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December 23, 2019

Mr. Andrew Gray
Comprehensive Planner
Winchester West
56 West Main Street
Westminster, Maryland 21157
BY EMAIL & HAND DELIVERY

RE: Two Farms, Inc. BZA Pre-Hearing Statement

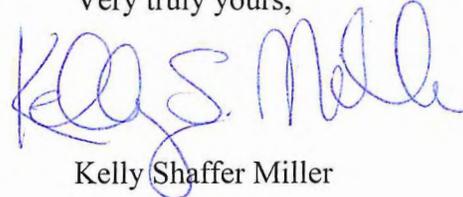
Dear Mr. Gray:

Enclosed for filing on behalf of my client, Two Farms, Inc., please find a Pre-Hearing Statement in anticipation of the upcoming BZA Hearing, along with attachments/exhibits.

Plans were submitted with the initial application, which we intend on using at the Hearing.

Thank you in advance for your prompt attention to this matter. Please do not hesitate to contact our office with any questions or concerns.

Very truly yours,



Kelly Shaffer Miller

Enclosures

Cc: File
Kimley-Horn C/O Jennifer Leonard and John Neff

Request for a variance from the landscaping requirements
At 7 Corporate Center Court, Westminster, MD 21158

PREHEARING STATEMENT

Applicant Information:

Applicant: Two Farms, Inc. c/o Jack Whisted
3611 Roland Avenue, Baltimore, MD 21211
(410) 889-0200
Counsel: Kelly Shaffer Miller
73 E. Main Street, Westminster, MD 21157
(410) 848-3737 (T); (410) 848-3977 (Fax)
kelly@shafferandshafferllp.com

Property Information:

Premises Address: 7 Corporate Center Court
Westminster, MD 21158
Property Owner: Corporate Center Leasing, LLC
c/o Lee Chesapeake Property Management
8601 Lasalle Road, Suite 204
Towson, MD 21286
Parcel Identification: Tax Map 114, Grid 24, Parcel 4966, UN 7 (as shown on a Plat
recorded in the Carroll County Land Records at Plat Book 52, Page
144 & etc.)
Zoning District: P-I Planned Industrial Zone

Compliance:

The proposed convenience store with gasoline pumps is located and designed in accordance with the requirements of Article XII, §164-3, and all other requirements of Chapter 164, Zoning & Subdivision of Land, City of Westminster Code, and the Comprehensive Plan.

Exhibits:*

1. Statement of Purpose and Justification
2. Copies of Reports, Studies, Photographs and Plans to be submitted at Hearing
3. Summary of Expert Testimony and Credentials
4. List of all witnesses who will testify
5. Estimated time for presentation

*Applicant reserves the right to supplement with related documents prior to the BZA Hearing.

Statement of Purpose and Justification:

The Applicant, Two Farms, Inc., is the lessee of the property described in the application and shown on the plans attached to the application. Two Farms, Inc. is an entity controlled by Royal Farms. Royal Farms has a long standing history of operating at numerous locations across the Country. This will be the applicant's first project within the corporate boundaries for the City of Westminster and its third project within Carroll County.

The subject property is zoned P-I Planned Industrial and is subject to a previously approved development plan in accordance with the rule and regulations set forth in §164-75. As such, the use of a convenience store with gasoline pumps is permitted on this property. The Applicant comes before this Board to request variances from the specified portions of the zoning code relating specifically to landscaping.

The Applicant is substantively through the development review process for its site development plan and finds that the landscaping requirements in the City's Code pose an unreasonable hardship to the use and development of the site.

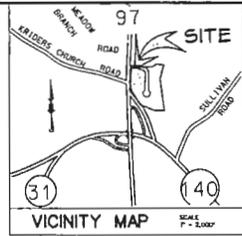
The site is located in an industrial commercial area (it is part of the development plan for what is known as the Carroll County Commerce Center) and landscape screening from Littlestown Pike/MD Route 97 can be adequately provided on an area and amount that will satisfy the intent of the landscaping provisions of the Code. To the extent the Landscaping Manual has these same requirements, relief must be requested as part of the site development plan process from the City's Planning and Zoning Commission in addition to this Board. Because of the Storm Water Management requirements, existing Verizon easement and regional Verizon facility on site, this property would be rendered virtually unusable if subject to the provisions of the Code from which relief is requested. Additionally, it is an industry standard, spurred by preservation of customer safety and security, for convenience stores with gasoline pumps to have some visibility to an adjoining public right-of-way. The landscaping as strictly required would not best protect the safety of citizens.

This project is in keeping with the Comprehensive Master Plan for the City of Westminster, which envisioned improvements to Route 97, resulting in the development and utilization of industrial land outside of "downtown." This proposed development represents a step towards the vision of the Comprehensive Plan in the sense that it represents infill development with the Growth Area Boundary for the City. Likewise, it illustrates the economic growth that was planned for and desired in the Comprehensive Plan. An approval at the proposed site would also satisfy the economic development goal of attracting and retaining business as expressed within the Comprehensive Plan. Furthermore, a use of this nature would also provide additional employment opportunities within the City.

2019 – Two Farms, Inc. BZA Application
Exhibit 2

Please see attached plans.

Ref #	A-Z Length	Delta	Radius	Chord Length	Chord Bearing
G1	264.45	9°50'19"	4960.00	304.41	N 0°43'20" E



Point	North	East
634	843054.8041	800973.2188
635	841766.0943	800164.4877
636	842085.2695	800144.1375
637	842071.4184	800169.0953
638	842074.1553	800247.0001
639	841684.4104	800076.2300
640	841561.3767	800169.0977

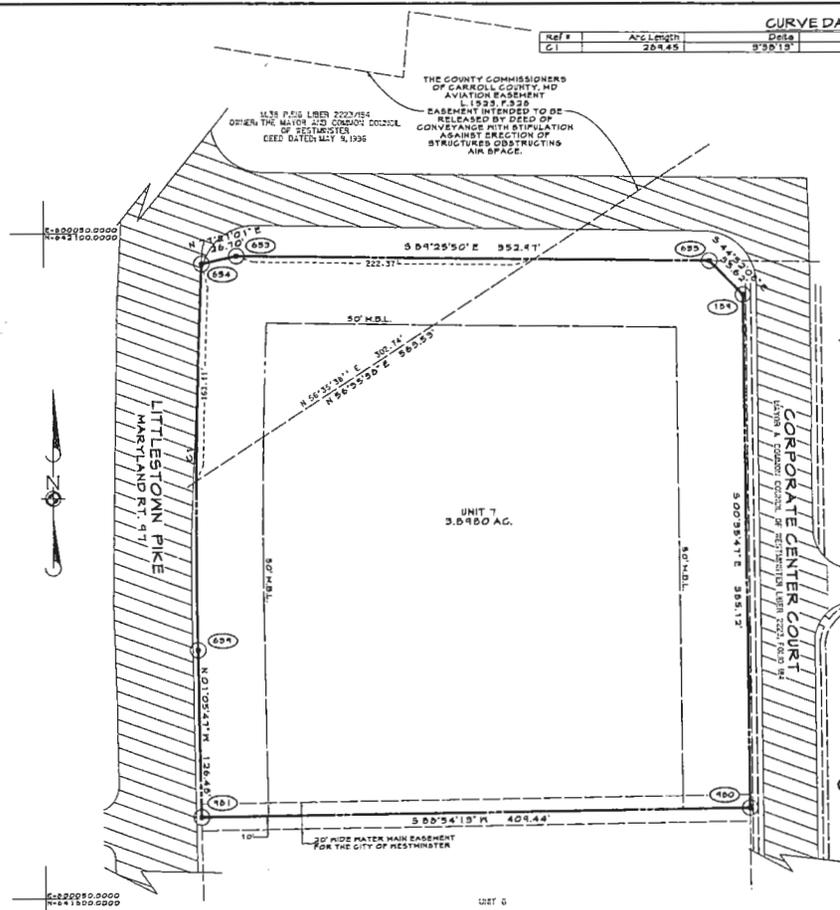
NOTE: FOR GENERAL NOTES SEE SECOND AMENDED PLAT OF FUTURE PHASE EXPANSION AREA 'A' CONDOMINIUM SUBDIVISION OF CARROLL COUNTY COMMERCE CENTER LAND CONDOMINIUM PHASE 1, SHEET 1 OF 4.

PLAT - SUBDIVISION
 TOTAL
 REVISION
 DATE
 BY
 5.00
 5.00
 8/18/11
 8/18/11
 8/18/11

SHEET 8 OF 9
**SECOND AMENDED PLAT OF
 FUTURE PHASE EXPANSION AREA 'A'
 CONDOMINIUM SUBDIVISION OF
 CARROLL COUNTY COMMERCE CENTER
 LAND CONDOMINIUM, PHASE 1**

PREVIOUSLY RECORDED IN PLATBOOK 52, PAGES 41-51
 11th ELECTION DISTRICT CARROLL COUNTY MD CITY OF WESTMINSTER
 PREVIOUSLY RECORDED AMONG THE LAND RECORDS OF CARROLL COUNTY MD AS CARROLL COUNTY COMMERCE CENTER IN AMENDED PLAT BOOK 055, 50 PAGES 233, 234

OWNER / DEVELOPER
 CORPORATE CENTER LEASING LLC
 R4E1, LLC
 4119 FORDLEIGH ROAD
 BALTIMORE, MD 21213



PURPOSE NOTE:
 THE PURPOSE OF AMENDING THIS PLAT IS TO DELETE PNC BANK NATIONAL ASSOCIATION AS A LIENHOLDER TO CARROLL COUNTY COMMERCE CENTER LAND CONDOMINIUM, PHASE 1.

PLATBOOK 055, PAGE 157
 DATE: 5-9-11

CERTIFICATION
 ROBERT ROSEN, TO THE BEST OF HIS (THEIR) KNOWLEDGE, AND THE SURVEYOR TO THE BEST OF HIS/HER PROFESSIONAL KNOWLEDGE, AND BELIEFS, SO HEREBY CERTIFY THAT THE LAND SHOWN HEREON HAS BEEN LAYED OUT AND THE PLAT PREPARED IN COMPLIANCE WITH THE APPLICABLE SUBDIVISION ACT AND ALL OF SECTION 1-103 OF THE REAL PROPERTY ARTICLE OF THE ANNOTATED CODE OF MARYLAND (1981) AS AMENDED, PERTAINING TO THE PREPARATION OF RECORDS AND CONDOMINIUM PLANS.

OWNER'S SIGNATURE: *[Signature]* DATE: 9/29/11
 CORPORATE CENTER LEASING LLC
 BY ROBERT ROSEN, MANAGER

DATE: 9/29/11
 R4E1, LLC
 BY ROBERT ROSEN, MANAGER

SURVEYOR'S CERTIFICATION: *[Signature]* DATE: 9/29/11
 PROPERTY LINE SURVEYOR REGISTRATION NO. 10844

Date - Revision - By
 Scale: 1"=50'
 Surveyed By: CLS
 Drawn By: CDB/BEV/XMB
 Checked By: CDB



439 East Main Street Westminster, MD 21157-5539
 (410) 848-1790 FAX (410) 848-1791



James E. Mackay
 Property Line Surveyor
 Registration No. 10844
 Date: APRIL 14, 2011
 Drawing No.: 88107 1-000
 County File No.:

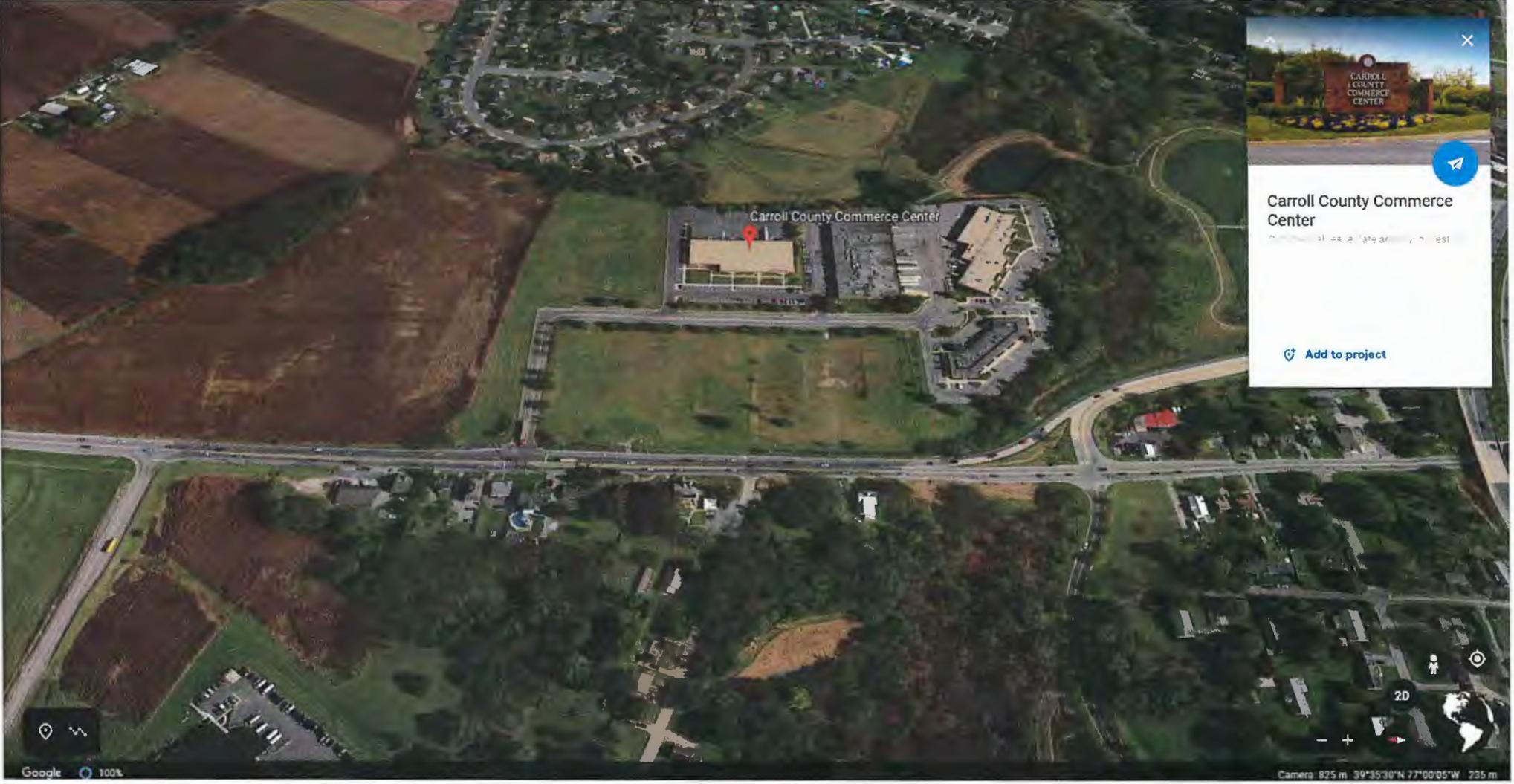


0101423 MSA CM 2426 4443-B



Legend

- Corporate Limits**
 - - -
- Zoning Overlay**
 - Arts & Culture
 - Competible Neighborhood
 - Neighborhood Preservation
- Westminster Historic National Register District**
 - Historic_Districts
- PropertyZoning**
 - Property_Zoning
 - B
 - C
 - C-B
 - C-C
 - D-B
 - LG
 - LR
 - MUI
 - N-C
 - P-I
 - P-RSC
 - PD-4
 - PD-9
 - R-10,000
 - R-20,000
 - R-7,500
- Medical Cannabis Overlay**
 - Medical_Cannabis_Overlay



Carroll County Commerce Center

Continental was a late arrival in the West

[Add to project](#)

2D

Camera: 825 m 39°35'30"N 77°00'05"W 235 m

Summary of Expert Testimony and Credentials:

Mrs. Jennifer Leonard will testify on behalf of the Applicant as an expert in the field of land use design and planning. Mrs. Leonard is a Professional Landscape Architect (PLA) and is a LEED Accredited Professional (LEED AP). Mrs. Leonard is currently employed as a Practice Leader at Kimley-Horn and has over twenty (20) years of experience in all design phases of project development and coordination. She has been accepted as an expert in her field and testified in front of the State of Maryland and Planning/Zoning Boards in the following jurisdictions: Baltimore County, Baltimore City, Carroll County, Frederick County, the City of Frederick, New Market, Princes George's County, Montgomery County, Harford County, the City of Bel Air, the City of Aberdeen, the City of Havre de Grace, Cecil County, the City of Port Deposit.. She will testify to the specific characteristics related to the requested variance, the characteristics of the site, the surrounding land use, and the conformity with the City Code and Comprehensive Plan.

2019 - Two Farms, Inc. BZA Application
Prehearing Statement Exhibit 4

List of All Witnesses Who Will Testify:

- Jennifer Leonard
- Jeffrey Bainbridge

2019 - Two Farms, Inc. BZA Application
Prehearing Statement Exhibit 5

Estimated Time for Presentation:

Approximately forty five (45) minutes for our presentation.