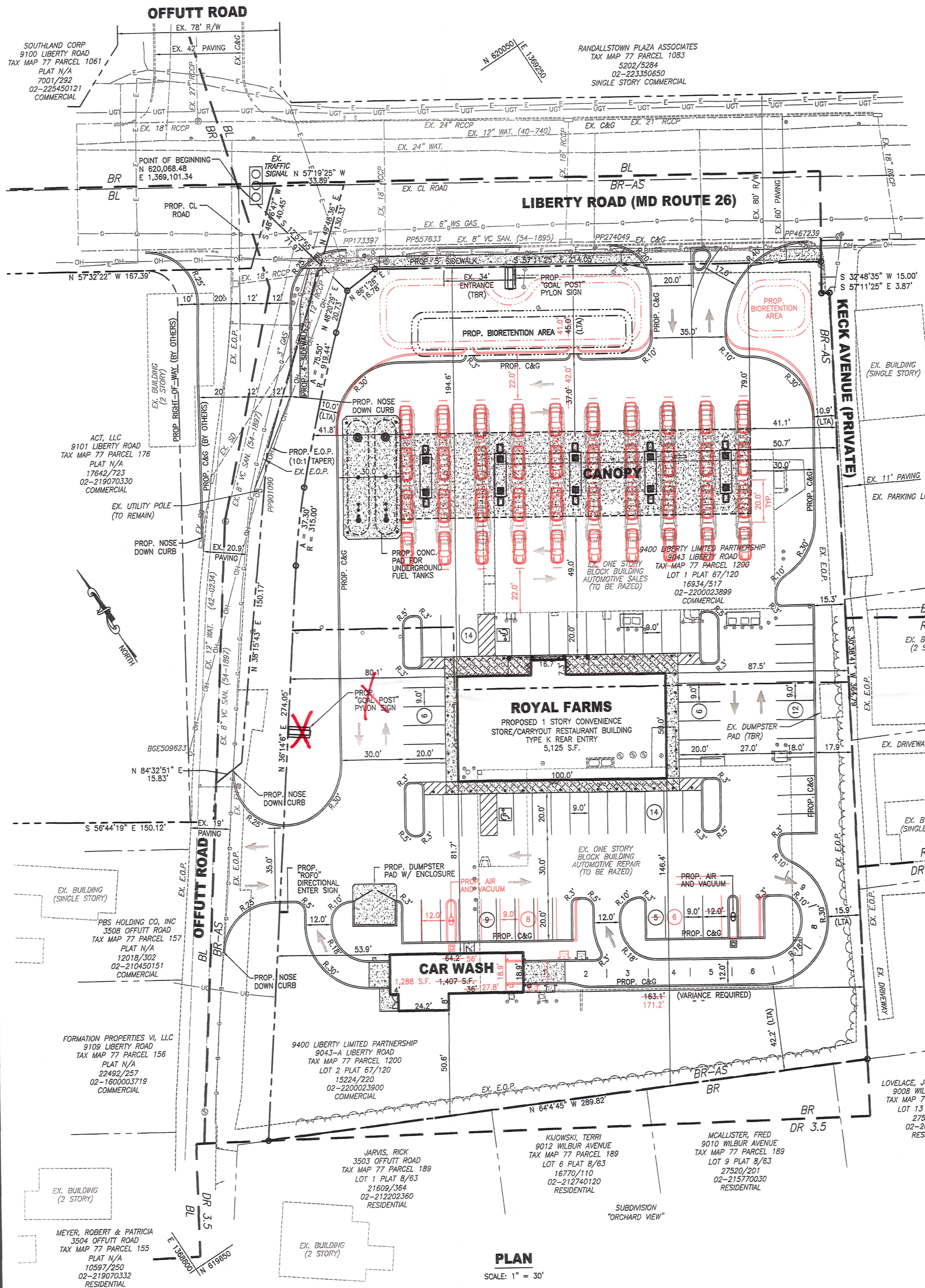


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FAX (410) 821-1748

**AIR BLADE SELECT DRYER
DECIBEL LEVEL EXHIBIT
ROYAL FARMS STORE #173**
9043 LIBERTY ROAD

REVISIONS	2ND ELECTION DISTRICT BALTIMORE COUNTY, MARYLAND 4TH COUNCILMANS DISTRICT	JOB NO.: 17108
		SCALE: 1" = 20'
		DATE: 02/26/2013
		DRAWN BY: T.H.S.
		DESIGN BY: T.H.S.
		REVIEW BY: M.C.C.
		SHEET: 01 OF 01

PETITIONER'S EXHIBIT **10**



LEGEND

- EX. PROPERTY LINE
- EX. ADJACENT PROPERTY LINE
- EX. RIGHT OF WAY LINE
- EX. BUILDING
- PROP. BUILDING
- EX. CONCRETE
- PROP. CONCRETE
- PROP. STAMPORETE
- PROP. PAVEMENT
- EX. CURB
- EX. EDGE OF PAVING
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- EX. SANITARY SEWER
- EX. STORM DRAIN
- EX. WATER
- EX. UNDERGROUND LINE
- EX. OVERHEAD LINE
- EX. LIGHT POLE
- EX. UTILITY POLE
- EX. GAS
- EX. ZONING LINE

CAR WASH NOTES

- 1. THE MANUFACTURER'S RATED HOURLY PRODUCTION CAPACITY OF THE EQUIPMENT TO BE INSTALLED IS 12 CARS (MAX) PER HOUR.
- 2. HOURS FOR CAR WASH WILL BE LIMITED TO 7 AM TO 10 PM.
- 3. CAR WASH DOORS WILL REMAIN CLOSED DURING DRYING CYCLE.

WPM
4/23/13

BENCHMARKS

AZ MK #42
ELEV. 586.73
DESCRIPTION: MONUMENT LOCATED 11.95' WEST OF SEWER MANHOLE NORTH OF STAR CAR WASH LOCATED ON LIBERTY ROAD.

GIS #42
ELEV. 591.33
DESCRIPTION: MONUMENT LOCATED 55' NORTHWEST OFF THE NORTHWEST CORNER OF THE BALTIMORE COUNTY POLICE SUB-STATION AT THE SOUTHWEST CORNER OF LIBERTY ROAD AND OFFUTT ROAD.

SPECIAL EXCEPTION AREA

FUEL SERVICE STATION
(20 FUELING POSITIONS x 1,500 S.F.) = 30,000 S.F.

CONVENIENCE STORE
(4 x 4,625 S.F.) = 18,500 S.F.

ATM MACHINE
(1 ATM x 1,000 S.F.) = 1,000 S.F.

CARRY OUT RESTAURANT
(6 x 500 S.F.) = 3,000 S.F.

REQUIRED TOTAL AREA = 52,500 S.F.

PROVIDED TOTAL AREA = 105,133 S.F.

PARKING TABULATIONS CHART (PARKING SPACES REQUIRED BY BCZR SECTION 409.6A)			
USE	GROSS S.F.	PARKING RATE	PARKING SPACES REQUIRED PER SECTION 409.6A
CONVENIENCE STORE AND CARRY OUT RESTAURANT W/ GASOLINE	5,125	5/1,000 S.F.	26
MAXIMUM # EMPLOYEES ON SHIFT			4
ATM	1,288		1
ROLL-OVER CAR WASH (9 STACKING)	-1,497	2/ROLL-OVER	2
VACUUM		1/VACUUM	2
2 ADDITIONAL SPACES AT A ROLL-OVER CARWASH			2
GRAND TOTAL BUILDING S.F.	-6,552		
TOTAL PARKING REQUIRED	6,413		37
TOTAL PARKING PROVIDED (INCLUDE TWO HANDICAP SPACES)			66

COMMERCIAL PERMIT HISTORY

9043 LIBERTY ROAD
PERMIT # 8328745 TYPE: SIGN
PERMIT # 8435296 TYPE: SIGN
PERMIT # 8452134 TYPE: TANK (COMMERCIAL)
PERMIT # B501004 TYPE: BUILDING (COMMERCIAL)
PERMIT # B504417 TYPE: BUILDING (COMMERCIAL)
PERMIT # B513378 TYPE: SIGN
PERMIT # B696384 TYPE: SIGN

9043-A LIBERTY ROAD
PERMIT # B452668 TYPE: BUILDING (COMMERCIAL)
PERMIT # B459715 TYPE: BUILDING (COMMERCIAL)

ZONING HISTORY

CASE NO. R-1954-2971 - CHANGE FROM "A" RESIDENTIAL TO "E" COMMERCIAL FOR ADDITIONAL PARKING FOR SCHMIDT MOTOR USED CAR LOT. APPROVED APRIL 26TH 1954.

CASE NO. R-1961-5289 - FOR USE AS FARMING IMPLEMENT SALES AND SERVICE. WITHDRAWN JUNE 9TH 1961.

CASE NO. 1982-5749-X - SPECIAL EXCEPTION FOR USED MOTOR VEHICLE OUTDOOR SALES AREA SEPARATED FROM SALES AGENCY BUILDING. DENIED, APPEALED AND DISMISSED JANUARY 24TH 1983.

CASE NO. 2003-0089-X - PETITION FOR SPECIAL EXCEPTION TO PERMIT A USED MOTOR VEHICLE SALES AREA. APPROVED OCTOBER 4TH 2002.

DRC NO. 050150 - A BUILDING ADDITION WAS DETERMINED TO BE A LIMITED EXEMPTION UNDER SECTION 26-171(a)(7) MAY 30TH 1995.

CZMP ISSUE NO. 4-016 - REZONE APPROXIMATELY 1.41 ACRES OF 9043A LIBERTY ROAD (LOT 2) FROM BR, DR3.5, BL AND RO TO BR-AS.

PROFESSIONAL CERTIFICATION

I HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME, AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MARYLAND, LICENSE NO. 38291, EXPIRATION DATE: 01/13/2014

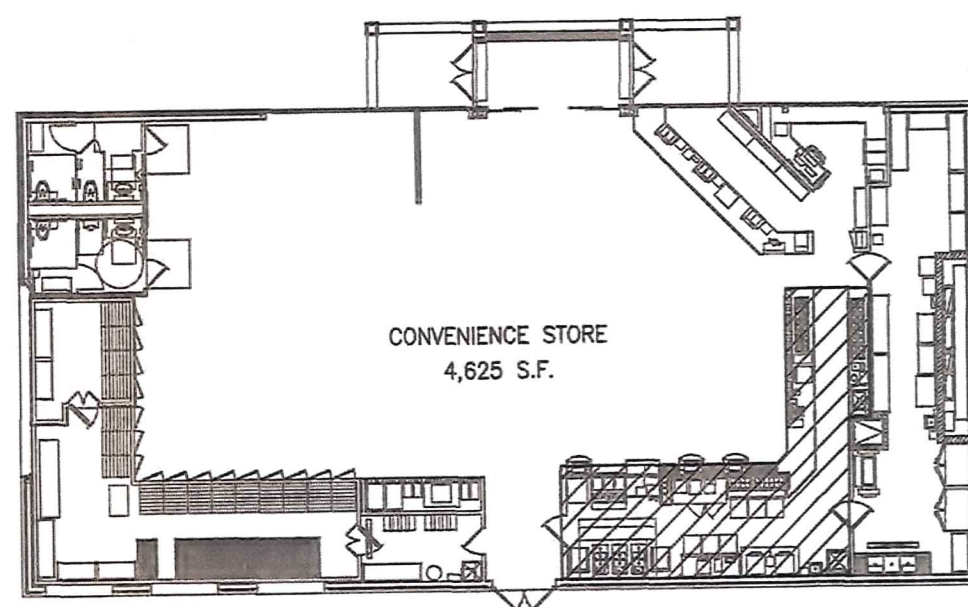
OWNER / CONTRACT SELLER

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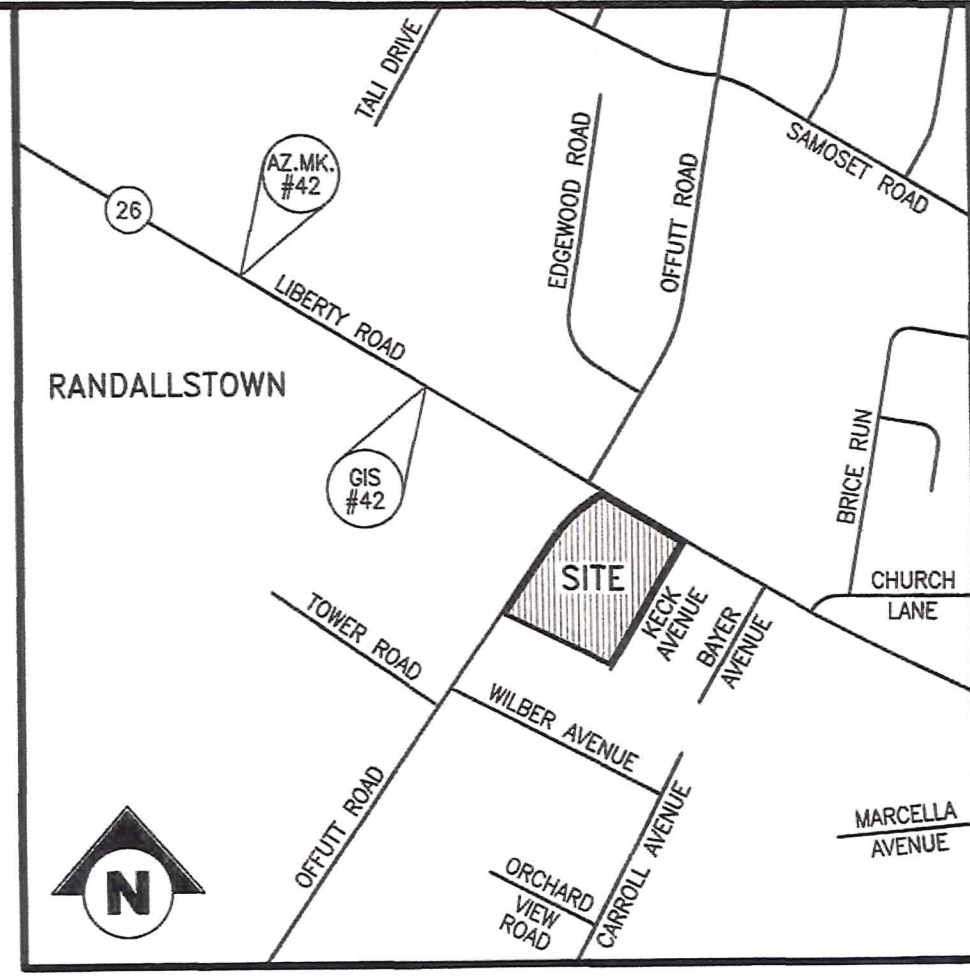
TWO FARMS, INC.
3811 ROLAND AVENUE
BALTIMORE, MARYLAND 21211
ATTN: MR. JEFF BANBRIDGE
PHONE: (410) 494-1631

DESIGN & DRAWING BASED ON MARYLAND COORDINATE SYSTEM: HORIZONTAL NAD 83/(1991) VERTICAL NAVD 88



BUILDING INTERIOR LAYOUT

SCALE: 1" = 20'



VICINITY MAP

SCALE: 1" = 500'

GENERAL NOTES

- PROPERTY INFORMATION:
A. PROPERTY ADDRESS: 9043 LIBERTY ROAD (LOT 1)
9043-A LIBERTY ROAD (LOT 2)
48,300 S.F.±, 1.109 AC.± (LOT 1)
56,833 S.F.±, 1.305 AC.± (LOT 2)
B. SITE AREA:
C. ELECTION DISTRICT: 4
D. COUNCILMANIC DISTRICT: 4
E. ADC MAP: 402503
F. CENSUS TRACT: 77
G. TAX MAP: 1200
H. PARCEL: 2200023899 (LOT 1)
I. TAX ACCOUNT NO.: 2200023900 (LOT 2)
- ZONING: BR-AS
- ZONING MAP REFERENCE: 077A2
- FLOOR AREA RATIO: PERMITTED = 2.0
PROVIDED = 0.06 (6,532 SF / 105,133 SF)
- EXISTING LAND USE: COMMERCIAL / AUTOMOTIVE SALES & REPAIR
PROPOSED LAND USE: CONVENIENCE STORE AND CARRY OUT RESTAURANT WITH GASOLINE ROLL-OVER CAR WASH
- SETBACKS: (TO PROPERTY LINE)
FRONT: 50' REQUIRED, 194.6'± PROVIDED
SIDE: 30' REQUIRED, 80.1'± PROVIDED
REAR: 30' REQUIRED, 146.4'± PROVIDED
CAR WASH: 50' REQUIRED, 50.6'± PROVIDED
CANOPY: 15' REQUIRED, 41.1'± PROVIDED
FUEL PUMPS: 25' REQUIRED, 50.7'± PROVIDED
- LANDSCAPE TRANSITION AREAS (LTAs)
ALONG OFFUTT ROAD (PUBLIC): 10' REQUIRED, 10'± PROVIDED (MIN)
ALONG LIBERTY ROAD (PUBLIC): 10' REQUIRED, 10'± PROVIDED
ALONG REAR YARD (BR ZONE): 15' REQUIRED, 42.2'± PROVIDED
ALONG SIDE YARD (BL & RO ZONE): 6' REQUIRED, 10.9'± PROVIDED
ALONG SIDE YARD (DR 3.5 ZONE): 15' REQUIRED, 15.9'± PROVIDED
- HEIGHT REQUIREMENTS: NOT TO EXCEED 40'
PROPOSED BUILDING HEIGHT: C-STORE = 30' FROM EXTERIOR FINISHED GRADE TO TOP OF ROOF GABLE
35' FROM EXTERIOR FINISHED GRADE TO TOP OF CUPOLA
CANOPY = 21'
CARWASH = 17'
- THIS SITE IS SERVICED BY PUBLIC WATER AND SEWER.
- SCREENING AND LANDSCAPING SHALL COMPLY WITH THE BALTIMORE COUNTY LANDSCAPE MANUAL.
- THE SITE IS NOT LOCATED IN A 100 YEAR FLOODPLAIN.
- THE SITE IS NOT LOCATED IN ANY FAILED BASIC SERVICES AREAS.
- THERE ARE NO KNOWN EXISTING WELLS OR SEPTIC FIELDS ON THE PROPERTY.
- ANY FIXTURE USED TO ILLUMINATE AN OFF-STREET PARKING AREA SHALL BE ARRANGED AS TO REFLECT THE LIGHT AWAY FROM ADJACENT RESIDENTIAL SITE AND PUBLIC STREETS.
- A REST ROOM FACILITY, WATER AND COMPRESSED AIR SHALL BE PROVIDED FOR CUSTOMERS.
- SIGNAGE ON THIS SITE SHALL CONFORM WITH THE SIGNAGE REQUIREMENTS OF THE BALTIMORE COUNTY ZONING REGULATIONS SECTION, 450.
- THERE ARE NO ABANDONED FUEL SERVICE STATIONS WITHIN ONE MILE OF THE SITE (SECTION 405.3, BCZR)
- STACKING FOR CAR WASH SHALL COMPLY WITH SECTION 419, BCZR.
STACKING REQUIRED = 9
STACKING PROVIDED = 9

REASON FOR SPECIAL EXCEPTION AND VARIANCE

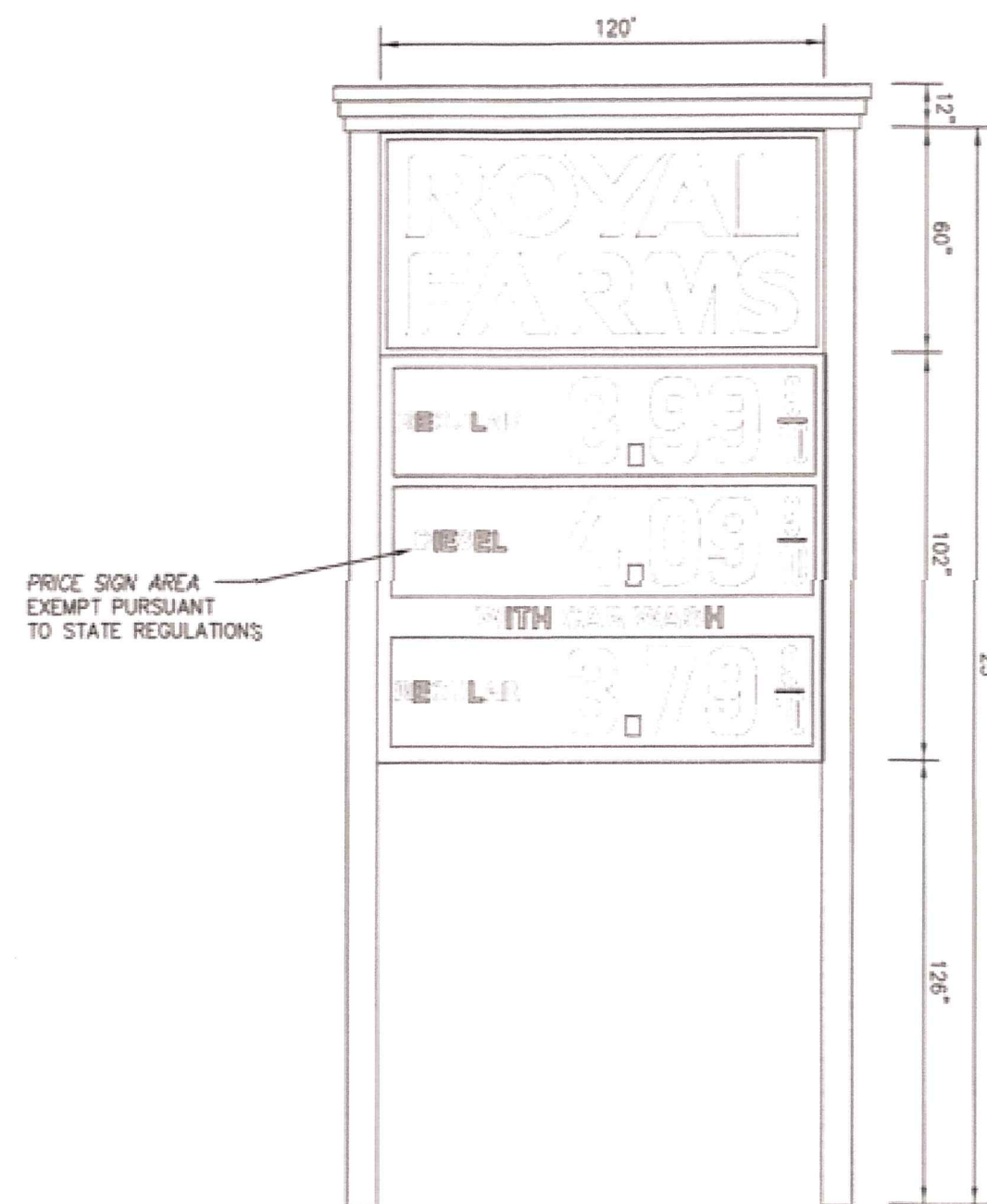
- SPECIAL EXCEPTION TO ALLOW A FUEL SERVICE STATION ON AN INDIVIDUAL SITE AND A CONVENIENCE STORE HAVING A SALES AREA LARGER THAN 1,500 SQUARE FEET, CARRY-OUT RESTAURANT, AND ROLL-OVER CAR WASH AS USES IN COMBINATION, PURSUANT TO BCZR SECTIONS 405.2.B.1, 405.4.E.1, 405.4.E.2, AND 405.4.E.10.
- VARIANCE FROM BCZR 419.4.B.1 TO ALLOW A CAR WASH TUNNEL ENTRANCE TO FACE AN ADJACENT RESIDENTIALLY ZONED PROPERTY.
- VARIANCE FROM BCZR SECTION 405.4.A.3.C.(2) TO ALLOW 10 STACKING SPACES IN LIEU OF THE REQUIRED 20 STACKING SPACES.

MORRIS & RITCHIE ASSOCIATES, INC.
ENGINEERS, PLANNERS, SURVEYORS, ARCHITECTS AND LANDSCAPE ARCHITECTS
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(410) 821-1690
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PLAN TO ACCOMPANY
SPECIAL EXCEPTION AND VARIANCE
SITE PLAN
ROYAL FARMS STORE #173
9043 LIBERTY ROAD

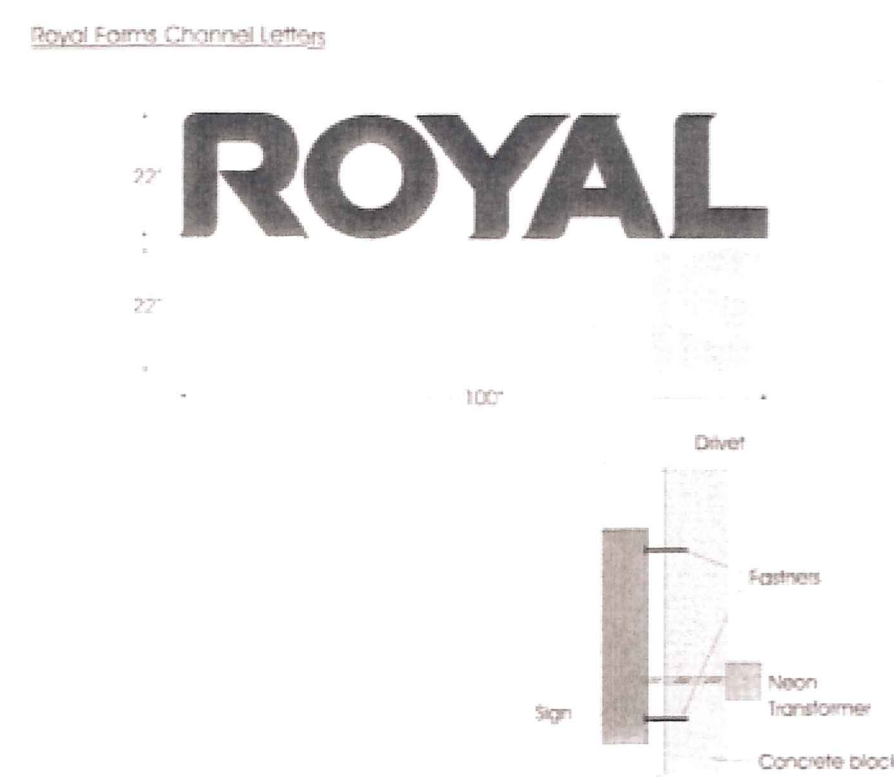
DATE	REVISIONS	JOB NO.:
03/27/2013	REVISED THE LENGTH OF THE CAR WASH BUILDING AND MOVED VACUUM/AIR	17108
03/27/2013	REDUCED STACKING TO REMOVE VARIANCE #3	SCALE: AS SHOWN
03/27/2013	ADDED CAR WASH NOTES	DATE: 11/29/2012
		DRAWN BY: T.H.S.
		DESIGN BY: T.H.S.
		REVIEW BY: M.G.C.
		SHEET: 01 OF 06

PETITIONER'S
EXHIBIT NO. 11-A



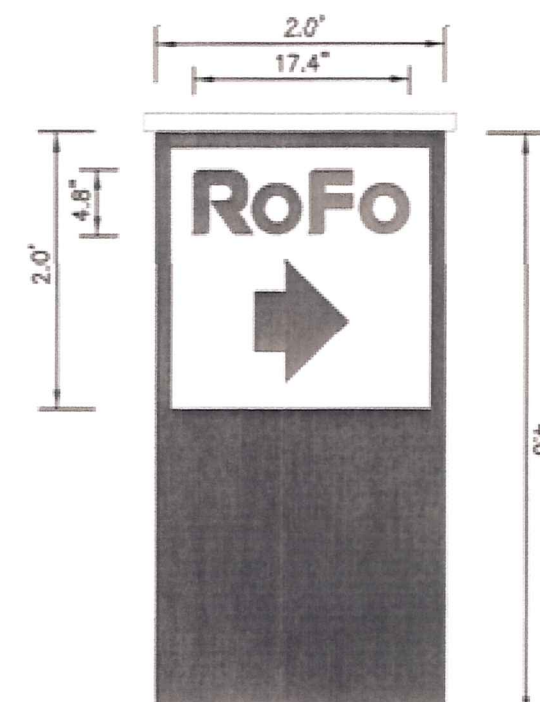
FREESTANDING ENTERPRISE SIGNAGE SUMMARY
 ONE FREESTANDING SIGN ALLOWED FOR EACH FRONTAGE ON A PUBLIC ROAD.
 100 SF/SIGN ALLOWED SINCE FRONTAGE IS MORE THAN 300' LONG.
 - ONE TWO SIDED FREESTANDING PROPOSED ALONG MCCORMICK ROAD
 SIGN AREA FOR EACH FACE OF DOUBLE
 SIDED FREESTANDING SIGN = 120" x 60" = 50-SF TOTAL

"GOAL POST" PYLON SIGN
 NOT TO SCALE



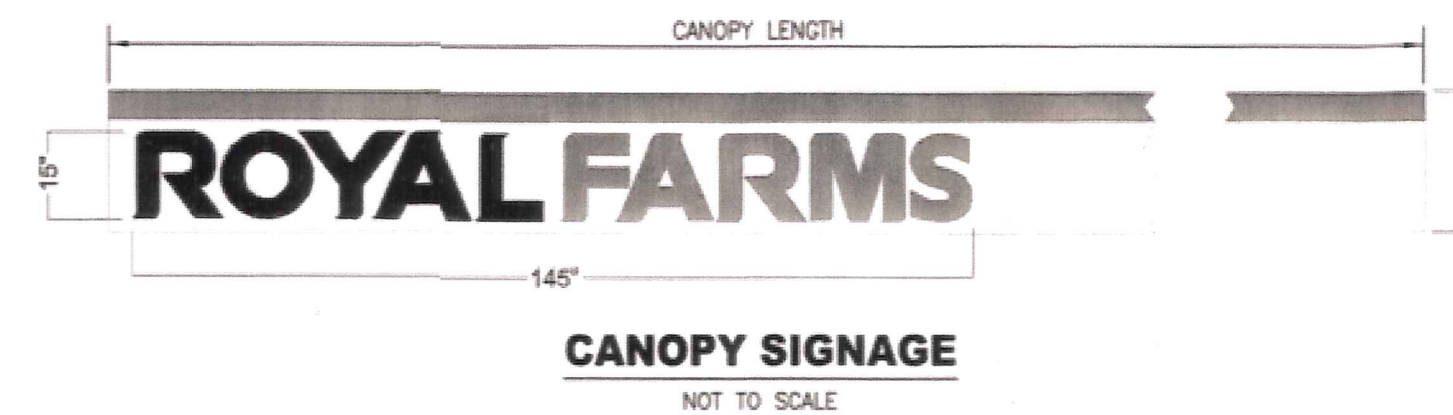
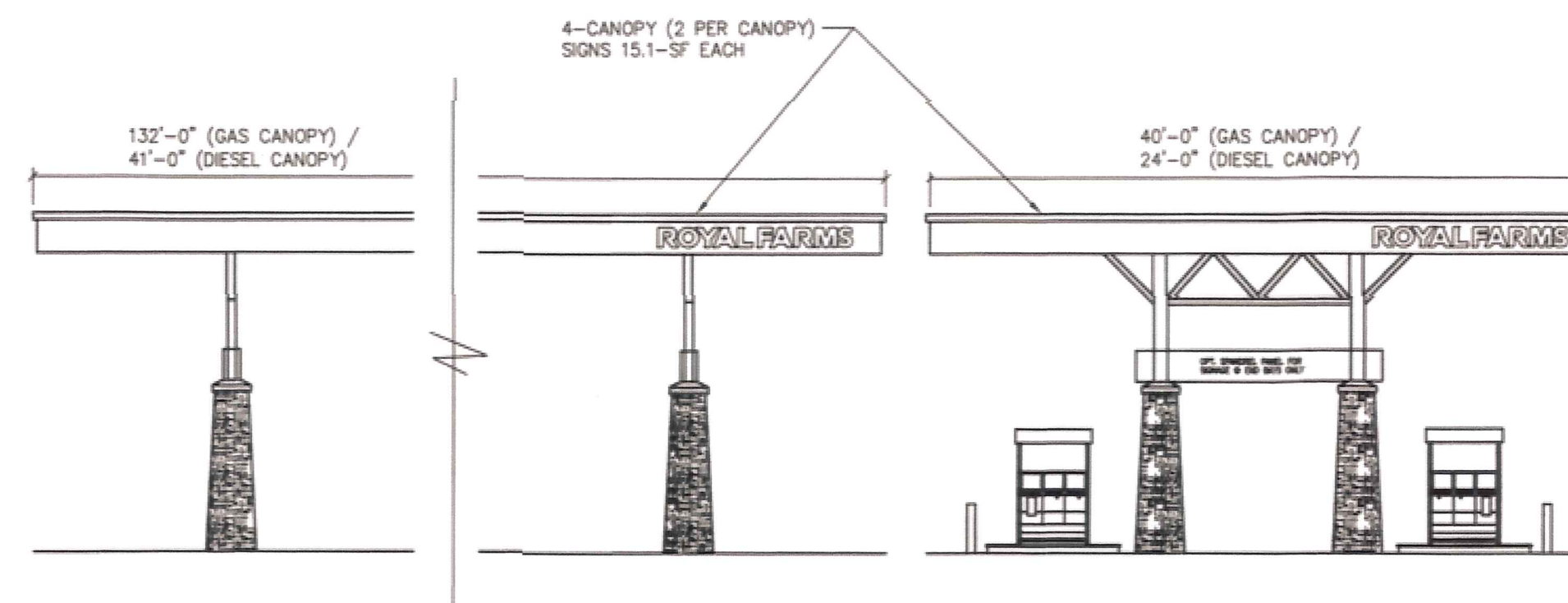
Cabinet: 040 Aluminum with acrylic faces. Illuminated with neon.
 Installation: Wall mount. Concrete screws.
 Total Sign Square Footage: 30.5'

ROYAL FARMS CHANNEL LETTERS
 NOT TO SCALE

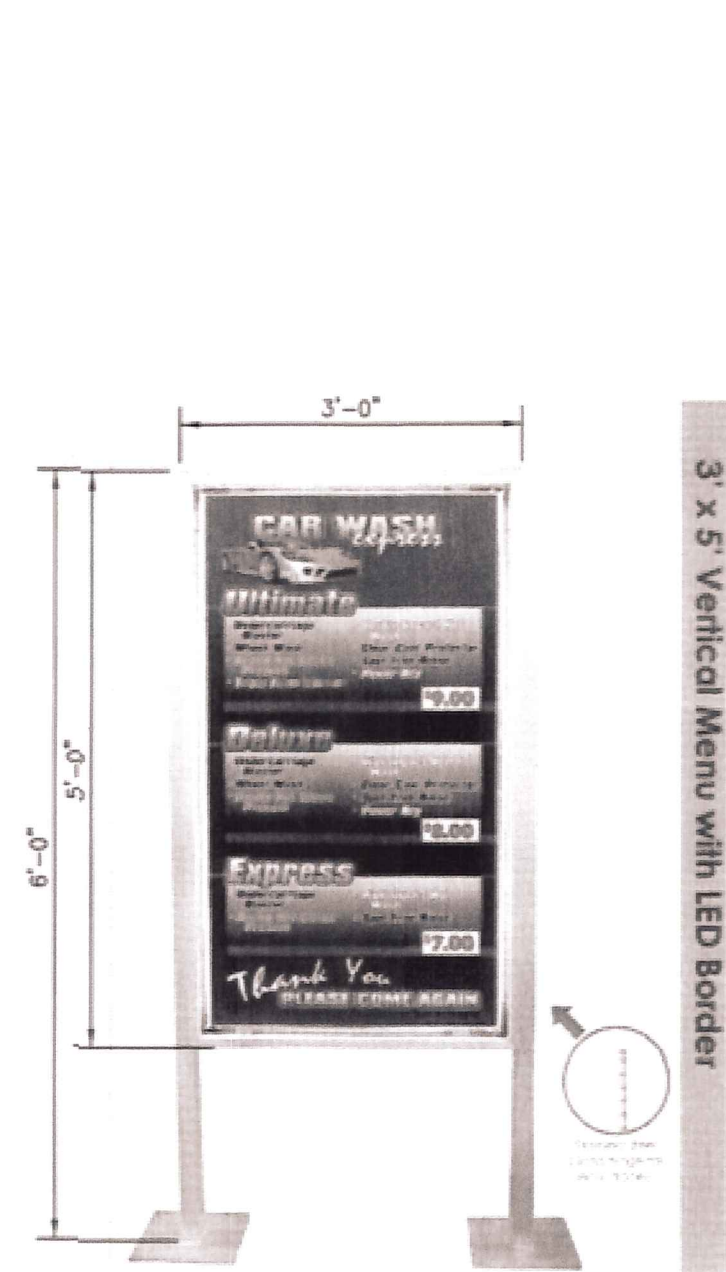


"RO FO" TEXT/LOGO IS LIMITED TO
 A MAXIMUM OF 30% OF DIRECTIONAL SIGN AREA.
 SIGN AREA = 2.0' x 2.0' = 4.0 SF
 ALLOWABLE TEXT/LOGO AREA = (4.0 SF) X (0.3) = 1.2 SF
 PROPOSED TEXT/LOGO AREA = 17.4" x 4.8" = 0.58 SF
 PROPOSED PERCENT OF SIGN AREA = 15% FOR TEXT/LOGO

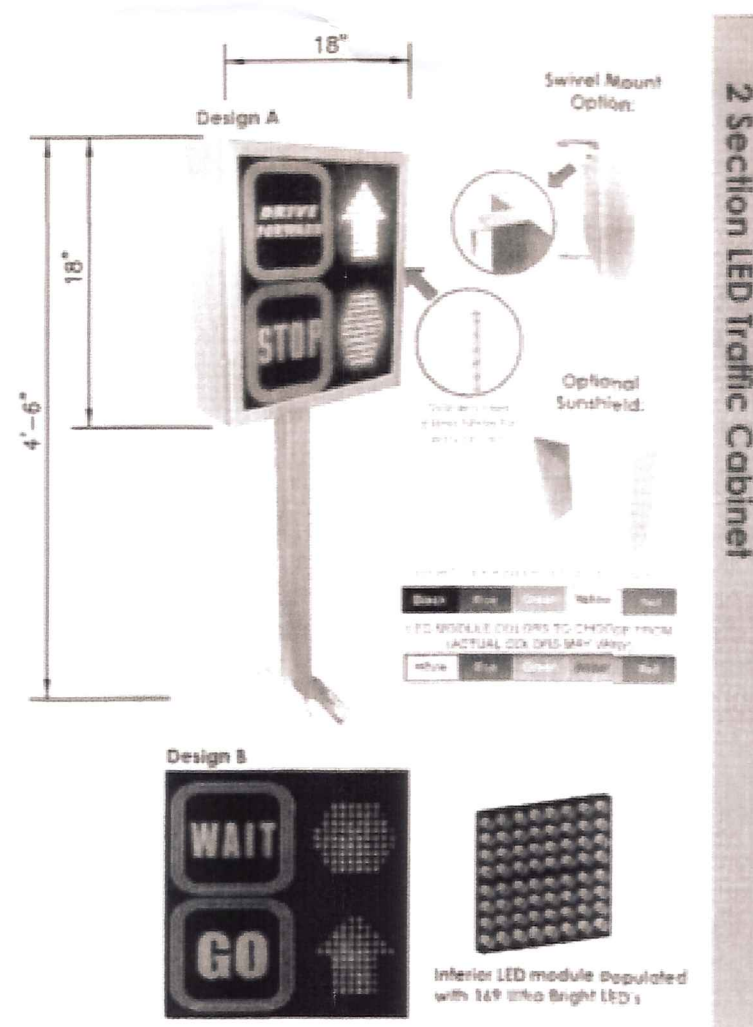
DIRECTIONAL ENTER SIGN
 NOT TO SCALE



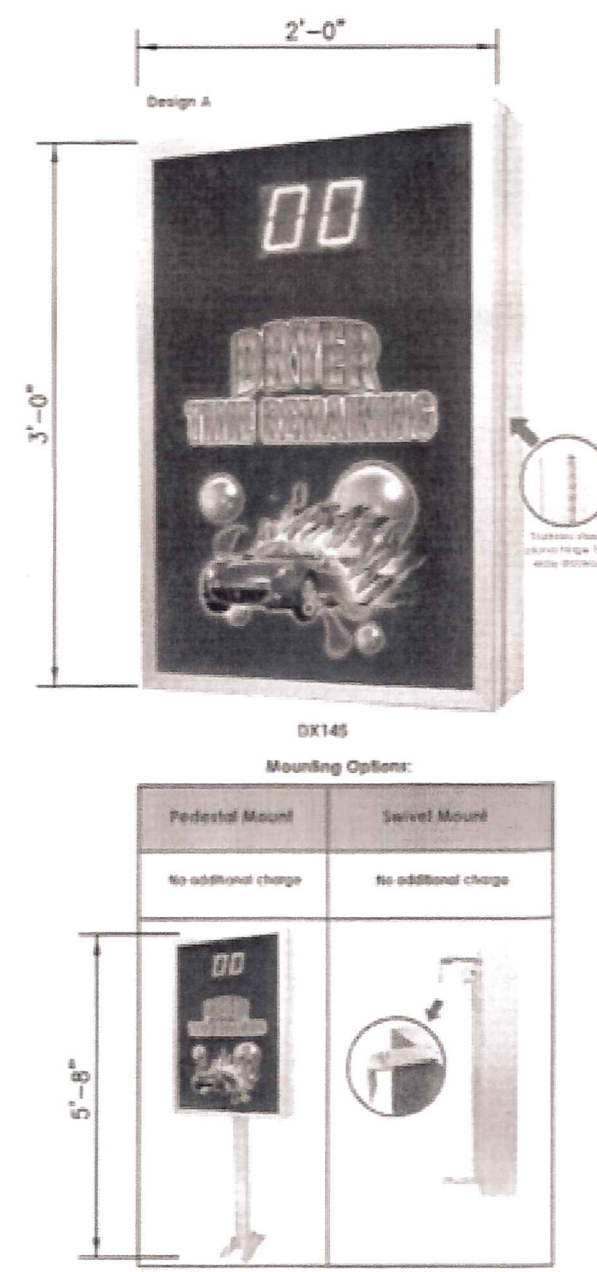
CANOPY SIGNAGE
 NOT TO SCALE



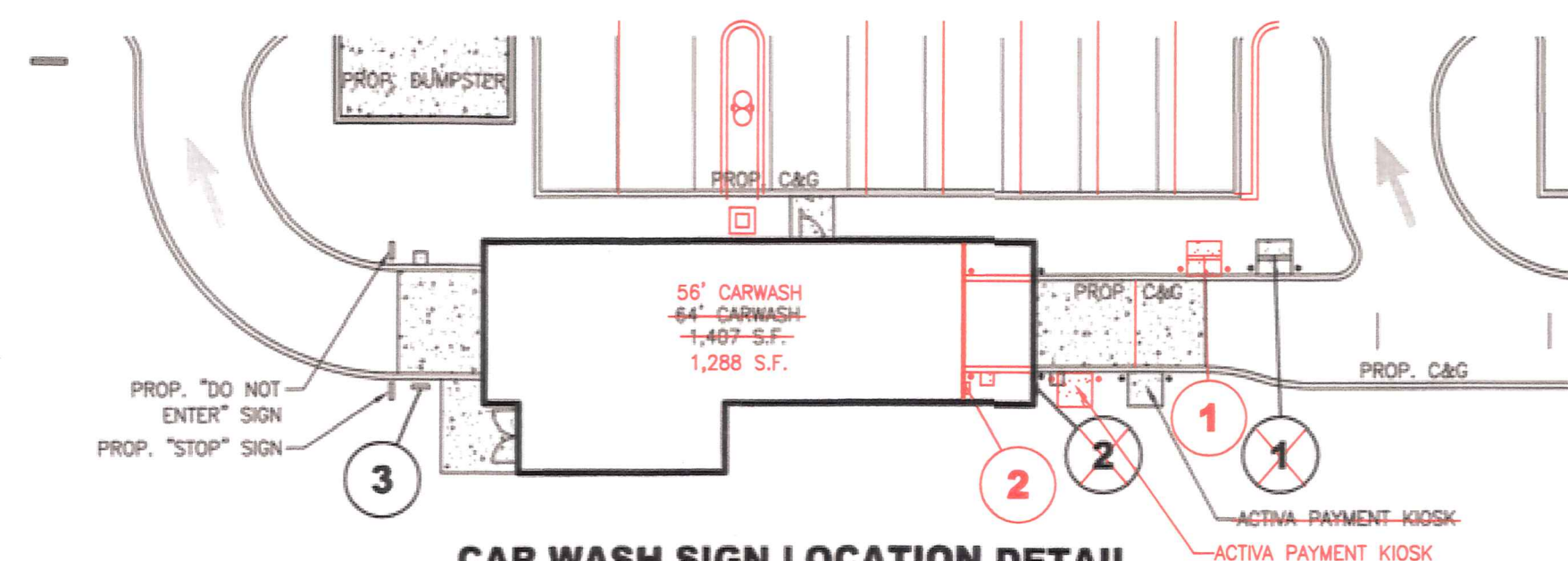
1 ORDER BOARD SIGN
 LARGE CAR WASH OPTIONS
 PRICING CHART
 NOT TO SCALE



2 DIRECTIONAL SIGN
 CAR WASH TRAFFIC
 CONTROL SIGN
 NOT TO SCALE



3 DIRECTIONAL SIGN
 DRYER TIMER SIGN
 NOT TO SCALE



CAR WASH SIGN LOCATION DETAIL
 SCALE: 1" = 20'

PROFESSIONAL CERTIFICATION

I HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED
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 PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF
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OWNER / CONTRACT SELLER

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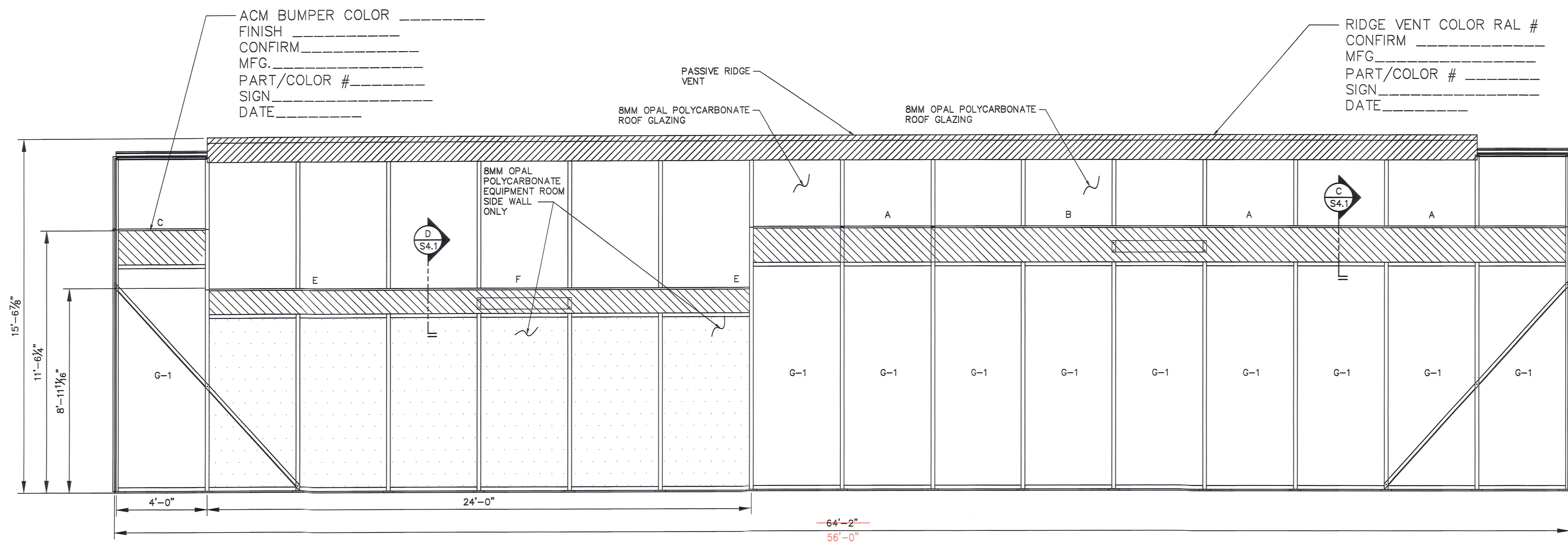
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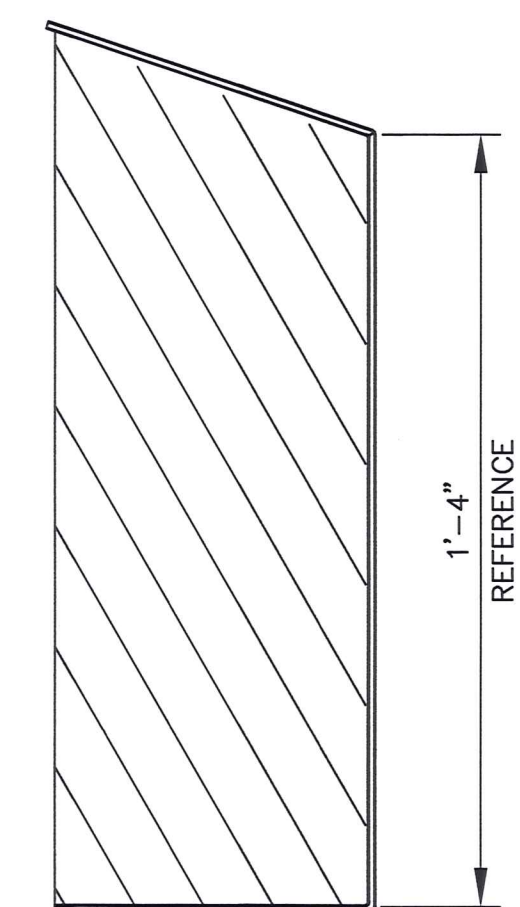
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 BETWEEN INFORMATION SHOWN ON THE DRAWINGS AND THAT VERIFIED IN THE FIELD
 SHALL BE REPORTED TO THE OWNER'S REPRESENTATIVE PRIOR TO BEGINNING WORK.

		MORRIS & RITCHIE ASSOCIATES, INC. ENGINEERS, PLANNERS, SURVEYORS, ARCHITECTS AND LANDSCAPE ARCHITECTS 1220-C EAST JOPPA ROAD SUITE 505 TOWSON, MARYLAND 21286 (410) 821-1690 FAX (410) 821-1748	
		PLAN TO ACCOMPANY SPECIAL EXCEPTION AND VARIANCE SIGN DETAILS ROYAL FARMS STORE #173 9043 LIBERTY ROAD 2ND ELECTION DISTRICT BALTIMORE COUNTY, MARYLAND 4TH COUNCILMANIC DISTRICT	
DATE	REVISIONS	JOB NO.	17108
03/27/2013	REDUCED THE LENGTH OF THE CAR WASH BUILDING AND MOVED VACUUM/AIR	SCALE:	AS SHOWN
		DATE:	11/29/2012
		DRAWN BY:	T.H.S.
		DESIGN BY:	T.H.S.
		REVIEW BY:	M.G.C.
		SHEET:	02 OF 06

PETITIONER'S EXHIBIT 11-B

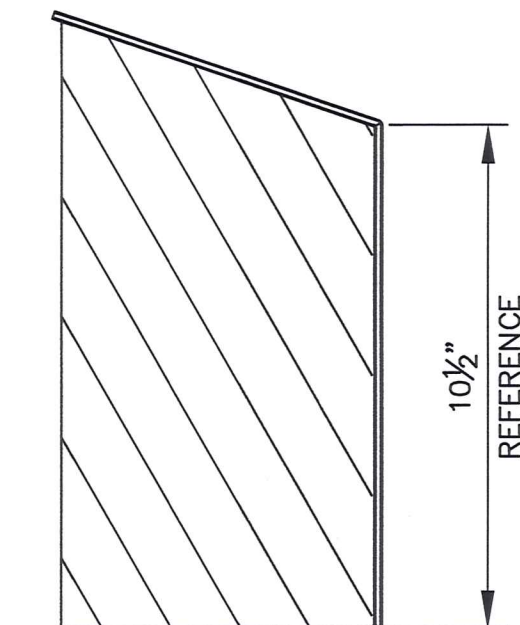


BUMPER SCHEDULE				
TAG	DESCRIPTION	LENGTH	NUM. OF PCS.	
A	END/INTERMEDIATE	119 7/8"	9	PIECES
B	INTERMEDIATE	70"	1	PIECE
C	END/INTERMEDIATE	46"	2	PIECES
E	END	119 7/8"	2	PIECES
F	INTERMEDIATE	45 7/8"	1	PIECE

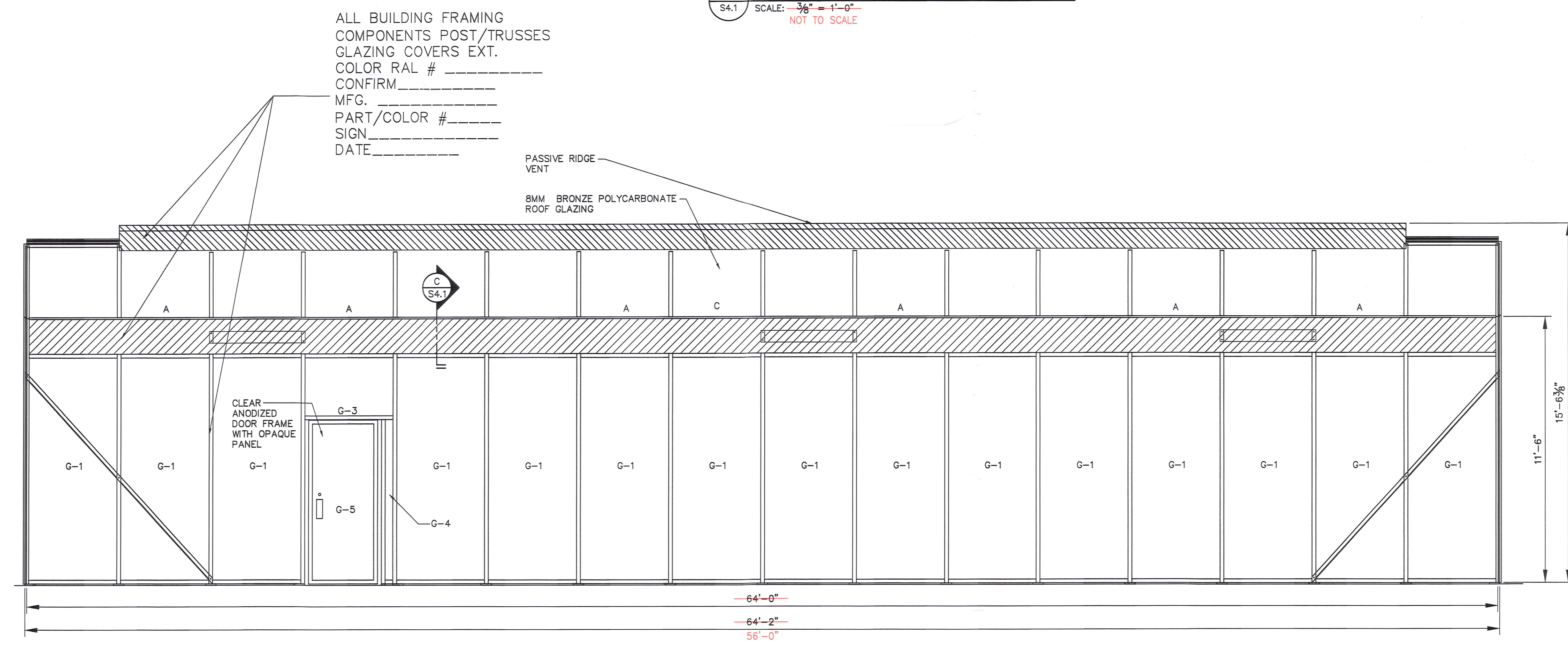


A SIDEWALL & MECHANICAL ROOM ELEVATION
SCALE: $\frac{3}{8}" = 1'-0"$
NOT TO SCALE

C FIELD FORM BUMPER A,B,C,D
SCALE: 3" = 1'-0"



D FIELD FORM BUMPER E,F
SCALE: 3" = 1'-0"



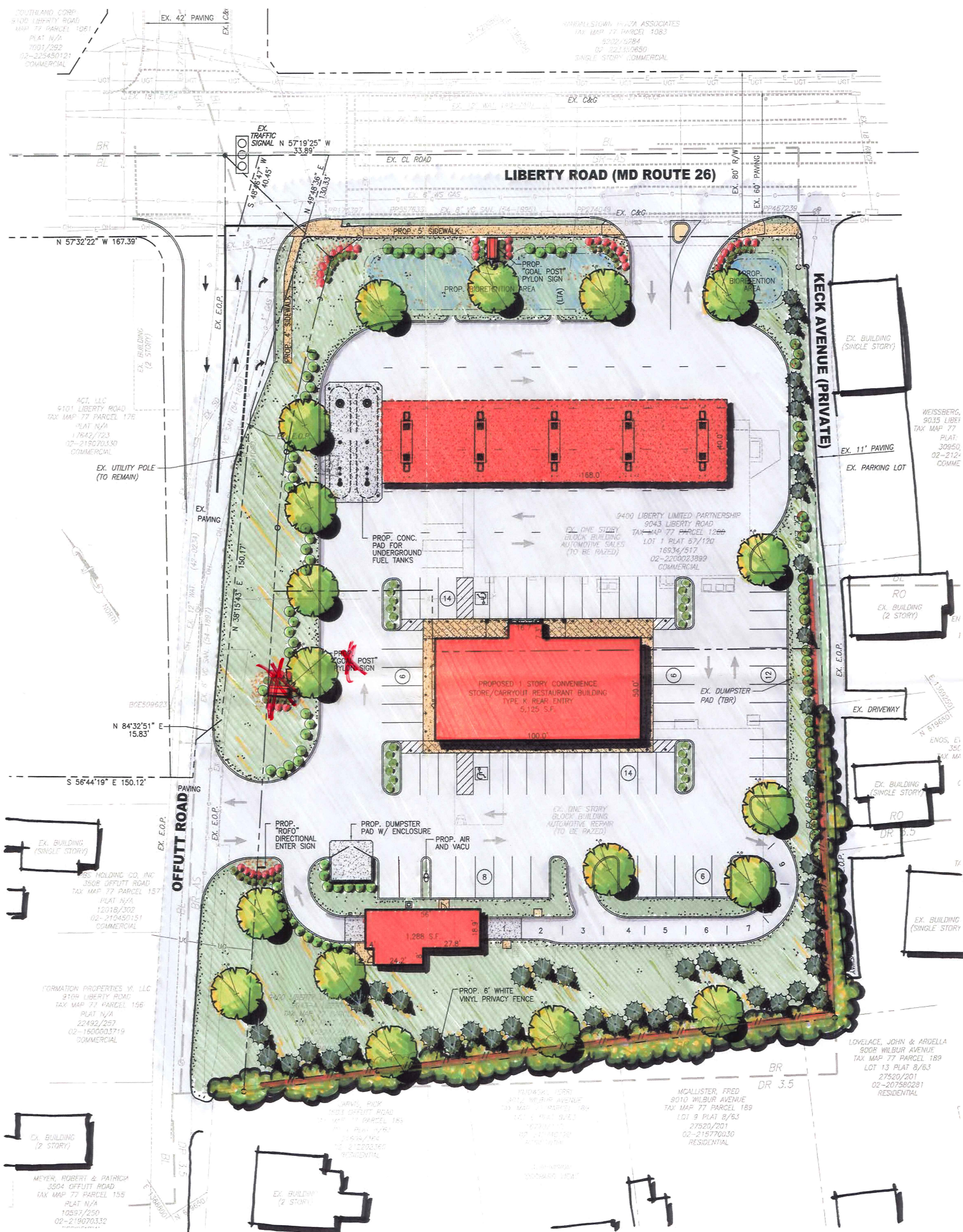
B SIDEWALL ELEVATION
SCALE: $\frac{3}{8}" = 1'-0"$
NOT TO SCALE

MORRIS & RITCHIE ASSOCIATES, INC.
ENGINEERS, PLANNERS, SURVEYORS, ARCHITECTS AND LANDSCAPE ARCHITECTS
1220-C EAST JOPPA ROAD SUITE 505
TOWSON, MARYLAND 21286
(410) 821-1690
FAX (410) 821-1748

**PLAN TO ACCOMPANY
SPECIAL EXCEPTION AND VARIANCE
CAR WASH ELEVATIONS
ROYAL FARMS STORE #173**
9043 LIBERTY ROAD
2ND ELECTION DISTRICT BALTIMORE COUNTY, MARYLAND 4TH COUNCILMANIC DISTRICT

DATE	REVISIONS	JOB NO.:
03/27/2013	REDUCED THE LENGTH OF THE CAR WASH BUILDING	17108
		SCALE: AS SHOWN
		DATE: 11/29/2012
		DRAWN BY: T.H.S.
		DESIGN BY: T.H.S.
		REVIEW BY: M.G.C.
		SHEET: 05 OF 06

PETITIONER'S EXHIBIT 11-E



PLAN

SCALE: 1" = 30'

LEGEND

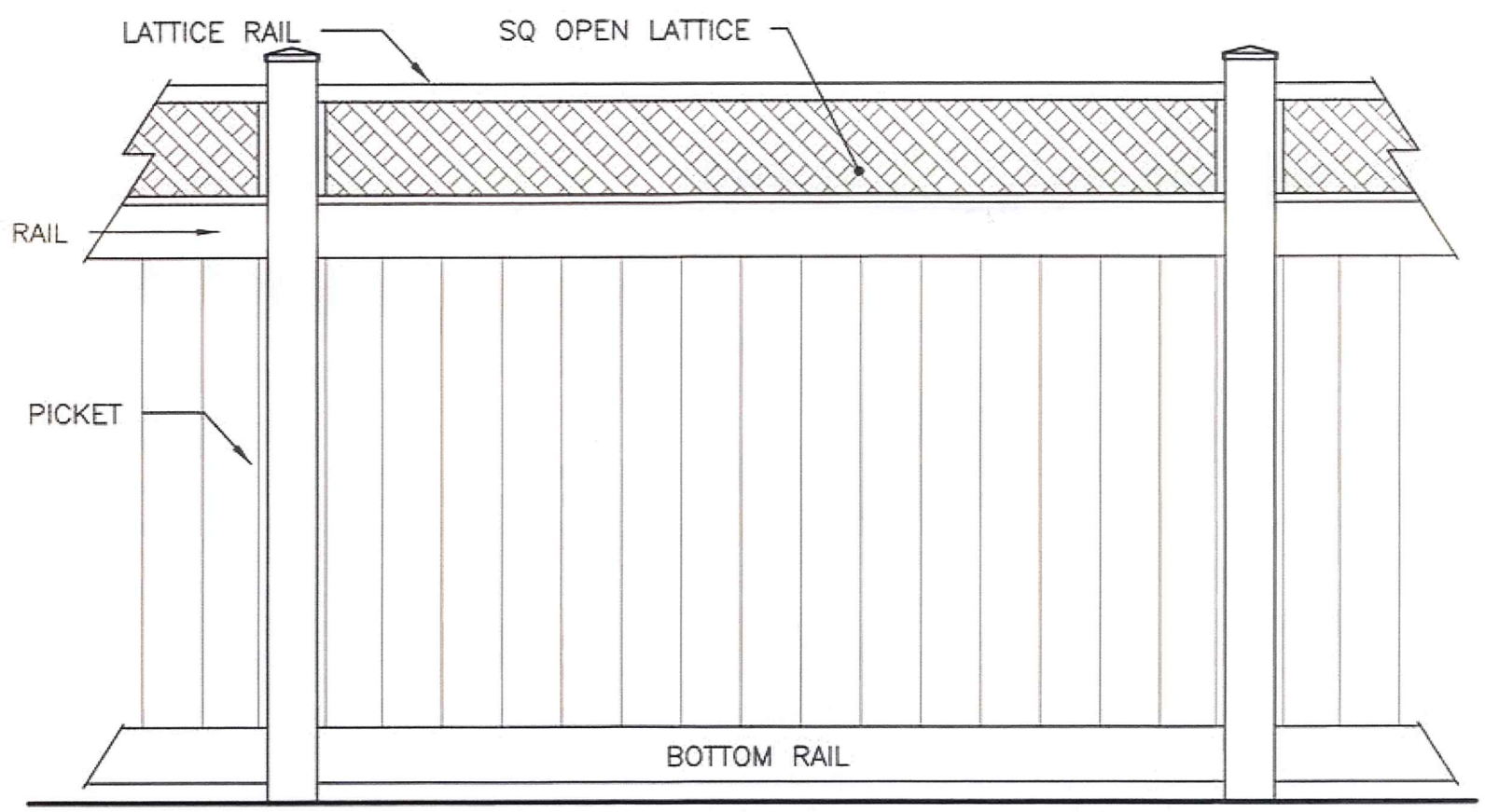
- EX. PROPERTY LINE
- EX. ADJACENT PROPERTY LINE
- EX. RIGHT OF WAY LINE
- EX. BUILDING
- PROP. BUILDING
- EX. CONCRETE
- PROP. CONCRETE
- PROP. STAMPCRETE
- PROP. PAVEMENT
- EX. CURB
- PROP. CURB
- EX. WOODS LINE
- EX. SANITARY SEWER
- EX. STORM DRAIN
- EX. WATER
- EX. UNDERGROUND LINE
- EX. OVERHEAD LINE
- EX. LIGHT POLE
- EX. UTILITY POLE
- EX. GAS
- PROP. MAJOR DECIDUOUS TREE
- PROP. EVERGREEN TREE
- PROPOSED SHRUB
- PROPOSED PRIVACY FENCE

**LANDSCAPE CALCULATIONS:
REQUIRED LANDSCAPING:**

NO.	DESCRIPTION	RATE	QUANTITY	PLANTING UNITS (PU)
1.	AUTOMOTIVE USES			
	ADJACENT TO PUBLIC ROAD	1 PU/15 LF	615 LF	41.0 PU
	ADJACENT TO RESIDENTIAL	1 PU/10 LF	500 LF	50.0 PU
	CREDIT FOR PROP. PRIVACY FENCE	1 PU/10 LF	480 LF	-48.0 PU
	ADJACENT TO COMMERCIAL	1 PU/10 LF	170 LF	17.0 PU
TOTAL REQUIRED LANDSCAPING				60.0 PU

PROPOSED LANDSCAPING:

NO.	DESCRIPTION	RATE	QUANTITY	PLANTING UNITS (PU)
1.	MAJOR TREES	1 PU/TREE	19	19 PU
2.	MINOR TREES	1 PU/2 TREES	0	0 PU
3.	EVERGREEN TREES	1 PU/2 TREES	47	23.5 PU
4.	SHRUBS	1 PU/5 SHRUBS	195	39 PU
5.	PRIVACY FENCE	-	480 LF	-
TOTAL PROPOSED LANDSCAPING				81.5 PU



- FENCE NOTES:
- 6' TALL WHITE VINYL PRIVACY FENCE.
 - 8' PANEL SECTIONS MEASURED FROM CENTER OF POST TO CENTER OF POST.
 - USE LONG FENCE HILLSIDE W/LATTICE MODEL OR APPROVED EQUAL.
 - FOLLOW ALL MANUFACTURER'S SPECIFICATIONS FOR PROPER POST INSTALLATION.
 - PROVIDE SHOP DRAWINGS FOR APPROVAL BY OWNER AND LANDSCAPE ARCHITECT PRIOR TO INSTALLATION.

PRIVACY FENCE SECTION ELEVATION

NOT TO SCALE

PROFESSIONAL CERTIFICATION

I HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME, AND THAT I AM A DULY LICENSED PROFESSIONAL LANDSCAPE ARCHITECT UNDER THE LAWS OF THE STATE OF MARYLAND, LICENSE NO. 38291, EXPIRATION DATE: 08/20/2014

**OWNER /
CONTRACT SELLER**

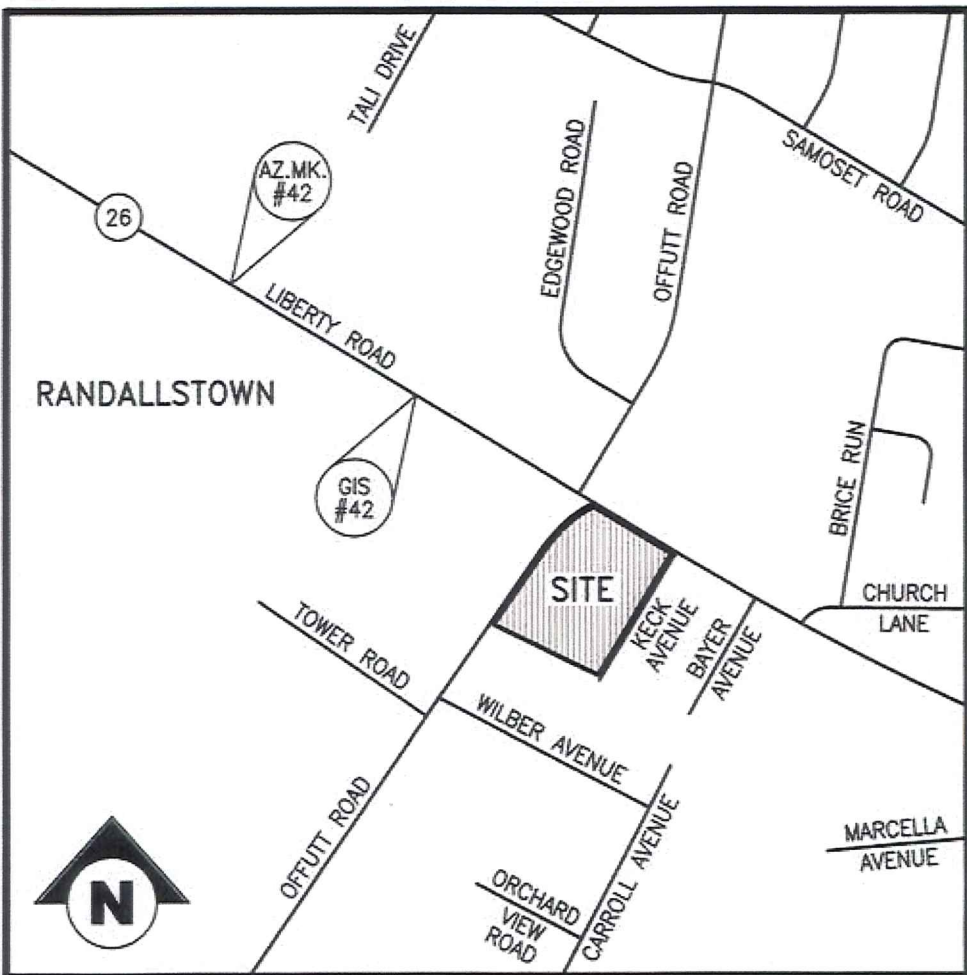
9400 LIBERTY LIMITED PARTNERSHIP
C/O ANTWERPEN AUTOMOTIVE GROUP
6531 BALTIMORE NATIONAL PIKE
BALTIMORE, MARYLAND 21228

**DEVELOPER /
CONTRACT PURCHASER**

TWO FARMS, INC.
3611 ROLAND AVENUE
BALTIMORE, MARYLAND 21211
ATTN: MR. JEFF BAINBRIDGE
PHONE: (410) 494-1631

DESIGN & DRAWING BASED ON
MARYLAND COORDINATE SYSTEM:
HORIZONTAL NAD 83/(1991)
VERTICAL NAVD 88

THE CORRECTNESS OR COMPLETENESS OF EXISTING INFORMATION SHOWN ON THE DRAWINGS IS NOT WARRANTED OR GUARANTEED. THE CONTRACTOR SHALL VERIFY THE LOCATION OF UTILITIES AND UNDERGROUND FACILITIES, BY TEST PITS OR OTHER METHODS APPROVED BY THE OWNER'S REPRESENTATIVE, AS REQUIRED TO VERIFY EXACT LOCATIONS AND DEPTHS WITHIN THE LIMIT OF DISTURBANCE. ALL DISCREPANCIES BETWEEN INFORMATION SHOWN ON THE DRAWINGS AND THAT VERIFIED IN THE FIELD SHALL BE REPORTED TO THE OWNER'S REPRESENTATIVE PRIOR TO BEGINNING WORK.



VICINITY MAP

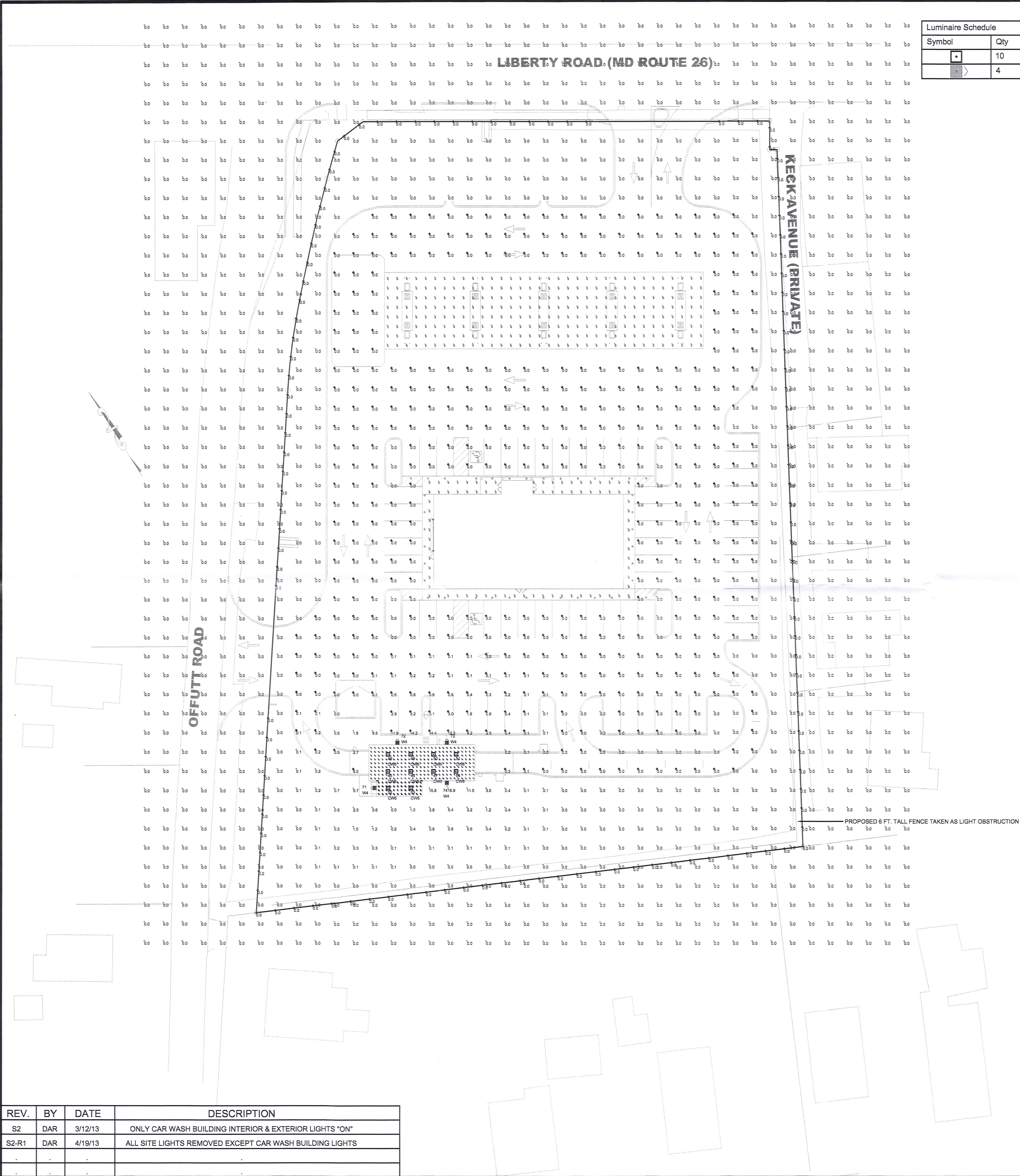
SCALE: 1" = 500'

BENCHMARKS

AZ.MK. #42
ELEV. 586.73
DESCRIPTION: MONUMENT LOCATED 11.95' WEST OF SEWER MANHOLE NORTH OF STAR CAR WASH LOCATED ON LIBERTY ROAD.
GIS #42
ELEV. 591.33
DESCRIPTION: MONUMENT LOCATED 52' NORTHWEST OFF THE NORTHWEST CORNER OF THE BALTIMORE COUNTY POLICE SUB-STATION AT THE SOUTHWEST CORNER OF LIBERTY ROAD AND OFFUTT ROAD.

PETITIONER'S EXHIBIT 12

	MORRIS & RITCHIE ASSOCIATES, INC. ENGINEERS, PLANNERS, SURVEYORS AND LANDSCAPE ARCHITECTS 1220-C EAST JOPPA ROAD, SUITE 505 TOWSON, MARYLAND 21286 (410) 821-1690 FAX (410) 821-1748	
	SCHEMATIC LANDSCAPE PLAN ROYAL FARMS STORE #173 9043 LIBERTY ROAD 2ND ELECTION DISTRICT 4TH COUNCILMANIC DISTRICT BALTIMORE COUNTY, MARYLAND	
DATE	REVISIONS	JOB NO.: 17108 SCALE: 1" = 30' DATE: 04/16/2013 DRAWN BY: M.A.B. DESIGN BY: M.A.B. REVIEW BY: M.G.C. SHEET: 01 OF 01



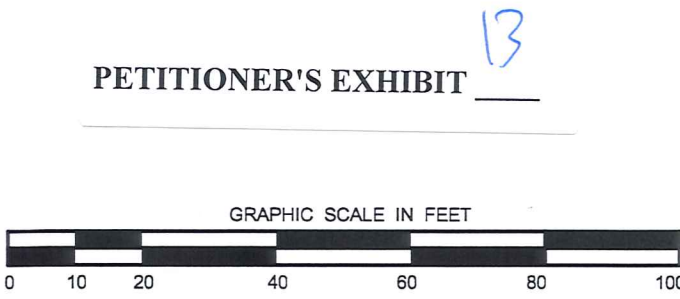
Luminaire Schedule								
Symbol	Qty	Label	Arrangement	Lumens	LLF	Total Watts	Manufacturer	Description
	10	CW6	SINGLE	6769	1.000	680	BETALED, A DIVISION OF RUUD LIGHTING	PKG-EDG-PS-DM-06-D-UL-WH-350
	4	W4	SINGLE	3627	1.040	180	BETALED, A DIVISION OF RUUD LIGHTING	SEC-EDG-3M-WM-04-D-UL-WH-350-60K

Calculation Summary					
Label	Avg	Max	Min	Avg/Min	Max/Min
CAR WASH INTERIOR_MECH RM	49.31	58	34	1.45	1.71
CAR WASH INTERIOR_WASH BAY	42.57	62	13	3.27	4.77
ENTRANCE & EXIT DRIVES	0.00	0.0	0.0	N.A.	N.A.
OFFSITE	0.00	0.0	0.0	N.A.	N.A.
PARKING & DRIVE ZONE	0.19	14.4	0.0	N.A.	N.A.
PROPERTY LINES	0.00	0.0	0.0	N.A.	N.A.
SIDEWALK	0.00	0	0	N.A.	N.A.
SITE UNPAVED AREA	0.27	16.9	0.0	N.A.	N.A.
UNDER CAR CANOPY	0.00	0	0	N.A.	N.A.

Luminaire Location Summary			
LumNo	Label	MTG HEIGHT	Tilt
45	CW6	12.5	0
46	CW6	12.5	0
47	CW6	12.5	0
48	CW6	12.5	0
49	CW6	12.5	0
50	CW6	12.5	0
51	CW6	12.5	0
52	CW6	9.5	0
53	CW6	9.5	0
54	CW6	12.5	0
71	W4	9	0
72	W4	10	0
73	W4	10	0
74	W4	10	0

SITE FOOTCANDLE LEVELS CALCULATED AT GRADE USING INITIAL LUMEN VALUES
CAR WASH INTERIOR FOOTCANDLE LEVELS CALCULATED AT 2.5 FT. A.F.F. USING INITIAL LUMEN VALUES

REV.	BY	DATE	DESCRIPTION
S2	DAR	3/12/13	ONLY CAR WASH BUILDING INTERIOR & EXTERIOR LIGHTS "ON"
S2-R1	DAR	4/19/13	ALL SITE LIGHTS REMOVED EXCEPT CAR WASH BUILDING LIGHTS



KIBART HAS REVIEWED THE ILLUMINATION CALCULATIONS SHOWN ON THIS DRAWING. WE FIND ALL CALCULATION METHODS, AS USED TO PRODUCE THIS PLAN, TO BE CONSISTENT WITH ACCEPTED ENGINEERING PRACTICES. THE ILLUMINATION VALUES GENERATED BY THE MODELING SOFTWARE ARE REASONABLE AND APPEAR TO ACCURATELY REFLECT THE PROPOSED CONDITIONS.

SIGNED Darryl J. Walker DATE 4-22-13

SCALE: 1" = 30' DATE: 3/11/13 LAYOUT BY: DAR

PROJECT NAME: ROYAL FARMS #173 RANDALLSTOWN, MD

ILLUMINATION RESULTS SHOWN ON THIS LIGHTING DESIGN ARE BASED ON PROJECT PARAMETERS PROVIDED BY THE MANUFACTURER. THESE IMAGES ARE FOR REFERENCE ONLY. THE CUSTOMER IS RESPONSIBLE FOR VERIFYING COMPLIANCE WITH ANY APPLICABLE ELECTRICAL, LIGHTING, OR ENERGY CODE.

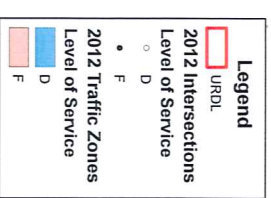
DWG SIZE: D SHEET: 1 OF 1 DRAWING NUMBER: RL-1152-S2-R1

5630 Bridgetown Rd. Ste. 2 Cincinnati, OH 45248 Ph: 513-574-9500

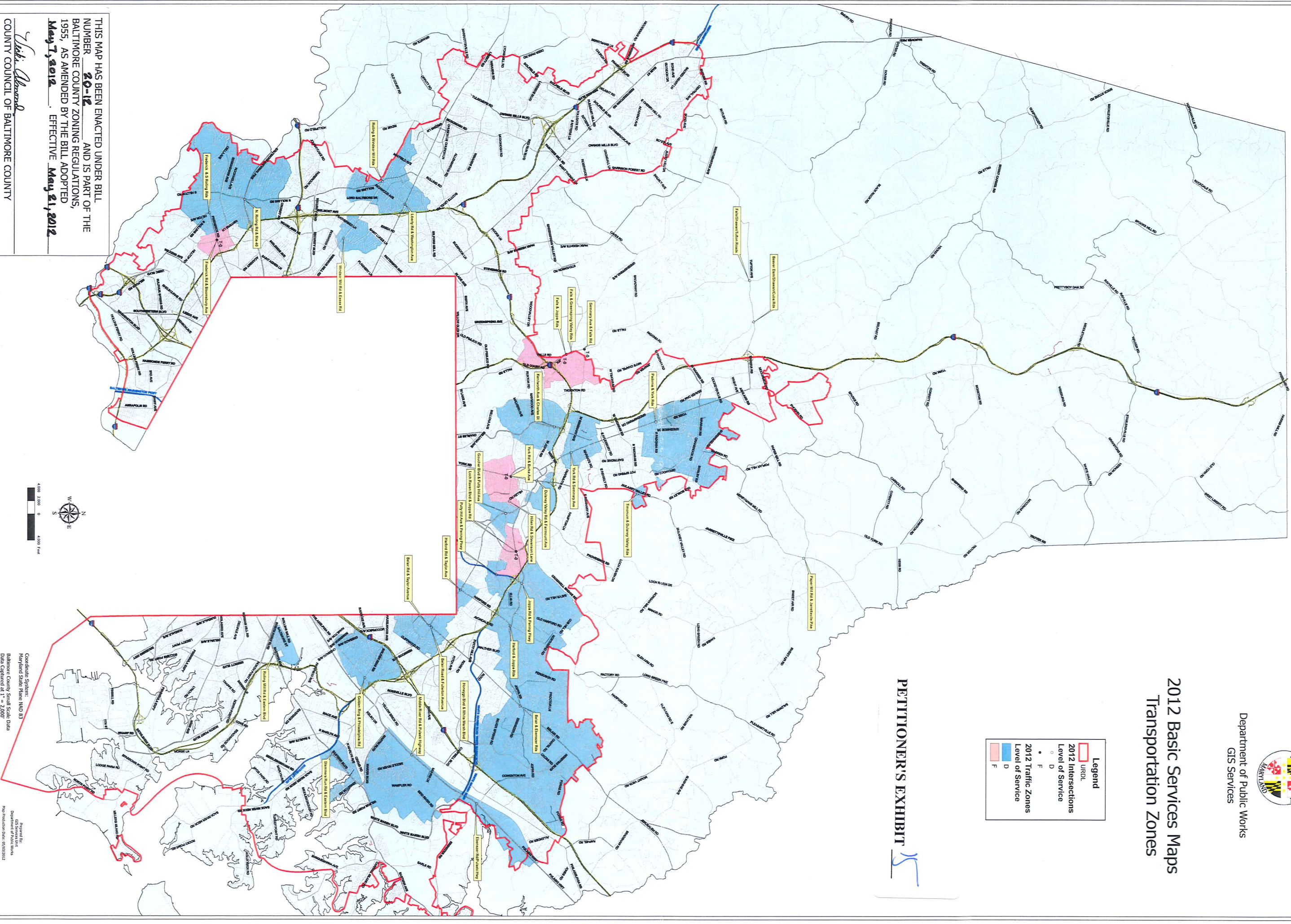


Department of Public Works
GIS Services

2012 Basic Services Maps Transportation Zones



PETITIONER'S EXHIBIT



Coordinate System:
Maryland State Plane (NAD 83)
Baltimore County Small Scale Data
Data Captured at 1" = 2,000'

Source:
GIS Services Unit
Department of Public Works
Map Production Date: 05/03/2012

THIS MAP HAS BEEN ENACTED UNDER BILL
NUMBER **20-12** AND IS PART OF THE
BALTIMORE COUNTY ZONING REGULATIONS,
1955, AS AMENDED BY THE BILL ADOPTED
May 7, 2012 . EFFECTIVE **May 21, 2012**

John P. Howard
COUNTY COUNCIL OF BALTIMORE COUNTY



Department of Public Works

2013 Basic Services Map Transportation Zones

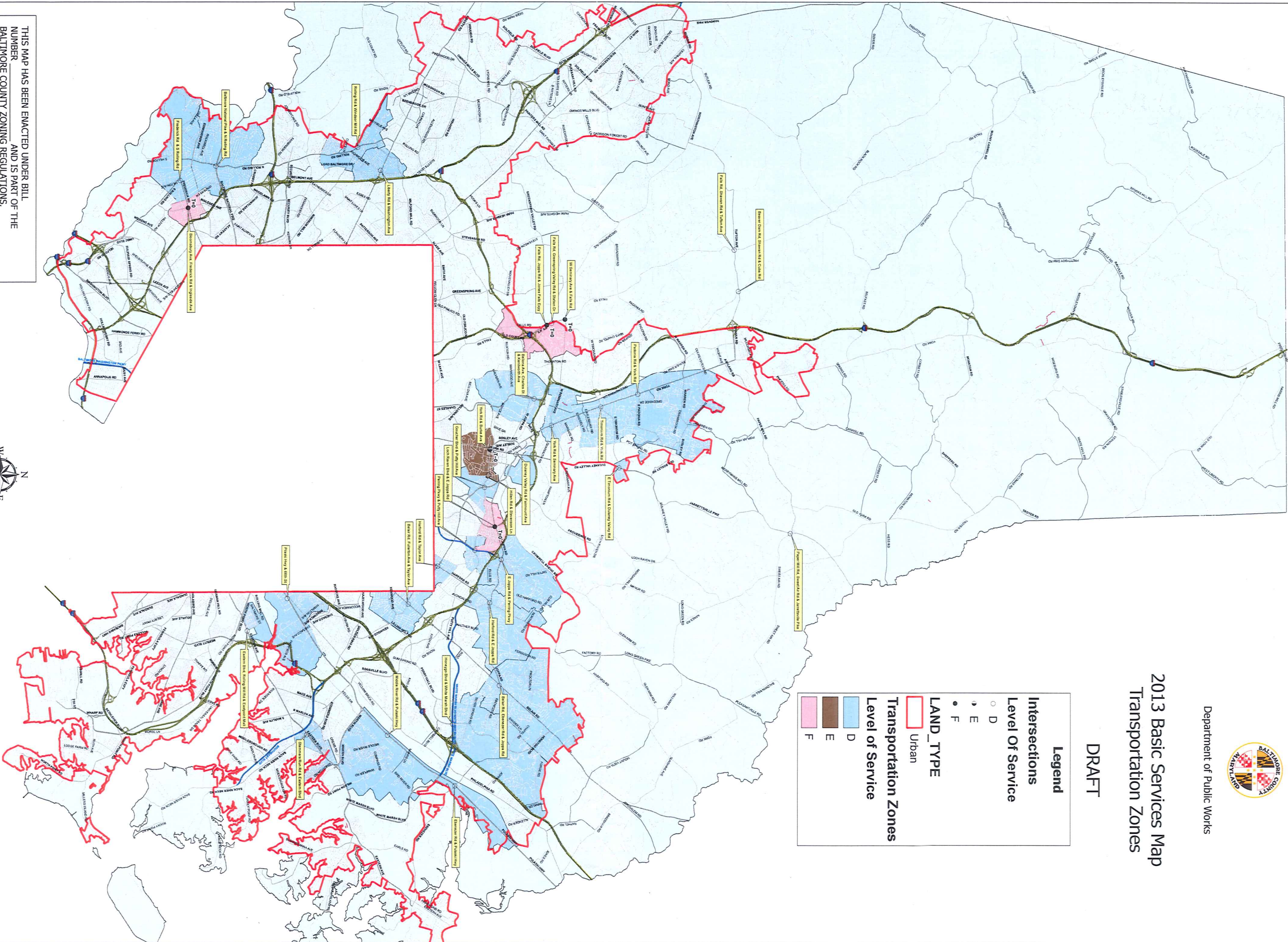
DRAFT

Legend

Intersections
Level Of Service
○ D
● E
● F

LAND_TYPE
Urban

Transportation Zones
Level of Service
D
E
F



THIS MAP HAS BEEN ENACTED UNDER BILL
NUMBER _____ AND IS PART OF THE
BALTIMORE COUNTY ZONING REGULATIONS,
1955, AS AMENDED BY THE BILL ADOPTED
EFFECTIVE _____

COUNTY COUNCIL OF BALTIMORE COUNTY

Scale 1 inch = 4,000 feet
0 2,000 4,000 8,000 12,000 16,000
Feet

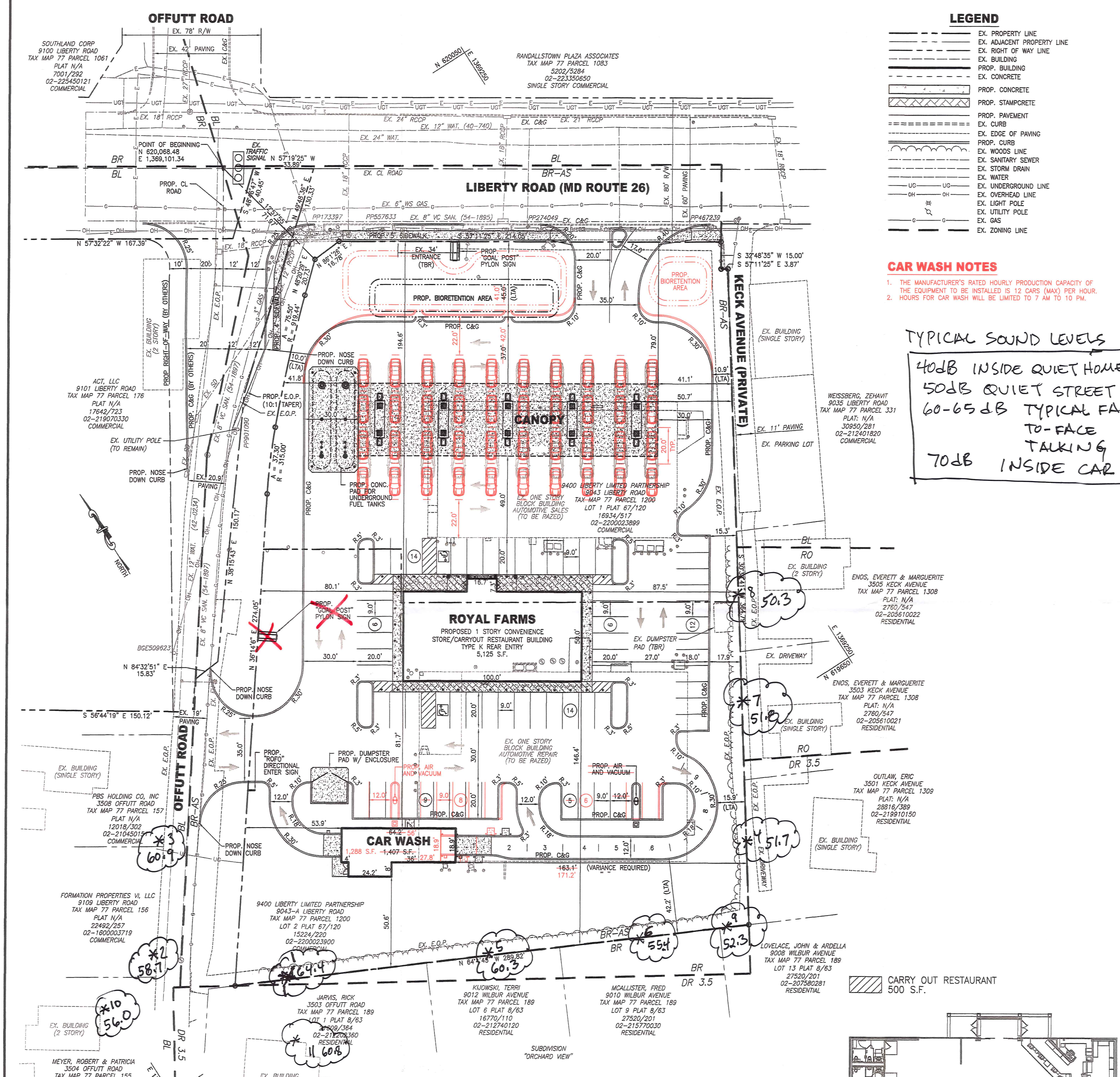


PEITIONER'S EXHIBIT

16

Feature Class Production Date
Transportation Zones 2013
Map Information

Jac Weiss



LEGEND

- EX. PROPERTY LINE
- EX. ADJACENT PROPERTY LINE
- EX. RIGHT OF WAY LINE
- EX. BUILDING
- PROP. BUILDING
- EX. CONCRETE
- PROP. CONCRETE
- PROP. STAMPCRETE
- PROP. PAVEMENT
- EX. CURB
- EX. EDGE OF PAVING
- PROP. CURB
- EX. WOODS LINE
- EX. SANITARY SEWER
- EX. STORM DRAIN
- EX. WATER
- EX. UNDERGROUND LINE
- EX. OVERHEAD LINE
- EX. LIGHT POLE
- EX. UTILITY POLE
- EX. GAS
- EX. ZONING LINE

BENCHMARKS

AZ.MK. #42
ELEV. 586.73
DESCRIPTION: MONUMENT LOCATED 11.95' WEST OF SEWER MANHOLE NORTH OF STAR CAR WASH LOCATED ON LIBERTY ROAD.

GIS #42
ELEV. 591.33
DESCRIPTION: MONUMENT LOCATED 52' NORTHWEST OFF THE NORTHWEST CORNER OF THE BALTIMORE COUNTY POLICE SUB-STATION AT THE SOUTHWEST CORNER OF LIBERTY ROAD AND OFFUTT ROAD.

SPECIAL EXCEPTION AREA

FUEL SERVICE STATION
(20 FUELING POSITIONS x 1,500 S.F.) = 30,000 S.F.

CONVENIENCE STORE
(4 x 4,625 S.F.) = 18,500 S.F.

ATM MACHINE
(1 ATM x 1,000 S.F.) = 1,000 S.F.

CARRY OUT RESTAURANT
(6 x 500 S.F.) = 3,000 S.F.

REQUIRED TOTAL AREA = 52,500 S.F.

PROVIDED TOTAL AREA = 105,133 S.F.

CAR WASH NOTES

- THE MANUFACTURER'S RATED HOURLY PRODUCTION CAPACITY OF THE EQUIPMENT TO BE INSTALLED IS 12 CARS (MAX) PER HOUR.
- HOURS FOR CAR WASH WILL BE LIMITED TO 7 AM TO 10 PM.

TYPICAL SOUND LEVELS

40dB INSIDE QUIET HOME
50dB QUIET STREET
60-65 dB TYPICAL FACE TO-FACE TALKING
70dB INSIDE CAR

PARKING TABULATIONS CHART
(PARKING SPACES REQUIRED BY BCZR SECTION 409.6A)

USE	GROSS S.F.	PARKING RATE	PARKING SPACES REQUIRED PER SECTION 409.6A
CONVENIENCE STORE AND CARRY OUT RESTAURANT W/ GASOLINE	5,125	5/1,000 S.F.	26
MAXIMUM # EMPLOYEES ON SHIFT			4
ATM	1,288		1
ROLL-OVER CAR WASH (9 STACKING)	-1,407-	2/ROLL-OVER	2
VACUUM		1/VACUUM	2
2 ADDITIONAL SPACES AT A ROLL-OVER CARWASH			2
GRAND TOTAL BUILDING S.F.	-6,532-		
TOTAL PARKING REQUIRED	6,413		37
TOTAL PARKING PROVIDED (INCLUDE TWO HANDICAP SPACES)			66

COMMERCIAL PERMIT HISTORY

9043 LIBERTY ROAD
PERMIT # B328745 TYPE: SIGN
PERMIT # B432296 TYPE: SIGN
PERMIT # B452134 TYPE: TANK (COMMERCIAL)
PERMIT # B501004 TYPE: BUILDING (COMMERCIAL)
PERMIT # B504417 TYPE: BUILDING (COMMERCIAL)
PERMIT # B513378 TYPE: SIGN
PERMIT # B896364 TYPE: SIGN

9043-A LIBERTY ROAD
PERMIT # B452668 TYPE: BUILDING (COMMERCIAL)
PERMIT # B459715 TYPE: BUILDING (COMMERCIAL)

ZONING HISTORY

CASE NO. R-1984-2971 - CHANGE FROM "A" RESIDENTIAL TO "E" COMMERCIAL FOR ADDITIONAL PARKING FOR SCHMIDT MOTOR USED CARE LOT. APPROVED APRIL 26TH 1984.

CASE NO. R-1981-5289 - FOR USE AS FARMING IMPLEMENT SALES AND SERVICE. WITHDRAWN JUNE 9TH 1981.

CASE NO. 1982-5749-X - SPECIAL EXCEPTION FOR USED MOTOR VEHICLE OUTDOOR SALES AREA SEPARATED FROM SALES AGENCY BUILDING. DENIED, APPEALED AND DISMISSED JANUARY 24TH 1983.

CASE NO. 2003-0089-X - PETITION FOR SPECIAL EXCEPTION TO PERMIT A USED MOTOR VEHICLE SALES AREA. APPROVED OCTOBER 4TH 2002

DRG NO. 050150 - A BUILDING ADDITION WAS DETERMINED TO BE A LIMITED EXEMPTION UNDER SECTION 26-171(c)(7) MAY 30TH 1995.

CZMP ISSUE NO. 4-016 - REZONE APPROXIMATELY 1.41 ACRES OF 9043A LIBERTY ROAD (LOT 2) FROM BR, DR3.5, BL AND RO TO BR-AS.

PROFESSIONAL CERTIFICATION

I HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME, AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MARYLAND, LICENSE NO. 38291, EXPIRATION DATE: 01/13/2014

OWNER / CONTRACT SELLER

9400 LIBERTY LIMITED PARTNERSHIP
C/O ANTIHERN AUTOMOTIVE GROUP
6631 BALTIMORE NATIONAL PIKE
BALTIMORE, MARYLAND 21228

DEVELOPER / CONTRACT PURCHASER

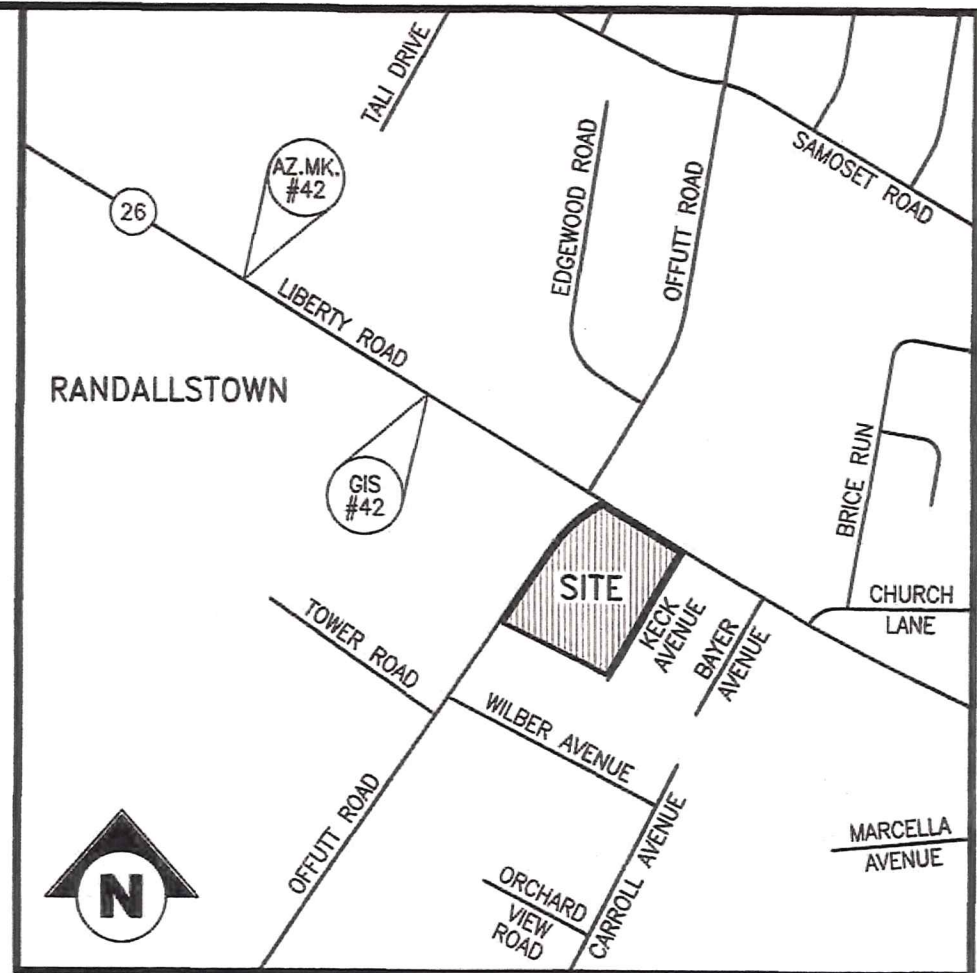
TWO FARMS, INC.
3811 ROLAND AVENUE
BALTIMORE, MARYLAND 21211
ATTN.: MR. JEFF BANERIDGE
PHONE: (410) 494-1631

DESIGN & DRAWING BASED ON MARYLAND COORDINATE SYSTEM:
HORIZONTAL NAD 83/(1991)
VERTICAL NVD 88



BUILDING INTERIOR LAYOUT

SCALE: 1" = 20'



VICINITY MAP

SCALE: 1" = 500'

GENERAL NOTES

- PROPERTY INFORMATION:
 - A. PROPERTY ADDRESS: 9043 LIBERTY ROAD (LOT 1)
 - B. SITE AREA: 9043-A LIBERTY ROAD (LOT 2)
 - C. ELECTION DISTRICT: 48,300 S.F.±, 1.109 AC.± (LOT 1)
 - D. ADJ. MAP: 96,833 S.F.±, 1.305 AC.± (LOT 2)
 - E. CENSUS TRACT: 4886
 - F. TAX MAP: 402503
 - G. PARCEL: 77
 - H. TAX ACCOUNT NO.: 2200023899 (LOT 1)
 - I. TAX ACCOUNT NO.: 2200023900 (LOT 2)
- ZONING: BR-AS
- ZONING MAP REFERENCE: 077M2
- FLOOR AREA RATIO: PERMITTED = 2.0
PROVIDED = 0.08 (8,532 SF / 105,133 SF)
- EXISTING LAND USE: COMMERCIAL / AUTOMOTIVE SALES & REPAIR
PROPOSED LAND USE: CONVENIENCE STORE AND CARRY OUT RESTAURANT WITH GASOLINE ROLL-OVER CAR WASH
- SETBACKS: (TO PROPERTY LINE)
 - REQUIRED: 50'
 - PROVIDED: 194.6'±
 - FRONT: 30'
 - SIDE: 30'
 - REAR: 30'
 - CAR WASH: 50'
 - CANOPY: 15'
 - FUEL PUMPS: 25'
- LANDSCAPE TRANSITION AREAS (LTAs)
 - REQUIRED: 10'
 - PROVIDED (MIN): 10'
 - ALONG OFFUTT ROAD (PUBLIC): 10'
 - ALONG LIBERTY ROAD (PUBLIC): 10'
 - ALONG REAR YARD (BR ZONE): 5'
 - ALONG SIDE YARD (BL & RO ZONE): 15'
 - ALONG SIDE YARD (DR 3.5 ZONE): 15.9'
- HEIGHT REQUIREMENTS: NOT TO EXCEED 40'
PROPOSED BUILDING HEIGHT: C-STORY = 30' FROM EXTERIOR FINISHED GRADE TO TOP OF ROOF GABLE
35' FROM EXTERIOR FINISHED GRADE TO TOP OF CUPOLA
CANOPY = 21'
CARWASH = 17'
- THIS SITE IS SERVICED BY PUBLIC WATER AND SEWER.
- SCREENING AND LANDSCAPING SHALL COMPLY WITH THE BALTIMORE COUNTY LANDSCAPE MANUAL.
- THE SITE IS NOT LOCATED IN A 100 YEAR FLOODPLAIN.
- THE SITE IS NOT LOCATED IN ANY FAILED BASIC SERVICES AREAS.
- THERE ARE NO KNOWN EXISTING WELLS OR SEPTIC FIELDS ON THE PROPERTY.
- ANY FIXTURE USED TO ILLUMINATE AN OFF-STREET PARKING AREA SHALL BE ARRANGED AS TO REFLECT THE LIGHT AWAY FROM ADJACENT RESIDENTIAL SITE AND PUBLIC STREETS.
- A REST ROOM FACILITY, WATER AND COMPRESSED AIR SHALL BE PROVIDED FOR CUSTOMERS.
- SIGNAGE ON THIS SITE SHALL CONFORM WITH THE SIGNAGE REQUIREMENTS OF THE BALTIMORE COUNTY ZONING REGULATIONS SECTION, 450.
- THERE ARE NO ABANDONED FUEL SERVICE STATIONS WITHIN ONE MILE OF THE SITE (SECTION 405.3, BCZR)
- STACKING FOR CAR WASH SHALL COMPLY WITH SECTION 419, BCZR.
STACKING REQUIRED = 9
STACKING PROVIDED = 9

REASON FOR SPECIAL EXCEPTION AND VARIANCE

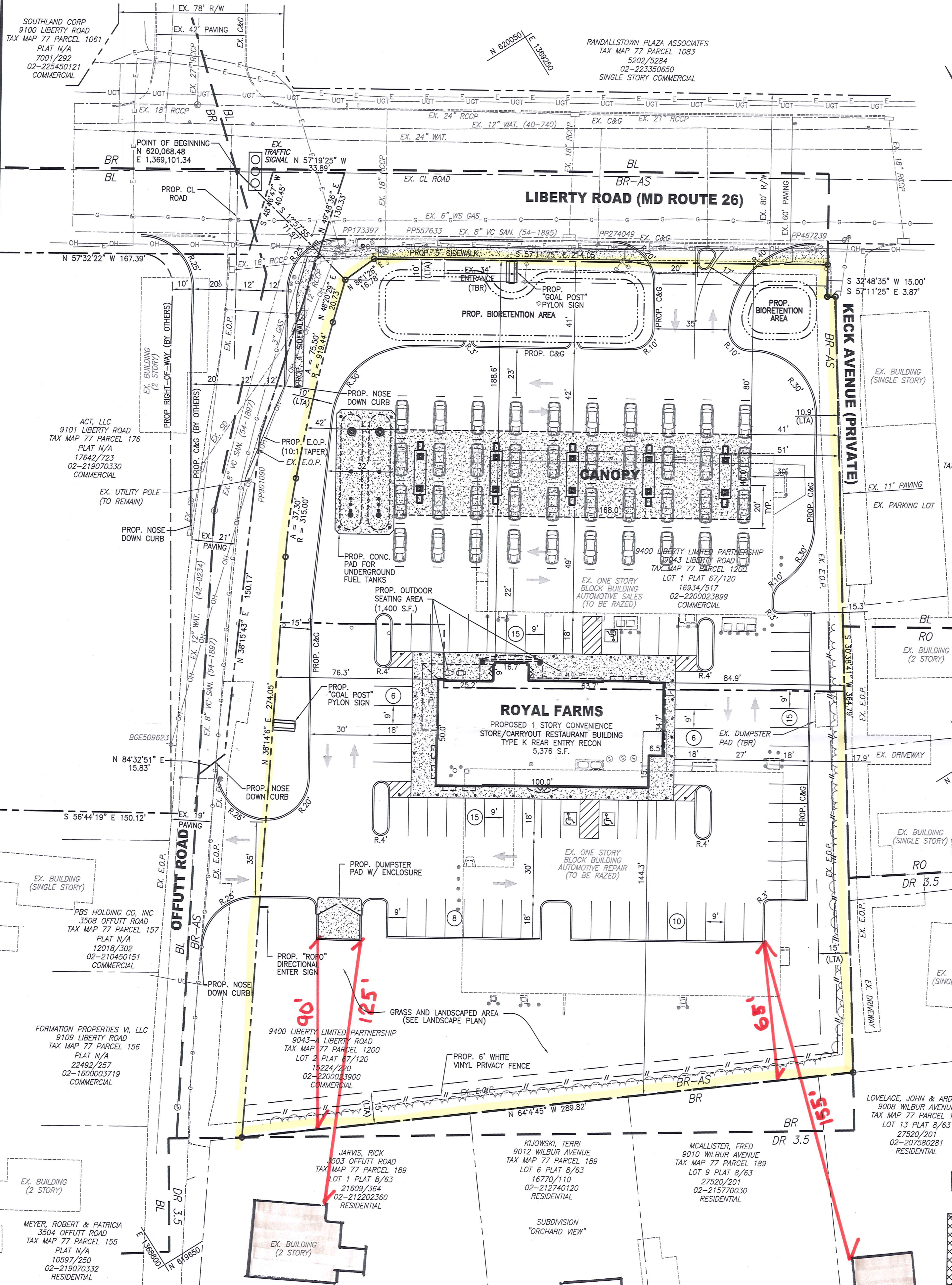
- SPECIAL EXCEPTION TO ALLOW A FUEL SERVICE STATION ON AN INDIVIDUAL SITE AND A CONVENIENCE STORE HAVING A SALES AREA LARGER THAN 1,500 SQUARE FEET, CARRY-OUT RESTAURANT, AND ROLL-OVER CAR WASH AS USES IN COMBINATION, PURSUANT TO BCZR SECTIONS 405.2.B.1, 405.4.E.1, 405.4.E.2, AND 405.4.E.10.
- VARIANCE FROM BCZR 419.4.B.1 TO ALLOW A CAR WASH TUNNEL ENTRANCE TO FACE AN ADJACENT RESIDENTIALLY ZONED PROPERTY.
- VARIANCE FROM BCZR SECTION 405.4.A.3.c(2) TO ALLOW 10 STACKING SPACES IN LIEU OF THE REQUIRED 20 STACKING SPACES.

MORRIS & RITCHIE ASSOCIATES, INC.
ENGINEERS, PLANNERS, SURVEYORS, ARCHITECTS AND LANDSCAPE ARCHITECTS
1220-C EAST JOPPA ROAD SUITE 505
TOWSON, MARYLAND 21286
(410) 821-1690
FAX (410) 821-1748

PLAN TO ACCOMPANY
SPECIAL EXCEPTION AND VARIANCE
SITE PLAN
ROYAL FARMS STORE #173
9043 LIBERTY ROAD

DATE	REVISIONS	JOB NO.:
03/27/2013	REDUCED THE LENGTH OF THE CAR WASH BUILDING AND MOVED VACUUM/AIR	17108
03/27/2013	REVISED STACKING TO REMOVE VARIANCE #3	SCALE: AS SHOWN
03/27/2013	ADDED CAR WASH NOTES	DATE: 11/29/2012
		DRAWN BY: T.H.S.
		DESIGN BY: T.H.S.
		REVIEW BY: M.G.C.
		SHEET: 01 OF 06

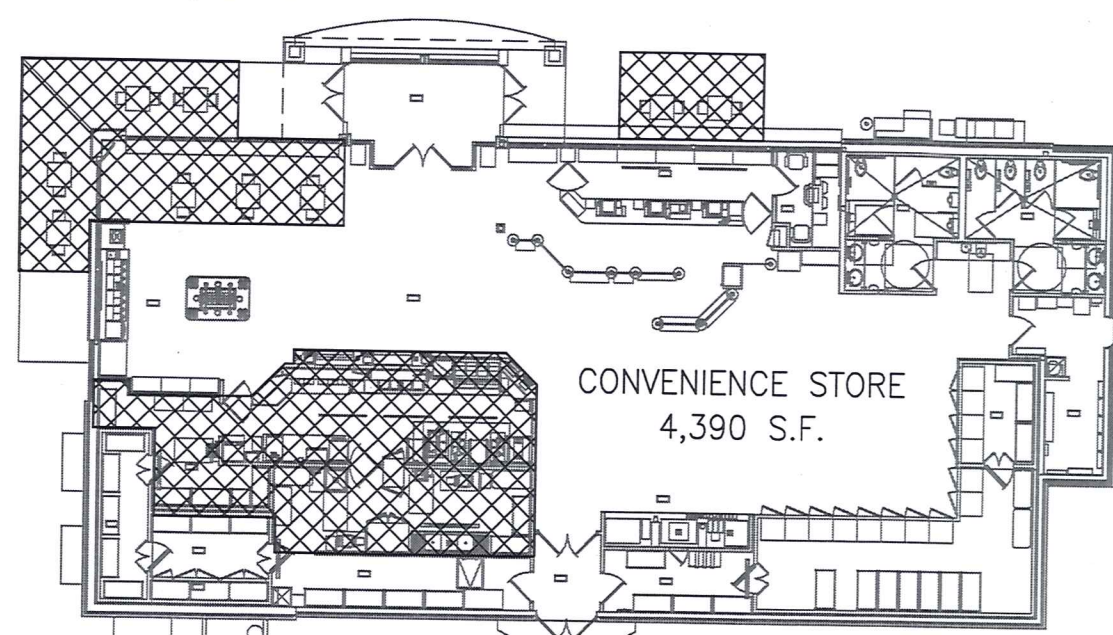
OFFUTT ROAD



PLAN

SCALE: 1" = 30'

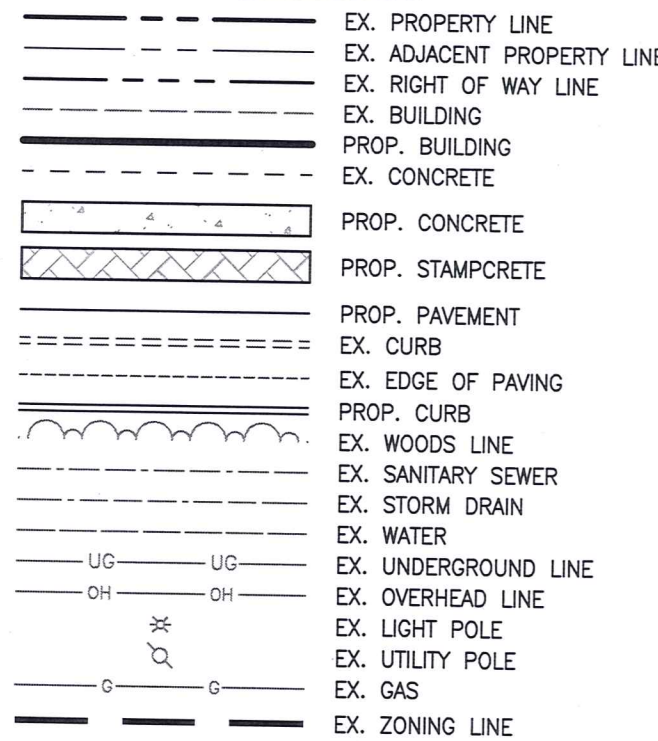
CARRY OUT RESTAURANT
1,400 S.F.



BUILDING INTERIOR LAYOUT

SCALE: 1" = 20'

LEGEND



GENERAL NOTES

- PROPERTY INFORMATION:
A. PROPERTY ADDRESS: 9043 LIBERTY ROAD (LOT 1)
9043-A LIBERTY ROAD (LOT 2)
48,300 S.F. ±, 1.109 AC. ± (LOT 1)
56,833 S.F. ±, 1.305 AC. ± (LOT 2)
B. SITE AREA: 105,133 S.F.
C. ELECTION DISTRICT: 2
D. COUNCILMANIC DISTRICT: 4
E. ADC MAP: 4896
F. CENSUS TRACT: 422503
G. TAX MAP: 77
H. PARCEL: 1200
I. TAX ACCOUNT NO.: 2200023990 (LOT 1)
2200023900 (LOT 2)
- ZONING: BR-AS
- ZONING MAP REFERENCE: 077A2
- FLOOR AREA RATIO:
PERMITTED = 2.0
PROVIDED = 0.05 (5,376 SF / 105,133 SF)
- EXISTING LAND USE: COMMERCIAL / AUTOMOTIVE SALES & REPAIR
PROPOSED LAND USE: CONVENIENCE STORE WITH GASOLINE AND CARRY OUT RESTAURANT WITH OUTDOOR SEATING
- SETBACKS: (TO PROPERTY LINE)
REQUIRED
FRONT 50'
SIDE 30'
REAR 30'
CANOPY 15'
FUEL PUMPS 25'
PROVIDED (MIN.)
188.6' ±
76.3' ±
41.1' ±
50.7' ±
- LANDSCAPE TRANSITION AREAS (LTAs)
REQUIRED
ALONG OFFUTT ROAD (PUBLIC) 10'
ALONG LIBERTY ROAD (PUBLIC) 10'
ALONG REAR YARD (BR ZONE) 15'
ALONG SIDE YARD (BL & RO ZONE) 6'
ALONG SIDE YARD (DR 3.5 ZONE) 15'
PROVIDED (MIN.)
10'
10'
15.9'
10.9'
- HEIGHT REQUIREMENTS: NOT TO EXCEED 40'
PROPOSED BUILDING HEIGHT: C-STORY = 24'-9" TO AVERAGE HEIGHT OF HIGHEST ROOF
35' FROM EXTERIOR FINISHED GRADE TO TOP OF CUPOLA
CANOPY = 21'
- THIS SITE IS SERVED BY PUBLIC WATER AND SEWER.
- SCREENING AND LANDSCAPING SHALL COMPLY WITH THE BALTIMORE COUNTY LANDSCAPE MANUAL.
- THE SITE IS NOT LOCATED IN A 100 YEAR FLOODPLAIN.
- THE SITE IS NOT LOCATED IN ANY FAILED BASIC SERVICES AREAS.
- THERE ARE NO KNOWN EXISTING WELLS OR SEPTIC FIELDS ON THIS PROPERTY.
- ANY FIXTURE USED TO ILLUMINATE AN OFF-STREET PARKING AREA SHALL BE ARRANGED AS TO REFLECT THE LIGHT AWAY FROM ADJACENT RESIDENTIAL AND PUBLIC STREETS.
- A REST ROOM FACILITY, WATER AND COMPRESSED AIR SHALL BE PROVIDED FOR CUSTOMERS.
- SIGNAGE ON THIS SITE SHALL CONFORM WITH THE SIGNAGE REQUIREMENTS OF THE BALTIMORE COUNTY ZONING REGULATIONS SECTION, 450.
- THERE ARE NO ABANDONED FUEL SERVICE STATIONS WITHIN ONE MILE OF THE SITE (SECTION 405.3, BCZR)

PARKING TABULATIONS CHART

(PARKING SPACES REQUIRED BY BCZR SECTION 409.6A)

USE	GROSS S.F.	PARKING RATE	PARKING SPACES REQUIRED PER SECTION 409.6A
CONVENIENCE STORE WITH GASOLINE AND CARRY OUT RESTAURANT WITH OUTDOOR SEATING	5,790	5/1,000 S.F.	29
MAXIMUM NUMBER EMPLOYEES ON LARGEST SHIFT			8
ATM			1
TOTAL PARKING REQUIRED			38
TOTAL PARKING PROVIDED (INCLUDES THREE HANDICAP SPACES)			75

SPECIAL EXCEPTION AREA

FUEL SERVICE STATION
(20 FUELING POSITIONS x 1,500 S.F.) = 30,000 S.F.
CONVENIENCE STORE
(4 x 4,390 S.F.) = 17,560 S.F.
ATM MACHINE
(1 ATM x 1,000 S.F.) = 1,000 S.F.
CARRY OUT RESTAURANT
(6 x 1,400 S.F.) = 8,400 S.F.
REQUIRED TOTAL AREA = 56,960 S.F.
PROVIDED TOTAL AREA = 105,133 S.F.

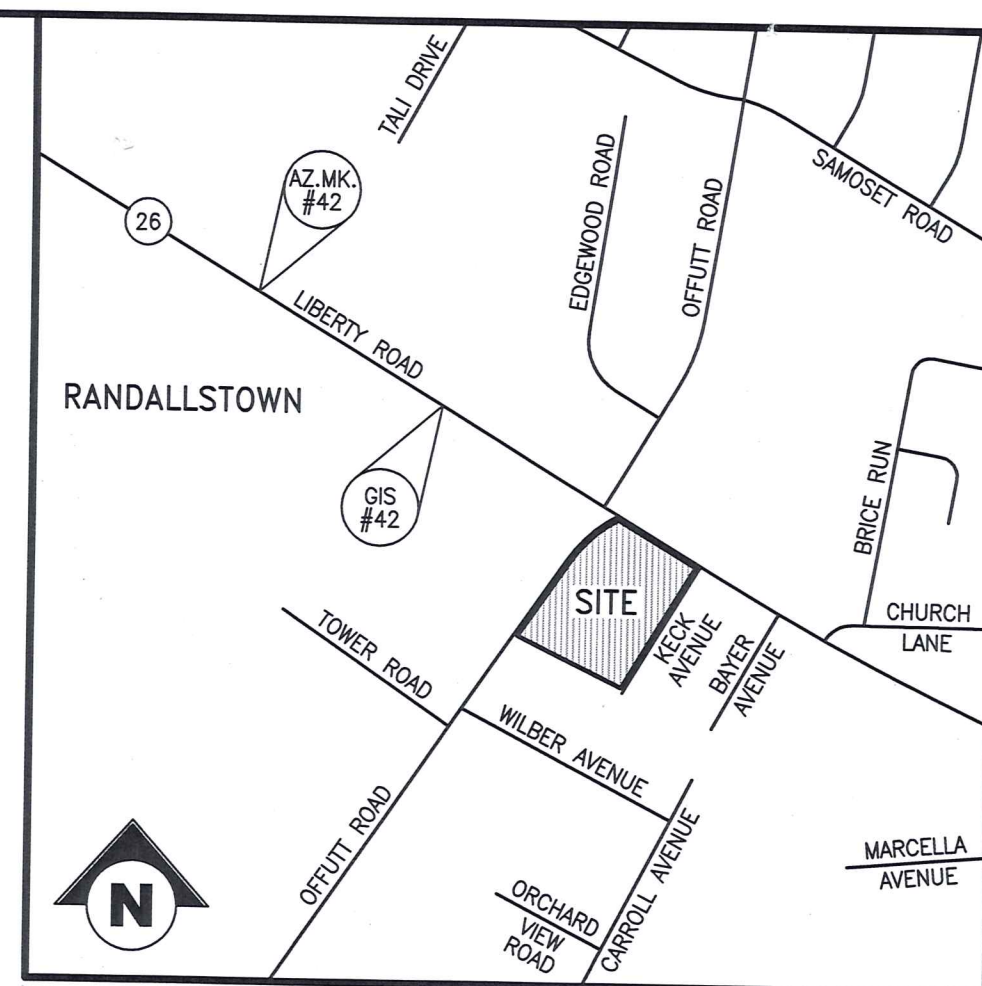
PROFESSIONAL CERTIFICATION

I HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME, AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MARYLAND, LICENSE NO. 38291, EXPIRATION DATE: 01/13/2016

OWNER / DEVELOPER

TWO FARMS, INC.
3611 ROLAND AVENUE
BALTIMORE, MARYLAND 21211
ATTN: MR. JEFF BANBRIDGE
PHONE: (410) 494-1631
DESIGN & DRAWING BASED ON
MARYLAND COORDINATE SYSTEM (MCS):
HORIZONTAL NAD 83/(1991)
VERTICAL NAVD 88

THE CORRECTNESS OR COMPLETENESS OF EXISTING INFORMATION SHOWN ON THE DRAWINGS IS NOT WARRANTED OR GUARANTEED. THE CONTRACTOR SHALL VERIFY THE LOCATION OF UTILITIES AND UNDERGROUND FACILITIES, BY TEST PITS OR OTHER METHODS APPROVED BY THE OWNER'S REPRESENTATIVE, AS REQUIRED TO VERIFY EXACT LOCATIONS AND DEPTHS WITHIN THE LIMIT OF DISTURBANCE. ALL DISCREPANCIES BETWEEN INFORMATION SHOWN ON THE DRAWINGS AND THAT VERIFIED IN THE FIELD SHALL BE REPORTED TO THE OWNER'S REPRESENTATIVE PRIOR TO BEGINNING WORK.



VICINITY MAP

SCALE: 1" = 500'

BENCHMARKS

AZ.MK. #42
ELEV. 566.73
DESCRIPTION: MONUMENT LOCATED 11.95' WEST OF SEWER MANHOLE NORTH OF STAR CAR WASH LOCATED ON LIBERTY ROAD.
GIS #42
ELEV. 591.33
DESCRIPTION: MONUMENT LOCATED 52' NORTHWEST OF THE NORTHWEST CORNER OF THE BALTIMORE COUNTY POLICE SUB-STATION AT THE SOUTHWEST CORNER OF LIBERTY ROAD AND OFFUTT ROAD.

COMMERCIAL PERMIT HISTORY

9043 LIBERTY ROAD
PERMIT # B328745 TYPE: SIGN
PERMIT # B435296 TYPE: SIGN
PERMIT # B452134 TYPE: TANK (COMMERCIAL)
PERMIT # B501004 TYPE: BUILDING (COMMERCIAL)
PERMIT # B504417 TYPE: BUILDING (COMMERCIAL)
PERMIT # B513378 TYPE: SIGN
PERMIT # B696384 TYPE: SIGN
9043-A LIBERTY ROAD
PERMIT # B452668 TYPE: BUILDING (COMMERCIAL)
PERMIT # B459715 TYPE: BUILDING (COMMERCIAL)

ZONING HISTORY

CASE NO. R-1954-2871 - CHANGE FROM "A" RESIDENTIAL TO "E" COMMERCIAL FOR ADDITIONAL PARKING FOR SCHMIDT MOTOR USED CARE LOT. APPROVED APRIL 26TH 1954.
CASE NO. R-1961-5289 - FOR USE AS FARMING IMPLEMENT SALES AND SERVICE. WITHDRAWN JUNE 9TH 1961.
CASE NO. 1962-5749-X - SPECIAL EXCEPTION FOR USED MOTOR VEHICLE OUTDOOR SALES AREA SEPARATED FROM SALES AGENCY BUILDING. DENIED, APPEALED AND DISMISSED JANUARY 24TH 1963.
CASE NO. 2003-0089-X - PETITION FOR SPECIAL EXCEPTION TO PERMIT A USED MOTOR VEHICLE SALES AREA. APPROVED OCTOBER 4TH 2002
DRC NO. 050150 - A BUILDING ADDITION WAS DETERMINED TO BE A LIMITED EXEMPTION UNDER SECTION 26-171(a)(7) MAY 30TH 1995.
CZME ISSUE NO. 4-016 - REZONE APPROXIMATELY 1.41 ACRES OF 9043A LIBERTY ROAD (LOT 2) FROM BR, DR3.5, BL AND RO TO BR-AS.

REASON FOR SPECIAL EXCEPTION

SPECIAL EXCEPTION TO ALLOW A FUEL SERVICE STATION ON AN INDIVIDUAL SITE AND A CONVENIENCE STORE HAVING A SALES AREA LARGER THAN 1,500 SQUARE FEET, AND CARRY-OUT RESTAURANT AS USES IN COMBINATION, PURSUANT TO BCZR SECTIONS 405.2.B.1, 405.4.E.1, AND 405.4.E.10.



MORRIS & RITCHIE ASSOCIATES, INC.
ENGINEERS, PLANNERS, SURVEYORS, ARCHITECTS AND LANDSCAPE ARCHITECTS
1220-C EAST JOPPA ROAD SUITE 505
TOWSON, MARYLAND 21286
(410) 821-1690
FAX (410) 821-1748

PLAN TO ACCOMPANY SPECIAL EXCEPTION

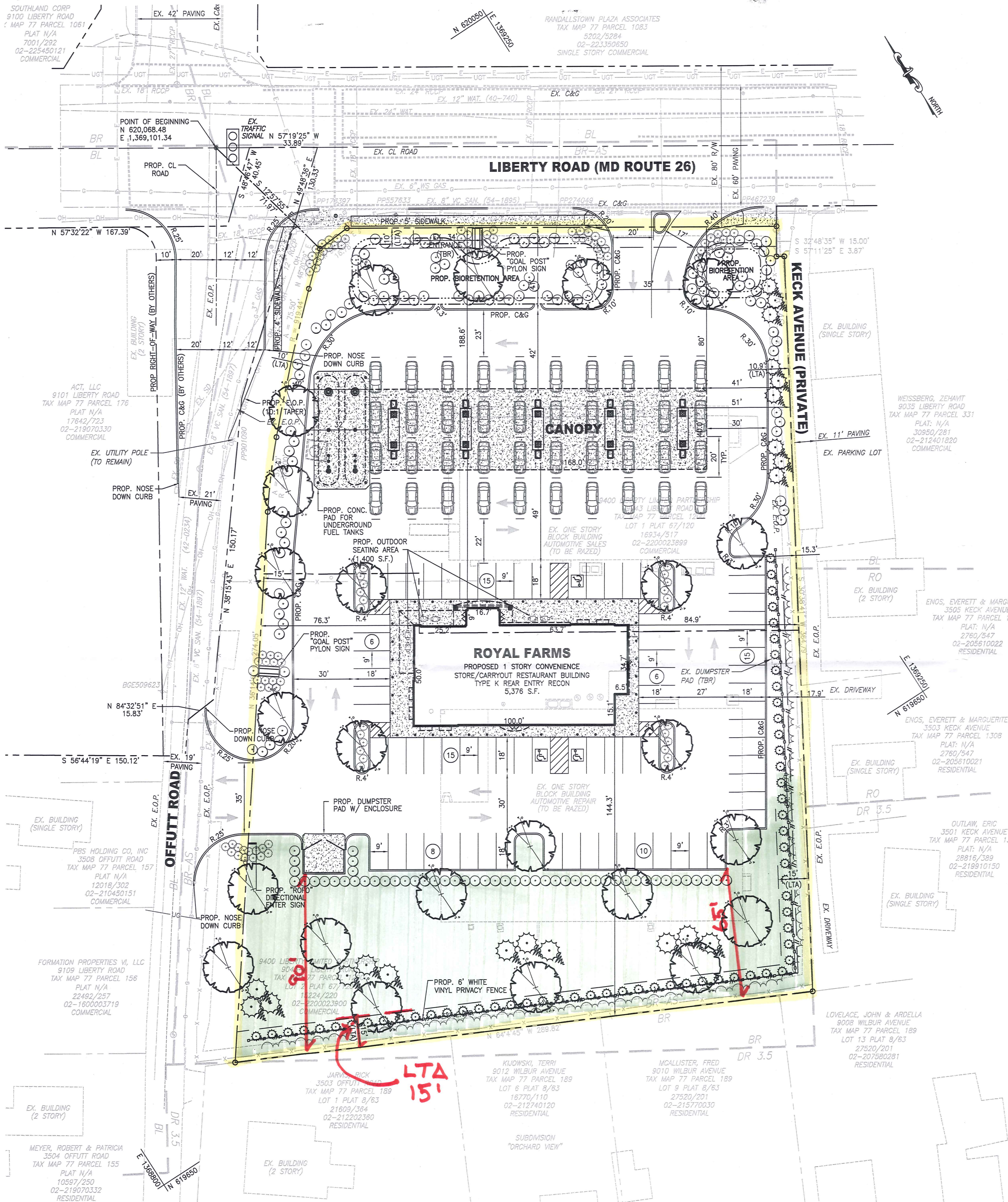
SITE PLAN ROYAL FARMS STORE #173 9043 LIBERTY ROAD

DATE	REVISIONS	JOB NO.	17108
12/24/2013	REMOVED CAR WASH	SCALE:	AS SHOWN
		DATE:	10/28/2013
		DRAWN BY:	T.H.S.
		DESIGN BY:	T.H.S.
		REVIEW BY:	M.G.C.
		SHEET:	01 OF 06

PETITIONER'S

EXHIBIT NO.

20



PLAN
SCALE: 1" = 30'

LEGEND

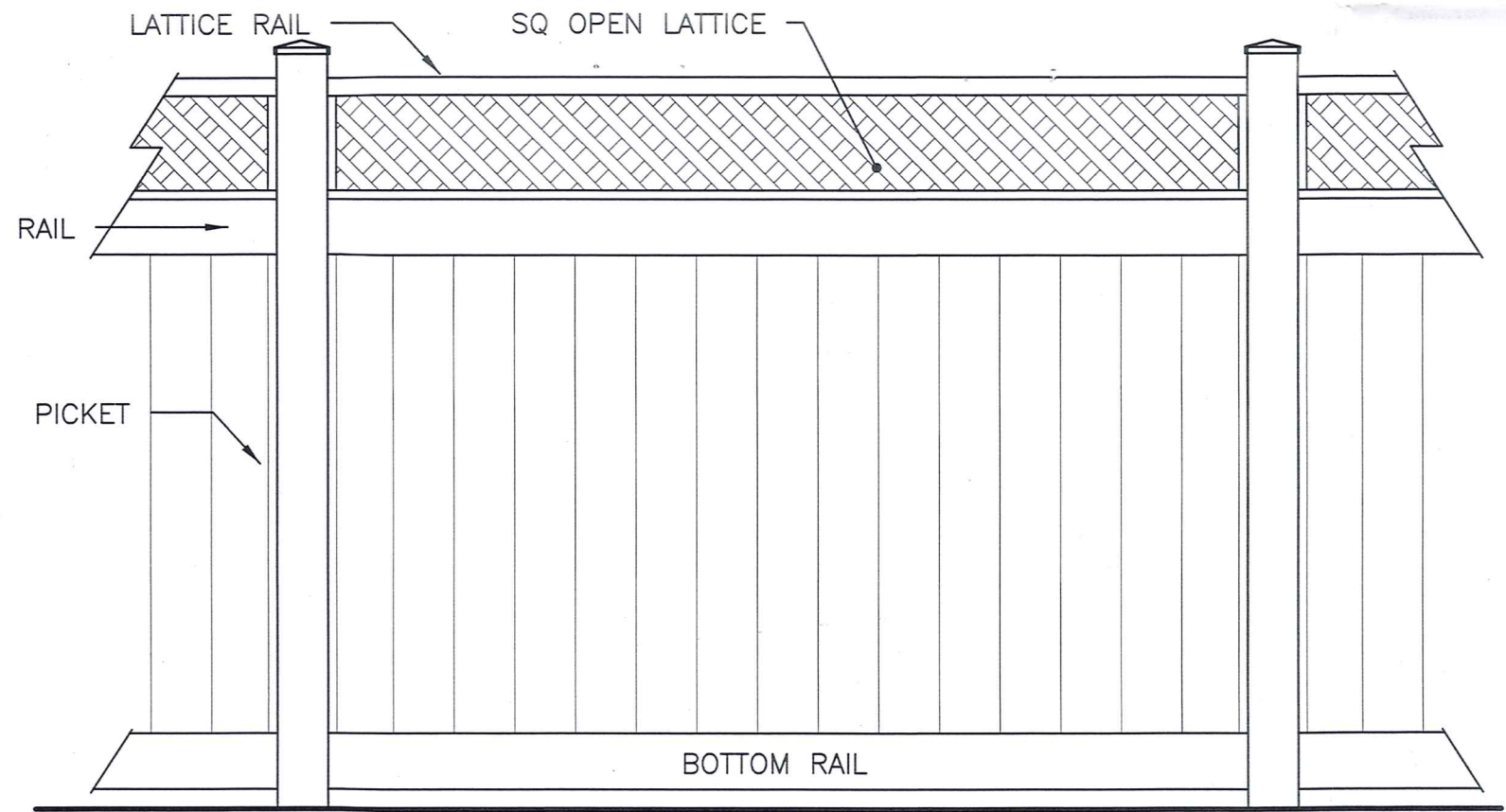
---	EX. PROPERTY LINE		PROP. MAJOR DECIDUOUS TREE
---	EX. ADJACENT PROPERTY LINE		PROP. EVERGREEN TREE
---	EX. RIGHT OF WAY LINE		PROPOSED SHRUB
---	EX. BUILDING		PROPOSED PRIVACY FENCE
---	PROP. BUILDING		
---	EX. CONCRETE		
---	PROP. CONCRETE		
---	PROP. STAMPCRETE		
---	PROP. PAVEMENT		
---	EX. CURB		
---	PROP. CURB		
---	EX. WOODS LINE		
---	EX. SANITARY SEWER		
---	EX. STORM DRAIN		
---	EX. WATER		
---	EX. UNDERGROUND LINE		
---	EX. OVERHEAD LINE		
---	EX. LIGHT POLE		
---	EX. UTILITY POLE		
---	EX. GAS		

**LANDSCAPE CALCULATIONS:
REQUIRED LANDSCAPING:**

NO.	DESCRIPTION	RATE	QUANTITY	PLANTING UNITS (PU)
1.	AUTOMOTIVE USES			
	ADJACENT TO PUBLIC ROAD	1 PU/15 LF	635 LF	42.0 PU
	ADJACENT TO RESIDENTIAL	1 PU/10 LF	380 LF	38.0 PU
	ADJACENT TO COMMERCIAL	1 PU/10 LF	285 LF	28.5 PU
2.	PARKING LOTS	1 PU/12 SP	66 SP	5.5 PU
TOTAL REQUIRED LANDSCAPING				114.0 PU

PROPOSED LANDSCAPING:

NO.	DESCRIPTION	RATE	QUANTITY	PLANTING UNITS (PU)
1.	MAJOR TREES	1 PU/TREE	24	24.0 PU
2.	MINOR TREES	1 PU/2 TREES	0	0 PU
3.	EVERGREEN TREES	1 PU/2 TREES	81	40.5 PU
4.	SHRUBS	1 PU/5 SHRUBS	270	54.0 PU
5.	PRIVACY FENCE	—	480 LF	—
TOTAL PROPOSED LANDSCAPING				118.5 PU



FENCE NOTES:

1. 6" TALL WHITE VINYL PRIVACY FENCE.
2. 8" PANEL SECTIONS MEASURED FROM CENTER OF POST TO CENTER OF POST.
3. USE LONG FENCE HILLSIDE W/LATTICE MODEL OR APPROVED EQUAL.
4. FOLLOW ALL MANUFACTURER'S SPECIFICATIONS FOR PROPER POST INSTALLATION.
5. PROVIDE SHOP DRAWINGS FOR APPROVAL BY OWNER AND LANDSCAPE ARCHITECT PRIOR TO INSTALLATION.

PRIVACY FENCE SECTION ELEVATION
NOT TO SCALE

PROFESSIONAL CERTIFICATION

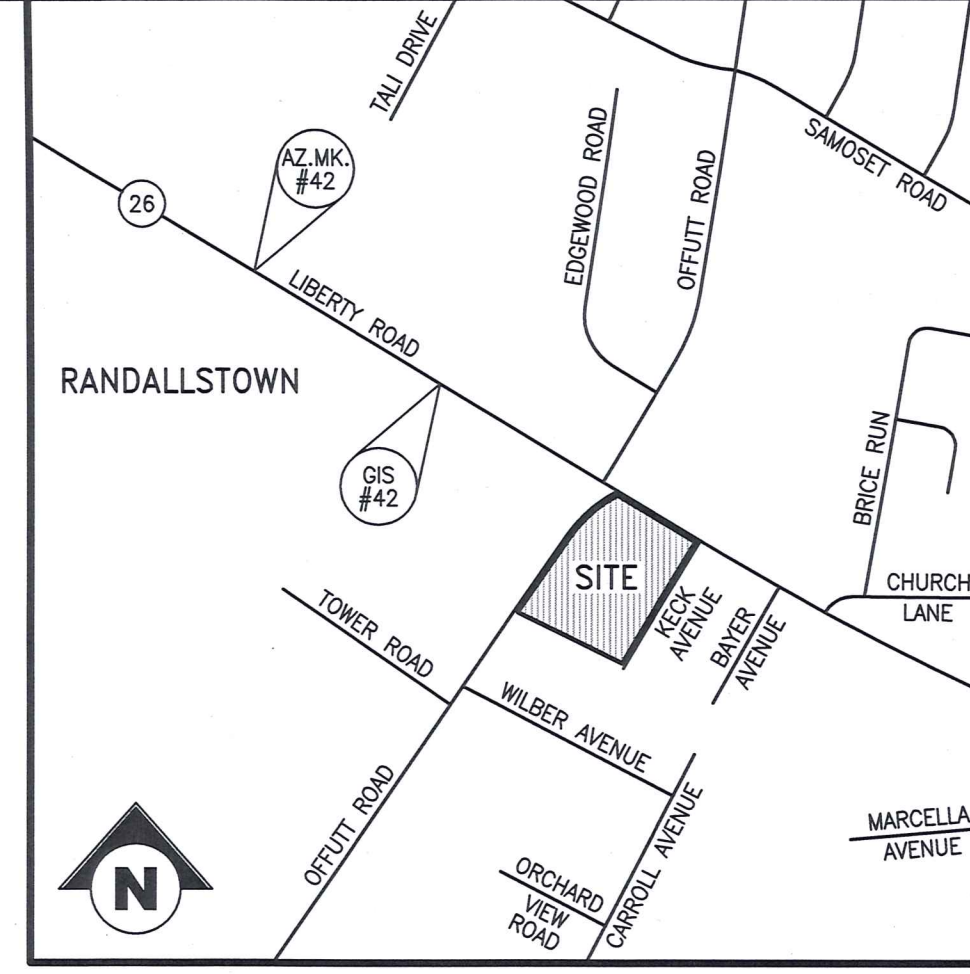
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ATTN: MR. JEFF BAINBRIDGE
PHONE: (410) 484-1631

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VICINITY MAP
SCALE: 1" = 500'

BENCHMARKS

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N 620566.57
E 1368191.17
N 620255.77
E 1368660.60



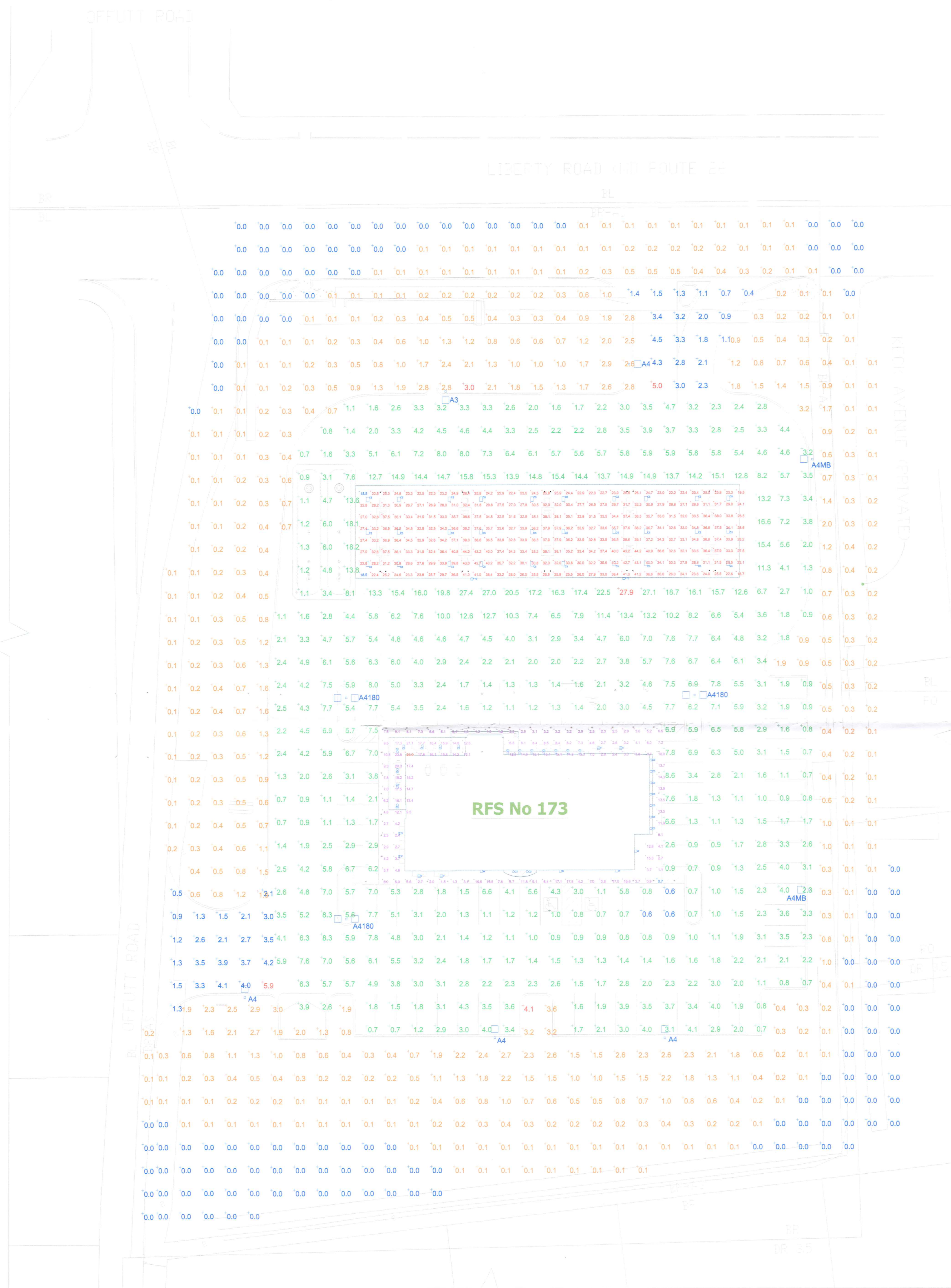
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PLAN TO ACCOMPANY SPECIAL EXCEPTION

**SCHEMATIC LANDSCAPE PLAN
ROYAL FARMS STORE #173**
9043 LIBERTY ROAD

DATE	REVISIONS	JOB NO.:	17108
12/24/2013	REMOVED CAR WASH	SCALE:	AS SHOWN
		DATE:	10/28/2013
		DRAWN BY:	T.H.S.
		DESIGN BY:	T.H.S.
		REVIEW BY:	M.G.C.
		SHEET:	10 of 10

PETITIONER'S
EXHIBIT NO. **2b**



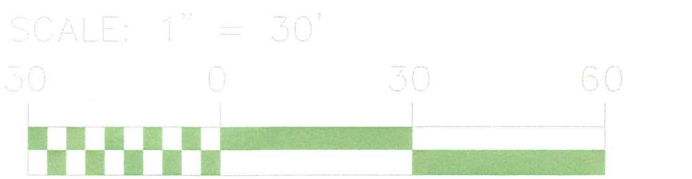
SITE LIGHTING PHOTOMETRICS

SCALE: 1"=30'-0"

Luminaire Schedule										
Symbol	Label	Quantity	Manufacturer	Catalog Number	Description	Lamp	Number Lamps	Filename	Lumens Per Lamp	Light Loss Factor
A3	BETA LED A DIVISION OF RUUD LIGHTING INC.	1	BETA LED A DIVISION OF RUUD LIGHTING INC.	STR-LWY-3M-08-D-UL-700-60K (700mA) CONFIGURE D FROM STR-LWY-3M-08-D-UL-700-43K or BXSLO408D-UD7 (700mA)	CONFIGURE D FROM 90 LED 700mA TYPE III MEDIUM LEDWAY 15" EXTRUSION	CONFIGURE D FROM NINETY WHITE LIGHT EMITTING DIODES (LEDs), VERTICAL BASE-UP	80	STR-LWY-3M-08-D-UL-700-60K-CONFIGURE D.IES	154,3771	0.8
		4		STR-LWY-4M-08-D-UL-700-60K (700mA) CONFIGURE D FROM STR-LWY-4M-08-D-UL-700-43K or BXSLO408D-UD7 (700mA)	CONFIGURE D FROM 60 LED TYPE IV MEDIUM LEDWAY	CONFIGURE D FROM 60 WHITE LEDS WITH CLEAR PLASTIC OPTICS BELOW EACH	60	STR-LWY-4M-08-D-UL-700-60K-CONFIGURE D.IES	163,4481	0.9
A4MB	BETA LED A DIVISION OF RUUD LIGHTING INC.	2	BETA LED A DIVISION OF RUUD LIGHTING INC.	STR-LWY-4MB-08-D-UL-700-60K (700mA) CONFIGURE D FROM STR-LWY-4MB-08-D-UL-700-43K or BXSLO408D-UD7 (700mA)	CONFIGURE D FROM 40 LED TYPE IV MEDIUM LEDWAY WITH BACKLIGHT SHIELD	CONFIGURE D FROM FORTY WHITE LIGHT EMITTING DIODES (LEDs), VERTICAL BASE-UP	80	STR-LWY-4MB-08-D-UL-700-60K-CONFIGURE D.IES	123,06	0.9
A4180	BETA LED A DIVISION OF RUUD LIGHTING INC.	3	BETA LED A DIVISION OF RUUD LIGHTING INC.	STR-LWY-4M-08-D-UL-700-60K (700mA) CONFIGURE D FROM STR-LWY-4M-08-D-UL-700-43K or BXSLO408D-UD7 (700mA)	CONFIGURE D FROM 60 LED TYPE IV MEDIUM LEDWAY	CONFIGURE D FROM 60 WHITE LEDS WITH CLEAR PLASTIC OPTICS BELOW EACH	60	STR-LWY-4M-08-D-UL-700-60K-CONFIGURE D.IES	163,4481	1
C2	Cree Lighting - Recessed Downlight	10	Cree Lighting - Recessed Downlight	LR6-18L-27K-120V-A-DR-XX	White Trim and Reflector with Flat Diffused Plastic Lens	Cree LEDs	1	LR6_18L_27K_120V_A_DR_XX.IES	1755,494	0.9
C3	Cree Lighting - Downlight	14	Cree Lighting - Downlight	LR6-10L-40K-120V-A-DR-US	With Flat Diffused Plastic Lens	Cree LED	1	LR6_10L_40K_120V_A_DR_US.LT6WH_DR1.IES	971,8778	0.9
C5	BETA LED A DIVISION OF RUUD LIGHTING INC.	30	BETA LED A DIVISION OF RUUD LIGHTING INC.	CAN-304-SL-08-D-UL-700-43K or BXCOPESSED-UD7 (700mA)	60 LED 700mA 4300K PETROLEUM SPARKLE 304 CANOPY FIXTURE	SIXTY WHITE LIGHT EMITTING DIODES (LEDs), VERTICAL BASE-UP POSITION.	60	CAN-304-SL-08-D-UL-700-43K.IES	187,94	0.9
F10	BETA LED A DIVISION OF RUUD LIGHTING INC.	2	BETA LED A DIVISION OF RUUD LIGHTING INC.	FLD-EDG-N6-08-D-UL-700-43K or BXCOPESSED-UD7 (700mA)	CONFIGURE D FROM 120 LED SYMMETRIC SERIES RECESSED CANOPY LUMINAIRE	CONFIGURE D FROM ONE HUNDRED TWENTY WHITE LIGHT EMITTING DIODES (LEDs), VERTICAL BASE-UP POSITION.	100	FLD-EDG-N6-08-D-UL-700-43K-CONFIGURE D.IES	157,5163	0.9
V	RAB LIGHTING, INC.	6	RAB LIGHTING, INC.	GNLED28YA DBFLOOD REFRROSTED D LENS	CAST FINNED METAL HOUSING, ONE CIRCUIT BOARD WITH ONE LED SPRUN SEMI-SPECULAR METAL REFLECTOR, FROSTED FLAT GLASS LENS IN CAST BLACK PAINTED METAL TRIM RING, LENS FROSTED SIDE UP.	ONE WHITE MULTI-CHIP LIGHT EMITTING DIODE, (LED), VERTICAL BASE-UP POSITION.	1	rab00281.i.es	807,5957	0.9
W	CREE, INC.	4	CREE, INC.	ESA-C10-SW-28-D-MD-U-525-50K (525mA) CONFIGURE D FROM KKR6JW28D1 SAC or ESA-ADP-MD-6-28-D-120-SSCQ-PF-525-50K (525mA) WITH TRIM KITR62DX00M F	CONFIGURE D FROM SIX-INCH ESSENTIA RECESSED ROUND MEDIUM DISTRIBUTION ON 58 LEDSS 525MA 3500K	CONFIGURE D FROM TWENTY-EIGHT WHITE LIGHT EMITTING DIODES (LEDs), VERTICAL	28	ESA-C10-SW-28-D-MD-U-525-50K-CONFIGURE D.IES	110,5292	0.9

Statistics							
Description	Symbol	Avg	Max	Min	Max/Min	Avg/Min	Avg/Max
Area beyond pavement 1	-	0.5 fc	4.1 fc	0.0 fc	N/A	N/A	0.1:1
Area beyond pavement 2	-	0.4 fc	3.0 fc	0.0 fc	N/A	N/A	0.1:1
Entrance and Exit 1	+	2.6 fc	5.9 fc	0.5 fc	11.8:1	6.2:1	0.4:1
Entrance and Exit 2	+	2.3 fc	5.0 fc	0.4 fc	12.5:1	5.8:1	0.5:1
Gas Canopy	+	31.9 fc	44.2 fc	18.5 fc	2.4:1	1.7:1	0.7:1
Parking and Drive	+	4.7 fc	27.9 fc	0.6 fc	46.5:1	7.8:1	0.2:1
Sidewalk	+	8.5 fc	28.0 fc	0.7 fc	37.1:1	12.1:1	0.3:1

PETITIONER'S
EXHIBIT NO. 27



RATCLIFFE ARCHITECTS
10000 Spawville Road
Shoppers, Maryland 21153
410-884-7010 • Fax 410-884-3819 • pet@ratcliffearchitects.com

KIBART CONSULTING ENGINEERS
10000 Spawville Road, Suite 100
Shoppers, Maryland 21153
410-884-7010 • Fax 410-884-3819 • pet@ratcliffearchitects.com

ROYAL FARMS

RANDALLSTOWN
LOCATED @ LIBERTY RD & OFFUTT RD
BALTIMORE COUNTY, MD
STORE #173

SITE LIGHTING PHOTOMETRICS

TITLE BLOCK	REVISD =
KEY	NOT REVISD =

#	REVISED DATE	CONTENT
---	---	PERMIT SET
---	---	BID SET
---	---	CONST. SET

DATE: 1.31.14
SCALE: NOTED
DRAWN BY: hfj

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LCI.1