

IN THE MATTER OF
PERRY HALL BOULEVARD COMMERCIAL, LLC -
LEGAL OWNERS AND
TWO FARMS, INC - CONTRACT PURCHASER
PETITIONERS FOR SPECIAL HEARING ON THE
PROPERTY LOCATED AT 8301 W. PERRY HALL
BOULEVARD
11TH ELECTION DISTRICT
5TH COUNCILMANIC DISTRICT

* BEFORE THE
* BOARD OF APPEALS
* OF
* BALTIMORE COUNTY
* CASE NO. 19-123-SPH

* * * * *

ORDER OF DISMISSAL

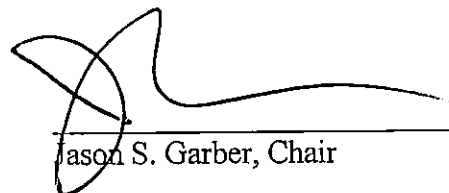
This matter comes to the Board of Appeals by way of an appeal filed by Michael J. Jungblut, Protestant and Appellant, from a final decision of the Administrative Law Judge dated December 28, 2018, in which the requested zoning relief was granted with conditions.

WHEREAS, the Board is in receipt of a letter of voluntary withdrawal of appeal received by email on April 23, 2019, by Michael J. Jungblut, Protestant/Appellant (a copy of which is attached hereto and made a part hereof); and

WHEREAS, said Protestant/Appellant requests that the appeal taken in this matter be withdrawn and dismissed as of April 23, 2019,

IT IS ORDERED this 3rd day of May, 2019 by the Board of Appeals of Baltimore County that the appeal taken in Case No, 19-123-SPH be and the same is hereby **DISMISSED with prejudice.**

**BOARD OF APPEALS
OF BALTIMORE COUNTY**



Jason S. Garber, Chair



Board of Appeals of Baltimore County

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

May 3, 2019

Christopher D. Mudd, Esquire
Venable LLP
210 W. Pennsylvania Avenue, Suite 500
Towson, Maryland 21204

Michael J. Jungblut
8287 Berryfield Drive
Baltimore, Maryland 21236

RE: In the Matter of: Perry Hall Boulevard Commercial, LLC – Legal Owners
Two Farms, Inc. – Contract Purchaser
Case No.: 19-123-SPH

Dear Messrs. Mudd and Jungblut:

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

Any petition for judicial review from this decision must be made in accordance with Rule 7-201 through Rule 7-210 of the *Maryland Rules*, **WITH A PHOTOCOPY PROVIDED TO THIS OFFICE CONCURRENT WITH FILING IN CIRCUIT COURT.** Please note that all **Petitions for Judicial Review** filed from this decision should be noted under the same civil action number. If no such petition is filed within 30 days from the date of the enclosed Order, the subject file will be closed.

Very truly yours,

A handwritten signature in cursive script, reading "Sunny Cannington".

Krysundra "Sunny" Cannington
Administrator

KLC/taz
Duplicate Original Cover Letter
Enclosure

c: Joseph Moran/Perry Hall Boulevard Commercial, LLC
John M. Kemp, President/Two Farms, Inc.
Office of People's Counsel
Lawrence M. Stahl, Managing Administrative Law Judge
C. Pete Gutwald, Director/Department of Planning
Jan Cook, Development Manager/PAI
Michael Mohler, Acting Director/PAI
Nancy C. West, Assistant County Attorney/Office of Law
Michael E. Field, County Attorney/Office of Law

Krysundra Cannington

From: Neil Lanzi <nlanzi@wcslaw.com>
Sent: Tuesday, April 23, 2019 1:02 PM
To: Appeals Board
Subject: RE: Perry Hall Blvd/Two Farms Inc. 19-123-SPH

Thank you Sunny. I guess I won't see you Thursday now!

Regards,

Neil



Neil Lanzi
Partner
Wright, Constable & Skeen, LLP
102 W. Pennsylvania Avenue, Suite 406
Towson, Maryland 21204
Tele: 443-991-5917
E-mail: nlanzi@wcslaw.com

This message may contain privileged or confidential information that is protected from disclosure. If you are not the intended recipient of this message, you may not disseminate, distribute or copy it. If you have received this message in error, please delete it and notify the sender immediately by reply email or by calling 410-659-1300.

From: Appeals Board <appealsboard@baltimorecountymd.gov>
Sent: Tuesday, April 23, 2019 11:50 AM
To: Neil Lanzi <nlanzi@wcslaw.com>; Chris Mudd, Esquire <cdmudd@venable.com>
Cc: Michael Jungblut <mjungbl1@jhmi.edu>
Subject: Perry Hall Blvd/Two Farms Inc. 19-123-SPH

Good morning Mr. Lanzi and Mr. Mudd,

I am forwarding this email just received from Mr. Jungblut.

With the appeal withdrawn, we will cancel the hearing on Thursday and issue an Order of Dismissal at our earliest convenience.

Please contact me with any questions.

Sunny

Krysundra Cannington

From: Mudd, Christopher D. <CDMudd@Venable.com>
Sent: Tuesday, April 23, 2019 11:53 AM
To: Appeals Board; Neil Lanzi (nlanzi@wcslaw.com)
Cc: Michael Jungblut
Subject: RE: Perry Hall Blvd/Two Farms Inc. 19-123-SPH

Thank you.

Christopher D. Mudd, Esq. | Venable LLP
t 410.494.6365 | f 410.821.0147 | m 410.271.9105
210 W. Pennsylvania Avenue, Suite 500, Towson, MD 21204

CDMudd@Venable.com | http://secure-web.cisco.com/1Xwpm06_QKn7IHhavy6BGz2xTNqTUCuH2HvmijmF-fJTWccchxE-f9tLatwCd1imqr9CQ_cauX5yVc17dDUWzh-gevCjxI6HLwCnsnscqyFT7exaf0ENpCABTEs2ieprAtMHVkkOaZWorQthpsFCsfqnTM8wZG_O-Ah8TYH3vVDwrPAj9uR7RtjApXfFL4TyNFblx7X_8sCfyEN730biwV0dc8gCc1_CH9vyLhPjGbtgowPba-5PPInrn-y7hdE84Rlf2WakV7r-JYUF3H9rQA3H3s0iLnHN6dXZCO8puLeG1g6nqkzZkWLpeYKUXYmhOLFmdEIO1OfOwiMu9PA4bu0W50GcXnaV0WwwR3R9_LvOYO4opSNYk0WH1Klrv0gisTuYsPOCNBT6-gZYZ71xLsQ5NJusX6ke7HOuaQmAyLa924X0yDmPUrqo4_d3MnNudhZ6HcURot0KIFlyPF4lQA/http%3A%2F%2Fwww.Venable.com

From: Appeals Board [mailto:appealsboard@baltimorecountymd.gov]
Sent: Tuesday, April 23, 2019 11:50 AM
To: Neil Lanzi (nlanzi@wcslaw.com) <nlanzi@wcslaw.com>; Mudd, Christopher D. <CDMudd@Venable.com>
Cc: Michael Jungblut <mjungbl1@jhmi.edu>
Subject: Perry Hall Blvd/Two Farms Inc. 19-123-SPH

Good morning Mr. Lanzi and Mr. Mudd,

I am forwarding this email just received from Mr. Jungblut.

With the appeal withdrawn, we will cancel the hearing on Thursday and issue an Order of Dismissal at our earliest convenience.

Please contact me with any questions.

Sunny

Krysundra "Sunny" Cannington
Administrator
Board of Appeals of Baltimore County
410-887-3180

Confidentiality Statement

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

Krysundra Cannington

From: Appeals Board
Sent: Tuesday, April 23, 2019 11:50 AM
To: Neil Lanzi (nlanzi@wcslaw.com); Chris Mudd, Esquire
Cc: 'Michael Jungblut'
Subject: Perry Hall Blvd/Two Farms Inc. 19-123-SPH
Attachments: [Untitled].pdf

Good morning Mr. Lanzi and Mr. Mudd,

I am forwarding this email just received from Mr. Jungblut.

With the appeal withdrawn, we will cancel the hearing on Thursday and issue an Order of Dismissal at our earliest convenience.

Please contact me with any questions.

Sunny

Krysundra "Sunny" Cannington
Administrator
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410-887-3180

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From: Michael Jungblut <mjungbl1@jhmi.edu>
Sent: Tuesday, April 23, 2019 10:18 AM
To: Appeals Board <appealsboard@baltimorecountymd.gov>
Subject: Appeal Withdrawal

Dear Sir or Madam,

Please be advised that I am withdrawing my appeal of case 19-123-SPH. I have been working with another County agency.

Thank you,

Michael J. Jungblut
8287 Berryfield Drive
Baltimore, Maryland 21236

Krysundra Cannington

From: Baltimore County Faxcom System <Faxcom@baltimorecountymd.gov>
Sent: Tuesday, April 23, 2019 10:24 AM
To: Appeals Board
Subject: Fax Received From: 4439970621
Attachments: 9226042319.PDF

This message was sent via the Baltimore County Government Faxcom fax System.

-----Fax Reception Report-----

Result: All pages received OK

Pages Received:006

Received: 04/23/19 10:22

Connect Time: 00088

Sender TSID: 443-997-0621

From: 4439970621

Destination DID: 4108873182

Your fax is attached as a PDF image.

Krysundra Cannington

From: Michael Jungblut <mjungbl1@jhmi.edu>
Sent: Tuesday, April 23, 2019 10:18 AM
To: Appeals Board
Subject: Appeal Withdrawal
Attachments: [Untitled].pdf

Dear Sir or Madam,

Please be advised that I am withdrawing my appeal of case 19-123-SPH. I have been working with another County agency.

Thank you,

Michael J. Jungblut
8287 Berryfield Drive
Baltimore, Maryland 21236

April 23, 2019

Board of Appeals
The Jefferson Building, Suite 203
105 West Chesapeake Avenue
Towson, Maryland 21204

To whom it may concern,

Please be advised that I am withdrawing my appeal as it relates to case 19-123-SPH.

Thank you,

A handwritten signature in black ink, appearing to read "Michael J. Jungblut", with a long horizontal flourish extending to the right.

Michael J. Jungblut
8287 Berryfield Drive
Baltimore, Maryland 21236

IN THE MATTER OF:	*	BEFORE THE
Perry Hall Boulevard Commercial, LLC	*	BOARD OF APPEALS
Legal Owner	*	OF
Two Farms, Inc.	*	BALTIMORE COUNTY
Contract Purchaser	*	
8301 W. Perry Hall Boulevard	*	
11 th Election District	*	
5 th Councilmanic District	*	Case No. 19-123-SPH

* * * * *

ENTRY OF APPEARANCE

Please enter the appearance of Wright, Constable & Skeen, LLP and J. Neil Lanzi, Esquire on behalf of Perry Hall Boulevard Commercial, LLC, Legal Owner in the above captioned matter.



J. Neil Lanzi
 J. Neil Lanzi
 Wright, Constable & Skeen, LLP
 102 W. Pennsylvania Avenue
 Suite 406
 Towson, Maryland 21204
 (443) 991-5917

CERTIFICATE OF SERVICE

I HEREBY CERTIFY, that on this 18th day of April, 2019, a copy of the foregoing Entry of Appearance was mailed, postage prepaid, to Peter Max Zimmerman, People's Counsel for Baltimore County, Jefferson Building, 105 W. Chesapeake Avenue, Suite 204, Towson, Maryland 21204; Two Farms, Inc., John Kemp, President, c/o Christopher Mudd, Esq., Venable, LLP, 210 W. Pennsylvania Avenue, Suite 500, Towson, Maryland 21204, Michael Jungblut, 8287 Berryfield Drive, Baltimore, Maryland 21236.

J. Neil Lanzi
 J. Neil Lanzi



Board of Appeals of Baltimore County

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

March 5, 2019

NOTICE OF ASSIGNMENT

IN THE MATTER OF:

19-123-SPH

Perry Hall Boulevard Commercial, LLC – Legal Owner
Two Farms, Inc. – Contract Purchaser
8301 W. Perry Hall Blvd.
11th Election District; 5th Councilmanic District

Re: Petition for Special Hearing pursuant to BCZR Section 500.7 to approve a waiver to permit the redevelopment of the portion of the site in a riverine floodplain and to allow grading, paving, installation of a retaining wall with safety fence, guardrail, concrete curb and gutter, and other site work improvements within the floodplain.

12/28/18

Opinion and Order of the Administrative Law Judge wherein the Petition for Special Hearing was GRANTED, with conditions.

ASSIGNED FOR:

APRIL 25, 2019, AT 10:00 A.M.

LOCATION:

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

NOTICE:

- This appeal is an evidentiary hearing. Parties should consider the advisability of retaining an attorney.
- Please refer to the Board's Rules of Practice & Procedure, Appendix B, Baltimore County Code.
- No postponements will be granted without sufficient reasons; said requests must be in writing and in compliance with Rule 2(b) of the Board's Rules. No postponements will be granted within 15 days of scheduled hearing date unless in full compliance with Rule 2(c).
- If you have a disability requiring special accommodations, please contact this office at least one week prior to hearing date.
- Parties must file one (1) original and three (3) copies of all Motions, Memoranda, and exhibits (including video and PowerPoint) with the Board unless otherwise requested.
- Projection equipment for digital exhibits is available by request. A minimum of forty-eight (48) hours-notice is required. Supply is limited and not guaranteed.

For further information, including our inclement weather policy, please visit our website www.baltimorecountymd.gov/Agencies/appeals/index.html

Krysundra "Sunny" Cannington
Administrator

Notice of Assignment
In the matter of: Perry Hall Boulevard Commercial, LLC
Case number: 19-123-SPH
March 5, 2019
Page 2

c:	Counsel for Petitioner/Legal Owner	: Christopher D. Mudd, Esquire
	Petitioner/Legal Owner	: Joseph Moran, Member/Perry Hall Boulevard Commercial, LLC
	Contract Purchaser/Lessee	: Two Farms, Inc., John M. Kemp, President
	Protestant/Appellant	: Michael Jungblut

Jeffrey Mayhew, Acting Director/Department of Planning
Lawrence M. Stahl, Managing Administrative Law Judge
Michael Field, County Attorney, Office of Law
Michael Mohler, Acting Director/PAI
Nancy West, Assistant County Attorney
Office of People's Counsel



JOHN A. OLSZEWSKI, JR.
County Executive

ADMINISTRATIVE LAW JUDGE
Office of Administrative Hearings

January 25, 2019

Christopher Mudd, Esq.
210 W. Pennsylvania Avenue, Suite 500
Towson, Maryland 21204

RE: **APPEAL TO BOARD OF APPEALS**
Petition for Special Hearing
Case No. 2019-0123-SPH
Property: 8301 W. Perry Hall Blvd.



Dear Mr. Mudd:

Please be advised that an appeal of the above-referenced case was filed in this Office on January 25, 2019. All materials relative to the case have been forwarded to the Baltimore County Board of Appeals ("Board").

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

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

Sincerely,

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

JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

JEB/sln

c: Baltimore County Board of Appeals
People's Counsel
Michael Jungblut, 8287 Berryfield Drive, Baltimore, Maryland 21236

APPEAL

**Petition for Special Hearing
(8301 W. Perry Hall Blvd.)
11th Election District – 5th Councilmanic District
Legal Owner: Perry Hall Boulevard Commercial, LLC
Contract Purchaser: Two Farms, Inc.
Case No. 2019-0123-SPH**

Petition for Variance Hearing (October 17, 2018)

Zoning Description of Property

Certificate of Posting –

1st Posting- December 7, 2018 (SSG Robert Black)

2nd Posting- Re-Certification- December 22, 2018 (SSG Robert Black)

Newspaper Advertisement – December 7, 2018- The Daily Record

Notice of Zoning Hearing – November 2, 2018

People's Counsel Entry of Appearance –October 29, 2018

Zoning Advisory Committee Comments

Petitioner's Sign-in Sheets – one sheet

Citizen's Sign-in Sheets- one sheet

Petitioner(s) Exhibits –

1. Plan
2. Sharon CV
3. Aerial Exhibit
4. Key Sheet- Photos
5. Photos
6. DPW Comment

Protestants' Exhibits – None

Miscellaneous (Not Marked as Exhibits)- Prior Zoning Case No. 2018-0059

Administrative Law Judge Order and Letter (GRANTED December 28, 2018)

Notice of Appeal & Receipt – Michael Jungblut- January 25, 2019

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

No. **174812**

Date: **1-25-19**

PAID RECEIPT

BUSINESS ACTUAL TIME DRW
 1/25/2019 1/25/2019 09:44:25 3

REF W503 WALKIN CAN

>> RECEIPT # 805377 1/25/2019 DFLN

Dept 5 528 ZONING VERIFICATION

CR NO. 174812

Recpt Tot \$ 300.00

300.00 CK .00 CA

Baltimore County, Maryland

Fund	Dept	Unit	Sub Unit	Rev Source/ Obj	Sub Rev/ Sub Obj	Dept Obj	BS Acct	Amount
001	806	0000		6150				300.00

Total: **300.00**

Rec From: **Michael Jungblut**

For: **Office of Administrative Hearings (CD OR APPEAL)**

CASE NO. **2019-0123-SPH**

ADDRESS OR PROJECT: **8301 W. Perry Hall Blvd.**

HEARING DATE(S): **12-27-18**

CHECK # **4508**

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

GOLD - ACCOUNTING

PLEASE PRESS HARD!!!!

**CASHIER'S
 VALIDATION**



JOHN A. OLSZEWSKI, JR.
County Executive

ADMINISTRATIVE LAW JUDGE
Office of Administrative Hearings

December 28, 2018

Christopher Mudd, Esq.
210 W. Pennsylvania Avenue, Suite 500
Towson, Maryland 21204

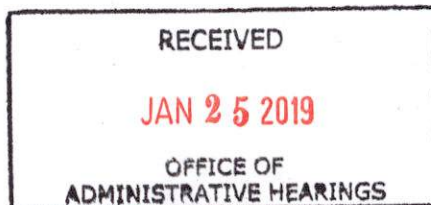
RE: Petition for Variance
Case No. 2019-0123-SPH
Property: 8301 W. Perry Hall Blvd.

Dear Mr. Mudd:

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

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Office of Administrative Hearings at 410-887-3868.

Sincerely,




JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

JEB:slh
Enclosure

① c: Michael Jungblut, 8287 Berryfield Drive, Baltimore, Maryland 21236

REASON FOR APPEAL :
SUBMISSION OF INVALID / FALSE
INFORMATION AS TO THE CONSTRUCTION
OF THE GAS STATION

IN RE: PETITION FOR SPECIAL HEARING	*	BEFORE THE
(8301 W. Perry Hall Blvd.)		
11 th Election District	*	OFFICE OF
5 th Council District		
Perry Hall Boulevard Commercial, LLC	*	ADMINISTRATIVE HEARINGS
<i>Legal Owner</i>		
Two Farms, Inc.	*	FOR BALTIMORE COUNTY
<i>Contract Purchaser</i>		
Petitioners	*	Case No. 2019-0123-SPH

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (OAH) for consideration of a Petition for Special Hearing filed on behalf of Perry Hall Boulevard Commercial, LLC legal owner and Two Farms Inc., contract purchaser ("Petitioners"). The Special Hearing was filed pursuant to Section 500.7 of the Baltimore County Zoning Regulations ("BCZR") to approve a waiver to permit the redevelopment of the portion of the site in a riverine floodplain and to allow grading, paving, installation of a retaining wall with safety fence, guardrail, concrete curb and gutter, and other site work improvements within the floodplain. A site plan was marked and admitted as Petitioners' Exhibit 1.

Professional engineer Joshua Sharon appeared in support of the petition. Christopher Mudd, Esq. represented the contract purchaser. One citizen attended the hearing and opposed the request. The Petition was advertised and posted as required by the BCZR. Substantive Zoning Advisory Committee (ZAC) comments were received from the Department of Planning ("DOP"), the Department of Environmental Protection and Sustainability ("DEPS"), the Bureau of Developments Plans Review ("DPR"), State Highway Administration ("SHA") and the Department of Public Works ("DPW"). None of the reviewing agencies opposed the request; indeed, the DPW recommended approval of the floodplain waiver. Petitioners' Exhibit 6.

ORDER RECEIVED FOR FILING

Date 12/28/18

By Sen

The subject property is approximately 2.23 acres and is split-zoned BM-CCC and DR-1. In a 2018 zoning case special exception approval was granted to operate a Royal Farms fuel service station at the site. *See* Case No. 2018-0059-SPHXA. In the course of preparing construction drawings for that project Mr. Sharon determined a small portion of the proposed access road through the DR-1 zoned portion of the site (approximately 400 sq. ft.) would be located within a riverine floodplain. As such the County recommended Petitioners seek approval for a waiver pursuant to Section 32-4-107 of the Baltimore County Code (BCC).

Mr. Sharon, who was accepted as an expert, opined that the request was in compliance with State and County floodplain regulations, and he testified there would be a negligible impact upon the floodplain. He stated the proposed roadway as shown on the plan is the only available means of access to the site, since the SHA will not approve access from White Marsh Boulevard. In conclusion the witness opined that granting the request would not increase flood heights or have a negative impact upon public safety, as required by BCC Section 32-8-303.

Michael Jungblut, who lives nearby, opposed the request and testified that area roadways are already overcrowded. He also expressed concern with the potential for environmental damage caused by leaking underground storage tanks. Finally, Mr. Jungblut stated there are more than enough fuel service stations in the vicinity, and felt it would be inappropriate to remove a wooded area serving as a natural buffer to build another gas station.

While these are legitimate concerns, I do not believe they are germane to the limited issue involved in this case; *i.e.*, whether a waiver of the floodplain regulations is justified based on Mr. Sharon's testimony and the approval of the DPW. The fuel service station was permitted by special exception in the above-referenced case, and no appeal was taken from that order. As such that determination has now become final and cannot be revisited in the context of this proceeding.

ORDER RECEIVED FOR FILING

Date 12/28/18

By ser

THEREFORE, IT IS ORDERED this 28th day of **December, 2018** by this Administrative Law Judge, that the Petition for Special Hearing to approve a waiver to permit the redevelopment of the portion of the site in a riverine floodplain and to allow grading, paving, installation of a retaining wall with safety fence, guardrail, concrete curb and gutter, and other site work improvements within the floodplain, be and is hereby GRANTED.

The relief granted herein shall be subject to the following:

1. 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.
2. Petitioners must comply with the DEPS ZAC comment, a copy of which is attached hereto and made a part hereof.

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



JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

JEB:slh

ORDER RECEIVED FOR FILING

Date 12/28/18
By sen

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



RECEIVED

NOV 09 2018

OFFICE OF
ADMINISTRATIVE HEARINGS

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: November 9, 2018

SUBJECT: DEPS Comment for Zoning Item # 2019-0123-SPH
Address NE Corner, Perry Hall Blvd @
White Marsh Blvd.
(Perry Hall Boulevard Commercial,
LLC Property)

Zoning Advisory Committee Meeting of **November 5, 2018**.

X The Department of Environmental Protection and Sustainability offers the following comments on the above-referenced zoning item:

- X Development of the property must comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains (Sections 33-3-101 through 33-3-120 of the Baltimore County Code).
- X Development of this property must comply with the Forest Conservation Regulations (Sections 33-6-101 through 33-6-122 of the Baltimore County Code).

Reviewer: Paul Dennis, Environmental Impact Review

ORDER RECEIVED FOR FILING

Date 12/28/18

By Don

CASE NAME _____
CASE NUMBER 2019-0123-SPH
DATE 12/27/18

[illegible]

CASE NAME _____
CASE NUMBER 2019-0123-SPH
DATE 12/27/18

[illegible]

CERTIFICATE OF POSTING

2019-0123-SPH

RE: Case No.: _____

Petitioner/Developer: _____

Perry Hall Boulevard Commercial, LLC.
Two Farms

December 27, 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 perjury that the necessary sign(s) required by law were posted conspicuously on the property located at: _____

8301 Perry Hall Boulevard

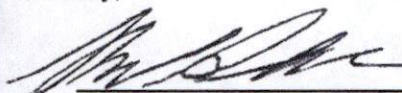
SIGN 1

December 7, 2018

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



Sincerely,


(Signature of Sign Poster)

December 7, 2018

(Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)

CERTIFICATE OF POSTING

2019-0123-SPH

RE: Case No.: _____

Petitioner/Developer: _____
Perry Hall Boulevard Commercial, LLC.
Two Farms

December 27, 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:

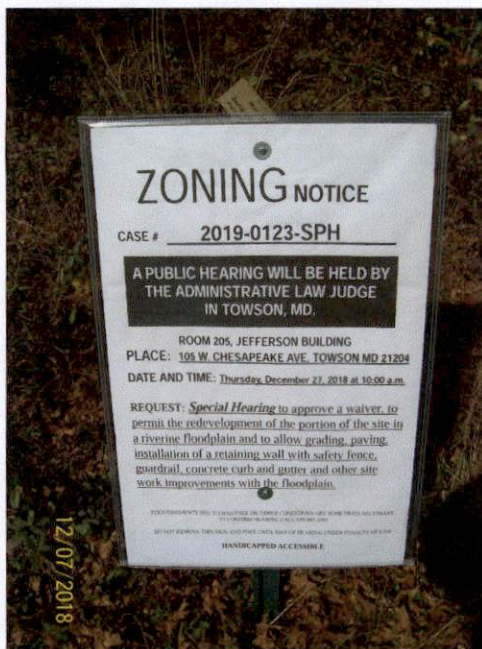
This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at: _____

8301 Perry Hall Boulevard

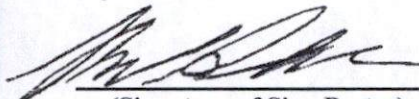
SIGN 2

December 7, 2018

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



Sincerely,

 December 7, 2018
(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)

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:

12/7/2018

Order #: 11656611
 Case #: 2019-0123-SPH
 Description:

NOTICE OF ZONING HEARING - CASE NUMBER:
 2019-0123-SPH



Darlene Miller, Public Notice Coordinator
 (Representative Signature)

Baltimore County

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: 2019-0123-SPH

8301 Perry Hall Boulevard

Corner of Intersection of Perry Hall Blvd. & White Marsh Blvd.

11th Election District - 5th Councilmanic District

Legal Owner: Perry Hall Boulevard Commercial, LLC

Contract Purchaser/Lessee: Two Farms, Inc.

Special Hearing to approve a waiver to permit the redevelopment of the portion of the site in a riverine floodplain and to allow grading, paving, installation of a retaining wall with safety fence, guardrail, concrete curb and gutter and other site work improvements within the floodplain.

Hearing: Thursday, December 27, 2018 at 10:00 a.m. in Room 205, Jefferson Building, 105 West Chesapeake Avenue, Towson 21204

Arnold Jablon

Director of Permits, Approvals and Inspections for Baltimore County

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

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

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DONALD I. MOHLER III
County Executive

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

November 2, 2018

NOTICE OF ZONING HEARING

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Hearing: Thursday, December 27, 2018 at 10:00 a.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

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

Arnold Jablon
Director

AJ:kl

C: David Karceski, 210 W. Pennsylvania Avenue, Ste. 500, Towson 21204
Two Farms, 3611 Roland Avenue, Baltimore 21211
Joseph Moran, 305 W. Chesapeake Avenue, Ste. 208, Towson 21204

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY FRIDAY, DECEMBER 7, 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.

RE: PETITION FOR SPECIAL HEARING * BEFORE THE OFFICE
N/W corner of intersection of Perry Hall *
Boulevard & White Marsh Boulevard * OF ADMINISTRATIVE
11th Election & 5th Councilmanic Districts HEARINGS FOR
Legal Owner: Perry Hall Blvd Commercial, LLC*
Contract Purchaser(s): Two Farms, Inc. *
Petitioner(s) * BALTIMORE COUNTY
* 2019-123-SPH

* * * * *

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

OCT 29 2018

Peter Max Zimmerman
PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio
CAROLE S. DEMILIO
Deputy People's Counsel
Jefferson Building, Room 204
105 West Chesapeake Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 29th day of October, 2018, a copy of the foregoing Entry of Appearance was mailed to David Karceski, Esquire, 210 West Pennsylvania Avenue, Suite 500, Towson, Maryland 21204, Attorney for Petitioner(s).

Peter Max Zimmerman
PETER MAX ZIMMERMAN
People's Counsel for Baltimore County



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 NW Corner of intersection of Perry Hall Blvd. and White Marsh Blvd. which is presently zoned BM-CCC

Deed References: 29697/00001 10 Digit Tax Account # 17 00 00 23 80

Property Owner(s) Printed Name(s) Perry Hall Boulevard Commercial, LLC

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

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

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

SEE ATTACHMENT NO. 1

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

3. ☐ **a Variance** from Section(s)

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

TO BE PRESENTED AT HEARING

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:

SEE ATTACHMENT NO. 2

Name- Type or Print

Signature

Mailing Address

City

State

Zip Code

Telephone #

Email Address

Attorney for Petitioner:

David H. Karceski, Esq.

Name- Type or Print

Signature

210 W. Pennsylvania Ave., Ste. 500, Towson, MD

Mailing Address

City

State

21204

(410) 494-6200

dhkarceski@venable.com

Zip Code

Telephone #

Email Address

Legal Owners (Petitioners):

SEE ATTACHMENT NO. 3

Name #1 - Type or Print

Name #2 - Type or Print

Signature #1

Signature #2

Mailing Address

City

State

Zip Code

Telephone #

Email Address

Representative to be contacted:

David H. Karceski, Esq.

Name - Type or Print

Signature

210 W. Pennsylvania Ave., Ste. 500, Towson, MD

Mailing Address

City

State

21204

(410) 494-6200

dhkarceski@venable.com

Zip Code

Telephone #

Email Address

CASE NUMBER

2019-0123-SPH

Filing Date

10/17/18

Do Not Schedule Dates:

Reviewer

AT

PERRY HALL BOULEVARD COMMERCIAL, LLC
N/W CORNER OF INTERSECTION OF PERRY HALL BLVD. AND
WHITE MARSH BLVD.

ATTACHMENT NO. 1

TO PETITION FOR SPECIAL HEARING

1. Special Hearing to approve a waiver pursuant to B.C.Z.R. Section 500.6, Section 3112.2 of the Baltimore County Building Code, and Sections 32-4-107(a)(2), 32-4-404, 32-4-414, 33-8-101 of the B.C.C. to permit the redevelopment of the portion of the site in a riverine floodplain and to allow grading, paving, installation of a retaining wall with safety fence, guardrail, concrete curb and gutter, and other site work improvements within the floodplain.

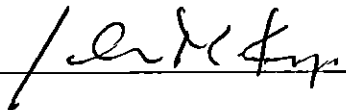
PERRY HALL BOULEVARD COMMERCIAL, LLC
N/W CORNER OF INTERSECTION OF PERRY HALL BLVD. AND
WHITE MARSH BLVD.

ATTACHMENT NO. 2

TO PETITION FOR SPECIAL HEARING

Contract Purchase/Lessee (Petitioners):

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

By: 

Title: president

PERRY HALL BOULEVARD COMMERCIAL, LLC

**N/W CORNER OF INTERSECTION OF PERRY HALL BLVD. AND
WHITE MARSH BLVD.**

ATTACHMENT NO. 3

TO PETITION FOR SPECIAL HEARING

Legal Owners:

Perry Hall Boulevard Commercial, LLC
305 W. Chesapeake Avenue, Suite 208
Towson, MD 21204
Phone: 410-294-0023

By: _____
Joseph Moran

Title: _____

PERRY HALL BOULEVARD COMMERCIAL, LLC
N/W CORNER OF INTERSECTION OF PERRY HALL BLVD. AND
WHITE MARSH BLVD.

ATTACHMENT NO. 3
TO PETITION FOR SPECIAL HEARING

Legal Owners:

Perry Hall Boulevard Commercial, LLC
305 W. Chesapeake Avenue, Suite 208
Towson, MD 21204
Phone: 410-294-0023

By: Joseph Moran
Joseph Moran
Title: Member

MORRIS & RITCHIE ASSOCIATES, INC.

ENGINEERS, ARCHITECTS, PLANNERS, SURVEYORS,
AND LANDSCAPE ARCHITECTS



October 15, 2018

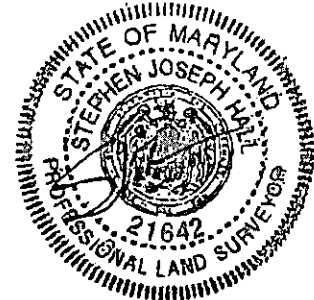
ZONING PROPERTY DESCRIPTION 8301 PERRY HALL BOULEVARD

Beginning at a point located at the intersection of Perry Hall Boulevard and Southfield Drive, at the distance of 105.92' and bearing of North 60°20'32" East to a point. Thence the following courses and distances:

- 1) An arc to the right with a radius of 1,844.86' and arc length of 90.12' subtended by a chord bearing of North 24°09'52" East and a chord distance of 90.11'
- 2) North 25°36'25" East 389.99'
- 3) South 06°57'26" West 228.47'
- 4) An arc to the left with a radius of 475.00' and arc length of 448.23' subtended by a chord bearing of South 20°04'32" East and a chord distance of 431.78'
- 5) South 47°06'30" East 542.08'
- 6) An arc to the left with a radius of 825.00' and arc length of 541.22' subtended by a chord bearing of South 65°54'18" East and a chord distance of 531.57'
- 7) South 76°21'23" East 335.30'
- 8) An arc to the right with a radius of 22,768.31' and arc length of 216.71' subtended by a chord bearing of South 89°00'12" West and a chord distance of 216.71'
- 9) North 86°13'20" West 594.88'
- 10) North 86°57'45" West 222.50'
- 11) North 41°40'42" West 199.17'
- 12) North 28°57'21" West 762.87' back to the point of beginning as recorded in deeds liber R.D.A. Jr. 29697, Folio 1, containing 352,366 square feet or 8.09 acres ±

I certify that this description was either personally prepared by me or I was in responsible charge of its preparation. All of the surveying work reflected in said description complies with the requirements set forth in chapter 06.12 of the Minimum Standards of Practice for Professional Land Surveyors.

Stephen J. Hall
Professional Land Surveyor #21642



1220-C East Joppa Road, Suite 505, Towson, Maryland 21286 Tel: (410) 821-1690 Fax: (410) 821-1748

Abingdon, MD • Laurel, MD • Towson, MD • Georgetown, DE • Wilmington, DE • York, PA
(410) 515-9000 (410) 792-9792 (410) 821-1690 (302) 855-5734 (302) 326-2600 (717) 751-6073

Visit us on the web at www.mragta.com

2019-0123-SPH

MS 10-12-17

IN RE: PETITIONS FOR SPECIAL HEARING, *
SPECIAL EXCEPTION & VARIANCE
(Perry Hall & White Marsh Boulevard) *
11th Election District
5th Council District *
Perry Hall Boulevard Commercial, LLC,
Legal Owner *
Two Farms, Inc.,
Contract Purchaser/Lessee *
Petitioners

BEFORE THE
OFFICE OF
ADMINISTRATIVE HEARINGS
FOR BALTIMORE COUNTY
Case No. 2018-0059-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 Perry Hall Boulevard Commercial, LLC, legal owner, and Two Farms, Inc., contract purchaser/lessee ("Petitioners").

The Petition for Special Hearing was filed pursuant to § 500.7 of the Baltimore County Zoning Regulations ("B.C.Z.R") to approve access to a commercial use through a residential zone (D.R.1). In addition, a Petition for Variance seeks: (1) To allow a maximum of 4 enterprise signs (1 wall-mounted and 1 canopy on front and rear facades) for a single tenant building, in lieu of the maximum permitted 3 signs with no more than 2 on a single façade; (2) To allow a freestanding enterprise sign on a lot which has a lot line that is co-terminous with a right-of-way line of a highway, but to which the premises does not have and is not allowed pedestrian or vehicular access; and (3) To allow a landscape transition area a minimum of 0 ft. in width in a side yard abutting non-residentially zoned land in lieu of the required 6 ft. Finally, a Petition for Special Exception seeks approval for a fuel station on an individual site.

Appearing at the public hearing in support of the requests was Joe Moran, Kenneth W. Schmid, Tom Ruszin and Joshua T. Sharon, with Morris & Ritchie Associates, Inc., David H. Karceski, Esq. and A. Neill Thupari, Esq. with Venable, LLP represented the Petitioners. Mike Pierce attending the hearing and expressed concern with the signage for the project. The Petition was advertised and posted as required by the Baltimore County Zoning Regulations. Substantive Zoning Advisory Committee (ZAC) comments were submitted by the Bureau of Development Plans Review (DPR), the Department of Planning (DOP), the Department of Environmental Protection and Sustainability (DEPS) and the State Highway Administration (SHA).

The subject property is approximately 2.23 acres in size and is zoned BM-CCC. The unimproved property is located at the intersection of White Marsh Boulevard and Perry Hall Boulevard. Petitioners propose to construct a Royal Farms store at the site.

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).

Petitioners have met this test. The property has an irregular shape and is bordered by two public roads to which the site does not have access. As such the property is unique. If the Regulations were strictly interpreted, Petitioners would experience a practical difficulty because they would be unable to construct the proposed improvements and provide appropriate signage to alert motorists to the location of the store. Finally, I find that the variances can be granted in harmony with the spirit and intent of the B.C.Z.R., and in such manner as to grant relief without injury to

the public health, safety, and general welfare. The variances primarily concern signage at the site, but I do not believe the signs proposed will be excessive or will create visual clutter.

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.

Both Mr. Schmid and Mr. Sharon opined Petitioners satisfied each of the requirements set forth at B.C.Z.R. § 502.1, and no testimony or evidence was offered to rebut these opinions. As such, and in recognition of the presumption supplied by Maryland law, the petition for special exception will be granted.

Special Hearing

The petition for special hearing seeks approval to access the proposed Royal Farm store through a portion of land with residential (D.R.1) zoning. As shown on the site plan, only a small portion of the access drive would intrude upon the residential zone; all commercial structures, signage and related infrastructure is located in the BM-CCC zone. The access drive would be situated near (but not within) nontidal wetlands and the White Marsh Run. There are no dwellings situated in the immediate vicinity of the proposed access drive, and I do not believe granting the request would have a detrimental impact upon the community. The DEPS ZAC comment will be incorporated into the order below to ensure the environmental resources at the site are protected.

As noted at the outset Mr. Pierce expressed concern with the proliferation of illegal signage at several Royal Farm stores throughout the County. He presented a series of photos (Protestant's No. 1) which identify the stores in question, all of which have unauthorized signs (the majority of which were advertisements for cigarettes and tobacco products). I share Mr. Pierce's concern. This type of signage creates visual clutter and mars the appearance of the community, which is what the sign ordinance seeks to prevent. B.C.Z.R. § 450.1. A condition will be added in the order below to prohibit such unsightly and unauthorized signs.

The final issue concerns "the right of ingress and egress" over the BGE property which bisects this site, a point raised in the DOP ZAC comment. The owner's representative confirmed that while BGE is the fee-simple owner, it has the right (by deed and license) to access its property over and across the BGE property.

THEREFORE, IT IS ORDERED this 16th day of **October, 2017**, by this Administrative Law Judge, that the Petition for Special Hearing filed pursuant to § 500.7 of the Baltimore County Zoning Regulations ("B.C.Z.R.") to approve access to a commercial use through a residential zone (D.R.1), be and is hereby GRANTED.

IT IS FURTHER ORDERED that the Petition for Special Exception for a fuel station on an individual site, be and is hereby GRANTED.

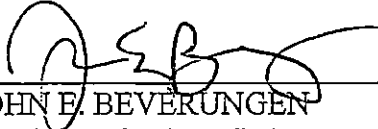
IT IS FURTHER ORDERED that the Petition for Variance: (1) To allow a maximum of 4 enterprise signs (1 wall-mounted and 1 canopy on front and rear facades) for a single tenant building, in lieu of the maximum permitted 3 signs with no more than 2 on a single façade; (2) To allow a freestanding enterprise sign on a lot which has a lot line that is co-terminous with a right-of-way line of a highway, but to which the premises does not have and is not allowed pedestrian or vehicular access; and (3) To allow a landscape transition area a minimum of 0 ft. in

width in a side yard abutting non-residentially zoned land in lieu of the required 6 ft., be and is hereby GRANTED.

The relief granted herein shall be subject to the following:

1. 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.
2. Petitioners must comply with the ZAC comment of DEPS, a copy of which is attached hereto and made a part hereof.
3. Petitioners must submit for approval by Baltimore County landscape and lighting plans for the site, which plans should specifically demonstrate how the proposed dumpster would satisfy the requirements of Condition "H" in the Landscape Manual.
4. Only "commercial special event" temporary signs (as described in B.C.Z.R. § 450.4, Class 17 on Table of Sign Regulations) shall be permitted at the site. Such signs shall be subject to the limitations set forth at B.C.Z.R. § 450.7.E.2.
5. Only signs for which a permit has been issued by Baltimore County may be placed or situated on the subject premises.

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



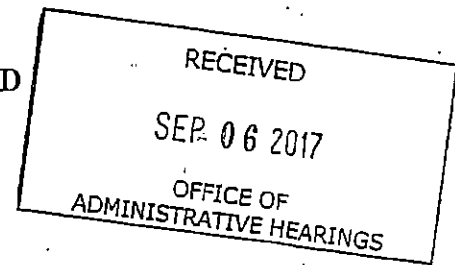
JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

JEB:dlw

10-12

BALTIMORE COUNTY, MARYLAND

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: September 5, 2017

SUBJECT: DEPS Comment for Zoning Item # 2018-0059-SPHXA
Address Perry Hall & White Marsh Blvd.
(Two Farms, Inc. Property)

Zoning Advisory Committee Meeting of September 11, 2017.

X The Department of Environmental Protection and Sustainability offers the following comments on the above-referenced zoning item:

X Development of the property must comply with Baltimore County Code Article 33. Environmental Protection And Sustainability, Title 3. Protection of Water Quality, Streams, Wetlands, and Floodplains. Pursuant to this code, an alternatives analysis is required for stormwater management, utility, or access road impacts proposed to the forest buffer. A variance is required for proposed forest buffer impacts for structures, including parking areas. All requirements must be met in order for approval of an alternatives analysis or variance. There are no guarantees of any approvals. State of Maryland and Army Corps of Engineers review of wetland, wetland buffer, and floodplain impacts is also required. Alternative layouts must be presented.

X Development of this property must comply with Baltimore County Code Article 33. Environmental Protection And Sustainability, Title 6. Forest Conservation.

Reviewer: Paul Dennis Date: September 5, 2017

Sherry Nuffer

From: SGT ROBERT BLACK <1opie@comcast.net>
Sent: Thursday, December 27, 2018 3:49 PM
To: Barbara Lukasevich; Administrative Hearings
Subject: Recertification's For 2019-0123-SPH
Attachments: Re-Cert 1 2019-0123-SPH.doc; Re-Cert 2 2019-0123-SPH.doc

Recertification's for 8301 Perry Hall Blvd



CERTIFICATE OF POSTING

2019-0123-SPH

RE: Case No.: _____

Petitioner/Developer: _____
Perry Hall Boulevard Commercial, LLC.
Two Farms

December 27, 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:

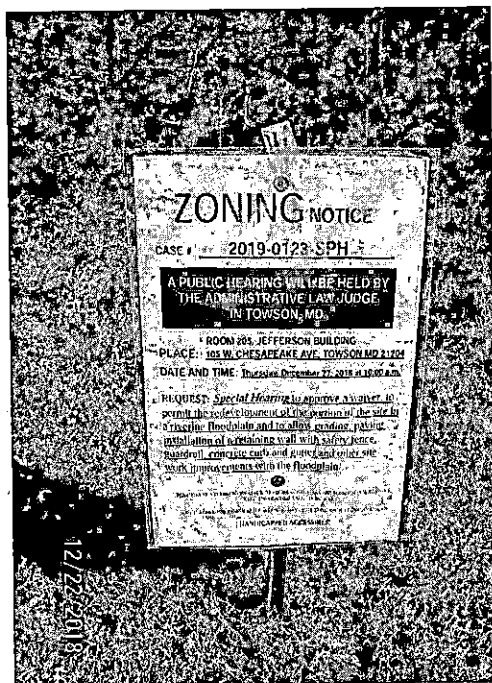
Ladies and Gentlemen:

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

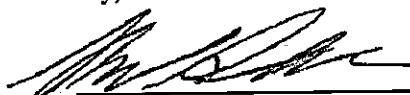
8301 Perry Hall Boulevard **SIGN 1 Recertification**

December 7, 2018

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



Sincerely,

 December 22, 2018
(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)

CERTIFICATE OF POSTING

2019-0123-SPH

RE: Case No.: _____

Petitioner/Developer: _____
Perry Hall Boulevard Commercial, LLC.
Two Farms

December 27, 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:

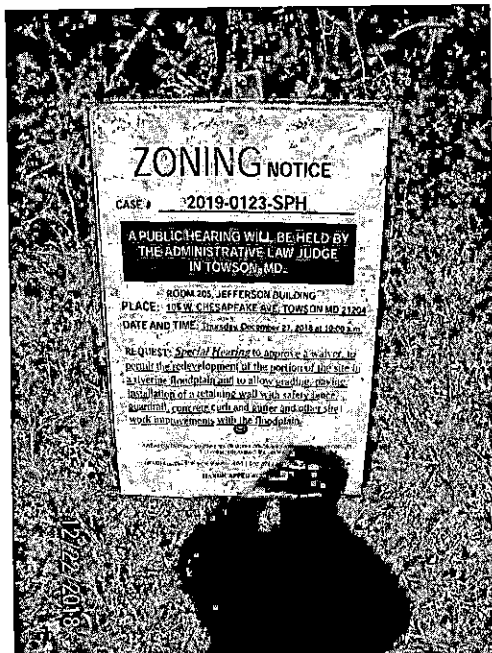
Ladies and Gentlemen:

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

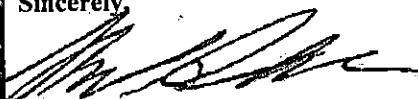
8301 Perry Hall Boulevard **SIGN 2 Recertification**

December 7, 2018

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



Sincerely,

 December 22, 2018
(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)



JOHN A. OLSZEWSKI, JR.
County Executive

DIRECTOR
*Department of Permits,
Approvals & Inspections*

December 20, 2018

David Karceski, Esq.
Venable, LLP
210 W. Pennsylvania Avenue, Ste. 500
Towson, MD 21204

RE: Case Number: 2019-0123-SPH, Address: 8301 Perry Hall Boulevard

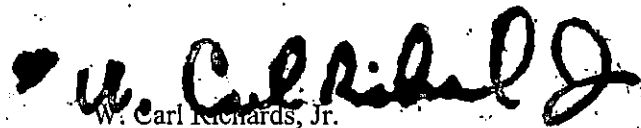
To Whom It May Concern:

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

Enclosures

c: People's Counsel
Two Farms, Inc., 3611 Roland Avenue, Baltimore 21211
Joseph Moran, 305 W. Chesapeake Avenue, Ste. 208, Towson 21204

November 8, 2018

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

Dear Ms. Lewis:

Thank you for the opportunity to review the site plan to accompany the petition for special hearing for the proposed Royal Farms Store #232 located at the northeast corner of Perry Hall Boulevard and White Marsh Boulevard in Baltimore County. The Maryland Department of Transportation State Highway Administration (MDOT SHA) has reviewed the submittal listed below and is pleased to respond.

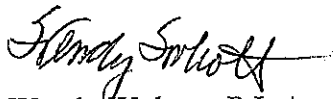
Royal Farms Store #232
Site Plan Review for Special Hearing
Case No. 2019-0123-SPH
SHA Tracking No. 17APBA028XX
Perry Hall Boulevard (east side) at White Marsh Boulevard (MD 43)
Mile Post 2.96
Baltimore County

In January and March of this year the MDOT SHA reviewed the traffic impact study (TIS), and Limited Exemption Development Plan submitted for this development and provided comments. Those letters are dated 1/18/18 and 3/9/18 respectively (copies attached). The MDOT SHA also provided comments (9/13/17) to your office in review of case #2018-0059-SPHXA in which we provided guidelines for the process of requesting a break in Right of Way line of Through Highway access controls. Comments contained in these letters remain valid. The MDOT SHA cannot complete their evaluation of this site for the requested break in access controls until these comments have been addressed. The developer's consultants must review these letters and make the required revisions, and requested submittals.

If there are any questions, please contact Mr. Richard Zeller at 410-229-2332 or toll free (in Maryland only), 1-866-998-0367 (x2332) or by email at (rzeller@sha.state.md.us).

Ms. Kristen Lewis
Royal Farms Store #232
Case 2019-00123 SPH
SHA Tracking No. 17APBA028XX
November 8, 2018
Page 2

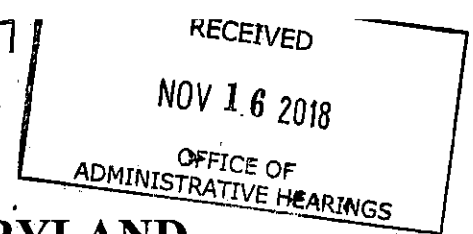
Sincerely,



Wendy Wolcott, P.L.A.
Metropolitan District Engineer
Maryland Department of Transportation
State Highway Administration
District 4 - Baltimore and Harford Counties

cc: Morris & Ritchie Associates, Inc. / 1220-C East Joppa Road, Suite 505
Towson, MD 21286
Traffic Concepts, Inc. / 7525 Connelley Drive, Suite B, Hanover, MD 21076
Perry Hall Boulevard Commercial, LLC / 305 Chesapeake Avenue, Suite 208
Towson, MD 21204
Two Farms, Inc. / 3611 Roland Avenue, Baltimore, MD 21211
Mr. Jan M. Cook / 111 W. Chesapeake Avenue, Towson, MD 21204
Mr. Vishnu Desai / 111 W. Chesapeake Avenue, Towson, MD 21204
Mr. Donald Distance, SHA District 4 Traffic

12-27



BALTIMORE COUNTY, MARYLAND INTER-OFFICE MEMORANDUM

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

DATE: 11/15/2018

FROM: Andrea Van Arsdale
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 19-123

INFORMATION:

Property Address: 8301 Perry Hall Boulevard
Petitioner: Perry Hall Boulevard Commercial, LLC
Zoning: BM-CCC
Requested Action: Special Hearing, Special Exception, Variance

The Department of Planning has reviewed the petition for a special hearing to determine whether or not the Administrative Law Judge (ALJ) should approve a waiver to permit the redevelopment of the portion of the site in a riverine floodplain and to allow grading, paving, installation of a retaining wall with safety fence, guardrail, concrete curb and gutter, and other site work improvements within the floodplain.

The site was the subject of the ALJ Opinion and Order in zoning case # 2018-0059-SPHXA dated October 16, 2017 wherein relief was granted subject to conditions as listed in said order. A portion of the site was the subject of 2016 Comprehensive Zoning Map Process (CZMP) issue# 5-105 wherein the Baltimore County Council approved zoning changes as follows:

CB -0.09 ac.

DR 1 -65.00 ac.

DR 1 NC -103.38 ac.

DR 16- 0.59 ac.

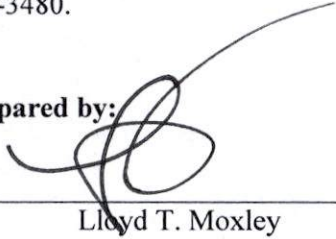
DR 5.5 -1.51 ac.

170.57- ac. Total (Please refer to the current Baltimore County zoning map for specific details).

The Department has no objection to granting the petitioned zoning relief provided that all conditions established in the aforementioned zoning case # 2018-0059-SPHXA are met.

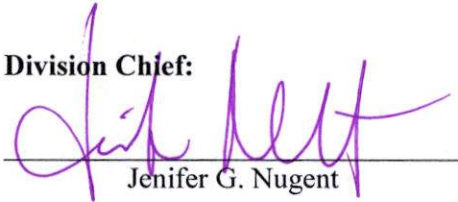
For further information concerning the matters stated herein, please contact Josephine Selvakumar at 410-887-3480.

Prepared by:

A black ink signature of Lloyd T. Moxley, consisting of a large, stylized 'L' and 'M'.

Lloyd T. Moxley

Division Chief:

A purple ink signature of Jenifer G. Nugent, featuring a stylized 'J' and 'N'.

Jenifer G. Nugent

AVA/JGN/LTM/

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

**BALTIMORE COUNTY, MARYLAND
INTER OFFICE CORRESPONDENCE**

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

ATTN: Kristen Lewis
MS 1105

FROM: Steven A. Walsh, Director *SAW*
Department of Public Works

DATE: November 15, 2018

SUBJECT: Case No: 2019-0123-SPH
8301 Perry Hall Boulevard, White Marsh, Maryland 21236

This is a Special Hearing to use the property for a proposed convenience store on an individual site to be Royal Farms #232.

The project site as shown on the "Plan to Accompany Special Hearing Request" dated October 15, 2018, is partially inside of the special flood hazard area (100-year flood plain) as shown on the Federal Emergency Management Agency, FEMA, Flood Insurance Rate Map, FIRM, Panel 2400100290F effective date September 26, 2008.

A portion of the site is very close to the Zone A, approximate, 100-year floodplain as delineated in the FIRM, on file with the County. The Zone A boundary does not follow the contours and a portion of the access road would be in the Zone A had it been delineated correctly. A portion of the site located within the floodplain area is road including a private retaining wall.

Baltimore County Code Sections 32-4-414 (c) (2) states *"Development in a floodplain prohibited; exceptions. The County may not permit development in a riverine floodplain except for: The installation of a pond, culvert, bridge, street, utility, or drainage facility that the county finds is not detrimental to floodplain management programs."*

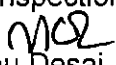
The Department of Public Works recommends approval of the waiver request.

SAW/TWC/s

CC: Vishnubhai K. Desai, Chief, Development Plans Review and Building Plan Review
Kevin G. Wagner, Maryland Department of the Environment
Peter M. Zimmerman, People's Council

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

FROM:  Vishnu Desai, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
For November 05, 2018
Item No. 2019-0123-SPH

DATE: November 15, 2018

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

Retaining walls over 4-feet in height shall be designed by an Engineer licensed in the State of Maryland.

The Director of Public Works approval is required.

* * * * *

VKD: cen
cc: file

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



RECEIVED

NOV 09 2018

OFFICE OF
ADMINISTRATIVE HEARINGS

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: November 9, 2018

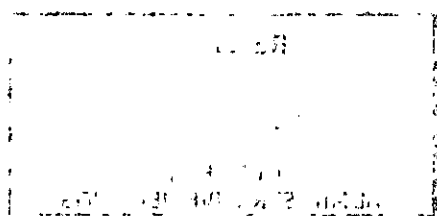
SUBJECT: DEPS Comment for Zoning Item # 2019-0123-SPH
Address NE Corner, Perry Hall Blvd @
White Marsh Blvd.
(Perry Hall Boulevard Commercial,
LLC Property)

Zoning Advisory Committee Meeting of **November 5, 2018**.

X The Department of Environmental Protection and Sustainability offers the following comments on the above-referenced zoning item:

- X Development of the property must comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains (Sections 33-3-101 through 33-3-120 of the Baltimore County Code).
- X Development of this property must comply with the Forest Conservation Regulations (Sections 33-6-101 through 33-6-122 of the Baltimore County Code).

Reviewer: Paul Dennis, Environmental Impact Review



Case No.:

2019-0123-SPH

Exhibit Sheet

Petitioner/Developer

Protestant

12/28/18
Sen

No. 1	Plan	
No. 2	Sharon CV	
No. 3	Aerial Exhibit	
No. 4	Key Sheet - Photos	
No. 5	Photos	
No. 6	DPW Comment	
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		

JOSHUA T. SHARON
P.E., L.S.I.T., LEED AP BD+C.

Project Assignment:

Associate

Years of Experience:

MRA: 12

Education:

B.S., Civil Engineering,
University of Maryland, 2005

Active Registrations:

Professional Engineer - Maryland,

Land Surveyor in Training-
Maryland,

LEED Accredited Professional,

Professional Affiliations:

American Society of Civil Engineers

National Society of Professional
Engineers

Maryland Society of Professional
Engineers

Recognitions:

2009 Consultant of the Year by the
Baltimore County Soil
Conservation District



**MORRIS & RITCHIE
ASSOCIATES, INC.**

Qualifications:

Mr. Sharon is an Associate with Morris & Ritchie Associates, Inc.'s Towson office. Mr. Sharon has a comprehensive background in the civil engineering field. He has worked with Morris & Ritchie Associates on a variety of projects located in Baltimore City, Baltimore County, Anne Arundel County, Harford County, Garrett County and Frederick County.

Mr. Sharon has extensive experience in the design and development of an assortment of site development projects including single-family residential communities, multi-tenant neighborhoods, commercial properties, retail centers, hospitality buildings and telecommunication sites. He has extensive knowledge of the procedures for processing permits and developments through Baltimore County and other jurisdictions.

As an Associate in MRA's Towson office, Mr. Sharon is responsible for engineering design of development projects, day-to-day management of client services and preparation of construction documents.

Mr. Sharon has extensive design experience that includes site layout and design, grading, earthwork analysis, storm drain and utility design, hydrology and hydraulic analysis and design, erosion and sediment control design, culvert analysis and design, roadway design and stormwater management design for both commercial lots and residential subdivision projects.

PETITIONER'S

EXHIBIT NO.

2

Mr. Sharon is experienced in developing alternatives analysis to evaluate cost effective design options, and solving design problems with severe site constraints.

Examples of Mr. Sharon's project experience include:

10 Light Street, Baltimore City, Maryland - Civil Project Engineer for site planning and engineering design of the conversion of the 10 Light Street building from office to 430 residential apartments.

1 Light Street, Baltimore City, Maryland - Civil Project Engineer for site planning and engineering design of the construction of the 28-story mixed use building in the downtown business district.

5601 Eastern Avenue, Baltimore City, Maryland - Civil Project Engineer for site planning and engineering design of a mixed-use redevelopment PUD project with retail, residential apartments and hospitality.

6300 York Road, Baltimore City, Maryland - Civil Project Engineer for engineering design of an inline-retail addition project to a successful shopping center.

801 Goucher Boulevard, Baltimore County, Maryland - Civil Project Engineer for site planning and engineering design for redevelopment of a 14.5 acre shopping center containing over 157,000 s.f. of retail space.

725 Butler Road, Baltimore County, Maryland - Civil Project Engineer for site planning and engineering design of a commercial center consisting of historic buildings and new construction. Project work included the first pervious concrete stormwater management design solution in Baltimore County.

Meadowvale, Baltimore County, Maryland - Civil Project Engineer engineering design team for a 103-unit single family community located in an area of severe grade changes and limited by existing drainage patterns and environmental constraints.

Martin Plaza, Baltimore County, Maryland - Civil Project Engineer for site planning and engineering design for redevelopment of the 25 acre shopping center.

Riparius Lot #1, Baltimore County, Maryland - Civil Project Engineer for site planning and engineering design of an 87 room Holiday Inn Express located on an undeveloped parcel hindered by grade changes, environmental constraints and requiring an underground stormwater management facility to meet local and state regulations.

Allender Road, Baltimore County, Maryland - Civil Project Engineer on team designing a 173-unit single-family home community located on Allender Road with stormwater management challenges including dual design discharge points.

The Preserve at Windlass Run, Baltimore County, Maryland - Civil Project Engineer on engineering design team for a 412-unit development mixed with single family and town homes located off of White Marsh Boulevard, surround by environmentally sensitive areas and requiring seven stormwater management facilities.



PETITIONER'S

EXHIBIT NO.

5





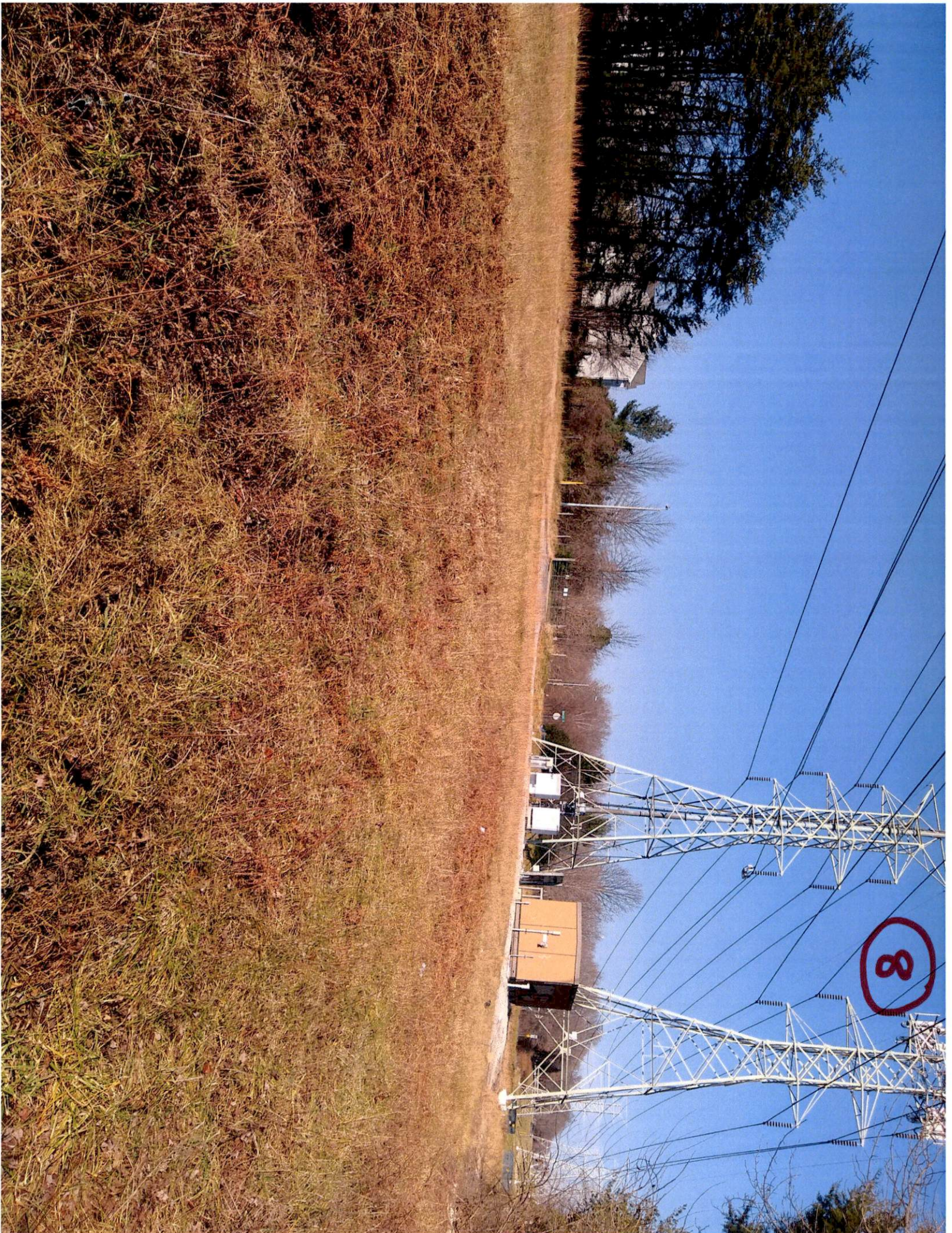


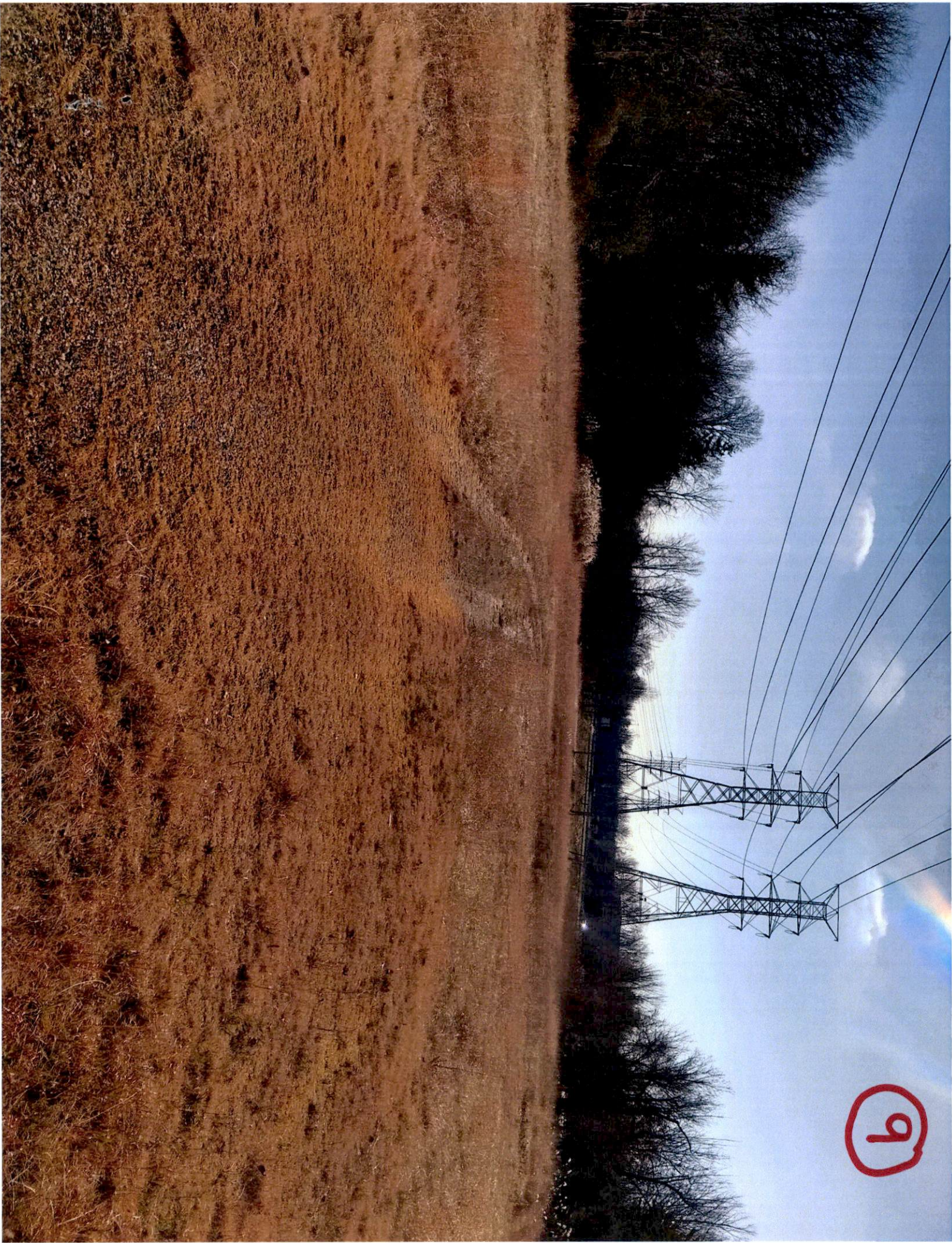
5











10





**BALTIMORE COUNTY, MARYLAND
INTER OFFICE CORRESPONDENCE**

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

ATTN: Kristen Lewis
MS 1105

FROM: Steven A. Walsh, Director *SAW*
Department of Public Works

DATE: November 15, 2018

SUBJECT: Case No: 2019-0123-SPH
8301 Perry Hall Boulevard, White Marsh, Maryland 21236

This is a Special Hearing to use the property for a proposed convenience store on an individual site to be Royal Farms #232.

The project site as shown on the "Plan to Accompany Special Hearing Request" dated October 15, 2018, is partially inside of the special flood hazard area (100-year flood plain) as shown on the Federal Emergency Management Agency, FEMA, Flood Insurance Rate Map, FIRM, Panel 2400100290F effective date September 26, 2008.

A portion of the site is very close to the Zone A, approximate, 100-year floodplain as delineated in the FIRM, on file with the County. The Zone A boundary does not follow the contours and a portion of the access road would be in the Zone A had it been delineated correctly. A portion of the site located within the floodplain area is road including a private retaining wall.

Baltimore County Code Sections 32-4-414 (c) (2) states "*Development in a floodplain prohibited; exceptions. The County may not permit development in a riverine floodplain except for: The installation of a pond, culvert, bridge, street, utility, or drainage facility that the county finds is not detrimental to floodplain management programs.*"

The Department of Public Works recommends approval of the waiver request.

SAW/TWC/s

CC: Vishnubhai K. Desai, Chief, Development Plans Review and Building Plan Review
Kevin G. Wagner, Maryland Department of the Environment
Peter M. Zimmerman, People's Council

PETITIONER'S

EXHIBIT NO. 6

C H E C K L I S TComment
ReceivedDepartmentSupport/Oppose/
Conditions/
Comments/
No Comment11/15DEVELOPMENT PLANS REVIEW
(if not received, date e-mail sent _____)Comment11/9DEPS
(if not received, date e-mail sent _____)Comment

FIRE DEPARTMENT

11/16PLANNING
(if not received, date e-mail sent _____)Comment11/8

STATE HIGHWAY ADMINISTRATION

Comment11/15

TRAFFIC ENGINEERING

Dept. of Public WorksComment

COMMUNITY ASSOCIATION

ADJACENT PROPERTY OWNERS

ZONING VIOLATION (Case No. _____)

PRIOR ZONING (Case No. 2018-0059-SPHXA)

NEWSPAPER ADVERTISEMENT

Date: 12/7/18SIGN POSTING (1st)Date: 12/7/18by SSG BlackSIGN POSTING (2nd)Date: 12/22/18by " "

PEOPLE'S COUNSEL APPEARANCE

Yes ☒ No ☐

PEOPLE'S COUNSEL COMMENT LETTER

Yes ☐ No ☐

Comments, if any: _____

Real Property Data Search

Search Result for BALTIMORE COUNTY

View Map				View GroundRent Redemption				View GroundRent Registration			
Tax Exempt:				Special Tax Recapture:							
Exempt Class:				NONE							
Account Identifier:				District - 11 Account Number - 1700002380							
Owner Information											
Owner Name:		PERRY HALL BOULEVARD COMMERCIAL LLC				Use:		RESIDENTIAL			
Mailing Address:		STE 208 305 W CHESAPEAKE AVE TOWSON MD 21204-4447				Principal Residence:		NO			
						Deed Reference:		/29697/ 00001			
Location & Structure Information											
Premises Address:		PERRY HALL BLVD 0-0000				Legal Description:		10.32 AC WS PERRY HALL BLVD 1600FT S SILVER SPRNG RD			
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section:	Block:	Lot:	Assessment Year:	Plat No:		
0072	0020	0443		0000	1			2018	Plat Ref:		
Special Tax Areas:				Town:				NONE			
				Ad Valorem:							
				Tax Class:							
Primary Structure Built		Above Grade Living Area		Finished Basement Area		Property Land Area		County Use			
						10.3200 AC		04			
Stories	Basement	Type	Exterior	Full/Half Bath	Garage	Last Major Renovation					
Value Information											
		Base Value		Value		Phase-In Assessments					
				As of		As of		As of			
				01/01/2018		07/01/2018,		07/01/2019			
Land:		94,300		94,300							
Improvements		0		0							
Total:		94,300		94,300		94,300		94,300			
Preferential Land:		0						0			
Transfer Information											
Seller: WHITE MARSH JOINT VENTURE				Date: 07/22/2010				Price: \$107,355			
Type: ARMS LENGTH IMPROVED				Deed1: /29697/ 00001				Deed2:			
Seller: WHITE MARSH JOINT VENTURE				Date: 06/19/1992				Price: \$279,000			
Type: ARMS LENGTH IMPROVED				Deed1: /05527/ 00167				Deed2:			
Seller: RYLAND GROUP INC				Date: 08/19/1992				Price: \$0			
Type: NON-ARMS LENGTH OTHER				Deed1: /00000/ 00000				Deed2:			
Exemption Information											
Partial Exempt Assessments:		Class		07/01/2018		07/01/2019					
County:		000		0.00							
State:		000		0.00							
Municipal:		000		0.00/0.00		0.00/0.00					
Tax Exempt:		Special Tax Recapture:									
Exempt Class:		NONE									
Homestead Application Information											
Homestead Application Status: No Application											
Homeowners' Tax Credit Application Information											
Homeowners' Tax Credit Application Status: No Application										Date:	

BALTIMORE COUNTY, MARYLAND

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: November 9, 2018

SUBJECT: DEPS Comment for Zoning Item # 2019-0123-SPH
Address NE Corner, Perry Hall Blvd @
White Marsh Blvd.
(Perry Hall Boulevard Commercial,
LLC Property)

Zoning Advisory Committee Meeting of November 5, 2018.

X The Department of Environmental Protection and Sustainability offers the following comments on the above-referenced zoning item:

- X Development of the property must comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains (Sections 33-3-101 through 33-3-120 of the Baltimore County Code).
- X Development of this property must comply with the Forest Conservation Regulations (Sections 33-6-101 through 33-6-122 of the Baltimore County Code).

Reviewer: Paul Dennis, Environmental Impact Review

TO: THE DAILY RECORD
Friday, December 7, 2018 - Issue

Please forward billing to:

David Karceski

410-494-6200

Venable, LLP

210 W. Pennsylvania Avenue, Ste. 500

Towson, MD 21204

NOTICE OF ZONING HEARING

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

CASE NUMBER: 2019-0123-SPH

8301 Perry Hall Boulevard

Corner of Intersection of Perry Hall Blvd. & White Marsh Blvd.

11th Election District – 5th Councilmanic District

Legal Owner: Perry Hall Boulevard Commercial, LLC

Contract Purchaser/Lessee: Two Farms, Inc.

Special Hearing to approve a waiver; to permit the redevelopment of the portion of the site in a riverine floodplain and to allow grading, paving, installation of a retaining wall with safety fence, guardrail, concrete curb and gutter and other site work improvements within the floodplain.

Hearing: Thursday, December 27, 2018 at 10:00 a.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204



Arnold Jablon

Director of Permits, Approvals and Inspections for Baltimore County

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

**DEPARTMENT OF PERMITS, APPROVALS AND INSPECTIONS
ZONING REVIEW OFFICE**

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The Baltimore County Zoning Regulations (BCZR) require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of the 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.

For Newspaper Advertising:

Case Number: 2019-0123-SPH
Property Address: 8301 Perry Hall Boulevard, N/W
Property Description: Corner of Intersection of Perry Hall
Blvd. & White Marsh Blvd.
Legal Owners (Petitioners): Perry Hall Boulevard Commercial, LLC
Contract Purchaser/Lessee: Two Farms, Inc.

PLEASE FORWARD ADVERTISING BILL TO:

Name: David Karceski
Company/Firm (if applicable): Venable LLP
Address: 210 West Pennsylvania Ave
Suite 500
Towson MD 21204
Telephone Number: (410) 494-6200

Revised 7/9/2015

2014-01-28-0103



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 NW Corner of intersection of Perry Hall Blvd. and White Marsh Blvd. which is presently zoned BM-CCC

Deed References: 29697/00001 10 Digit Tax Account # 1700002380

Property Owner(s) Printed Name(s) Perry Hall Boulevard Commercial, LLC

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

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

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

SEE ATTACHMENT NO. 1

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

3. ☐ **a Variance** from Section(s)

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

TO BE PRESENTED AT HEARING

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:

SEE ATTACHMENT NO. 2

Name- Type or Print

Signature

Mailing Address

Zip Code / Telephone # / Email Address

Attorney for Petitioner:

David H. Karceski, Esq.

Name- Type or Print

Signature

210 W. Pennsylvania Ave., Ste. 500, Towson, MD

Mailing Address

21204 / (410) 494-6200 / dhkarceski@venable.com

Zip Code / Telephone # / Email Address

Legal Owners (Petitioners):

SEE ATTACHMENT NO. 3

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

Signature #1 / Signature #2

Mailing Address / City / State

Zip Code / Telephone # / Email Address

Representative to be contacted:

David H. Karceski, Esq.

Name - Type or Print

Signature

210 W. Pennsylvania Ave., Ste. 500, Towson, MD

Mailing Address

21204 / (410) 494-6200 / dhkarceski@venable.com

Zip Code / Telephone # / Email Address

CASE NUMBER 2019-0123-SPH Filing Date 10/17/18 Do Not Schedule Dates: _____ Reviewer AT

PERRY HALL BOULEVARD COMMERCIAL, LLC
N/W CORNER OF INTERSECTION OF PERRY HALL BLVD. AND
WHITE MARSH BLVD.

ATTACHMENT NO. 1

TO PETITION FOR SPECIAL HEARING

1. Special Hearing to approve a waiver pursuant to B.C.Z.R. Section 500.6, Section 3112.2 of the Baltimore County Building Code, and Sections 32-4-107(a)(2), 32-4-404, 32-4-414, 33-8-101 of the B.C.C. to permit the redevelopment of the portion of the site in a riverine floodplain and to allow grading, paving, installation of a retaining wall with safety fence, guardrail, concrete curb and gutter, and other site work improvements within the floodplain.

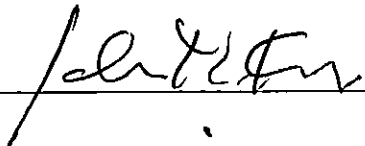
PERRY HALL BOULEVARD COMMERCIAL, LLC
N/W CORNER OF INTERSECTION OF PERRY HALL BLVD. AND
WHITE MARSH BLVD.

ATTACHMENT NO. 2

TO PETITION FOR SPECIAL HEARING

Contract Purchase/Lessee (Petitioners):

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

By: 
Title: president

PERRY HALL BOULEVARD COMMERCIAL, LLC
N/W CORNER OF INTERSECTION OF PERRY HALL BLVD. AND
WHITE MARSH BLVD.

ATTACHMENT NO. 3
TO PETITION FOR SPECIAL HEARING

Legal Owners:

Perry Hall Boulevard Commercial, LLC
305 W. Chesapeake Avenue, Suite 208
Towson, MD 21204
Phone: 410-294-0023

By: _____
Joseph Moran

Title: _____

PERRY HALL BOULEVARD COMMERCIAL, LLC
N/W CORNER OF INTERSECTION OF PERRY HALL BLVD. AND
WHITE MARSH BLVD.

ATTACHMENT NO. 3

TO PETITION FOR SPECIAL HEARING

Legal Owners:

Perry Hall Boulevard Commercial, LLC
305 W. Chesapeake Avenue, Suite 208
Towson, MD 21204
Phone: 410-294-0023

By: Joseph Moran
Joseph Moran
Title: MEMBER



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 NW Corner of intersection of Perry Hall Blvd. and White Marsh Blvd. which is presently zoned BM-CCC

Deed References: 29697/00001 10 Digit Tax Account # 17 0 0 0 0 2 3 8 0

Property Owner(s) Printed Name(s) Perry Hall Boulevard Commercial, LLC

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

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

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

SEE ATTACHMENT NO. 1

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

3. ☐ **a Variance** from Section(s)

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

TO BE PRESENTED AT HEARING

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:

SEE ATTACHMENT NO. 2

Name- Type or Print

Signature

Mailing Address

City

State

Zip Code

Telephone #

Email Address

Attorney for Petitioner:

David H. Karceski, Esq.

Name- Type or Print

Signature

210 W. Pennsylvania Ave., Ste. 500, Towson, MD

Mailing Address

City

State

21204

(410) 494-6200

dhkarceski@venable.com

Zip Code

Telephone #

Email Address

Legal Owners (Petitioners):

SEE ATTACHMENT NO. 3

Name #1 - Type or Print

Name #2 - Type or Print

Signature #1

Signature #2

Mailing Address

City

State

Zip Code

Telephone #

Email Address

Representative to be contacted:

David H. Karceski, Esq.

Name - Type or Print

Signature

210 W. Pennsylvania Ave., Ste. 500, Towson, MD

Mailing Address

City

State

21204

(410) 494-6200

dhkarceski@venable.com

Zip Code

Telephone #

Email Address

CASE NUMBER

2019-0123-sph

Filing Date

10/17/18

Do Not Schedule Dates:

Reviewer

AT

PERRY HALL BOULEVARD COMMERCIAL, LLC
N/W CORNER OF INTERSECTION OF PERRY HALL BLVD. AND
WHITE MARSH BLVD.

ATTACHMENT NO. 1

TO PETITION FOR SPECIAL HEARING

1. Special Hearing to approve a waiver pursuant to B.C.Z.R. Section 500.6, Section 3112.2 of the Baltimore County Building Code, and Sections 32-4-107(a)(2), 32-4-404, 32-4-414, 33-8-101 of the B.C.C. to permit the redevelopment of the portion of the site in a riverine floodplain and to allow grading, paving, installation of a retaining wall with safety fence, guardrail, concrete curb and gutter, and other site work improvements within the floodplain.

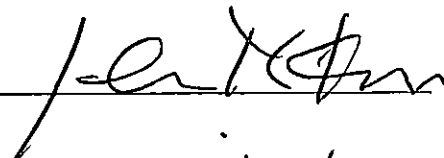
PERRY HALL BOULEVARD COMMERCIAL, LLC
N/W CORNER OF INTERSECTION OF PERRY HALL BLVD. AND
WHITE MARSH BLVD.

ATTACHMENT NO. 2

TO PETITION FOR SPECIAL HEARING

Contract Purchase/Lessee (Petitioners):

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

By: 
Title: president

PERRY HALL BOULEVARD COMMERCIAL, LLC
N/W CORNER OF INTERSECTION OF PERRY HALL BLVD. AND
WHITE MARSH BLVD.

ATTACHMENT NO. 3

TO PETITION FOR SPECIAL HEARING

Legal Owners:

Perry Hall Boulevard Commercial, LLC
305 W. Chesapeake Avenue, Suite 208
Towson, MD 21204
Phone: 410-294-0023

By: _____
Joseph Moran

Title: _____

PERRY HALL BOULEVARD COMMERCIAL, LLC
N/W CORNER OF INTERSECTION OF PERRY HALL BLVD. AND
WHITE MARSH BLVD.

ATTACHMENT NO. 3

TO PETITION FOR SPECIAL HEARING

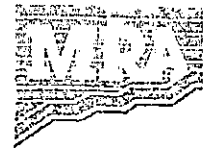
Legal Owners:

Perry Hall Boulevard Commercial, LLC
305 W. Chesapeake Avenue, Suite 208
Towson, MD 21204
Phone: 410-294-0023

By: Joseph Moran
Joseph Moran
Title: MEMBER

MORRIS & RITCHIE ASSOCIATES, INC.

ENGINEERS, ARCHITECTS, PLANNERS, SURVEYORS,
AND LANDSCAPE ARCHITECTS



October 15, 2018

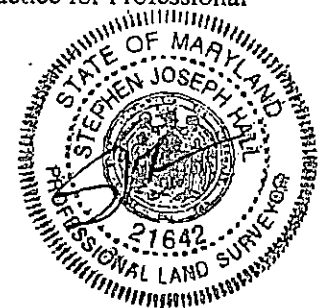
ZONING PROPERTY DESCRIPTION 8301 PERRY HALL BOULEVARD

Beginning at a point located at the intersection of Perry Hall Boulevard and Southfield Drive, at the distance of 105.92' and bearing of North 60°20'32" East to a point. Thence the following courses and distances:

- 1) An arc to the right with a radius of 1,844.86' and arc length of 90.12' subtended by a chord bearing of North 24°09'52" East and a chord distance of 90.11'
- 2) North 25°36'25" East 389.99'
- 3) South 06°57'26" West 228.47'
- 4) An arc to the left with a radius of 475.00' and arc length of 448.23' subtended by a chord bearing of South 20°04'32" East and a chord distance of 431.78'
- 5) South 47°06'30" East 542.08'
- 6) An arc to the left with a radius of 825.00' and arc length of 541.22' subtended by a chord bearing of South 65°54'18" East and a chord distance of 531.57'
- 7) South 76°21'23" East 335.30'
- 8) An arc to the right with a radius of 22,768.31' and arc length of 216.71' subtended by a chord bearing of South 89°00'12" West and a chord distance of 216.71'
- 9) North 86°13'20" West 594.88'
- 10) North 86°57'45" West 222.50'
- 11) North 41°40'42" West 199.17'
- 12) North 28°57'21" West 762.87' back to the point of beginning as recorded in deeds liber R.D.A. Jr. 29697, Folio 1, containing 352,366 square feet or 8.09 acres ±

I certify that this description was either personally prepared by me or I was in responsible charge of its preparation. All of the surveying work reflected in said description complies with the requirements set forth in chapter 06.12 of the Minimum Standards of Practice for Professional Land Surveyors.

Stephen J. Hall
Professional Land Surveyor #21642



1220-C East Joppa Road, Suite 505, Towson, Maryland 21286 Tel: (410) 821-1690 Fax: (410) 821-1748

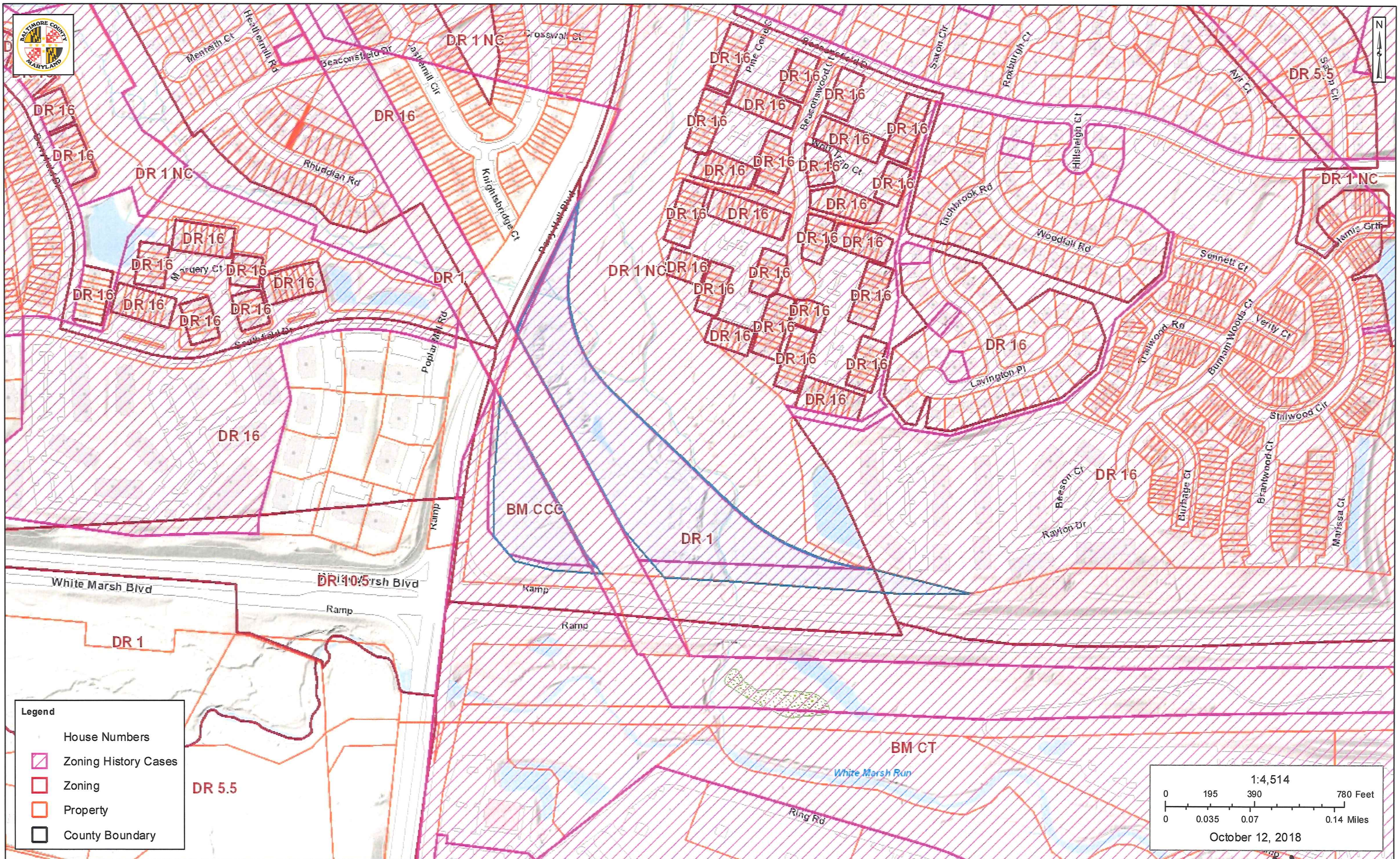
Abingdon, MD • Laurel, MD • Towson, MD • Georgetown, DE • Wilmington, DE • York, PA
(410) 515-9000 (410) 792-9792 (410) 821-1690 (302) 855-5734 (302) 326-2600 (717) 751-6073

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2019-0123-SPH

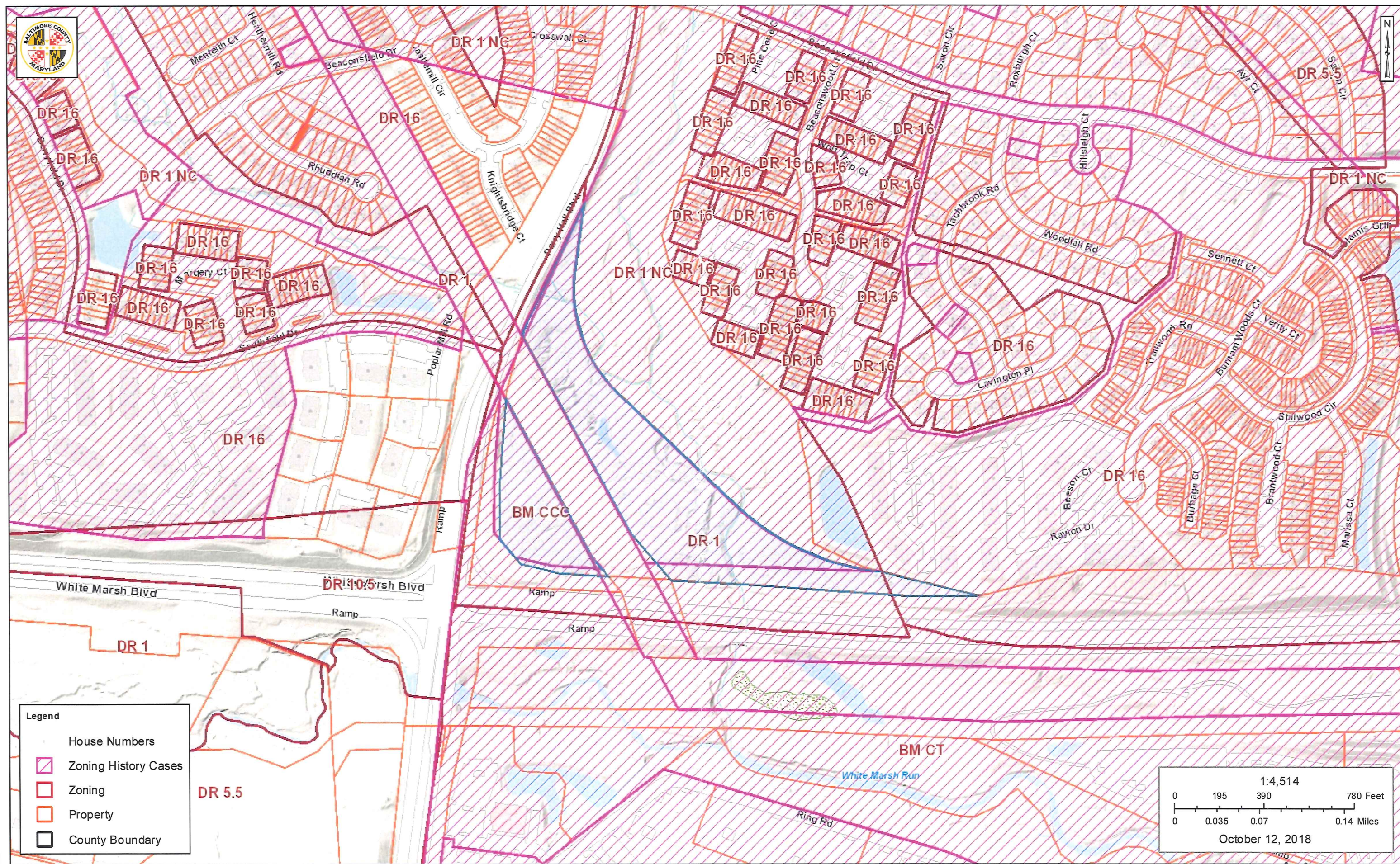
**CASHIER'S
VALIDATION**

Baltimore County - My Neighborhood



2019-0123-SPH

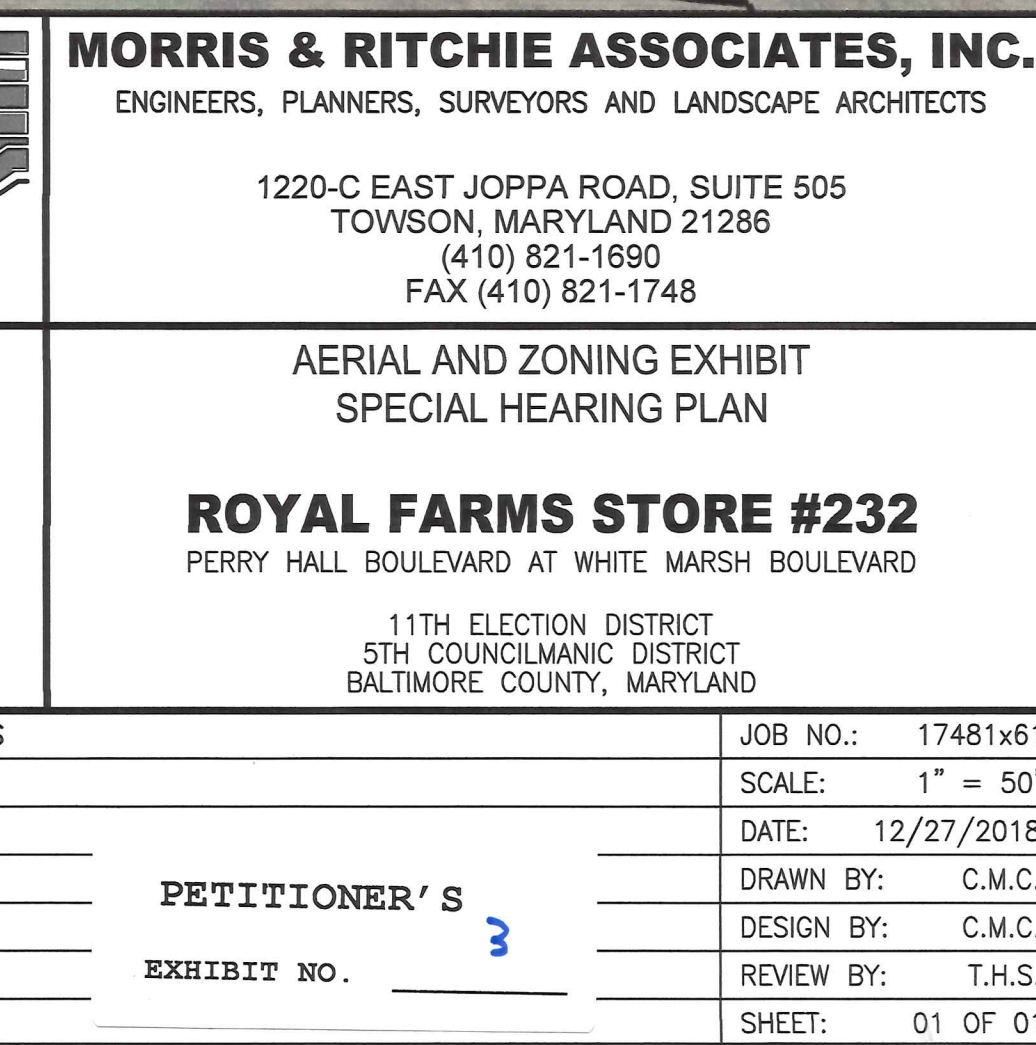
Baltimore County - My Neighborhood

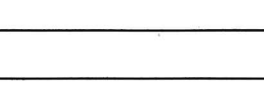


2019-0123-SFH

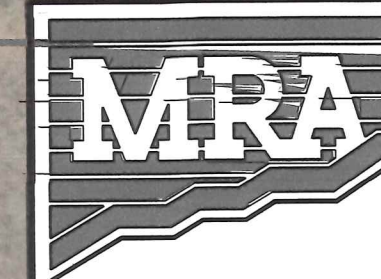
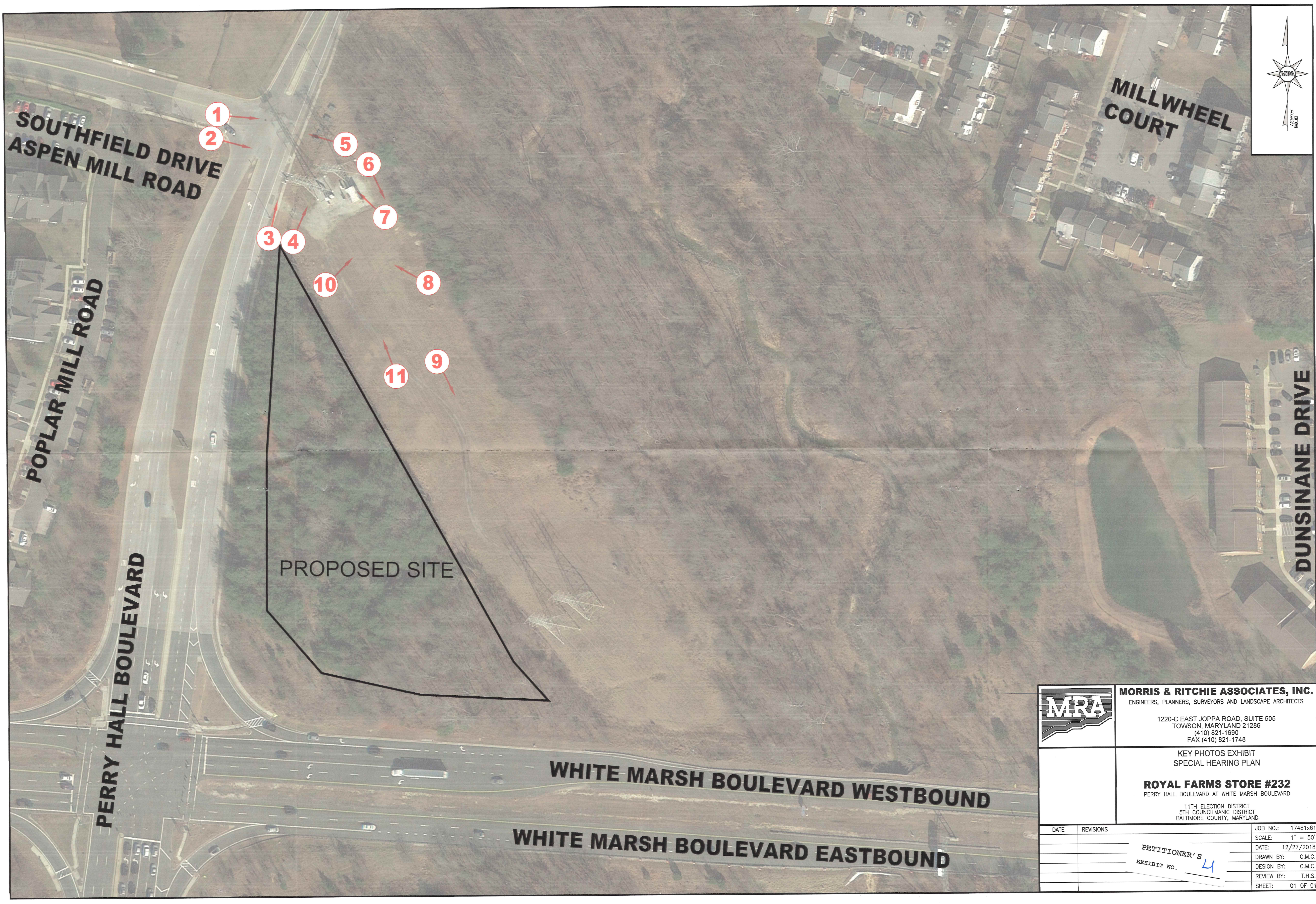
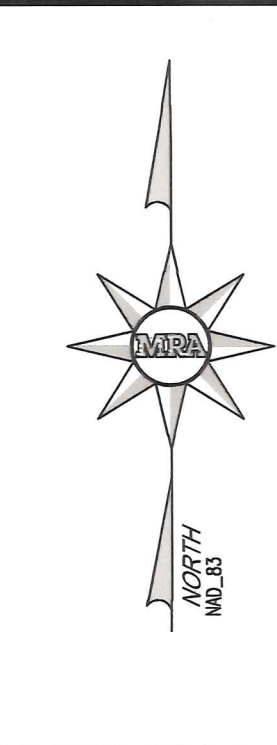


WHITE MARSH BOULEVARD WESTBOUND
 BM CCC
 BM CT
 DR 1
 BM CT
 WHITE MARSH BOULEVARD EASTBOUND



JOB NO.: 17481x60.	
SCALE: 1" = 50'	
DATE: 12/27/2018E	
DRAWN BY: C.M.C	
DESIGN BY: C.M.C	
REVIEW BY: T.H.S	
SHEET: 01 OF 01	

PETITIONER'S EXHIBIT NO.	DRAWN BY:	C.M.C.
	DESIGN BY:	C.M.C.
	REVIEW BY:	T.H.S.
	SHEET:	01 OF 01



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

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

KEY PHOTOS EXHIBIT
SPECIAL HEARING PLAN

ROYAL FARMS STORE #232
PERRY HALL BOULEVARD AT WHITE MARSH BOULEVARD

11TH ELECTION DISTRICT
5TH COUNCILMANIC DISTRICT
BALTIMORE COUNTY, MARYLAND

DATE	REVISIONS	JOB NO.: 17481x61
		SCALE: 1" = 50'
		DATE: 12/27/2018
		DRAWN BY: C.M.C.
		DESIGN BY: C.M.C.
		REVIEW BY: T.H.S.
		SHEET: 01 OF 01

PETITIONER'S
EXHIBIT NO. 4

FLOOD ELEVATION NOTE

THE ESTIMATED BASE FLOOD ELEVATION WAS DETERMINED BY IDENTIFYING THE HIGHEST ELEVATION CONTOUR COVERED BY THE FEMA FIRM A-ZONE AND ADDING ONE FOOT OF FREEBOARD IN LIEU OF A HYDROLOGY AND HYDRAULIC SUMMARY. THE FLOODPLAIN INVERT SHOWS THE ESTIMATED BASE FLOOD ELEVATION AT ELEVATION 86 AS WELL AS THE BASE FLOOD ELEVATION WITH ONE FOOT OF ADDED FREEBOARD AT ELEVATION 87. PLEASE REFER TO EXHIBIT LETTER.

FLOODPLAIN INSET

SCALE: 1"=20'

GENERAL NOTES

- PROPERTY INFORMATION:
A. PROPERTY ADDRESS: NE INTERSECTION OF PERRY HALL BOULEVARD AND WHITE MARSH BOULEVARD NOTTINGHAM, MD 21236
GROSS = 824,953 SF OR 18.94 AC.±
NET = 449,655 SF OR 10.32 AC.
SITE = 97,270 SF OR 2.233 AC.
11
- B. SITE AREA: 11
- C. ELECTION DISTRICT: 4581 E9, 4581 E10, 4581 F10
- D. COUNCILMANIC DISTRICT: 411307
- E. ADD MAP: 1700002380
- F. CENSUS TRACT: BM CCC (BUSINESS MAJOR COMMERCIAL COMMUNITY CORE) DR-1 (DENSITY RESIDENTIAL)
- G. TAX MAP: 07243
- H. TAX ACCOUNT NO.: 1700002380
- I. ZONING: PERMITTED = 4.0
PROVIDED = 0.06 (5,371 S.F. / 97,270 S.F.)
- J. ZONING MAP / GIS TILE NO.: 07243
- K. FLOOR AREA RATIO: PERMITTED = 4.0
PROVIDED = 0.06 (5,371 S.F. / 97,270 S.F.)
- L. EXISTING LAND USE: VACANT
- M. PROPOSED LAND USE: FUEL SERVICE STATION IN COMBINATION WITH A CONVENIENCE STORE AND CARRY OUT RESTAURANT WITH OUTDOOR SEATING
- N. BMCCC ZONE SETBACKS (SECTION 235):
FROM PROPERTY LINE
FRONT 15' REQUIRED 158' PROVIDED
SIDE (INTERIOR) 0' 41'
SIDE (STREET) 10' 64'
REAR 20' 73'
FUEL SERVICE SETBACKS (SECTION 405):
FROM ANY STREET RIGHT OF WAY
CONVENIENCE STORE 35' REQUIRED 64' PROVIDED
FUEL PUMP 25' 64'
CANOPY 15' 56'
LANDSCAPE TRANSITION AREAS (LTA):
FROM PROPERTY LINE
ALONG PERRY HALL BLVD 10' REQUIRED 10' PROVIDED
ALONG WHITE MARSH BLVD 10' 10'
ALONG SIDE YARD (BM CCC ZONE) 6' 0'
- O. PROPOSED BUILDING HEIGHT: C-STORY = 32'-6" PEAK OF GABLE
CANOPY = 19'-0"
- P. THIS SITE IS SERVED BY PUBLIC WATER AND SEWER.
- Q. SCREENING AND LANDSCAPING SHALL COMPLY WITH THE BALTIMORE COUNTY LANDSCAPE MANUAL.
- R. A PORTION OF THE SITE IS LOCATED IN A 100 YEAR FLOODPLAIN. (F.E.M.A. PANEL NO. 2400100290F)
- S. THE SITE IS NOT LOCATED IN ANY FAILED BASIC SERVICES AREAS.
- T. THERE ARE NO KNOWN EXISTING WELLS OR SEPTIC FIELDS ON THIS PROPERTY.
- U. THERE ARE NO HISTORIC BUILDINGS ON SITE.
- V. THIS SITE IS LOCATED IN THE CHESAPEAKE BAY CRITICAL AREA.
- W. ANY FUTURE USED TO ILLUMINATE AN OFF-STREET PARKING AREA SHALL BE ARRANGED AS TO REFLECT THE LIGHT AWAY FROM ADJACENT RESIDENTIAL SITE AND PUBLIC STREETS.
- X. REST ROOM FACILITY, WATER AND COMPRESSION AIR SHALL BE PROVIDED FOR CUSTOMERS.
- Y. SIGNAGE ON THIS SITE SHALL CONFORM WITH THE SIGNAGE REQUIREMENTS OF THE BALTIMORE COUNTY ZONING REGULATIONS SECTION 450, OR A VARIANCE WILL BE REQUESTED.
- Z. THERE ARE NO ABANDONED FUEL SERVICE STATIONS WITHIN ONE MILE OF THE SITE (SECTION 405.3, BCZR)

LEGEND

.....	LIMIT OF DISTURBANCE	---	EX. E.O.P.
---	EX. PROPERTY LINE	---	EX. ELECTRIC
---	EX. ADJACENT PROPERTY LINE	---	EX. 1' CONTOUR
---	EX. RIGHT OF WAY LINE	---	EX. 2' CONTOUR
---	EX. EASEMENT LINE	---	EX. 10' CONTOUR
---	EX. ZONING BOUNDARY	---	EX. FEMA FLOODPLAIN
---	EX. FLOODPLAIN BOUNDARY	---	EX. WETLAND
---	EX. WETLAND BOUNDARY	---	PR. BUILDING
---	EX. WETLAND BUFFER	---	PR. CONCRETE
---	EX. FOREST BUFFER	---	PR. CURB
---	EX. STREAM	---	PR. 1' CONTOUR
---	EX. CURB	---	PR. 2' CONTOUR
---	EX. TREE LINE	---	PR. 10' CONTOUR
---	EX. FENCE	---	PR. EASEMENT
---	EX. GUARDRAIL	---	PR. GUARDRAIL
---	EX. SANITARY SEWER	---	ESTIMATED FLOOD WATER SURFACE ELEVATION
---	EX. STORM DRAIN	---	ESTIMATED FLOOD WATER SURFACE ELEVATION WITH 1' ADDED FREEBOARD
---	EX. WATER	---	
---	EX. GAS	---	
---	EX. FIBER OPTIC	---	
---	EX. OVER HEAD LINES	---	

ROYAL FARMS PARKING TABULATIONS CHART (PARKING SPACES REQUIRED BY BCZR SECTION 409.6.A AND 418.3.B)			
USE	GROSS S.F.	PARKING RATE	PARKING REQUIRED
CONVENIENCE STORE WITH GASOLINE AND CARRY OUT RESTAURANT WITH OUTDOOR SEATING	6,014 S.F.	5/1,000 S.F.	31
MAX. # EMPLOYEES ON SHIFT			6
ATM			1
FREE AIR TANK			1
AIR TANK / VAC COMBINATION			2
PARKING REQUIRED			41
TOTAL PARKING PROVIDED (INCLUDES 3 ADA SPACES)			60

ZONING HISTORY

CASE NO. 1959-4717-X - PETITION FOR A SPECIAL EXCEPTION TO USE PROPERTY FOR CONSTRUCTION, OPERATION AND MAINTENANCE OF A STEEL TOWER TRANSMISSION LINE OR LINES. GRANTED AUGUST 20, 1959.
CASE NO. R-1971-0174-X - PETITION FOR RECLASSIFICATION FROM R-5 TO RA ZONE PARCEL 1, 1R ZONE PARCEL 2 AND RA ZONE PARCEL 3 FOR CHANGE IN THE AREA SINCE ADOPTION OF THE ZONING MAP AND BECAUSE OF ERROR IN ORIGINAL ZONING CLASSIFICATION. PETITION FOR SPECIAL EXCEPTION TO USE PARCEL 3 FOR THE CONSTRUCTION OF OFFICES OR OFFICE BUILDINGS. DENIED JANUARY 25, 1971.
CASE NO. R-1971-0175 - PETITION FOR ZONING RECLASSIFICATION FROM R-5 ZONE TO BM ZONE FOR CHANGE IN THE AREA SINCE ADOPTION OF THE ZONING MAP AND BECAUSE OF ERROR IN ORIGINAL ZONING CLASSIFICATION. PETITION FOR SPECIAL EXCEPTION TO USE PARCEL 3 FOR THE CONSTRUCTION OF OFFICES OR OFFICE BUILDINGS. PETITION TO BE REDIRECTED FROM AN UNDISTRICTED AREA TO A CT DISTRICT TO ALLOW PLANNED DEVELOPMENT FOR A COMMERCIAL CORP. DENIED JANUARY 25, 1971; DISMISSED SEPTEMBER 13, 1973.
CASE NO. R-1972-0050 - PETITION FOR ZONING RECLASSIFICATION FROM DR-5.5 (R-0) TO A BM ZONE (PARCEL 1), A BR ZONE (PARCEL 2), A MUR ZONE (PARCEL 3) AND A DR ZONE (PARCEL 4) FOR ERROR IN RECLASSIFICATION OF DR-5.5 PLACED ON ZONING MAPS. PETITION FOR ZONING REDIRECTING FROM AN UNDISTRICTED AREA TO CT DISTRICT (PARCEL 1) AND A CSA DISTRICT (PARCEL 5) TO ALLOW PARCEL 1 TO BE DEVELOPED AS A COMMERCIAL CORE TO SERVE THE AREA AND TO ALLOW PARCEL 5 TO BE UTILIZED FOR VEHICULAR ORIENTED USAGES. GRANTED JANUARY 15, 1973.
CASE NO. 2018-0058-SPHKA - PETITION FOR ACCESS TO A COMMERCIAL USE THROUGH A RESIDENTIAL ZONE. PETITION FOR A FUEL SERVICE STATION ON AN INDIVIDUAL SITE. PETITION TO ALLOW A LANDSCAPE TRANSITION AREA A MINIMUM OF 10 FEET IN WIDTH IN A SIDE YARD ABUTTING NON-RESIDENTIALLY ZONED LAND.
CIRC NO. 110717C - A FUEL SERVICE STATION IN COMBINATION WITH A CONVENIENCE STORE AND CARRYOUT RESTAURANT WITH OUTDOOR SEATING WAS DETERMINED TO BE A LIMITED EXEMPTION UNDER SECTION 32-4-106(b)(6). GRANTED NOVEMBER 13, 2017.

BOUNDARY PLAN

SCALE: 1"=200'

REASON FOR SPECIAL HEARING

A SPECIAL HEARING IS REQUIRED FOR A REQUEST TO ALLOW SITE WORK WITHIN A FLOODPLAIN, THE SITE WORK INCLUDES CONSTRUCTION OF A RETAINING WALL, DRIVE AISLE, AND A STORMWATER MANAGEMENT FACILITY.

COMMERCIAL PERMIT HISTORY

0-0000 PERRY HALL BOULEVARD
BALTIMORE COUNTY HAS NO RECORD OF COMMERCIAL BUILDING PERMITS FOR THIS

OWNER

PERRY HALL BOULEVARD
COMMERCIAL LLC
305 CHESAPEAKE AVE.
SUITE 208, TOWSON MD 21204

DEVELOPER

TWO FARMS, INC.
11 ROLAND AVENUE
BALTIMORE, MARYLAND 21211
PHONE: (410) 888-0200

PROFESSIONAL CERTIFICATION

I HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME, AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MARYLAND, LICENSE NO. 34479, EXPIRATION DATE: 08/21/2020

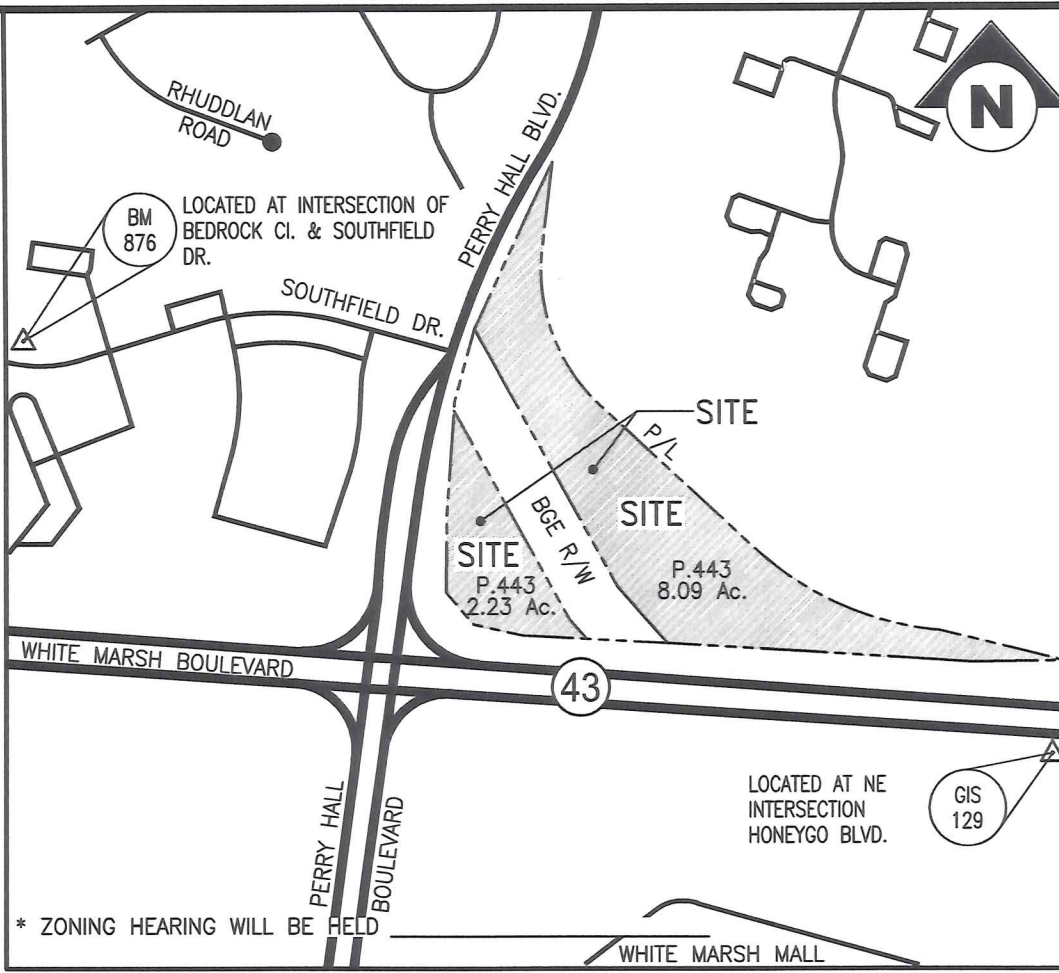
THE CORRECTNESS OR COMPLETENESS OF EXISTING INFORMATION SHOWN ON THE DRAWINGS IS NOT WARRANTED OR GUARANTEED. THE CONTRACTOR SHALL VERIFY THE LOCATION OF UTILITIES AND UNDERGROUND FACILITIES, BY TEST PITS OR OTHER METHODS APPROVED BY THE OWNER'S REPRESENTATIVE, AS REQUIRED TO VERIFY EXACT LOCATIONS AND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

BENCHMARKS

876 ELEV. 128.87 DESCRIPTION: NAIL IN PAVEMENT 3' EAST OF STORM DRAIN INLET, NW CORNER OF INTERSECTION BERRYFIELD DRIVE & SOUTHFIELD DRIVE.	N 625,254.51 E 1,460,323.12 DESCRIPTION: MONUMENT IN CONCRETE AT INTERSECTION OF WHITE MARSH BLVD. AND HONEYGO BLVD. IN SE CORNER MEDIAN, 67.8' NE OF DO NOT ENTER SIGN.
GIS-129 ELEV. 107.93 DESCRIPTION: MONUMENT IN CONCRETE AT INTERSECTION OF WHITE MARSH BLVD. AND HONEYGO BLVD. IN SE CORNER MEDIAN, 67.8' NE OF DO NOT ENTER SIGN.	N 624,184.19 E 1,465,087.53

VICINITY MAP

SCALE: 1" = 500'

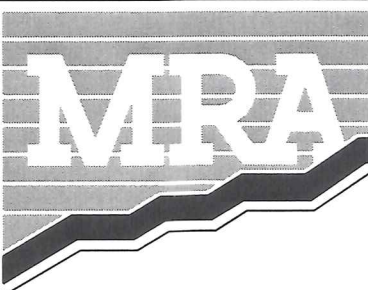


WHITE MARSH BOULEVARD (MD ROUTE 43)

TO I-95

PLAN

SCALE: 1"=50'



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

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ROYAL FARMS STORE #232
8301 PERRY HALL BOULEVARD

PLAN TO ACCOMPANY
SPECIAL HEARING REQUEST

11th ELECTION DISTRICT BALTIMORE COUNTY, MARYLAND 5th COUNCILMANIC DISTRICT

DATE	REVISIONS	JOB NO.:	17481x61
		SCALE:	AS SHOWN
		DATE:	10/15/2018
		DRAWN BY:	THS
		DESIGN BY:	THS
		REVIEW BY:	JTS
		SHEET:	1 OF 1

2019-0123-SPH