



JOHN A. OLSZEWSKI, JR.
County Executive

C. PETE GUTWALD, AICP, *Director*
Department of Permits,
Approvals & Inspections

February 12, 2021

The Law Office of Dino C. La Fiandra, LLC
100 West Pennsylvania Avenue
Suite 305
Towson, MD 21204

RE: Spirit and Intent
Zoning Case No. 2019-0189-X
11250 & 11254 Dolfield Blvd.

Dear Mr. La Fiandra

This letter refers to your January 21, 2021 letter to Mr. Peter Gutwald, Director of Permits, Approvals, and Inspections.

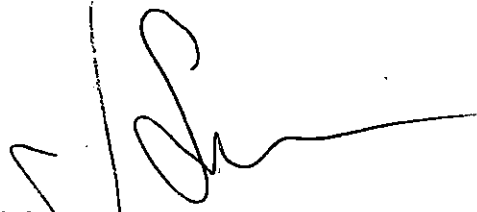
A review of Zoning Case 2019-0189-X shows that the owner requested Special Exceptions for 3 uses: a fuel service station, a full service car wash in combination with a fuel service station and a fast food restaurant in combination with a fuel service station. No other relief was requested at that time. It was determined that the submitted site plan complied with the Baltimore County Zoning Regulations.

It has been further determined that the redesigned site plan submitted with your Spirit and Intent request also complies with the Baltimore County Zoning Regulations and therefore your request has been GRANTED. You may proceed with your plan to develop the property as a fuel service station with a full service car wash, without the fast food restaurant and outdoor seating.

This letter is strictly limited to the application of the BCZR as applied to the S&I request presented in your letter, and does not represent verification or approvals for any other Local, State or other Regulations that may apply to this property.

Page2: S&I request
2019-0189-X

Sincerely,

A handwritten signature in black ink, appearing to be 'J Seidelman', with a long horizontal flourish extending to the right.

Jason Seidelman
Planner II, Zoning Review

21-193



The Law Office of Dino C. La Fiandra, LLC

100 West Pennsylvania Avenue | Suite 305 | Towson, Maryland 21204

443-204-3473 • dcl@LaFiandraLaw.com • LaFiandraLaw.com

January 21, 2021

C. Pete Gutwald, Director
Baltimore County Department of Permits, Approval & Inspections
111 W. Chesapeake Avenue, Room 105
Towson, MD 21204

Re: 11250 & 11254 Dolfield Boulevard
Zoning Case 2019-0189-X
Spirit & Intent Letter

Dear Mr. Gutwald:

I represent High's of Baltimore, Inc. ("High's"), the Lessee and Petitioner in the above-referenced zoning case. For your convenience, I've attached a copy of the Administrative Law Judge's Order dated March 21, 2019 granting special exceptions for fuel service station as well as full-service car wash and fast-food restaurant as uses in combination. I also have attached a copy of the redlined zoning site plan that was submitted at the ALJ's hearing and approved as part of the zoning case (the "Approved Plan"). The Approved Plan shows 16 fueling positions, a full-service car wash, and a 6,059 square foot main building comprised of a convenience store of 4,581 square feet, a fast-food restaurant of 1,416 square feet and 875 square feet of outdoor seating. These uses generated a parking requirement of 82 parking spaces, and a total of 90 parking spaces are provided. As shown on the Approved Plan, all setbacks were met and adequate lot size and stacking spaces were provided in accordance with the zoning regulations. There were no variances granted as part of the zoning relief.

High's now desires modify the building footprint of the full-service car wash building as reflected on the enclosed Plan to Accompany Spirit & Intent Letter (the "S&I Plan") to provide an indoor transaction lobby and waiting area for patrons waiting for their cars to complete the car wash service. In addition, whereas the approved plan provides 10 vacuum units which are located in the parking bay on the east side of the property, High's now desires to provide 15 vacuum units in the area between the C-store building and the car wash building. As shown on the S&I Plan, High's also now intends to provide a dedicated travel lane from the exit of the car wash tunnel to the 15-vacuum parking bay. As a result of the changes to the car wash building, the main building is now reduced to a total of 4,851 square feet, including only a convenience store and carry-out restaurant. The number of fueling positions has been reduced to 12. The fast-food restaurant and outdoor seating have been eliminated.

My client and I seek your concurrence that these changes as reflected on the enclosed S&I Plan are within the spirit and intent of the Administrative Law Judge's approval and the Approved Plan. In support of such a finding, I note the following:

C. Pete Gutwald, Director

January 21, 2021

Page 2.

1. The special exception approved 16 fueling positions; only 12 fueling positions are proposed on the S&I Plan.
2. The 4,851 square foot convenience store and carry-out restaurant proposed on the S&I Plan is permitted by right as an ancillary use to the fuel service station approved by special exception under BCZR, § 405.4.D.
3. The only change to the car wash building is the addition of the transaction lobby and waiting area.
4. The fast-food restaurant approved by special exception in 2019 has been reduced in scope and is now part of the c-store and carry-out which are permitted by right.
5. The S&I Plan meets all bulk and area regulations, lot size requirements, parking requirements and stacking requirements, as did the Approved Plan. No variances were required for the Approved Plan and no variances are required for the S&I Plan.

Please do not hesitate to contact me if you have any questions or require any additional information. I have enclosed a check in the amount of \$200 to cover your fee for processing this request. Thank you in advance for your consideration.

Sincerely,



Dino C. La Fiandra

Encl: ALJ's Order – Case 2019-0189-X
Approved Plan – Case 2019-0189-X
Plan to Accompany Spirit & Intent Letter ("S&I Plan")
Check payable to Baltimore County in the amount of \$200

M E M O R A N D U M

DATE: April 24, 2019
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2019-0189-X - Appeal Period Expired

The appeal period for the above-referenced case expired on April 22, 2019. There being no appeal filed, the subject file is ready for return to the Zoning Review Office and is placed in the 'pick up box.'

/dlw

c: ✓ Case File
Office of Administrative Hearings

IN RE: PETITION FOR SPECIAL EXCEPTION * BEFORE THE
11250 & 11254 Dolfield Blvd.) *
4th Election District * OFFICE OF
4th Council District *
Merritt-M15, LLC * ADMINISTRATIVE HEARINGS
Legal Owner *
High's of Baltimore, LLC * FOR BALTIMORE COUNTY
Lessee *
Petitioners * **Case No. 2019-0189-X**

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings ("OAH") for consideration of a Petition for Special Exception filed on behalf of Merritt-M15, LLC, legal owner and High's of Baltimore, LLC, lessee ("Petitioners"). The special exception petition was filed pursuant to Sections 405 and 502.1 of the Baltimore County Zoning Regulations ("BCZR"): (1) to approve a special exception for a fuel service station; (2) to approve a special exception for a full service car wash as a use in combination with a fuel service station; and (3) to approve a special exception for a fast food restaurant as a use in a combination with a fuel service station.

Wayne Newton, Jesse Newman, and Stuart Foard appeared in support of the petition. Dino C. La Fiandra, Esq. represented the Petitioners. There were no protestants or interested citizens in attendance. Substantive Zoning Advisory Committee ("ZAC") comments were received from the Bureau of Development Plans review ("DPR") and the Department of Planning ("DOP"). Neither agency opposed the request.

The site is approximately 2.41 acres and is zoned BM-IM. The property is situated at the corner of Dolfield Boulevard and Red Run Boulevard. At present, the site is unimproved and is surrounded by commercial and industrial uses. Petitioners propose to construct a High's fuel

ORDER RECEIVED FOR FILING

Date 3-21-19

By 100

service station with car wash and convenience store. These uses are permitted by special exception in the BM-IM zone.

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.

Wayne Newton, a professional engineer accepted as an expert, testified (via proffer) Petitioners satisfied all requirements set forth in BCZR Sections 405 and 502.1, and that any detrimental impact to the community caused by the proposed uses would be no worse here than at other BM zoned properties in the area. In the absence of any evidence to the contrary, the petition will be granted.

The DOP's ZAC comment will be included as a condition to the relief granted below. The DPR raised in its ZAC comment an issue regarding improvements being proposed "on top of an existing storm drain outfall." Counsel indicated Petitioners were aware of this issue, and that the storm water management easement area would be relocated during the DRC process.

THEREFORE, IT IS ORDERED this 21st day of **March, 2019**, by this Administrative Law Judge, that the Petition for Special Exception pursuant to Sections 405 and 502.1 of the BCZR: (1) to approve a special exception for a fuel service station; (2) to approve a special exception for a full service car was as a use in combination with a fuel service station; and (3) to approve a

ORDER RECEIVED FOR FILING

Date 3-21-19

By lw

special exception for a fast food restaurant as a use in a combination with a fuel service station, 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 prior to issuance of permits comply with the ZAC comment submitted by the DOP, a copy of which is attached.

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



JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

JEB/sln/dlw

ORDER RECEIVED FOR FILING

Date 3-21-19

By lw



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 11250 and 11254 Dolfield Boulevard which is presently zoned BM-IM
Deed References: See attached 10 Digit Tax Account # See attached
Property Owner(s) Printed Name(s) Merritt-M15, LLC

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

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

1. ☐ a **Special Hearing** under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve
2. ☒ a **Special Exception** under the Zoning Regulations of Baltimore County to use the herein described property for
Please see attached.
3. ☐ a **Variance** from Section(s)

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

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:

High's of Baltimore, LLC
Name- Type or Print
John Phelps
Signature
2700 Loch Raven Road, Baltimore, MD
Mailing Address City State
21218 / 888-235-8900 /
Zip Code Telephone # Email Address

Legal Owners (Petitioners):

Merritt-M15, LLC
Name #1 - Type or Print Name #2 - Type or Print
[Signature] /
Signature #1 Signature #2
2066 Lord Baltimore Drive, Baltimore, MD
Mailing Address City State
21244 / 410-298-2600 /
Zip Code Telephone # Email Address

Attorney for Petitioner:

Dino C. La Fiandra, Esquire
The Law Office of Dino C. La Fiandra, LLC
Name- Type or Print
[Signature]
Signature
100 W. Pennsylvania Avenue, Suite 305
Towson, Maryland 21204
Mailing Address City State
21204 / 443-204-3473 / dcl@lafiandralaw.com
Zip Code Telephone # Email Address

Representative to be contacted:

Dino C. La Fiandra, Esquire
The Law Office of Dino C. La Fiandra, LLC
Name- Type or Print
[Signature]
Signature
100 W. Pennsylvania Avenue, Suite 305
Mailing Address City State
21204 / 443-204-3473 / dcl@lafiandralaw.com
Zip Code Telephone # Email Address

CASE NUMBER 2019-0189-X Filing Date 12/13/18 Do Not Schedule Dates: Reviewer JF

Petition for Zoning Hearing
Continuation Sheet

11250 and 11254 Dolfield Road

Property Data:

The Petition for Zoning Hearing involves portions of the following tax parcels, as shown on the Plan to Accompany Petition for Zoning Hearing.

Deed Reference	Address	Tax Account	Tax Map and Parcel
20814/1	11250 Dolfield Road	2300009192	Map 58, Parcel 916, Lot 7
27142/350	11254 Dolfield Road	0420080175	Map 58, Parcel 782
27142/350	11254 Dolfield Road	0420080200	Map 58, Parcel 789

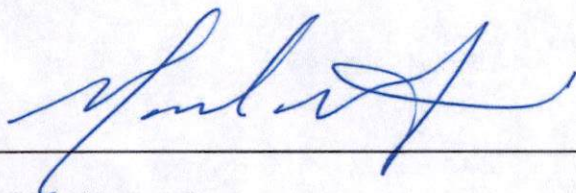
Petition for Special Exception:

1. To approve a special exception for a fuel service station pursuant to BCZR § 405.2.B.1.
2. To approve a special exception for a full service car wash as a use in combination with a fuel service station pursuant to BCZR § 405.4.E.3.
3. To approve a special exception for a fast food restaurant as a use in combination with a fuel service station pursuant to BCZR § 405.4.E.10.

BM-IM ZONING PROPERTY DESCRIPTION FOR
PART OF HIGH'S AT DOLFIELD - OWINGS MILLS
@ RED RUN BOULEVARD & DOLFIELD BOULEVARD

Beginning at a point on the south side of Red Run Boulevard which is 110' wide at the distance of 375' west of the centerline of the nearest improved intersecting street Dolfield Boulevard which is variable width. Thence the following courses and distances: South 67°43'19" East, 133.28', South 61°45'24" East, 153.70', South 14°22'31" West, 331.84', North 76°02'16" West, 252.49', North 16°37'34" East, 82.08', North 54°54'43" West, 75.17', North 22°09'49" East, 282.84' back to the point of beginning as recorded in Deed Liber 27142, Folio 350, and as surveyed by others, containing 105,394 square feet. Located in the 4th Election District and 4th Council District.

This description was prepared by me or under my direct supervision.



Michael James Gates

12-13-18

Date

Maryland Registered Professional Land Surveyor #21240

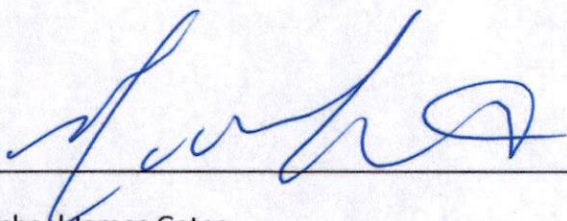
My commission expires 1-18-19.



ML-IM ZONING PROPERTY DESCRIPTION FOR
PART OF HIGH'S AT DOLFIELD – OWINGS MILLS
@ RED RUN BOULEVARD & DOLFIELD BOULEVARD

Beginning at a point South 22°09'49" West 338.28' from the south side of Red Run Boulevard which is 110' wide at the distance of 375' west of the centerline of the nearest improved intersecting street Dolfield Boulevard which is variable width. Thence the following courses and distances: North 22°09'49" East, 55.44', South 54°54'43" East, 75.17, South 16°37'34" West, 82.08', North 39°53'41" West, 91.90' back to the point of beginning as recorded in Deed Liber 27142, Folio 350, and as surveyed by others, containing 5,176 square feet. Located in the 4th Election District and 4th Council District.

This description was prepared by me or under my direct supervision.



Michael James Gates

12-13-18

Date

Maryland Registered Professional Land Surveyor #21240

My commission expires 1-18-19.



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

No. **177769**

Date: **12/13/18**

PAID RECEIPT

BUSINESS ACTUAL TIME DRW
 12/13/2018 12/13/2018 09:14:49 5

REG HSCS WALKIN LRB
 >>RECEIPT # 986627, 12/13/2018 OFLN

Dept 5 520 ZONING VERIFICATION
 CR NO 177769

Fund	Dept	Unit	Sub Unit	Rev Source/Obj	Sub Rev/Obj	Dept-Obj	BS.Acct	Amount
001	80	0000		6152				500

Recpt Tot \$ 500.00
 500.00 CK .00 CA
 Baltimore County, Maryland

Total: **500**

Rec From: **High 6 Site Permits.**

For: **11250 & 11254 Delfield Rd.
 petition for special Exception**

Case 2019-0189 - X

DISTRIBUTION

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

**CASHIER'S
 VALIDATION**

Debra Wiley

From: SGT ROBERT BLACK <1opie@comcast.net>
Sent: Thursday, March 7, 2019 9:38 AM
To: Dino La Fiandra; Administrative Hearings
Subject: Recertification's For 2019-0189-X
Attachments: Re-Cert 1 2019-0189-X.doc; Re-Cert 2 2019-0189-X.doc

Recertification's for 11250 & 11254 Dolfield Boulevard. Thanks

CERTIFICATE OF POSTING

2019-0189-X

RE: Case No.: _____

Petitioner/Developer: _____

Merritt-M15, LLC
High's Of Baltimore, LLC

March 7, 2019

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:

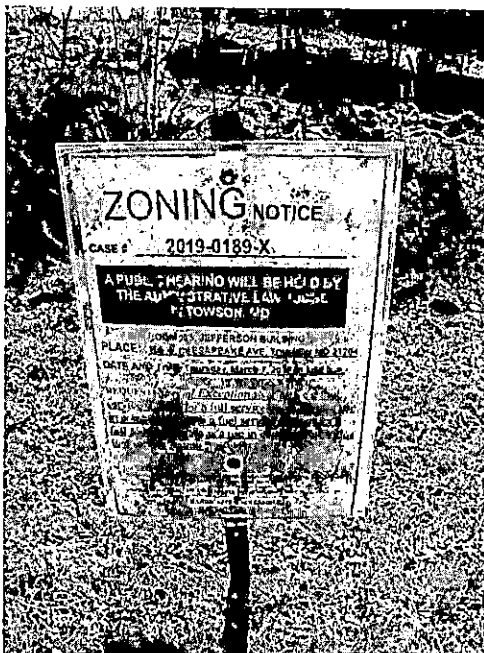
Ladies and Gentlemen:

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: _____

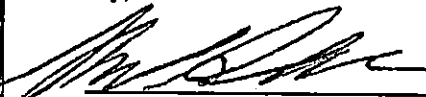
11250 & 11254 Dolfield Boulevard **SIGN 1 Recertification**

February 15, 2019

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



Sincerely,

 March 5, 2019
(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

2019-0189-X

RE: Case No.: _____

Petitioner/Developer: _____

Merritt-M15, LLC
High's Of Baltimore, LLC

March 7, 2019

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:

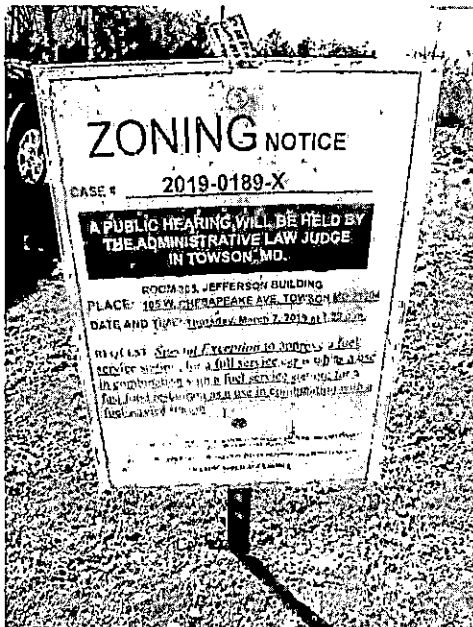
Ladies and Gentlemen:

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: _____

11250 & 11254 Dolfield Boulevard **SIGN 2 Recertification**

February 15, 2019

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



Sincerely,

 March 5, 2019
(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

2019-0189-X

RE: Case No.: _____

Petitioner/Developer: _____

**Merritt-M15, LLC
High's Of Baltimore, LLC**

March 7, 2019

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: _____

11250 & 11254 Dolfield Boulevard

SIGN 1

February 15, 2019

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



Sincerely,

February 15, 2019

(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

2019-0189-X

RE: Case No.: _____

Petitioner/Developer: _____

**Merritt-M15, LLC
High's Of Baltimore, LLC**

March 7, 2019

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: _____

11250 & 11254 Dolfield Boulevard

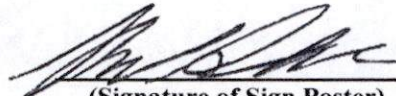
SIGN 2

February 15, 2019

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



Sincerely,

 February 15, 2019
(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

2019-0189-X

RE: Case No.: _____

Petitioner/Developer: _____

Merritt-M15, LLC
High's Of Baltimore, LLC

March 7, 2019

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:

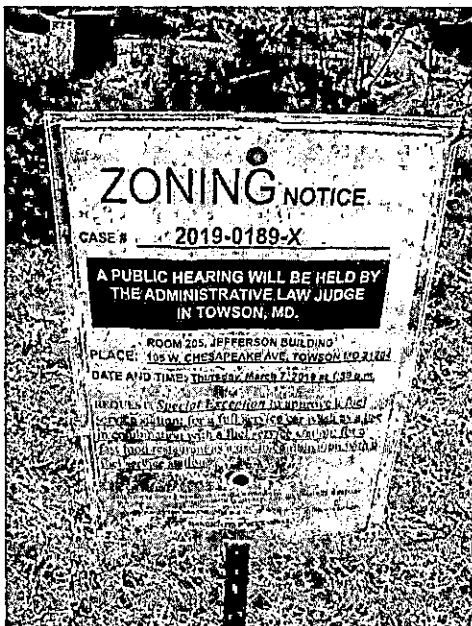
This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at: _____

11250 & 11254 Dolfeld Boulevard

SIGN 1

February 15, 2019

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



Sincerely,

February 15, 2019

(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

2019-0189-X

RE: Case No.: _____

Petitioner/Developer: _____

Merritt-M15, LLC
High's Of Baltimore, LLC

March 7, 2019

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:

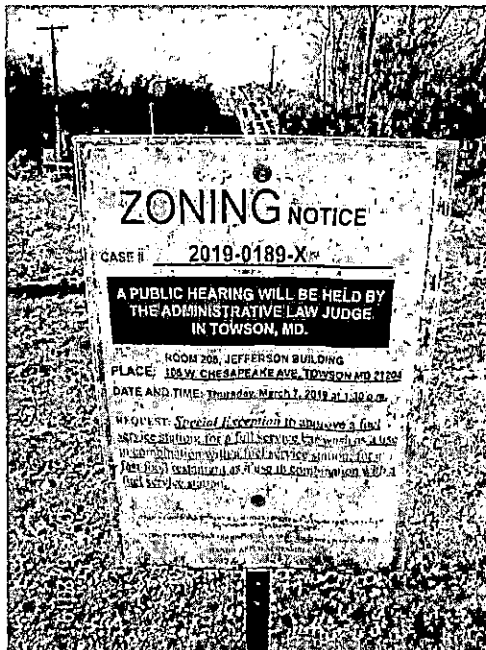
This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at: _____

11250 & 11254 Dolfeld Boulevard

SIGN 2

February 15, 2019

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



Sincerely,

February 15, 2019

(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:

2/15/2019

Order #: 11699344
 Case #: 2019-0189-X
 Description:

NOTICE OF ZONING HEARING CASE NUMBER: 2019-0189-X



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: 2019-0189-X

11250 & 11254 Dolfield Boulevard

S/s Red Run Boulevard, west of centerline of Dolfield Blvd.

4th Election District - 4th Councilmanic District

Legal Owners: Merritt-M15, LLC

Contract Purchaser/Lessee: High's of Baltimore, LLC

Special Exception to approve a fuel service station; for a full service car wash as a use in combination with a fuel service station; for a fast food restaurant as a use in combination with a fuel service station.

Hearing: Thursday, March 7, 2019 at 1:30 p.m. in Room 205, Jefferson Building, 105 West Chesapeake Avenue, Towson 21204

Mike Mohler

Director of Permits, Approvals and Inspections for Baltimore County

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

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

f15



JOHN A. OLSZEWSKI, JR.
County Executive

MICHAEL MOHLER, *Director*
Department of Permits,
Approvals & Inspections

February 6, 2019

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: 2019-0189-X

11250 & 11254 Dolfield Boulevard

S/s Red Run Boulevard, west of centerline of Dolfield Blvd.

4th Election District – 4th Councilmanic District

Legal Owners: Merritt-M15, LLC

Contract Purchaser/Lessee: High's of Baltimore, LLC

Special Exception to approve a fuel service station; for a full service car wash as a use in combination with a fuel service station; for a fast food restaurant as a use in combination with a fuel service station.

Hearing: Thursday, March 7, 2019 at 1:30 p.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

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

Mike Mohler
Director

AJ:kl

C: Dino LaFiandra, 100 W. Pennsylvania Avenue, Ste. 305, Towson 21204
High's of Baltimore, 2700 Loch Raven Rd., Baltimore 21218
Merritt-M-15, LLC, 2066 Lord Baltimore Drive, Baltimore 21244

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY FRIDAY, FEBRUARY 15, 2019.**
- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ADMINISTRATIVE HEARINGS OFFICE AT 410-887-3868.
- (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

TO: THE DAILY RECORD
Friday, February 15, 2019 - Issue

Please forward billing to:

Dino LaFiandra
LaFiandra Law, LLC
100 W. Pennsylvania Avenue, Ste. 305
Towson, MD 21204

443-204-3473

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: 2019-0189-X

11250 & 11254 Dolfield Boulevard
S/s Red Run Boulevard, west of centerline of Dolfield Blvd.
4th Election District – 4th Councilmanic District
Legal Owners: Merritt-M15, LLC
Contract Purchaser/Lessee: High's of Baltimore, LLC

Special Exception to approve a fuel service station; for a full service car wash as a use in combination with a fuel service station; for a fast food restaurant as a use in combination with a fuel service station.

Hearing: Thursday, March 7, 2019 at 1:30 p.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204



Mike Mohler
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.

PETITION FOR SPECIAL EXCEPTION * BEFORE THE OFFICE
1250 & 11254 Dolfield Blvd; S/S of Red
Run Blvd, 375' W of c/line of Dolfield Blvd * OF ADMINISTRATIVE
4th Election & 4th Councilmanic Districts
Legal Owner(s): Merritt-M15, LLC * HEARINGS FOR
Contract Purchaser: Highs of Baltimore, LLC
Petitioner(s) * BALTIMORE COUNTY
* 2019-189-X

* * * * *

ENTRY OF APPEARANCE

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

RECEIVED
DEC 18 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 18th day of December, 2018, a copy of the foregoing Entry of Appearance was mailed to Dino LaFiandra, Esquire, 100 West Pennsylvania Avenue, Suite 305, Towson, Maryland 21204, Attorney for Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

**DEPARTMENT OF PERMITS, APPROVALS AND INSPECTIONS
ZONING REVIEW 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: 2019-0189-X
Property Address: 11250/11254 Dolfelt Blvd.
Property Description: _____

Legal Owners (Petitioners): Merritt - M15, LLC
Contract Purchaser/Lessee: Highs of Baltimore, LLC

PLEASE FORWARD ADVERTISING BILL TO:

Name: DINO C. LAFIANDRA
Company/Firm (if applicable): The Law Office of Dino C. LAFIANDRA, LLC
Address: 100 W. Pennsylvania Avenue, Suite 305
Towson MD 21204

Telephone Number: 443 2043473



JOHN A. OLSZEWSKI, JR.
County Executive

MICHAEL MOHLER, *Director*
Department of Permits,
Approvals & Inspections

February 28, 2019

Dino C. La Fiandra, Esquire
100 W. Pennsylvania Ave Suite 305
Towson MD 21204

RE: Case Number: 2019-0189-X,

To Whom It May Concern:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on December 13, 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,

A handwritten signature in black ink, appearing to read "W. Carl Richards, Jr.", is written over a horizontal line.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR/kl

Enclosures

c: People's Counsel
Merritt-M 15 LLC 2066 Lord Baltimore Drive, Baltimore MD 21244
High's of Baltimore LLC 2700 Loch Raven Road, Baltimore MD 21218

3-7

BALTIMORE COUNTY, MARYLAND INTER-OFFICE MEMORANDUM

TO: Mike Mohler
Acting Director, Permits, Approvals and Inspections

DATE: 2/1/2019

FROM: Jeff Mayhew
Acting Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 19-189



INFORMATION:

Property Address: 11250 & 11254 Dolfield Blvd.
Petitioner: Merritt-M15, LLC
Zoning: BM IM
Requested Action: Special Exception

The Department of Planning has reviewed the petition for Special Exception to use the property for a fuel service station; a full service car wash as a use in combination with a fuel service station and a fast food restaurant in combination with a fuel service station.

A site visit was conducted on December 20, 2018. The site is within the Master Plan 2020 designated Red Run Employment Corridor.

The Department has no objection to granting the petitioned zoning relief conditioned upon the following:

- Provide a landscape and lighting plan to the Baltimore County Landscape Architect for review and approval. Landscaping should be prevalent along the Red Run Blvd frontage in order to provide adequate screening of the dumpster and vacuum area.
- Provide building elevations for the primary store, canopy, dumpster enclosure, and car wash to the Department of Planning to the contact person listed below prior to issuance of building permits.
- Provide to the contact person listed below details for all for all proposed signage prior to applying for sign permits.
- Through the use of pavement striping or contrasting materials, pedestrian walkways should be integrated into the larger site plan. There is a proposed plan for additional restaurant and retail adjacent to the gas station. Consider providing crosswalks at all site ingress/egress points to provide safe pedestrian access throughout the site.
- No temporary freestanding signs shall be permitted along Dolfield Blvd and Red Run Blvd frontages.

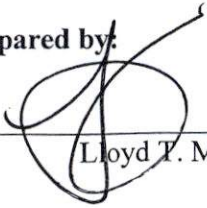
ORDER RECEIVED FOR FILING

Date 3-21-19

By [Signature]

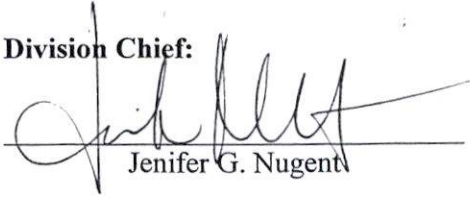
For further information concerning the matters stated herein, please contact Bill Skibinski at 410-887-3480.

Prepared by:



Lloyd T. Moxley

Division Chief:



Jenifer G. Nugent

JM/JGN/LTM/

c: Bill Skibinski
James Hermann, R.L.A., Department of Permits, Approvals and Inspections
Dino C. La Fiandra, Esq.
Office of the Administrative Hearings
People's Counsel for Baltimore County

ORDER RECEIVED FOR FILING

Date 3-21-19

By lw

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE MEMORANDUM

TO: Mike Mohler
Acting Director, Permits, Approvals and Inspections

DATE: 2/1/2019

FROM: Jeff Mayhew
Acting Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 19-189

INFORMATION:

Property Address: 11250 & 11254 Dolfield Blvd.
Petitioner: Merritt-M15, LLC
Zoning: BM IM
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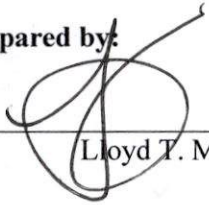
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Date: 2/1/2019
Subject: ZAC #
Page 2

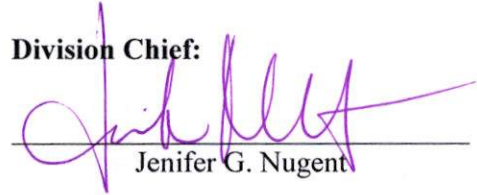
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Prepared by:



Lloyd T. Moxley

Division Chief:



Jenifer G. Nugent

JM/JGN/LTM/

c: Bill Skibinski
James Hermann, R.L.A., Department of Permits, Approvals and Inspections
Dino C. La Fiandra, Esq.
Office of the Administrative Hearings
People's Counsel for Baltimore County

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE MEMORANDUM

TO: Mike Mohler
Acting Director, Permits, Approvals and Inspections

FROM: Jeff Mayhew
Acting Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 19-189

DATE: 2/1/2019

INFORMATION:

Property Address: 11250 & 11254 Dolfield Blvd.
Petitioner: Merritt-M15, LLC
Zoning: BM IM
Requested Action: Special Exception

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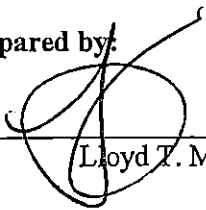
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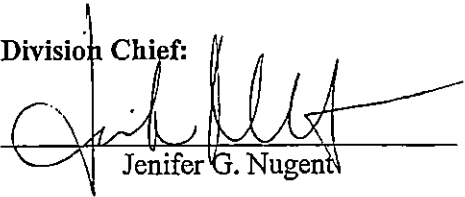
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Prepared by:



Lloyd T. Moxley

Division Chief:



Jenifer G. Nugent

JM/JGN/LTM/

c: Bill Skibinski
James Hermann, R.L.A., Department of Permits, Approvals and Inspections
Dino C. La Fiandra, Esq.
Office of the Administrative Hearings
People's Counsel for Baltimore County

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

TO: Michael Mohler, Acting Director
Department of Permits, Approvals

FROM: *MCD*
Vishnu Desai, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
For December 24, 2018
Item No. 2019-0189-X

DATE: Jan 17, 2019

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

If Special Exception is granted, a Landscape Plan is required per the requirements of the Landscape Manual. A Lighting Plan is also required.

The record plat shows several easements. The Developer must demonstrate that the easements have been recorded and added to the proposed plan. It appears the developer is proposing a parking lot on top of an existing storm drain outfall without moving the outfall. Record plat 73/88 shows this information.

* * * * *

VKD: cen
cc: file

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: December 27, 2018

SUBJECT: DEPS Comment for Zoning Item # 2019-0189-X
Address 11250 & 11254 Dolfield Blvd.
(Merritt-M15, LLC Property)

Zoning Advisory Committee Meeting of **December 24, 2018**.

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

Reviewer: Steve Ford

CASE NAME 11250 + 11254 DelField Blvd.
CASE NUMBER 2019-CR9-X
DATE 3-20-19 - 10 Am

NAME

CITY, STATE, ZIP

E - MAIL

[illegible]

C H E C K L I S TComment
ReceivedDepartmentSupport/Oppose/
Conditions/
Comments/
No Comment

1/17

DEVELOPMENT PLANS REVIEW
(if not received, date e-mail sent _____)

Comment

12/27

DEPS
(if not received, date e-mail sent _____)

N/C

2/1

FIRE DEPARTMENT
PLANNING
(if not received, date e-mail sent _____)No Objection
w/ conditions

STATE HIGHWAY ADMINISTRATION

TRAFFIC ENGINEERING

COMMUNITY ASSOCIATION

ADJACENT PROPERTY OWNERS

ZONING VIOLATION (Case No. _____)

PRIOR ZONING (Case No. _____)

NEWSPAPER ADVERTISEMENT Date: 2/15/19

Daily Record

SIGN POSTING (1st) Date: 2/15/19

by SSG Black

SIGN POSTING (2nd) Date: 3/5/19

by SSG Black

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: Exempt Class:		Special Tax Recapture: NONE			
Account Identifier:		District - 04 Account Number - 2300009192			
Owner Information					
Owner Name:		MERRITT-M15LLC		Use: Principal Residence:	
Mailing Address:		2066 LORD BALTIMORE DR BALTIMORE MD 21244-2501		Deed Reference: /20814/ 00001	
Location & Structure Information					
Premises Address:		11250 DOLFIELD BLVD OWINGS MILLS MD 0-0000		Legal Description: 21.967 AC 11250 DOLFIELD BLVD WS RIPARIUS CNTR @ OWGS MLS	
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section: Block: Lot: Assessment Year: Plat No: Plat Ref:
0058	0013	0916		0000	7 2017 0072/ 0135
Special Tax Areas:				Town: Ad Valorem: Tax Class:	
Primary Structure Built		Above Grade Living Area		Finished Basement Area	
				Property Land Area 21.9700 AC	
County Use 08					
Stories	Basement	Type	Exterior	Full/Half Bath	Garage
Last Major Renovation					
Value Information					
Base Value		Value		Phase-In Assessments	
		As of 01/01/2017		As of 07/01/2018	
				As of 07/01/2019	
Land:	5,754,600	5,754,600			
Improvements	0	0			
Total:	5,754,600	5,754,600		5,754,600	
Preferential Land:	0			5,754,600	
Transfer Information					
Seller: RED RUN ASSOCIATES LLC		Date: 10/12/2004		Price: \$5,700,000	
Type: ARMS LENGTH MULTIPLE		Deed1: /20814/ 00001		Deed2:	
Seller:		Date:		Price:	
Type:		Deed1:		Deed2:	
Seller:		Date:		Price:	
Type:		Deed1:		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:					

Real Property Data Search

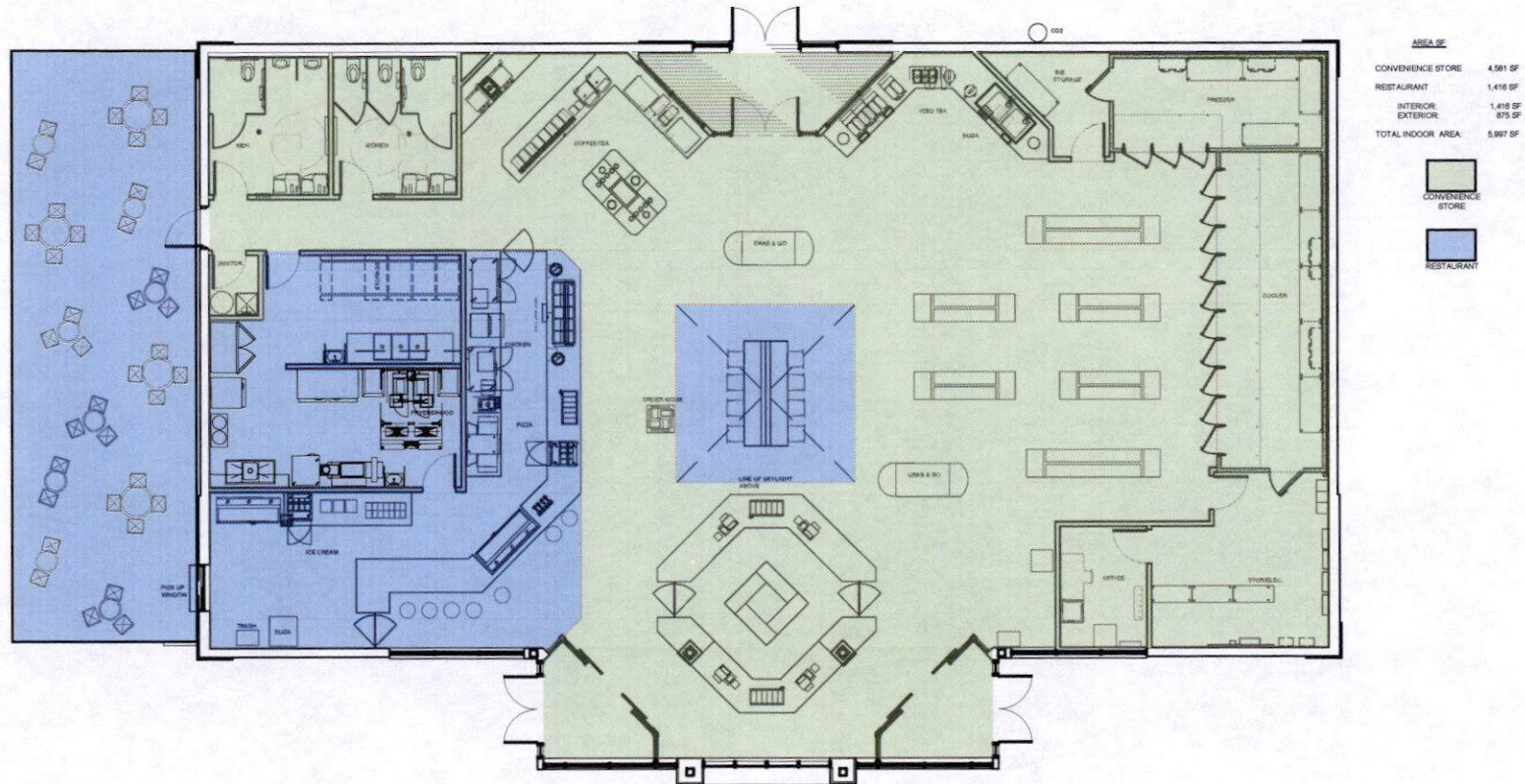
Search Result for BALTIMORE COUNTY

View Map				View GroundRent Redemption				View GroundRent Registration			
Tax Exempt:				Special Tax Recapture:							
Exempt Class:				NONE							
Account Identifier:				District - 04 Account Number - 0420080175							
				Owner Information							
Owner Name:				MERRITT-M15 LLC				Use:			
								Principal Residence:			
Mailing Address:				2086 LORD BALTIMORE DR BALTIMORE MD 21244-2501				Deed Reference:			
								/27142/ 00350			
				Location & Structure Information							
Premises Address:				11254 DOLFIELD BLVD 0-0000				Legal Description:			
								1.4 AC 11254 DOLFIELD BLVD 1400FT S OF CHURCH LA			
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section:	Block:	Lot:	Assessment Year:	Plat No:		
0058	0013	0782		0000				2017	Plat Ref:		
Special Tax Areas:				Town:				NONE			
				Ad Valorem:							
				Tax Class:							
Primary Structure Built				Above Grade Living Area				Finished Basement Area			
				1666				Property Land Area			
								1.4000 AC			
								County Use			
								07			
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		
					01/01/2017		07/01/2018		07/01/2019		
Land:			328,800		328,800						
Improvements			0		0						
Total:			328,800		328,800		328,800		328,800		
Preferential Land:			0						0		
Transfer Information											
Seller: DOLLY ENTERPRISES LLC				Date: 06/27/2008				Price: \$2,200,000			
Type: ARMS LENGTH MULTIPLE				Deed1: /27142/ 00350				Deed2:			
Seller: FRITZ LOUIS E,SR				Date: 05/28/2003				Price: \$0			
Type: NON-ARMS LENGTH OTHER				Deed1: /18080/ 00373				Deed2:			
Seller: TURNER JOHN DENNIS,SR				Date: 10/01/1998				Price: \$375,000			
Type: NON-ARMS LENGTH OTHER				Deed1: /13186/ 00288				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:											

Real Property Data Search

Search Result for BALTIMORE COUNTY

View Map			View GroundRent Redemption			View GroundRent Registration			
Tax Exempt: Exempt Class:			Special Tax Recapture: NONE						
Account Identifier:			District - 04 Account Number - 0420080200						
Owner Information									
Owner Name:		MERRITT-M15 LLC			Use: Principal Residence:		COMMERCIAL/RESIDENTIAL NO		
Mailing Address:		2066 LORD BALTIMORE DR BALTIMORE MD 21244-2501			Deed Reference:		/27142/ 00350		
Location & Structure Information									
Premises Address:		11250 DOLFIELD BLVD 0-0000			Legal Description:		1.10 AC 11250 DOLFIELD BLVD 130FT S OF TOLLGATE RD		
Map: 0058	Grid: 0013	Parcel: 0789	Sub District:	Subdivision: 0000	Section:	Block:	Lot:	Assessment Year: 2017	Plat No: Plat Ref:
Special Tax Areas:					Town: Ad Valorem: Tax Class:		NONE		
Primary Structure Built		Above Grade Living Area 1952			Finished Basement Area		Property Land Area 1.1000 AC		County Use 07
Stories	Basement	Type	Exterior	Full/Half Bath	Garage	Last Major Renovation			
Value Information									
		Base Value		Value As of 01/01/2017		Phase-In Assessments As of 07/01/2018 As of 07/01/2019			
Land:		307,200		307,200					
Improvements		0		0					
Total:		307,200		307,200		307,200		307,200	
Preferential Land:		0						0	
Transfer Information									
Seller: DOLLY ENTERPRISES LLC Type: ARMS LENGTH MULTIPLE				Date: 06/27/2008 Deed1: /27142/ 00350		Price: \$2,200,000 Deed2:			
Seller: FRITZ LOUIS E,SR Type: NON-ARMS LENGTH OTHER				Date: 05/28/2003 Deed1: /18080/ 00373		Price: \$0 Deed2:			
Seller: TURNER JOHN DENNIS,SR Type: NON-ARMS LENGTH OTHER				Date: 10/01/1998 Deed1: /13186/ 00285		Price: \$325,000 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: Exempt Class:			Special Tax Recapture: NONE						
Homestead Application Information									
Homestead Application Status: No Application									
Homeowners' Tax Credit Application Information									
Homeowners' Tax Credit Application Status: No Application					Date:				



L2M
ARCHITECTS
SK-1

FLOOR PLAN
SCALE : 3/16" = 1'-0"

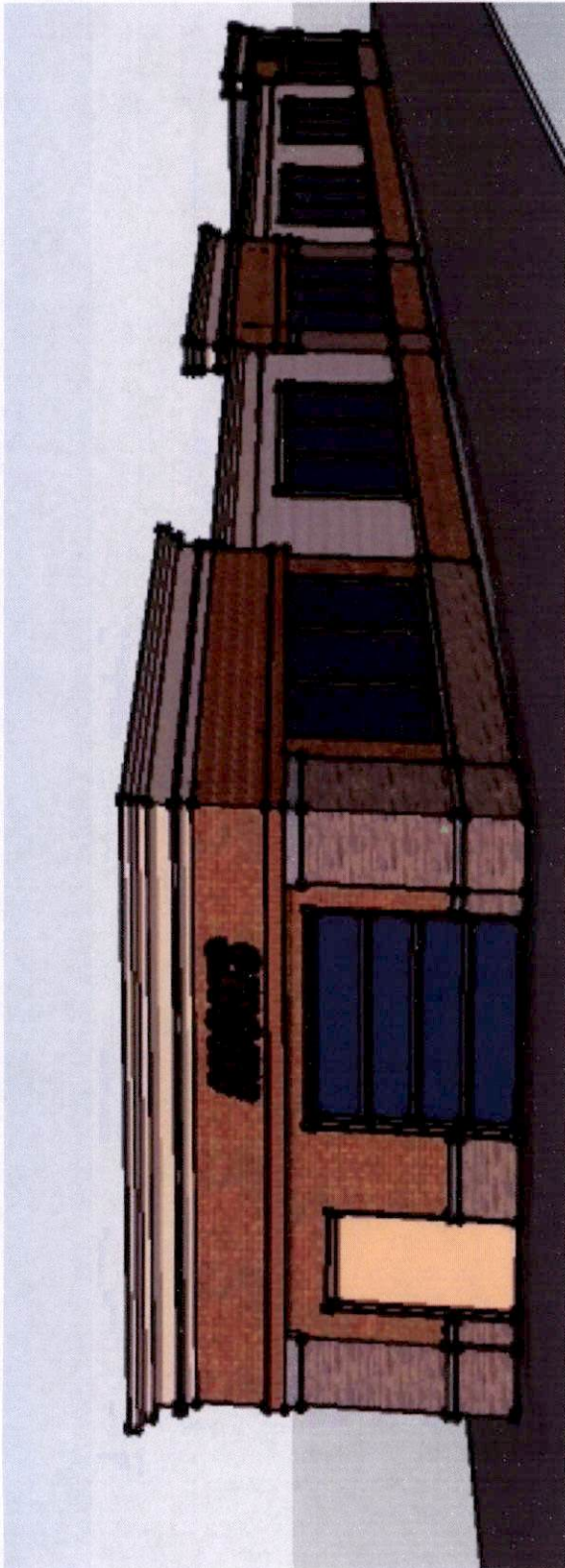
PETITIONER'S

EXHIBIT NO. 2

PETITIONER'S

EXHIBIT NO. 3



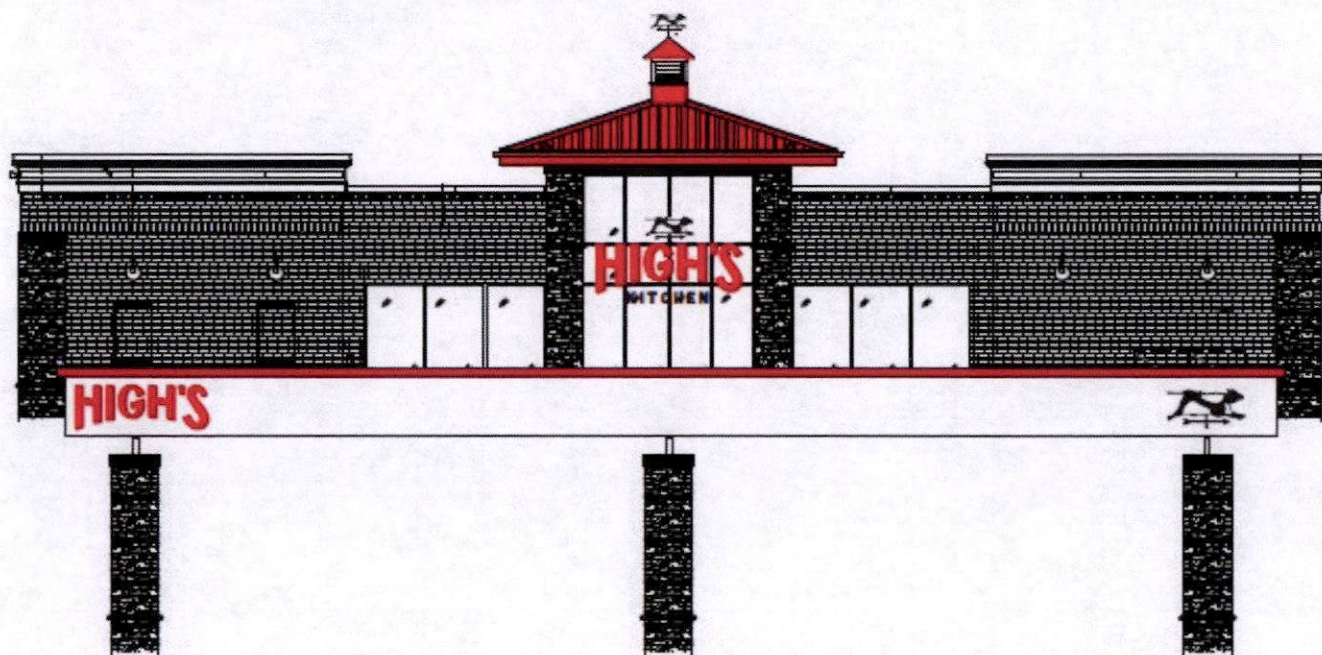


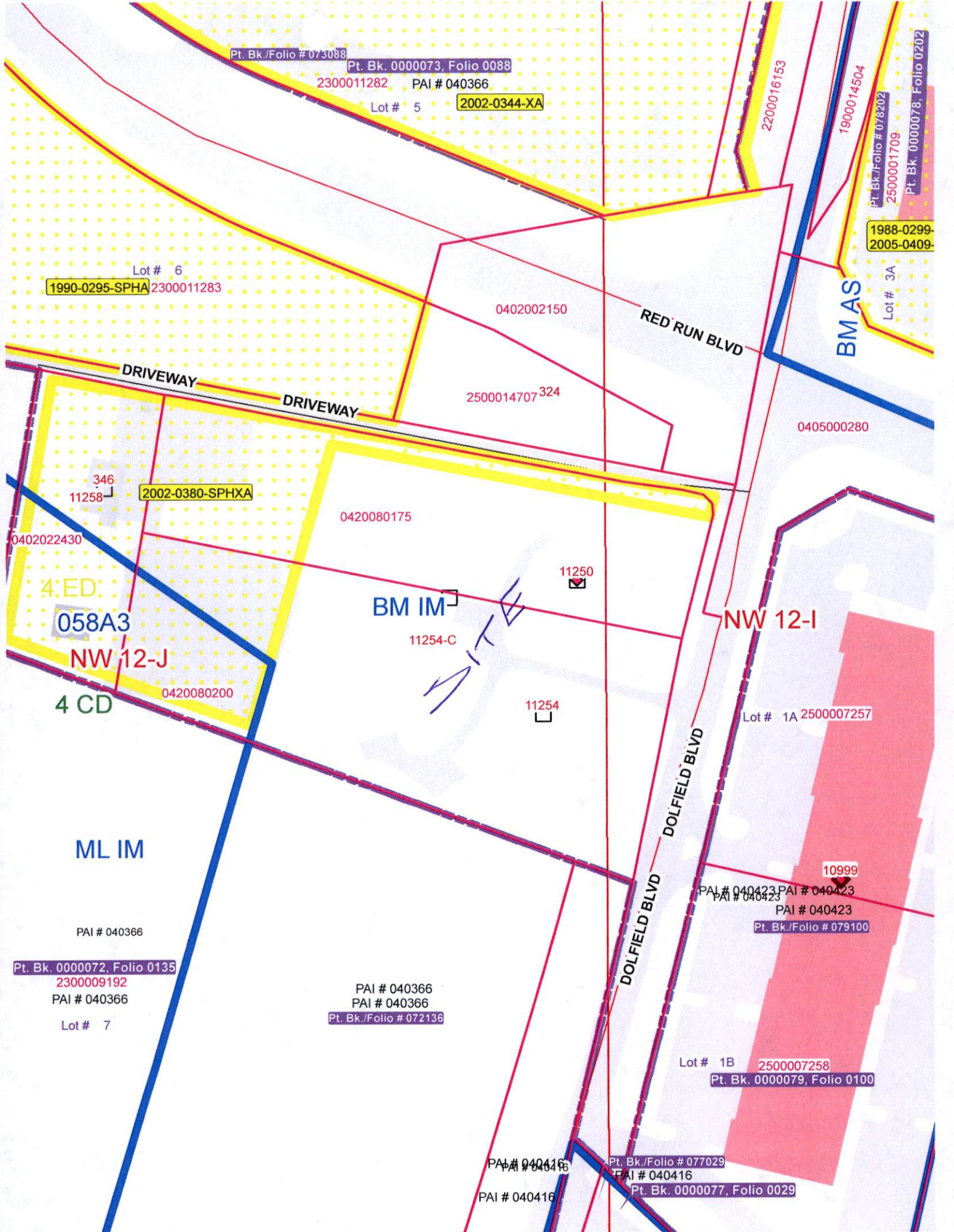
Exterior



HIGH'S

KITCHEN





Pt. Bk./Folio # 073088

Pt. Bk. 0000073, Folio 0088

2300011282

PAI # 040366

Lot # 5

2002-0344-XA

Lot # 6

1990-0295-SPHA

2300011283

0402002150

RED RUN BLVD

BM AS

Lot # 3A

1988-0299-
2005-0409

DRIVEWAY

DRIVEWAY

2500014707³²⁴

0405000280

346

11258

2002-0380-SPHXA

0420080175

0402022430

4 ED

058A3

NW 12-J

4 CD

0420080200

11250

BM IM

11254-C

11254

NW 12-I

Lot # 1A 2500007257

ML IM

PAI # 040366

Pt. Bk. 0000072, Folio 0135

2300009192

PAI # 040366

Lot # 7

PAI # 040366

PAI # 040366

Pt. Bk./Folio # 072136

DOLFIELD BLVD

PAI # 040423

PAI # 040423

PAI # 040423

Pt. Bk./Folio # 079100

10999

Lot # 1B

2500007258

Pt. Bk. 0000079, Folio 0100

PAI # 040416

PAI # 040416

Pt. Bk./Folio # 077029

PAI # 040416

Pt. Bk. 0000077, Folio 0029

PUD (VARIANCES MAY BE RESTRICTED)

Lot # 5

2002-0344-XA 00011282

DMNT
PUD

Pt. Bk./Folio # 073088
Pt. Bk. 0000073, Folio 0088

1990-0295-SPHA

2300011283

PAI # 040366

Lot #

DMNT
PUD

0402002150

RED RUN BLVD

2500014707³²⁴

0405000280

DRIVEWAY

DRIVEWAY

2002-0380-SPHXA

346
11258

0420080175

BM-IM

11250

4 CD

NW-12-I

11254-C

NW 12-J

11254

0420080200

058A3

4 ED

0402022430

ML IM

PAI # 040366

Pt. Bk./Folio # 072136

PAI # 040366

PAI # 040366

Lot # 7

Pt. Bk. 0000072, Folio 0135

PAI # 040366

2300009192

PUD (VARIANCES MAY BE RESTRICTED)

DMNT
PUD

Lot # 1B 2500007258

Pt. Bk. 0000079, Folio 0100

PAI # 040423

Pt. Bk./Folio # 079100

PAI # 040423

PAI # 040423

10999

2500007257

Lot # 1A

DOLFIELD BLVD

DOLFIELD BLVD

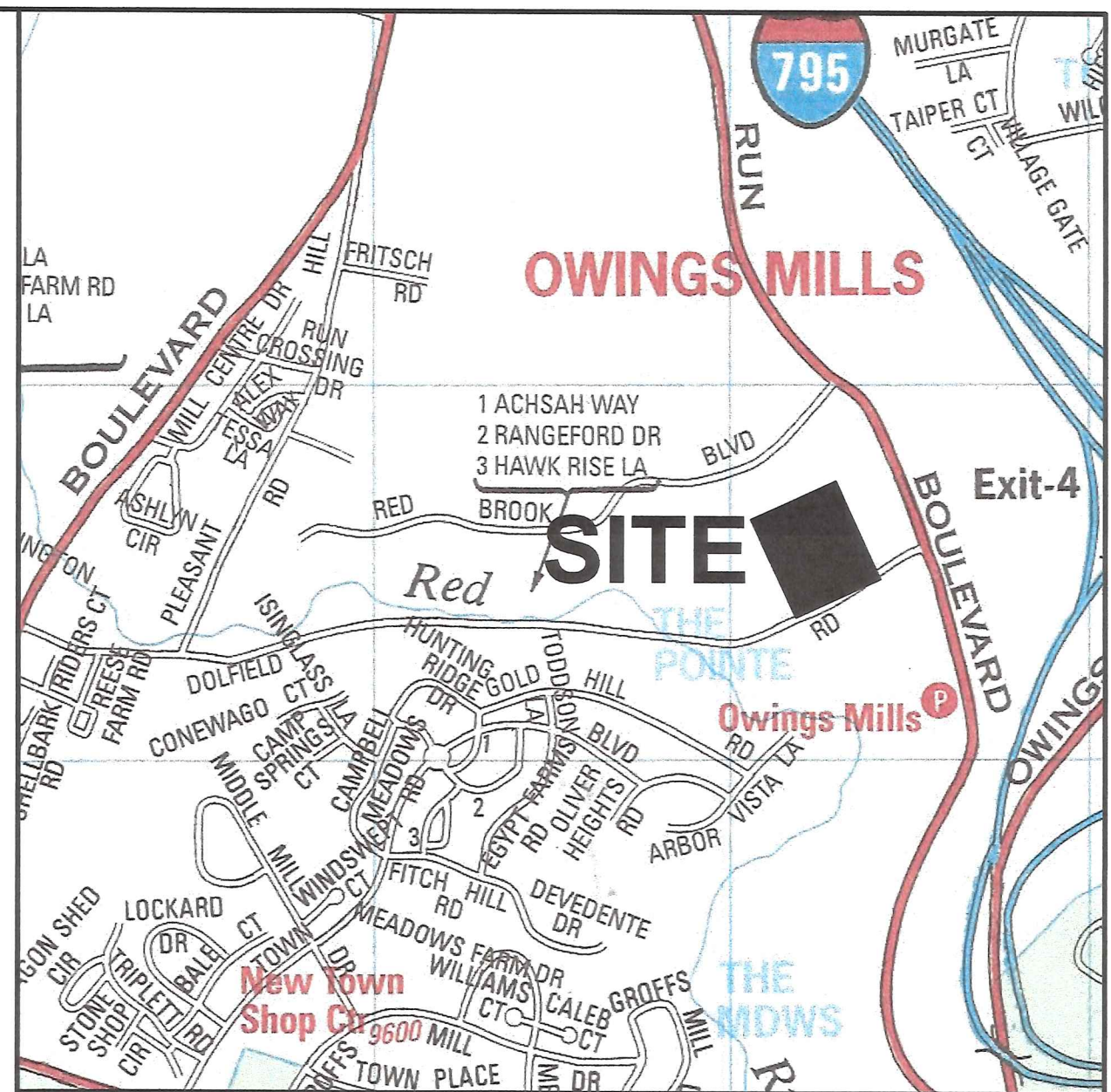
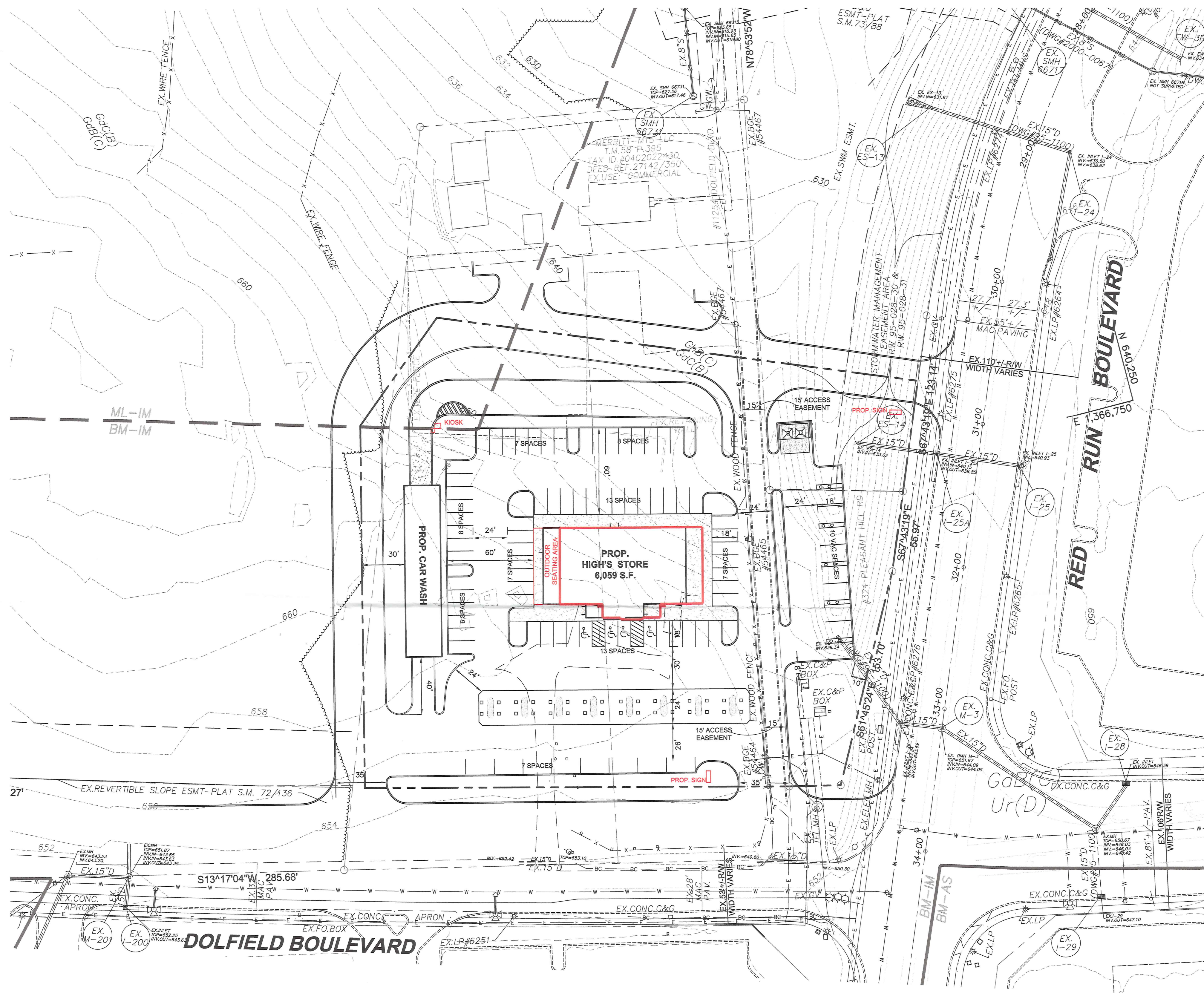
PAI # 040416

PAI # 040416

Pt. Bk./Folio # 077029

PAI # 040416

Pt. Bk. 0000077, Folio 0029



VICINITY MAP
SCALE: 1" = 1000'
ADC PERMITTED USE NUMBER 21003176

SITE DATA TABLE AND GENERAL NOTES

ZONING USE AREA / SITE AREA: 105,042 SQUARE FEET (2.41 ACRES)
ZONING: BM-IM & ML-IM
EXISTING USES: VACANT
PROPOSED USES: FUEL SERVICE STATION WITH ANCILLARY CONVENIENCE STORE (LESS THAN 6,000 SF), AND FULL SERVICE CAR WASH AND FAST FOOD RESTAURANT AS USES IN COMBINATION. THE CONVENIENCE STORE AND THE FAST FOOD RESTAURANT WILL BE LOCATED WITHIN ONE 6,059 SQUARE FOOT BUILDING, WITH 4,649 SQUARE FEET ALLOCATED TO THE CONVENIENCE STORE AND 1,410 SQUARE FEET ALLOCATED TO THE FAST FOOD RESTAURANT (KITCHEN AND FOOD PREP AREAS, ORDERING AND SERVICE AREA, AND INDOOR SEATING).

OWNERSHIP INFORMATION:
THE USE AREA COVERED BY THE PETITION FOR ZONING HEARING INCLUDES PORTIONS OF THE FOLLOWING PROPERTIES

OWNER	PREMISES LOCATION	TAX MAP AND PARCEL	TAX ACCOUNT NUMBER	DEED REFERENCE
MERRITT-M15 LLC	11254 DOLFIELD BLVD	56782	0420081175	27142/350
MERRITT-M15 LLC	11250 DOLFIELD BLVD	56789	0420082200	27143/350
MERRITT-M15 LLC	11250 DOLFIELD BLVD	56916, LOT 7	2300009182	20814/1

PETITIONER:
HIGH'S OF BALTIMORE, LLC
2700 LOCH RAVEN ROAD
BALTIMORE, MARYLAND 21218

LOT SIZE, PARKING AND STACKING DATA TABLE:

USE	SIZE/NUMBER	LOT SIZE REQUIREMENT	LOT SIZE REQUIRED	PARKING REQUIREMENT	PARKING REQUIREMENT	STACKING SPACE REQUIREMENT	STACKING SPACE REQUIRED
FUEL SERVICE SPACE	16 FUEL SERVICE SPACES (NPS)	1500 SF PER FUEL SERVICE SPACE #405.4A	24,000 SF			1 PER MPD #405.4A.3.2.2	16
C-STORE	4,581 SF	4 SF OF LOT AREA PER SF OF C-STORE #58.405.4.D.2	19,524 SF	5 SPACES / 1000 SF OF #405.4.A.3.D.2 AND 1409	22,905 SPACES		
RESTAURANT	2,201 TOTAL 1,410 INTERIOR 791 SF OUTDOOR SEATING	8 SF OF LOT AREA PER SF OF RESTAURANT	13,740 SF	16 PARKING SPACES / 1000 SF OF RESTAURANT 1409	36,688 SPACES		
FULL SERVICE CAR WASH	1 CAR WASH TUNNEL	N/A	N/A	6 FOR DRYING VEHICLES 4 ADDITIONAL SPACES FOR A FULL SERVICE CAR WASH 1419.	10	19 x 419	19
ATM	1 ATM	1000 SF PER ATM	1,000 SF	1 PARKING SPACE PER ATM #405.4.A.3.D.5	1		
SELF SERVICE AIR	1 UNIT	N/A	N/A	1 PARKING SPACE PER ATM #405.4.A.3.D.5	1		
VACUUM	10 UNITS	N/A	N/A	1 PARKING SPACE PER ATM #405.4.A.3.D.5	10		
TOTAL REQUIRED			57,270 SF OF LOT AREA REQUIRED		62 PARKING SPACES REQUIRED		38 STACKING SPACES REQUIRED
TOTAL PROVIDED			105,042 SF OF LOT AREA PROVIDED		60 PARKING SPACES PROVIDED		35 STACKING SPACES PROVIDED

SETBACKS:

FROM	TO	SETBACK REQUIRED	SETBACK PROVIDED
RIGHT OF WAY	MAIN BUILDING	35	116
RIGHT OF WAY	PUMP	25	50
RIGHT OF WAY	CANOPY	15	44
CENTERLINE OF STREET	FRONT OF ANY BUILDING	40	164' +/-
FRONT PROPERTY LINE	FRONT OF ANY BUILDING	15	119'
EXIT OF CAR WASH TUNNEL	NEAREST EXIT DRIVE	50	60' +
SIDE YARD, INTERIOR	ANY BUILDING	0	30
SIDE YARD, CORNER	ANY BUILDING	10	30
REAR YARD	ANY BUILDING	0	60'

PETITIONER'S
EXHIBIT NO. 1

BUILDING HEIGHT: 1 STORY (15 FEET +/-)

BASIC SERVICES DESIGNATIONS: THE PROPERTY IS NOT IN ANY FAILING OR DEFICIENT AREA ON ANY BASIC SERVICES MAP.

ZONING CASE HISTORY: 02-380-SPHXA - SPECIAL HEARING AND VARIANCES TO OPERATE A SERVICE A SERVICE GARAGE, GRANTED BY THE ZONING COMMISSIONER ON MAY 31, 2002.

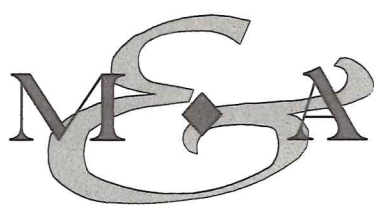
THE NEAREST RESIDENTIAL ZONE BOUNDARY IS IN EXCESS OF 500 FEET FROM THE SITE.

THE FUEL SERVICE STATION PROVIDE A REST ROOM FACILITY, WATER, AND COMPRESSED AIR FOR CUSTOMERS.

* = EXIT OF TUNNEL TO EDGE OF PERIMETER ACCESS DRIVE

REVISION NO.	REVISION DESCRIPTION	REVISION BY	REVISION DATE	APPROVED BY	APPROVAL DATE

MESSICK & ASSOCIATES
CONSULTING ENGINEERS
SURVEYORS & PLANNERS
7 OLD SOLOMONS ISLAND ROAD - STE 202
ANNAPOLIS, MARYLAND 21401
(410) 266-3212 *
FAX (410) 266-3502
email: info@messickandassociates.com



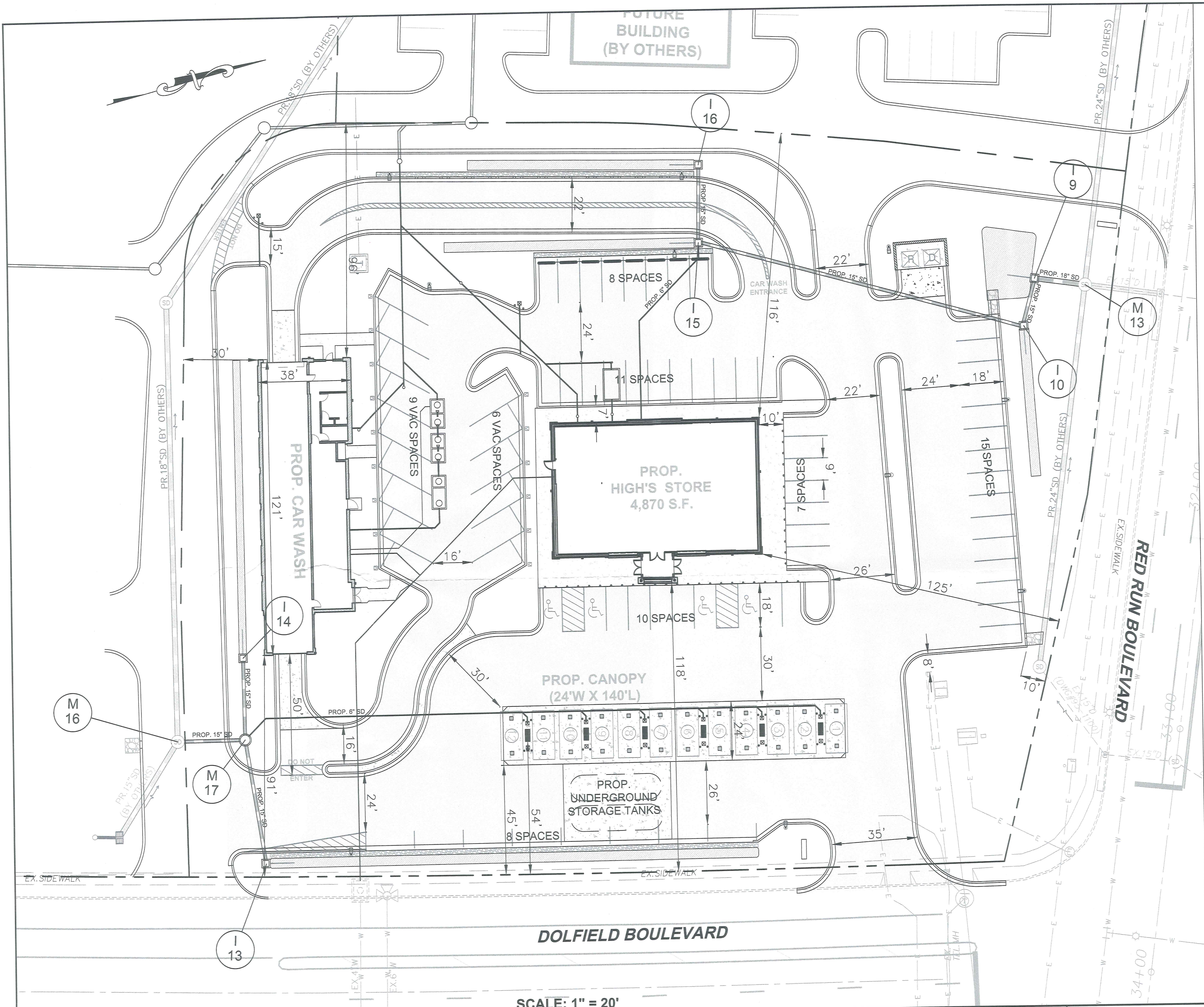
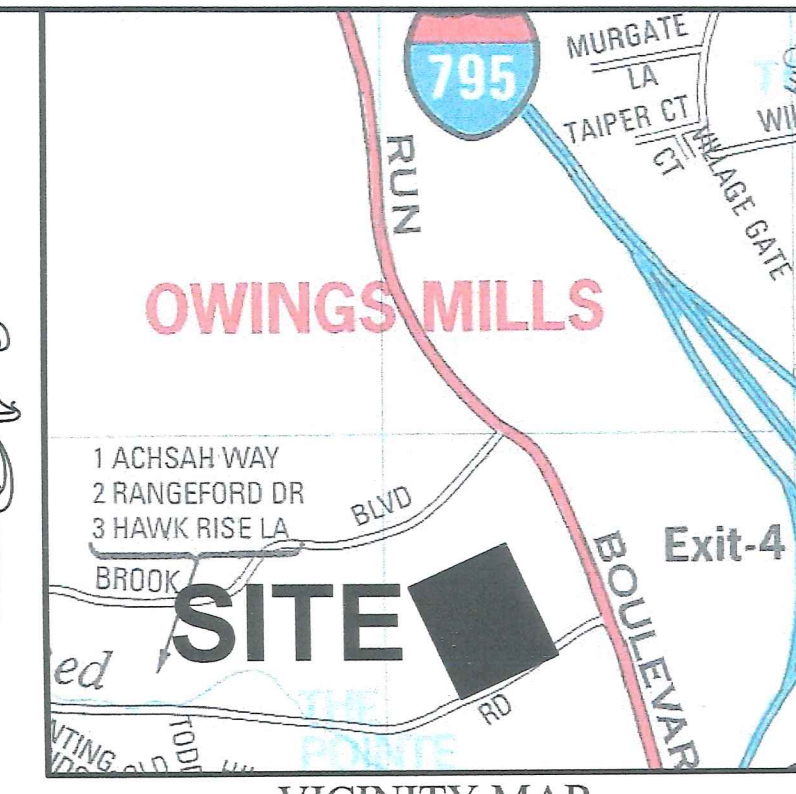
* MESSICK GROUP, INC. T/A MESSICK AND ASSOCIATES

OWNER
MERRITT-M15 LLC
2066 LORD BALTIMORE DR
BALTIMORE, MD 21244

PLAN TO ACCOMPANY PETITION
FOR ZONING HEARING

HIGH'S @ DOLFIELD
OWINGS MILLS

TAX MAP: 0058 GRID: 13 PARCEL: 0916 ZONED: BM - IM
BALTIMORE COUNTY, MARYLAND 21244
SCALE: AS SHOWN DATE: APRIL 2018 SHEET: 1 OF 3



Lot size, parking and stacking data table:						
Use	Size/Number	Lot Size Requirement	Lot Size Required	Parking Requirement	Parking Required	Stacking Space Requirement
Fuel Service Spaces	12 Fuel Service Spaces (MPDs)	1500 sf per Fuel Service Space § 405.4.A	18,000 sf			1 per MPD §405.4.A.3.c.2
C-store with carry-out	4870 square feet	4 square feet of lot area per square foot of store §405.4.D.2	19,480 sf	5 spaces / 1000 sf of store §405.4.D.2 and §409	24.35 spaces	
Full Service Car Wash	1 car wash tunnel			6 for drying vehicles; 4 additional spaces for a full service car wash §419	10 spaces	19 §419
ATM	1 ATM	1000 sf per ATM	1000 sf	1 parking space per ATM §405.4.A.3.d.5	1	
Self Service Air	1 Unit			1 parking space per unit §405.4.A.3.d.5	1	
Vacuum	15 units			1 parking space per unit §405.4.A.3.d.5	15	
Total Required			38,480 sf of lot area required		52 (51.35) parking spaces required	27 stacking spaces provided
Total Provided			105,042 sf of lot area provided		74 parking spaces provided	27 stacking spaces provided

Setbacks:			
From	To	Setback required	Setback provided
Right of way	Main Building	35	118
Right of way	Pump	25	54
Right of way	Canopy	15	45
Centerline of street	Front of any building	40	138
Front property line	Front of any building	15	91
Exit of car wash tunnel	Nearest exit drive	50	50
Side yard, interior	Any building	0	30
Side yard, corner	Any building	10	30
Rear yard	Any building	0	96

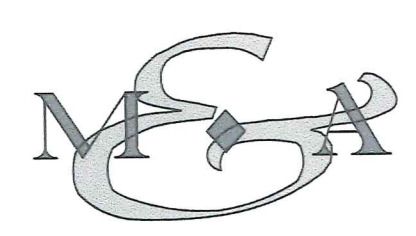
APPROVED 2/12/21 JSS

SITE PLAN TO ACCOMPANY SPIRIT & INTENT LETTER
ZONING CASE 2019-0189-X

HIGH'S DAIRY STORE - DOLFIELD
OWINGS MILLS, MARYLAND

TAX MAP: 58 GRID: 13 PARCEL: 395, 782, 789 & 916 ZONED: BM-IM
4TH ELECTION DISTRICT OWINGS MILLS, MARYLAND 21117
SCALE: AS SHOWN DATE: JANUARY 2021 SHEET: 1 OF 2

MESSICK & ASSOCIATES'
CONSULTING ENGINEERS
SURVEYORS & PLANNERS
7 OLD SOLOMONS ISLAND ROAD SUITE 202
ANNAPOLIS, MARYLAND 21401
(410) 266-3212 * FAX (410) 266-3502



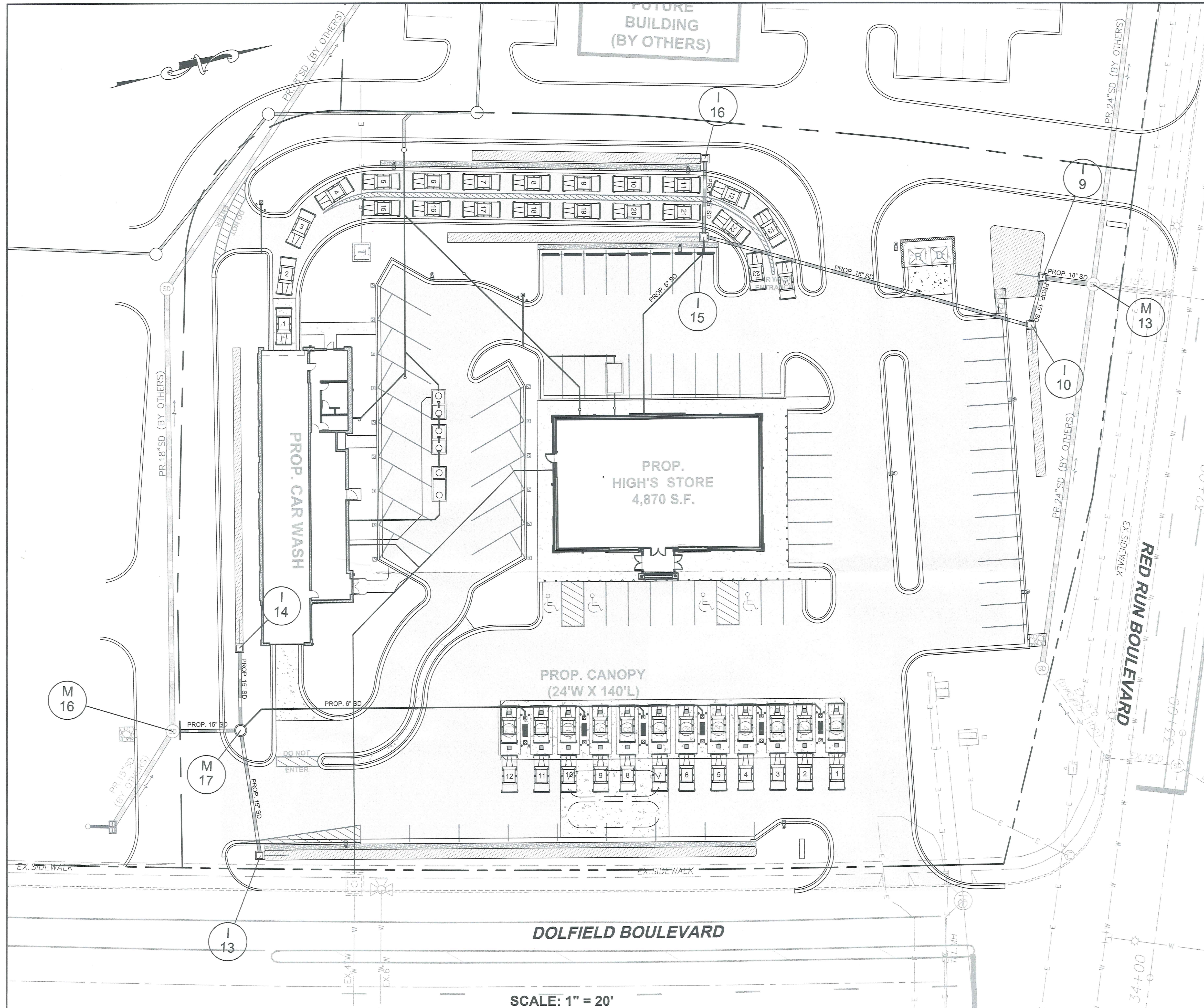
OWNER:
MERRIT-M15 LLC
2086 LORD BALTIMORE DRIVE
BALTIMORE, MD 21244

DEVELOPER/APPLICANT:
HIGHS OF BALTIMORE, LLC
2700 LOCH RAVEN BLVD
BALTIMORE, MARYLAND 21218
ATT: JESSE NEWMAN
jnewman@highs.com
(410) 281-5382

REVISION NO.	REVISION DESCRIPTION	REVISION BY	REVISION DATE	APPROVED BY	APPROVAL DATE

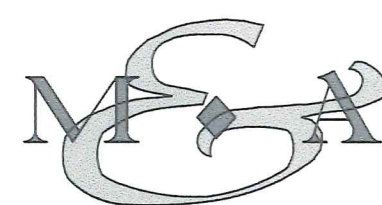
* MESSICK GROUP, INC. T/A MESSICK AND ASSOCIATES

MARYLAND COORDINATE SYSTEM (MCS)



SCALE: 1" = 20'

MESSICK & ASSOCIATES'
CONSULTING ENGINEERS
SURVEYORS & PLANNERS
7 OLD SOLOMONS ISLAND ROAD SUITE 202
ANNAPOLIS, MARYLAND 21401
(410) 266-3212 * FAX (410) 266-3502



* MESSICK GROUP, INC. T/A MESSICK AND ASSOCIATES

OWNER :
MERRIT-M15 LLC
2086 LORD BALTIMORE DRIVE
BALTIMORE, MD 21244

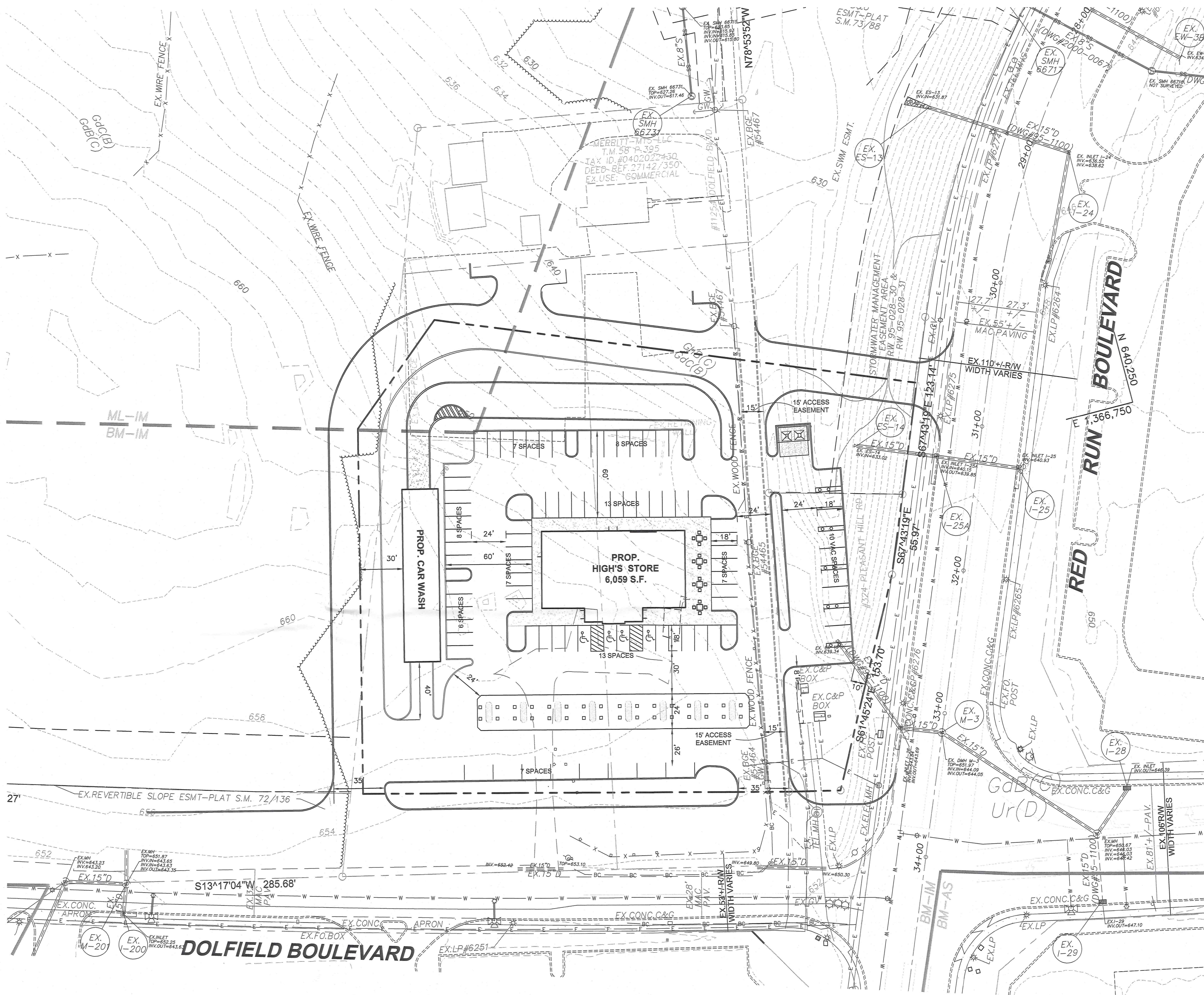
DEVELOPER/APPLICANT :
HIGHS OF BALTIMORE, LLC
2700 LOCH RAVEN BLVD
BALTIMORE, MARYLAND 21218
ATT: JESSE NEWMAN
jnewman@highs.com
(410) 261-5382

**STACKING PLAN TO ACCOMPANY SPIRIT & INTENT LETTER
ZONING CASE 2019-0189-X**

**HIGH'S DAIRY STORE - DOLFIELD
OWINGS MILLS, MARYLAND**

TAX MAP: 58 GRID: 13 PARCEL: 395, 782, 789 & 916 ZONED: BM-IM
4TH ELECTION DISTRICT OWINGS MILLS, MARYLAND 21117
SCALE: AS SHOWN DATE: JANUARY 2021 SHEET: 2 OF 2

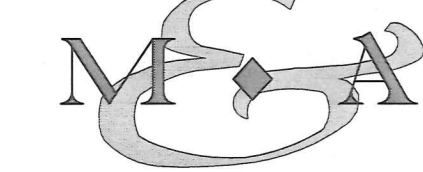
MARYLAND COORDINATE SYSTEM (MCS)



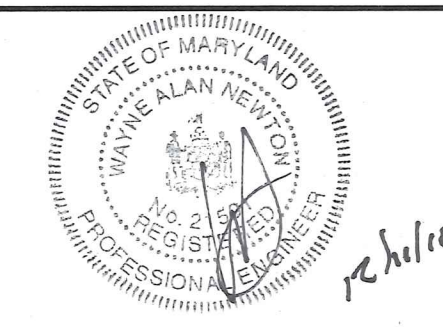
SCALE: 1" = 40'

REVISION NO.	REVISION DESCRIPTION	REVISION BY	REVISION DATE	APPROVED BY	APPROVAL DATE

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CONSULTING ENGINEERS
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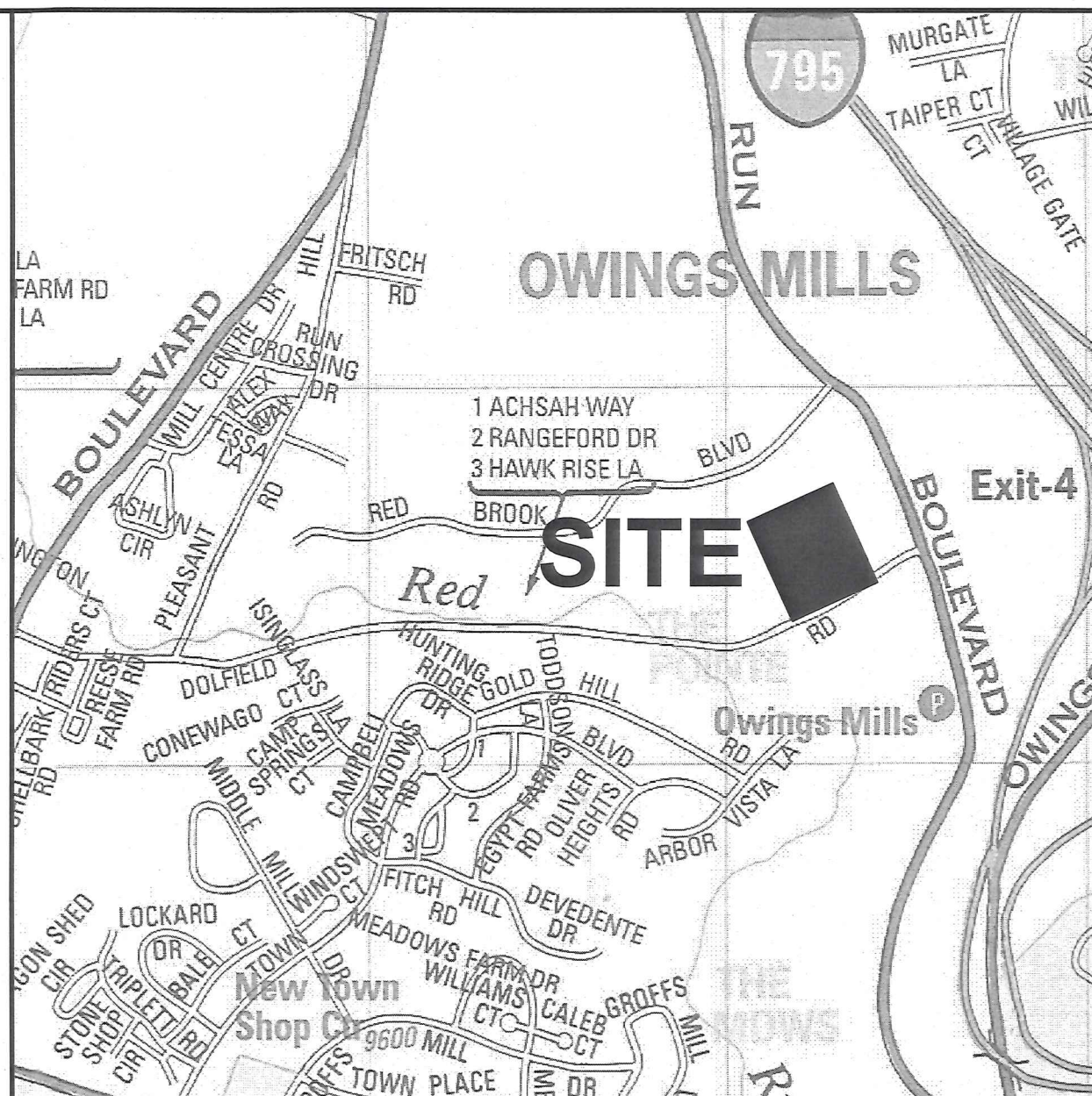
Professional Certification. I hereby certify that this document was prepared or approved by me, and that I am a duly licensed professional engineer under the laws of the State of Maryland.
License No. 21591 Expiration Date: 5/14/2016

OWNER
MERRITT-MI5 LLC
2066 LORD BALTIMORE DR
BALTIMORE, MD 21244

**PLAN TO ACCOMPANY PETITION
FOR ZONING HEARING**

**HIGH'S @ DOLFIELD
OWINGS MILLS**

TAX MAP: 0058 GRID: 13 PARCEL: 0916 ZONED: BM - IM
BALTIMORE COUNTY, MARYLAND 21244
SCALE: AS SHOWN DATE: APRIL 2018 SHEET: 1 OF 3



VICINITY MAP
SCALE: 1" = 1000'
ADC PERMITTED USE NUMBER 21003176

SITE DATA TABLE AND GENERAL NOTES

ZONING USE AREA / SITE AREA: 105,042 SQUARE FEET (2.41 ACRES)
ZONING: BM-IM & ML-IM
EXISTING USES: VACANT
PROPOSED USES: FUEL SERVICE STATION WITH ANCILLARY CONVENIENCE STORE (LESS THAN 6,000 SF), AND FULL SERVICE CAR WASH AND FAST FOOD RESTAURANT AS USES IN COMBINATION. THE CONVENIENCE STORE AND THE FAST FOOD RESTAURANT WILL BE LOCATED WITHIN ONE 6,059 SQUARE FOOT BUILDING, WITH 4,849 SQUARE FEET ALLOCATED TO THE CONVENIENCE STORE AND 1,410 SQUARE FEET ALLOCATED TO THE FAST FOOD RESTAURANT (KITCHEN AND FOOD PREP AREAS, ORDERING AND SERVICE AREA, AND INDOOR SEATING).

OWNERSHIP INFORMATION:
THE USE AREA COVERED BY THE PETITION FOR ZONING HEARING INCLUDES PORTIONS OF THE FOLLOWING PROPERTIES

OWNER	PREMISES LOCATION	TAX MAP AND PARCEL	TAX ACCOUNT NUMBER	DEED REFERENCE
MERRITT-MI5 LLC	11254 DOLFIELD BLVD	58782	042008075	271420380
MERRITT-MI5 LLC	11250 DOLFIELD BLVD	58789	042008080	271420380
MERRITT-MI5 LLC	11250 DOLFIELD BLVD	58816, LOT 7	2300009192	208141

PETITIONER:
HIGH'S OF BALTIMORE, LLC
2700 LOCH RAVEN ROAD
BALTIMORE, MARYLAND 21218

LOT SIZE, PARKING AND STACKING DATA TABLE:

USE	SIZE/NUMBER	LOT SIZE REQUIREMENT	LOT SIZE REQUIRED	PARKING REQUIREMENT	PARKING REQUIREMENT	STACKING SPACE REQUIREMENT	STACKING SPACE REQUIRED
FUEL SERVICE SPACE	16 FUEL SERVICE SPACES (NPOS)	1500 SF PER FUEL SERVICE SPACE	24,000 SF			1 PER 1000 SF OF 1405.4 A.3.C.2	16
C-STORE	4,843 SF	4 SF OF LOT AREA PER SF OF C-STORE	18,568 SF	5 SPACES / 1000 SF OF 1405.4 A.3.C.2 AND 1405.4	23.22 SPACES		
RESTAURANT	1410 SF	8 SF OF LOT AREA PER SF OF RESTAURANT	8,480 SF	15 PARKING SPACES / 1000 SF OF RESTAURANT	22.65 SPACES		
FULL SERVICE CAR WASH	1 CAR WASH TUNNEL	N/A	N/A	6 FOR DRYING VEHICLES; 4 ADDITIONAL SPACES FOR A FULL SERVICE CAR WASH; 1419	10	19 +/-19	19
ATM	1 ATM	1000 SF PER ATM	1,000 SF	1 PARKING SPACE PER ATM	1		
SELF SERVICE AIR	1 UNIT	N/A	N/A	1 PARKING SPACE PER ATM	1		
VACUUM	9 UNITS	N/A	N/A	1 PARKING SPACE PER ATM	9		
TOTAL REQUIRED			52,058 SF OF LOT AREA REQUIRED	67 PARKING SPACES REQUIRED			38 STACKING SPACES REQUIRED
TOTAL PROVIDED			105,042 SF OF LOT AREA PROVIDED	88 PARKING SPACES PROVIDED			38 STACKING SPACES PROVIDED

SETBACKS:

FROM	TO	SETBACK REQUIRED	SETBACK PROVIDED
RIGHT OF WAY	MAIN BUILDING	35	115
RIGHT OF WAY	PUMP	25	50
RIGHT OF WAY	CANOPY	15	44
CENTERLINE OF STREET	FRONT OF ANY BUILDING	40	164 +/-
FRONT PROPERTY LINE	FRONT OF ANY BUILDING	15	115
EXIT OF CAR WASH TUNNEL	NEAREST EXIT DRIVE	15	82' +/-
SIDE YARD, INTERIOR	ANY BUILDING	0	30
SIDE YARD, CORNER	ANY BUILDING	10	30
REAR YARD	ANY BUILDING	0	80

BUILDING HEIGHT: 1 STORY (15 FEET +/-)

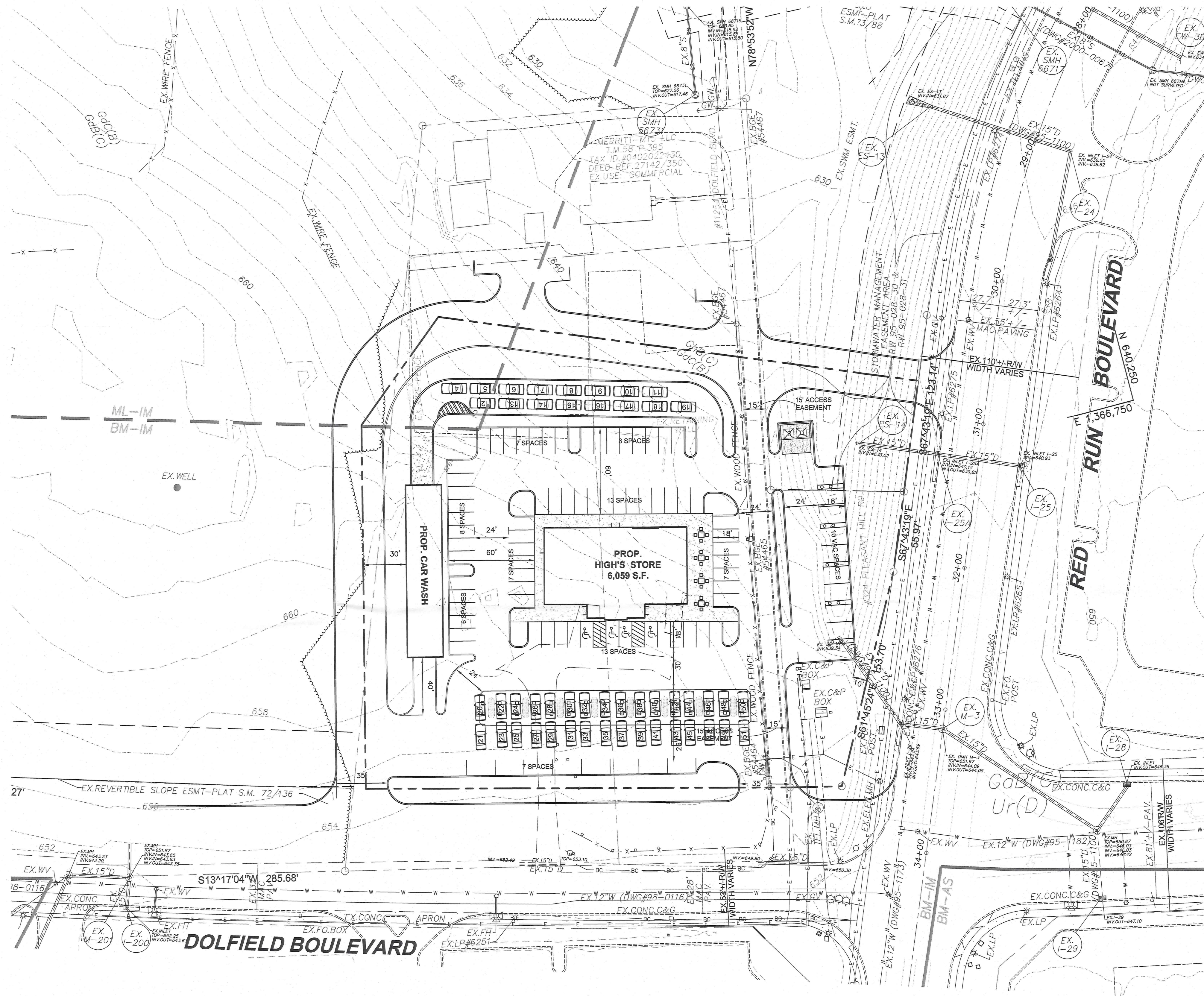
BASIC SERVICES DESIGNATIONS: THE PROPERTY IS NOT IN ANY FAILING OR DEFICIENT AREA ON ANY BASIC SERVICES MAP.

ZONING CASE HISTORY: 02-380-SPHXA - SPECIAL HEARING AND VARIANCES TO OPERATE A SERVICE GARAGE, GRANTED BY THE ZONING COMMISSIONER ON MAY 31, 2002.

THE NEAREST RESIDENTIAL ZONE BOUNDARY IS IN EXCESS OF 500 FEET FROM THE SITE.

THE FUEL SERVICE STATION PROVIDE A REST ROOM FACILITY, WATER, AND COMPRESSED AIR FOR CUSTOMERS.

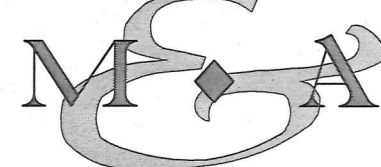
* = EXIT OF TUNNEL TO EDGE OF PERIMETER ACCESS DRIVE



SCALE: 1" = 40'

REVISION NO.	REVISION DESCRIPTION	REVISION BY	REVISION DATE	APPROVED BY	APPROVAL DATE

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ANNAPOLIS, MARYLAND 21401
(410) 266-3212 *
FAX (410) 266-3502
email: info@messickandassociates.com



* MESSICK GROUP, INC. T/A MESSICK AND ASSOCIATES



Professional Certification. I hereby certify that this document was prepared or approved by me, and that I am a duly licensed professional engineer under the laws of the State of Maryland.
License No. 21591 Expiration Date: 5/14/2019

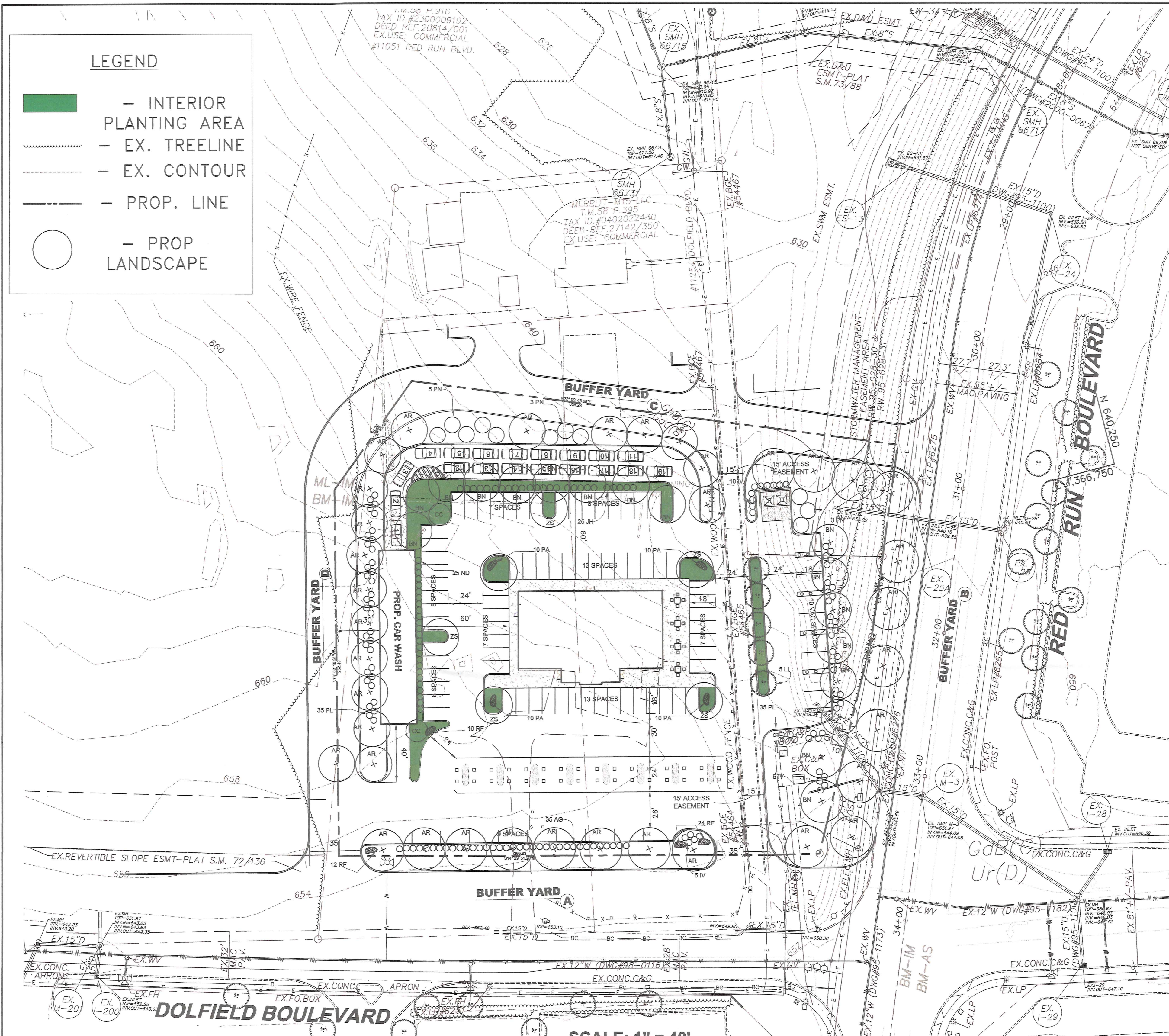
OWNER
MERRITT-MI5 LLC
2066 LORD BALTIMORE DR
BALTIMORE, MD 21244

**PLAN TO ACCOMPANY PETITION
FOR ZONING HEARING**
**STACKING PLAN
HIGH'S @ DOLFIELD
OWINGS MILLS**

TAX MAP: 0058 GRID: 13 PARCEL: 0916 ZONED: BM - IM
BALTIMORE COUNTY, MARYLAND 21244
SCALE: AS SHOWN DATE: APRIL 2018 SHEET: 2 OF 3



VICINITY MAP
SCALE: 1" = 1000'
ADC PERMITTED USE NUMBER 21003176



PLANT SCHEDULE						
QTY.	KEY	SIZE	BOTANICAL NAME	COMMON NAME	SPACING	ROOT
Major Deciduous Trees						
36	AR	2 1/2" cal.	Acer rubrum	Red Maple	20-28' o.c.	B&B
17	BN	2 1/2" cal.	Betula nigra	River Birch	20-28' o.c.	B&B
6	ZS	2 1/2" cal.	Zelkova serrata	Japanese Zelkova	20-28' o.c.	B&B
Minor Deciduous Trees						
2	CC	1 1/2" Cal.	Cercis canadensis	Eastern RedBud	30' o.c.	B&B
6	LI	1 1/2" Cal.	Lagerstromia indica	Crape Myrtle	40' o.c.	B&B
Evergreen Trees						
8	PN	6" HL	Pinus nigra	Austrian Pine	10-12' o.c.	B&B
3	PS	6" HL	Pinus strobus	White Pine	10-12' o.c.	Cont.
Shrubs						
36	AG	2 1/2" HL	Abelia grandiflora	Glossy Abelia	4'-6' o.c.	Cont.
20	IV	2 1/2" HL	Ilex virginiana	Winterberry	4'-6' o.c.	Cont.
25	JH	2 1/2" HL	Juniperus horizontalis	Horizontal Juniper	4'-6' o.c.	Cont.
70	PL	2 1/2" HL	Prunus laurocerasus 'chipkaensis'	Skip Laurel	4'-6' o.c.	Cont.
25	ND	18" HL	Nandina domestica 'Compacta'	Dwarf Nandina	4' o.c.	Cont.
Perennials						
40	PA	1 gal.	Perovskia atriplicifolia	Russian Sage	18" o.c.	Cont.
48	RF	1 gal.	Rudbeckia fulgida	Black Eyed Susan	18" o.c.	Cont.

Schematic Landscape Plan Certification Form

This Schematic Landscape Plan is sealed by a landscape architect and certified by my signature below as being in accordance with all county agency landscape architectural comments.

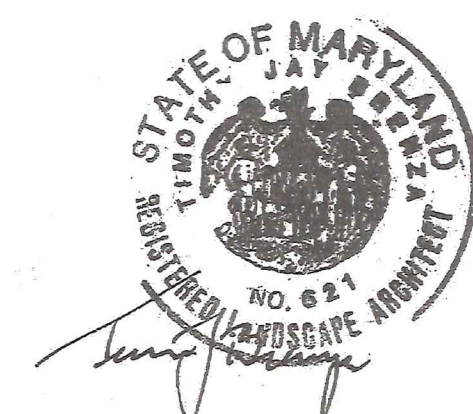
Applicant Signature	Date	Print Name
Mailing Address (If not already on plan)		

Key	Element	Rate	LF	P. U. Req.	P. U. Provided	Notes
A	Condition A: Frontage & Streetscape (Doffield Blvd.)	1/40 l.f.	330	8.2	8	
B	Condition A: Frontage & Streetscape (Red Run Blvd.)	1/40 l.f.	286	7.1	7	
	Condition B: Parking Lot Interior Landscaping (66 spaces)	1/12 spaces	N/A	7.3	12.5	7% interior planting required / 8.2%+ provided.
	Condition H: Dumpster Screening	1/15 l.f.	45	3.0	3.5	
A	Condition K: Automotive Use Screening (Doffield Blvd.)	1/15 l.f.	330	22	13.6	Excludes frontage and streetscape plantings
B	Condition K: Automotive Use Screening (Red Run Blvd.)	1/15 l.f.	286	19.1	19	Excludes frontage and streetscape plantings
C	Condition K: Automotive Use Screening (Abutting Commercial Property North)	1/20 l.f.	336	16.8	19.5	
D	Condition K: Automotive Use Screening (Abutting Commercial Property West)	1/20 l.f.	342	17.1	18	
	(Total)			100.6	101.1	

*A "Modification to Manual Standards" will be requested with the Final Landscape Plan if required for the 6' planting buffer to entrance atrium.

REVISION NO.	REVISION DESCRIPTION	REVISION BY	REVISION DATE	APPROVED BY	APPROVAL DATE

MESSICK & ASSOCIATES
CONSULTING ENGINEERS
SURVEYORS & PLANNERS
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 ANNAPOLIS, MARYLAND 21401
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 email: info@messickandassociates.com



OWNER
MERRITT-MI5 LLC
2066 LORD BALTIMORE DR
BALTIMORE, MD 21244

PLAN TO ACCOMPANY PETITION FOR ZONING HEARING

SCHEMATIC LANDSCAPE PLAN

TAX MAP: 0058 GRID: 13 PARCEL: 0916 ZONED: BM - IM
BALTIMORE COUNTY, MARYLAND 21244
PDM# _____ SCALE: AS SHOWN DATE: DECEMBER 2018 SHEET: 3 OF 3