

9-2-82
83-26-SPHA
PETITION FOR SPECIAL HEARING

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing under Section 506.7 of the Baltimore County Zoning Regulations, to determine whether or not the Zoning Commissioner and/or Deputy Zoning Commissioner should approve a determination that the service station facility existing on site legally existed on 12/31/67 and as such can be reconstructed; 2) change from full service to gas and go only; 3) a decrease in area of site.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of the above Special Hearing advertising, posting, etc., upon filing of this Petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I, We do 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 Petition.

Contract Purchaser: **R. M. Tambascio - Shell Oil Co.**
Signature: *R. M. Tambascio*
Address: **5565 Sterrett Place, Suite 312**
City and State: **Columbia, Maryland 21044**
Attorney for Petitioner: **John O. Seiland**
Signature: *John O. Seiland*
Address: **25 W. Chesapeake Ave., Suite 204**
City and State: **Towson, Maryland 21284**
Attorney's Telephone No.: **321-8200**

Legal Owner(s): **Roscoe Vandevander**
Signature: *Roscoe Vandevander*
Address: **9605 Pulaski Highway**
City and State: **Baltimore, Maryland 21220**
Name, address and phone number of legal owner, contract purchaser or representative to be contacted: **John O. Seiland**
Address: **25 W. Chesapeake Ave. 321-8200**

ORDERED By The Zoning Commissioner of Baltimore County, this 21st day of June 1982, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 29th day of July 1982, at 11:00 o'clock A.M.

Spencer Blumenthal
Zoning Commissioner of Baltimore County.

E.C.O.-No. 1 (over)

9-26-82
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PETITION FOR ZONING VARIANCE

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY.

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Zoning Commissioner of Baltimore County.

E.C.O.-No. 1 (over)

UNDER RECEIVED FOR FILING
DATE August 26, 1982
City of Baltimore
Planning Commission

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

William E. Hammond
TO: Zoning Commissioner Date: July 20, 1982
Norman E. Gerber, Director
FROM: Office of Planning and Zoning
Zoning Petition No. 83-26-SPHA
SUBJECT: Petitioner: Roscoe Vandevander

If granted, it is requested that details of landscaping be submitted to the Division of Current Planning and Development for their review and approval.

Norman E. Gerber per J. Stewart
Norman E. Gerber
Director of Planning and Zoning

NEG:JGH:dne

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Property is to be posted and advertised as prescribed by Zoning Regulations.

This setback is necessary for development of an efficient and practical self-serve gasoline station on this site. The new pump islands are located to maximize an effective traffic flow through the site and minimize the opportunity for confusion or vehicular accidents. The canopy overhang is the minimum required to afford protection from the elements to the self-serve customers on the outside of the first pump island. Rear setback is required to replace existing service station building with storage and rest rooms

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E.C.O.-No. 1 (over)

BALTIMORE COUNTY

ZONING PLANS

ADVISORY COMMITTEE



PETITION AND SITE PLAN

EVALUATION COMMENTS

Pursuant to the advertisement, posting of property, and public hearing on the Petition and it appearing that by reason of the following finding of facts

1. The petitioner herein seeks to determine if the existing service station facility on the subject property legally existed on December 31, 1967, in order to allow it to be reconstructed within a decreased site area from a full service station to a gas-and-go operation only.
2. Testimony presented in behalf of the petitioner revealed that the service station was constructed in 1954 and has been operated continuously by Shell Oil Company. The site area covered in the 1952 lease (Petitioner's Exhibit 3) has been decreased. The petitioner proposes to raise the existing obsolete building and construct a gas-and-go facility, in accordance with the site plan prepared by W. T. Sadler, Inc., revised January 19, 1982. The proposed design is intended to improve traffic flow and safety. The architectural design of the proposed canopy (Petitioner's Exhibit 4) will provide protection from the weather for customers utilizing the pumps adjacent to Pulaski Highway, and restrooms will be provided.
3. The loss of repair service to the community will be minimal since full service is available in the area.
4. No one appeared at the hearing in opposition to the petition.
5. To approve the amendment would be in strict harmony with the spirit and intent of the Baltimore County Zoning Regulations and would not adversely affect the health, safety, and general welfare of the community.

and, thus, the present public hearing is required.

Therefore, IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County, this 20th day of August, 1982, that the existing service station facility on the subject property legally existed on December 31, 1967, and may be reconstructed within a decreased site area from a full service station to a gas-and-go operation, in accordance with the aforementioned site plan, and, as such, the Petition for Special Hearing is hereby GRANTED, from and after the date of this Order, subject, however, to the following restrictions:

1. Compliance with Section 413 of the Baltimore County Zoning Regulations and the comments submitted by the Maryland Department of Transportation, dated April 12, 1982.
2. Approval of said site plan by the Director of Planning and the Deputy Zoning Commissioner as well as the Department of Public Works and the Office of Planning and Zoning, including landscaping and screening required for approval by the Current Planning and Development Division.

Jean M. H. Jung
Deputy Zoning Commissioner of Baltimore County

Pursuant to the advertisement, posting of property, and public hearing on the Petition and it appearing that by reason of the following finding of facts

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Pursuant to the advertisement, posting of property, and public hearing on the Petition and it appearing that strict compliance with the Baltimore County Zoning Regulations would result in practical difficulty and unreasonable hardship upon the Petitioner(s) and the granting of the variance(s) requested will not adversely affect the health, safety, and general welfare of the community, the variance(s) should ~~not~~ be granted.

Therefore, IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County, this 20th day of August, 1982, that the herein Petition for Variance(s) to permit a front yard setback of 4'6" in lieu of the required 10 feet and side and rear yard setbacks of 2 feet in lieu of the required 30 feet, in accordance with the site plan prepared by W. T. Sadler, Inc., revised January 19, 1982, is hereby GRANTED, from and after the date of this Order, subject, however, to the terms, provisions, and conditions contained in the accompanying Special Hearing Order.

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ORDER RECEIVED FOR FILING

DATE August 20, 1982

BY *Jean M. H. Jung*
Deputy Zoning Commissioner of Baltimore County

Jean M. H. Jung
Deputy Zoning Commissioner of Baltimore County

John G. Seiland, Esquire
25 West Chesapeake Ave
Suite 204
Towson, Md. 21286

W. T. Sadler, Inc.
305 W. Chesapeake Ave
Towson, Md. 21286

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your Petition has been received and accepted for filing this 21st day of Aug, 1982.

William E. Hammond
WILLIAM E. HAMMOND
Zoning Commissioner

Petitioner Roscoe Vandevender

Petitioner's Attorney John G. Seiland, Esq.

Reviewed by: *Nicholas B. Commodari*
Nicholas B. Commodari
Chairman, Zoning Plans Advisory Committee



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Jean M. H. Jung
Deputy Zoning Commissioner of Baltimore County

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

July 22, 1982

- COUNTY OFFICE BLDG.
111 W. Chesapeake Ave.
Towson, Maryland 21204
- Chairman
- MEMBERS
- Bureau of Engineering
- Department of Traffic Engineering
- State Roads Commission
- Bureau of Fire Prevention
- Health Department
- Project Planning
- Building Department
- Board of Education
- Zoning Administration
- Industrial Development

John G. Seiland, Esquire
25 West Chesapeake Avenue
Suite 204
Towson, Maryland 21204

RE: Item No. 198 - Case No. 83-26-SPHA
Petitioner - Roscoe Vandevender
Variance Petition and Special Hearing
Petition

Dear Mr. Seiland:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

In view of your client's proposal to change the existing full-service gas station to a gas and go operation, this combination hearing is required. At the time of field inspection, a number of apparent A-frame signs were existing on this site. The status of these apparent illegal signs should be discussed at the hearing.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

Very truly yours,
Nicholas B. Commodari
NICHOLAS B. COMMODARI
Chairman
Zoning Plans Advisory Committee

NB:bec
Enclosures
cc: W. T. Sadler, Inc.
305 W. Chesapeake Avenue
Towson, Md. 21204

HARRY J. F. TEL. P. E.
DIRECTOR
May 19, 1982

Mr. William E. Hammond
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Re: Item #198 (1981-1982)
Property Owner: Roscoe Vandevander
S/E corner Pulaski Highway and Middle River Road
Acres: 18,107 sq. ft. District: 15th

Dear Mr. Hammond:
The following comments are furnished in regard to the plat submitted to this office for review by the Zoning Advisory Committee in connection with the subject item.

General:
The comments which were supplied in conjunction with the Zoning Advisory Committee review of this property in connection with Item 190 (1979-1980) are valid and referred to for your consideration.

This office has no further comment in regard to the plan submitted for Zoning Advisory Committee review in connection with this Item 198 (1981-1982).

Very truly yours,
Robert A. Morton
ROBERT A. MORTON, P.E., Chief
Bureau of Public Services

RAM: EAM: FWR: ss
cc: Jack Wimbley
M-SE Key Sheet
21 NE 31 Pos. Sheet
NE 6 H Topo
S2 Tax Map



Mr. W. Hammond -2- April 12, 1982

The State Highway Administration will require all work within the S.H.A. Right of Way to be conducted under permit and the posting of a \$7,000.00 bond to guarantee construction.

I am sending a sketch showing the areas affected.
Very truly yours,
Charles Lee
Charles Lee, Chief
Bureau of Engineering
Access Permits

CL:GW:maw
Attachment
cc: Mr. J. Wimbley
By: George Wittman

April 22, 1980

Mr. William E. Hammond
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Re: Item #190 (1979-1980)
Property Owner: Roscoe Vandevander
S/E corner Pulaski Highway & Middle River Road
Existing Zoning: M.L.-C.S. 1
Proposed Zoning: Variance to permit a front setback of 4.5' in lieu of the required 10'.
Acres: 0.4157 District: 15th

Dear Mr. Hammond:
The following comments are furnished in regard to the plat submitted to this office for review by the Zoning Advisory Committee in connection with the subject item.

Highways:
Pulaski Highway (U.S. 40) is a State Road; therefore, all improvements, intersections, entrances and drainage requirements as they affect the road come under the jurisdiction of the Maryland State Highway Administration. Any utility construction within the State Road right-of-way will be subject to the standards, specifications and approval of the State in addition to those of Baltimore County.

Middle River Road, an existing County road, was improved in this vicinity as a 44-foot closed section roadway on a 60-foot right-of-way, see Drawings 472-0425 thru 0428, File 5; no further highway improvements are proposed at this time.

The reconstruction of concrete sidewalks, curb and gutter, aprons, etc. will be the full responsibility of the Petitioner.

The entrance locations are subject to approval by the Department of Traffic Engineering, and are to be reconstructed in accordance with Baltimore County and State Highway Administration standards, as applicable.

Sediment Control:
Development of this property through stripping, grading and stabilization could result in a sediment pollution problem, damaging private and public holdings downstream of the property. A grading permit is, therefore, necessary for all grading, including the stripping of top soil.

Item #190 (1979-1980)
Property Owner: Roscoe Vandevander
Page 2
April 22, 1980

Storm Drains:
The Petitioner must provide necessary drainage facilities (temporary or permanent) to prevent creating any nuisances or damages to adjacent properties, especially by the concentration of surface waters. Correction of any problem which may result, due to improper grading or improper installation of drainage facilities, would be the full responsibility of the Petitioner.

Water and Sanitary Sewer:
Public water supply and sanitary sewerage serve the present service station. The Petitioner is responsible for the cost of capping and plugging the water and sanitary sewerage service connections, if not used to serve the proposed improvements.

Very truly yours,
(SIGNED) EDWARD A. MCDONOUGH
ELLENWORTH H. STYER, P.E.
Chief, Bureau of Engineering

EAM
END: EAM: FWR: ss
M-SE Key Sheet
21 NE 31 Pos. Sheet
NE 6 H Topo
S2 Tax Map

Maryland Department of Transportation
State Highway Administration

Lowell K. Bridwell
Secretary
M. S. Calhoun
Administrator

April 12, 1982

Mr. William Hammond
Zoning Commissioner
County Office Bldg.
Towson, Md. 21204

Attention: Mr. N. Commodari

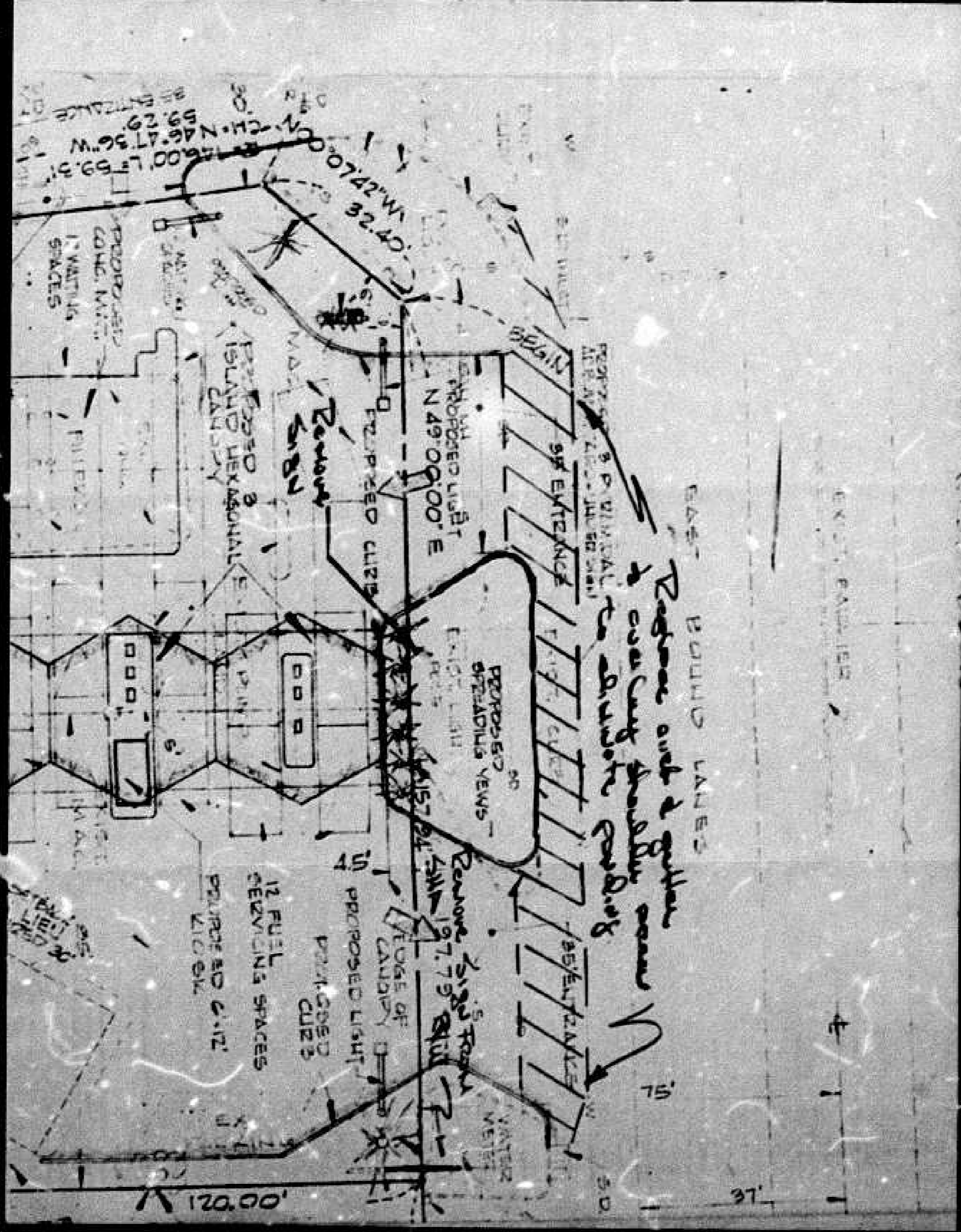
Re: ZAC Meeting of April 6, 1982
ITEM: #198
Property Owner: Roscoe Vandevander
Location: SE/Cor. Pulaski Highway, Route 40-E and Middle River Road
Existing Zoning: M.L.-CS-1
Proposed Zoning: Variance to permit a front setback of 4'5" in lieu of the required 10' and a side and rear setback of 2' in lieu of the required 30'.
Acres: 18,107 sq. ft.
District: 15th

Dear Mr. Hammond:
On review of the site plan of March 11, 1980 and field inspection, the State Highway Administration will require revisions to the plan.

The revised plan must show the following:

1. Replacement of roadside curb and gutter at the center island with the shoulder area overlaid to eliminate ponding at the site.
2. Removal of the sign at the center island attached to the existing G&E pole.
3. Removal of the sign at the northeast property line from over hanging the S.H.A. right of way.

My telephone number is (301) 659-1350
Teletypewriter for Impaired Hearing or Speech
383 7555 Baltimore Metro - 565-0451 D.C. Metro - 1-800-492-5062 Statewide Toll Free
P.O. Box 717 / 707 North Calvert St., Baltimore, Maryland 21203 - 0717



BALTIMORE COUNTY
DEPARTMENT OF TRAFFIC ENGINEERING
TOWSON, MARYLAND 21204
494-3550

STEPHEN E. COLLINS
DIRECTOR

May 10, 1982

Mr. William Hammond
Zoning Commissioner
County Office Building
Towson, Maryland 21204

RE: ZAC Meeting of April 6, 1982

Dear Mr. Hammond:
The Department of Traffic Engineering has no comments for items number 191, 192, 193, 195, 196, 197 and 198.

Very truly yours,
C. Richard Moore
C. Richard Moore
Assistant Traffic Engineer
Planning & Design

CPM/bza
cc - Mr. Jack Wimbley
Current Planning

BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
TOWSON, MARYLAND 21204
494-3211

NORMAN E. GERBER
DIRECTOR

July 20, 1982

Mr. William E. Hammond, Zoning Commissioner
Zoning Advisory Committee
Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204

Dear Mr. Hammond:
Comments on Item #198, Zoning Advisory Committee Meeting, April 6, 1982, are as follows:

Property Owner: Roscoe Vandevander
Location: SE/Corner Pulaski Highway and Middle River Road
Acres: 18,107 sq. ft.
District: 15th

This office has reviewed the subject petition and offers the following comments. These comments are not intended to indicate the appropriateness of the zoning in question, but are to assure that all parties are made aware of plans or problems with regard to development plans that may have a bearing on this petition.

The site plan shows a new lease line; therefore, the petitioner must comply with Baltimore County Development Regulations (Bill #56-82).

Very truly yours,
John L. Wimbley
John L. Wimbley
Planner III
Current Planning & Development

April 13, 1982

Mr. William E. Hammond, Zoning Commissioner Office of Planning and Zoning County Office Building Towson, Maryland 21204

Dear Mr. Hammond:

Comments on Item #198, Zoning Advisory Committee Meeting of April 6, 1982, are as follows:

Property Owner: Roscoe Vandevender Location: SE/Corner Pulaski Highway and Middle River Road Existing Zoning: M.L.-CS-1 Proposed Zoning: Variance to permit a front setback of 4'5" in lieu of the required 10' and a side and rear setback of 2' in lieu of the required 30'. Acres: 18,107 sq. ft. District: 15th

Metropolitan water and sewer exist.

A Permit to Construct from the Division of Air Pollution Control is required for such items as paint spray processes, underground gasoline storage tank/s (5,000 gallons or more) and any other equipment or process which exhausts into the atmosphere.

Very truly yours,

Ian J. Forrest, Director BUREAU OF ENVIRONMENTAL SERVICES

IJF/als

May 6, 1982

Mr. William E. Hammond, Zoning Commissioner Office of Planning and Zoning County Office Building Towson, Maryland 21204

Dear Mr. Hammond:

Comments on Item 198, Zoning Advisory Committee Meeting of April 6, 1982, are as follows:

Property Owner: Roscoe Vandevender Location: SE/Corner Pulaski Highway and Middle River Road Existing Zoning: M.L.-CS-1 Proposed Zoning: Variance to permit a front setback of 4'5" in lieu of the required 10' and a side and rear setback of 2' in lieu of the required 30'. Acres: 18,107 sq. ft. District: 15th

Metropolitan water and sewer exist.

A Permit to Construct from the Division of Air Pollution Control is required for such items as paint spray processes, underground gasoline storage tank/s (5,000 gallons or more) and any other equipment or process which exhausts into the atmosphere.

Very truly yours,

Ian J. Forrest, Director BUREAU OF ENVIRONMENTAL SERVICES

IJF/als

April 26, 1982

Mr. William Hammond Zoning Commissioner Office of Planning and Zoning Baltimore County Office Building Towson, Maryland 21204

Attention: Nick Comodari, Chairman Zoning Plans Advisory Committee

RE: Property Owner: Roscoe Vandevender

Location: SE/Cor. Pulaski Highway and Middle River Road

Item No.: 198

Zoning Agenda: Meeting of April 6, 1982

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

- 1. Fire hydrants for the referenced property are required and shall be located at intervals or feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.
2. A second means of vehicle access is required for the site.
3. The vehicle dead end condition shown at EXCEEDS the maximum allowed by the Fire Department.
4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.
5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1976 Edition prior to occupancy.
6. Site plans are approved, as drawn.
7. The Fire Prevention Bureau has no comments, at this time.

REVIEWER: [Signature] Noted and Approved: [Signature] Fire Prevention Bureau

JK/mb/cm

TED ZALESKI JR. DIRECTOR Mr. William E. Hammond, Zoning Commissioner Office of Planning and Zoning County Office Building Towson, Maryland 21204

Dear Mr. Hammond:

Comments on Item # 198 Zoning Advisory Committee Meeting are as follows:

Property Owner: Roscoe Vandevender Location: SE/Cor. Pulaski Highway and Middle River Road Existing Zoning: M.L.-CS-1 Proposed Zoning: Variance to permit a front setback of 4'5" in lieu of the required 10' and a side and rear setback of 2' in lieu of the required 30'. Acres: 18,107 sq. ft. District: 15th

The items checked below are applicable:

- X.A. All structure shall conform to the Baltimore County Building Code 1981/ Council Bill 14-87 State of Maryland Code for the Handicapped and Aged; and other applicable Codes.
X.B. A building/raising & other miscellaneous permit shall be required before beginning construction.
C. Residential: Three sets of construction drawings are required to file a permit application. Architect/Engineer seal is/is not required.
X.D. Commercial: Three sets of construction drawings with a Maryland Registered Architect or Engineer shall be required to file a permit application.
E. In wood frame construction an exterior wall erected within 5'0" of an adjacent lot line shall be of one hour fire resistive construction, no openings permitted within 3'-0" of lot lines. A firewall is required if construction is on the lot line. See Table 101, line 2, Section 1107 and Table 1105.
F. Requested variance conflicts with the Baltimore County Building Code. Section/s:
G. A change of occupancy shall be applied for, along with an alteration permit application, and three required sets of drawings indicating how the structure will meet the Code requirements for the proposed change. Drawings may require a professional seal.
H. Before this office can issue the above structure, please have the owner, thru the services of a Registered in Maryland Architect or Engineer certify to this office, that the structure for which a proposed change in use is proposed complies with the set of area requirements of Table 506 of the required construction classification of Table 101.
I. Comments

NOTE: These comments reflect only on the information provided by the drawings submitted to the office of Planning and Zoning and are not intended to be construed as the full extent of any permit. If desired additional information may be obtained by visiting Room #122 (Plan Review) at 111 West Chesapeake Ave., Towson.

Very truly yours,

Charles E. Burman, Chief Plans Review

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Nicholas B. Comodari Zoning Advisory Committee Date: April 14, 1982 TO: She on M. Caplan FROM: Economic Development Commission

SUBJECT: Item #198 -- Property Owner: Roscoe Vandevender Location: SE/Corner Pulaski Highway & Middle River Road Existing Zoning: M.L.-CS-1 Proposed Zoning: Variance to permit a front setback of 4'5" in lieu of the required 10' and a side and rear setback of 2' in lieu of the required 30'.

In recognition of Baltimore County's desire to foster a healthy economic growth, we request the zoning officer to evaluate the above request in the best interest of industrial expansion.

SHARON M. CAPLAN

SNC:jet

BALTIMORE COUNTY PUBLIC SCHOOLS

Robert Y. Dubel, Superintendent Towson, Maryland - 21204 Date: April 2, 1982

Mr. William E. Hammond Zoning Commissioner Baltimore County Office Building 1111 West Chesapeake Avenue Towson, Maryland 21204

Z.A.C. Meeting of: April 6, 1982

RE: Item No: 190, 191, 192, 193, 194, 195, 196, 197, 198 Property Owner: Location: Present Zoning: Proposed Zoning:

District: No. Acres:

Dear Mr. Hammond:

All of the above have no bearing on student population.

Very truly yours, Mr. Nick Petrovich, Assistant Department of Planning

MNV/bp

RE: PETITION FOR SPECIAL HEARING: BEFORE THE ZONING COMMISSIONER PETITION FOR VARIANCE OF BALTIMORE COUNTY NE corner of Pulaski Hwy. and Middle River Rd., 15th District ROSCOE VANDEVENDER, Petitioner Case No. 83-26-SP/HA (Item 198)

ORDER TO ENTER APPEARANCE

Mr. Commissioner:

Pursuant to the authority contained in Section 524.1 of the Baltimore County Charter, I hereby enter my appearance in this proceeding. You are requested to notify me of any hearing date or dates which may be now or hereafter designated therefor, and of the passage of any preliminary or final Order in connection therewith.

Peter Max Zimmerman, Deputy People's Counsel; John W. Hession, III, People's Counsel for Baltimore County Rm. 223, Court House Towson, Maryland 21204 494-2188

I HEREBY CERTIFY that on this 2nd day of July, 1982, a copy of the foregoing Order was mailed to John O. Seiland, Esquire, 25 W. Chesapeake Avenue, Suite 204, Towson, Maryland 21204, Attorney for Petitioner; and Mr. R. M. Tamburcio, Shell Oil Company, 5565 Sterrett Place, Suite 312, Columbia, Maryland 21044, Contract Purchaser.

John W. Hession, III

LEASE THIS LEASE, dated July 14, 1952, between MICHAEL P. VETTER and HELEN G. BRENN, his wife of 1923 N. 37th Street in Baltimore 10, Maryland, (herein called "Lessors", with their one or more), and SHELL OIL COMPANY, a Delaware corporation with offices at 509 N. 22nd Street in Baltimore 10, Maryland (herein called "Shell"), and MICHAEL P. VETTER and HELEN G. BRENN, his wife of 1923 N. 37th Street in Baltimore 10, Maryland (herein called "Lessee").
1. Lessor hereby leases to Shell, and Shell hereby leases from Lessor, the following described land, situated at SE Corner a. Intersection of Pulaski Highway and Middle River Road in Poplar, County of Baltimore, State of Maryland:
All that piece or parcel of land situate, lying and being in the fifteenth election district of Baltimore County, State of Maryland, and described as follows: ...
2. The term of this Lease shall begin on the date of completion of Lessor's construction of an automobile service station on the premises, as provided in article 4, and shall end on the last day of the One Hundred Eightieth (180th) full calendar month after such beginning date. Shell shall have options to extend the term of this lease for two (2) additional periods of Five (5) years each, on the same coverage and conditions as those provided, each of which options shall be exercised by giving Lessor notice of their exercise, not later than the expiration of the original term or the then-current extension period, as the case may be. If Shell does not exercise its then-current option to extend, the term of this lease shall terminate on the expiration of the then-current extension period.

Original Lease PETITIONER'S EXHIBIT 3

shall be automatically extended from year to year, on the same covenants and conditions as herein provided, unless and until either Lessor or Shell terminates this lease at the end of the original term or the then-current extension period or any subsequent year, by giving the other party at least thirty (30) days' notice.

3. Shell shall pay, as rent for each calendar month during the term of this lease, the sum of Fifty Dollars (\$50.00), by check to the order of Michael F. Peters and Helen S. Peters, in advance on or before the first day of each such month. Rent for any period less than a calendar month shall be prorated.

4. Lessor shall, at Lessor's expense: (a) obtain from the proper public authorities all licenses and permits necessary to authorize the construction and operation on the premises of an automobile service station (including the removal of existing structures, if required), as hereinafter provided; and (b) construct on the premises an automobile service station, including the buildings, improvements and equipment described in Exhibit "A" hereof, in accordance with plans and specifications approved by Shell, at a cost of not less than Twenty-five thousand Dollars (\$25,000.00), in a good and workmanlike manner satisfactory to Shell and to all public authorities whose approval is required. If Lessor fails (1) diligently to endeavor to obtain such licenses and permits or (2) so to obtain the same as promptly as possible after the date of this lease or (3) diligently to prosecute such construction or (4) so to complete the same as promptly as possible after the licenses and permits have been obtained, Shell may obtain the licenses and permits and/or undertake and/or complete the construction, and charge the cost thereof to Lessor.

5. Shell shall have the right, at Shell's expense, to use the premises for any lawful purpose, to paint all or any part of the premises in colors of Shell's selection, to make any alterations that Shell may desire in the premises after first obtaining the permission of Lessor and Lessor's attorney (if any), and providing further that the value of the structure shall not be reduced. Shell shall have the right, at Shell's expense, to construct and install on the premises, and alter, any additional buildings, improvements and equipment (including advertising signs and billboards) that Shell may desire. Lessor shall remove from the premises any of Lessor's equipment that Shell elects to replace with its own equipment.

6. Lessor shall pay all taxes, assessments and other charges on the premises, excepting taxes on Shell's property on the premises, and licenses, utilities and other such charges incurred by Shell's use or operations on the premises. If Lessor defaults, at any time, in any such payment or in the performance of the obligations of any mortgage or other lien affecting the premises, Shell may remedy such default, in whole or in part, charge to Lessor all costs incurred thereby, and to subrogate to the rights of the holder of such mortgage or other lien.

7. Lessor shall maintain the premises in good condition and repair or replace any of the leased buildings, improvements and equipment damaged or destroyed by any cause other than Shell's negligence, or by fire or explosion whether or not caused by Shell's negligence. If Lessor fails to commence making repairs or replacements within five (5) days after Shell gives notice requesting Lessor so to do, or fails to complete the same promptly, Shell may make such repairs or replacements and charge to Lessor the cost thereof. If the premises are rendered wholly or partially unfit for occupancy by any such damage or destruction, or if, for any reason other than Shell's negligence, the possession or beneficial use of the premises is interfered with, the rent hereunder shall abate until the premises are fully restored to fitness for occupancy or such interference has ceased.

8. All sums charged to Lessor by Shell hereunder shall be indebtedness of Lessor to Shell payable on demand. If any such indebtedness or any other indebtedness of Lessor to Shell is due at any time, Shell may, in addition to other remedies, withhold all rent accruing hereunder and apply the same to the payment of such indebtedness. If all such indebtedness is not fully paid at the expiration of the original term of this lease or any extension thereof, Shell may, at its option, extend this lease on the same covenants and conditions as herein provided, until such indebtedness is fully paid by application of all rents thereafter.

9. At any time during the original term of this lease or any extension thereof or any tenancy thereafter, Shell shall have the option to purchase the premises for the sum of Seventy-five thousand Dollars (\$75,000.00), on the terms provided in article 11, which option Shell may exercise by notice to Lessor.

10. If at any time during the original term of this lease or any extension thereof or any tenancy thereafter, Lessor receives from a ready, willing and able purchaser, an acceptable bona fide offer to purchase, or make a bona fide offer to sell to such a purchaser, the premises or any part thereof, or any property which includes all or part of the premises, Lessor shall give Shell notice, setting forth the name and address of the purchaser and the price and terms of the offer, and accompanied by Lessor's affidavit that the proposed sale is in good faith. Shell shall thereupon have, in addition and without prejudice to its rights under article 9, the prior option to purchase the premises or the part thereof or the entire property covered by such offer, at the price and on the terms of the offer but subject to the terms provided in article 11, which option Shell may exercise by giving Lessor notice within twenty (20) days after Shell's receipt of Lessor's notice of the offer. Shell's failure, at any time, to exercise its option under this article shall not affect this lease or the continuance of Shell's rights and options under article 9, 10 or 11 or any article hereof.

11. Within twenty (20) days after notice of Shell's exercise of any purchase option herein, Lessor shall obtain, at Lessor's expense, and admit to Shell evidence of Lessor's title to the property covered by the exercised option, for examination by Shell's attorneys, (in default whereof Shell may obtain the same and charge to Lessor the cost thereof), and all title opinions, certificates and policies of insurance, pending and mature, relating thereto that Lessor may possess, all of which shall become Shell's property if the sale is consummated. All liens, encumbrances, restrictions and other defects in title shall be cleared by Lessor promptly on notice from Shell. If title is approved by Shell's attorneys and all necessary legal permission for the operation on the premises of an automobile service station, and the use of the premises therefor, is in effect, the sale shall be consummated without unreasonable delay, and Lessor shall convey to Shell the property covered by the exercised option, by recordable deed with general covenants of warranty and, as to any personal property, by a good and workmanlike bill of sale. Taxes for the current year and rent shall be prorated as of the date of delivery of such deed. If title is not approved by Shell's attorneys for all such legal permission is not in effect, the sale shall be consummated or rejected at Shell's option; and Shell may waive any liens and other encumbrances on the premises and reduce the purchase price by the amount thereof. Evidence of Lessor's title means, at Shell's option, any evidence of title that Lessor may possess, a complete abstract of title, a current certificate of title, an attorney's opinion as to title, or a report of a title insurance company and subsequently a title policy fully insuring the interest Shell is to acquire, such abstract, attorney or title company, to be selected by Shell.

12. Shell may at any time assign this lease or sublease all or any part of the premises.

13. If, without Shell's fault, the operation on the premises of an automobile service station or the use of the premises therefor, is prevented by any act or omission of any governmental authority or becomes illegal and such condition continues for thirty (30) days, or if 11 or a substantial part of the premises is consumed for public or quasi-public use, Shell may terminate this lease by giving Lessor at least thirty (30) days' notice.

14. Shell may, at its option, terminate this lease at any time during the original term or any extension thereof, by giving Lessor at least thirty (30) days' notice and paying, as consideration therefor, a sum equal to the unpaid balance, as of the effective date of such termination of the premises, plus accrued interest thereon of a promissory note given by Lessor on or after the beginning of the term of this lease to cover all or a part of the original cost of construction as provided in article 4 hereof, and secured by a mortgage on the leased premises and an assignment of rent hereunder; provided, however, that if said promissory note has been fully repaid at the time such termination becomes effective then the consideration to be paid for such termination shall be the sum of Six Hundred Dollars (\$600.00).

15. All buildings, improvements, equipment and other property constructed, installed or placed on the premises by Shell or acquired by Shell, at any time during the term of this or any previous lease or any extension thereof, or any tenancy thereafter, shall be and remain Shell's property, and Shell shall have the right to remove any or all of the same from the premises, at any time during and within thirty (30) days after any termination of this lease or any tenancy thereafter. At the termination of this lease or any tenancy thereafter, Shell shall surrender the premises to Lessor, subject to ordinary wear and tear, to any damage or destruction which Lessor is obligated to repair or replace under article 7, and to Shell's rights under articles 5 and 14. Any holdover by Shell after any termination of this lease shall create no more than a month-to-month tenancy at the rent and on all other applicable conditions herein provided. If forfeiture of this lease is permitted by law for Shell's default, Lessor shall not be entitled to demand any such forfeiture unless Lessor shall have given Shell notice of such default and Shell shall have failed to remedy the same within twenty (20) days after receipt of such notice.

16. Lessor covenants that Lessor is well seized of and has good right to lease the premises, will warrant and defend the title thereto, and will indemnify Shell against any damage and expense which Shell may suffer by reason of any lien, encumbrance, restriction or defect in the title to or description hereof of the premises. If, at any time, Lessor's title or right to receive rent hereunder is disputed, or there is a change of ownership of Lessor's estate by act of the parties or operation of law, Shell may withhold rent thereafter according until Shell is furnished proof satisfactory to it as to the party entitled thereto.

17. Notices hereunder shall be given either by registered letter or telegram and shall be deemed given when the letter is deposited in the mail or the telegram filed for whom intended at such party's address first herein specified, or to such other address as may be substituted hereof by proper notice hereunder.

17. This lease merges and supercedes all prior negotiations, representations and agreements, and constitutes the entire contract, between Lessor and Shell concerning the leasing of the premises and the consideration therefor. Neither this lease nor any amendment or supplement thereto shall be binding on Shell unless and until it is signed in Shell's behalf by a representative duly authorized by the Board of Directors, and a copy thereof so signed is delivered to Lessor. This lease shall be binding on and inure to the benefit of the heirs, administrators, executors, successors and assigns of Lessor, and the successors and assigns of Shell.

IN WITNESS WHEREOF, this lease is executed as of the date first herein written.

Witnesses to execution by Lessor:
Michael F. Peters (Seal)
Helen S. Peters (Seal)
Lessor
Helen S. Peters

Witnesses to execution by Shell:
SHELL OIL COMPANY
Division Manager

STATE OF MARYLAND }
City of Baltimore }

On this 16th day of August, 1953, before me, Walter H. Hagle, a Notary Public in and for said City in said State, personally appeared MICHAEL F. PETERS and HELEN S. PETERS, to me personally known and known to me to be the same persons described in and who executed the foregoing instrument, and, being fully advised by me of the contents of said instrument, solemnly acknowledged to me that they signed, sealed and delivered the same as their free and voluntary act and deed, for the uses, purposes and consideration therein expressed.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal on the aforesaid day and year.

My commission expires: May 1, 1953
Walter H. Hagle
Notary Public

STATE OF MARYLAND }
CITY OF BALTIMORE }

On this 11th day of February, 1953, before me, Douglas W. Barrows, a Notary Public in and for said City and State, personally appeared E. A. CHENOWETH, to me personally known who, being by me duly sworn, said that he resides in BALTIMORE, MARYLAND, and that he is Division Manager of SHELL OIL COMPANY, the corporation which executed the foregoing instrument, and acknowledged to me that he signed said instrument, as such Division Manager, in the name and behalf of said corporation, that he was thereto duly authorized by said corporation's board of directors, and that said instrument is his free and voluntary act and deed and the free and voluntary act and deed of said corporation, for the uses and purposes therein set forth.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal on the aforesaid day and year.

My commission expires: 5/14/53
Douglas W. Barrows
Notary Public
DOUGLASS W. BARROWS

Deed Made this 13th day of April

Between one thousand nine hundred and fifty-seven by and between MICHAEL F. PETERS and Helen S. Peters, his wife, - - - - -

Rescoe Vandevander, - - - - -
of the second part.

Witnessed, that in consideration of the sum of five (\$5.00) dollars and the assumption of the hereinbefore mortgage which the parties of the second part hereby covenants to repay - - - - -
the said MICHAEL F. PETERS and Helen S. Peters, his wife - - - - -
do grant and convey unto the said Rescoe Vandevander, his - - - - -

heirs and assigns, in fee simple, all that lot - - - - - of ground, situate, lying and being in Baltimore County, State of Maryland - - - - - and described as follows, that is to-wit:

Beginning for the same at a pipe on the southeast side of Pulaski Highway at the beginning point of that lot of ground conveyed by Ralph W.E. Schenkel and wife to Thomas E. Christine and wife by a deed dated November 8, 1940 and recorded among the Land Records of Baltimore County in Liber O. W. B. Jr. 1126 folio 30; etc. running thence and along on the southeast side of Pulaski Highway South 49 degrees West 239.85 feet to the north side of Middle River Road thence binding on the northeast side of Middle River Road by a line curving toward the right or southeast having a radius of 500.00 feet and a chord bearing South 46 degrees 58 minutes East 66.39 feet a distance of 66.44 feet to a railroad spike planted in the first line of the land conveyed by Louise Schenkel (widow) to Willard Schenkel and wife by deed dated June 19, 1912 and recorded among the Land Records of Baltimore County in Liber W.F.C. No. 598 folio 89 etc. running thence and binding on a part of said first line and on or near the center of an entrance road there situate with the use thereof in common with others entitled thereto South 89 degrees 40 minutes East 710.24 feet to a pipe thence North 41 degrees West binding for a part on the last line in the first herein mentioned deed 270.93 feet to the place of beginning.

Containing 0.906 Acre of land more or less.

Being the same lot of ground which by deed dated March 13, 1953, and recorded among the Land Records of Baltimore County in Liber O.L.B. No. 2260 folio 393-394 granted and conveyed by Caroline Schenkel, widow, to Michael F. Peters and Helen S. Peters, his wife.

It is hereby covenanted and agreed as part of the consideration of this Deed that the party of the second part hereby covenants with the parties of the first part that he will assume the obligations and the repayment of the principal and interest when and as the same may become due and payable under the terms of the two following mortgages.

(a) Mortgage dated March 13, 1953, and recorded among the Land Records of Baltimore County in Liber O.L.B. No. 2260 folio 401 from Michael F. Peters

LIBER 3130 PAGE 337
and wife to The Equia Leifrost Company and thereafter short assigned to The Prudential Insurance Company of America.

(b) Mortgage dated March 13, 1953, and recorded among the Land Records of Baltimore County in Liber O.L.B. No. 2260 folio 393 from Michael F. Peters and wife to The Prudential Insurance Company of America.

Witnessed, that in consideration of the sum of five (\$5.00) dollars and the assumption of the hereinbefore mortgage which the parties of the second part hereby covenants to repay - - - - -
the said MICHAEL F. PETERS and Helen S. Peters, his wife - - - - -
do grant and convey unto the said Rescoe Vandevander, his - - - - -

heirs and assigns, in fee simple, all that lot - - - - - of ground, situate, lying and being in Baltimore County, State of Maryland - - - - - and described as follows, that is to-wit:

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It is hereby covenanted and agreed as part of the consideration of this Deed that the party of the second part hereby covenants with the parties of the first part that he will assume the obligations and the repayment of the principal and interest when and as the same may become due and payable under the terms of the two following mortgages.

(a) Mortgage dated March 13, 1953, and recorded among the Land Records of Baltimore County in Liber O.L.B. No. 2260 folio 401 from Michael F. Peters

(b) Mortgage dated March 13, 1953, and recorded among the Land Records of Baltimore County in Liber O.L.B. No. 2260 folio 393 from Michael F. Peters and wife to The Prudential Insurance Company of America.

Witnessed, that in consideration of the sum of five (\$5.00) dollars and the assumption of the hereinbefore mortgage which the parties of the second part hereby covenants to repay - - - - -
the said MICHAEL F. PETERS and Helen S. Peters, his wife - - - - -
do grant and convey unto the said Rescoe Vandevander, his - - - - -

heirs and assigns, in fee simple, all that lot - - - - - of ground, situate, lying and being in Baltimore County, State of Maryland - - - - - and described as follows, that is to-wit:

Beginning for the same at a pipe on the southeast side of Pulaski Highway at the beginning point of that lot of ground conveyed by Ralph W.E. Schenkel and wife to Thomas E. Christine and wife by a deed dated November 8, 1940 and recorded among the Land Records of Baltimore County in Liber O. W. B. Jr. 1126 folio 30; etc. running thence and along on the southeast side of Pulaski Highway South 49 degrees West 239.85 feet to the north side of Middle River Road thence binding on the northeast side of Middle River Road by a line curving toward the right or southeast having a radius of 500.00 feet and a chord bearing South 46 degrees 58 minutes East 66.39 feet a distance of 66.44 feet to a railroad spike planted in the first line of the land conveyed by Louise Schenkel (widow) to Willard Schenkel and wife by deed dated June 19, 1912 and recorded among the Land Records of Baltimore County in Liber W.F.C. No. 598 folio 89 etc. running thence and binding on a part of said first line and on or near the center of an entrance road there situate with the use thereof in common with others entitled thereto South 89 degrees 40 minutes East 710.24 feet to a pipe thence North 41 degrees West binding for a part on the last line in the first herein mentioned deed 270.93 feet to the place of beginning.

Containing 0.906 Acre of land more or less.

Being the same lot of ground which by deed dated March 13, 1953, and recorded among the Land Records of Baltimore County in Liber O.L.B. No. 2260 folio 393-394 granted and conveyed by Caroline Schenkel, widow, to Michael F. Peters and Helen S. Peters, his wife.

LIBER 3130 PAGE 338

Together with the building, and improvements thereupon erected, made or being and all and every the rights, ways, waters, privileges, appurtenances and advantages, to the same belonging or in anywise appertaining.

To Have and To Hold the - - - - - of ground and premises, above described and mentioned, and hereby intended to be conveyed, together with the rights, privileges, appurtenances and advantages thereto belonging or appertaining unto and to the proper use and benefit of the said Rescoe Vandevander, his - - - - -

heirs and assigns, in fee simple.

And the said parties of the first part hereby covenant that they have not done or suffered to be done any act, matter or thing whatsoever, to encumber the property hereby conveyed; that they will warrant specially the property granted and that they will execute such further assurances of the same as may be requisite.

Witness the hands and seals of said grantors and the grantee.

TEST:
MICHAEL F. PETERS (SEAL)
HELEN S. PETERS (SEAL)
Rescoe Vandevander

STATE OF MARYLAND, Baltimore County, to-wit:

I HEREBY CERTIFY, That on this 1st day of April, 1953, before me, the subscriber, a Notary Public of the State of Maryland, in and for Baltimore County aforesaid, personally appeared MICHAEL F. PETERS and HELEN S. PETERS, his wife, and Rescoe Vandevander - - - - -

- - - - - and grantee the above named grantors, and they acknowledged the foregoing Deed to be their act.

As Witness my hand and Notarial Seal.
FRANCIS B. ZINK
Notary Public

Mailed to John J. Voluntary

OFFICE OF THE
STATE ROADS COMMISSION
OF MARYLAND

Sheet No. 2

No. 525 FREEWAY

April 13, 1953

6. The area affected by the construction of these driveways and islands shall be left in a neat and clean condition and no excess material of any kind be left along and/or adjacent to the State Roads Commission right of way.

A certified check in the amount of \$500.00 is being made a part of this permit and which bond is on file in the Asst. to Chief Engineer's office at 106 E. Lexington Street, Baltimore, Maryland.

said work to be completed within SIXTY (60) days from the date hereof.

Permission, when granted, to place a utility or structure within the limits of the right of way of a bridge or highway is revocable by the State Roads Commission.

The work hereby permitted shall be done under the supervision and to the satisfaction of the State Roads Commission, said State Roads Commission reserving full control over said roads or highways and the subject matter of this permit.

Russell B. McLaughlin Chairman
W. F. Phillips, Jr. Chief Engineer

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF PERMITS AND LICENSES
OFFICE OF THE BUILDINGS ENGINEER
County Office Building, Towson 4, Md.

No. 61186
District 15
Date Jan. 6, 1982

This New Building Permit is Herby Granted To
Roscoe H. Vandevander
14 Seaford Ave.
Baltimore 21, Md.

SUBDIVISION 1
LOT No.
BLOCK
SECTION
PLAT No.

To erect the following building:
Location: S/E/S Pulaski Highway, N/E/C Middle River Rd.
Use of Building: Gas Line Service Station, addition
Size of Building: Front 13' ft. Depth 28' ft. Height 11' ft.
Side of Building: Front 15'1" ft. Depth 6'8" ft. Height 9' ft.
Setback of Building: Front 69' ft.; Side Setbacks 15' and 120' ft. Corner lot ft. from side street
Character of Construction: conc., 12" conc. block, conc., frame

Fee Paid \$ 20.00

This Permit shall be kept on the premises open to public inspection during the prosecution of the work and until completion of same. LIMITATION: After a new building permit is issued, if the operation or work authorized and approved thereunder is not commenced within six (6) months after the issue, or if, after commencement of the operation or work is suspended or discontinued for a period of one year, then, in either case, the permit shall be null and void, and no operations or work shall be again commenced unless and until another proper permit shall have been issued for such work.



PETITION FOR SPECIAL HEARING AND VARIANCES

15th Election District
ZONING: Petition for Special Hearing and Variances
LOCATION: Northeast corner of Pulaski Highway and Middle River Road
DATE & TIME: Thursday, July 29, 1982 at 11:00 A. M.
PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing:

Petition for Special Hearing under Section 500.7 of the Baltimore County Zoning Regulations, to determine whether or not the Zoning Commissioner and/or Deputy Zoning Commissioner should approve a determination that the service station facility existing on site legally existed on December 31, 1967 and as such can be reconstructed; to change from full service to gas and only; and a decrease in area of site; and Variances to allow front yard setbacks of 4'6" in lieu of the required 10' and to allow side and rear yard setbacks of 2' in lieu of the required 30'

The Zoning Regulations to be excepted as follows:
Section 405.4A.2a - minimum setback of canopy from street property line
Section 238.2 - minimum side and rear yard setbacks in a B.R. zone

All that parcel of land in the Fifteenth District of Baltimore County

Being the property of Roscoe Vandevander, as shown on plat plan filed with the Zoning Department.

Hearing Date: Thursday, July 29, 1982 at 11:00 A. M.
Public Hearing: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

BY ORDER OF
WILLIAM E. HAMMOND
ZONING COMMISSIONER
OF BALTIMORE COUNTY

305 W. Chesapeake Avenue Towson, Maryland 21284 301-821-6971 William E. Sadler
David S. Jenkins



SHEET 1 OF 2
JOB NO. 6490

DESCRIPTION TO ACCOMPANY PLAT
FOR SETBACK VARIANCE FROM 4.5, 4.1, 2.2 TO PERMIT A
CANOPY TO BE CONSTRUCTED 4.5 FEET FROM THE RIGHT-OF-WAY LINE
INSTEAD OF 10 FEET
LOCATION: 9605 PULASKI HIGHWAY
AT MIDDLE RIVER ROAD
15TH ELECTION DISTRICT-BALTIMORE COUNTY, MARYLAND
FOR
SHELL OIL COMPANY

DATE: MARCH 11, 1980

DESCRIPTION:
Beginning for the same at a point on the southeast side of Pulaski Highway, U.S. Route 40, 150 feet wide, at the northern end of the fillet forming the intersection of the southeast side of Pulaski Highway and the northeast side of Middle River Road, 60 feet wide, and running thence along the southeast side of Pulaski Highway North 49 degrees 00 minutes 00 seconds East 157.94 feet, thence leaving Pulaski Highway and running
South 41 degrees 00 minutes 00 seconds East 120.00 feet,
South 49 degrees 00 minutes 00 seconds West 30.00 feet,
South 76 degrees 19 minutes 00 seconds West 45.65 feet,
South 49 degrees 00 minutes 00 seconds West 85.00 feet, and
North 89 degrees 30 minutes 58 seconds West 27.48 feet,
thence running and binding along the northeast side of Middle River Road, 60 feet wide 59.31 feet along the arc of a curve to the left having a radius of 746.00 feet and a chord bearing and distance of North 46 degrees 47 minutes 36 seconds West 59.29 feet, and
North 00 degrees 07 minutes 42 seconds East at 32.40 feet to the place of beginning.
Containing: 18,107 square feet of land more or less.

SHEET 2 OF 2

Subject to the following easements and/or rights of way:

1. To Maryland State Roads Commission, C.W.B. Jr. 935, folio 944 and S.R.C. Plat No. 1372.
2. To Baltimore County Maryland, Liber 5219, folio 531 and Bureau of Land Acquisition Drawing Nos. R/W 66-418-6 and R/W 66-418-7.
3. To Baltimore County Maryland, Liber 5218, folio 996 and Bureau of Land Acquisition Drawing No. R/W 66-418-7.

Being a portion of the property conveyed from Michael F. Peters and Helen S. Peters, his wife, to Roscoe Vandevander by deed dated April 1, 1957 and recorded among the Land Records of Baltimore County in Liber 3130, page 336.



By *William T. Sadler* Date: 3/11/82
William T. Sadler P.L.S. 7730

PETITION FOR SPECIAL HEARING AND VARIANCES

15th Election District
ZONING: Petition for Special Hearing and Variances
LOCATION: Northeast corner of Pulaski Highway and Middle River Road
DATE & TIME: Thursday, July 29, 1982 at 11:00 A. M.
PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing:

Petition for Special Hearing under Section 500.7 of the Baltimore County Zoning Regulations, to determine whether or not the Zoning Commissioner and/or Deputy Zoning Commissioner should approve a determination that the service station facility existing on site legally existed on December 31, 1967 and as such can be reconstructed; to change from full service to gas and only; and a decrease in area of site; and Variances to allow front yard setbacks of 4'6" in lieu of the required 10' and to allow side and rear yard setbacks of 2' in lieu of the required 30'

The Zoning Regulations to be excepted as follows:
Section 405.4A.2a - minimum setback of canopy from street property line
Section 238.2 - minimum side and rear yard setbacks in a B.R. zone

All that parcel of land in the Fifteenth District of Baltimore County

Being the property of Roscoe Vandevander, as shown on plat plan filed with the Zoning Department.

Hearing Date: Thursday, July 29, 1982 at 11:00 A. M.
Public Hearing: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

BY ORDER OF
WILLIAM E. HAMMOND
ZONING COMMISSIONER
OF BALTIMORE COUNTY



BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3353

WILLIAM E. HAMMOND
ZONING COMMISSIONER

July 19, 1982

John O. Seiland, Esquire
25 W. Chesapeake Avenue
Suite 204
Towson, Maryland 21204

Re: Petitions for Special Hearing & Variances
NE/corner Pulaski Hwy. & Middle River Rd.
Roscoe Vandevander - Petitioner
Case #83-26-SPHA Item #198

Dear Mr. Seiland:

This is to advise you that \$99.92 is due for advertising and posting of the above property.

Please make the check payable to Baltimore County, Maryland, and remit to Arlene Manary, Zoning Office, Room 113, County Office Building, Towson, Maryland 21204, before the hearing.

Very truly yours,

William E. Hammond
WILLIAM E. HAMMOND
Commissioner

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 108930

DATE: 7/29/82 ACCOUNT: 01-662
AMOUNT: \$99.92

RECEIVED FROM: John O. Seiland, Esquire
FOR: Advertising & Posting Case #83-26-SPHA (Roscoe Vandevander)

043*****55216 8288A

VALIDATION OR SIGNATURE OF CARRIER

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 15 Date of Posting: 7/14/82
Post for: Petition for Special Hearing & Variances
Petitioner: Roscoe Vandevander
Location of property: NE/cor. Pulaski Highway & Middle River Rd.
Location of Sign: Intersection of Pulaski Highway & Middle River Rd.
Remarks:
Posted by: *William E. Hammond* Date of return: 7/16/82
Number of Signs: 2

83-26-SPHA

Petition for Special Hearing and Variances
 15th Election District
 ZONING: Petition for Special Hearing and Variances
 LOCATION: Northeast corner of Pulaski Highway and Middle River Road
 DATE & TIME: Thursday, July 29, 1982 at 11:00
 PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Ave., Towson, Md.
 The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the Petition for Special Hearing and Variances under Section 208.7 of the Baltimore County Zoning Regulations, to determine whether or not the Zoning Commissioner and/or Deputy Zoning Commissioner should approve a determination that the service station facility existing on site legally situated on December 31, 1967 and as such can be reconstructed; to change from full service to gas and convenience only; and a decrease in area of site; and Variances to allow front yard setbacks of 4' in lieu of the required 10' and to allow side and rear yard setbacks of 2' in lieu of the required 5'.
 The Zoning Regulations to be accepted as follows:
 Section 208.7 - minimum setback of canopy from street property line to be 10 feet; minimum side and rear yard setbacks in a R.R. zone.
 All that parcel of land in the Fifteenth District of Baltimore County, Maryland for Shell Oil Company
 Location: 8605 Pulaski Highway, at Middle River Road, 15th Election District Baltimore County, Maryland for Shell Oil Company
 DATE: MARCH 11, 1980
 DESCRIPTION: Beginning for the same at a point on the southeast side of Pulaski Highway, U.S. Route 40, 150 feet wide, at the northern end of the lot forming the intersection of the southeast side of Pulaski Highway and the northeast side of Middle River Road, 60 feet wide, and running thence along the southeast side of Pulaski Highway North 49 degrees 50 minutes 00 seconds East 127.94 feet, thence leaving Pulaski Highway and running South 41 degrees 00 minutes 00 seconds East 120.00 feet, South 49 degrees 00 minutes 00 seconds West 30.00 feet, South 74 degrees 12 minutes 00 seconds West 43.45 feet, South 68 degrees 00 minutes 00 seconds West 33.00 feet, and North 88 degrees 00 minutes 00 seconds West 23.47 feet, thence running along the northeast side of Middle River Road, 60 feet wide, and then along the arc of a curve to the left having a radius of 746.00 feet and a chord bearing and distance of North 42 degrees 47 minutes 36 seconds West 62.29 feet, and North 30 degrees 07 minutes 42 seconds West 32.49 feet to the place of beginning.
 Containing 18,107 square feet of land more or less. Subject to the following easements and/or rights of way: 1. To Maryland State Roads Commission, C.W.B. 2, 935, folio 544 and S.R.C. Plat No. 1372, 2. To Baltimore County Maryland, Liber 821, folio 531 and Bureau of Land Acquisition Drawing No. R/W 418-7, 3. To Baltimore County Maryland, Liber 821, folio 531 and Bureau of Land Acquisition Drawing No. R/W 418-7, 4. To Baltimore County Maryland, Liber 821, folio 531 and Bureau of Land Acquisition Drawing No. R/W 418-7, 5. To Baltimore County Maryland, Liber 821, folio 531 and Bureau of Land Acquisition Drawing No. R/W 418-7.
 Being a portion of the property conveyed from Michael F. Viteri and Helen S. Peters, his wife, to Roscoe Vandevander by deed dated April 1, 1967 and recorded among the Land Records of Baltimore County in Liber 4196, page 238.
 Being the property of Roscoe Vandevander, as shown on plat filed with the Zoning Department.
 Hearing Date: Thursday, July 29, 1982 at 11:00 a.m.
 Public Hearing: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Md.
 By Order of
 William E. Hammond
 Zoning Commissioner of Baltimore County

The Times

Middle River, Md., July 8, 1982
 This is to Certify, That the annexed
 was asserted in The Times, a newspaper printed and published in Baltimore County, once in each of one successive weeks before the 29th day of July, 1982.
 Publisher.

CERTIFICATE OF PUBLICATION

TOWSON, MD., July 8, 1982
 THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., once in each of one time successive weeks before the 29th day of July, 1982, the 29th publication appearing on the 8th day of July, 1982.

THE JEFFERSONIAN
 L. Frank Smith, Manager.

Cost of Advertisement, \$

PETITION MAPPING PROGRESS SHEET

FUNCTION	Wall Map		Original		Duplicate		Tracing		200 Sheet	
	date	by	date	by	date	by	date	by	date	by
Descriptions checked and outline plotted on map										
Petition number added to outline										
Denied										

BALTIMORE COUNTY, MARYLAND
 OFFICE OF FINANCE REVENUE DIVISION
 MISCELLANEOUS CASH RECEIPT

No. 105771
 DATE: 7-22-82 ACCOUNT: 61-662
 RECEIVED FROM: [Signature]
 FOR: Filing fee for item 185
 250.00
 VALIDATION OR SIGNATURE OF CASHIER

PETITION FOR SPECIAL HEARING AND VARIANCES
 15th Election District
 ZONING: Petition for Special Hearing and Variances
 LOCATION: Northeast corner of Pulaski Highway and Middle River Road
 DATE & TIME: Thursday, July 29, 1982 at 11:00
 PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland
 The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the Petition for Special Hearing and Variances under Section 208.7 of the Baltimore County Zoning Regulations, to determine whether or not the Zoning Commissioner and/or Deputy Zoning Commissioner should approve a determination that the service station facility existing on site legally situated on December 31, 1967 and as such can be reconstructed; to change from full service to gas and convenience only; and a decrease in area of site; and Variances to allow front yard setbacks of 4' in lieu of the required 10' and to allow side and rear yard setbacks of 2' in lieu of the required 5'.
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 DATE: MARCH 11, 1980
 DESCRIPTION: Beginning for the same at a point on the southeast side of Pulaski Highway, U.S. Route 40, 150 feet wide, at the northern end of the lot forming the intersection of the southeast side of Pulaski Highway and the northeast side of Middle River Road, 60 feet wide, and running thence along the southeast side of Pulaski Highway North 49 degrees 50 minutes 00 seconds East 127.94 feet, thence leaving Pulaski Highway and running South 41 degrees 00 minutes 00 seconds East 120.00 feet, South 49 degrees 00 minutes 00 seconds West 30.00 feet, South 74 degrees 12 minutes 00 seconds West 43.45 feet, South 68 degrees 00 minutes 00 seconds West 33.00 feet, and North 88 degrees 00 minutes 00 seconds West 23.47 feet, thence running along the northeast side of Middle River Road, 60 feet wide, and then along the arc of a curve to the left having a radius of 746.00 feet and a chord bearing and distance of North 42 degrees 47 minutes 36 seconds West 62.29 feet, and North 30 degrees 07 minutes 42 seconds West 32.49 feet to the place of beginning.
 Containing 18,107 square feet of land more or less. Subject to the following easements and/or rights of way: 1. To Maryland State Roads Commission, C.W.B. 2, 935, folio 544 and S.R.C. Plat No. 1372, 2. To Baltimore County Maryland, Liber 821, folio 531 and Bureau of Land Acquisition Drawing No. R/W 418-7, 3. To Baltimore County Maryland, Liber 821, folio 531 and Bureau of Land Acquisition Drawing No. R/W 418-7, 4. To Baltimore County Maryland, Liber 821, folio 531 and Bureau of Land Acquisition Drawing No. R/W 418-7, 5. To Baltimore County Maryland, Liber 821, folio 531 and Bureau of Land Acquisition Drawing No. R/W 418-7.
 Being a portion of the property conveyed from Michael F. Viteri and Helen S. Peters, his wife, to Roscoe Vandevander by deed dated April 1, 1967 and recorded among the Land Records of Baltimore County in Liber 4196, page 238.
 Being the property of Roscoe Vandevander, as shown on plat filed with the Zoning Department.
 Hearing Date: Thursday, July 29, 1982 at 11:00 a.m.
 Public Hearing: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Md.
 By Order of
 William E. Hammond
 Zoning Commissioner of Baltimore County

CERTIFICATE OF PUBLICATION

TOWSON, MD., July 8, 1982
 THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., once in each of one time successive weeks before the 29th day of July, 1982, the 29th publication appearing on the 8th day of July, 1982.

THE JEFFERSONIAN
 L. Frank Smith, Manager.

Cost of Advertisement, \$ 44.00

John O. Seiland, Esquire
 25 W. Chesapeake Avenue, Suite 204
 Towson, Maryland 21204

NOTICE OF HEARING
 Re: Petitions for Special Hearing & Variances
 NE/corner of Pulaski Hwy. & Middle River Rd.
 Roscoe Vandevander - Petitioner
 Case #83-26-SPHA

TIME: 11:00 A.M.
 DATE: Thursday, July 29, 1982
 PLACE: ROOM 106 COUNTY OFFICE BUILDING, 111 W. CHESAPEAKE AVENUE, TOWSON, MARYLAND

cc: R. M. Tambascio
 Shell Oil Co.
 5565 Sterrett Place, Suite 312
 Columbia, Maryland 21044

WILLIAM E. HAMMOND
 ZONING COMMISSIONER OF BALTIMORE COUNTY

BALTIMORE COUNTY
 OFFICE OF PLANNING & ZONING
 TOWSON, MARYLAND 21204
 494-3353

WILLIAM E. HAMMOND
 ZONING COMMISSIONER

August 20, 1982

John O. Seiland, Esquire
 25 West Chesapeake Avenue
 Suite 204
 Towson, Maryland 21204

RE: Petitions for Special Hearing and Variances
 NE/corner of Pulaski Highway - Middle River Rd. - 15th Election District
 Roscoe Vandevander - Petitioner
 NO. 83-26-SPHA (Item No. 198)

Dear Mr. Seiland:
 I have this date passed my Orders in the above captioned matter in accordance with the attached.

Very truly yours,
 Jan M.H. Jung
 JUAN M. H. JUNG
 Deputy Zoning Commissioner

JMHJ/mc

Attachments

cc: Ms. Joie Duffy
 Greater Washington/Maryland Service Station Association
 9200 Edmonston Road, Suite 304
 Greenbelt, Maryland 20770

John W. Hessian, III, Esquire
 People's Counsel

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

July 27, 1982

COUNTY OFFICE BLDG.
 111 W. Chesapeake Ave.
 Towson, Maryland 21204
 Chairman
 Nicholas B. Commodari
 MEMBERS
 Bureau of Engineering
 Department of Traffic Engineering
 State Code Commission
 Bureau of Fire Prevention
 Health Department
 Project Planning
 Building Department
 Board of Education
 Zoning Administration
 Industrial Development

John O. Seiland, Esquire
 25 West Chesapeake Avenue
 Suite 204
 Towson, Maryland 21204

RE: Item No. 198 - Case No. 83-26-SPHA
 Petitioner - Roscoe Vandevander
 Variance Petition and Special Hearing
 Petition

Dear Mr. Seiland:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

In view of your client's proposal to change the existing full-service gas station to a gas and go operation, this combination hearing is required. At the time of field inspection, a number of apparent A-frame signs were existing on this site. The status of these apparent illegal signs should be discussed at the hearing.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

Very truly yours,
 Nicholas B. Commodari
 NICHOLAS B. COMMODARI
 Chairman
 Zoning Plans Advisory Committee

ENCLOSURES
 cc: W. E. Sadler, Inc.
 305 W. Chesapeake Avenue
 Towson, Md. 21204

John O. Seiland, Esquire
 25 West Chesapeake Avenue
 Suite 204
 Towson, MD. 21204

W. E. Sadler, Inc.
 305 W. Chesapeake Ave
 Towson, Md. 21204

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING
 County Office Building
 111 W. Chesapeake Avenue
 Towson, Maryland 21204

Your Petition has been received and accepted for filing this 21st day of May, 1982.

WILLIAM E. HAMMOND
 Zoning Commissioner

Petitioner: Roscoe Vandevander
 Petitioner's Attorney: John O. Seiland, Esq.
 Reviewed by: Nicholas B. Commodari
 Chairman, Zoning Plans Advisory Committee

HARRY J. PISTEL, P.E. DIRECTOR May 19, 1982

Mr. William E. Hammond Zoning Commissioner County Office Building Towson, Maryland 21204

Re: Item #198 (1981-1982) Property Owner: Roscoe Vandevender S/E corner Pulaski Highway and Middle River Road Acres: 18,107 sq. ft. District: 15th

Dear Mr. Hammond:

The following comments are furnished in regard to the plat submitted to this office for review by the Zoning Advisory Committee in connection with the subject item.

General:

The comments which were supplied in conjunction with the Zoning Advisory Committee review of this property in connection with Item 190 (1979-1980) are valid and referred to for your consideration.

This office has no further comment in regard to the plan submitted for Zoning Advisory Committee review in connection with this Item 190 (1981-1982).

Very truly yours,

Robert A. Morton, P.E., Chief Bureau of Public Services

RAM:EAM: PWR:ss

cc: Jack Wimbley

A-SE Key Sheet 21 NE 31 Pos. Sheet NE 6 H Topc 82 Tax Map

State Highway Administration

Lowell K. Bridwell Secretary M. S. Caltrider Administrator

April 12, 1982

Mr. William Hammond Zoning Commissioner County Office Bldg. Towson, Md. 21204

Attention: Mr. N. Commodari

Re: ZAC Meeting of April 6, 1982 ITEM: #198 Property Owner: Roscoe Vandevender Location: SE/Cor. Pulaski Highway, Route 40-E and Middle River Road Existing Zoning: M.L.-CS-1 Proposed Zoning: Variance to permit a front setback of 4'5" in lieu of the required 10' and a side and rear setback of 2' in lieu of the required 30'. Acres: 18,107 sq. ft. District: 15th

Dear Mr. Hammond:

On review of the site plan of March 11, 1980 and field inspection, the State Highway Administration will require revisions to the plan.

The revised plan must show the following:

- 1. Replacement of roadside curb and gutter at the center island with the shoulder area overlaid to eliminate ponding at the site.
2. Removal of the sign at the center island attached to the existing G&E pole.
3. Removal of the sign at the northeast property line from over hanging the S.H.A. right of way.

My telephone number is (301) 659-1350

Teletypewriter for Impaired Hearing or Speech 383-7555 Baltimore Metro - 565-0451 D.C. Metro - 1-800-492-5982 Statewide Toll Free P.O. Box 717 / 707 North Calvert St., Baltimore, Maryland 21203-0717

Mr. W. Hammond -2- April 12, 1982

The State Highway Administration will require all work within the S.H.A. Right of Way to be conducted under permit and the posting of a \$7,000.00 bond to guarantee construction.

I am sending a sketch showing the areas affected.

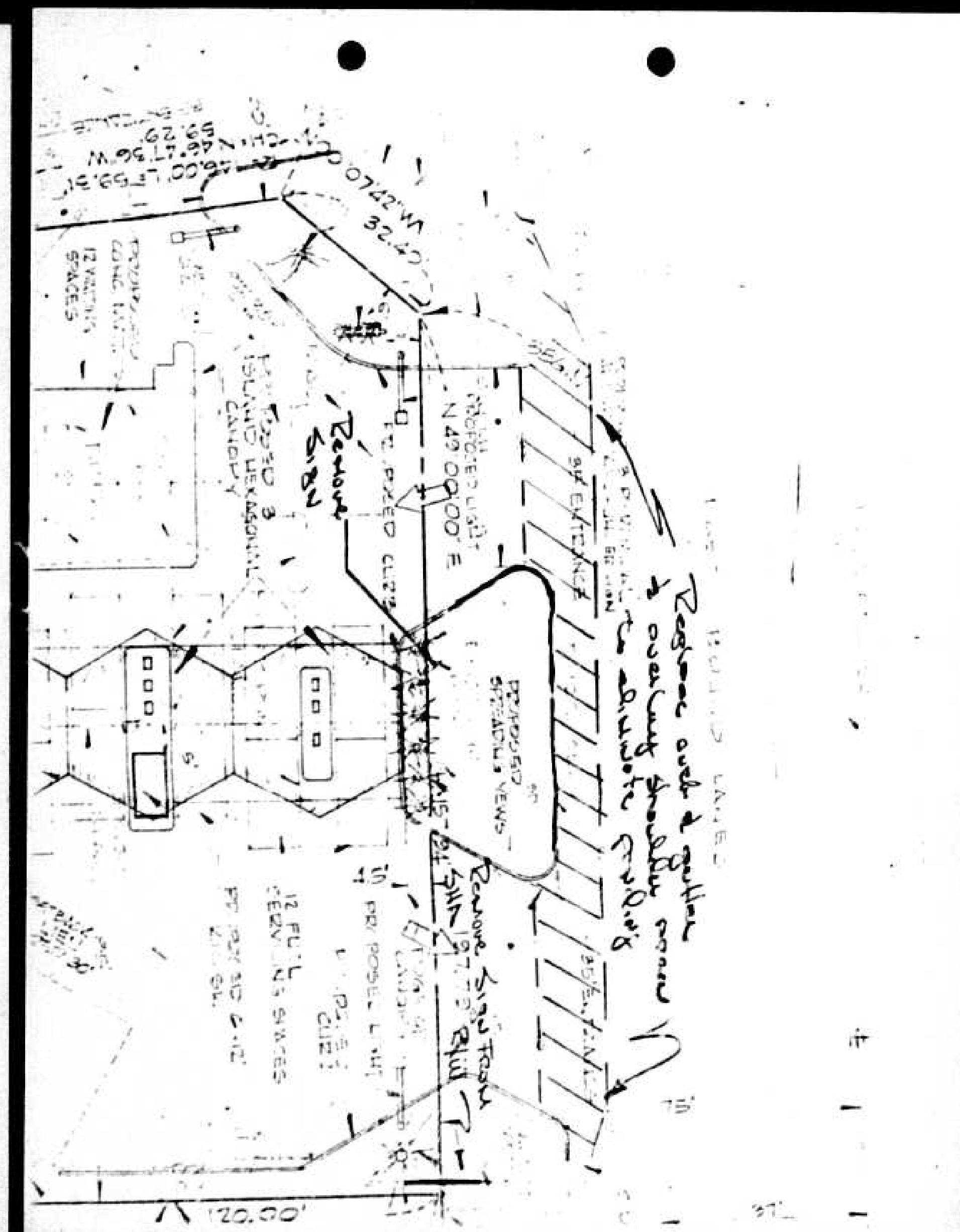
Very truly yours, Charles Lee, Chief Bureau of Engineering Access Permits

CL:GW:maw

Attachment

cc: Mr. J. Wimbley

By: George Wittman



NORMAN E. GERDER DIRECTOR

July 20, 1982

Mr. William E. Hammond, Zoning Commissioner Zoning Advisory Committee Office of Planning and Zoning Baltimore County Office Building Towson, Maryland 21204

Dear Mr. Hammond:

Comments on Item #198, Zoning Advisory Committee Meeting, April 6, 1982, are as follows:

Property Owner: Roscoe Vandevender Location: SE/corner Pulaski Highway and Middle River Road Acres: 18,107 sq. ft. District: 15th

This office has reviewed the subject petition and offers the following comments. These comments are not intended to indicate the appropriateness of the zoning in question, but are to assure that all parties are made aware of plans or problems with regard to development plans that may have a bearing on this petition.

The site plan shows a new lease line; therefore, the petitioner must comply with Baltimore County Development Regulations (Bill #56-82).

Very truly yours,

John L. Wimbley Planner III Current Planning & Development

April 13, 1982

Mr. William E. Hammond, Zoning Commissioner Office of Planning and Zoning County Office Building Towson, Maryland 21204

Dear Mr. Hammond:

Comments on Item #198, Zoning Advisory Committee Meeting of April 6, 1982, are as follows:

Property Owner: Roscoe Vandevender Location: SE/Corner Pulaski Highway and Middle River Road Existing Zoning: M.L.-CS-1 Proposed Zoning: Variance to permit a front setback of 4'5" in lieu of the required 10' and a side and rear setback of 2' in lieu of the required 30'. Acres: 18,107 sq. ft. District: 15th

Metropolitan water and sewer exist.

A Permit to Construct from the Division of Air Pollution Control is required for such items as paint spray processes, underground gasoline storage tank/s (5,000 gallons or more) and any other equipment or process which exhausts into the atmosphere.

Very truly yours,

Ian J. Forrest, Director BUREAU OF ENVIRONMENTAL SERVICES

LJF/ela/SRP

May 6, 1982

Mr. William E. Hammond, Zoning Commissioner Office of Planning and Zoning County Office Building Towson, Maryland 21204

Dear Mr. Hammond:

Comments on Item 198, Zoning Advisory Committee Meeting of April 6, 1982, are as follows:

Property Owner: Roscoe Vandevender Location: SE/Corner Pulaski Highway and Middle River Road Existing Zoning: M.L.-CS-1 Proposed Zoning: Variance to permit a front setback of 4'5" in lieu of the required 10' and a side and rear setback of 2' in lieu of the required 30'. Acres: 18,107 sq. ft. District: 15th

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Very truly yours,

Ian J. Forrest, Director BUREAU OF ENVIRONMENTAL SERVICES

LJF/ela/SRP

PAUL H. PENCKE CHIEF

April 26, 1982

Mr. William Hammond Zoning Commissioner Office of Planning and Zoning Baltimore County Office Building Towson, Maryland 21204

Attention: Nick Commodari, Chairman Zoning Plans Advisory Committee

RE: Property Owner: Roscoe Vandevender

Location: SE/Cor. Pulaski Highway and Middle River Road

Item No.: 198 Zoning Agenda: Meeting of April 6, 1982

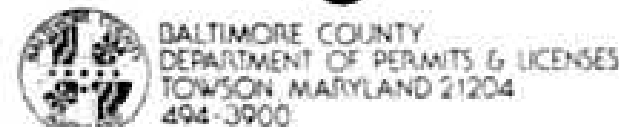
Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

- 1. Fire hydrants for the referenced property are required and shall be located at intervals or feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.
2. A second means of vehicle access is required for the site.
3. The vehicle dead end condition shown at EXCEEDS the maximum allowed by the Fire Department.
4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.
5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1976 Edition prior to occupancy.
6. Site plans are approved, as drawn.
7. The Fire Prevention Bureau has no comments, at this time.

REVIEWED: [Signature] 4/27/82 Noted and Approved: [Signature] Fire Prevention Bureau

JK/mb/cm



TED ZALESKI JR.
DIRECTOR
Mr. William E. Hammond, Zoning Commissioner
Office of Planning and Zoning
County Office Building
Towson, Maryland 21204

Dear Mr. Hammond:

Comments on Item # 198 Zoning Advisory Committee Meeting
are as follows:

Property Owner: Roscoe Vandevender
Location: SE/Cor. Pulaski Highway and Middle River Road
Existing Zoning: M.L.-CS-1
Proposed Zoning: Variance to permit a front setback of 4'5" in lieu of the
required 10' and a side and rear setback of 2' in lieu of
the required 30'.

Address: 18,107 sq. ft.
District: 15th

The items checked below are applicable:

- X A. All structure shall conform to the Baltimore County Building Code 1981/
Council Bill 4-82 State of Maryland Code for the Handicapped and Aged;
and other applicable Codes.
- X B. A building/raising & other miscellaneous permit shall be required before beginning construction.
- C. Residential: Three sets of construction drawings are required to file a permit
application. Architect/Engineer seal is not required.
- X D. Commercial: Three sets of construction drawings with a Maryland Registered
Architect or Engineer shall be required to file a permit application.
- E. In wood frame construction an exterior wall erected within 6'0 of an adjacent
lot line shall be of one hour fire resistive construction, no openings permitted
within 3'-0 of lot lines. A firewall is required if construction is on the lot
line. See Table 401, line 2, Section 1407 and Table 1402.
- F. Requested variance conflicts with the Baltimore County Building Code,
Section/s _____
- G. A change of occupancy shall be applied for, along with an alteration permit
application, and three required sets of drawings indicating how the structure
will meet the Code requirements for the proposed change. Drawings may require
a professional seal.
- H. Before this office can comment on the above structure, please have the owner, thru
the services of a Registered in Maryland Architect or Engineer certify to this
office, that, the structure for which a proposed change in use is proposed can
comply with the height/area requirements of Table 505 and the required construction
classification of Table 401.
- I. Comments

NOTE: These comments reflect only on the information provided by the drawings
submitted to the office of Planning and Zoning and are not intended to
be construed as the full extent of any permit.
If desired additional information may be obtained by visiting Room #122
(Plans Review) at 111 West Chesapeake Ave., Towson.

Very truly yours,
Charles E. Burnham
Charles E. Burnham, Chief
Plans Review

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Nicholas B. Commodari
Zoning Advisory Committee
Date: April 14, 1982

FROM: Sharon M. Caplan
Economic Development Commission

SUBJECT: Item #198 -- Property Owner: Roscoe Vandevender
Location: SE Corner Pulaski Highway & Middle River Road
Existing Zoning: ML-CS-1
Proposed Zoning: Variance to permit a front setback of
of 4'5" in lieu of the required 10'
and a side and rear setback of 2' in
lieu of the required 30'.

In recognition of Baltimore County's desire to foster a healthy economic
growth, we request the zoning officer to evaluate the above request in the
best interest of industrial expansion.

Sharon Caplan
SHARON M. CAPLAN

SMC:jet



305 W. Chesapeake Avenue Towson, Maryland 21286 301-521-0911 William T. Sadler

David T. Gerbers

SHEET 1 OF 2
JOB NO. 6490

DESCRIPTION TO ACCOMPANY PLAN
FOR SETBACK VARIANCE FROM 405.4.A.2 a TO PERMIT A
CANOPY TO BE CONSTRUCTED 4.5 FEET FROM THE HIGH-OF-WAY LINE
INSTEAD OF 10 FEET

LOCATION: 9605 PULASKI HIGHWAY
AT MIDDLE RIVER ROAD
15TH ELECTION DISTRICT-BALTIMORE COUNTY, MARYLAND
FOR
CELL OIL COMPANY

DATE: MARCH 11, 1980

DESCRIPTION:

Beginning for the same at a point on the southeast side of Pulaski Highway, U.S.
Route 40, 150 feet wide, at the northern end of the fillet forming the intersection
of the southeast side of Pulaski Highway and the northeast side of Middle River Road,
60 feet wide, and running thence along the southeast side of Pulaski Highway
North 49 degrees 00 minutes 00 seconds East 157.94 feet, thence leaving Pulaski
Highway and running
South 41 degrees 00 minutes 00 seconds East 120.00 feet,
South 49 degrees 00 minutes 00 seconds West 30.00 feet,
South 76 degrees 19 minutes 00 seconds West 45.65 feet,
South 49 degrees 00 minutes 00 seconds West 85.00 feet, and
North 89 degrees 30 minutes 58 seconds West 23.46 feet,
thence running and binding along the northeast side of Middle River Road, 60 feet wide
59.31 feet along the arc of a curve to the left having a radius of 746.00 feet
and a chord bearing and distance of North 46 degrees 47 minutes 36 seconds West 59.29
feet, and
North 00 degrees 07 minutes 42 seconds West 32.40 feet to the place of begin-
ning.

Containing: 18,107 square feet of land more or less.

OFFICE COPY

Subject to the following easements and/or rights of way:

1. To Maryland State Roads Commission, C.V.B. Jr. 935, folio 504 and
S.R.C. Plat No. 1372.
2. To Baltimore County Maryland, Liber 5219, folio 531 and Bureau of
Land Acquisition Drawing Nos. R/W 66-418-6 and R/W 66-418-7.
3. To Baltimore County Maryland, Liber 5218, folio 906 and Bureau of
Land Acquisition Drawing No. R/W 66-418-7.

Being a portion of the property conveyed from Michael P. Peters and
Helen S. Peters, his wife, to Roscoe Vandevender by deed dated April 1,
1957 and recorded among the Land Records of Baltimore County in Liber
3130, page 336.

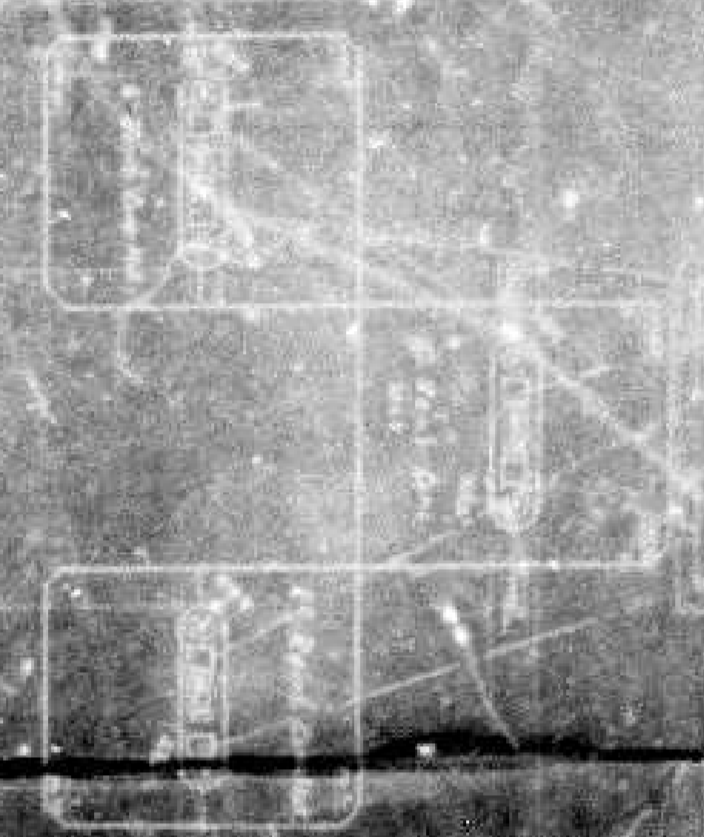


By: *William T. Sadler* Date: 3/11/1980
William T. Sadler P.L.S. 7730

SHELL OIL COMPANY
ANTHROPOLIS DIVISION
300 N. W. 1st St.
ANN ARBOR MI 48106
DATE: 10/20/83

NOTE:
All items, such as surveys, etc. shown
on this map are shown for reference only and do not constitute
an offer of insurance.
Please contact your agent for more information.

MIDDLE RIVER ROAD



1. *Henry & Barbara*
2. *Henry & Barbara*
3. *Henry & Barbara*
4. *Henry & Barbara*
5. *Henry & Barbara*
6. *Henry & Barbara*
7. *Henry & Barbara*
8. *Henry & Barbara*
9. *Henry & Barbara*
10. *Henry & Barbara*

MAILED
OCT 20 1983
THE EASTERN SYSTEMS, INC.
MAYNARD, MASSACHUSETTS 01952

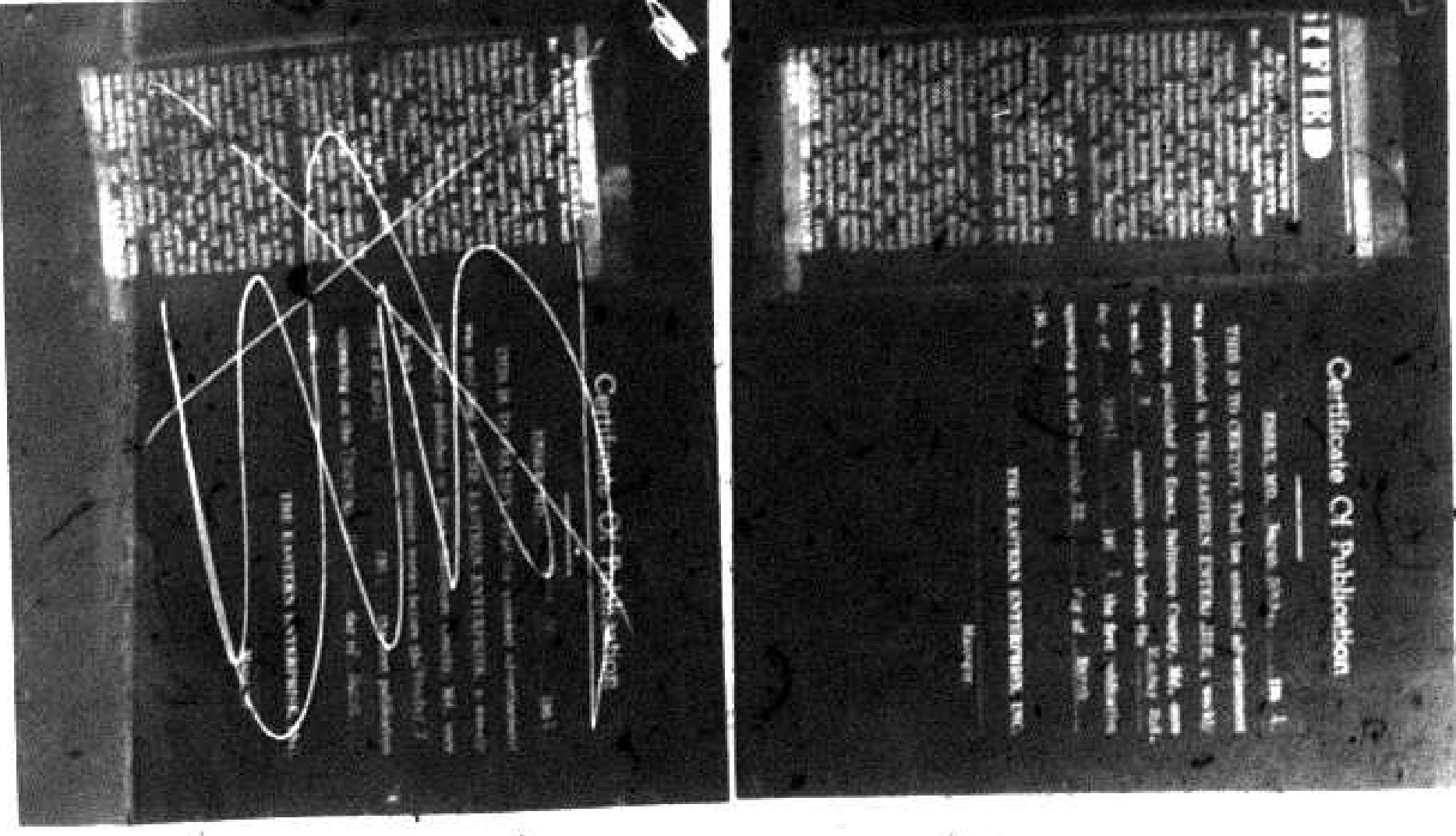
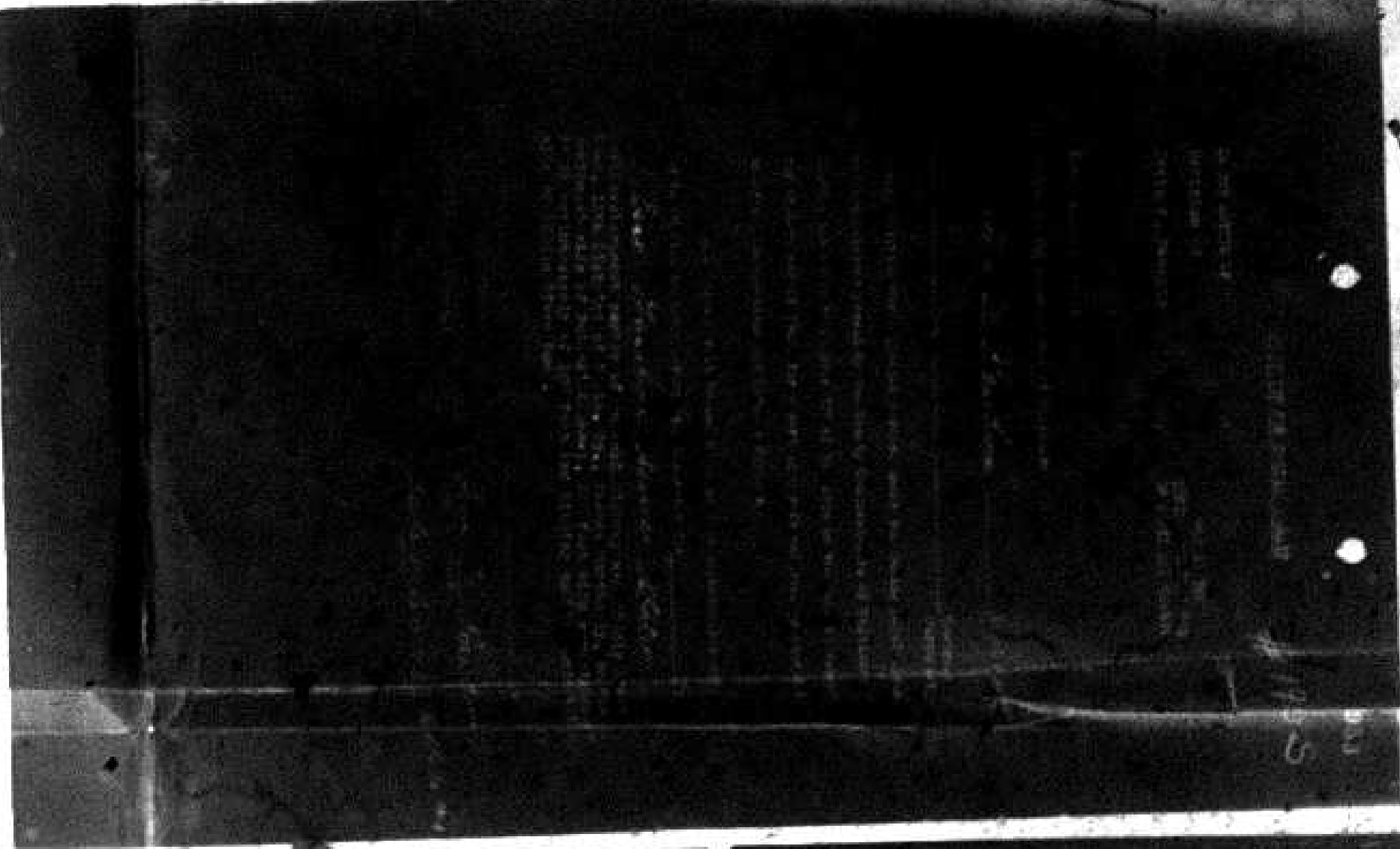
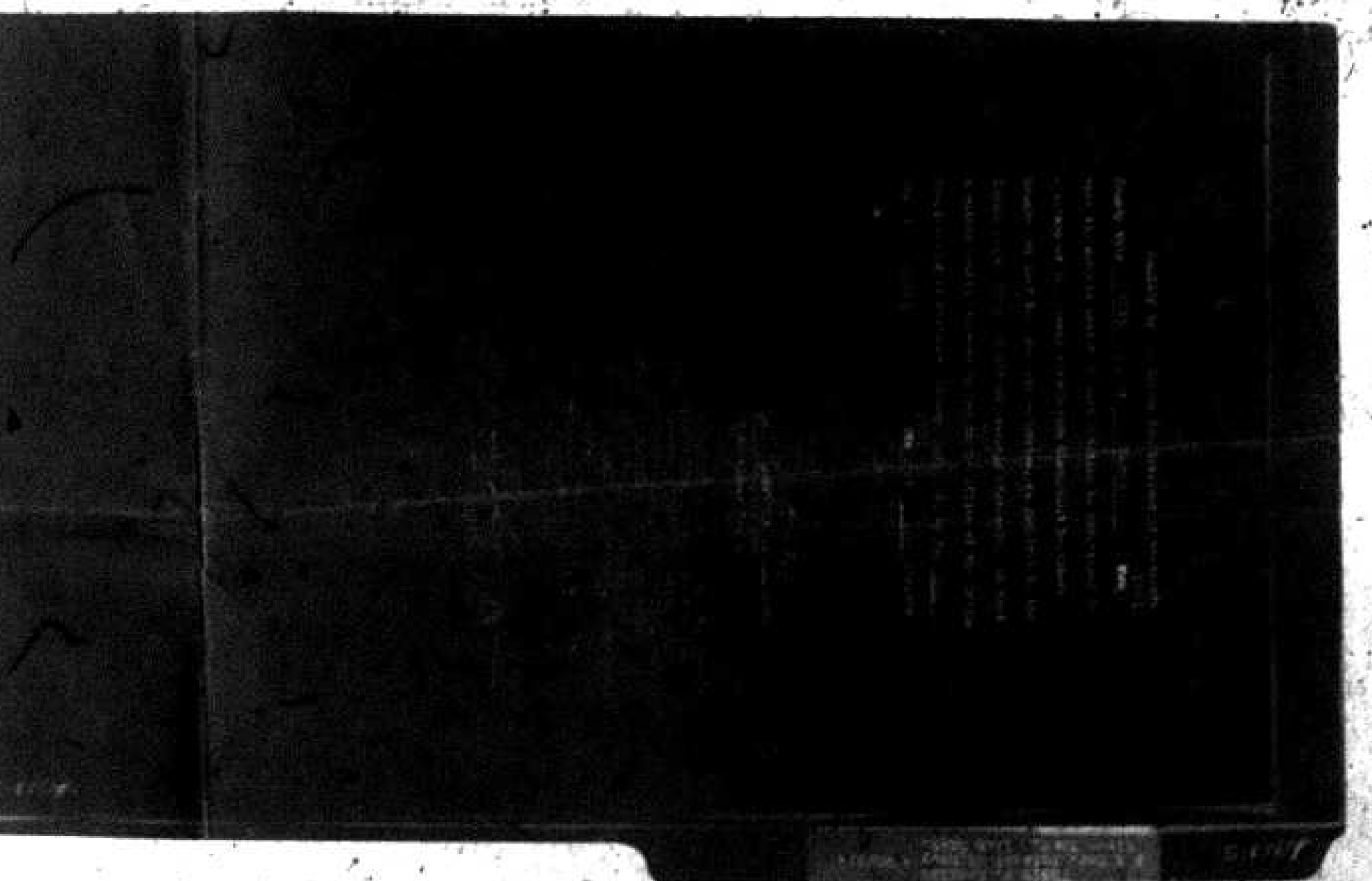
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THE EASTERN SYSTEMS, INC.
MAYNARD, MASSACHUSETTS 01952

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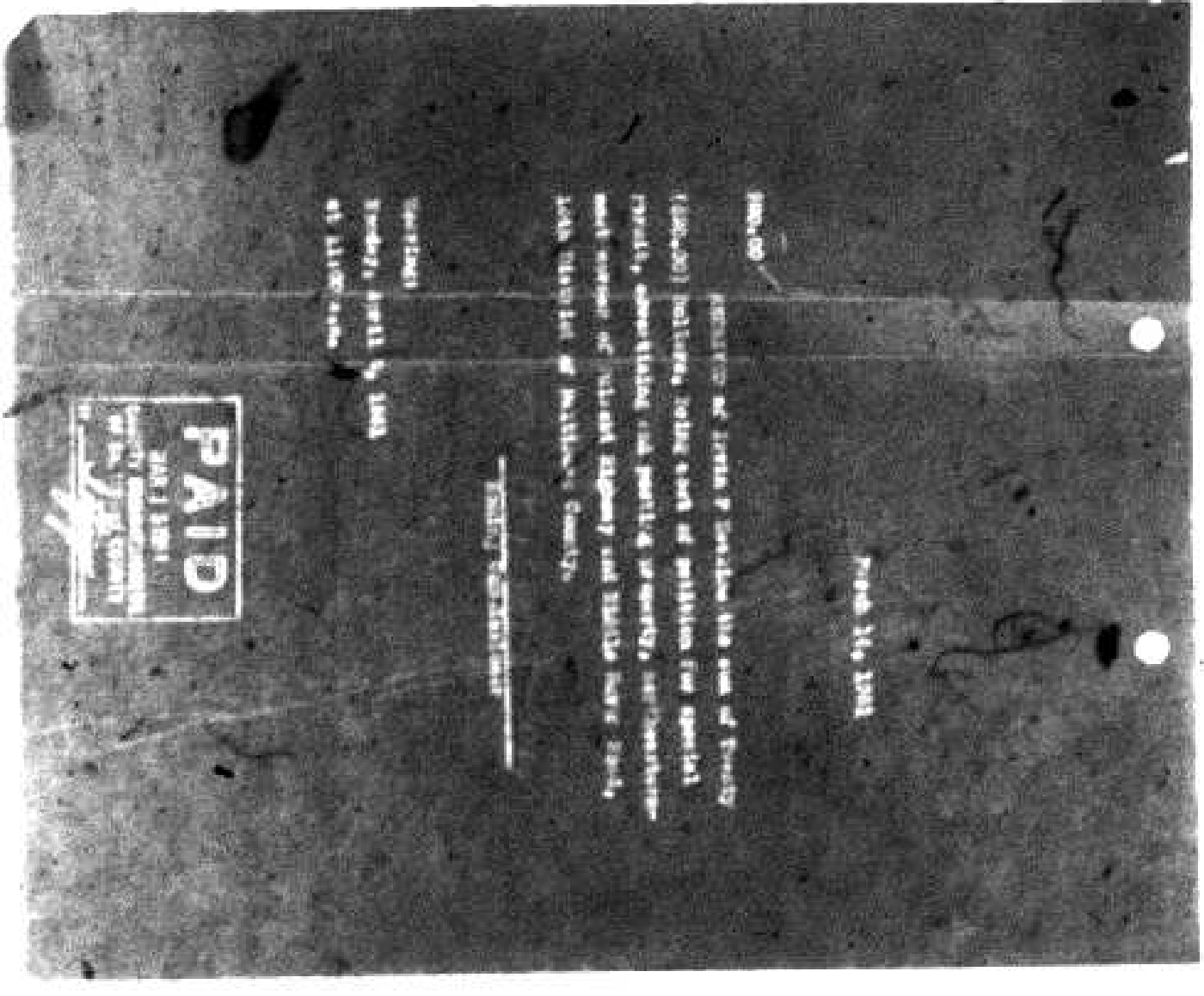
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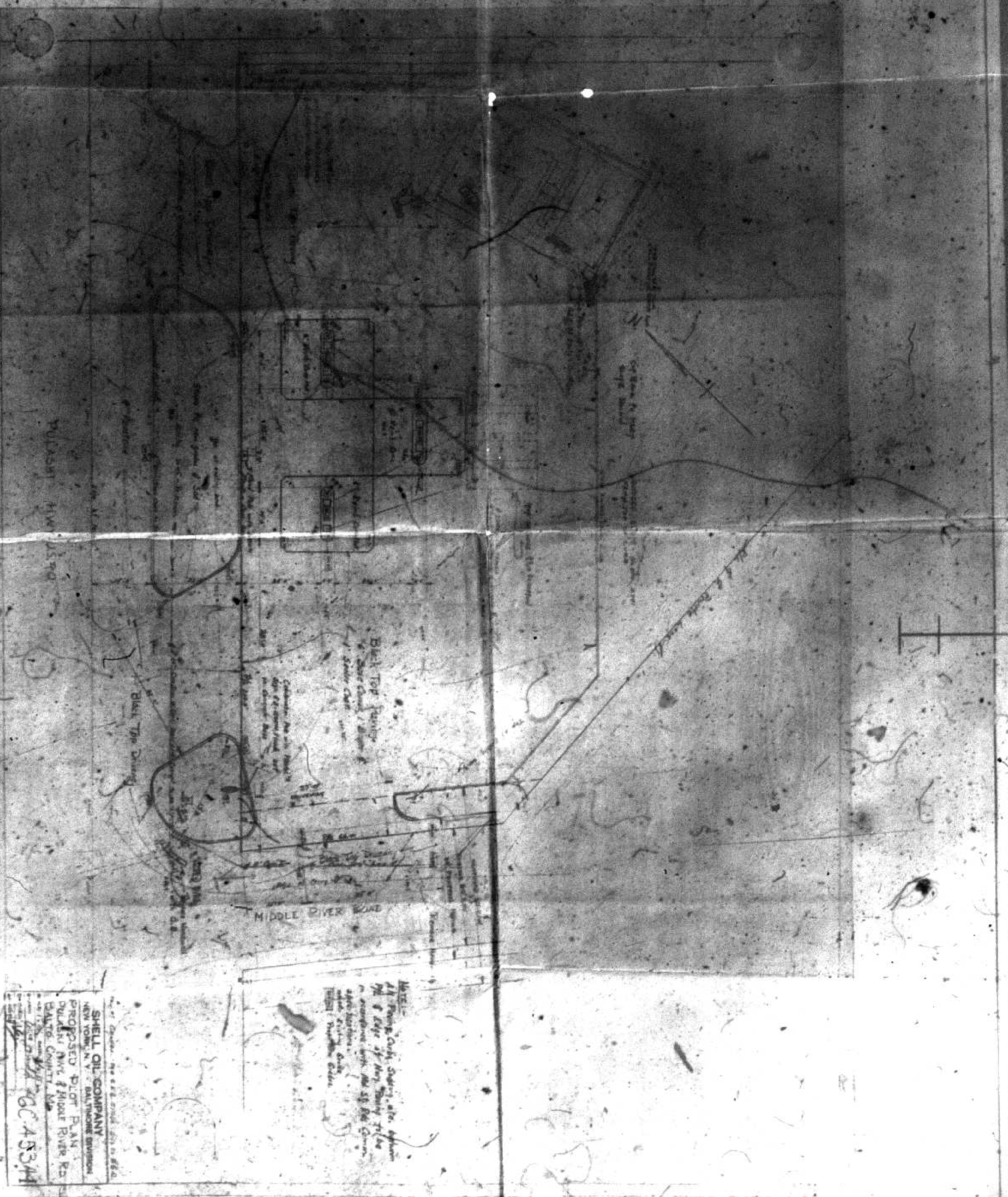
PETITIONER'S EXHIBIT 3



1953-4
The Eastern Shore
Maryland
The Eastern Shore
Maryland
The Eastern Shore
Maryland



PETITIONER'S EXHIBIT 2

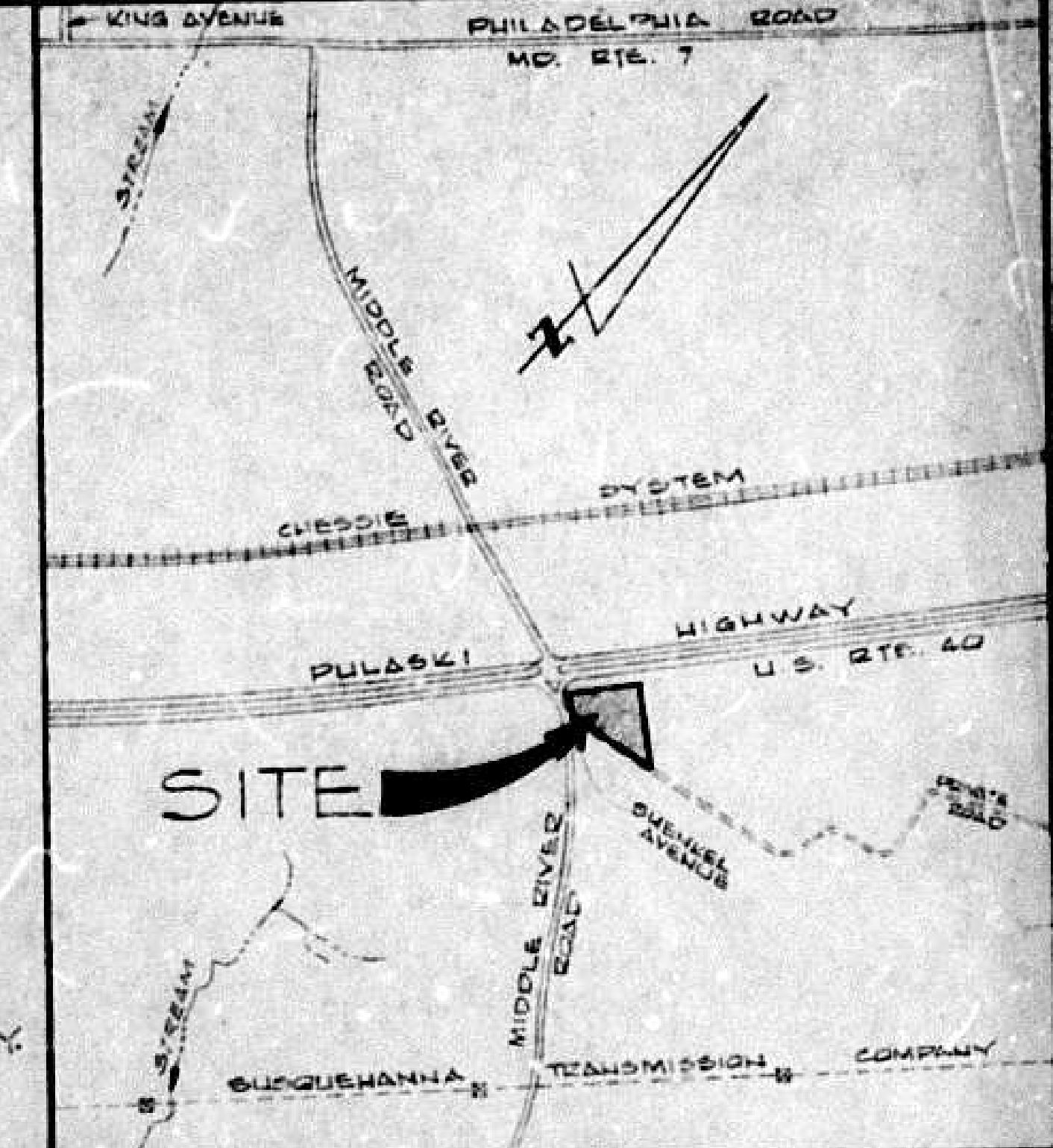
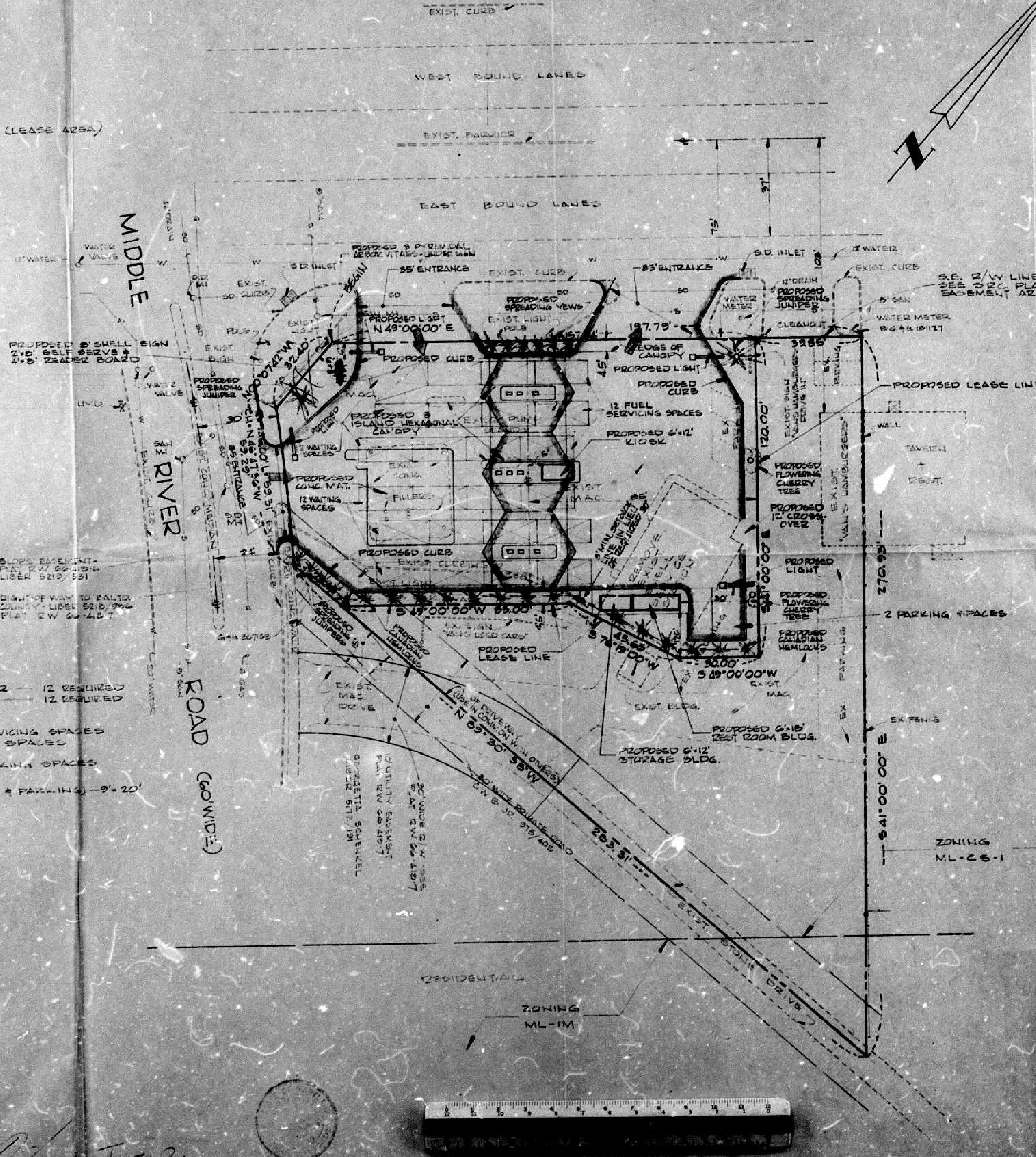


SHELL OIL COMPANY
PROPOSED 5107 P. 1st
DULLES, VA. & Middle River Rd.
DANVILLE, VA.

GENERAL NOTES

- EXISTING DATA SHOWN
- PROPOSED DATA SHOWN
- EXISTING ZONING ML-CS-1
- SITE DIMENSIONS AND SIZE:
 MINIMUM AREA REQUIRED - 12 FUEL SERVICING SPACES TIMES 1500' = 18,000 SQ. FT.
 AREA OF SITE SHOWN 18,107 SQ. FT. (LEASE AREA)
 MINIMUM WIDTH REQUIRED ALONG U.S. 40
 2 DRIVEWAYS TIMES 65 FEET = 130 FEET
 WIDTH OF SITE SHOWN 152 FEET
- LANDSCAPING
 MINIMUM AREA REQUIRED 30% OF TOTAL SITE 5435 SQ. FT.
 LANDSCAPING AREA SHOWN 2270 SQ. FT.
- ANCILLARY USES:
 SALE OF CIGARETTES, ETC. FROM VENDING MACHINES.
- EXISTING SERVICE STATION IS A RESULT OF CASE NO. 1853-S.
- EACH PUMP ISLAND SHALL CONTAIN 3 PUMPS - THE CENTER ONE OF WHICH SHALL CONTAIN 2 FUEL DISPENSERS AND THE END ONES SHALL CONTAIN 1 FUEL DISPENSER EACH.

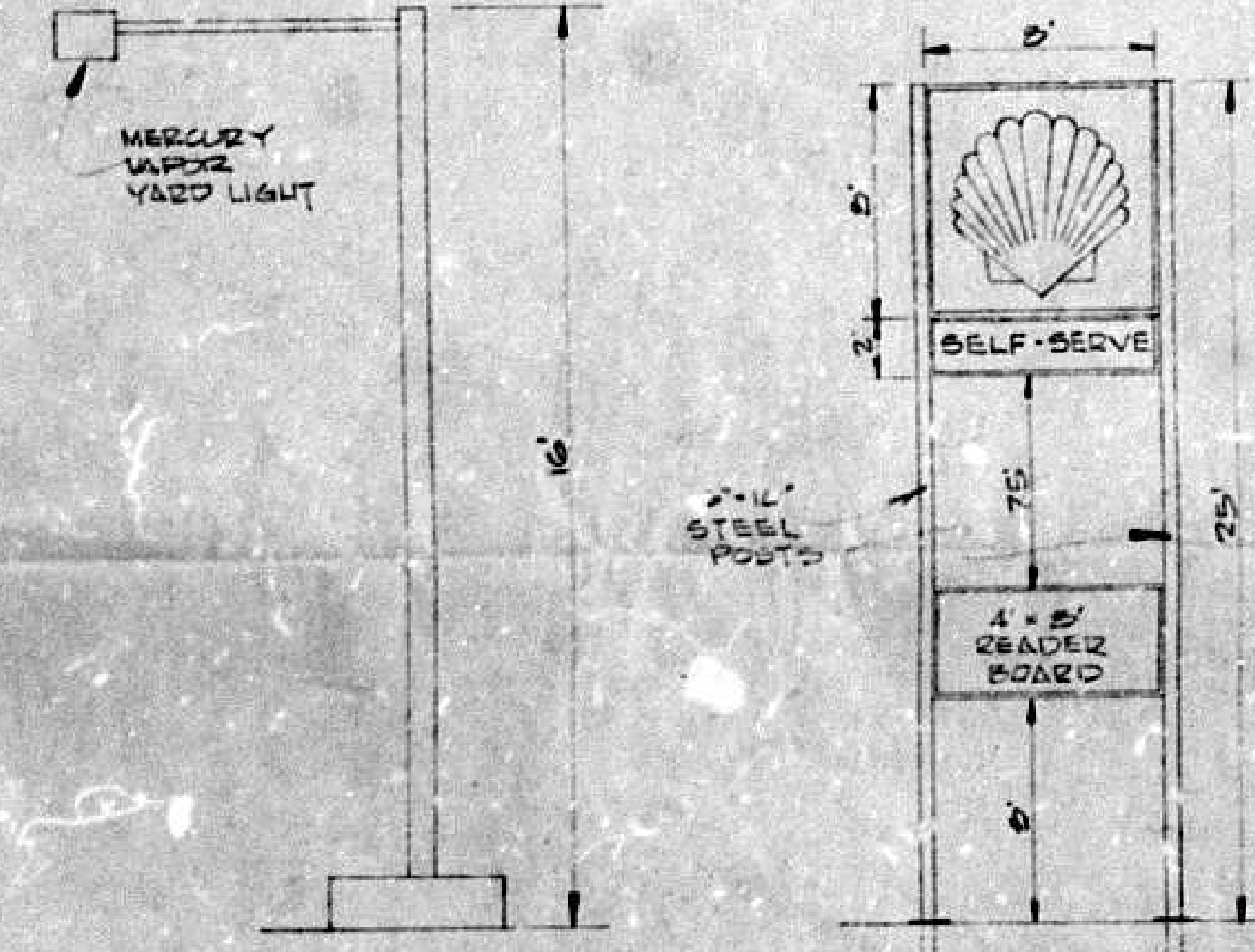
PULASKI HIGHWAY (U.S. ROUTE 40) (150' WIDE)



VICINITY MAP
SCALE: 1" = 500'

PARKING DATA

- REQUIRED VEHICLE RESERVOIR CAPACITY:
 1 FUEL SERVICING SPACE PER FUEL DISPENSER - 12 REQUIRED
 1 WAITING SPACE PER FUEL SERVICING SPACE - 12 REQUIRED
 VEHICLE RESERVOIR CAPACITY SHOWN:
 12 FUEL SERVICING SPACES
 12 WAITING SPACES
- PARKING CAPACITY SHOWN - 2 PARKING SPACES
- TYPICAL SPACE (FUEL SERVICING, WAITING & PARKING) - 9' x 20'



LIGHT DETAIL NO SCALE
SIGN ELEVATION NO SCALE

PLAT TO ACCOMPANY APPLICATION FOR SETBACK VARIANCE TO PERMIT A CANOPY TO BE CONSTRUCTED 28 FEET FROM THE RIGHT OF WAY INSTEAD OF 10 FEET AND TO PERMIT BUILDING TO BE 2 FEET FROM REAR PROPERTY LINE IN LIEU OF REQUIRED 30 FEET AND SPECIAL HANDLING.

DATE: 4/6
 NO. 6-H
 15
 4/6
 APPL
 1/14

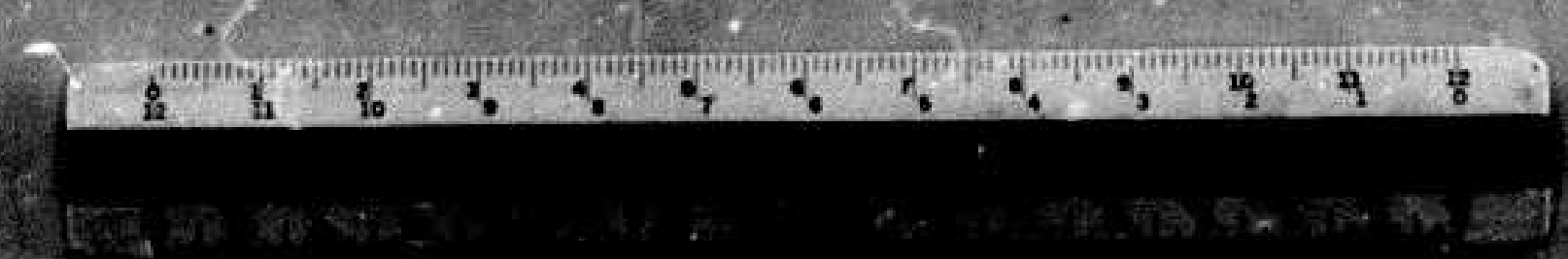
FOR PROPERTY LOCATED
9605 PULASKI HIGHWAY
 AT
MIDDLE RIVER ROAD
 15TH ELECTION DISTRICT BALTIMORE COUNTY, MARYLAND
 SCALE: 1" = 20' MARCH 14, 1960

APPLICANT
 SHELL OIL COMPANY
 5505 STREET PLACE
 COLUMBIA, MARYLAND 21044

OWNER
 ROSCOE VADEVAN DER
 9605 PULASKI HIGHWAY
 BALTIMORE, MARYLAND 21210

W. T. SADLER, INC.
 SURVEYORS
 305 W. CHESAPEAKE AVENUE
 TOWSON, MARYLAND 21284

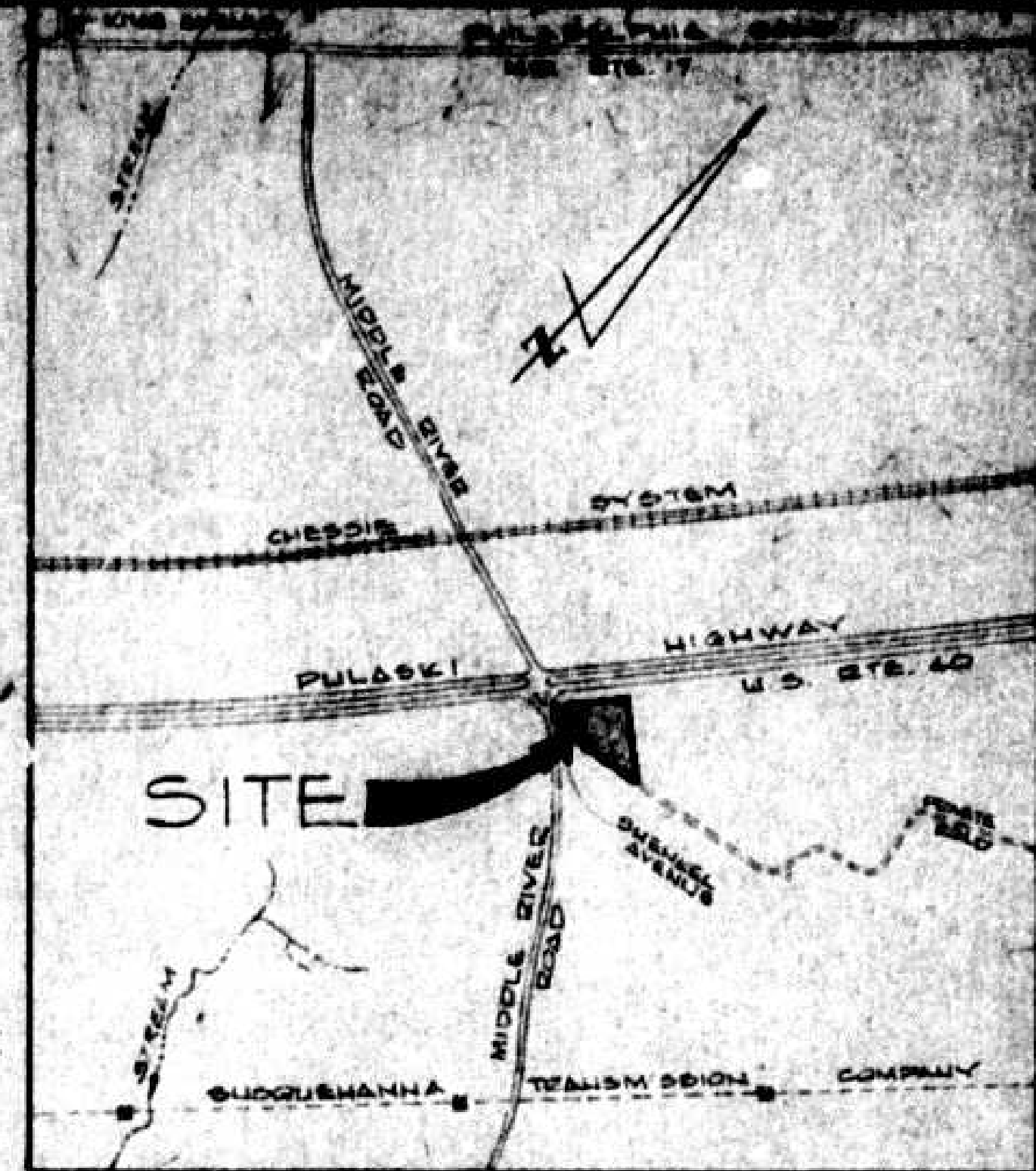
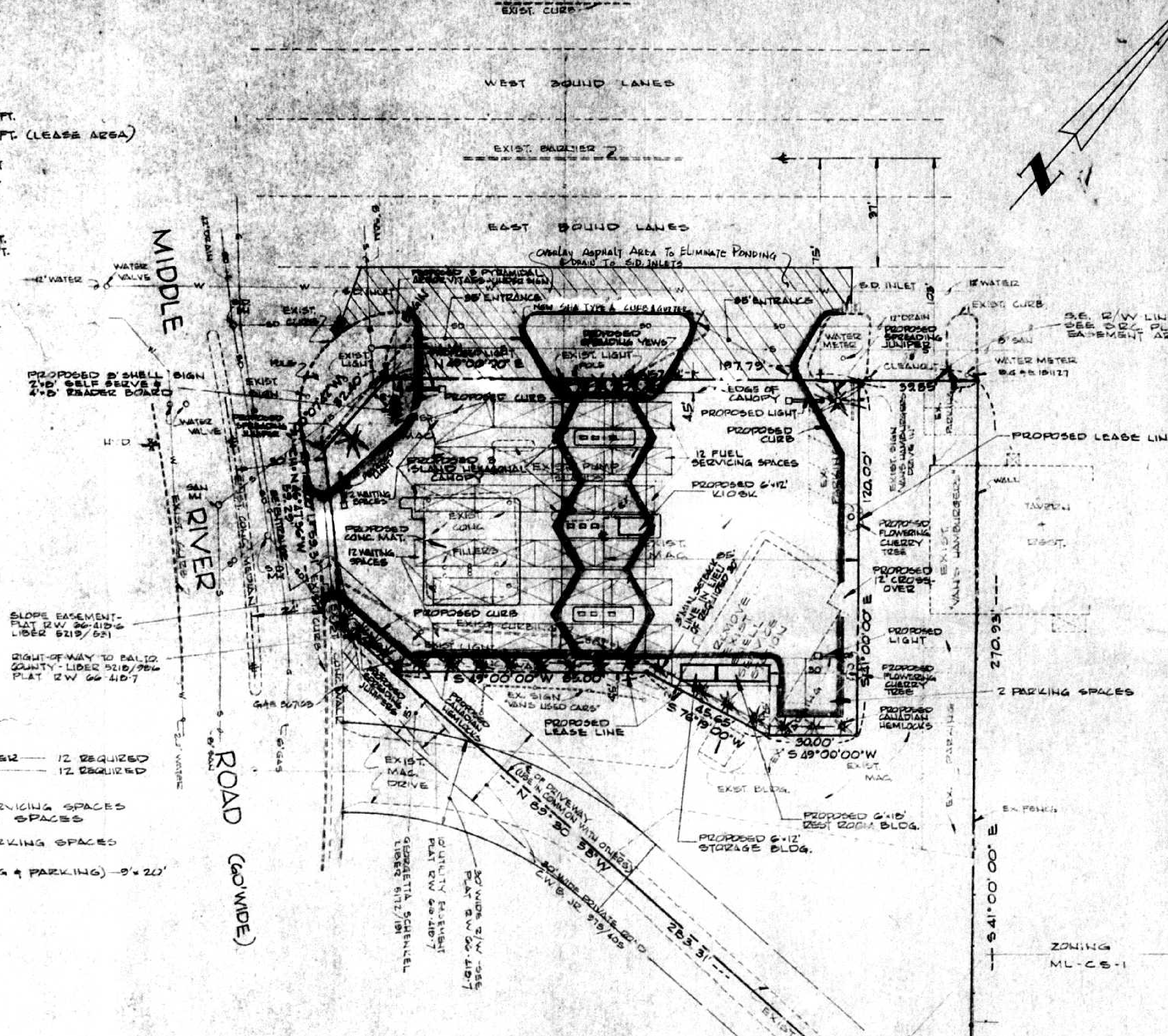
RES. NO. 7780



GENERAL NOTES

- EXISTING DATA SHOWN
- PROPOSED DATA SHOWN
- EXISTING ZONING ML-C6-1
- SITE DIMENSIONS AND SIZE:
 MINIMUM AREA REQUIRED - 12 FUEL SERVICING SPACES TIMES 1000 SQ. FT. 10000 SQ. FT.
 AREA OF SITE SHOWN 10,107 SQ. FT. (LEASE AREA)
 MINIMUM WIDTH REQUIRED ALONG U.S. 40 2 DRIVEWAYS TIMES 65 FEET 130 FEET
 WIDTH OF SITE SHOWN 102 FEET
- LANDSCAPING:
 MINIMUM AREA REQUIRED 905 SQ. FT.
 5% OF TOTAL SITE
 LANDSCAPING AREA SHOWN 2270 SQ. FT.
- AUXILIARY USES: SALE OF CIGARETTES, ETC. FROM VENDING MACHINES.
- EXISTING SERVICE STATION IS A RESULT OF CASE NO. 1953-S.
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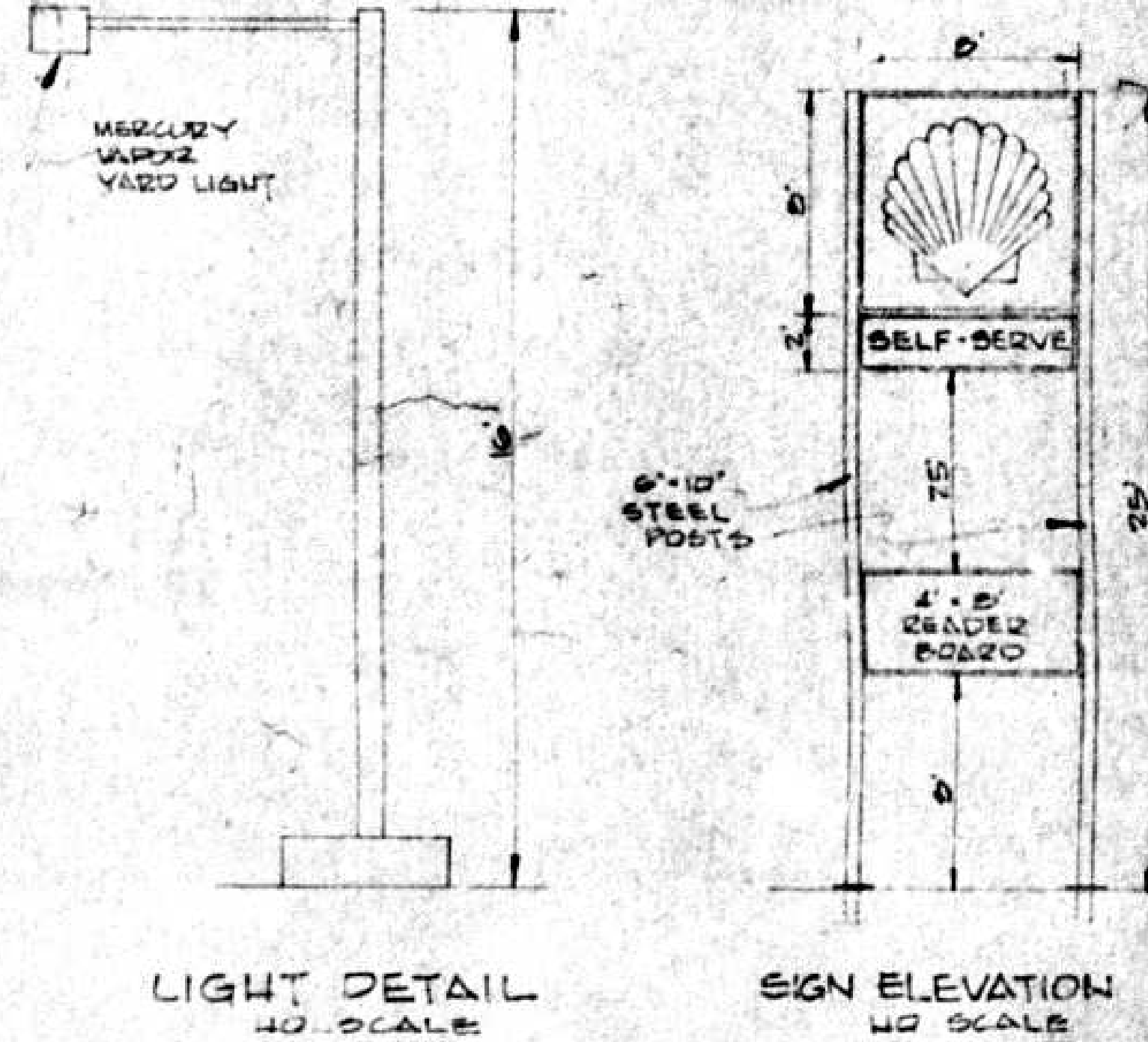
PULASKI HIGHWAY (U.S. ROUTE 40) (150' WIDE)



VICINITY MAP
SCALE: 1" = 500'

PARKING DATA

- REQUIRED VEHICLE RESERVOIR CAPACITY:
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 1 WAITING SPACE PER FUEL SERVICING SPACE - 12 REQUIRED
 VEHICLE RESERVOIR CAPACITY SHOWN:
 12 FUEL SERVICING SPACES
 12 WAITING SPACES
- PARKING CAPACITY SHOWN - 2 PARKING SPACES
- TYPICAL SPACE (FUEL SERVICING, WAITING & PARKING) - 9' x 20'



LIGHT DETAIL 1/4" SCALE
SIGN ELEVATION 1/4" SCALE

PLAT TO ACCOMPANY APPLICATION FOR SETBACK VARIANCE TO PERMIT A CANOPY TO BE CONSTRUCTED 25 FEET FROM THE RIGHT OF WAY INSTEAD OF 10 FEET AND TO PERMIT BUILDING TO BE 2 FEET FROM REAR PROPERTY LINE IN LIEU OF REQUIRED 10 FEET MIN. SPECIAL VARIANCE.

PLANS APPROVED
 OFFICE OF PLANNING & ZONING
 BY: [Signature]
 DATE: 10/15/82
 BY: [Signature]
 ZONING COMMISSIONER
 DATE: 10/16/82

B326-SPHA
 C-1137-82

W.T. SADLER, INC.
 SUEYEVORS
 105 W. CHESAPEAKE AVENUE
 TOWSON, MARYLAND 21284

Wentz
 THE HQ 1130



FOR PROPERTY LOCATED
 9605 PULASKI HIGHWAY
 AT
 MIDDLE RIVER ROAD
 15th ELECTION DISTRICT BALTIMORE COUNTY, MARYLAND
 SCALE: 1" = 20' MARCH 14, 1980

APPLICANT
 SHELL OIL COMPANY
 8565 STREET PLACE
 COLUMBIA, MARYLAND 21044

OWNER
 BOBCO'S VALUEVANDER
 2907 PULASKI HIGHWAY
 BALTIMORE, MARYLAND 21202

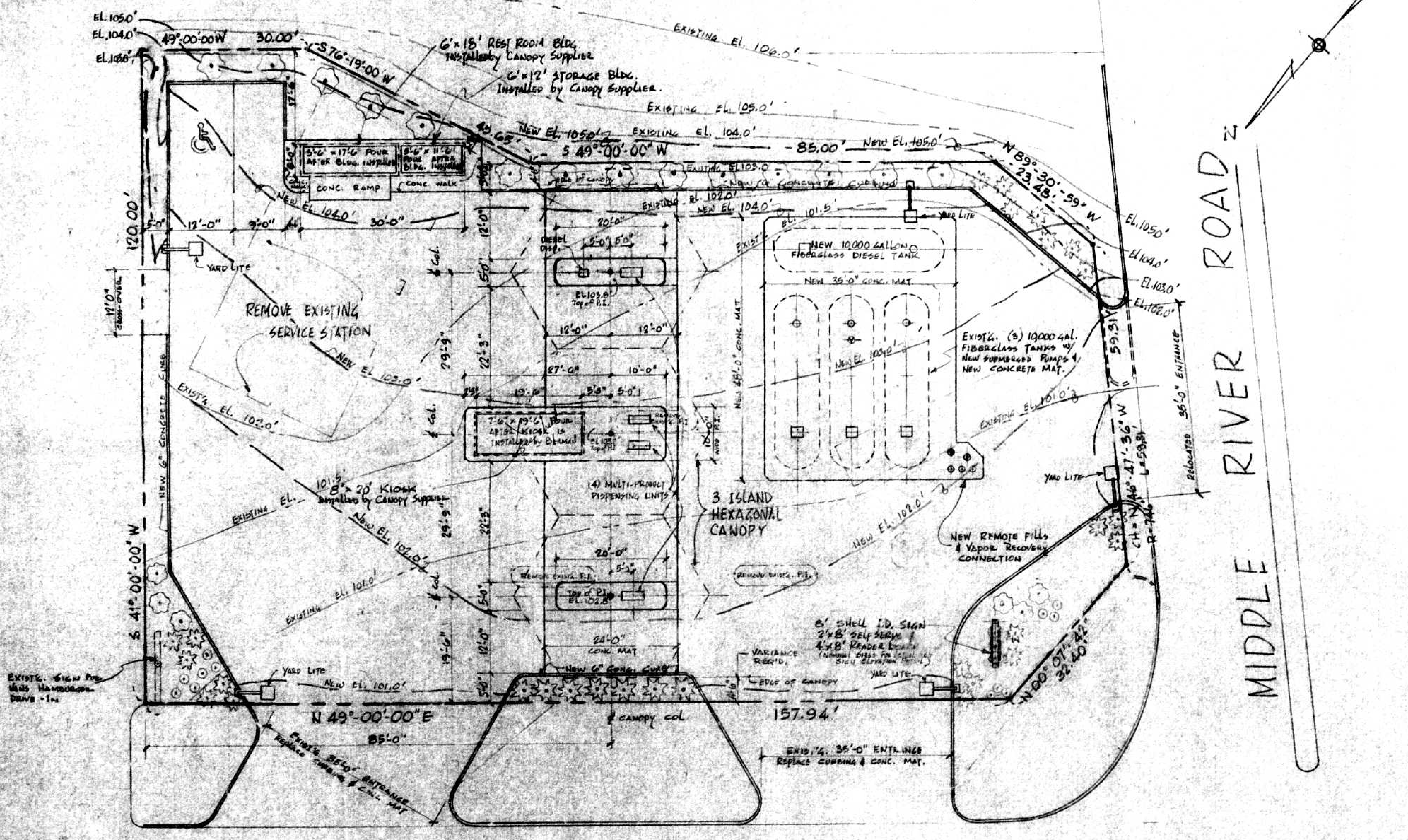
Revised
 11/27/82
 10/4/82



GENERAL NOTES

SPECIAL HEARING & ZONING VARIANCE APPEAL
 No. BS-26-SPHA APPROVED 8-24-82 WITH
 FOLLOWING RESTRICTIONS:

1. COMPLIANCE WITH SECTION 413 OF THE BALTIMORE COUNTY ZONING REGULATIONS & THE COMMENTS SUBMITTED BY THE MARYLAND DEPARTMENT OF TRANSPORTATION, DATED APRIL 12, 1982
2. APPROVAL OF SAID SITE PLAN BY THE DIRECTOR OF PLANNING & DEPUTY ZONING COMMISSIONER AS WELL AS THE DEPARTMENT OF PUBLIC WORKS & THE OFFICE OF PLANNING & ZONING, INCLUDING LANDSCAPING & SCREENING REQUIREMENTS FOR APPROVAL BY THE CURRENT PLANNING & DEVELOPMENT DIVISION.




PULASKI HIGHWAY

MIDDLE RIVER ROAD

R. J. H. H.

3	BY	APPROV. DESIG. & INSTALL. WORK
2	BY	APPROV. ENTRANCE & CONC. MAT.
1	BY	DESIGN & APPROV. MAT.
DATE		REVISION

 SHELL OIL COMPANY
HOUSTON, TEXAS

SELF SERVE LAYOUT
 9605 PULASKI HWY
 BALTIMORE, MD.

SCALE	1" = 10'-0"	DATE	NOV 78
DRAWN BY	REK	PROJECT NO.	10-9125-3
CHECKED BY			



215-5378-27