IN RE: PETITIONS FOR SPECIAL HEARING, *

SPECIAL EXCEPTION & VARIANCE

(7701-7703 German Hill Road)

12th Election District

7th Council District

Cloverland Farms Dairy, Inc.

Legal Owner

Two Farms, Inc.,

Contract Purchaser

Petitioners

BEFORE THE

OFFICE OF

ADMINISTRATIVE HEARINGS

FOR BALTIMORE COUNTY

Case No. 2018-0296-SPHXA

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (OAH) for Baltimore County for consideration of Petitions for Special Hearing, Special Exception and Variance filed on behalf of Cloverland Farms Dairy, Inc., legal owner, and Two Farms, Inc., contract purchaser ("Petitioners").

The Petition for Special Hearing was filed pursuant to Section 500.7 of the Baltimore County Zoning Regulations ("BCZR") to allow stacking spaces servicing multi-product dispensers to be located within on-site driveways. In addition, a Petition for Variance seeks: (1) to allow a landscape transition area a minimum of 6 ft. in width from the rear property line in lieu of the required 15 ft.; (2) to allow a total of 30 off-street parking spaces in lieu of the required 37 parking spaces; (3) to allow a total of 6 stacking spaces in lieu of the required 12 stacking spaces for a fuel service station where bypass lanes serve all multiproduct dispensers; and (4) to allow a driveway for two-way movements a minimum of 14.5 feet in width in lieu of the required 20 feet. Finally, a Petition for Special Exception seeks to amend the site plan for a fuel service station and to enlarge the special exception area approved in Case No. 94-183-XA for the construction of a larger convenience store/carry out restaurant building, the reconfiguration and addition of fuel station pumps and other related improvements as shown on the site plan.

Appearing at the public hearing in support of the requests was Jennifer Leonard, Ken Schmid and Jeff Bainbridge. David H. Karceski, Esq. and Jennifer Frankovich, Esq. with Venable, LLP represented the Petitioners. There were no protestants or interested citizens in attendance. The Petition was advertised and posted as required by the BCZR. A substantive Zoning Advisory Committee (ZAC) comment was submitted by the Bureau of Development Plans Review (DPR). That agency opposed only the special hearing request to permit stacking spaces within an on-site driveway.

The subject property is approximately 1.09 acres in size and is zoned BL-AS. A gasoline station has existed on this property since 1949, and Royal Farms has operated a fuel service station and convenience store here since 1994. Petitioners acquired two adjoining commercial parcels and propose to expand the size of the convenience store and install additional fuel pumps.

Variances

A variance request involves a two-step process, summarized as follows:

- (1) It must be shown the property is unique in a manner which makes it unlike surrounding properties, and that uniqueness or peculiarity must necessitate variance relief; and
- (2) If variance relief is denied, Petitioner will experience a practical difficulty or hardship.

Cromwell v. Ward, 102 Md. App. 691 (1995).

The site has an irregular shape (like a diamond) and is therefore unique. If the Regulations were strictly interpreted, Petitioners would experience a practical difficulty because they would be unable to construct the proposed improvements. Finally, I find that the variances can be granted in harmony with the spirit and intent of the BCZR and in such manner as to grant relief without injury to the public health, safety, and general welfare.

ORDER RECEIVED FOR FILING

Date 11118

Special Exception

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 *Attar v. DMS Tollgate, LLC*, 451 Md. 272, (2017), where the court of appeals discussed the nature of the evidentiary presumption in special exception cases. The court again emphasized 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. Ms. Leonard, a landscape architect accepted as an expert, opined Petitioners satisfied all requirements set forth in BCZR Section 502.1 and the Maryland case law interpreting that provision. In the absence of any evidence to the contrary I will grant the petition for special exception.

Special Hearing

As noted earlier the Bureau of DPR opposed the special hearing request pertaining to the stacking spaces at the fuel dispensers. While I share that agency's concerns with the potential for impeding traffic flow at the site, Petitioners presented testimony from Ken Schmid, a traffic engineer accepted as an expert, which I found persuasive.

First, Mr. Schmid confirmed that under no circumstances would vehicle stacking at the fuel pumps interfere with the ingress/egress points from the site or the surrounding roadways. He also testified his firm studied the parking and vehicular movements throughout the site.

Based on his observations, he opined the 30 parking spaces on site would be more than sufficient and that even during peak time periods he would expect no more than 6 vehicles stacking at this site waiting to use one of the 12 fuel dispensers. As such he did not believe granting the special hearing request would cause congestion throughout the site. Jeff Bainbridge from Royal Farms

ORDER RECEIVED FOR FILING

Date_____

Bv_

also stated Petitioners would not invest in excess of \$3 million to renovate this site if they believed patrons could not safely and conveniently navigate through the site. In light of this testimony I will grant the special hearing request.

THEREFORE, IT IS ORDERED this <u>1</u>st day of **November**, **2018**, by this Administrative Law Judge, that the Petition for Special Hearing pursuant to Section 500.7 of the BCZR to allow stacking spaces servicing multi-product dispensers to be located within on-site driveways, be and is hereby GRANTED.

IT IS FURTHER ORDERED that the Petition for Special Exception to amend the site plan for a fuel service station and to enlarge the special exception area approved in Case No. 94-183-XA for the construction of a larger convenience store/carry out restaurant building, the reconfiguration and addition of fuel station pumps and other related improvements as shown on the site plan, be and is hereby GRANTED.

IT IS FURTHER ORDERED that the Petition for Variance: (1) to allow a landscape transition area a minimum of 6 ft. in width from the rear property line in lieu of the required 15 ft.; (2) to allow a total of 30 off-street parking spaces in lieu of the required 37 parking spaces; (3) to allow a total of 6 stacking spaces in lieu of the required 12 stacking spaces for a fuel service station where bypass lanes serve all multiproduct dispensers; and (4) to allow a driveway for two-way movements a minimum of 14.5 feet in width in lieu of the required 20 feet, be and is hereby GRANTED.

The relief granted herein shall be subject to the following:

Petitioners may apply for necessary permits and/or licenses upon receipt
of this Order. However, Petitioners are hereby made aware that
proceeding at this time is at their own risk until 30 days from the date
hereof, during which time an appeal can be filed by any party. If for
whatever reason this Order is reversed, Petitioners would be required to
return the subject property to its original condition.

ORDER RECEIVED FOR FILING

Date 11118

2. Prior to issuance of permits Petitioners must submit for approval by Baltimore County landscape and lighting plans for the site.

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

JOHN É. BEVERUNGEN Administrative Law Judge for Baltimore County

JEB:sln

ORDER RECEIVED FOR FILING

Date______

Ву___







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
 7701 - 7703 German Hill Road; 2507 Plainfield Road
 which is presently zoned
 BL-AS; DR 5.5

 Deed References:
 08921/575; 32579/279; 05806/728
 10 Digit Tax Account # 1219072554;1211098080; 1223016990

Property Owner(s) Printed Name(s) Cloverland Farms Dairy, Inc.; Two Farms, Inc.; William A. May and Mary H. May

(SELECT THE HEARING(S) BY MARKING \underline{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:

 X a Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determ or not the Zoning Commissioner should approve 	nine whether
SEE ATTACHMENT NO. 1	
2X_ a Special Exception under the Zoning Regulations of Baltimore County to use the herein describ	bed property for
SEE ATTACHMENT NO. 2	
3X a Variance from Section(s)	

SEE ATTACHMENT NO. 3

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the following reasons: (Indicate below your hardship or practical difficulty or indicate below "TO BE PRESENTED AT HEARING". If you need additional space, you may add an attachment to this petition)

TO BE PRESENTED AT HEARING

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

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

Contract Purchaser/Lessee:	Legal Owners (Pet	itioners):	
FORFIL	See Attachment Nos.	4-5 /	
Contract Purchaser/Lessee: Name- Type or Print Signature ORDER RECEIVED FOR FILING	Name #1 – Type or Print	Name #2	- Type or Print
	Signature #1	Signature	# 2
Mailing Address ate	State Mailing Address	City	State
1 BY			
Zip Code Felephone # Email Address	Zlp Code Tel	ephone# Er	mail Address
Attorney for Petitioner:	Representative to I	oe contacted:	
David H. Karceski, Esq.	David H. Karceski, Es	90	
Name- Type or Print	Name – Type or Print		-
Signature	Signature	4.00 A 10 A	
210 W. Pennsylvania Avenue, Ste. 500, Towson, MD	210 W. Pennsylvania	Avenue, Ste. 500, Tov	wson, MD
	tate Mailing Address	City	State
21204 / (410) 494-6200 / dhkarceski@ver	nable.com 21204 / (410) 4	94-6200 _/ dhka	arceski@venable.com
Zip Code Telephone # Email Address		ephone# Er	mall Address

CASE NUMBER 2018 - 0296 SPHA Filing Date 1011/18 Do Not Schedule Dates:

Revised

Revised

CLOVERLAND FARMS DAIRY, INC.; TWO FARMS, INC.; WILLIAM A. MAY and MARY H. MAY

7701-7703 GERMAN HILL ROAD and 2507 PLAINFIELD ROAD

ATTACHMENT NO. 3 TO PETITION FOR VARIANCE

- 1. Variance from Section 405.4.A.2.b of the B.C.Z.R. to allow a landscape transition area a minimum of 6 feet in width from the rear property line in lieu of the required 15 feet.
- 2. Variance from Section 409.6.A.2 of the B.C.Z.R. to allow a total of 30 off-street parking spaces in lieu of the required 37 parking spaces.
- 3. Variance from Section 405.4.A.3.c of the B.C.Z.R. to allow a total of 6 stacking spaces in lieu of the required 12 stacking spaces for a fuel service station where bypass lanes serve all multiproduct dispensers.
- 4. Variance from Section 409.4.A of the B.C.Z.R. to allow a driveway for two-way movements a minimum of 14.5 feet in width in lieu of the required 20 feet.

Case # 2018-0296-SPHXA

CLOVERLAND FARMS DAIRY, INC.; TWO FARMS, INC.; WILLIAM A. MAY and MARY H. MAY

7701-7703 GERMAN HILL ROAD and 2507 PLAINFIELD ROAD

ATTACHMENT NO. 1 TO PETITION FOR SPECIAL HEARING

1. Special Hearing to allow stacking spaces servicing multi-product dispensers to be located within on-site driveways.



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 7701 - 7703 German Hill Road; 2507 Plainfield Road which is presently zoned BL-AS; DR 5.5

Deed References: 08921/575; 32579/279; 05806/728 10 Digit Tax Account # 1219072554;1211098080; 1223016990

Property Owner(s) Printed Name(s) Cloverland Farms Dairy, Inc.; Two Farms, Inc.; William A. May and Mary H. May

(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:

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

SEE ATTACHMENT NO. 1

2>	X a Special Exception under the Zoning	Regulations of Baltimore County to use the herein described property for
		SEE ATTACHMENT NO. 2
3. X	a Variance from Section(s)	

SEE ATTACHMENT NO. 3

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the following reasons: (Indicate below your hardship or practical difficulty or indicate below "TO BE PRESENTED AT HEARING". If you need additional space, you may add an attachment to this petition)

TO BE PRESENTED 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:	Legal Owners (Petitioners):
ED FOR	See Attachment Nos. 4-5
Contract Purchaser/Lessee: Name- Type or Print Signature ORDER RECEIVED FOR FILING	Name #1 – Type or Print Name #2 – Type or Print
Signature Date	Signature #1 Signature # 2
Mailing Address City State	Mailing Address City State
Zip Code / By / Email Address	Zip Code Telephone # Email Address
Attorney for Petitioner:	Representative to be contacted:
David H. Karceski, Esq.	David H. Karceski, Esq.
Name- Type or Print	Name – Type or Bint Signature
Signature Ota FOO Tayyan MD	and the second s
210 W. Pennsylvania Avenue, Ste. 500, Towson, MD Mailing Address City State	210 W. Pennsylvania Avenue, Ste. 500, Towson, MD Mailing Address City State
21204 / (410) 494-6200 / dhkarceski@venable.com	21204 / (410) 494-6200 / dhkarceski@venable.com
Zip Code Telephone # Email Address	Zip Code Telephone # Email Address
CASE NUMBER 2018-0296-504XAFilling Date 10,11, 18	Do Not Schedule Dates: Reviewer

Revised

REV. 10/4/11

CLOVERLAND FARMS DAIRY, INC.; TWO FARMS, INC.; WILLIAM A. MAY and MARY H. MAY

7701-7703 GERMAN HILL ROAD and 2507 PLAINFIELD ROAD

ATTACHMENT NO. 2 TO PETITION FOR SPECIAL EXCEPTION

1. To amend the site plan for a fuel service station and to enlarge the special exception area approved in Case No. 94-183-XA for the construction of a larger convenience store/carry out restaurant building, the reconfiguration and addition of fuel service stations pumps, and other related improvements as shown on the site plan

CLOVERLAND FARMS DAIRY, INC.; TWO FARMS, INC.; WILLIAM A. MAY and MARY H. MAY

7701-7703 GERMAN HILL ROAD and 2507 PLAINFIELD ROAD

ATTACHMENT NO. 1 TO PETITION FOR SPECIAL HEARING

1. Special Hearing to allow stacking spaces servicing multi-product dispensers to be located within on-site driveways.

Revised

CLOVERLAND FARMS DAIRY, INC.; TWO FARMS, INC.; WILLIAM A. MAY and MARY H. MAY

7701-7703 GERMAN HILL ROAD and 2507 PLAINFIELD ROAD

ATTACHMENT NO. 3 TO PETITION FOR VARIANCE

- 1. Variance from Section 405.4.A.2.b of the B.C.Z.R. to allow a landscape transition area a minimum of 6 feet in width from the rear property line in lieu of the required 15 feet.
- 2. Variance from Section 409.6.A.2 of the B.C.Z.R. to allow a total of 30 off-street parking spaces in lieu of the required 37 parking spaces.
- 3. Variance from Section 405.4.A.3.c of the B.C.Z.R. to allow a total of 6 stacking spaces in lieu of the required 12 stacking spaces for a fuel service station where bypass lanes serve all multiproduct dispensers.
- 4. Variance from Section 409.4.A of the B.C.Z.R. to allow a driveway for two-way movements a minimum of 14.5 feet in width in lieu of the required 20 feet.

Case # 2018-0296-SPHXA

TWO FARMS, INC. 7703 GERMAN HILL ROAD TAX ACCOUNT NO. 1211098080

WILLIAM A. MAY AND MARY H. MAY 2507 PLAINFIELD ROAD TAX ACCOUNT NO. 1223016990

ATTACHMENT NO. 1

TO PETITION FOR ZONING RELIEF

Legal Owner

Cloverland Farms Dairy, Inc. 3611 Roland Avenue Baltimore, MD 21211 (410) 889-0200

By:

Title:

Jeff Bainbridge Director of Real Estate

TWO FARMS, INC. 7703 GERMAN HILL ROAD TAX ACCOUNT NO. 1211098080

WILLIAM A. MAY AND MARY H. MAY 2507 PLAINFIELD ROAD TAX ACCOUNT NO. 1223016990

ATTACHMENT NO. 2

TO PETITION FOR ZONING RELIEF

Legal Owner (and Contract Purchaser to 2507 Plainfield Road)

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

Jeff Bainbridge

Title: Director of Real Estate

TWO FARMS, INC. 7703 GERMAN HILL ROAD TAX ACCOUNT NO. 1211098080

WILLIAM A. MAY AND MARY H. MAY 2507 PLAINFIELD ROAD TAX ACCOUNT NO. 1223016990

ATTACHMENT NO. 3

TO PETITION FOR ZONING RELIEF

Legal Owners

William A. May and Mary H. May 1221 Hillshire Road Baltimore, MD 21222-1242 (410) 889-0200

Ву:

WILLIAM A.MI

Ву: __

H. MAY

TWO FARMS, INC. 7703 GERMAN HILL ROAD TAX ACCOUNT NO. 1211098080

WILLIAM A. MAY AND MARY H. MAY 2507 PLAINFIELD ROAD TAX ACCOUNT NO. 1223016990

ATTACHMENT NO. 5

TO PETITION FOR ZONING RELIEF

Legal Owners

William A. May and Mary H. May 1221 Hillshire Road Baltimore, MD 21222-1242 (410) 889-0200

By:	KK M	a Howey	1/2	Fish
	Y	W. Iliam	4 .	May

ZONING PROPERTY DESCRIPTION

LAND OF TWO FARMS, INC. - LIBER 32579 FOLIO 279
CLOVERLAND FARMS DAIRY INC. - LIBER 8921 FOLIO 575
WILLIAM A. MAY - LIBER 5806 FOLIO 728
BALTIMORE COUNTY, MD

ZONING PROPERTY DESCRIPTION FOR: 7701-7707 German Hill Road.

Beginning at a point on the southwesterly right-of-way line of German Hill Road (60 feet wide), said point lying at the end of a line drawn South 52° 25' 51" East, 81.07 feet from the point of intersection between the centerline of German Hill Road and Plainfield Road, said point also lying at the end of the North 43°11'18" East, 24.22 feet line of the Cloverland Farms Dairy Inc. parcel of land described in a deed recorded in Liber 8921 at Folio 575, thence running with the South side of the aforesaid German Hill Road right-of-way the following five courses and distances.

- (1) South 74° 38' 42" East, 75.86 feet to a point of curve; thence
- (2) By a line curving to the left with a Radius of 830 feet and an Arc of 49.88 feet to a point; thence
 - (3) South 14° 59' 17" East, 0.51 feet to a point; thence
 - (4) South 74° 40' 32" East, 46.89 feet to a point of curve; thence
 - (5) By a line curving to the left with a Radius of 480 feet and an Arc of 53.11 feet to a point at the northwest corner of a parcel of land described in a deed to Tailored Realty Investment Inc. recorded in Liber 12501 at Folio 658, thence leaving aforesaid German Hill Road right-of-way and running with the Tailored Realty Investment Inc. parcel
 - (6) South 14° 14' 52" East, 206.55 feet to a point of curve at the North side of a twenty foot wide alley; thence leaving said Tailored Realty Investment Inc. parcel and binding on the North side of said twenty foot wide alley the following two courses and distances
 - (7) By a line curving Northwesterly to the right with a Radius of 667.32 feet and an Arc of 156.56 feet to a point; thence
 - (8) North 74° 40' 32" West, 86.06 feet to a point along the East right-of-way line of Plainfield Road (60 feet wide) thence leaving the aforesaid North side of the twenty foot alley and running along the East right-of-way of Plainfield Road
 - (9) North 14° 14' 52" West, 198.44 feet to a point at the beginning of the truncation line connecting to German Hill Road; thence binding on said truncation line
- (10) North 43° 11' 18" East, 24.22 feet to the point of beginning, containing an area of 47,692 square feet or 1.0949 acres of land. The above described land located in the 12th Election District and the 7th Council District of Baltimore County, Maryland.

2018-0296-SPAXX

Note: The above description is prepared under Section 09.13.06.11 Compliance with Federal, State and Local Requirements of the Maryland Minimum Standards of Practice for Land Surveys, and is not a Meets and Bounds Description as defined in Section 09.13.06.08 thereof.

	RE: Case No.:	2018-0296-SPHX.
	Petitioner/Developer:	
•	Cloverland	Farms Dairy, Inc
	Date of Hearing/Closing:	October 30, 201
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 perposted conspicuously on the property located at:	ury that the necessary sign(s) r	equired by law were
7701-7703 German Hill Road SIG	N 4 Recertifi	cation
Oc The sign(s) were posted on	ctober 10, 2018	
	onth, Day, Year)	
Since	rely,	October 28, 2018
ZONING NOTICE	(Signature of Sign Poster)	(Date)
CASE 2018-0296-SPHXA (Cont.)	SSG Robert Bl	ack
A PUBLIC HEARING WILL BE HELD BY THE ADMINISTRATIVE LAW JUDGE IN TOWSON, MO. PROOF 705 JEFFERSON BUILDING	(Print Name)
PLACE 101 W DIS SAFEMENT AVE 10WSON MO 2124	1508 Leslie Ro	ad
The subject of the su	(Address)	
A CONTRACTOR OF THE PARTY OF TH	Dundalk, Maryland	1 21222
indicate or public energy.	(City, State, Zip (Code)
	(410) 282-794	0
	(Telephone Num	ber)

	RE: Case No.:
	Petitioner/Developer:
	Cloverland Farms Dairy, Inc
	October 30, 2018 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 pe posted conspicuously on the property located at	rjury that the necessary sign(s) required by law were
7701-7703 German Hill Road SIC	GN 3 Recertification
The sign(s) were posted on	October 10, 2018
	Month, Day, Year)
Sinc	erely October 28, 2018
TONING	(Signature of Sign Poster) (Date)
ZONING NOTICE 2018-0296-SPHXA	SSG Robert Black
A PUBLIC HEARING WILL BE HELD BY	(Print Name)
ROOM 208, JEFFERSON DUITUNG PLACE: 106 W. CHESAPERNE AVE. TOWSDYLERS	1508 Leslie Road
DATE AND TUST IN SIGN OF OTHER TO THE ALTER OF THE ALTER	(Address)
article and an extension to a monthly to a day for the same of the control of the	Dundalk, Maryland 21222
Language of Action and	(City, State, Zip Code)
	(410) 282-7940
	(Telephone Number)

	RE: Case No.:	018-0296-SPHXA
•	Petitioner/Developer:	
ı	Cloverland 1	Farms Dairy, Inc.
	Date of Hearing/Closing:	October 30, 2018
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 posted conspicuously on the property loca	of perjury that the necessary sign(s) re	quired by law were
7701-7703 German Hill Road	SIGN 2 Recertifi	cation
The sign(s) were posted on	October 10, 2018	
The sign(s) were posted on	(Month, Day, Year)	
	Sincerely,	October 28, 2018
ZONING NOTICE CASE 2018-0296-SPHXA Continued	(Signature of Sign Poster) SSG Robert Bla	(Date)
A PUBLIC HEARING WILL BE HELD BY THE ADMINISTRATIVE LAW JUDGE IN TOWSON, MD.	(Print Name)	
	(**************************************	•

(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)

DATE AND TIME: Tuesday, October 30, 2018 at 1:30 pm

•	2018-0296-SPHXA RE: Case No.:
	Petitioner/Developer:
	Cloverland Farms Dairy, Inc.
	October 30, 2018 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 costed conspicuously on the property located	perjury that the necessary sign(s) required by law were
7701-7703 German Hill Road S	GN 1 Recertification
The sign(s) were posted on	October 10, 2018
6 () · · · · · · · · · · · · · · · · · ·	(Month, Day, Year)
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S	incerely,
	October 28, 2018
	(Signature of Sign Poster) (Date)
ZONING NOTICE	SSG Robert Black
A PUBLIC HEARING WILL BE HELD BY THE ADMINISTRATIVE LAW JUDGE	(Print Name)
ROOM 20. FFFFFFS ON BUILDING PLACE: 109 W.CHYSBECOM	1508 Leslie Road
REQUEST: Son left frame making stacking strong making stacking strong making making stacking strong making stacking strong making stacking strong str	(Address)
When Convenience of the Convenie	Dundalk, Maryland 21222
and the state of t	(City, State, Zip Code)
A CONTRACTOR OF THE PARTY OF TH	(410) 282-7940
包心实验 这个	(Telephone Number)

MEMORANDUM

DATE:

December 4, 2018

TO:

Zoning Review Office

FROM:

Office of Administrative Hearings

RE:

Case No. 2018-0296-SPHXA- - Appeal Period Expired

The appeal period for the above-referenced case expired on December 3, 2018. There being no appeal filed, the subject file is ready for return to the Zoning Review Office and is placed in the 'pick up box.'

/dlw

c: Case File

Office of Administrative Hearings

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2018-0296-SPHXA

BALTIMORE COUNTY: MARYLAND ORFIGE OF BUDGETAND FINANCE MISCELLANEOUS:CASH: RECEIPT	PAID RECEIPT BUSINESS ASTUAL TIME ON
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* **

e^j

Debra Wiley

NB 10-30-18 1:30 Pm

From:

SGT ROBERT BLACK <1opie@comcast.net>

Sent:

Monday, October 29, 2018 12:26 AM

To:

Barbara A. Lukasevich; DKarceski@Venable.com; jrfrankovich@venable.com;

Administrative Hearings; Kristen L Lewis

Subject:

Recertification's For 2018-0296-SPHXA

Attachments:

Re-Cert 1 2018-0296-SPHXA.doc; Re-Cert 2 2018-0296-SPHXA.doc; Re-Cert 3

2018-0296-SPHXA.doc; Re-Cert 4 2018-0296-SPHXA.doc

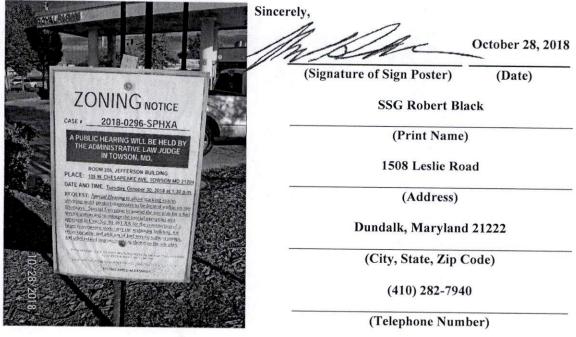
Recertification's for 7701-7703 German Hill Road

RECEIVED

OCT 2 9 2018

OFFICE OF ADMINISTRATIVE HEARINGS

	2018-0296-SPHXA RE: Case No.:
	Petitioner/Developer:
	Cloverland Farms Dairy, Inc.
	October 30, 2018 Date of Hearing/Closing:
posted conspicuously on the property located	RECEIVED OCT 2 9 2018 OFFICE OF ADMINISTRATIVE HEARINGS perjury that the necessary sign(s) required by law were at: GN 1 Recertification
7701-7703 German Hill Road	GIV I Recei tilication
The sign(s) were posted on	October 10, 2018 (Month, Day, Year)
Si	October 28, 2018



	2018-0296-SPHX RE: Case No.:
	Petitioner/Developer:
	Cloverland Farms Dairy, Inc
	Date of Hearing/Closing: October 30, 201
Baltimore County Department of	
Permits, Approvals and Inspections	Acceptance of the control of the con
County Office Building, Room 111	RECEIVED
111 West Chesapeake Avenue	The Children of the D
Γowson, Maryland 21204	007 0 0 0010
	OCT 2 9 2018
Attn: Kristen Lewis:	OFFICE OF
	ADMINISTRATIVE HEARINGS
Ladies and Gentlemen:	The state of the s
This letter is to certify under the pena posted conspicuously on the property	lities of perjury that the necessary sign(s) required by law were located at:
7701-7703 German Hill Road	SIGN 2 Recertification
The sign(s) were posted on	October 10, 2018
Posted on	(Month, Day, Year)



Sincerely,

(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)

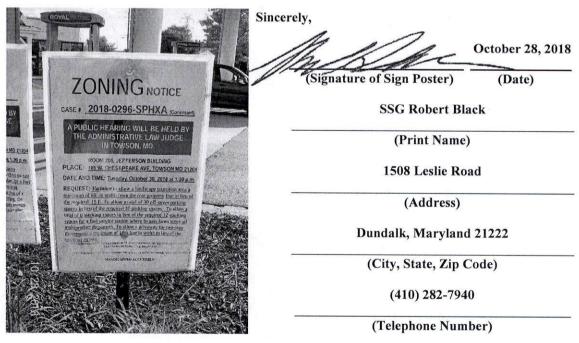
	RE: Case No.:	2018-0296-SPHXA
		r:
	Clover	land Farms Dairy, Inc.
	Date of Hearing/Cle	October 30, 2018
Baltimore County Department of Permits, Approvals and Inspections County Office Building, Room 111		
111 West Chesapeake Avenue Towson, Maryland 21204		RECEIVED
Attn: Kristen Lewis:		OCT 2 9 2018 OFFICE OF
Ladies and Gentlemen:	AD	MINISTRATIVE HEARINGS
This letter is to certify under the penal posted conspicuously on the property	lties of perjury that the necessary siglocated at:	gn(s) required by law were
7701-7703 German Hill Road	SIGN 3 Recer	tification
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•	(Month, Day, Year)	



	October 28,
(Signature of Sign Poster)	(Date)
SSG Robert B	lack
(Print Nam	e)
1508 Leslie R	oad
(Address)	
Dundalk, Marylan	nd 21222
(City, State, Zip	Code)
(410) 282-79	40
(Telephone Nur	nber)

CE., [IFICATE OF POST | G

	2018-0296-SPHXA
	RE: Case No.:
	Petitioner/Developer:
	Cloverland Farms Dairy, Inc.
	October 30, 2018 Date of Hearing/Closing:
Baltimore County Department of	
Permits, Approvals and Inspections County Office Building, Room 111 111 West Chesapeake Avenue	RECEIVED
Towson, Maryland 21204	OCT 2 9 2018
Attn: Kristen Lewis:	ADMINISTRATIVE HEARINGS
Ladies and Gentlemen:	
This letter is to certify under the penalticosted conspicuously on the property lo	ies of perjury that the necessary sign(s) required by law were cated at:
7701-7703 German Hill Road	SIGN 4 Recertification
The sign(s) were posted on	October 10, 2018
ine sign(s) were posted on	(Month, Day, Year)



CE., [IFICATE OF POSTING

	RE: Case No.:	2018-0296-SPHXA
,	Petitioner/Developer:	
	Cloverland	Farms Dairy, Inc
,	Date of Hearing/Closing:	October 30, 2018
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:		
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(IVI	onth, Day, Year)	
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ZONING NOTICE	(Signature of Sign Poster)	(Date)
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THE ADMINISTRATIVE LAW JUDGE IN TOWSON, MD.	(Print Name)	
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	(Telephone Num)	nam)

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CE TIFICATE OF POSTING

I	2018-0296-SPHXA
	Petitioner/Developer:
	Cloverland Farms Dairy, Inc
	October 30, 2018 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 perju posted conspicuously on the property located at:	ry that the necessary sign(s) required by law were
7701-7703 German Hill Road	SIGN 2
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(Mos	nth, Day, Year)
Sincere	October 10, 2018
ZONING NOTICE TO	(Signature of Sign Poster) (Date)
CASE 2018-0296-SPHXA (Continued) A PUBLIC HEARING WILL BE HELD BY	SSG Robert Black
THE ADMINISTRATIVE LAW JUDGE IN TOWSON, MD.	(Print Name)
PLACE: 105 W. CHESANEAKE AVE. TOWSON MO 21201 DATE AND TIME: TURNAY Deloted 10, 2018 at 1, 100 mil	1508 Leslie Road
historius Tr. Anderson and the advance from the advance of the second of the development of the second of the seco	(Address)
makes for a full necked which when the providence see that the first providence and the providence of	Dundalk, Maryland 21222
Haboniary B 142 Other	(City, State, Zip Code)
	(410) 282-7940
	(Telephone Number)

CE__[IFICATE OF POSTING

	RE: Case No.:
	Petitioner/Developer:
	Cloverland Farms Dairy, Inc
	October 30, 2018 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 posted conspicuously on the property located a	perjury that the necessary sign(s) required by law were at:
7701-7703 German Hill Road	SIGN 3
The sign(s) were posted on	October 10, 2018
	(Month, Day, Year)
ZONING NOTICE Sin	Cerely, October 10, 2018 (Signature of Sign Poster) (Date)
CASE 2 2018-0296-SPHXA C	SSG Robert Black
A PUBLIC HEARING WILL BE HELD BY	(Print Name)
PLACE: 105 W. CHESARGARE OF	1508 Leslie Road
REQUEST: Sacred Hosting is along unding trained	(Address)
Secretarization assertion and allow	Dundalk, Maryland 21222
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JAMES LAPPERS OF PRINTING	(410) 282-7940
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	RE: Case No.:
	Petitioner/Developer:
	Cloverland Farms Dairy, Inc
	October 30, 2018 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 o posted conspicuously on the property locate	f perjury that the necessary sign(s) required by law were dat:
7701-7703 German Hill Road	SIGN 4
The sign(s) were posted on	October 10, 2018
	(Month, Day, Year)
	Sincerely, October 10, 2018
ZONING NOTICE	(Signature of Sign Poster) (Date)
CASE 2018-0296-SPHXA (Company)	SSG Robert Black
A PUBLIC HEARING WILL BE HELD BY THE ADMINISTRATIVE LAW JUDGE	(Print Name)
*IN TOWSON, MD.	1508 Leslie Road
PLACE: 11th VICHESAPEAKE AND TOWSONING FIRE DATE AND THAT LANGUAGE DESCRIPTION AND THE DATE PLACED TO THE DATE OF	(Address)
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	(Talanhana Number)



The Daily Record

11 East Saratoga Street Baltimore, MD 21202-2199 (443) 524-8100

http://www.thedailyrecord.com

PUBLISHER'S AFFIDAVIT

We hereby certify that the annexed advertisement was published in The Daily Record, a daily newspaper published in the State of Maryland 1 times on the following dates:

9/10/2018

Order #:

11614846

Case #: 2018-0296-SPHXA

Description:

CASE NUMBER: 2018-0296-SPHXA NOTICE OF ZONING

HEARING

(Representative Signature)

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:

CASÉ NUMBER: 2018-0296-SPHXA

7701-7703 German Hill Road

S/s corner of German Hill Road and E/s Plainfield Road

12th Election District - 7th Councilmanic District

Legal Owners: Cloverland Farms Dairy, Inc.

Special Hearing to allow stacking spaces servicing multi-product dispensers to be located within on-site driveways. Special Exception to amend the site plan for a fuel service station and to enlarge the special exception area approved in Case 94-183-XA for the construction of a larger convenience store/carry out restaurant building, the reconfiguration and addition of fuel service stations pumps, and other related improvements as shown on site plan. Variance to allow a landscape transition area a minimum of 6ft in width from the rear property line in lieu of the required 15 ft. To allow a total of 31 off-street parking

spaces in lieu of the required 37 parking spaces.

Hearing: Tuesday, October 30, 2018 at 1:30 p.m. in Room 205, Jefferson Building, 105 West Chesapeake Avenue, Towson 21204

Arnold Jablon

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.



August Sunty Executive

NOTICE OF ZONING HEARING

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

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: 2018-0296-SPHXA

7701-7703 German Hill Road S/s corner of German Hill Road and E/s Plainfield Road 12th Election District – 7th Councilmanic District Legal Owners: Cloverland Farms Dairy, Inc.

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Hearing: Tuesday, October 30, 2018 at 1:30 p.m. in Room 205, Jefferson Building, 105 West Chesapeake Avenue, Towson 21204

Arnold Jablen Director

AJ:kl

C: David Karceski, 210 W. Pennsylvania Avenue, Ste. 500, Towson 21204 Jeff Bäinbridge, 3611 Roland Avenue, Baltimore 21211

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY WED., SEPTEMBER 10, 2018.

- (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: THE DAILY RECORD

Wednesday, September 10, 2018 Issue

Please forward billing to:

David Karceski 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: 2018-0296-SPHXA

7701-7703 German Hill Road S/s corner of German Hill Road and E/s Plainfield Road 12th Election District – 7th Councilmanic District Legal Owners: Cloverland Farms Dairy, Inc.

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Hearing: Tuesday, October 30, 2018 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.

RE: PETITION FOR SPECIAL HEARING
SPECIAL EXCEPTION AND VARIANCE
7701-7703 German Hill Road; S/S corner of
German Hill Road and E/S Plainfield Road
12th Election & 7th Councilmanic Districts
Legal Owner(s): Cloverland Farms Dairy, Inc.
Contract Purchaser(s): Two Farms, Inc.
Petitioner(s)

BEFORE THE OFFICE

OF ADMINSTRATIVE

HEARINGS FOR

BALTIMORE COUNTY

2018-296-SPHXA

* * * * * * * * *

ENTRY OF APPEARANCE

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

RECEIVED

MAY 10 2018

Peter Max Zummerman

PETER MAX ZIMMERMAN

People's Counsel for Baltimore County

CAROLE S. DEMILIO

Deputy People's Counsel Jefferson Building, Room 204 105 West Chesapeake Avenue Towson, MD 21204 (410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 10th day of May, 2018, a copy of the foregoing Entry of Appearance was mailed to David Karceski, Esquire, 210 W. Pennsylvania Avenue, Suite 500, Towson, Maryland 21204, Attorney for Petitioner(s).

Peter Max Zummerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County



June 5K/201/8KAMENETZ
County Executive

NOTICE OF ZONING HEARING

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

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

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Hearing: Tuesday, July 17, 2018 at 1:30 p.m. in Room 205, Jefferson Building, 105 West Chesapeake Avenue, Towson 21204

Arnold Jabion Director

AJ:kl

C: David Karceski, 210 W. Pennsylvania Avenue, Ste. 500, Towson 21204 Jeff Bainbridge, 3611 Roland Avenue, Baltimore 21211

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY WEDNESDAY, JUNE 27, 2018.

- (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, June 26, 2018 Issue - Jeffersonian

Please forward billing to:

David Karceski 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:

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Hearing: Tuesday, July 17, 2018 at 1:30 p.m. in Room 205, Jefferson Building, 105 West Chesapeake Avenue, Towson 21204

BUJA-

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.



501 N. Calvert St., P.O. Box 1377 Baltimore, Maryland 21278-0001 tel: 410/332-6000 800/829-8000

WE HEREBY CERTIFY, that the annexed advertisement of Order No 5654451

Sold To:

VENABLE LLP - CU00174151 210 W Pennsylvania Ave Ste 500 TOWSON, MD 21204-5304

Bill To:

VENABLE LLP - CU00174151 210 W Pennsylvania Ave Ste 500 TOWSON, MD 21204-5304

Was published in "Jeffersonian", "Bi-Weekly", a newspaper printed and published in Baltimore County on the following dates:

Jun 26, 2018

The Administrative Law Judge of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Yowson, Maryland on the property identified herein as follows: CASE NUMBER: 2018-0296-SPHXA 7701-7703 German Hill Road S/S corner of German Hill Road and E/s Plainfield Road 12th Election District – 7th Councilmanic District Legal Owners: Cloverland Farms Dairy, Inc.

District - 7th Councilmanic District Legal Owners: Cloverland Farms Dairy, Inc.

Special Hearing to allow stacking spaces servicing multi-product dispensers to be located within on-site driveways. Special Exception to amend the site plan for a fuel service station and to enlarge the special exception area approved in Case 94-183-XA for the construction of a larger convenience store/carry out restaurant building, the reconfiguration and addition of fuel service stations pumps, and other related improvements as shown on site plan. Variance to allow a landscape transition area a minimum of 6ft. in width from the rear properly line in lieu of the required 15 ft. To allow a total of 31 off-street parking spaces in lieu of the required 37 parking spaces.

Hearing: Tuesday, July 17, 2018 at 1:30 p.m. in Room 205, Jefferson Building, 105 West Chesapeake Avenue, Towson 21204

/s/Amold 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 410-887-3391

JEFFERSONIAN 6/26/2018 #5654451

The Baltimore Sun Media Group

By S. Wilkinson

Legal Advertising



ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

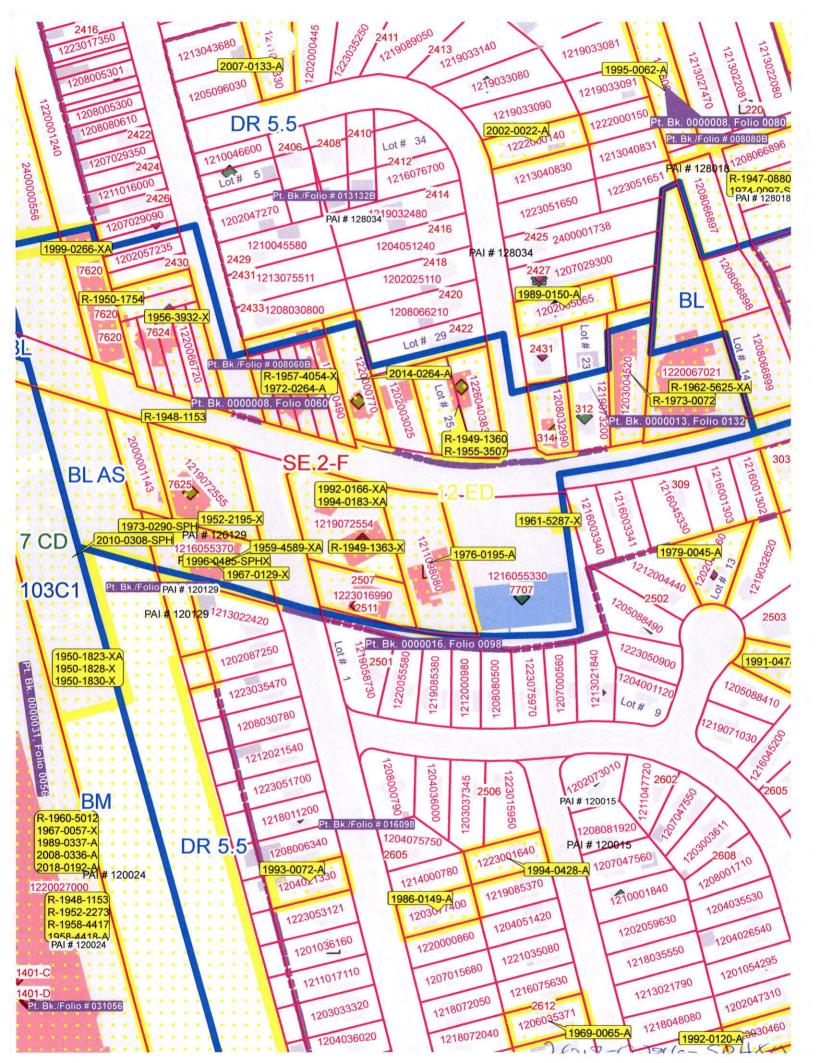
The <u>Baltimore County Zoning Regulations</u> (BCZR) require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of the legal owner/petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least twenty (20) days before the hearing.

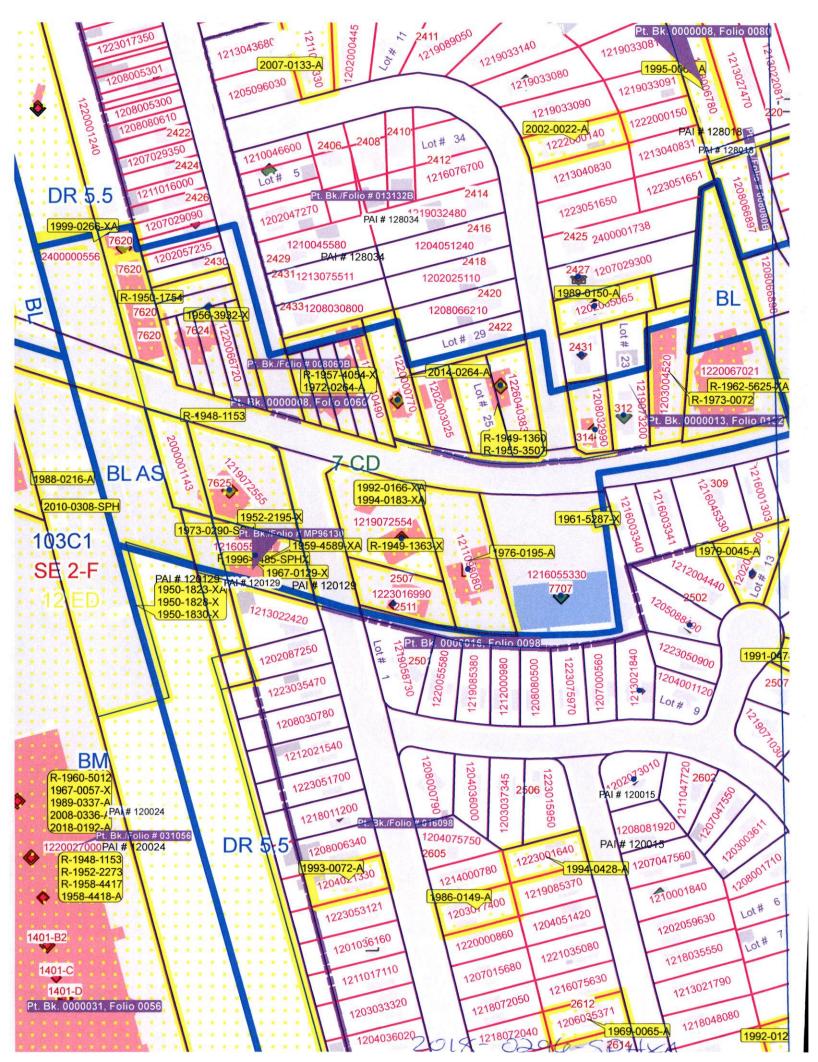
Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the legal owner/petitioner is responsible for the costs associated with these requirements. The newspaper will bill the person listed below for the advertising. This advertising is due upon receipt and should be remitted directly to the newspaper.

OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.

To a Marriago and Adriagdiaings
For Newspaper Advertising:
Case Number: 2018-0296-SPHXA
Property Address: 7701.7703 German Hill Rd / 2507 Plan field Road
Property Description:/
Legal Owners (Petitioners): Cloverland Farms Dairy, Inc.
Contract Purchaser/Lessee:
PLEASE FORWARD ADVERTISING BILL TO:
Name: David H. Karcoski
Company/Firm (if applicable): Venable
Address: 210 W Pennsylvania Avenue, Svite 500 Touson, Md 21204
TOWSON, Md 21204
Telephone Number: 410 - 494 - 620

Revised 7/9/2015





Kristen L Lewis

From:

Karceski, David H. < DKarceski@Venable.com>

Sent:

Monday, July 02, 2018 10:51 AM

To:

Kristen L Lewis

Subject:

Case No. 2018-296-SPHXA (77-1-7703 German Hill Road, 2507 Plainfield Road)

Good Morning

This case was originally set for July 17th at 1:30 p.m. The applicant requested a postponement and now is ready for the case to be rescheduled. Would you please assign the case a new hearing date?

Thank you,

David

David Karceski, Esq. | Venable LLP t 410.494.6285 | f 410.821.0147 | m 443.956.7425

Towson: 210 W. Pennsylvania Avenue, Ste. 500, Towson, MD 21204 Baltimore: 750 East Pratt Street, Ste. 900, Baltimore, MD 21201

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



210 W. PENNSYLVANIA AVENUE SUITE 500 TOWSON, MD 21204 RECEIVED

JUN 14 2018

SKI

DEPARTMENT OF PERMITS

DEPARTMENT OF MEDECTION

DEPARTMENT OF PERMITS

DEPARTMENT OF PERMITS

DEPARTMENT OF PERMITS T 410.494.6200 F 410.821.0147 www.Venable.com

F 410.821.0147
dhkarceski@venable.com

June 14, 2018

VIA HAND-DELIVERED

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

> Case No.: 2018-296-SPHXA Re:

> > 7701-7703 German Hill Road

Petitioner: Cloverland Farms Dairy, Inc.

Dear Mr. Jablon:

The firms represents Petitioner Cloverland Farms Dairy, Inc. in the above-referenced matter. A hearing is currently scheduled on the Petitions for Special Exception, Special Hearing and Variance for Tuesday, July 17, 2018. I am writing to request a postponement of this hearing date.

Petitioner is considering revisions to the site plan filed in this case and discussing the site plan with representatives for the Department of Planning. The revisions may require additional zoning relief, which would necessitate changes to the zoning petition as well.

Thank you for consideration of this request.

Very truly you

David H. Karceski

DHK:cak

Ms. Kristen Lewis, Zoning Office cc:



DONALD I. MOHLER III County Executive

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

William & Mary May 1221 Hillshire Rd. Baltimore, MD 21222

Dear Mr. May & Ms. May:

RE: Case Number: 2018-0296SPHXA, Address: 7701-7703 German Hill Rd.

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on October 11, 2018. This letter is not an approval, but only a **NOTIFICATION.**

The Zoning Advisory Committee (ZAC), which consists of representatives from several approval agencies, has reviewed the plans that were submitted with your petition. All comments submitted thus far from the members of the ZAC are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to ensure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. All comments will be placed in the permanent case file.

If you need further information or have any questions, please do not hesitate to contact the commenting agency.

Very truly yours,

W. Carl Richards, Jr. Supervisor, Zoning Review

WCR: MTC

Enclosures

c: People's Counsel
David H. Karceski, Esq. 210 W. Pennsylvania Ave. Ste 500 Towson, MD 21204



Larry Hogan
Governor

Boyd K. Rutherford
Lt. Governor

Pete K. Rahn
Secretary

Gregory Slater
Administrator

Date: 8/22/18

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

Dear Ms. Lewis:

Thank you for the opportunity to review your referral request on the subject of the Case number referenced below. We have determined that the subject property does not access a State roadway and is not affected by any State Highway Administration projects. Therefore, based upon available information this office has no objection to Baltimore County Zoning Advisory

Committee approval of Case No. 2018-0296 SPHXA

Special Hewing, Special Exception, Variance
Closevland Ferms Dairy Inc. FellBain bridge
7701-7703 Germonthill Bood.

Should you have any questions regarding this matter, please contact Mr. Richard Zeller at 410-229-2332 or 1-866-998-0367 (in Maryland only) extension 2332, or by email at (rzeller@sha.state.md.us).

Sincerely,

Wendy Wolcott, P.L.A.

Metropolitan District Engineer

Maryland Department of Transportation

State Highway Administration

District 4 - Baltimore and Harford Counties

WW/RAZ



Larry Hogan Governor

Boyd K. Rutherford Lt. Governor

Pete K. Rahn Secretary

Gregory Slater Administrator

Date: 5/7/18

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

Dear Ms. Lewis:

Thank you for the opportunity to review your referral request on the subject of the Case number referenced below. We have determined that the subject property does not access a State roadway and is not affected by any State Highway Administration projects. Therefore, based upon available information this office has no objection to Baltimore County Zoning Advisory Committee approval of Case No. 2018 - OZ 96 - SPHXA

Special Heaving, Special Exception Cloverland Farms Dairy, Inc. Jeff Bain Bridge 1701-1703 German Hill Road.

Should you have any questions regarding this matter, please contact Mr. Richard Zeller at 410-229-2332 or 1-866-998-0367 (in Maryland only) extension 2332, or by email at (rzeller@sha.state.md.us).

Sincerely,

Wendy Wolcott, P.L.A.

Metropolitan District Engineer

Luchard to fel

Maryland Department of Transportation

State Highway Administration

District 4 - Baltimore and Harford Counties

WW/RAZ



BALTIMORE COUNTY, MARYLAND INTER-OFFICE MEMORANDUM

TO:

Arnold Jablon

Deputy Administrative Officer and

Director of Permits, Approvals and Inspections

FROM:

Andrea Van Arsdale

Director, Department of Planning

SUBJECT:

ZONING ADVISORY COMMITTEE COMMENTS

Case Number: 18-296 (revised)

INFORMATION:

Property Address:

7701 - 7703 German Hill Road

Petitioner:

Cloverland Farms Dairy, Inc. - Jeff Bainbridge Two Farms, Inc. - William A. & Mary H. May

Zoning:

BL-AS, DR 5.5

Requested Action:

Special Hearing, Special Exception, Variance



DATE: 6/19/2018

The Department has reviewed the petition for special hearing to determine whether or not the Administrative Law Judge should approve stacking spaces servicing multi-product dispensers to be located within on-site driveways and the petition for special exception to amend the site plan for a fuel service station and to enlarge the special exception area approved in Case# 94-183-XA for the construction of a larger convenience store/carry out restaurant building, the reconfiguration and addition of fuel stations pumps and other related improvements as shown in the site plan. The Department has also reviewed the petition for variance to allow a landscape transition area a minimum of 6 ft. in width from the rear property line and a total of 30 off-street parking spaces in lieu of the required 15' landscape transition area and 37 parking spaces respectively.

A site visit was conducted on May 15, 2018. The subject property is within the Greater Dundalk-Edgemere Community Conservation Plan area.

Subsequent to a meeting between the Department and the Petitioners, a revised site plan dated May 2018 addressing Department recommendations was received.

The Department has no objection to granting the petitioned zoning relief.

Date: 6/19/2018 Subject: ZAC # 18-296

Page 2

For further information concerning the matters stated herein, please contact Josephine Selvakumar at 410-887-3480.

Prepared by:

Lloyd T. Mokley

AVA/JGN/J/TM/

c: Josephine Selvakumar
David H. Karceski, Esquire
Office of the Administrative Hearings
People's Counsel for Baltimore County

s:\planning\dev rev\zac\zacs 2018\18-296.docx

TO:

Hon. Lawrence M. Stahl; Managing Administrative Law Judge

Office of Administrative Hearings

FROM:

Jeff Livingston, Department of Environmental Protection and

Sustainability (EPS) - Development Coordination

DATE:

October 25, 2018

SUBJECT:

DEPS Comment for Zoning Item

Address

2018-0296-SPHXA revised

7701-7703 German Hill Road

(Cloverland Farms Dairy, Inc.

Property)

Zoning Advisory Committee Meeting of October 29, 2018.

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

Reviewer:

INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director

DATE: July 5, 2018 Department of Permits, Approvals

And Inspections

Vishnu Desai, Supervisor FROM:

Bureau of Development Plans Review

Zoning Advisory Committee Meeting SUBJECT:

For June 18, 2018

Item No. 2018-0296-SPHXA REVISED

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

If Zoning Relief and Special Exception is granted, a Landscape Plan is required per the requirements of the Landscape Manual. A lighting Plan is also required.

It is strongly recommended that stacking in the drive isles not be allowed, since it will impact traffic flow on site and availability of customer parking.

VKD: cen cc: file

INTEROFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

DATE: June 5, 2018

Department of Permits, Approvals

And Inspections

101

FROM:

Vishnu Desai, Supervisor

Bureau of Development Plans Review

SUBJECT:

Zoning Advisory Committee Meeting

For May 17, 2018

Item No. 2018-0296-SPHXA

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

If Zoning Relief or Special Exemption is granted, a Landscape Plan is required per the requirements of the Landscape Manual. A Lighting Plan is also required.

It is strongly recommended that stacking in the drive isles not be allowed, since it will impact traffic flow on site and availability of customer parking.

VKD: cen

Inter-Office Correspondence



TO:

Hon. Lawrence M. Stahl; Managing Administrative Law Judge

Office of Administrative Hearings

FROM:

Jeff Livingston, Department of Environmental Protection and

Sustainability (EPS) - Development Coordination

DATE:

June 19, 2018

SUBJECT:

DEPS Comment for Zoning Item

Address

2018-0296-SPHXA revised

7701-7703 German Hill Road (Cloverland Farms Dairy, Inc. &

Two Farms, Inc. Property)

Zoning Advisory Committee Meeting of June 18, 2018.

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

Reviewer:

Steve Ford

RECEIVED

JUN 1 9 2018

OFFICE OF ADMINISTRATIVE HEARINGS

Inter-Office Correspondence





TO:

Hon. Lawrence M. Stahl; Managing Administrative Law Judge

Office of Administrative Hearings

FROM:

Jeff Livingston, Department of Environmental Protection and

Sustainability (EPS) - Development Coordination

DATE:

May 9, 2018

SUBJECT:

DEPS Comment for Zoning Item

Address 7

2018-0296-SPHXA

7701-1703 German Hill Road

(Cloverland Farms Dairy, Inc.

Property)

Zoning Advisory Committee Meeting of May 17, 2018

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

Reviewer:

Inter-Office Correspondence



TO:

Hon. Lawrence M. Stahl; Managing Administrative Law Judge

Office of Administrative Hearings

FROM:

Jeff Livingston, Department of Environmental Protection and

Sustainability (EPS) - Development Coordination

DATE:

June 19, 2018

SUBJECT:

DEPS Comment for Zoning Item

Address

2018-0296-SPHXA revised

7701-7703 German Hill Road

(Cloverland Farms Dairy, Inc. &

Two Farms, Inc. Property)

Zoning Advisory Committee Meeting of June 18, 2018.

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

Reviewer:

Inter-Office Correspondence



TO:

Hon. Lawrence M. Stahl; Managing Administrative Law Judge

Office of Administrative Hearings

FROM:

Jeff Livingston, Department of Environmental Protection and

Sustainability (EPS) - Development Coordination

DATE:

May 9, 2018

SUBJECT:

DEPS Comment for Zoning Item

2018-0296-SPHXA

Address

7701-7703 German Hill Road (Cloverland Farms Dairy, Inc.

Property)

Zoning Advisory Committee Meeting of May 17, 2018

<u>X</u> The Department of Environmental Protection and Sustainability has no comment on the above-referenced zoning item.

Reviewer:

CASE NAME	1701-7703	Hill Pd
CASE NUMBER	# 2018 -296	-SPHXA'
DATE	10/30/18	

PETITIONER'S SIGN-IN SHEET

NAME

ADDRESS

CITY, STATE, ZIP

E - MAIL

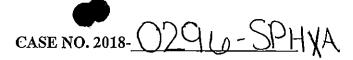
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JENIFA FRANKOUK	4/			2120 \$	jfrankovicko ve nuble. con				
Jenn Leonard	10461 Mill R	un Circle Ste 30	Dazigs N	115, HD 21117	Jaleo norde Dewla				
John Blades	202 Fairwal	Lane	M+. Ainy, MD	21771	JBlades@ Powberry . com				
Kon Schul	7525 Connel	Die A	Harover, W	1 KSCHM	PETRAFFIC CONCEPT				
Jeff Dainbridge	603611 7	Eala De	80 Apino	71211	JBINISE Powberry COM DETRAFFICE CONCEPT SSOON SON CON CONTRACTOR				
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PLEA	SF	PRIN	VT C	TIFA	RIY

CASE NAME	24	
CASE NUMBER	2018	
DATE		

CITIZEN'S SIGN - IN SHEET

NAME	ADDRESS	CITY, STATE, ZIP	E - MAIL
Mike Pierce	7448 Bradshaw	Kingsville 21087	impierce 1 & gol.com
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CHECKLIST

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10/32	DEPS (if not received, o	late e-mail sent)	NO Comment
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6/19	PLANNING (if not received, o	late e-mail sent .			NO Objection
8/22	STATE HIGHW	AY ADMINIST	RATION		NO Objection
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PRIOR ZONING	(C	ase No			
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SIGN POSTING	(2 nd)	Date:	70	198/18	by SSG Black
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PEOPLE'S COUN	NSEL COMMENT LE	TTER Yes	<u></u>	No □	·
Comments, if any:					





Real Property Data Search

Search Result for BALTIMORE COUNTY

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Exempt Class:	NONE				
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Homestead Application Status	: No Application				
Homeowners' Tax Credit Application Information					
Homeowners' Tax Credit Appli	cation Status: No Application	Date:			





Real Property Data Search

Search Result for BALTIMORE COUNTY

View M	ар	Vi	ew GroundRe	nt Redem	ption	Vie	w Groui	ndRent Reg	istration
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Homestead Application Status: No Application

Homeowners' Tax Credit Application Information					
Homeowners' Tax Credit Application Status: No Application	Date:				

TWO FARMS, INC. 7703 GERMAN HILL ROAD TAX ACCOUNT NO. 1211098080

WILLIAM A. MAY AND MARY H. MAY 2507 PLAINFIELD ROAD TAX ACCOUNT NO. 1223016990

ATTACHMENT NO. 5

TO PETITION FOR ZONING RELIEF

Legal Owners

William A. May and Mary H. May 1221 Hillshire Road Baltimore, MD 21222-1242 (410) 889-0200

By: per attorney of Fotate

TWO FARMS, INC. 7703 GERMAN HILL ROAD TAX ACCOUNT NO. 1211098080

WILLIAM A. MAY AND MARY H. MAY 2507 PLAINFIELD ROAD TAX ACCOUNT NO. 1223016990

ATTACHMENT NO. 1

TO PETITION FOR ZONING RELIEF

Legal Owner

Cloverland Farms Dairy, Inc. 3611 Roland Avenue Baltimore, MD 21211 (410) 889-0200

Title: Jeff Bainbridge

Director of Real Estate

TWO FARMS, INC. 7703 GERMAN HILL ROAD TAX ACCOUNT NO. 1211098080

WILLIAM A. MAY AND MARY H. MAY 2507 PLAINFIELD ROAD TAX ACCOUNT NO. 1223016990

ATTACHMENT NO. 3

TO PETITION FOR ZONING RELIEF

Legal Owners

William A. May and Mary H. May 1221 Hillshire Road Baltimore, MD 21222-1242 (410) 889-0200

By: William F Mas WILLIAM A. MXY

By: Lisa L Ketrecca

MARY H. MAY

TWO FARMS, INC. 7703 GERMAN HILL ROAD TAX ACCOUNT NO. 1211098080

WILLIAM A. MAY AND MARY H. MAY 2507 PLAINFIELD ROAD TAX ACCOUNT NO. 1223016990

ATTACHMENT NO. 5

TO PETITION FOR ZONING RELIEF

Legal Owners

William A. May and Mary H. May 1221 Hillshire Road Baltimore, MD 21222-1242 (410) 889-0200

Ву:	Just per	William	Va.	Hay.
В́v:				

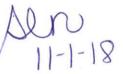
Case	No.	
1.250	(1)()	

2018-0296-SPHXA

Exhibit Sheet

Petitioner/Developer

Protestant



No. 1	IA-IE 5 sheet Site plan	* .
	Site plan	
No. 2		
	28 Schematic Landscape Plan	
No. 3	10-26-2018 Letter	*
0	J. Hermann	
No. 4	4A-4D	,
	Elevations	
No. 5	N . 0 = 111 ×	H
·	Aerial Exhibit	
No. 6	6A-6C	
	Site photo Exhibit	
No. 7	~	
	Rendered Pespective	
No. 8	Kendered Pespective	
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No. 9 No. 10	Kendered Pespective	



DONALD I. MOHLER III County Executive

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

October 26, 2018

Dewberry Consultants, LLC Ms, Jennifer Leonard, RLA 10461 Mill Run Circle, Suite 300 Owings Mills, Maryland 21117

Phone: 410-645-1410

Subject:

Royal Farms Store #68

Zoning Case # 2018-0296-SPHXA 7701-7703 German Hill Road Baltimore, Maryland 21222

Dear Ms. Leonard:

This is in response to your "Plan to Accompany Petition for Special Exception and Variance" plan date stamped April 27, 2018, having completed a cursory review of the submitted plan based on Schematic Landscape Plan requirements, we are in support of the Landscape Modifications shown on Sheet L-2 of the above referenced plan, provided that the Special Exception and accompanied Zoning Relief is granted.

Sincerely,

James Hermann, RLA.

Landscape Architect, Development Plans Review

cc:



Photo #1



Photo #3



Photo #2

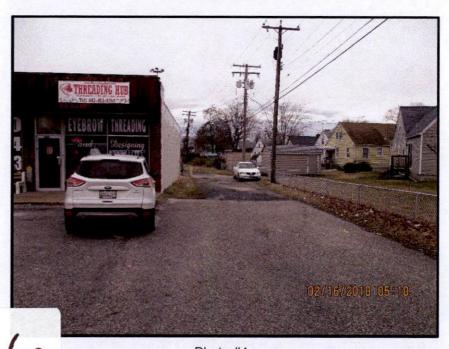


Photo #4
Royal Farms Store #68 - 7701 German Hill Road – Site Photos | 1





Photo #5

Photo #6





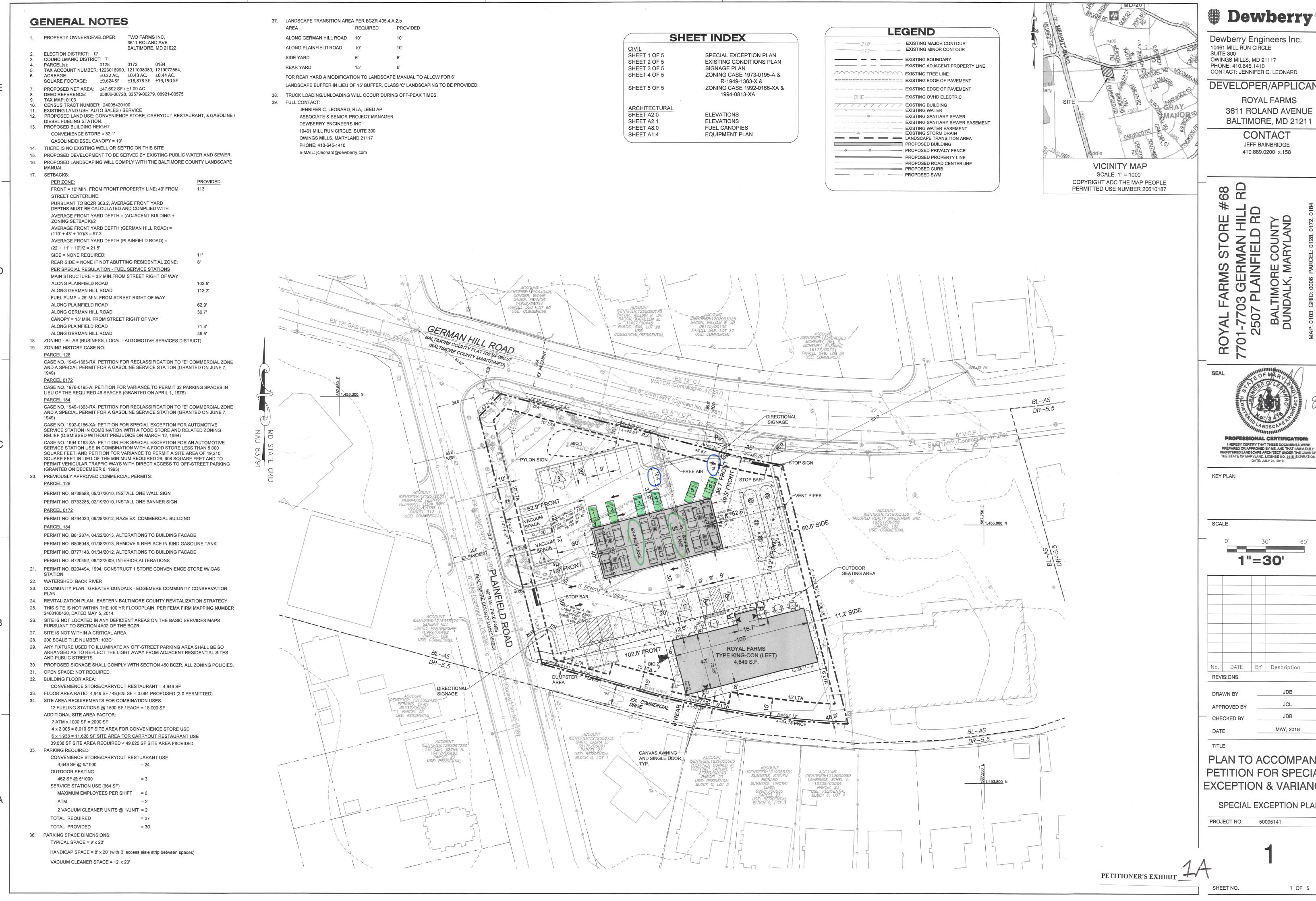
Photo #7











DEVELOPER/APPLICANT **ROYAL FARMS** 3611 ROLAND AVENUE

> CONTACT JEFF BAINBRIDGE 410.889.0200 x.158

PROFESSIONAL CERTIFICATIONS I HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME, AND THAT I AM A DULY

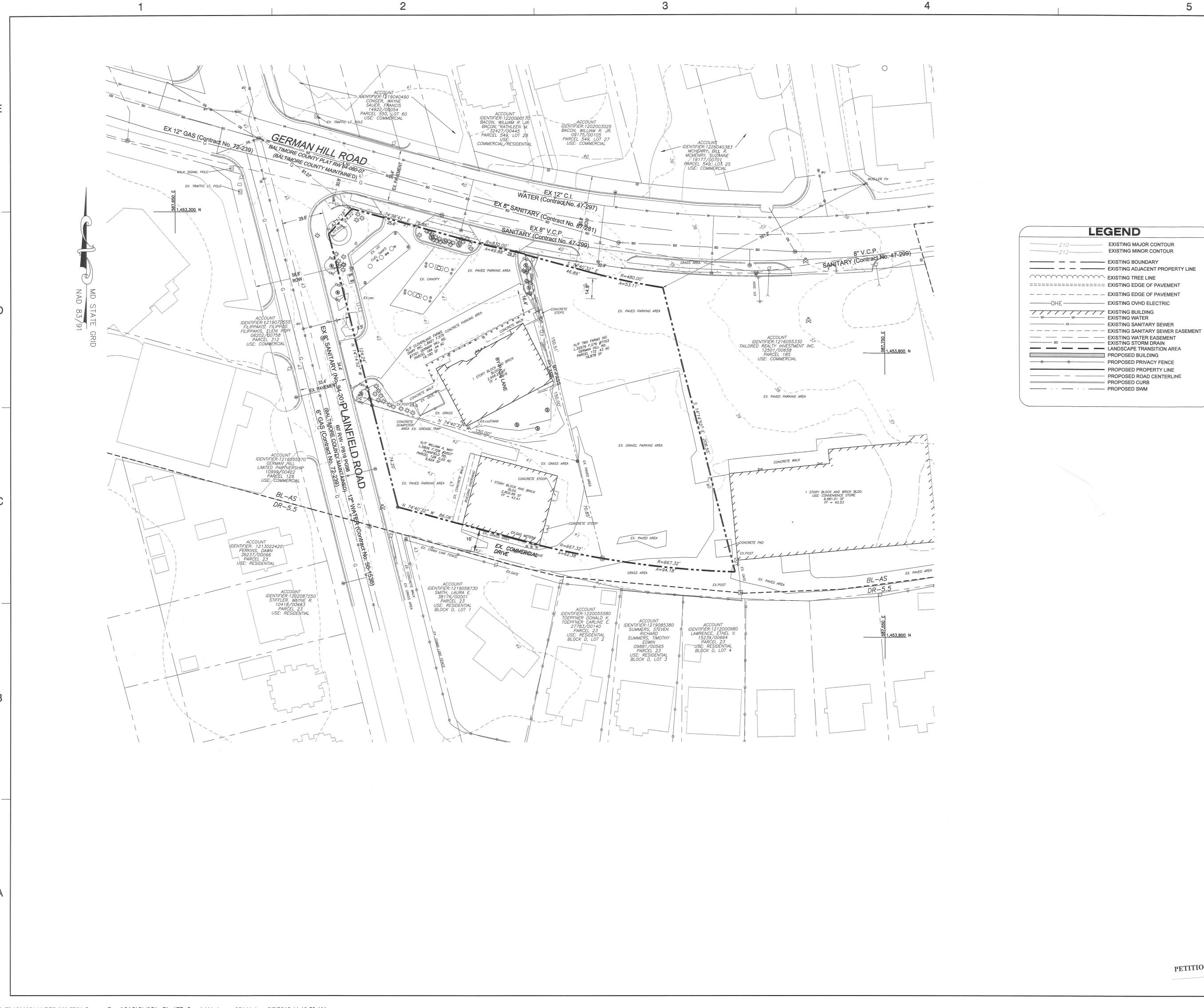
No. DATE BY Description

JDB MAY, 2018

PLAN TO ACCOMPANY PETITION FOR SPECIAL **EXCEPTION & VARIANCE**

SPECIAL EXCEPTION PLAN

1 OF 5





Dewberry Engineers Inc.

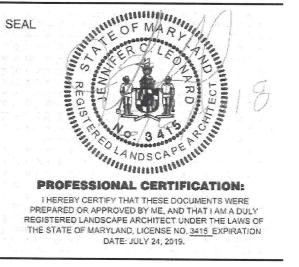
10461 MILL RUN CIRCLE
SUITE 300
OWINGS MILLS, MD 21117
PHONE: 410.645.1410
CONTACT: JENNIFER C. LEONARD

DEVELOPER/APPLICANT

ROYAL FARMS 3611 ROLAND AVENUE BALTIMORE, MD 21211

CONTACT
JEFF BAINBRIDGE
410.889.0200 x.158

ROYAL FARMS STORE #68
7701-7703 GERMAN HILL RD
2507 PLAINFIELD RD
BALTIMORE COUNTY
DUNDALK, MARYLAND

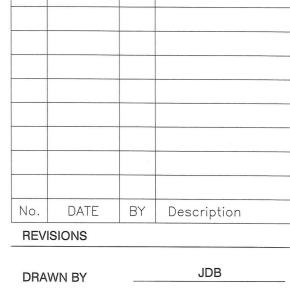


KEY PLAN

LE

0' 30' 6

1"=30'



PPROVED BY

JCL

CHECKED BY

JDB

DATE

MAY, 2018

TITLE

PLAN TO ACCOMPANY
PETITION FOR SPECIAL
EXCEPTION & VARIANCE

EXISTING CONDITIONS PLAN

PROJECT NO. 50095141

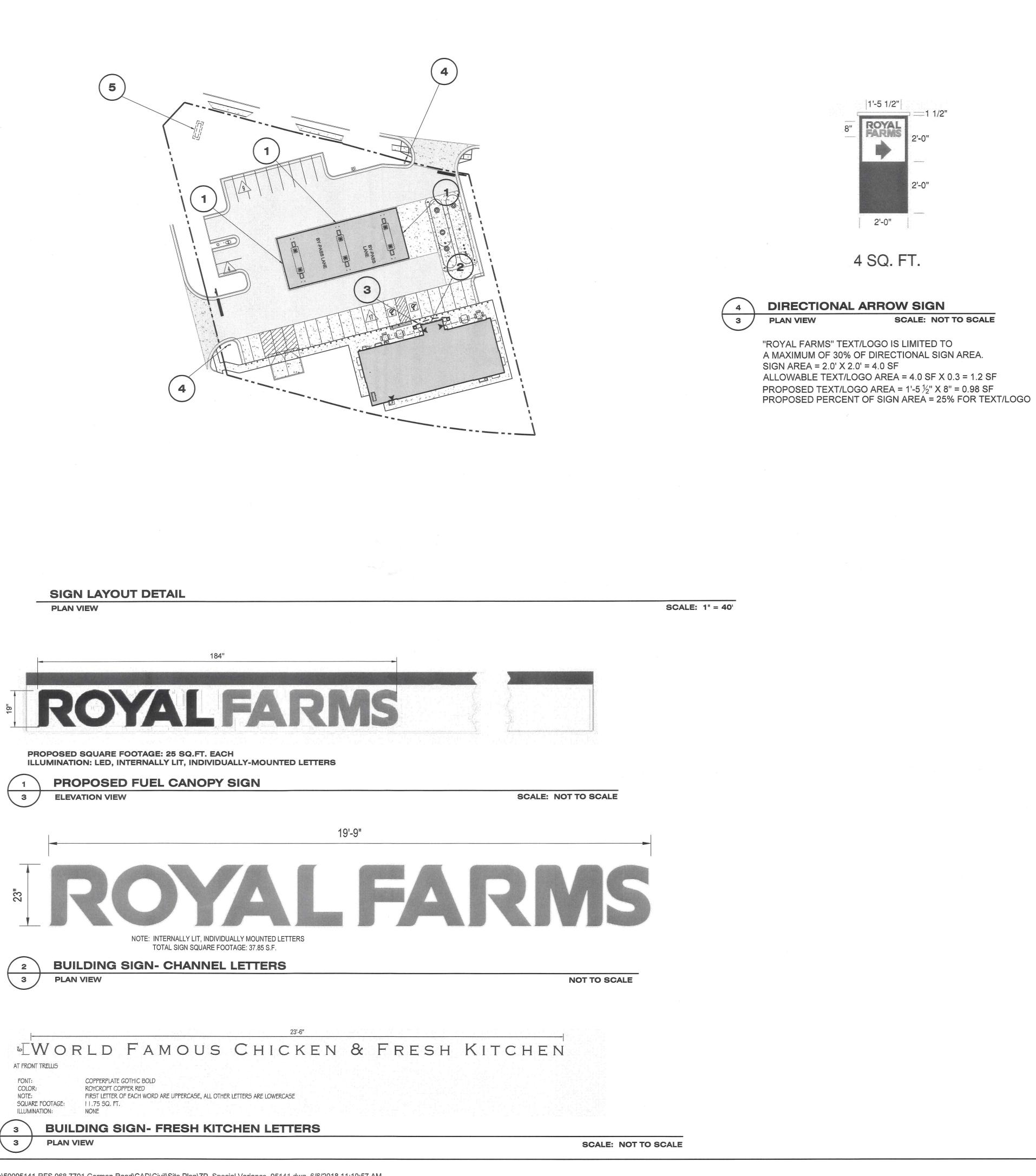
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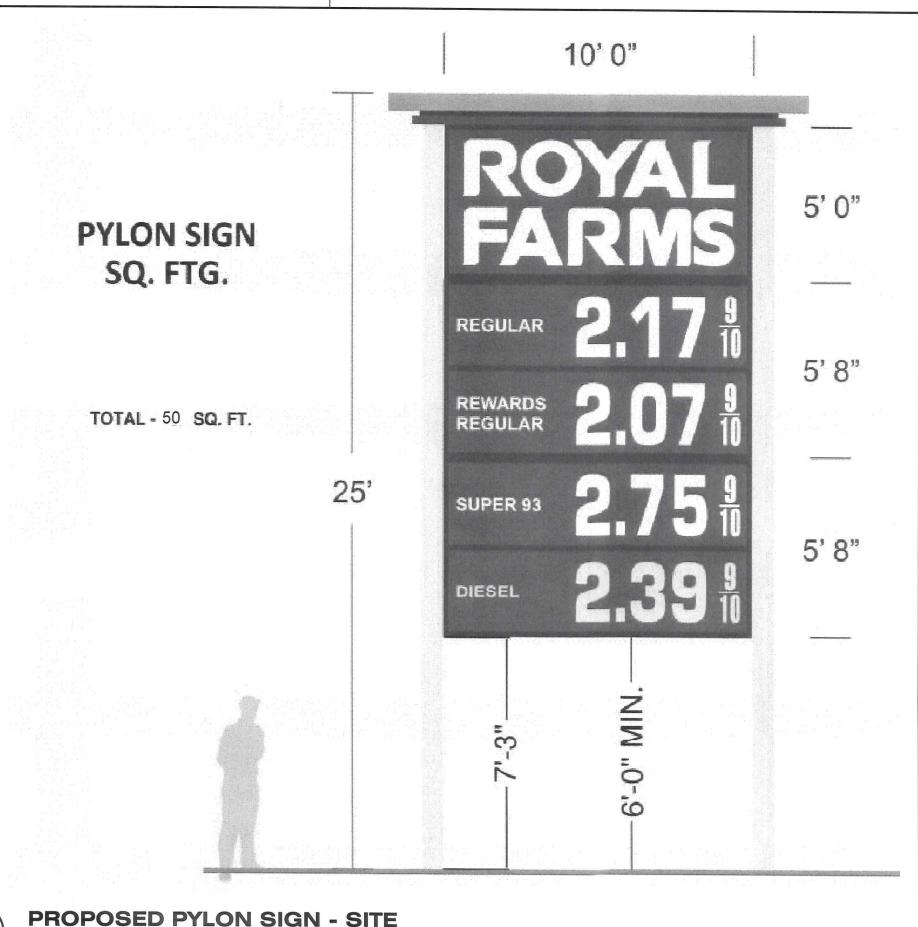
2 OF 5

SHEET NO.

PETITIONER'S EXHIBIT 43

Ο.





PROPOSED PYLON SIGN - SITE ELEVATION VIEW

2'-0"

4 SQ. FT.

SCALE: NOT TO SCALE

SCALE: NOT TO SCALE

PROFESSIONAL CERTIFICATION I HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME, AND THAT I AM A DULY REGISTERED LANDSCAPE ARCHITECT UNDER THE LAWS OF THE STATE OF MARYLAND, LICENSE NO. 3415 EXPIRATION DATE: JULY 24, 2019.

770

Dewberry®

DEVELOPER/APPLICANT

ROYAL FARMS

3611 ROLAND AVENUE BALTIMORE, MD 21211

> CONTACT JEFF BAINBRIDGE

410.889.0200 x.158

68 RD

Dewberry Engineers Inc.

10461 MILL RUN CIRCLE
SUITE 300
OWINGS MILLS, MD 21117
PHONE: 410.645.1410
CONTACT: JENNIFER C. LEONARD

KEY PLAN

SCALE

AS SHOWN

No. DATE BY Description **REVISIONS**

DRAWN BY

APPROVED BY

CHECKED BY MAY, 2018

TITLE PLAN TO ACCOMPANY

PETITION FOR SPECIAL **EXCEPTION & VARIANCE**

SIGNAGE PLAN

PROJECT NO. 50095141

JCL

JDB

SHEET NO.

3 OF 5

D

В

THE ROLL OF THE POST OF THE PO

MADELINE SERVICE STATION - S. S. GIRNAR HILL ROAD, DEET GRAY MANOR,

18th District of Baltimore County.

The arrial in the above case baving come on for

It is this _ 7 may of June 1949, by the

busting before this Hourd, the case submitted and the entire

Roard of Coming Appeals of Raltimore County, ORD-FID, first,

that the entire series of land firmily described in the

settion, filed with the Woning Consissions of Beltimore

County, be reclassified from an "." Residence Zone to an

"E" Communical Zone and, second, that the special permit

requested, in said position, be drasted to use the proporty

OPDE D that at least two and one-half (2) square feet of

land to be covered by commercial hallolnes.

off-street parking area be provided for every square foot of

A STATE OF THE STA

of Collinere County.

it is this Zaing I mulseling of Baltimore Gomes

that the aforesaid special peculi for a pasciling service station, he and the same is hereby ro-

of Baltimor County

newed for a period of one (1) year beginning

March 31, 1998 and multic March 31, 1957.

accordly described for so eline service station. It is further

matter baying been fully considered:

OPINION OF THE SOUND OF ZONING APPEALS STRIPTIONS CONT.

This is an appeal from the decision of the Zoning Commissioner of Baltimore County dated the 8th day of March, 1949, Lenging the petition of the applicant, Harry B. Stengel, for reclessification of that parcel of land described in the petition and for special permit to use the property secondly sescribes in suid petition for gasoline service station.

The Books heard the Costimony in this case and after full consideration finds as follows:

The parcel of land for which the repleasification is requested adjoins a large existing commercial area. Although this commercial area is not being used it is a fact that it adjoins the area which is the subject of this petition and consequently the counties of the reclassification in this case is, in effect, an extension of an existing commercial area. For this residen there is no question of "spot coning" involved in this case and in the opinion of this Foord the lowering of the classification would not cause confestion in the roads. screets and alleys and, therefore, would not cause any unide truffle becard. It follows that the reclessification from an "A" Residence Love to an "i" communical Zone would not in any marrar effect the hasler, assety, morals and peneral welfage of the commutity and for the resocne stated this Hourd will sign an order in accordance with this opinion, are sting the neutrino for reclassification from so "A" heather. Lone to en "E" Cormercial Zone. Also in the opinion of this Sound the granting of a special posmit to use the property secondly described to

the petition for genoline service station would not cause any further undue congestion in the roads, streets and alleys or traffic basard; also would not anversely affect the health, safety, morals and the general welfare of the community, therefore the Board will sign an order in conformity with this opinion, first, reclassifying the parcel of land from an "A" Residence Zone to an "E" Cormercial Zone and, second, granting the special permit to use the property secondly described in asia petition for resuling service station.

> Chalman, Strange of the North of Conline Appeals

1976-0195-A PETITION GRANTED 04/01/1976

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Approve

Theory Committation Fa

the state of

SE Bal Flaore County

RE: PETITION FOR VARIANCE BEFORE THE S/S of German Hill Road, 155' E of Plainfield Road - 12th Election District DEPUTY ZONING Reico-Dolphin Associates - Petitioner NO. 76-195-A (Item No. 135) COMMISSIONER : BALTIMORE COUNTY 110 110 101

This matter comes before the Deputy Zoning Commissioner as a result of a Petition for a Variance from Section 409. 2b(3) to permit 32 parking spaces in lieu of the required 46 spaces for an existing restaurant. The subject property is located on the south side of German Hill Road, 155 feet east of Plainfield Road, in the Twelfth Election District of Baltimore County.

Testimony indicated that the Petitioner plans to add approximately 600 square feet to the restaurant area to provide space for service facilities and scating for an estimated 12 additional patrons.

Without reviewing the evidence further in detail, but based on all the evidence presented at the hearing, in the judgment of the Deputy Zoning Commissioner, strict compliance with the Baltimore County Zoning Regulations would result in practical difficulty and/or unreasonable hardship upon the Petitioner, and the granting of the Variance requested does not adversely affect the health, safety, and general welfare of the community.

Therefore, IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County this /37 day of April, 1976, that the Variance to permit 32 parking spaces in lieu of the required 46 spaces should be and the

1992-0166-XA PETITION DISMISSED 03/12/1992

> ZONING COMMISSIONER Case No. 92-166-XA

女女女女女女女女女女女女 ORDER OF DISMISSAL

The Petitioner herein requested a Petition for a Special Exception from Sections 405.2.B.1 and 405.4.D.8 of the Baltimore County Zoning Regulations (R.C.Z.R.) to permit an automotive service station in combination with a food store with less than 5000 sq. ft; and a Petition for Zoning Variance from Section 405.4.A.1 and 405.4.D.8 of the B.C.Z.R. to permit a site area of 19,210 sq. ft. in lieu of the required 26,608 sq. ft.; and a variance from Section 409.4 to permit vehicular travelway with direct access to offstreet parking; and a variance from Section 409.4.C to permit a width of two way aisles of 0 ft. in lieu of the required 22 ft.; and a variance from Section 409.8.A.4 to permit a distance from parking spaces to the public right of way of 8 ft. in lieu of the required 10 ft.

WHEREAS, a hearing was scheduled to be held on February 3, 1992 at 11:00 A.M., in Room 118 of the Court House, before the Zoning Commissioner, regarding the above captioned case; and,

WHEREAS, a letter, dated January 31, 1992, by the Petitioner's attorney, Nathan Patz, Esquire, was received in this office requesting a withdrawal of the Petition for Special Exception and Zoning Variance.

IT IS THEREFORE ORDERED by the Zoning Commissioner for Baltimore County this 12 day of march, 1993 that the Petition for a Special Exception and Zoning Variance, in the above captioned matter, be and the same is hereby DISMISSED without prejudice, upon payment of open costs by the Petitioner.

for Baltimore County

LES: mmn

PETITIONER'S EXHIBIT 1

Dewberry®

Dewberry Engineers Inc. 10461 MILL RUN CIRCLE SUITE 300 OWINGS MILLS, MD 21117 PHONE: 410.645.1410 CONTACT: JENNIFER C. LEONARD

DEVELOPER/APPLICANT

ROYAL FARMS 3611 ROLAND AVENUE BALTIMORE, MD 21211

> CONTACT JEFF BAINBRIDGE 410.889.0200 x.158

68 RD RO 0

SEAL PROFESSIONAL CERTIFICATION: I HEREBY CERTIFY THAT THESE DOCUMENTS WERE REGISTERED LANDSCAPE ARCHITECT UNDER THE LAWS OF THE STATE OF MARYLAND, LICENSE NO. 3415 EXPIRATION DATE: JULY 24, 2019.

KEY PLAN

AS SHOWN

No. DATE BY Description **REVISIONS** JDB DRAWN BY

PLAN TO ACCOMPANY PETITION FOR SPECIAL **EXCEPTION & VARIANCE**

JCL

JDB

MAY, 2018

ZONING HISTORY CASE R-1949-1363-X, 1976-0195-A, & 1992-0166-XA

PROJECT NO.

SHEET NO.

APPROVED BY

DATE

4 OF 5

Q:\PROJECT\2017_File\50095141-RFS 068 7701 German Road\CAD\Civil\Site Plan\ZP_Special Variance_95141.dwg, 6/6/2018 11:11:06 AM

same is hereby GRANTED, from and after the date of this Order, subject to approval of a site plan by the Department of Public Works and the Office of Planning and Zoning.

PETITION FOR SPECIAL EXCEPTION* S/S German Hill Road, O ft. E of Plainfield Avenue 7701 German Hill Rd. (Proposed Royal Farm Store) 12th Election District 7th Councilmanic District Cloverland Farms Dairy, Inc. Potitioner

IN RE: PETITIONS FOR SPECIAL EXCEPTION * BEFORE THE

AND VARIANCE - SW/Corner German Hill Road and Plainfield Road * DEPUTY ZONING COMMISSIONER (7701 German Hill Road) 12th Election District * OF BALTIMORE COUNTY 7th Councilmanic District

Cloverland Farms Dairy, Inc. Petitioner

FINDINGS OF FACT AND CONCLUSIONS OF LAW

* Case No. 94-183-XA

This matter comes before the Deputy Zoning Commissioner as a Petition for Special Exception and Petition for Variance for that property known as 7701 German Hill Road and Plainfield Road, filed by its owners, the Cloverland Farms Dairy, Inc., by John M. Kemp, Vice President. The Petitioners seek a special exception to permit an automotive service station use in combination with a food store with less than 5000 sq.ft., pursuant to Sections 405.2.B.1 and 405.4.D.8 of the Baltimore County Zoning Regulations (B.C.Z.R.). In addition to the special exception relief sought, the Petitioners seek variance relief from Sections 405.4.A.l and 405.4.D.8 to permit a site area of 19,210 sq.ft. in lieu of the minimum required 26,608 sq.ft., and from Section 409.4 to permit vehicular travelways with direct access to off-street parking, all as more particularly described on Petitioner's Exhibit 1.

Appearing on behalf of the Petition were John M. Kemp, Vice President, and Charles Stark, Registered Professional Engineer. There were no Protestants.

Testimony indicated that the subject property, known as 7701 German Hill Road, consists of 0.441 acres, zoned B.L.-C.N.S., and is improved with two, one-story buildings which are presently used as a carryout and sandwich shop. The Petitioners are desirous of razing the existing cial exception use, irrespective of its location within the zone. Schultz v. Pritts, 432 A.2d 1319 (1981).

The proposed use will not be detrimental to the health, safety, or general welfare of the locality, nor tend to create congestion in roads, streets, or alleys therein, nor be inconsistent with the purposes of the property's zoning classification, nor in any other way be inconsistent with the spirit and intent of the B.C.Z.R.

After reviewing all of the testimony and evidence presented, it appears that the special exception should be granted with certain restrictions as more fully described below.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the relief requested in the special exception should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 6 day of December, 1993 that the Petition for Special Exception to approve an automotive service station use in combination with a food store with less than 5000 sq.ft., pursuant to Sections 405.2.B.1 and 405.4.D.8 of the Baltimore County Zoning Regulations (B.C.Z.R.), in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the restrictions set forth hereinafter; and,

IT IS FURTHER ORDERED that the Petition for Variance seeking relief from Sections 405.4.A.1 and 405.4.D.8 of the B.C.Z.R. to permit a site area of 19,210 sq.ft. in lieu of the minimum required 26,608 sq.ft., and from Section 409.4 of the B.C.Z.R. to permit vehicular travelways with direct access to off-street parking, pursuant to Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

 The Petitioners may apply for their building permit and be granted same upon receipt of this Order;

between, 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, the relief granted herein shall be rescanded.

the Petitioners shall submit a landscape plan for review and approval by the Baltimore County Landscape

3) When applying for a building permit, the site plan and landscaping plan filed must reference this case and set forth and address the restrictions of this Order.

Deputy Soning Commissioner

TMK:bjs

Prior to the issuance of any occupancy permits,

TIMOTHY M. KOTROCO for Baltimore County

SEAL **PROFESSIONAL CERTIFICATION:** I HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME, AND THAT I AM A DULY REGISTERED LANDSCAPE ARCHITECT UNDER THE LAWS OF THE STATE OF MARYLAND, LICENSE NO. 3415 EXPIRATION DATE: JULY 24, 2019.

KEY PLAN

AS SHOWN

Dewberry®

Dewberry Engineers Inc.

CONTACT: JENNIFER C. LEONARD

DEVELOPER/APPLICANT

ROYAL FARMS 3611 ROLAND AVENUE BALTIMORE, MD 21211

CONTACT

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410.889.0200 x.158

10461 MILL RUN CIRCLE

OWINGS MILLS, MD 21117 PHONE: 410.645.1410

SUITE 300

68 RD

FARMS STOR 03 GERMAN | 7 PLAINFIELD

AL F-7700

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No. DATE BY Description **REVISIONS** JDB

APPROVED B JDB CHECKED BY MAY, 2018

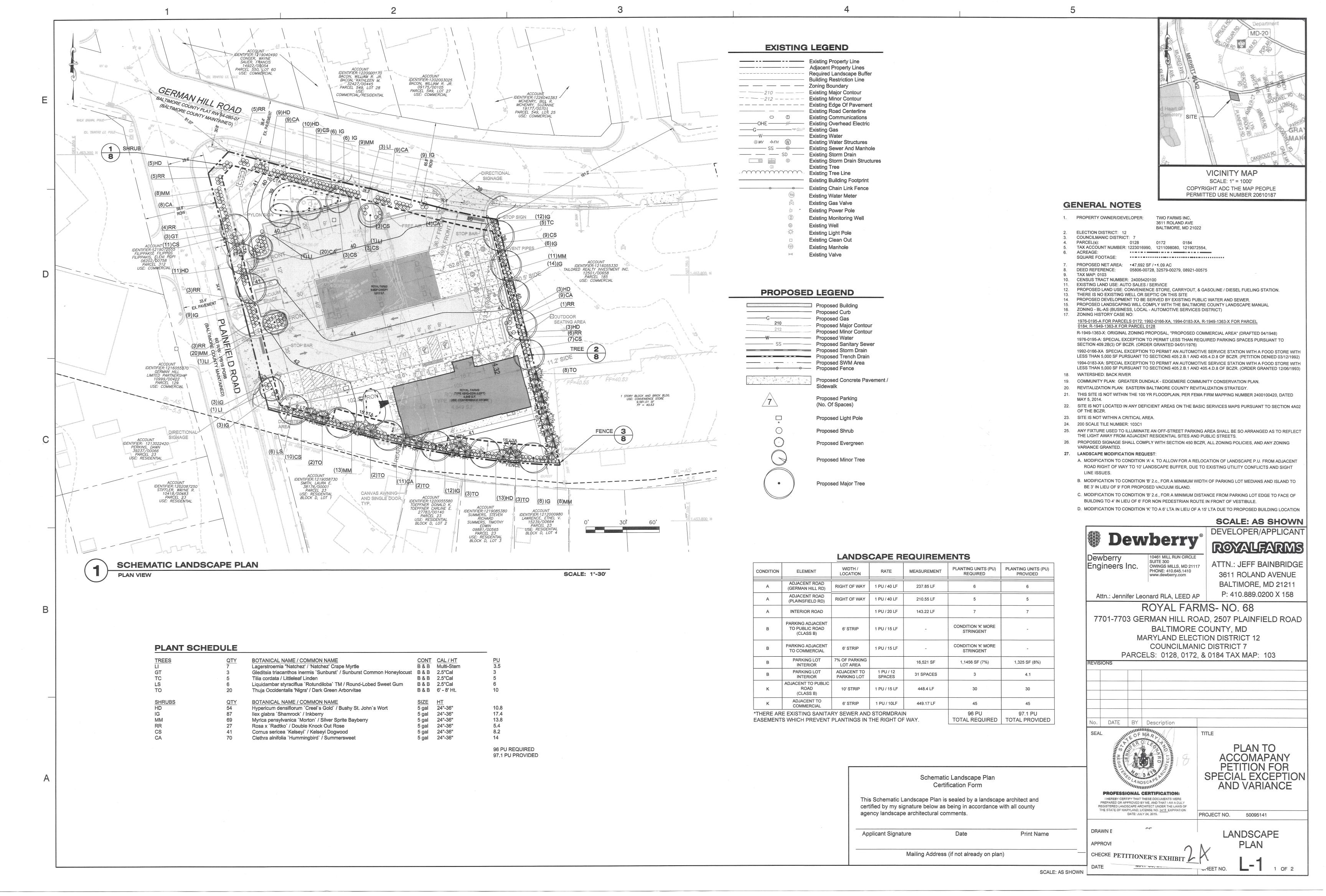
DRAWN BY

PLAN TO ACCOMPANY PETITION FOR SPECIAL **EXCEPTION & VARIANCE**

ZONING HISTORY CASE 1994-0183-XA PROJECT NO.

SHEET NO.

5 OF 5



PLANTING SPECIFICATIONS

A. DESCRIPTION

1. THE CONTRACTOR SHALL FURNISH AND INSTALL ALL PLANT MATERIALS, LABOR AND OTHER MATERIALS NECESSARY TO COMPLETE THE WORK AS SHOWN ON THE PLANS AND DETAILS.

MATERIALS AND METHODS

1. THE MATERIALS AND METHODS SHALL COMPLY WITH ALL REQUIREMENTS OF THE CURRENT EDITION OF THE "AMERICAN STANDARD FOR NURSERY STOCK" AS PREPARED BY THE AMERICAN ASSOCIATION OF NURSERYMEN, AND AS MODIFIED

C. SUBSTITUTIONS

- 1. IF A PLANT IS FOUND NOT TO BE SUITABLE OR AVAILABLE, THE LANDSCAPE CONTRACTOR SHALL NOTIFY THE OWNER'S REPRESENTATIVE BEFORE BIDDING, ALONG WITH A RECOMMENDED SUBSTITUTION, AND A LIST OF EACH NURSERY THAT WAS CONTACTED TO PROCURE THE ORIGINAL PLANT TYPE. THE LIST SHALL INCLUDE THE NURSERY NAME, ADDRESS, PHONE NUMBER AND FAX.
- 2. THE OWNER OR OWNER'S REPRESENTATIVE MAY SELECT A REASONABLE ALTERNATIVE.

D. UTILITIES

1. THE LANDSCAPE CONTRACTOR SHALL FIELD VERIFY THE LOCATION OF ANY EXISTING UNDERGROUND UTILITIES PRIOR TO ANY EXCAVATION OR PLANT INSTALLATION THE LANDSCAPE CONTRACTOR SHALL CALL "MISS UTILITY" (1-800-257-7777) A MINIMUM OF 48 HOURS PRIOR TO CONSTRUCTION.

E. PLANT MATERIAL SOURCES AND QUANTITY

- 1. THE LANDSCAPE CONTRACTOR SHALL, AT LEAST TEN (10) DAYS BEFORE BEGINNING PLANTING OPERATIONS, SUBMIT A LIST OF PLANTING MATERIAL SOURCES GIVING THE NURSERY NAME, ADDRESS AND PHONE NUMBER FOR EACH PLANT MATERIAL REQUIRED ON THE JOB.
- 2. THE TOTAL NUMBER OF PLANTS ARE SHOWN ON THE LANDSCAPE PLAN. IF THIS TOTAL DIFFERS FROM THE PLANTING SCHEDULE , THE LANDSCAPE CONTRACTOR SHALL NOTIFY THE OWNER'S REPRESENTATIVE BEFORE BIDDING.

TIME OF PLANTING:

1. PLANTING SEASON SCHEDULE SHALL BE IN ACCORDANCE WITH THE "AMERICAN STANDARD FOR NURSERY STOCK" AS PREPARED BY THE AMERICAN ASSOCIATION OF NURSERYMEN. PLANT PINES AND OAKS DURING SPRING PLANTING SEASON

G. RIVERSTONE:

1. 3"-5" RIVERSTONE SHALL BE USED IN ALL PLANTED AREAS AT THE PERIMETER OF THE STORE. THE LANDSCAPE CONTRACTOR SHALL PROVIDE A ONE (1) POUND SAMPLE TO THE OWNER'S REPRESENTATIVE FOR APPROVAL PRIOR TO ANY INSTALLATION. RIVERSTONE SHALL BE APPLIED TO A DEPTH OF AT LEAST THREE (3) INCHES WITHIN 24 HOURS OF INSTALLATION OF PLANT MATERIALS.

D

- 1. MULCH SHALL BE USED IN ALL PLANTED AREAS AT THE PERIMETER OF THE SITE. MULCH SHALL BE "WALK ON" GRADE, COARSE, GROUND, FROM TREE AND WOODY BRUSH SOURCES. THE SIZE RANGE SHALL BE A MINIMUM (LESS THAN 25% OR LESS OF VOLUME) FINE PARTICLES 3/8 INCH OR LESS IN SIZE. AND A MAXIMUM SIZE OF INDIVIDUAL PIECES (LARGEST 20% OR LESS OF VOLUME) SHALL BE APPROXIMATELY 1 TO 1-1/2 INCH IN DIAMETER AND MAXIMUM LENGTH APPROXIMATELY 4 TO 8". PIECES LARGER THAN 8 INCH LONG THAT ARE VISIBLE ON THE SURFACE OF THE MULCH AFTER INSTALLATION SHALL BE REMOVED. a. IT IS UNDERSTOOD THAT MULCH QUALITY WILL VARY SIGNIFICANTLY FROM SUPPLIER TO SUPPLIER AND REGION TO REGION. THE ABOVE REQUIREMENTS MAY BE MODIFIED TO CONFORM TO THE SOURCE MATERIAL FROM LOCALLY
- RELIABLE SUPPLIERS AS APPROVED BY THE OWNER'S REPRESENTATIVE. b. SUBMIT SUPPLIER'S PRODUCT SPECIFICATION DATA SHEET AND A ONE GALLON SAMPLE FOR APPROVAL

TREE WRAP

SHALL NOT BE UTILIZED.

J. PRUNING

1. THE LANDSCAPE CONTRACTOR SHALL PRUNE PLANT MATERIAL WITHIN TWO (2) DAYS OF INSTALLATION IN ACCORDANCE WITH THE DETAILS AND AS DIRECTED BY THE OWNER'S REPRESENTATIVE

K. FILL WITHIN PLANTING AREAS

- 1. SCARIFY OR BREAK UP INTERFACE OF EXISTING SOIL SURFACE IN AREAS WHERE ASPHALT OR CONCRETE WAS REMOVED. INSTALL CLEAN FILL IN COMPACTED LAYERS OF 8 INCHES TO THE REQUIRED ELEVATIONS. ALLOW FOR 4 INCHES OF
- 2. PLACE SOIL FILL ON SUBGRADES FREE OF MUD, FROST, SNOW, OR ICE.

L. COMPOST

- 1. BLENDED AND GROUND LEAF, WOOD AND OTHER PLANT BASED MATERIAL. COMPOSTED FOR A MINIMUM OF 9 MONTHS AND AT TEMPERATURES SUFFICIENT TO BREAK DOWN ALL WOODY FIBERS, SEEDS AND LEAF STRUCTURES, FREE OF TOXIC MATERIAL AT LEVELS THAT ARE HARMFUL TO PLANTS OR HUMANS. SOURCE MATERIAL SHALL BE YARD WASTE TRIMMINGS BLENDED WITH OTHER PLANT OR MANURE BASED MATERIAL DESIGNED TO PRODUCE COMPOST HIGH IN FUNGAL
- a. COMPOST SHALL BE COMMERCIALLY PREPARED COMPOST AND MEET US COMPOST COUNCIL STA/TMECC CRITERIA OR AS MODIFIED IN THIS SECTION FOR "COMPOST AS A LANDSCAPE BACKFILL MIX COMPONENT".
- b. COMPOST SHALL COMPLY WITH THE FOLLOWING PARAMETERS:
- b.1. PH: 5.5 8.0.
- b.2. SOIL SALT (ELECTRICAL CONDUCTIVITY): MAXIMUM 5 DS/M (MMHOS/CM). b.3. MOISTURE CONTENT %, WET WEIGHT BASIS: 30 - 60.

b.4. PARTICLE SIZE, DRY WEIGHT BASIS: 98% PASS THROUGH 3/4 INCH SCREEN

- OR SMEAR. b.5. STABILITY CARBON DIOXIDE EVOLUTION RATE: MG CO2-C/ G OM/ DAY < 2.
- b.6. SOLVITA MATURITY TEST: > 6. b.7. PHYSICAL CONTAMINANTS (INERTS), %, DRY WEIGHT BASIS: <1%.
- b.8. CHEMICAL CONTAMINANTS, MG/KG (PPM): MEET OR EXCEED US EPA CLASS A STANDARD, 40CFR § 503.13, TABLES 1 AND 3 LEVELS
- b.9. BIOLOGICAL CONTAMINANTS SELECT PATHOGENS FECAL COLIFORM BACTERIA, OR SALMONELLA, MEET OR EXCEED US EPA CLASS A

MATERIAL CERTIFICATION THAT THE PRODUCT MEETS THE REQUIREMENTS.

STANDARD, 40 CFR § 503.32(A) LEVEL REQUIREMENTS. 2. PROVIDE A TWO GALLON SAMPLE WITH MANUFACTURER'S LITERATURE AND

M. TOPSOIL

- 1. TOPSOIL TESTING SHALL BE COMPLETED FOR ALL LANDSCAPE AREAS CONCERNING THE FOLLOWING:
- a. SOIL PH AND FERTILITY (OPTIMAL RANGE IS BETWEEN 6.0-7.0) b. ORGANIC MATTER CONTENT (COMPOST SHOULD BE ADDED TO THE TOPSOIL IN A
- 70:30 RATIO OF TOPSOIL TO COMPOST c. SOIL COMPACTION (OPTIMAL IS <1.65 G/ CUBIC CM)
- 2. THE CONTACTOR WILL NEED TO SUBMIT THE TEST REPORTS ALONG WITH THE PROPOSED REMEDIATION TO THE ROYAL FARMS CONSTRUCTION MANAGER PRIOR TO THE INSTALLATION OF ANY PLANT MATERIAL
- a. TOPSOIL SHALL BE FREE OF STONES 1 INCH (25MM) OR LARGER IN ANY DIMENSION, AND OTHER EXTRANEOUS MATERIALS HARMFUL TO PLANT GROWTH.
- 3. TOPSOIL SOURCE: REUSE TOPSOIL STOCKPILED ON THE SITE. VERIFY SUITABILITY OF TOPSOIL TO MEET REQUIREMENTS AND AMEND WHEN NECESSARY. SUPPLEMENT WITH IMPORTED TOPSOIL WHEN QUANTITIES ARE INSUFFICIENT CLEAN TOPSOIL OF ROOTS, PLANTS, SOD, STONES, CLAY LUMPS AND OTHER EXTRANEOUS MATERIALS HARMFUL TO PLANT GROWTH.
- 4. SPREAD TOPSOIL 4" MINIMUM DEPTH OVER ALL LANDSCAPE AND SEEDING AREAS. TOPSOIL SHALL BE USED FOR BACKFILL OF ALL PLANTING HOLES.

N. CLEAN-UP AND RESTORATION:

1. DURING THE COURSE OF PLANTING, EXCESS AND WASTE MATERIALS SHALL BE CONTINUOUSLY AND PROMPTLY REMOVED, LAWN AREAS KEPT CLEAR, AND ALL REASONABLE PRECAUTIONS TAKEN TO AVOID DAMAGE OF EXISTING LAWNS,

2. THE LANDSCAPE CONTRACTOR SHALL RESTORE TO THEIR ORIGINAL CONDITION ALL PAVEMENTS, SODDED AND PLANTED AREAS, STRUCTURES AND SUBSTRUCTURES, NOT SPECIFICALLY PROVIDED FOR IN THE CONTRACT, WHICH ARE DISTURBED BY THE LANDSCAPE CONTRACTOR DURING PLANTING OPERATIONS. SUCH RESTORATION SHALL BE IN A MANNER SATISFACTORY TO THE OWNER'S REPRESENTATIVE AND AT NO ADDITIONAL COST TO THE OWNER.

WATER FOR PLANTING AND MAINTENANCE PURPOSES WILL BE SUPPLIED BY THE LANDSCAPE CONTRACTOR TO THE REQUIRED LOCATIONS. THE LANDSCAPE CONTRACTOR SHALL WATER ALL PLANTS WITHIN 24 HOURS OF ARRIVAL ON THE PROJECT SITE. LANDSCAPE CONTRACTOR SHALL PROVIDE ALL EQUIPMENT NECESSARY TO TRANSPORT THE WATER FROM THE SOURCE ADEQUATELY AND AS OFTEN AS NECESSARY TO ENSURE PROPER PLANT GROWTH AND TO KEEP THE SOIL MOIST AND IN A CONDITION SATISFACTORY TO THE OWNER'S REPRESENTATIVE. THE LANDSCAPE CONTRACTOR IS RESPONSIBLE FOR WATERING ALL PLANTS AND SEEDING FROM THE TIME OF PLANTING UNTIL THE FINAL INSPECTION.

GUARANTEE / CONTRACTOR MAINTENANCE PERIOD

1. THE LANDSCAPE CONTRACTOR SHALL BE RESPONSIBLE FOR THE GUARANTEE OF ALL PLANTING AND SEEDING FOR ONE (1) YEAR AFTER INITIAL ACCEPTANCE. UPON WRITTEN REQUEST BY THE LANDSCAPE CONTRACTOR THE OWNER'S REPRESENTATIVE SHALL REVIEW THE PLANTING AND SEEDING FOR CONFORMANCE WITH THE PLANS AND SPECIFICATIONS. REVIEW FOR INITIAL ACCEPTANCE OF SEEDING SHALL ONLY OCCUR AFTER 85% OF THE SEED HAS GERMINATED AND PROVIDES A VISIBLE COVER. REVIEW OF THE PLANTING SHALL OCCUR ONLY WHEN ALL OF THE PLANTING IN A PROJECT SECTION IS COMPLETE. PLANTING AND SEEDING WHICH DIE OR ARE IN POOR CONDITION AFTER INITIAL ACCEPTANCE SHALL BE REPLACED ONCE BY THE LANDSCAPE CONTRACTOR AS PART OF THEIR ONE (1) YEAR GUARANTEE AND PRIOR TO FINAL ACCEPTANCE.

Q. FINAL ACCEPTANCE / INSPECTION:

1. THE OWNER'S REPRESENTATIVE SHALL MAKE A FINAL ACCEPTANCE INSPECTION UPON WRITTEN REQUEST BY THE LANDSCAPE CONTRACTOR, AND SHALL NOTIFY THE LANDSCAPE CONTRACTOR, IN WRITING, WHEN ALL WORK IS SATISFACTORILY COMPLETED. IF THE WORK IS NOT SATISFACTORILY COMPLETED, THE OWNER'S REPRESENTATIVE WILL NOTIFY THE LANDSCAPE CONTRACTOR. IN WRITING, AS TO THE DEFICIENCIES IN THE WORK AND THE NECESSARY CORRECTIVE MEASURES. A REASONABLE AMOUNT OF TIME WILL BE GIVEN FOR LANDSCAPE CONTRACTOR TO ADDRESS DEFICIENCIES DEFINED BY OWNER'S REPRESENTATIVE, AND ANOTHER FINAL ACCEPTANCE INSPECTION WILL BE SCHEDULED BY THE OWNER'S REPRESENTATIVE UPON WRITTEN REQUEST BY THE LANDSCAPE CONTRACTOR. UPON FINAL ACCEPTANCE, THE LANDSCAPING AND SEEDING SHALL BE THE RESPONSIBILITY OF THE OWNER.

TURFGRASS SEEDING SPECIFICATIONS

1. THE CONTRACTOR SHALL FURNISH AND INSTALL ALL PLANT MATERIALS, LABOR AND OTHER MATERIALS NECESSARY TO COMPLETE THE WORK AS SHOWN ON THE PLANS AND DETAILS.

B. MATERIALS

- 1. GRASS SEED: FRESH, CLEAN, DRY, NEW-CROP SEED COMPLYING WITH AOSA'S "JOURNAL OF SEED TECHNOLOGY; RULES FOR TESTING SEEDS" FOR PURITY AND GERMINATION TOLERANCES.
- 2. SEED SPECIES: STATE-CERTIFIED SEED OF GRASS SPECIES AS FOLLOWS: a. REBEL IV TURF-TYPE TALL FESCUE - 95% b. MIDNIGHT KENTUCKY BLUEGRASS - 5%

C. SUBSTITUTIONS

- 1. ALLOWABLE CULTIVAR SUBSTITUTIONS SHALL BE CHOSEN FROM THE UNIVERSITY OF MARYLAND TURFGRASS TECHNICAL UPDATE TT-77 (JULY 2016) PROVEN CULTIVAR LISTS, OR MOST CURRENT DATE.
- 2. THE OWNER OR OWNER'S REPRESENTATIVE MAY SELECT A REASONABLE ALTERNATIVE.

D. SEED SOURCES AND QUANTITY

- 1. THE LANDSCAPE CONTRACTOR SHALL, AT LEAST TEN (10) DAYS BEFORE BEGINNING SEEDING OPERATIONS, SUBMIT A LIST OF SEED SOURCES GIVING THE SUPPLIER NAME, ADDRESS AND PHONE NUMBER FOR EACH SEED REQUIRED ON THE JOB.
- 2. THE TOTAL SQUARE FOOTAGE OF SEED IS SHOWN ON THE LANDSCAPE PLAN. IF THIS TOTAL DIFFERS FROM THE PLANTING/SEEDING SCHEDULE. THE LANDSCAPE CONTRACTOR SHALL NOTIFY THE OWNER'S REPRESENTATIVE BEFORE BIDDING.

E. PREPARATION:

- 1. LIMIT TURF SUBGRADE PREPARATION TO AREAS TO BE PLANTED.
- 2. NEWLY GRADED SUBGRADES: LOOSEN SUBGRADE TO A MINIMUM DEPTH OF 4 INCHES. REMOVE STONES LARGER THAN 1 INCH IN ANY DIMENSION AND STICKS. ROOTS, RUBBISH, AND OTHER EXTRANEOUS MATTER AND LEGALLY DISPOSE OF THEM OFF OWNER'S PROPERTY.
- a. APPLY SUPERPHOSPHATE FERTILIZER DIRECTLY TO SUBGRADE BEFORE b. SPREAD TOPSOIL, APPLY SOIL AMENDMENTS AND FERTILIZER ON SURFACE, AND
- THOROUGHLY BLEND PLANTING SOIL. b.1. DELAY MIXING FERTILIZER WITH PLANTING SOIL IF PLANTING WILL NOT PROCEED WITHIN A FEW DAYS
- b.2. MIX LIME WITH DRY SOIL BEFORE MIXING FERTILIZER. c. SPREAD PLANTING SOIL TO A DEPTH OF 4 INCHES BUT NOT LESS THAN REQUIRED TO MEET FINISH GRADES AFTER LIGHT ROLLING AND NATURAL SETTLEMENT. DO NOT SPREAD IF PLANTING SOIL OR SUBGRADE IS FROZEN, MUDDY, OR EXCESSIVELY WET.
- c.1. SPREAD APPROXIMATELY 1/2 THE THICKNESS OF PLANTING SOIL OVER LOOSENED SUBGRADE. MIX THOROUGHLY INTO TOP 2 INCHES OF SUBGRADE. SPREAD REMAINDER OF PLANTING SOIL.
- 3. UNCHANGED SUBGRADES: IF TURF IS TO BE PLANTED IN AREAS UNALTERED OR UNDISTURBED BY EXCAVATING, GRADING, OR SURFACE-SOIL STRIPPING OPERATIONS, PREPARE SURFACE SOIL AS FOLLOWS:
- a. REMOVE EXISTING GRASS, VEGETATION, AND TURF. DO NOT MIX INTO SURFACE b. LOOSEN SURFACE SOIL TO A DEPTH OF AT LEAST 6 INCHES. APPLY SOIL AMENDMENTS AND FERTILIZERS ACCORDING TO PLANTING SOIL MIX
- PROPORTIONS AND MIX THOROUGHLY INTO TOP 4 INCHES OF SOIL. TILL SOIL TO A HOMOGENEOUS MIXTURE OF FINE TEXTURE. b.1. APPLY SUPERPHOSPHATE FERTILIZER DIRECTLY TO SURFACE SOIL BEFORE LOOSENING.
- c. REMOVE STONES LARGER THAN 1 INCH IN ANY DIMENSION AND STICKS, ROOTS TRASH, AND OTHER EXTRANEOUS MATTER. d. LEGALLY DISPOSE OF WASTE MATERIAL, INCLUDING GRASS, VEGETATION, AND TURF, OFF OWNER'S PROPERTY
- 4. FINISH GRADING: GRADE PLANTING AREAS TO A SMOOTH, UNIFORM SURFACE PLANE WITH LOOSE, UNIFORMLY FINE TEXTURE. GRADE TO WITHIN PLUS OR MINUS 1/2 INCH OF FINISH ELEVATION. ROLL AND RAKE, REMOVE RIDGES, AND FILL DEPRESSIONS TO MEET FINISH GRADES. LIMIT FINISH GRADING TO AREAS THAT CAN BE PLANTED IN THE IMMEDIATE FUTURE.
- 5. MOISTEN PREPARED AREA BEFORE PLANTING IF SOIL IS DRY, WATER THOROUGHLY AND ALLOW SURFACE TO DRY BEFORE PLANTING. DO NOT CREATE MUDDY SOIL
- 6. BEFORE PLANTING, OBTAIN ARCHITECT'S ACCEPTANCE OF FINISH GRADING; RESTORE PLANTING AREAS IF ERODED OR OTHERWISE DISTURBED AFTER FINISH GRADING.

F. HYDROSEED:

- 1 HYDROSEEDING: MIX SPECIFIED SEED, FERTILIZER, AND FIBER MULICH IN WATER USING EQUIPMENT SPECIFICALLY DESIGNED FOR HYDROSEED APPLICATION. CONTINUE MIXING UNTIL UNIFORMLY BLENDED INTO HOMOGENEOUS SLURRY SUITABLE FOR HYDRAULIC APPLICATION. a. MIX SLURRY WITH NONASPHALTIC FIBER-MULCH TACKIFIER PER
- MANUFACTURER'S RECOMMENDATIONS. b. APPLY SLURRY UNIFORMLY TO ALL AREAS TO BE SEEDED IN A ONE-STEP PROCESS. APPLY SLURRY AT A RATE SO THAT MULCH COMPONENT IS

DEPOSITED AT NOT LESS THAN 1500-LB/ACRE DRY WEIGHT, AND SEED COMPONENT IS DEPOSITED AT NOT LESS THAN THE SPECIFIED SEED-SOWING

G. CLEAN-UP AND RESTORATION:

- . DURING THE COURSE OF PLANTING, EXCESS AND WASTE MATERIALS SHALL BE CONTINUOUSLY AND PROMPTLY REMOVED, LAWN AREAS KEPT CLEAR, AND ALL REASONABLE PRECAUTIONS TAKEN TO AVOID DAMAGE OF EXISTING LAWNS, PAVING, ETC.
- 2. THE LANDSCAPE CONTRACTOR SHALL RESTORE TO THEIR ORIGINAL CONDITION ALL PAVEMENTS, SEEDED AND PLANTED AREAS, STRUCTURES AND SUBSTRUCTURES, NOT SPECIFICALLY PROVIDED FOR IN THE CONTRACT, WHICH ARE DISTURBED BY THE LANDSCAPE CONTRACTOR DURING PLANTING OPERATIONS. SUCH RESTORATION SHALL BE IN A MANNER SATISFACTORY TO THE OWNER'S REPRESENTATIVE AND AT NO ADDITIONAL COST TO THE OWNER.

H. MAINTENANCE:

Central leader. (See crown -

observations detail

Trunk caliper shall -

meet ANSI Z60 current

Root ball modified as -

required.

Round-topped

Finished grade.

Modified so

Depth varies.

Existing soil.

NO SCALE

edition for root ball size.

soil berm 4" high x 8" wide

shall be constructed around

begin at root ball periphery.

Bottom of root ball rests on -

4" layer of mulch. -

mulch on top of

root ball.

Finished grade. -

Depth varies.

Root ball rests on

recompacted soil.

2

No more than 1" of

existing or recompacted

above root ball surface

the root ball. Berm shall

DISPLACEMENT

- MAINTAIN AND ESTABLISH TURF BY WATERING, FERTILIZING, WEEDING, MOWING, TRIMMING, REPLANTING, AND PERFORMING OTHER OPERATIONS AS REQUIRED TO ESTABLISH HEALTHY, VIABLE TURF. ROLL, REGRADE, AND REPLANT BARE OR ERODED AREAS AND REMULCH TO PRODUCE A UNIFORMLY SMOOTH TURF. PROVIDE MATERIALS AND INSTALLATION THE SAME AS THOSE USED IN THE ORIGINAL INSTALLATION.
- a. FILL IN AS NECESSARY SOIL SUBSIDENCE THAT MAY OCCUR BECAUSE OF SETTLING OR OTHER PROCESSES. REPLACE MATERIALS AND TURF DAMAGED
- OR LOST IN AREAS OF SUBSIDENCE. b. IN AREAS WHERE MULCH HAS BEEN DISTURBED BY WIND OR MAINTENANCE OPERATIONS, ADD NEW MULCH AND ANCHOR AS REQUIRED TO PREVENT
- c. APPLY TREATMENTS AS REQUIRED TO KEEP TURF AND SOIL FREE OF PESTS AND PATHOGENS OR DISEASE. USE INTEGRATED PEST MANAGEMENT PRACTICES WHENEVER POSSIBLE TO MINIMIZE THE USE OF PESTICIDES AND REDUCE
- 2. WATERING: INSTALL AND MAINTAIN TEMPORARY PIPING, HOSES, AND TURF-WATERING EQUIPMENT TO CONVEY WATER FROM SOURCES AND TO KEEP TURF UNIFORMLY MOIST TO A DEPTH OF 4 INCHES. a. SCHEDULE WATERING TO PREVENT WILTING, PUDDLING, EROSION, AND DISPLACEMENT OF SEED OR MULCH. LAY OUT TEMPORARY WATERING SYSTEM TO AVOID WALKING OVER MUDDY OR NEWLY PLANTED AREAS.

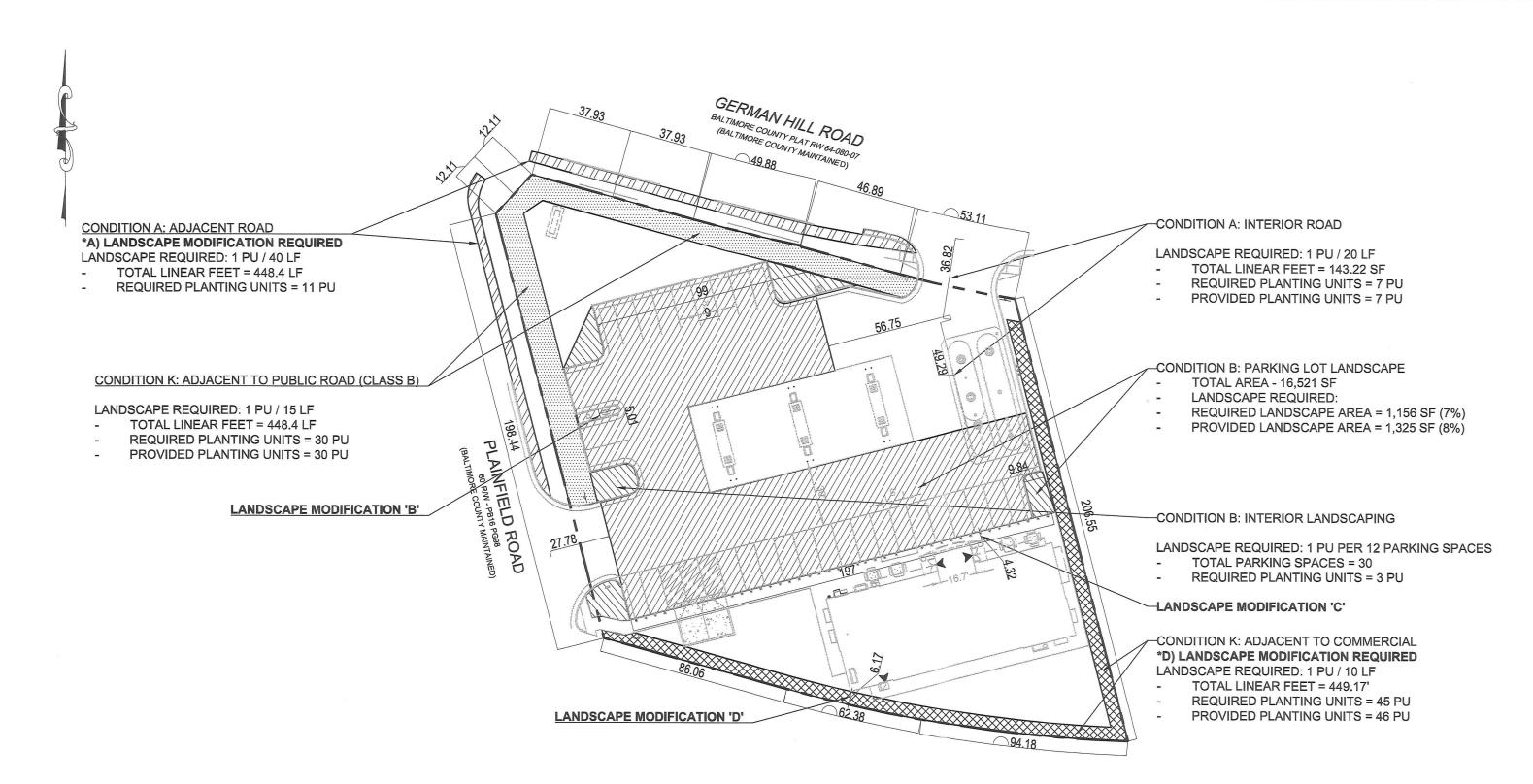
b. WATER TURF WITH FINE SPRAY AT A MINIMUM RATE OF 1 INCH PER WEEK

UNLESS RAINFALL PRECIPITATION IS ADEQUATE.

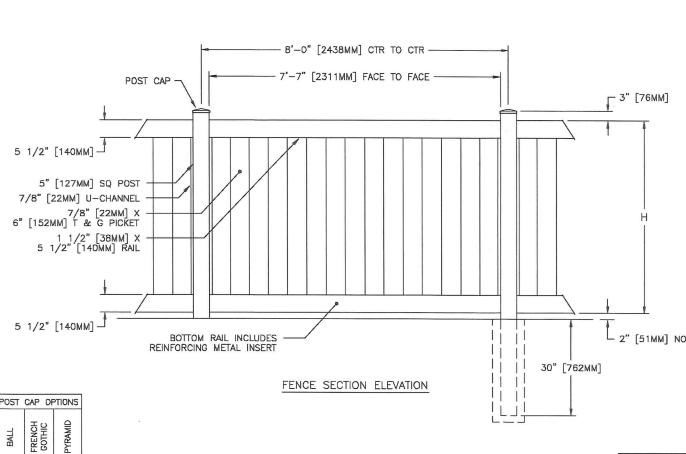
- 3. MOW TURF AS SOON AS TOP GROWTH IS TALL ENOUGH TO CUT. REPEAT MOWING TO MAINTAIN SPECIFIED HEIGHT WITHOUT CUTTING MORE THAN 1/3 OF GRASS HEIGHT. REMOVE NO MORE THAN 1/3 OF GRASS-LEAF GROWTH IN INITIAL OR SUBSEQUENT MOWINGS. DO NOT DELAY MOWING UNTIL GRASS BLADES BEND OVER AND BECOME MATTED. DO NOT MOW WHEN GRASS IS WET. SCHEDULE INITIAL AND SUBSEQUENT MOWINGS TO MAINTAIN THE FOLLOWING GRASS HEIGHT: a. MOW TURF-TYPE TALL FESCUE TO A HEIGHT OF 2 TO 3 INCHES.
- 4. TURF POSTFERTILIZATION: APPLY FERTILIZER AFTER INITIAL MOWING AND WHEN a. USE FERTILIZER THAT WILL PROVIDE ACTUAL NITROGEN OF AT LEAST 1 LB/1000 SQ. FT. TO TURF AREA.

SECTION VIEW

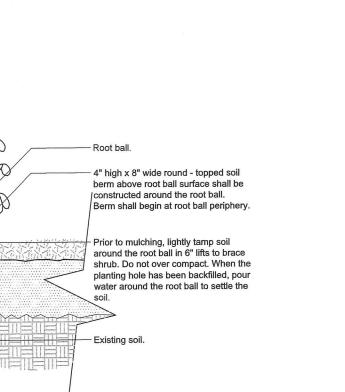
TREE W/ BERM (EXISTING SOIL MODIFIED)







6' TALL PRIVACY FENCE



finished grade.

Prior to mulching, lightly tamp soil

around the root ball in 6" lifts to

brace tree. Do not over compact

When the planting hole has been

backfilled, pour water around the

No more than 1" of mulch on

1- Trees shall be of quality

prescribed in crown observations

2- See specifications for further

requirements related to this

and root observations details and

root ball to settle the soil.

4" layer of mulch.

top of root ball.

specifications.

1- Shrubs shall be of quality prescribed in the root observations detail and specifications. 2- See specifications for further requirements related to this detail.



SHRUB - MODIFIED SOIL

SECTION VIEW

- 2" [51MM] NOM

Schematic Landscape Plan

Certification Form

Date

Mailing Address (if not already on plan)

This Schematic Landscape Plan is sealed by a landscape architect and

certified by my signature below as being in accordance with all county

agency landscape architectural comments.

Applicant Signature

NOTES: 1. METRIC DIMENSIONS ARE NOMINAL EQUIVALENTS TO U.S. DIMENSIONS 2. SPECIFICATIONS SHOWN CAN BE CHANGED BY MASTER HALCO ONLY.

lo. DATE BY Description SEAL

NOT TO SCALE

PROFESSIONAL CERTIFICATION: HERERY CERTIFY THAT THESE DOCUMENTS WERE REPARED OR APPROVED BY ME, AND THAT I AM A DU REGISTERED LANDSCAPE ARCHITECT UNDER THE LAWS O HE STATE OF MARYLAND, LICENSE NO. 3415 EXPIRATION DATE: JULY 24, 2019.

DRAWN BY APPROVED BY MAY 30, 2018

SPECIAL EXCEPTION AND VARIANCE PROJECT NO. 50095141 LANDSCAPE

PLAN TO

PETITION FOR

SCALE: AS SHOWN

DEVELOPER/APPLICANT

ATTN.: JEFF BAINBRIDGE

3611 ROLAND AVENUE

BALTIMORE, MD 21211

P: 410.889.0200 X 158

Print Name

SCALE: AS SHOWN

SHEET NO.

SUITE 300

Attn.: Jennifer Leonard RLA, LEED AP

OWINGS MILLS, MD 21117

ROYAL FARMS- NO. 68

7701-7703 GERMAN HILL ROAD, 2507 PLAINFIELD ROAD

BALTIMORE COUNTY, MD

MARYLAND ELECTION DISTRICT 12

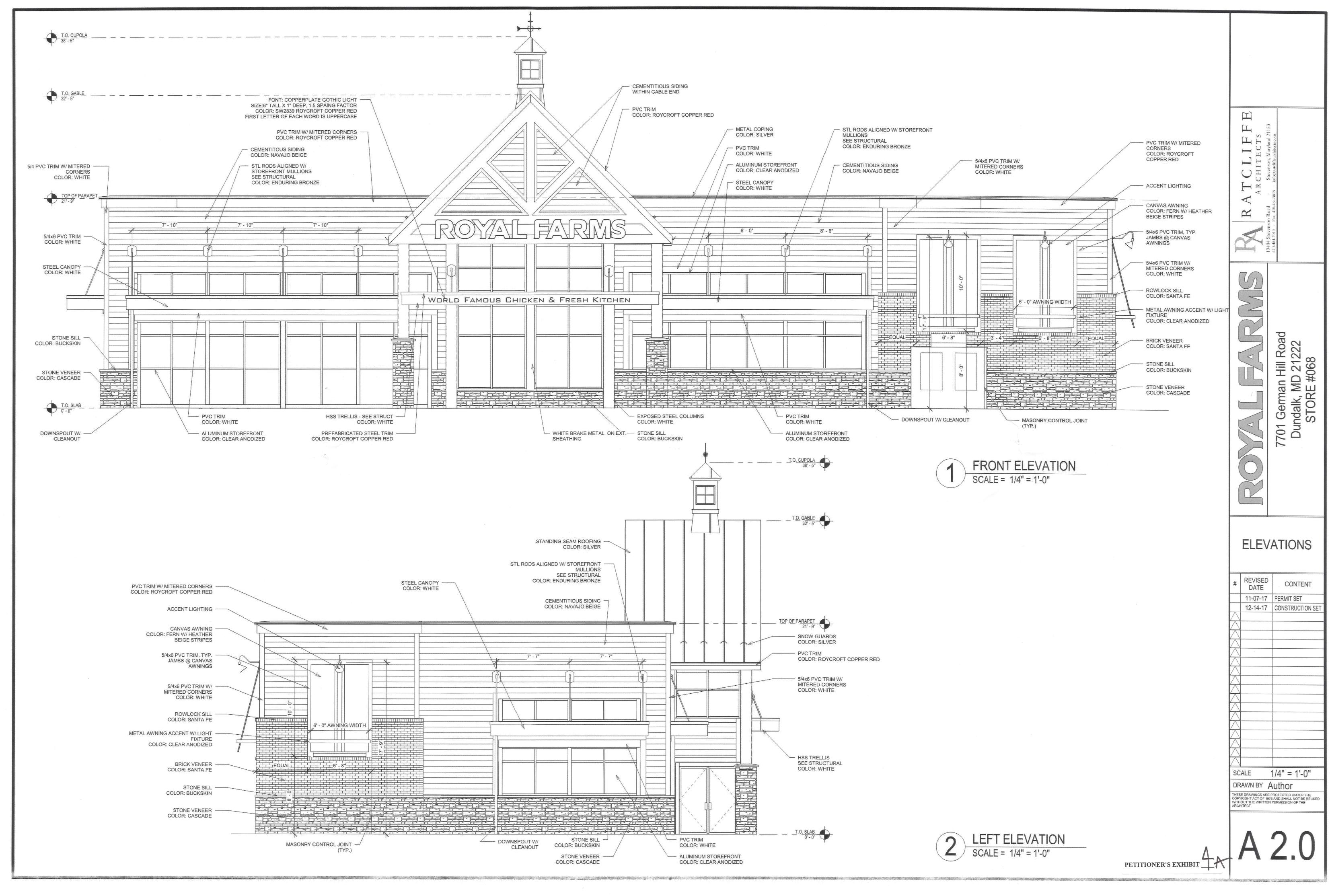
COUNCILMANIC DISTRICT 7

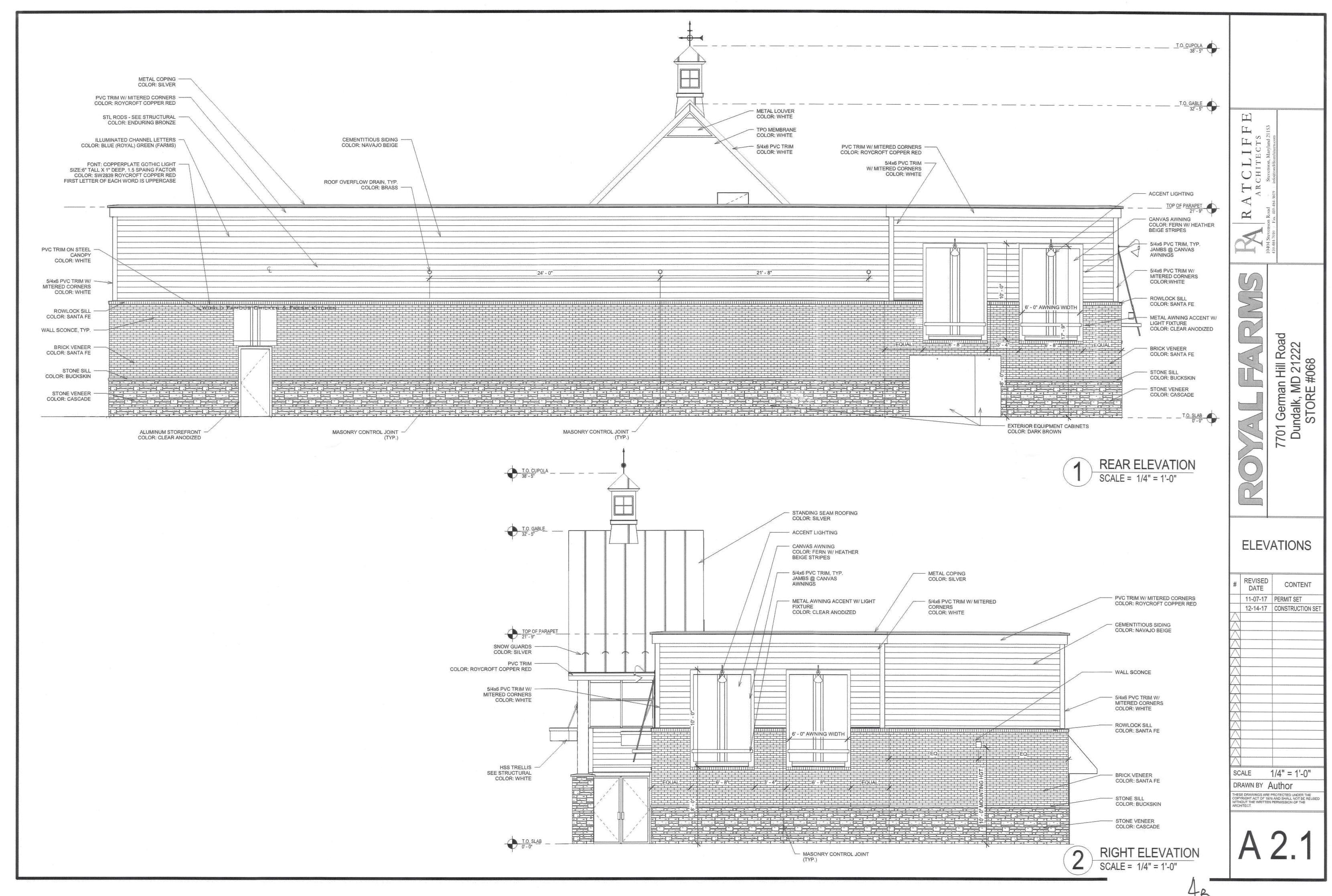
PARCELS: 0128, 0172, & 0184 TAX MAP: 103

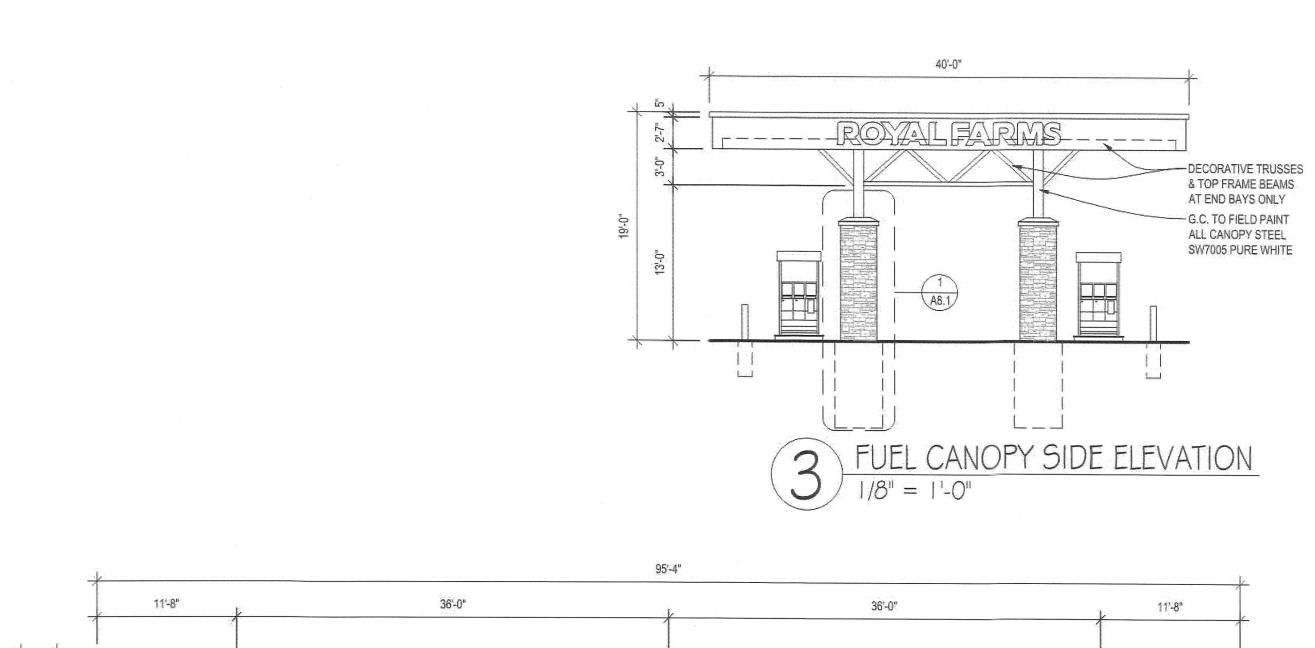
PHONE: 410.645.1410

Engineers Inc.

CHECKED BY



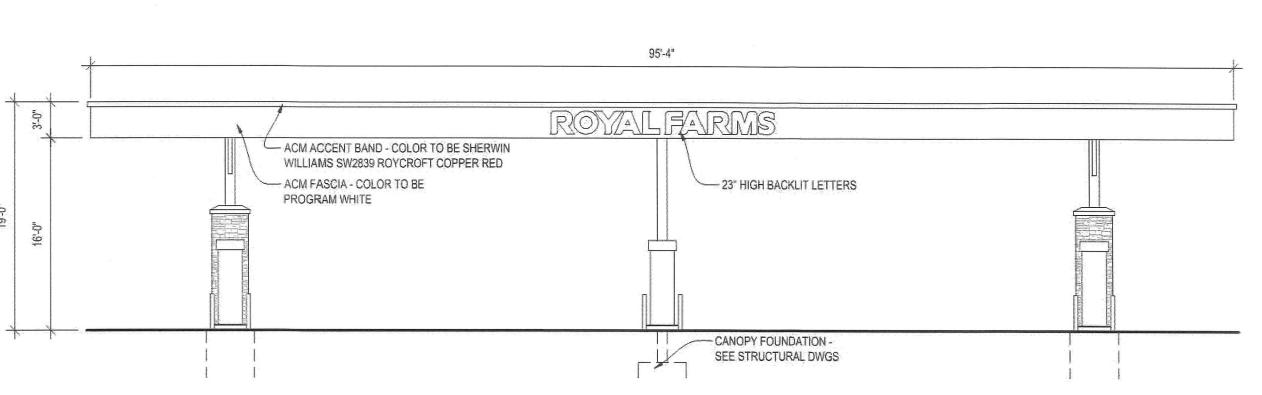




THE SED TO SED THE SED

PUEL CANOPY PLAN

1/8" = 1'-0"



FUEL CANOPY FRONT ELEVATION

1/8" = 1'-0"

PETITIONER'S EXHIBIT

NALK MD 21222

By 1222

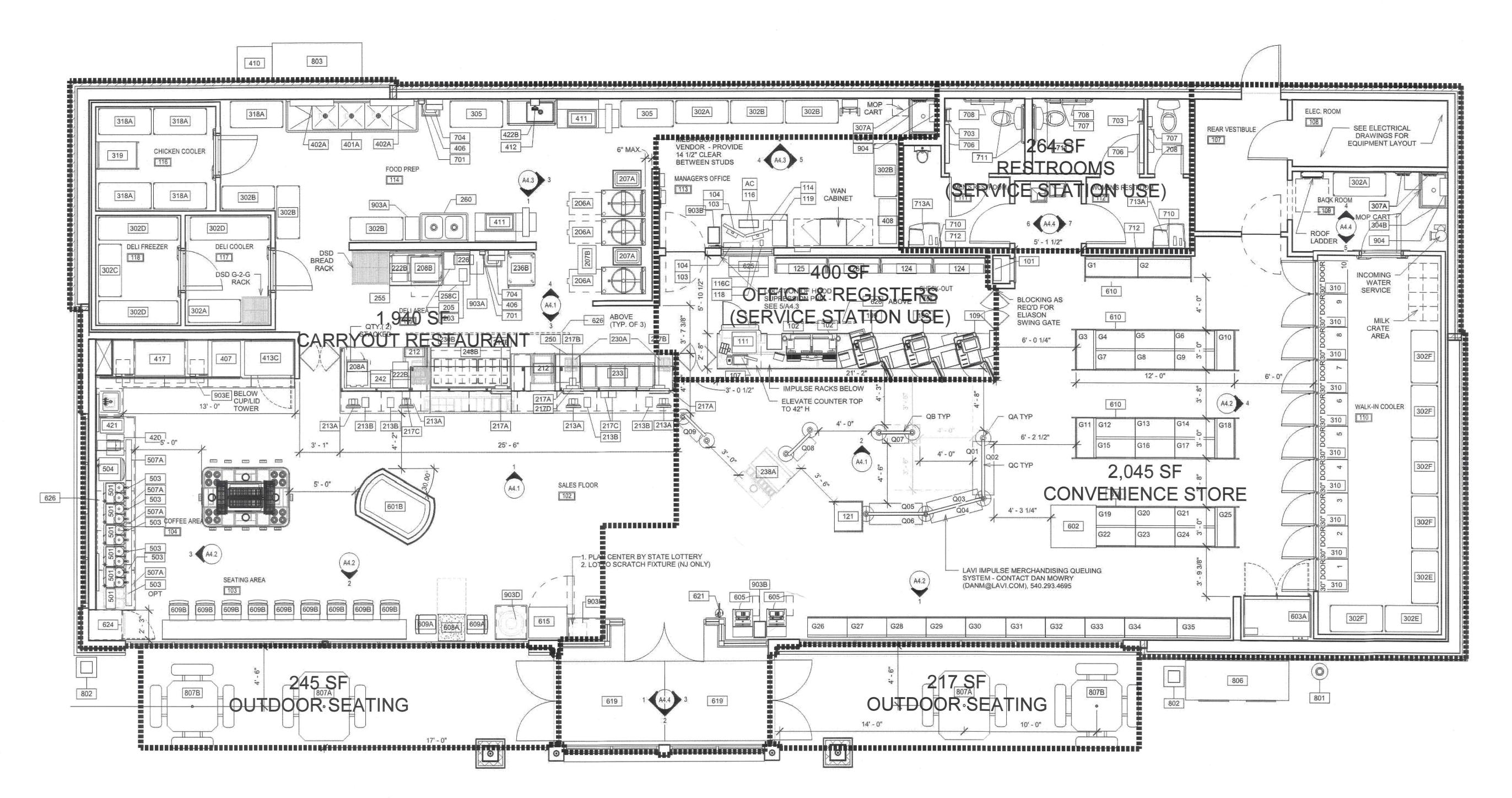
FUEL CANOPIES

#	REVISED DATE	CONTENT	
	0 20 5	PERMIT SET	
		CONSTRUCTION SET	
	0,4		

		300 STREET STREE	
	A 3.2	**************************************	

	22 22 3 3		
SCA	LE	NOTED	
DRAWN BY		R.White	
ACT OF	1976 AND SHALL	PROTECTED UNDER THE COPYRIGH NOT BE REUSED WITHOUT THE OF THE ARCHITECT.	

A8.0



1 EQUIPMENT PLAN
SCALE = 1/4" = 1'-0"

BUILDING AREAS			
USE	AREA (SF)		
CARRYOUT RESTAURANT	1,940 SF		
CONVENIENCE STORE	2,045 SF		
OFFICE & REGISTERS	400 SF		
RESTROOMS	264 SF		
TOTAL INDOOR AREA	4,469 SF		
OUTDOOR SEATING	245 SF		
OUTDOOR SEATING	217 SF		
TOTAL AREA	5,111 SF		

Q:\PROJECT\2017_File\50095141-RFS 068 7701 German Road\CAD\Civil\Site Plan\ZP_Special Variance_95141.dwg, 6/6/2018 11:11:31 AM

NOTE:

 DIMENSIONS ARE GYP. BOARD FINISH TO GYP. BOARD FINISH FOR EQUIPMENT PLAN ONLY. RATCLIFFE
ARCHITECTS
O4 Stevenson Road Stevenson, Maryland 21153
484-7010 Fax. 410-484-3819 info@enteliflearchitects.com

701 German Hill Road
Dundalk, MD 21222

EQUIPMENT PLAN

	7
REVISED DATE	CONTENT
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AWN BY A	\LD
E DRAWINGS ARE I	PROTECTED UNDER THE 6 AND SHALL NOT BE REUSE
	ALE AWN BY A

Dewberry®

Dewberry Engineers Inc.

10461 MILL RUN CIRCLE
SUITE 300
OWINGS MILLS, MD 21117
PHONE: 410.645.1410
CONTACT: JENNIFER C. LEONARD

DEVELOPER/APPLICANT

ROYAL FARMS 3611 ROLAND AVENUE BALTIMORE, MD 21211

CONTACT
JEFF BAINBRIDGE
410.889.0200 x.158

SEAL

PROFESSIONAL CERTIFICATION:

I HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME, AND THAT I AM A DULY REGISTERED LANDSCAPE ARCHITECT UNDER THE LAWS OF THE STATE OF MARYLAND, LICENSE NO. 3415 EXPIRATION DATE: JULY 24, 2019.

KEY PLAN

1"=30'

No. DATE BY Description **REVISIONS**

PLAN TO ACCOMPANY PETITION FOR SPECIAL **EXCEPTION & VARIANCE**

AERIAL EXHIBIT

PROJECT NO. 50095141



Dewberry Engineers Inc.

10461 MILL RUN CIRCLE
SUITE 300
OWINGS MILLS, MD 21117
PHONE: 410.645.1410
CONTACT: JENNIFER C. LEONARD

DEVELOPER/APPLICANT

ROYAL FARMS 3611 ROLAND AVENUE BALTIMORE, MD 21211

CONTACT
JEFF BAINBRIDGE
410.889.0200 x.158

1-7703 GERMAN HILL RE 2507 PLAINFIELD RD BALTIMORE COUNTY DUNDALK, MARYLAND

SEAL

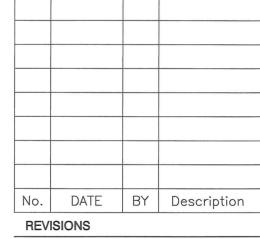
PROFESSIONAL CERTIFICATION:

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PREPARED OR APPROVED BY ME, AND THAT I AM A DULY
REGISTERED LANDSCAPE ARCHITECT UNDER THE LAWS OF
THE STATE OF MARYLAND, LICENSE NO. 3415 EXPIRATION
DATE: JULY 24, 2019.

KEY PLAN

SCALE

0' 30' 60 1"=30'



TEVIOIONO	
DRAWN BY	JDB
APPROVED BY	JCL
CHECKED BY	JDB
DATE	OCT. 2018

PLAN TO ACCOMPANY
PETITION FOR SPECIAL
EXCEPTION & VARIANCE

SITE PHOTO EXHIBIT

PPO IECT NO 50005141

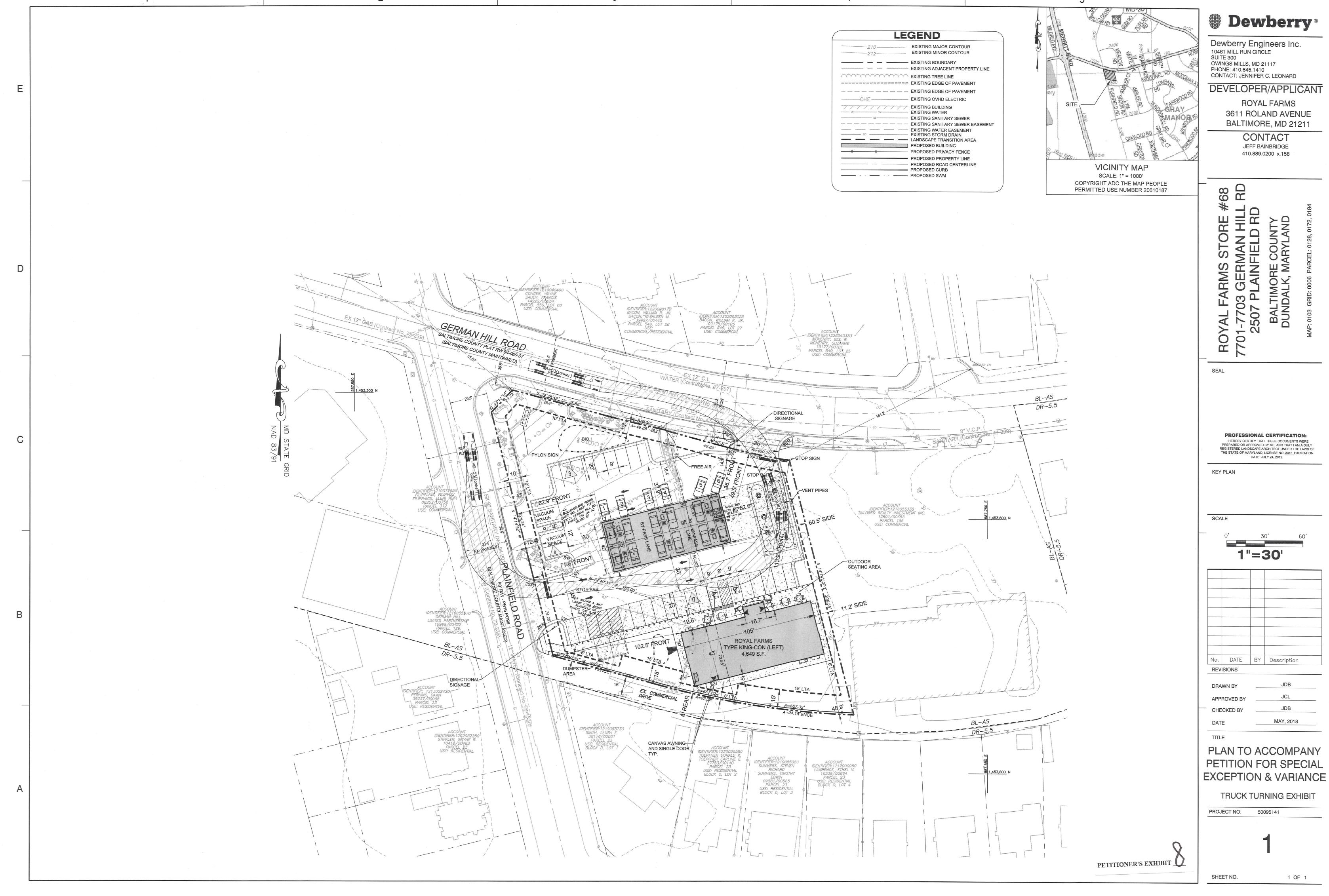
PETITIONER'S EXHIBIT 6A

1 OF 1

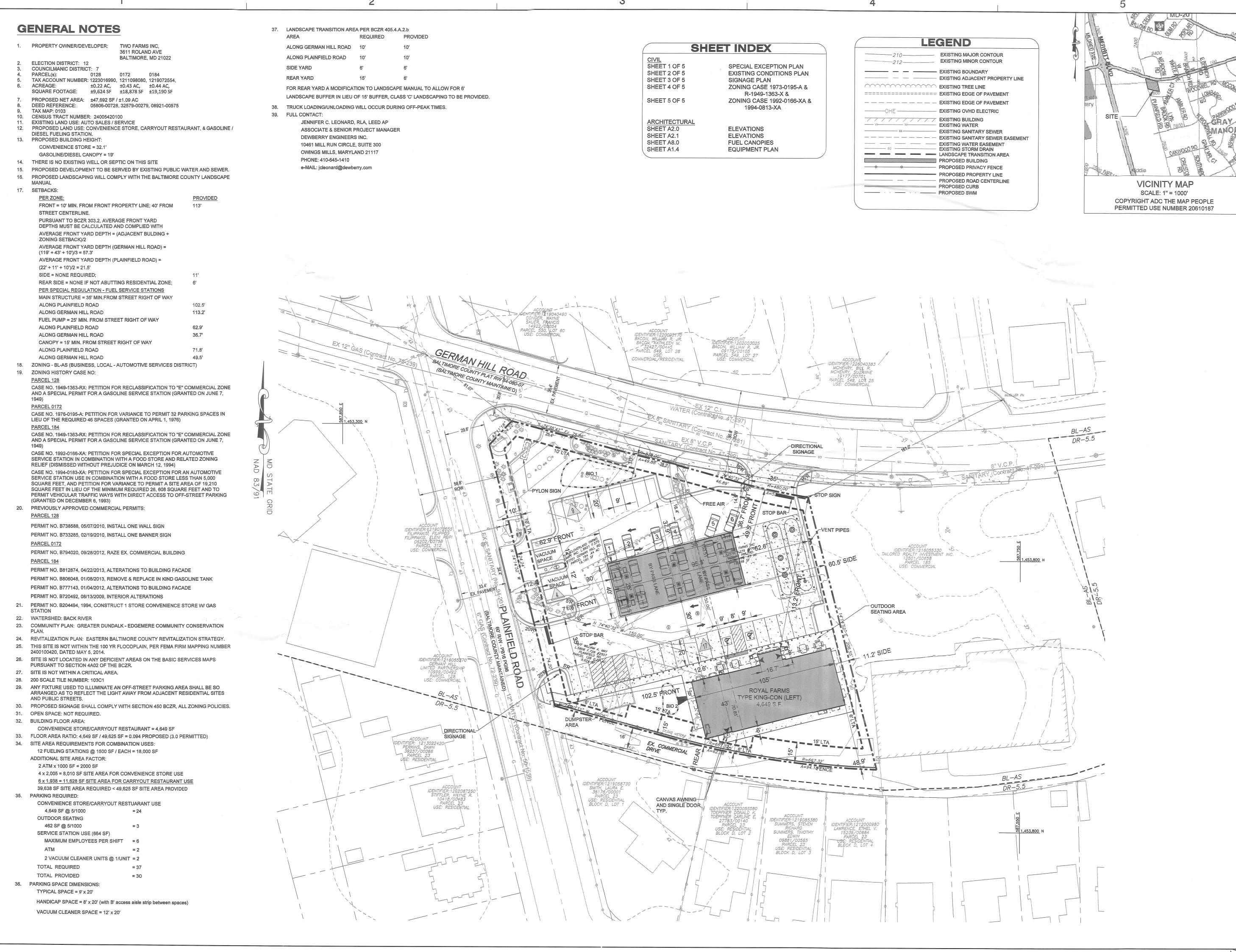
STATE GRID 83/91

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Α



PLAN TO ACCOMPANY PETITION FOR SPECIAL



Dewberry®

CONTACT: JENNIFER C. LEONARD

Dewberry Engineers Inc.

10461 MILL RUN CIRCLE
SUITE 300
OWINGS MILLS, MD 21117

PHONE: 410.645.1410

DEVELOPER/APPLICANT

ROYAL FARMS 3611 ROLAND AVENUE BALTIMORE, MD 21211

CONTACT
JEFF BAINBRIDGE
410.889.0200 x.158

ROYAL FARMS STORE #68
7701-7703 GERMAN HILL RD
2507 PLAINFIELD RD
BALTIMORE COUNTY

PROFESSIONAL CERTIFICATION:

I HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME, AND THAT I AM A DULY REGISTERED LANDSCAPE ARCHITECT UNDER THE LAWS OF

THE STATE OF MARYLAND, LICENSE NO. 3415 EXPIRATION

DATE: JULY 24, 2019.

KEY PLAN

SCALE

1"=**30**'

PLAN TO ACCOMPANY
PETITION FOR SPECIAL
EXCEPTION & VARIANCE

MAY, 2018

SPECIAL EXCEPTION PLAN

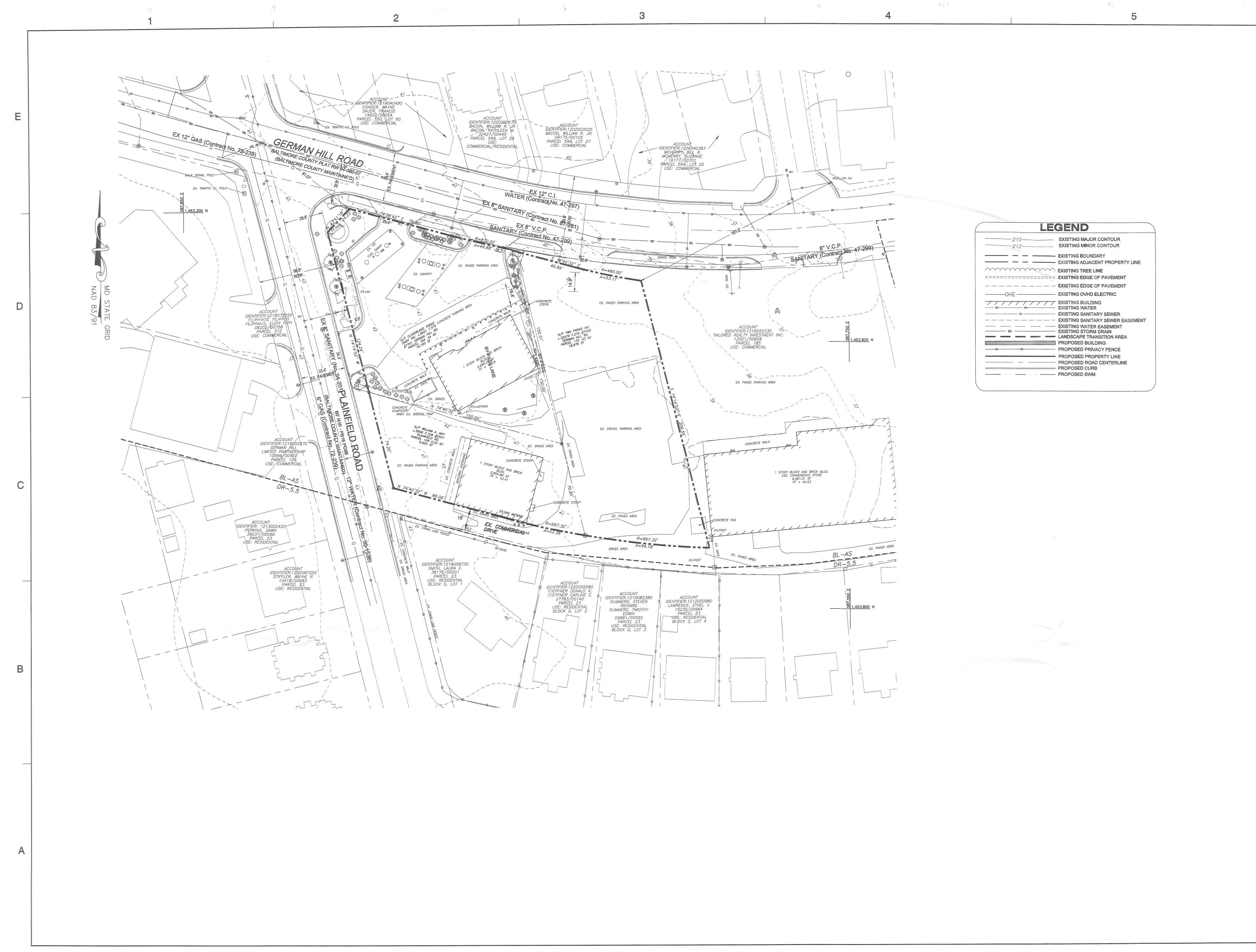
PROJECT NO. 50095141

- 1

SHEET NO.

CHECKED BY

1 OF 5



Dewberry®

Dewberry Engineers Inc. 10461 MILL RUN CIRCLE SUITE 300 OWINGS MILLS, MD 21117 PHONE: 410.645.1410 CONTACT: JENNIFER C. LEONARD

DEVELOPER/APPLICANT

ROYAL FARMS 3611 ROLAND AVENUE BALTIMORE, MD 21211

> CONTACT JEFF BAINBRIDGE 410.889.0200 x.158

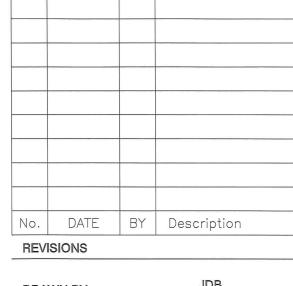
68 RD ROYAL FARMS STORE #6 7701-7703 GERMAN HILL F 2507 PLAINFIELD RD

PROFESSIONAL CERTIFICATION:

I HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME, AND THAT I AM A DULY REGISTERED LANDSCAPE ARCHITECT UNDER THE LAWS OF THE STATE OF MARYLAND, LICENSE NO. 3415 EXPIRATION DATE: JULY 24, 2019.

KEY PLAN

SCALE



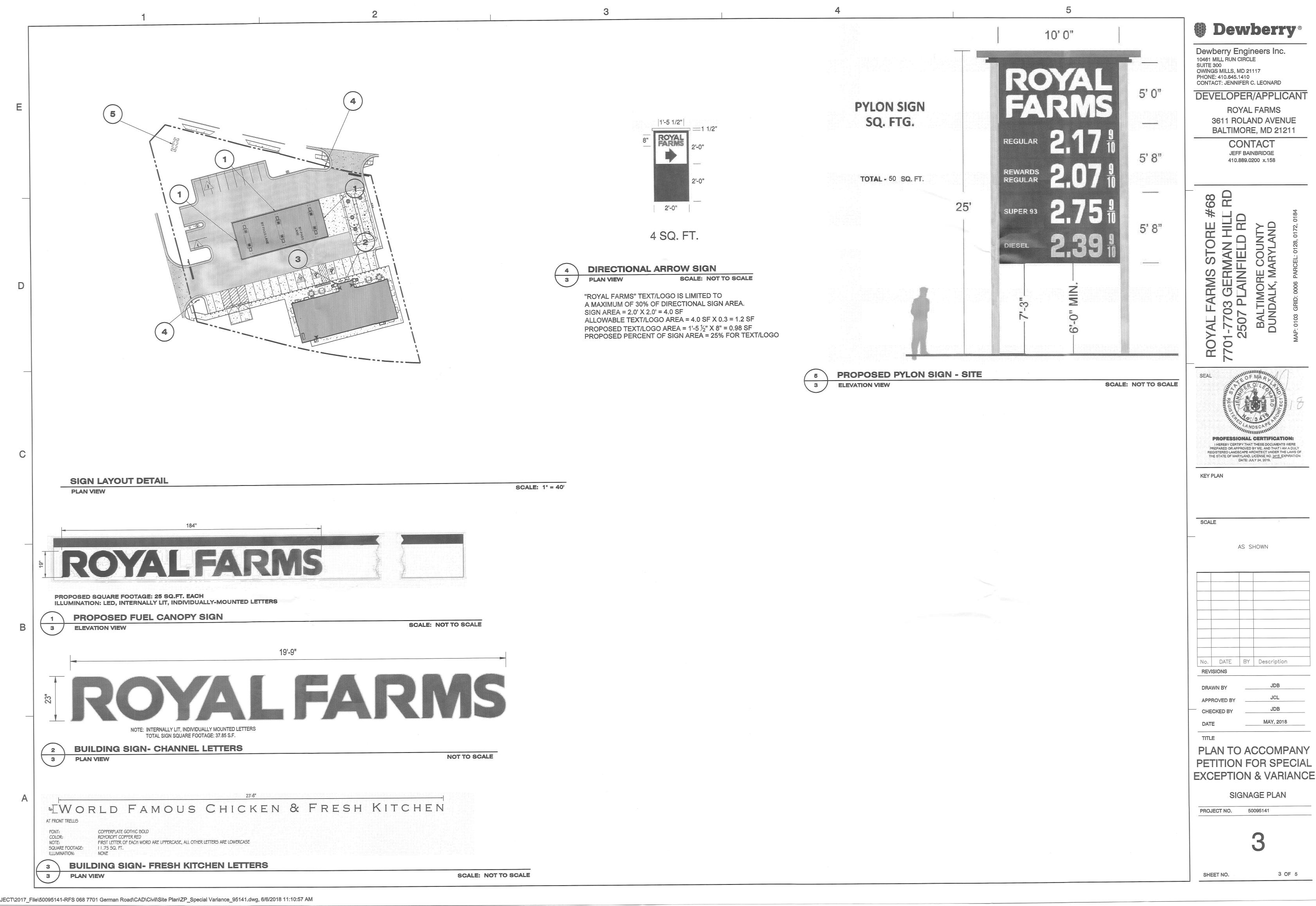
APPROVED B CHECKED BY MAY, 2018

PROJECT NO.

PLAN TO ACCOMPANY PETITION FOR SPECIAL **EXCEPTION & VARIANCE**

EXISTING CONDITIONS PLAN

2 OF 5 SHEET NO.



OPINION OF THE BOARD OF ZONING APPRAIS · BALLINGER COUNCY

This is an appeal from the decision of the Zoning Commissioner of Beltimore County dated the Sth day of March, 1949, Jenying the petition of the applicant, Herry B. Stengel, for reclessification of that percel of land described in the petition and for special parent to use the property secondly described in said petition for gasoline pervice station.

The Bourd heard the Testimony in this case and after full consideration finds as follows:

The parcel of land for which the reclassification is requested adjoins a large existing commercial area. Although this commercial area is not being used it is a fact that it adjoins the eres which is the subject of this potition and consequently the granting of the reclassification in this case is, in effect, on extension of an existing commercial area. For this reason there is no question of "spot coming" involved in this case and in the opinion of this Board the lowering of the classification would not asure congestion in the rosds, streets and blicks and, therefore, would not cause any under traffic tatard. It follows that the reclassification from we "a" Residence Zone to an "A" Commercial Zone would not in any marmer affect the bealth, safety, morals and general welfare of the comminity and for the reasons stated this Board will sign an order in accordance with this opinion, granting the petition for reclassification from an "A" Seatten . Lone to an "E" Commercial Zone. Also in the opinion of this Board the granting of a special permit to use the property secondly described in

the petition for gesoline service station would not couse any further undue congestion in the roads, streets and alleys or treffic heserd; also would not soversely affect the health, safety, morals and the general welfare of the community. therefore the Board will sign an order in conformity with this opinion, first, reclassifying the parcel of land from an "A" Residence Zone to an "K" Commercial Zone and, second, granting the special permit to use the property secondly described in said patition for gasoline service station.

> Sound of Zoning Appeals of Balkimora County

It is this /2/2 may of Narrah, 1996, CMENTAL by the leading County

Comince

County Commissioners or beithers County K 541

land to be covered by commercial buildings.

NE: PERFECT TO RECLASSIFICATION PROMING. ACCOMENGE TO THE COMMENT.

GABOLINE SERVICE SEATION - 3. 3. GRUAN BULL ROAD, DEAT GRAY WASON,

18th District of Beltimore County,

The applal in the above case having come on for

It is this _ Zec__ day of June 1949, by the

bearing before this Doord, the case submitted and the entire

Board of Loring Appeals of Baltimore County, CRD/END, first,

that the entire percel of land firetly described in the

petition, filed with the Zoning Commissions of Beltimore

County, be reclassified from an "A" Residence Zone to an

"E" Commercial Zone and, second, that the apacial permit

requested. In cald perition, be granted to use the property

OVDERED that at least two and one-half (2%) square feet of

off-street parking area be provided for every aquare foot of

secondly peacribed for secoline service station. It is further

patter raving been fully considered:

that the aforesaid special permit for a gasoline partice station, to and the same is hereby renamed for a period of one (1) year beginning March 31, 19% and ending March 31, 1967. of Baltimor County

1976-0195-A PETITION GRANTED 04/01/1976

PE ING

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Annyoveus

RE: PETITION FOR VARIANCE BEFORE THE S/S of German Hill Road, 155' E of Plainfield Road - 12th Election District DEPUTY ZONING Reico-Dolphin Associates - Petitioner COMMISSIONER NO. 76-195-A (Item No. 135) : BALTIMORE COUNTY 112 112 172

This matter comes before the Deputy Zoning Commissioner as a result of a Petition for a Variance from Section 409. 2b(3) to permit 32 parking spaces in lieu of the required 46 spaces for an existing restaurant. The subject property is located on the south side of German Hill Road, 155 feet east of Plainfield Road, in the Twelfth Election District of Baltimore County.

Testimony indicated that the Petitioner plans to add approximately 600 square feet to the restaurant area to provide space for service facilities and scating for an estimated 12 additional patrons.

Without reviewing the evidence further in detail, but based on all the evidence presented at the hearing, in the judgment of the Deputy Zoning Commissioner, strict compliance with the Baltimore County Zoning Regulations would result in practical difficulty and/or unreasonable hardship upon the Petitioner, and the granting of the Variance requested does not adversely affect the health, safety, and general welfare of the community.

Therefore, IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County this _/s- day of April, 1976, that the Variance to permit 32 parking spaces in lieu of the required 46 spaces should be and the same is hereby GRANTED, from and after the date of this Order, subject to approval of a site plan by the Department of Public Works and the Office of Planning and Zoning.

1992-0166-XA PETITION DISMISSED 03/12/1992

Pet it ioner

IN RE. PETITION FOR SPECIAL EXCEPTION* S/S German Hill Road, O ft. E ZONING COMMISSIONER of Plainfield Avenue 7701 German Hill Rd. OF BALITIMORE COUNTY (Proposed Royal Farm Store) 12th Election District Case No. 92-166-XA 7th Councilmanic District Cloverland Farms Dairy, Inc. *

> 安全女与女女女女女女女女 ORDER OF DISMISSAL

The Petitioner herein requested a Petition for a Special Exception from Sections 405.2.B.1 and 405.4.D.8 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an automotive service station in combination with a food store with less than 5000 sq. fl; and a Petition for Zoning Variance from Section 405.4.A.1 and 405.4.D.8 of the B.C.Z.R. to permit a dite area of 19,210 sq. ft. in lieu of the required 26,608 sq. ft.; and a variance from Section 409.4 to permit vehicular travelway with direct access to offstreet parking; and a variance from Section 409.4.C to permit a width of two way aisles of 0 tt. in lieu of the required 22 ft.; and a variance from Section 409.8.A.4 to permit a distance from parking spaces to the public right of way of 8 ft. in lieu of the required 10 ft.

WHEREAS, a hearing was scheduled to be held on February 3, 1992 at 11:00 A.M., in Room 118 of the Court House, before the Zoning Commissioner, regarding the above captioned case; and,

WHEREAS, a letter, dated January 31, 1992, by the Petitioner's attorney, Nathan Patz, Esquire, was received in this office requesting a withdrawal of the Petition for Special Exception and Zoning Variance.

IT IS THEREFORE ORDERED by the Zoning Commissioner for Baltimore County this 12 day of herely, 1992 that the Petition for a Special Exception and Zoning Variance, in the above captioned matter, be and the same is hereby DISMISSED without prejudice, upon payment of open costs by the Petitioner.

Zoning Commissioner

for Baltimore County LES: munn

Dewberry

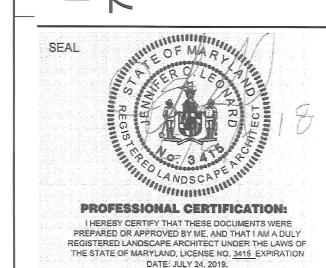
Dewberry Engineers Inc. 10461 MILL RUN CIRCLE SUITE 300 OWINGS MILLS, MD 21117 PHONE: 410.645.1410 CONTACT: JENNIFER C. LEONARD

DEVELOPER/APPLICANT

ROYAL FARMS 3611 ROLAND AVENUE BALTIMORE, MD 21211

> CONTACT JEFF BAINBRIDGE 410.889.0200 x.158

-770 507 ROYAL 7701-77



KEY PLAN

AS SHOWN

SCALE

No. DATE BY Description **REVISIONS**

JDB DRAWN BY JCL APPROVED BY JDB CHECKED BY

MAY, 2018

PLAN TO ACCOMPANY PETITION FOR SPECIAL **EXCEPTION & VARIANCE**

ZONING HISTORY CASE R-1949-1363-X, 1976-0195-A, & 1992-0166-XA

PROJECT NO. 50095141

SHEET NO.

4 OF 5

1994-0183-XA PETITION GRANTED 12/06/1993

IN RE: PETITIONS FOR SPECIAL EXCEPTION * BEFORE THE AND VARIANCE - SW/Corner German Hill Road and Plainfield Road * DEPUTY ZONING COMMISSIONER (7701 German Hill Road) * OF BALTIMORE COUNTY 12th Election District 7th Councilmanic District * Case No. 94-183-XA Cloverland Farms Dairy, Inc. Petitioner

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as a Petition for Special Exception and Petition for Variance for that property known as 7701 German Hill Road and Plainfield Road, filed by its owners, the Cloverland Farms Dairy, Inc., by John M. Kemp, Vice President. The Petitioners seek a special exception to permit an automotive service station use in combination with a food store with less than 5000 sq.ft., pursuant to Sections 405.2.B.1 and 405.4.D.8 of the Baltimore County Zoning Regulations (B.C.Z.R.). In addition to the special exception relief sought, the Petitioners seek variance relief from Sections 405.4.A.l and 405.4.D.8 to permit a site area of 19,210 sq.ft. in lieu of the minimum required 26,608 sq.ft., and from Section 409.4 to permit vehicular travelways with direct access to off-street parking, all as more particularly described on Petitioner's Exhibit 1.

Appearing on behalf of the Petition were John M. Kemp, Vice President, and Charles Stark, Registered Professional Engineer. There were no

Testimony indicated that the subject property, known as 7701 German Hill Road, consists of 0.441 acres, zoned B.L.-C.N.S., and is improved with two, one-story buildings which are presently used as a carryout and sandwich shop. The Petitioners are desirous of razing the existing cial exception use, irrespective of its location within the zone. Schultz v. Pritts, 432 A.2d 1319 (1981).

The proposed use will not be detrimental to the health, safety, or general welfare of the locality, nor tend to create congestion in roads, streets, or alleys therein, nor be inconsistent with the purposes of the property's zoning classification, nor in any other way be inconsistent with the spirit and intent of the B.C.Z.R.

After reviewing all of the testimony and evidence presented, it appears that the special exception should be granted with certain restrictions as more fully described below.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the relief requested in the special exception should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 6th day of December, 1993 that the Petition for Special Exception to approve an automotive service station use in combination with a food store with less than 5000 sq.ft., pursuant to Sections 405.2.8.1 and 405.4.D.8 of the Baltimore County Zoning Regulations (B.C.Z.R.), in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the restrictions set forth hereinafter; and,

IT IS FURTHER ORDERED that the Petition for Variance seeking relief from Sections 405.4.A.1 and 405.4.D.8 of the B.C.Z.R. to permit a site area of 19,210 sq.ft. in lieu of the minimum required 26,608 sq.ft., and from Section 409.4 of the B.C.Z.R. to permit vehicular travelways with direct access to off-street parking, pursuant to Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

 The Petitioners may apply for their building permit and be granted same upon receipt of this Order;

branever, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 10-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the relief granted herein shall be rescanded.

2) Prior to the issuance of any occupancy permits, the Petitioners shall submit a landscape plan for review and approval by the Baltimore County Landscape Architect.

3) When applying for a building permit, the sire plan and landscaping plan filed must reference this case and set forth and address the restrictions of this Order.

> TIMOTHY M. KOTROCO Deputy Zoning Commissioner for Baltimore County

Dewberry®

Dewberry Engineers Inc. 10461 MILL RUN CIRCLE SUITE 300 OWINGS MILLS, MD 21117 PHONE: 410.645.1410

CONTACT: JENNIFER C. LEONARD **DEVELOPER/APPLICANT**

ROYAL FARMS 3611 ROLAND AVENUE BALTIMORE, MD 21211

> CONTACT JEFF BAINBRIDGE 410.889.0200 x.158

68 RD YAL FARMS STORE #6
1-7703 GERMAN HILL F
2507 PLAINFIELD RD
BALTIMORE COUNTY
DUNDALK, MARYLAND ROYAL 7701-770 2507

SEAL **PROFESSIONAL CERTIFICATION:** I HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME, AND THAT I AM A DUL' REGISTERED LANDSCAPE ARCHITECT UNDER THE LAWS OF THE STATE OF MARYLAND, LICENSE NO. 3415 EXPIRATION

KEY PLAN

SCALE

AS SHOWN

No. DATE BY Description

REVISIONS DRAWN BY JCL APPROVED BY JDB CHECKED BY

TITLE PLAN TO ACCOMPANY PETITION FOR SPECIAL **EXCEPTION & VARIANCE**

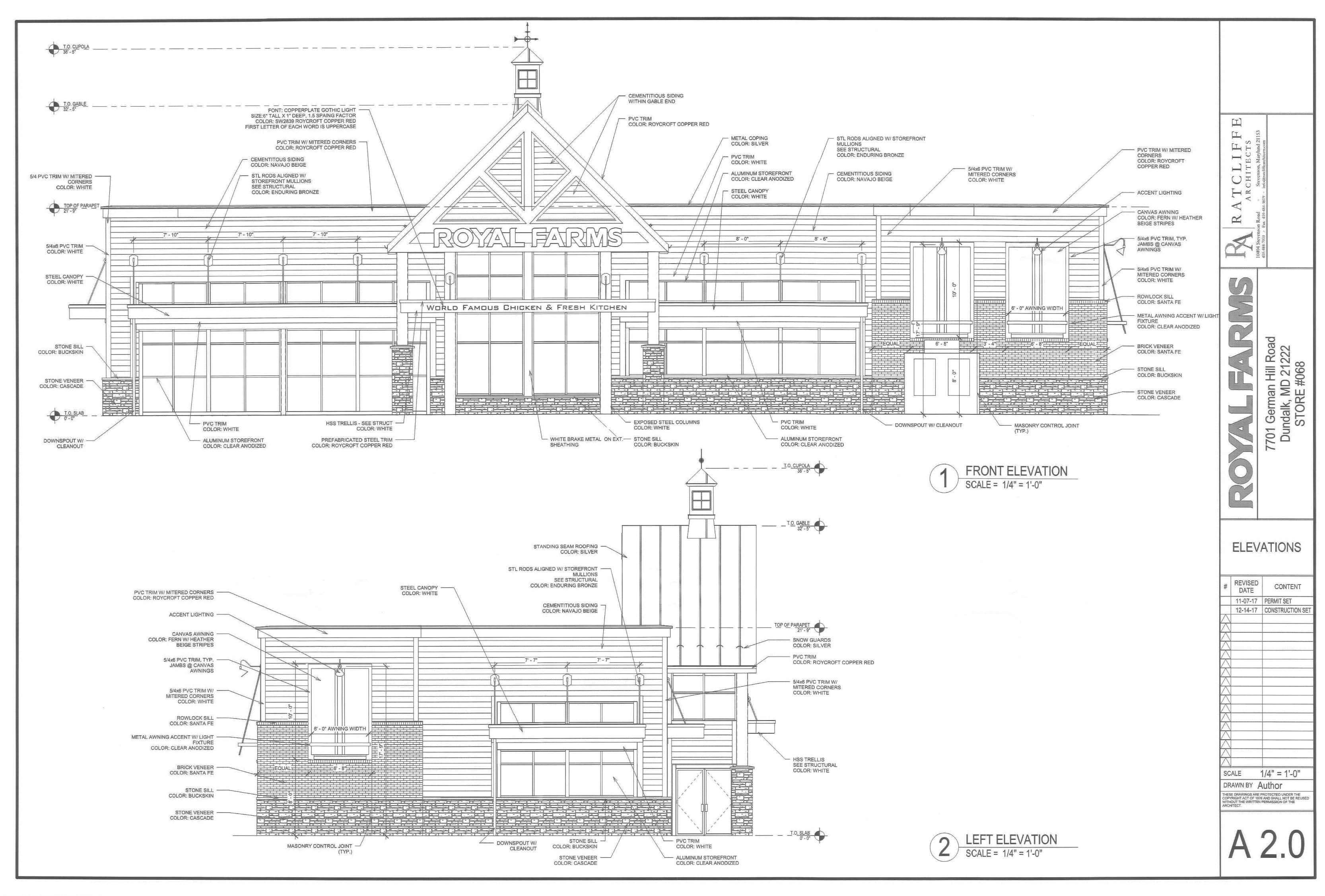
MAY, 2018

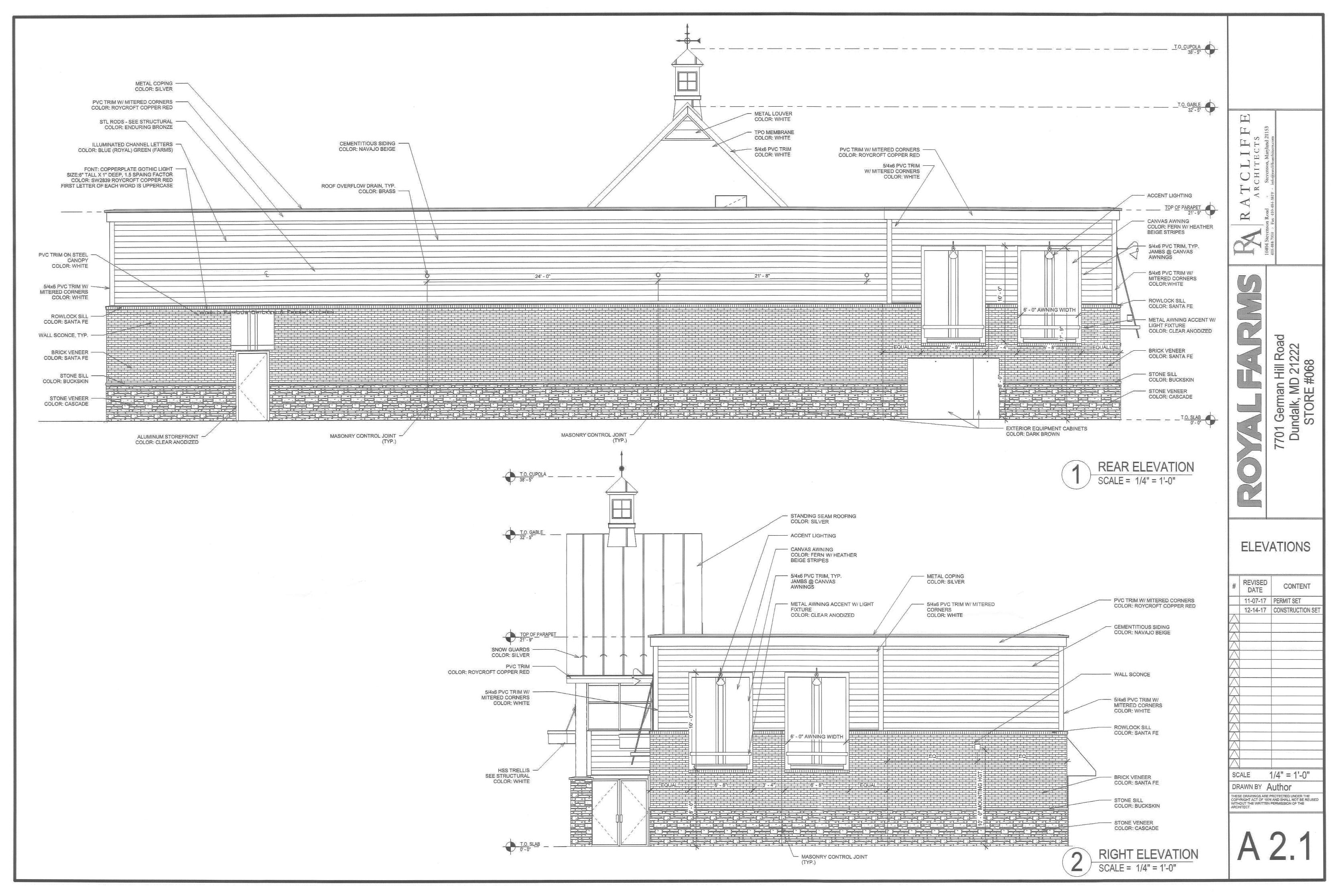
ZONING HISTORY CASE 1994-0183-XA

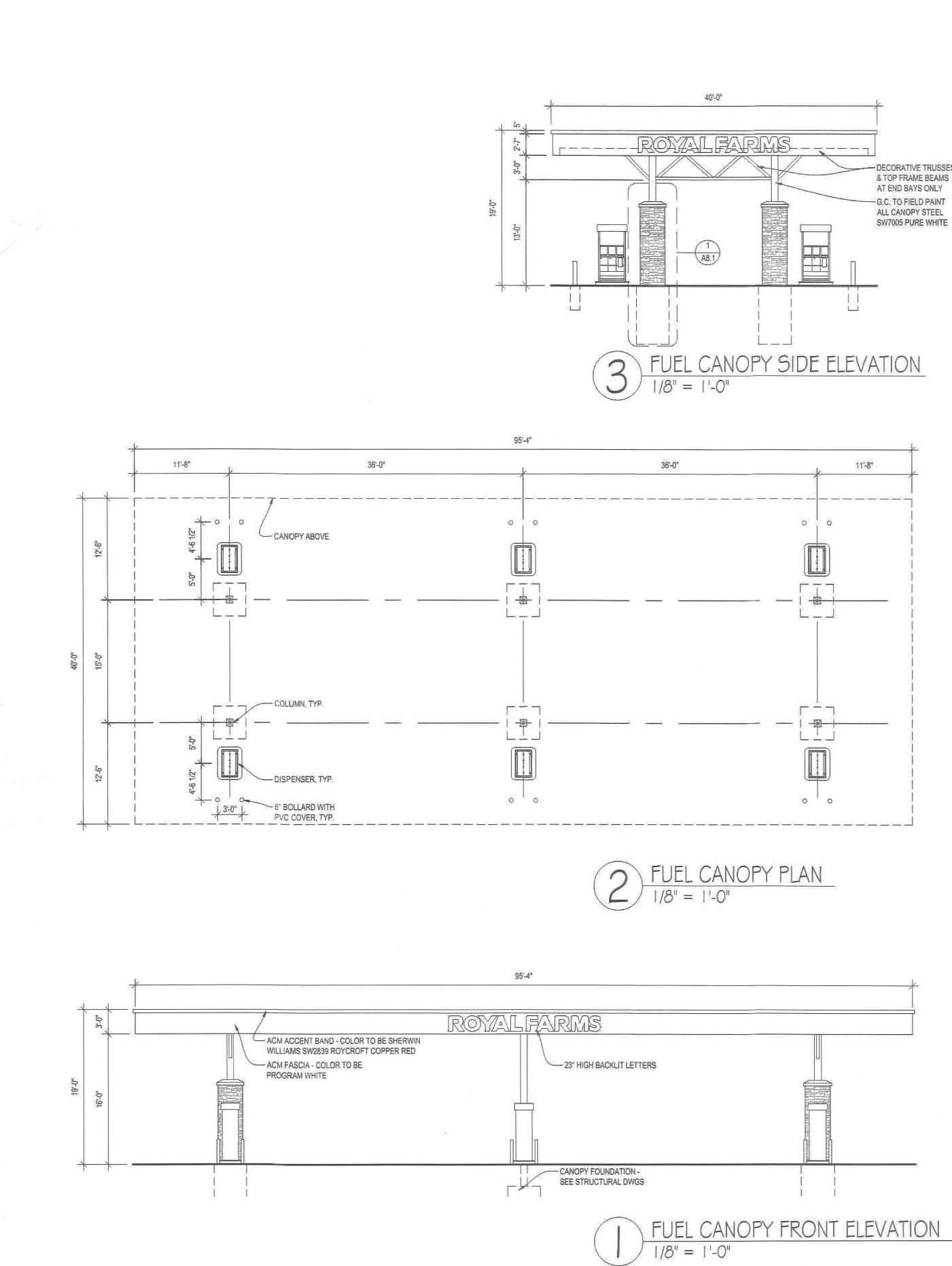
PROJECT NO.

5 OF 5 SHEET NO.

Protestants.







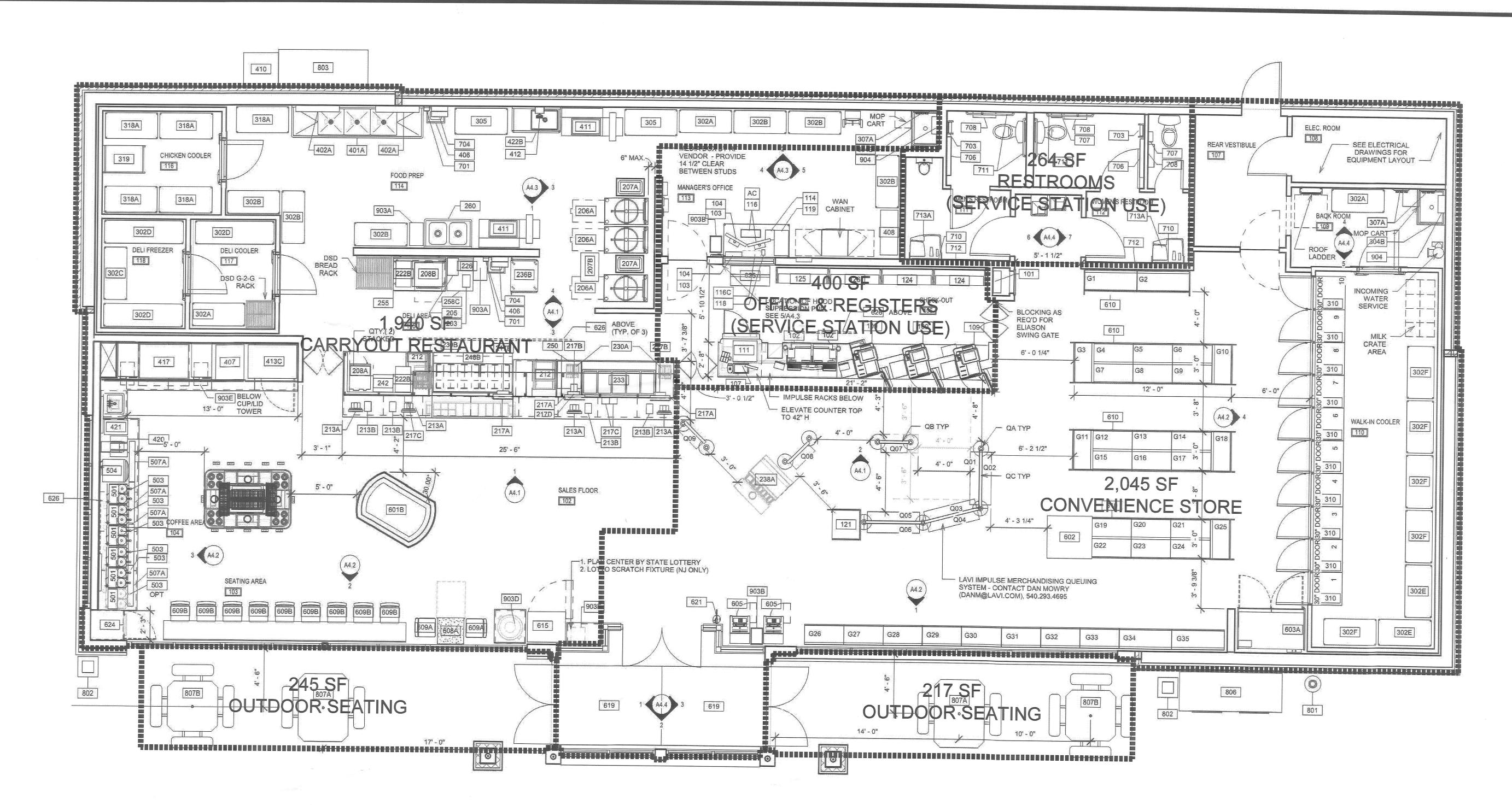
- DECORATIVE TRUSSES & TOP FRAME BEAMS AT END BAYS ONLY G.C. TO FIELD PAINT ALL CANOPY STEEL SW7005 PURE WHITE

701 GERMAN HILL ROAD DUNDALK, MD 21222 Store #068

RATCLIFFE

FUEL CANOPIES

#	REVISED DATE	CONTENT
		PERMIT SET
		CONSTRUCTION
SC	ALE	NOTED
DR	AWN BY	R.White



1 EQUIPMENT PLAN
SCALE = 1/4" = 1'-0"

BUILDING AREAS			
USE	AREA (SF)		
CARRYOUT RESTAURANT	1,940 SF		
CONVENIENCE STORE	2,045 SF		
OFFICE & REGISTERS	400 SF		
RESTROOMS	264 SF		
TOTAL INDOOR AREA	4,469 SF		
OUTDOOR SEATING	245 SF		
OUTDOOR SEATING	217 SF		
TOTAL AREA	5,111 SF		

NOTE:

 DIMENSIONS ARE GYP. BOARD FINISH TO GYP. BOARD FINISH FOR EQUIPMENT PLAN ONLY. RATCHITECTS

ARCHITECTS

04 Stevenson Road * Stevenson, Maryland 21153

484-7010 * Fax 410-484-3819 * Into@earcliffearchitects.com

7701 German Hill Road
Dundalk, MD 21222
STORE #068

EQUIPMENT PLAN

#	REVISED DATE	CONTENT
		PERMIT SET
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DR/	AWN BY A	LD
COPYR	JIGHT ACT OF 1976. UT THE WRITTEN P	ROTECTED UNDER THE AND SHALL NOT BE REUSI ERMISSION OF THE

A1.4



60ft -76.503 39.280 Degrees