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## Requested Zoning

**Search Street:**

LARK BROWN RD

**Property Information:**

Amendment No.: 37.008

Current Zoning: B-1

Requested Zoning: B-2

Tax Account ID.: 1406421636

Map: 37

Grid: 20

Parcel: 604

Lot: PAR B

Acres: 1.308

Address: 8268 LARK BROWN RD

City/State/Zip: COLUMBIA, MD 21045

**Owner:**

Name: CLOVERLAND FARMS DAIRY INC

Email: jsbainbridge@royalfarms.com

Phone: 410-456-1467

Mailing Address: 3611 ROLAND AVE

City/State/Zip: BALTIMORE, MD 21211

**Representative:**

Name: Talkin & Oh, LLP

Email: soh@talkin-oh.com

Phone: 410-964-0300

Mailing Address: 5100 Dorsey Hall Drive

City/State/Zip: Ellicott City, MD 21042

**Decision:**

Planning Board Decision:

Planning Board Vote:

Council Decision:

Council Vote:

# Zoning Map Amendment Request Form

## Howard County Comprehensive Zoning Plan Department of Planning and Zoning

[Word 2007 Version]  
Before filling out this form, please read the  
Instructions section at the end of the form.

### A. Property Information

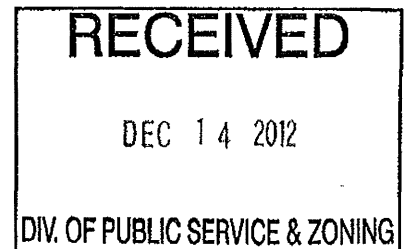
1 Address / Street (Only) 8268 Lark Brown Road ✓  
2 Tax Map Number 37 Grid 20 ✓  
3 Parcel(s) 604 ✓  
4 Lot(s) Par B  
5 Tax Account Data: District 06 Account # 421636 ✓  
6 Size of Property: Acres 1.308 Square feet

*Plot 15520  
Parcel B*

7 The Property is currently zoned: B-1  
I request that the Property be rezoned to: B-2

### B. Owner Information

8 Owner Name Two Farms, Inc. ✓  
9 Mailing street address or Post Office Box 3611 Roland Avenue  
City, State Baltimore, Maryland  
ZIP Code 21211  
Telephone (Main)  
Telephone (Secondary)  
Fax  
10 E-Mail



*Rec. # 149499*

410-456-1467 (Jeff Bainbridge)

jsbainbridge@royalfarms.com

### C. Representative Information

11 Name Talkin & Oh, LLP  
Mailing street address or Post Office Box 5100 Dorsey Hall Drive  
City, State Ellicott City, Maryland  
ZIP 21042  
Telephone (Main)

410-964-0300 (Sang Oh)

**C. Representative Information**

	Telephone (Secondary)	
	Fax	410-964-2008
	E-Mail	soh@talkin-oh.com
12	Association with Owner	Attorneys

**D. Alternate Contact [If Any]**

	Name	
	Telephone	
	E-Mail	

**E. Explanation of the Basis / Justification for the Requested Rezoning**

13	<p>The subject Property is currently developed and operating as a Royal Farms convenience store. This proposed rezoning would not change the present use of the Property, although it would allow the Petitioner to apply to the Hearing Authority for a gasoline service station conditional use. The conditional use process will ensure that the Property is an appropriate location for a gasoline service station when considering the requirements of Zoning Regulations Section 131, which include general plan harmony, a lack of extraordinary adverse effects, and an assurance that a gasoline service station would not have a blighting influence caused by a proliferation of service stations in the area.</p> <p>See attached Continuation Sheet.</p>
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**F. List of Attachments/Exhibits**

14	1. Continuation Sheet. 2. Map of the Property from the County's website.
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**G. Signatures**

15	Owner	<i>John K. Kemp</i> (Two Farms, Inc.)	Owner (2)	
	Date	12/13/12	Date	

Additional owner signatures? **X** the box to the left and attach a separate signature page.

16	Representative Signature	<i>Sy W. Oh</i>
	Date	12-14-12

DPZ Use Only		Amendment No.	37-008
Notes	<i>CA 12/18/12</i>		

## Continuation Sheet

### **E. Explanation of the Basis / Justification for the Requested Rezoning**

- 13 The subject Property is currently developed and operating as a Royal Farms convenience store. In 2009, the Petitioner applied to the Zoning Board for a piecemeal rezoning of Property to the B-2 district. In Zoning Board Case No. 1074M, the Zoning Board determined that the Petitioner had not met its burden regarding the change/mistake requirement, denying the rezoning request without reaching the issue of whether the B-2 district was appropriate for the Property. Because of the Zoning Board's decision, a determination of the appropriateness of the B-2 district may only be made during the Comprehensive process.

The proposed rezoning of the Property to the B-2 district would not change the present use of the Property, although it would allow the Petitioner to apply to the Hearing Authority for a gasoline service station conditional use. The conditional use process will ensure that the Property is an appropriate location for a gasoline service station when considering the requirements of Zoning Regulations Section 131, which include general plan harmony, a lack of extraordinary adverse effects, and an assurance that a gasoline service station would not have a blighting influence caused by a proliferation of service stations in the area. The Petitioner merely seeks to be able to undergo the public hearing process regarding this conditional use. Under the current B-1 zoning, the Petitioner is denied that opportunity.

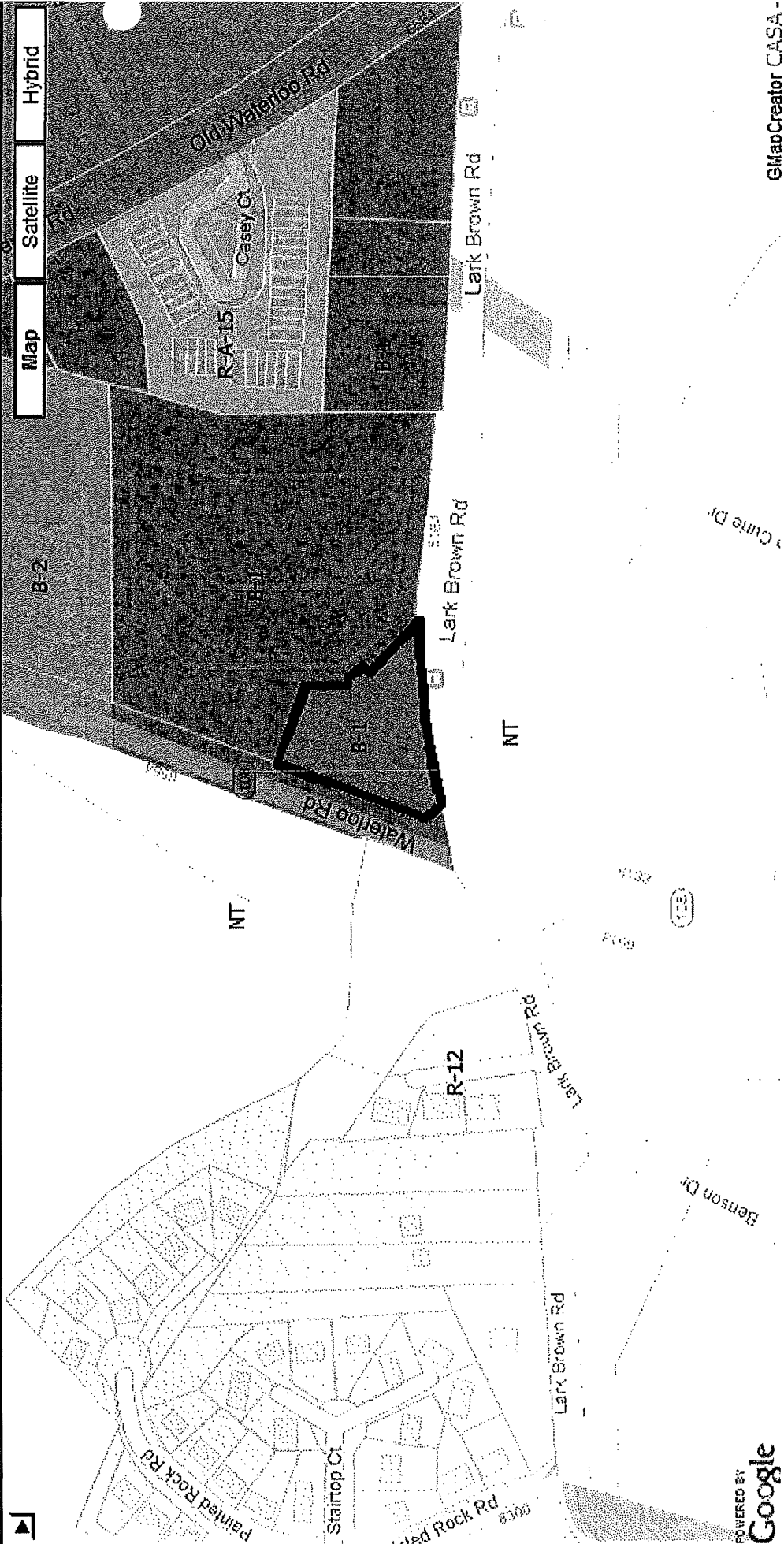
The Property is located at the intersection of Lark Brown Road and Route 108. North and east of the Property are developed commercial parcels zoned in the B-1 and B-2 districts. South of the Property, across Lark Brown Road, is the NT zoned commercial development of Gateway Overlook. Given its location in a commercialized area and its proximity to other B-2 developments, a rezoning of the Property from B-1 to B-2 will have little effect on surrounding and vicinal properties.

PlanHoward 2030 offers few policy recommendations regarding gasoline service stations. It does, however, recommend that such uses be directed away from Route 1 and from residential areas. PlanHoward 2030, pp. 58-59. The subject Property satisfies these goals, as the Property is far removed from the auto-oriented uses of Route 1 and is not in close proximity to residential areas.

# Howard County, MARYLAND

Street View | Help

Map Satellite Hybrid



POWERED BY  
**Google**

GMapCreator CASA -



# Howard County Council

George Howard Building  
3478 Court House Drive  
Ellicott City, Maryland 21043-4392

## COUNCILMEMBERS

Jennifer Terrasa, Chairperson  
District 3  
Mary Kay Sigaty, Vice Chairperson  
District 4  
Courtney Watson  
District 1  
Calvin Ball  
District 2  
Greg Fox  
District 5

March 11, 2013

Cloverland Farms Dairy, Inc.  
3611 Roland Avenue  
Baltimore, MD 21211

Dear Sir or Madam:

You are receiving this letter because you filed a Zoning Map Amendment Request Form/Howard County Comprehensive Zoning Plan or a Zoning Regulation Amendment Request Form/Howard County Comprehensive Plan.

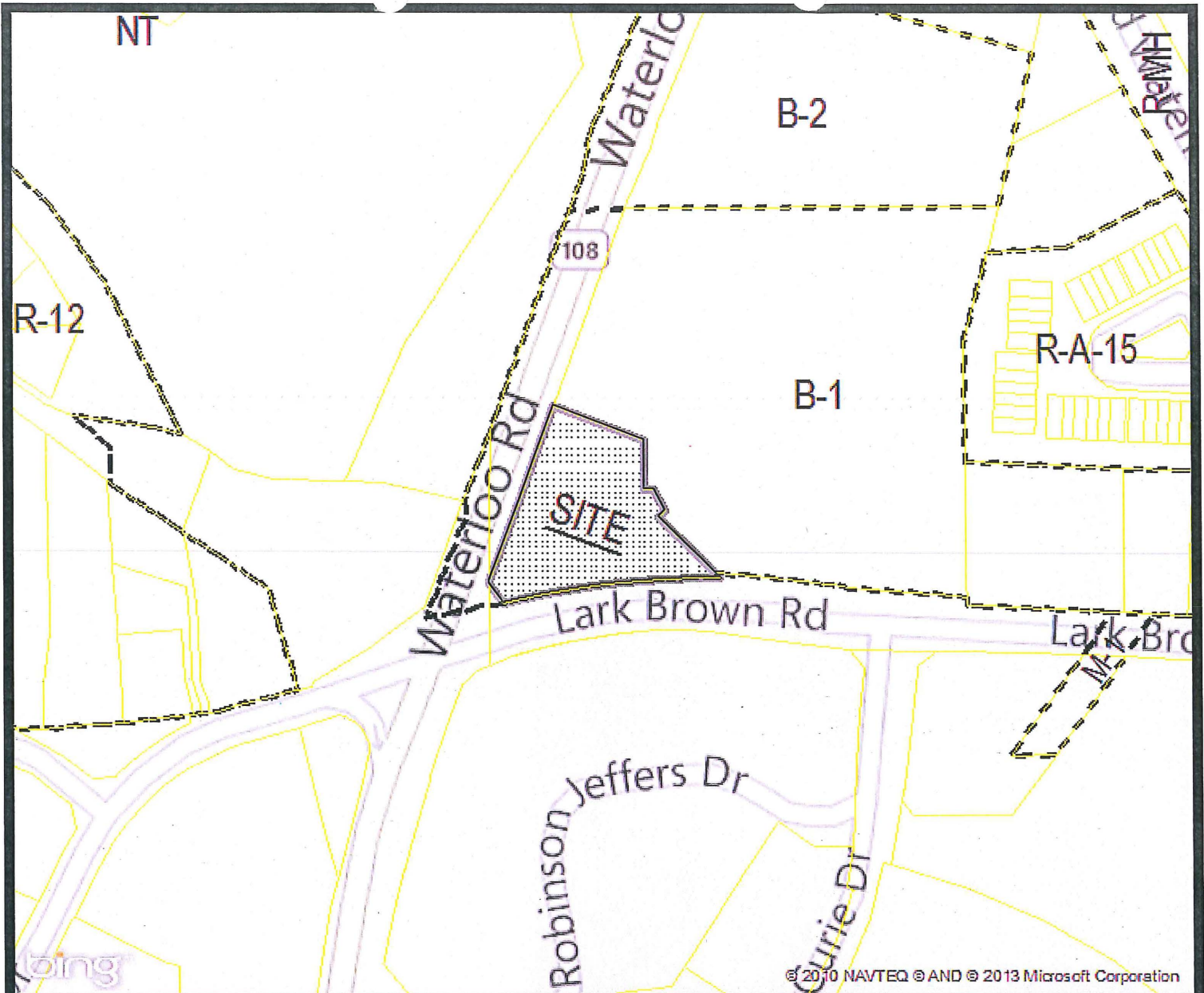
Please be advised that on March 7, 2013, the Howard County Ethics Commission determined that the Zoning Map Request Form needs to be accompanied by certain affidavits and disclosures. The Commission also determined that the Zoning Regulation Amendment Form needs to be accompanied by certain affidavits and disclosures when the Form proposes to "increase the density of the land of the applicant."

The Commission directed me to notify applicants of their obligation to file the affidavit and disclosure. The obligation is set forth in Md. Code Ann., St. Gov't, Sec. 15-849(b), which provides in part, "**the affidavit or disclosure shall be filed at least 30 calendar days prior to any consideration of the application by an elected official.**"

Accordingly, I am enclosing for your use the approved affidavit packet. Completed forms may be mailed to the Administrative Assistant to the Zoning Board at 3430 Court House Drive, Ellicott City, MD 21043.

Very truly yours,

Stephen M. LeGendre  
Administrator



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Zoning Map General Plan Amendment: 37.008 Tax ID: 1406421636  
 Current Zoning: B-1 Council District: 2  
 Tax Map: 37 Grid: 20 Parcel: 604 Lot: PAR B  
 Address: 8268 LARK BROWN RD

## Regner, Robin

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**From:** Tolliver, Sheila  
**Sent:** Thursday, August 01, 2013 1:36 PM  
**To:** Regner, Robin  
**Subject:** FW: Royal Farms - Amendment 37.008

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From: Sigaty, Mary Kay  
Sent: Wednesday, July 31, 2013 3:19 PM  
To: Tolliver, Sheila  
Subject: FW: Royal Farms - Amendment 37.008

From: Cecilia Januszkiewicz <cjanuszk@gmail.com<mailto:cjanuszk@gmail.com>>  
Date: Tue, 23 Jul 2013 20:11:19 -0400  
To: Courtney Watson <cwatson@howardcountymd.gov<mailto:cwatson@howardcountymd.gov>>, Calvin Ball <cball@howardcountymd.gov<mailto:cball@howardcountymd.gov>>, Jen Terrasa <jterrasa@howardcountymd.gov<mailto:jterrasa@howardcountymd.gov>>, Mary Kay Sigaty <mksigaty@howardcountymd.gov<mailto:mksigaty@howardcountymd.gov>>, Greg Fox <gfox@howardcountymd.gov<mailto:gfox@howardcountymd.gov>>  
Subject: Royal Farms - Amendment 37.008

Dear Council Members:

I apologize for sending this at the 11th hour but I want to note my opposition to a change in the zoning for the Royal Farms site on Lark Brown Road (Amend. No. 37.008).

The intersection of Rt. 108 and Lark Brown is a treacherous intersection as it is currently developed. The addition of a gas station with 20 pumps or even 12 will make it even more dangerous. I travel through the intersection every day and observe illegal turns into and out of both the Food Lion and the Royal Farms, hasty changes of direction and surprised motorists who find their travel lanes disappearing. The intersection is already a failing intersection. Adding a gas station will only make it worse.

Additionally, we have an excess of gas stations in the area of the Royal Farms. In addition to the Costco gas station, there are 3 gas stations within 2 miles on Rt. 108, another 3 gas stations within 1.5 miles at Dobbin Road, another 2 on Snowden River within 3 miles and 2 more on Rt. 1 within 2 miles. How many more should be inflicted on the residents who call this area home? Adding another gas station increases the potential for blight in the eastern part of the county when some of them are abandoned because of the excess of gas stations.

Finally, Royal Farms is a bad neighbor. As its zoning request was pending, it installed lights in its parking lot that are in violation of the SDP and that have the potential to cause accidents because they shine out rather than down. In addition, the Maryland Dept. of the Environment fined Royal Farms for fuel leaks at 2 of its gas stations in Rosedale and Cecil County. See Baltimore Sun, May 29, 2013, p. A-3.

Thank you for your consideration and again my apologies for the lateness of these comments.



Cecilia Januskiewicz

6412 Steel Flower Path

Columbia, Md. 21045