

IN THE MATTER OF	*	BEFORE THE
<u>9400 LIBERTY LIMITED PARTNERSHIP</u> - Legal Owner	*	BOARD OF APPEALS
Two Farms, Inc – Contract Purchaser/Lessee	*	OF
9043 Liberty Road	*	BALTIMORE COUNTY
2 <sup>nd</sup> Election District, 4 <sup>th</sup> Councilmanic District	*	Case No. 13-132-XA
RE: Petition for Special Exception and Variance	*	
	*	
* * * * *		

**ORDER OF REMAND**

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

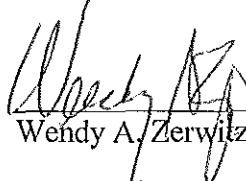
consideration of an amendment to the Petition for Special Exception and Variance. The Protestants, through counsel, agreed that the case should be remanded for further consideration.

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

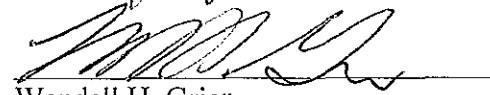
**ORDERED** that said request for remand be and is hereby **GRANTED**; and it is further

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

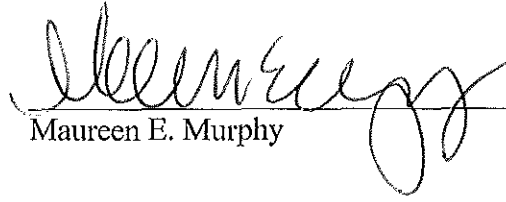
**BOARD OF APPEALS  
OF BALTIMORE COUNTY**



Wendy A. Zerwitz, Panel Chairman



Wendell H. Grier



Maureen E. Murphy



## Board of Appeals of Baltimore County

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SECOND FLOOR, SUITE 203  
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October 22, 2013

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

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

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

Dear Counsel:

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

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

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

Very truly yours,

A handwritten signature in cursive script that reads "Sunny Cannington".

Krysundra "Sunny" Cannington  
Acting Administrator

Enclosure  
Duplicate Original Cover Letter

c: See attached Distribution List

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

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

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

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

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

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

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