

PETITION FOR SPECIAL EXCEPTION 83-159-X

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 use a part hereof, hereby petition for a Special Exception under the Zoning Law and Zoning Regulations of Baltimore County, to use the herein described property for a service station (Gas & Go) (405.2.B.2) and a food store as use in combination (405.4.D.8) with a service station.

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

I, the Contract Purchaser, agree to pay expenses of above Special Exception 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:

Southland Corporation

(Type or Print Name)

Signature

8605 Old Harford Road

Address

Baltimore, Maryland 21234

City and State

Attorney for Petitioner:

Brian A. Goldman

(Type or Print Name)

Signature

1910 Charles Center South

Address

Baltimore, Maryland 21201

City and State

Attorney's Telephone No.: (301) 752-5006

BY ORDERED By The Zoning Commissioner of Baltimore County, this 12th day of November, 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 13th day of January, 1983, at 1:30 o'clock P.M.

Z.C.O.-No. 1

Thurs. 1-13-83
at 1:30 p.m. (over)

BALTIMORE COUNTY

ZONING PLANS

ADVISORY COMMITTEE



PETITION AND SITE PLAN

EVALUATION COMMENTS

RE: PETITION FOR SPECIAL EXCEPTION : BEFORE THE ZONING COMMISSIONER
NE corner Philadelphia & Middle
River Rds., 15th District : FOR BALTIMORE COUNTY
NELSON L. SAPPINGTON, et al, : Case No. 83-159-X
Petitioners

ORDER TO ENTER APPEARANCE

Mr. Commissioners:

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 5th day of January, 1983, a copy of the foregoing

Order was mailed to Brian A. Goldman, Esquire, 1910 Charles Center South, 36 S. Charles Street, Baltimore, MD 21201, Attorney for Petitioners; and The Southland Corporation, 8605 Old Harford Road, Baltimore, MD 21234, Contract Purchaser.

John W. Hession, III

RE: Petition for Special Exception : BEFORE THE ZONING COMMISSIONER
NE corner Philadelphia & Middle
River Rds., 15th District : OF BALTIMORE COUNTY
NELSON L. SAPPINGTON, et al, : Case No. 83-159-X
Petitioners

ORDER FOR APPEAL

Mr. Commissioner:

Please note an appeal from the decision of the Deputy Zoning Commissioner in the above-entitled matter, under date of May 18, 1983, to the County Board of Appeals and forward all papers in connection therewith to said Board for hearing.

Milton R. Stroup, President,
Kings Court Condominium, Section 3
50 King Charles Circle
Baltimore, Maryland 21237
391-7457

I HEREBY CERTIFY that on this 15 day of June, 1983, a copy

of the foregoing Order for Appeal was mailed to Brian A. Goldman, Esquire, 1910 Charles Center South, 36 S. Charles Street, Baltimore, MD 21201, Attorney for Petitioner; and The Southland Corporation, 8605 Old Harford Road, Baltimore, MD 21234, Contract Purchaser.

Milton R. Stroup

RE: PETITION FOR SPECIAL EXCEPTION : BEFORE THE ZONING COMMISSIONER
NE corner Philadelphia & Middle
River Rds., 15th District : OF BALTIMORE COUNTY
NELSON L. SAPPINGTON, et al, : Case No. 83-159-X
Petitioners

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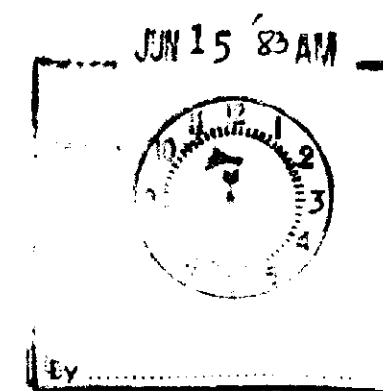
Peter Max Zimmerman
Deputy People's Counsel

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 15 day of June, 1983, a copy of the foregoing

Order for Appeal was mailed to Brian A. Goldman, Esquire, 1910 Charles Center South, 36 S. Charles Street, Baltimore, MD 21201, Attorney for Petitioners; and The Southland Corporation, 8605 Old Harford Road, Baltimore, MD 21234, Contract Purchaser.

John W. Hession, III



BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

William E. Hammond
TO: Zoning Commissioner
Norman E. Gerber, Director
FROM: Office of Planning and Zoning
SUBJECT: Zoning Petition No. 83-159-X
NELSON L. SAPPINGTON, et al

Date: January 3, 1983

This office has reviewed the subject petition and offers the following comments.

1. It should be noted Section 405.3.D of the Baltimore County Zoning regulations requires that there must be "evidence of the probability of a reasonable public need for the proposed automotive-service station"; this office finds no information establishing this need in the subject file.
2. The subject parcel of land is part of a larger property; final comments cannot be made until an overall plan for the entire property has been submitted.
3. This property was the subject of the County Review Group meeting on September 2, 1982. The minutes of the meeting indicate disapproval of the submitted plan by the Department of Public Works and the Office of Planning and Zoning. It appears that the petitioner has not resubmitted any revised proposals to the County Review Group.

Norman E. Gerber
Director of Planning and Zoning

NEG:JGH:stc

cc: Arlene January
Shirley Hess

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 12th day of November, 1982.

Petitioner: Nelson L. Sappington, et al
Petitioner's Attorney: Brian A. Goldman, Esq.

WILLIAM E. HAMMOND
Zoning Commissioner

Nicholas B. Commodari
Chairman, Zoning Plans
Advisory Committee

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

December 30, 1982

COUNTY OFFICE BLDG.
111 W. Chesapeake Ave.
Towson, Maryland 21204

Nicholas B. Commodari
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

Brian A. Goldman, Esquire
1910 Charles Center South
36 S. Charles Street
Baltimore, Maryland 21201

RE: Item No. 76 - Case No. 83-159-X
Petitioner - Nelson L. Sappington, et al
Special Exception Petition

Dear Mr. Goldman:

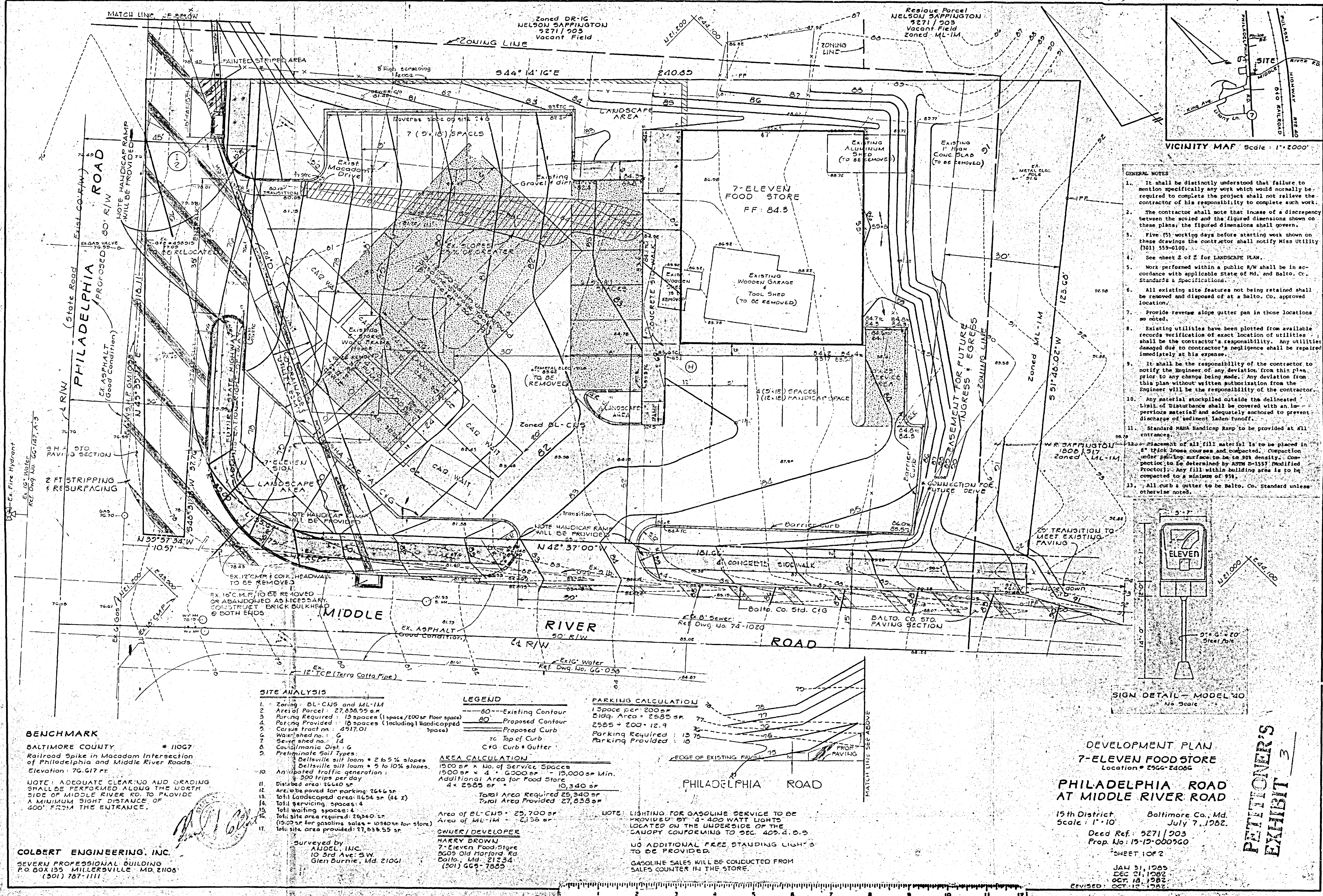
The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development 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.

Located on the northeast corner of Philadelphia and Middle River Roads, the subject property, zoned in its majority B.L.-CNS with a portion zoned M.L.-I.M. is improved with a dwelling and sheds. Adjacent properties to the north on both sides of Philadelphia Road are improved with dwellings, while a bar and shopping center exist to the south west.

In view of your clients' proposal to locate a food store in combination with a gas and go operation this hearing is required.

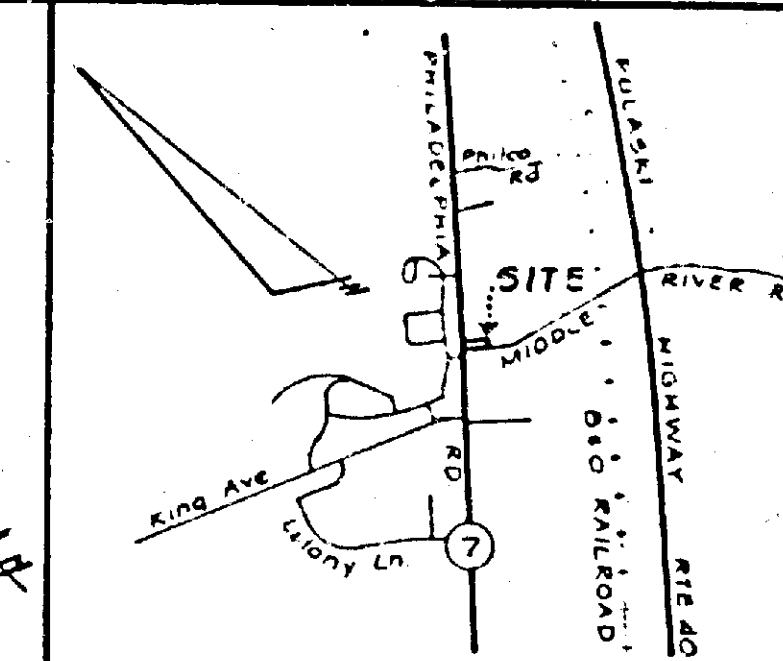
This property was the subject of a previous meeting by the County Review Group (CRG). Comments from that meeting were forwarded to this office, and some of them are enclosed as part of this report. Those that were not forwarded to you were replaced by comments written as part of the normal review of this petition by the Zoning Plans Advisory Committee.

It is my understanding that an additional meeting of the C.R.G. will be required at a later date. I suggest that this be addressed at the time of the scheduled hearing.

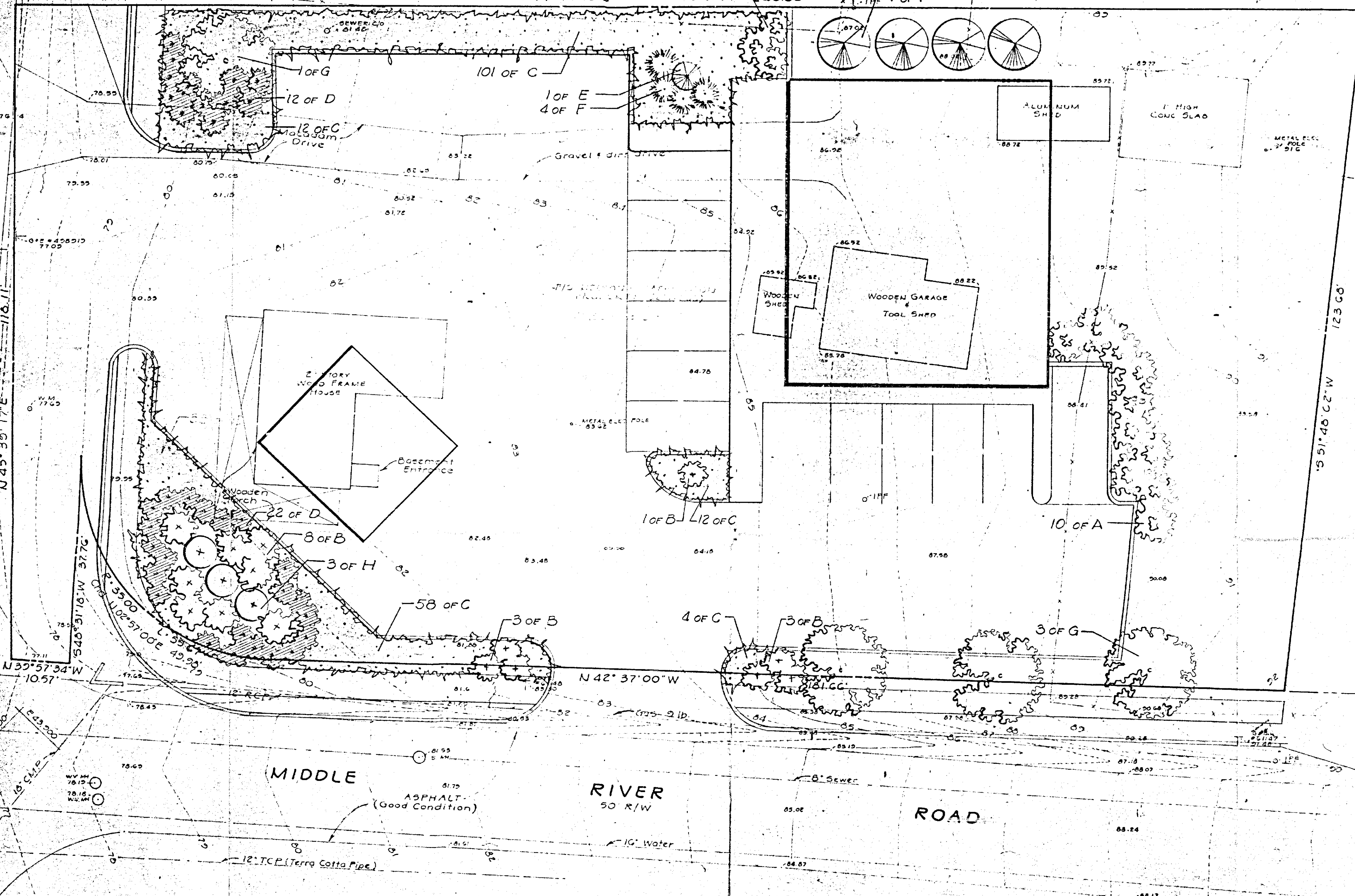


NELSON SAMPSON
5271/903

Residue Parcel
NELSON SAMPSON
5271/903



VICINITY MAP Scale 1"=2000'



BENCHMARK
BALTIMORE COUNTY
* 11067
Railroad Spike in Macadam Intersection
of Philadelphia and Middle River Roads.
Elevation - 76.617 ft.

COLBERT ENGINEERING, INC.
SEVERN PROFESSIONAL BUILDING
P.O. BOX 155 MILLERSVILLE, MD. 21106
(301) 767-1111

Surveyed by
AUDEL, LLC
10 5th Ave. S.W.
Glen Burnie, Md. 21061

CODE/QUAN	BOTANICAL NAME	COMMON NAME	SIZE	CONDITION	REMARKS
A 13	FORSYTHIA SUSPENS A	WEeping FORSYTHIA	4'-6'	B: B	MULTI-STEMMED
B 14	JUNIPERUS CHINE S	GOLD COAST JUNIFER	2 1/2'-3'	B: B	
C 187	JUNIPERUS HORIZONTALIS 'N R HARDOP	B&R H&B&O JUNIFER	18"-24"	CONTAINER	RUNNERS
D 34	JUNIPERUS HORIZONTALIS 'PLUMOSA COMPACTA YOUNGSTOWN	YOUNGSTOWN JUNIFER	1' 2'	CONTAINER	
E 1	PICEA CONICA GLAUCA	DWARF ALBERTA SPRUCE	3'	B: B	UNIFORM PYRAMIDAL SHAPE
F 4	PINUS MUHGB	MUHGB FINE	18"-24"	B: B	
G 4	QUERCUS PHELLOS	WILLOW OAK	2 1/2'-3' CAN.	B: B	STAKED
H 3	TAXUS CUSPIDATA 'CAPITATA	PYRAMIDAL YEW	4'	B: B	UNIFORM PYRAMIDAL SHAPE
I 4	PINUS STROBUS	EASTERN WHITE PINE	6'	B: B	10' O.C. STAKE

LANDSCAPE PLAN

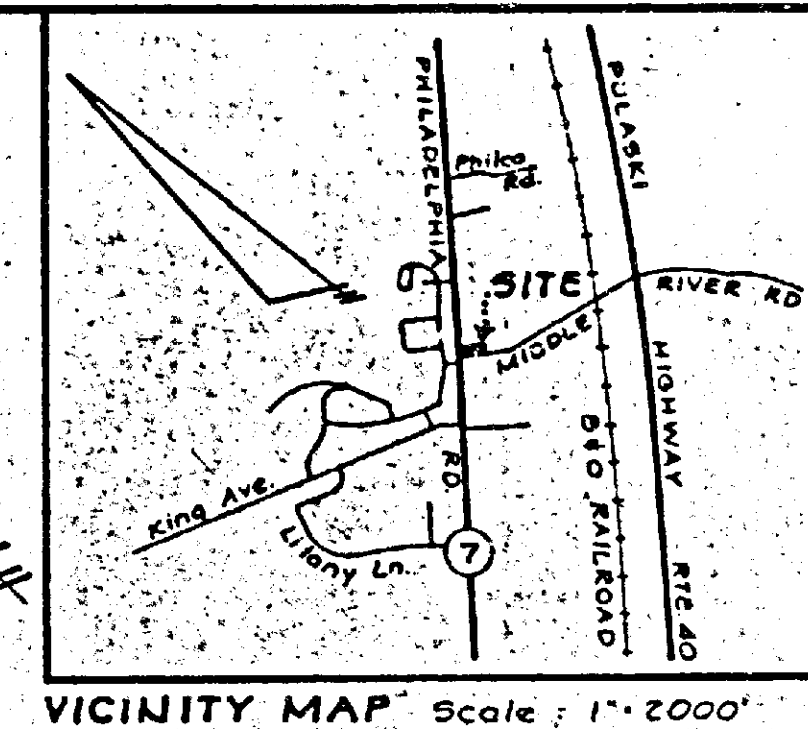
7-ELEVEN FOOD STORE
Location # 2566-24086

PHILADELPHIA ROAD
AT MIDDLE RIVER ROAD

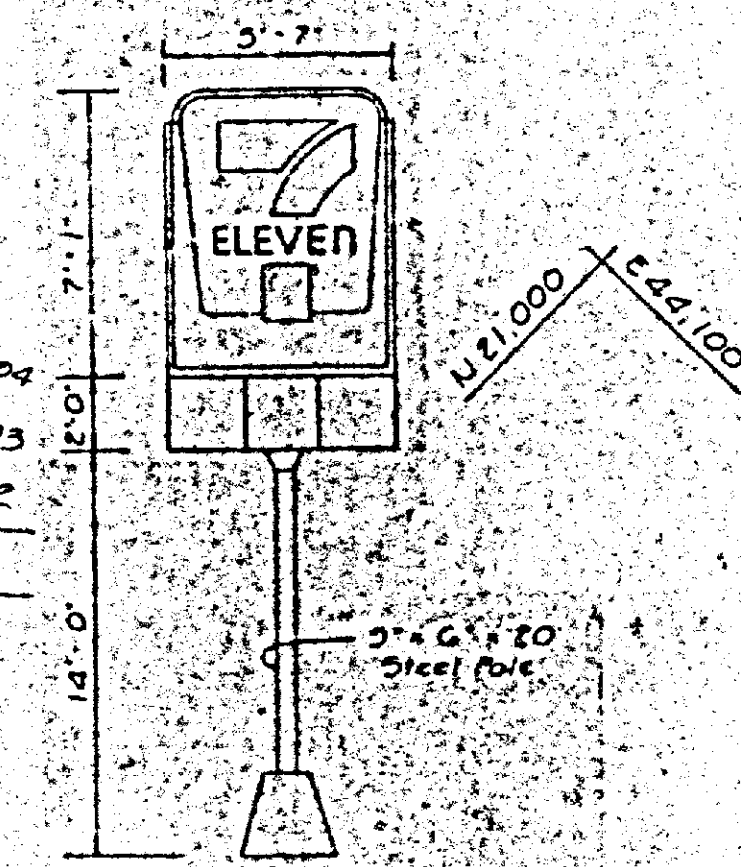
15th District Baltimore Co., Md.
Scale 1"=10' July 7, 1982.

SHEET 2 OF 2

PETERSON'S
EXHIBIT 1



- GENERAL NOTES**
- It shall be distinctly understood that failure to mention specifically any work which would normally be required to complete the project shall not relieve the contractor of his responsibility to complete such work.
 - The contractor shall note that in case of a discrepancy between the scaled and the figured dimensions shown on these plans, the figured dimensions shall govern.
 - Five (5) working days before starting work shown on these drawings the contractor shall notify Miss Utility (301) 559-0100.
 - See sheet 2 of 2 for LANDSCAPE PLAN.
 - Work performed within a public R/W shall be in accordance with applicable State of Md. and Balto. Co. Standards & Specifications.
 - All existing site features not being retained shall be removed and disposed of at a Balto. Co. approved location.
 - Provide reverse slope gutter pan in those locations so noted.
 - Existing utilities have been plotted from available records; verification of exact location of utilities shall be the contractor's responsibility. Any utilities damaged due to contractor's negligence shall be repaired immediately at his expense.
 - It shall be the responsibility of the contractor to notify the Engineer of any deviation from this plan prior to any change being made. Any deviation from this plan without written authorization from the Engineer will be the responsibility of the contractor.
 - Any material stockpiled outside the delineated limit of disturbance shall be covered with an impervious material and adequately anchored to prevent discharge of sediment laden runoff.
 - Standard MSBA Handicap Ramp to be provided at all entrances.
 - Placement of all fill material is to be placed in thick loose compacted and compacted. Compaction under parking surface to be to 90% density. (Proctor). Any fill within building area is to be compacted to a minimum of 95%.
 - All curb & gutter to be Balto. Co. standard unless otherwise noted.



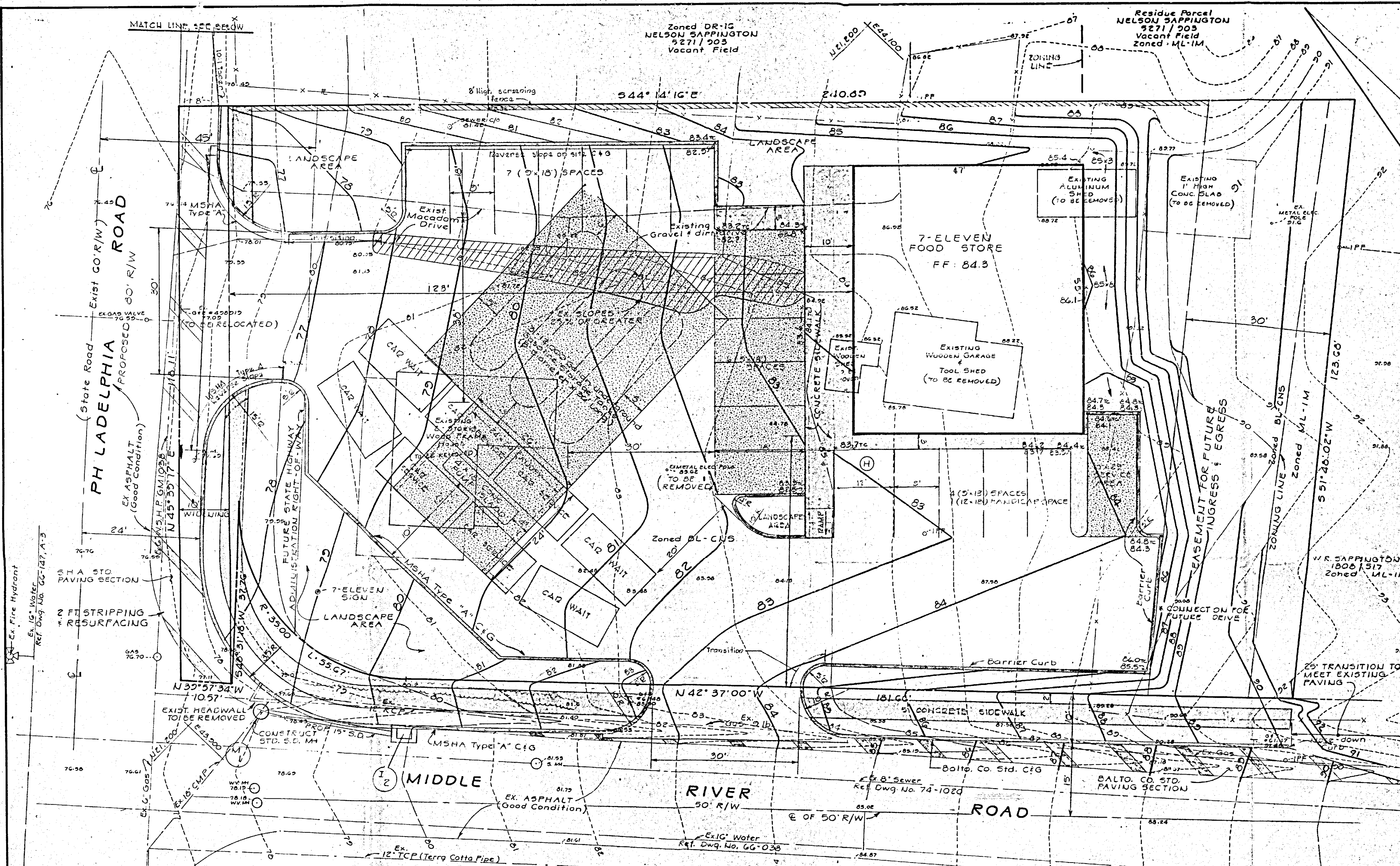
SIGN DETAIL - MODEL 40
No Scale

**DEVELOPMENT PLAN
7-ELEVEN FOOD STORE**
Location # 2966-24086

**PHILADELPHIA ROAD
AT MIDDLE RIVER ROAD**

15th District Baltimore Co., Md.
Scale: 1" = 10'
July 7, 1982
Deed Ref.: 5271/203
Prop. No.: 15-15-000560

Sheet 1 of 2
OCT. 18, 1982
REVISED: OCT. 12, 1982
MICROFILMED



- SITE ANALYSIS**
- Zoning: BL-CNS and ML-1M
 - Area of Parcel: 27,838.55 sq. ft.
 - Parking Required: 13 spaces (1 space/100 sq. ft. floor space)
 - Parking Provided: 13 spaces (Including 1 Handicapped space)
 - Census tract no.: 4917.01
 - Water shed no.: G
 - Sewer shed no.: 14
 - Councilmanic Dist.: G
 - Predominate Soil Types:
 - Beltville silt loam • 2 to 5% slopes
 - Beltville silt loam • 5 to 10% slopes
 - Anticipated traffic generation: 300 trips per day
 - Disturbed area: 26,640 sq. ft.
 - Area to be paved for parking: 26,640 sq. ft.
 - Total landscaped area: 11,654 sq. ft. (84%)
 - Total servicing spaces: 4
 - Total waiting spaces: 4
 - Total site area required: 26,640 sq. ft. (15,000 sq. ft. for gasoline sales + 10,340 sq. ft. for store)
 - Total site area provided: 27,838.55 sq. ft.

- LEGEND**
- 80--Existing Contour
 - 80--Proposed Contour
 - tc--Top of Curb
 - C/G--Curb & Gutter

AREA CALCULATION

1500 sq. ft. x No. of Service Spaces
1500 sq. ft. x 4 = 6000 sq. ft. - 15,000 sq. ft. Min.
Additional Area for Food Store
4 x 2585 sq. ft. = 10,340 sq. ft.
Total Area Required 25,340 sq. ft.
Total Area Provided 27,838.55 sq. ft.

DEVELOPER / APPLICANT
HARRY BROWN
7-ELEVEN FOOD STORES
8609 OLD HARBOR RD.
BALTIMORE, MD 21234
(301) 665-7805

PARKING CALCULATION

1 Space per 200 sq. ft.
Bldg. Area = 2585 sq. ft.
2585 ÷ 200 = 12.9
Parking Required: 13
Parking Provided: 13
Edge of existing paving

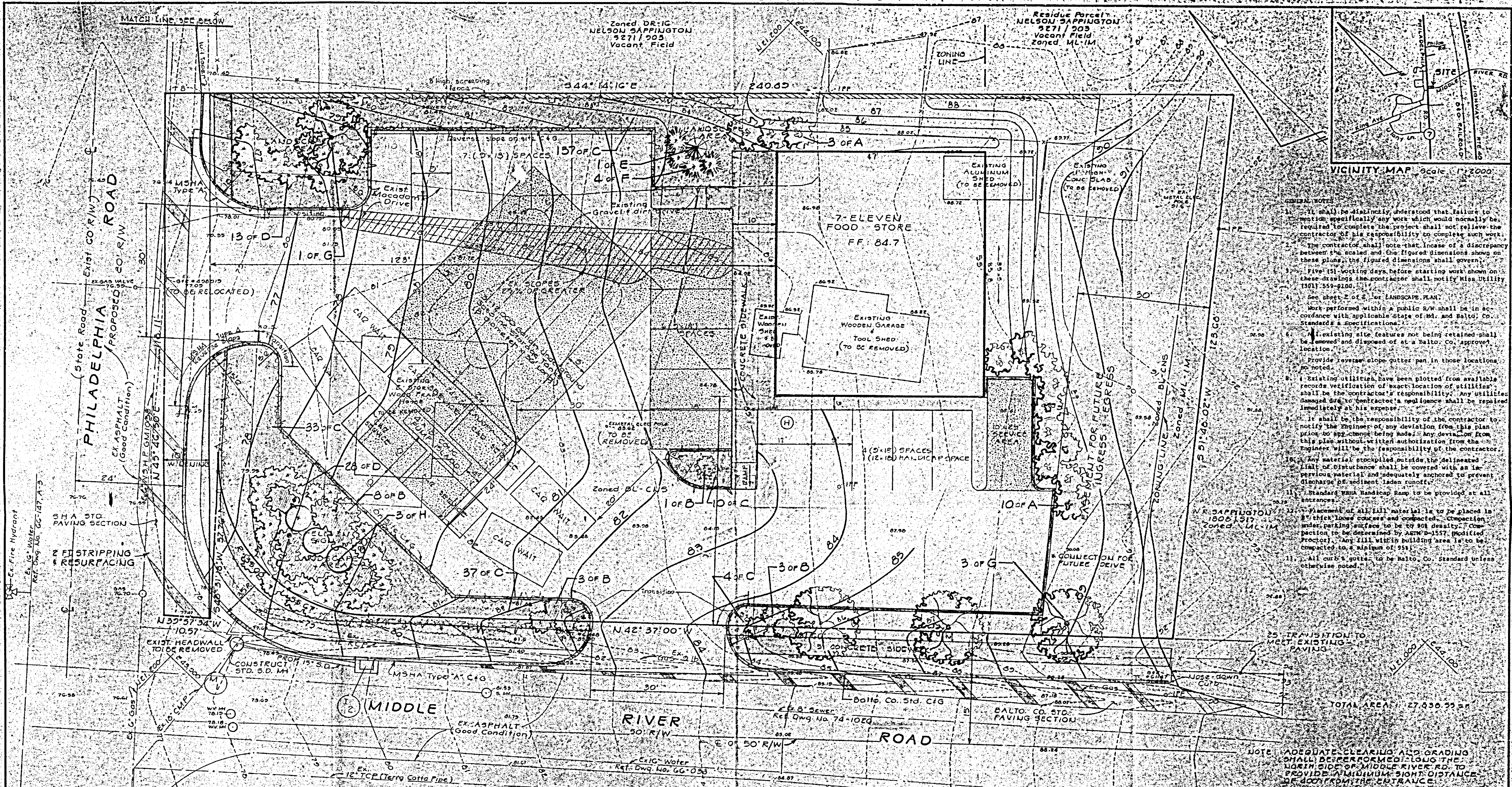
NOTE: LIGHTING FOR GASOLINE SERVICE TO BE PROVIDED BY 4-400 WATT LIGHTS LOCATED ON THE UNDERSIDE OF THE CANOPY CONFORMING TO SEC. 405.4.2.5
NO ADDITIONAL FREE STANDING LIGHTS TO BE PROVIDED.

BENCHMARK
BALTIMORE COUNTY # 11067
Railroad Spike in Macadam Intersection of Philadelphia and Middle River Roads.
Elevation: 76.617 ft.

NOTE: ADEQUATE CLEARING AND GRADING SHALL BE PERFORMED ALONG THE NORTH SIDE OF MIDDLE RIVER RD. TO PROVIDE A MINIMUM SIGHT DISTANCE OF 400' FROM THE ENTRANCE.

COLBERT ENGINEERING, INC.
SEVERN PROFESSIONAL BUILDING
P.O. BOX 135 MILLERSVILLE MD 21108
(301) 787-1111

Surveyed by
ANDEL, INC.
10 3rd Ave. SW.
Glen Burnie, Md. 21061



GENERAL NOTES:

- It shall be distinctly understood that failure to mention specifically any work which would normally be required to complete the project shall not relieve the contractor of his responsibility to complete such work.
- The contractor shall note that, in case of a discrepancy between the scaled and the figured dimensions shown on these plans, the figured dimensions shall govern.
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- Standard WMA Handicap Ramp to be provided at all entrances.
- Placement of all fill material is to be placed in 8" thick loose layers and compacted. Compaction under parking surfaces to be to 90% density. Compaction to be determined by ASTM D-1557 (Modified Proctor). Any fill within building area is to be compacted to a minimum of 95%.
- All curb's gutters to be Balto. Co. Standard unless otherwise noted.

SITE ANALYSIS

- Zoning: BL-CNS and ML-1M
- Area of Parcel: 27,836.55 s.f.
- Parking Required: 13 spaces (1 space/100 s.f. floor space)
- Parking Provided: 16 spaces (including 1 handicapped space)
- Census tract no.: 4517.01
- Water shed no.: 114
- Sewer shed no.: 114
- Councilmanic Dist.: G
- Predominate Soil Types:
Beltsville silt loam • 2 to 5% slopes
Beltsville silt loam • 5 to 10% slopes
- Anticipated traffic generation
Beltsville silt loam • 200 trips per day
- Disturbed area: 26,640 s.f.
- Area to be paved for parking: 26,640 s.f.
- Total landscaped area: 11,651 s.f. (42%)
- Total servicing spaces: 4
- Total waiting spaces: 4
- Total site area required: 25,840 s.f.
(15,000 s.f. for gasoline sales • 40,000 s.f. for store)
- Total site area provided: 27,836.55 s.f.

LEGEND

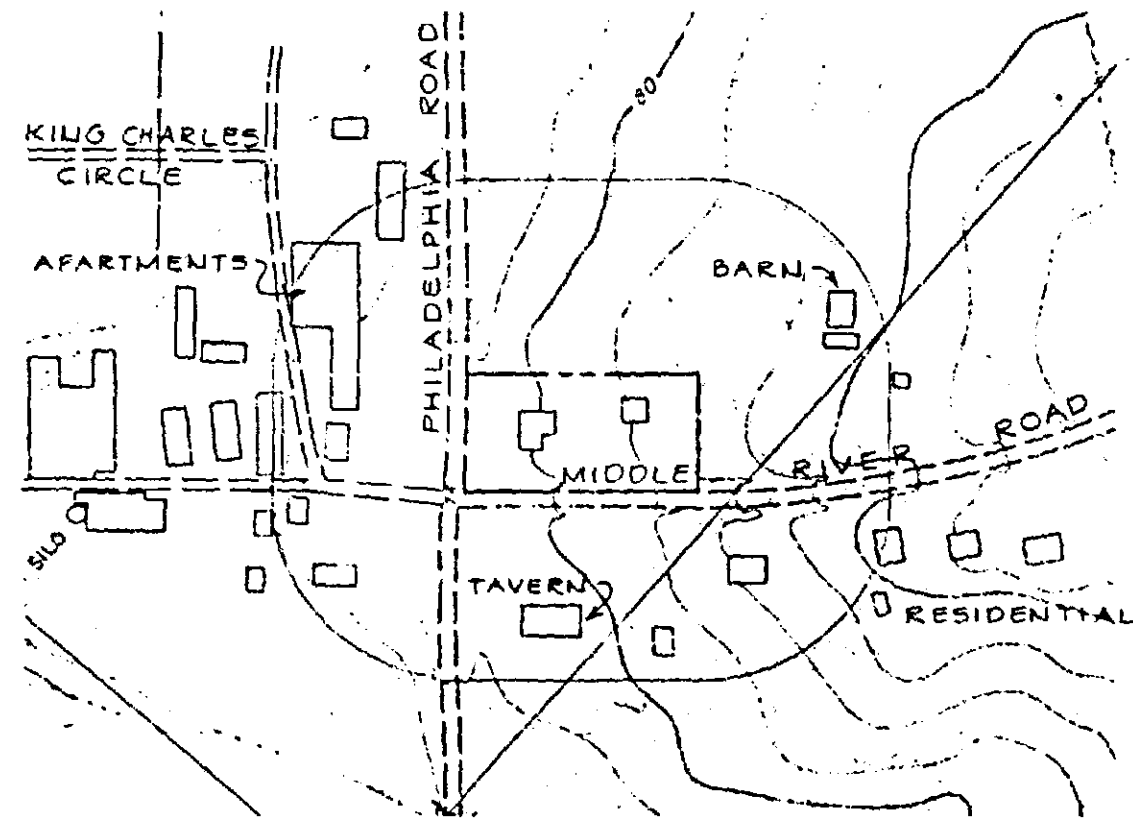
- 80' Existing Contour
- 80' Proposed Contour
- Proposed Curb
- Top of Curb
- C&G Curb & Gutter

PLANT LIST						
CODE	QUAN.	BOTANICAL NAME	COMMON NAME	SIZE	CONDITION	REMARKS
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B	14	JUNIPERUS CHINENSIS 'GOLD COAST'	GOLD COAST JUNIPER	2'-3'	B+B	
C	22	JUNIPERUS HORIZONTALIS 'BAR HARBOR'	BAR HARBOR JUNIPER	18'-24'	CONTAINER	RUNNERS
D	41	JUNIPERUS HORIZONTALIS 'PLUMOSA COMPACTA YOUNGSTOWN'	YOUNGSTOWN JUNIPER	1'-2'	CONTAINER	
E	1	PICEA CONICA GLAUCA	DWARF ALBERTA SPRUCE	3'	B+B	UNIFORM PYRAMIDAL SHAPE
F	4	PIRUS MUHGO	MUHGO PINE	16'-24'	B+B	
G	4	QUERCUS PHellos	WILLOW OAK	2'-3'	B+B	STAKED
H	3	TAXUS CUPIDATA 'CAPITATA'	PYRAMIDAL YEW	4'	B+B	UNIFORM PYRAMIDAL SHAPE

BENCHMARK
BALTIMORE COUNTY • 11067
Railroad Spike in Macadam Intersection of Philadelphia and Middle River Roads
Elevation 176.67 ft.

COLBERT ENGINEERING, INC.
SEVERN PROFESSIONAL BUILDING
P.O. BOX 135 MILLERSVILLE, MD 21108
(301) 787-1111

LANDSCAPE PLAN
by Cynthia Stuart
7-ELEVEN FOOD STORE
Location: 2546-2606C
PHILADELPHIA ROAD AT MIDDLE RIVER ROAD
15th District, Baltimore Co., Md.
Scale: 1" = 10'
Deed Ref: 8271/103
Prop. No. 15-15-000260
Sheet 1 of 2
REVISED: OCT. 12, 1982
MICROFILMED



VICINITY MAP SCALE 1" = 200'

PHILADELPHIA RD.
AT MIDDLE RIVER RD.

15th District Balt. Co., Md.
Scale 1" = 200' Oct. 1982

CDH ENGINEERING
CORPORATION
10 THIRD AVE., S.W.
GLEN BURNIE, MD. 21061

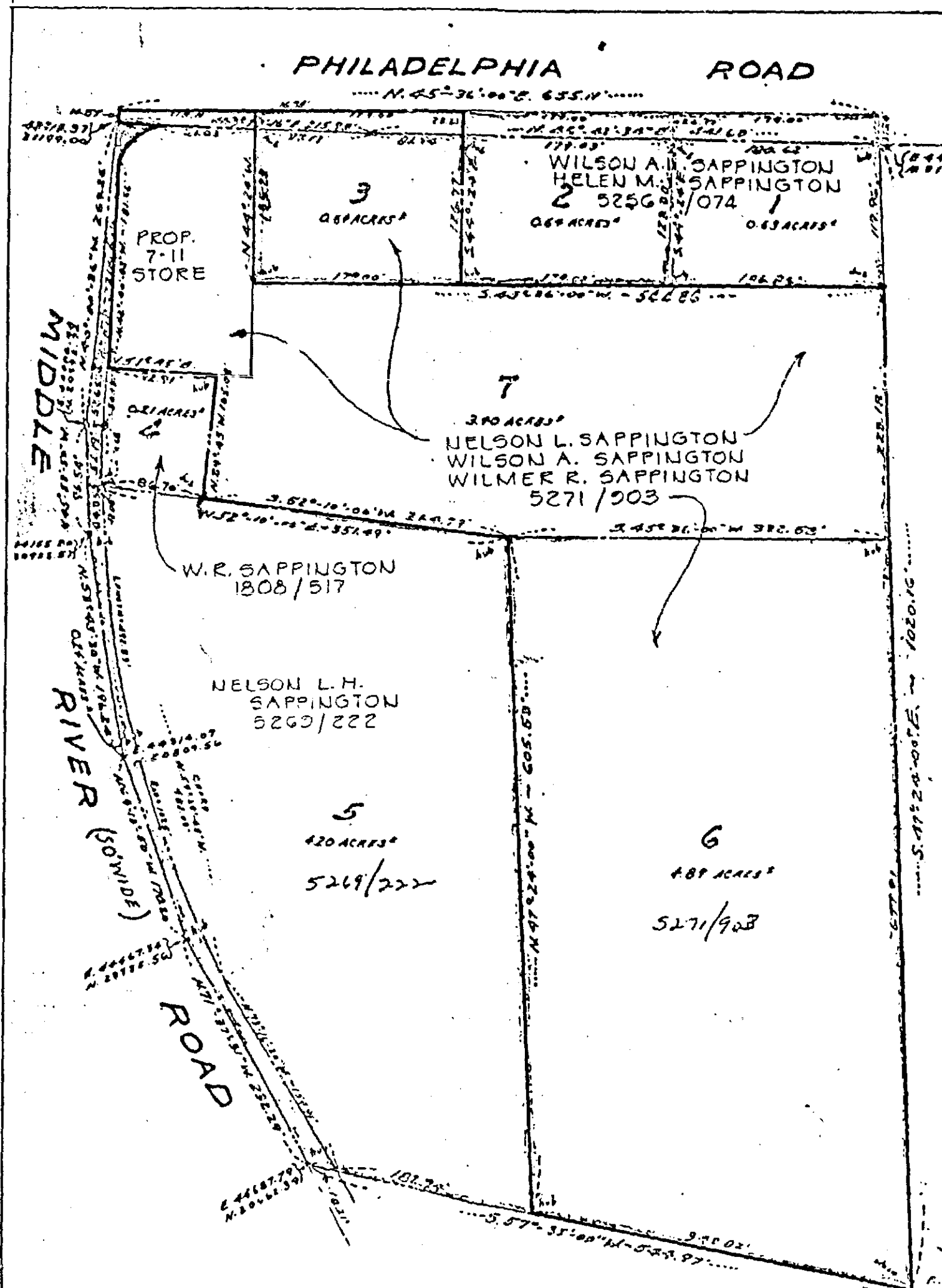
#83-159-X

15th District

NE/corner Philadelphia and Middle River Rds.

Nelson Sappington, et al

1 SIGN



Plat Showing Property of
SAPPINGTON FAMILY
15th DISTRICT BALTO. CO., MD.
OCT. 7, 1982

C.D.H. ENGINEERING CORP.
10 THIRD AVE., S.W.
GLEN BURNIE, MD. 21061
(301) 787-1111

Petition for Special Exception

15TH DISTRICT
ZONING: Petition for
Special Exception
LOCATION: Northeast
corner of Philadelphia and
Middle River Roads
DATE & TIME: Thurs-
day, January 13, 1983 at
1:30 P.M.

PUBLIC HEARING:
Room 106, County Office
Building, 111 W. Chesapeake
Avenue, Towson,
Maryland

The Zoning Commission
of Baltimore County,
by authority of the
Zoning Act and Regulations
of Baltimore County,
will hold a public hearing:
Petition for Special Ex-
ception for a service sta-
tion (gas and go) and a
food store as use in combi-
nation with a service sta-
tion.

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

Beginning for the same
at the point formed by the
intersection of the south-
eastern right-of-way line
of Philadelphia Road (vari-
able width) and the
northeastern right-of-way
line of Middle River Road
100 feet wide) running the
following seven courses:
(1) N 45° 35' 17" E 118.11
feet, (2) S 44° 14' 10" E
240.88 feet, (3) S 61° 48' 02"
W 123.68 feet, (4) N 47° 57'
00" W 181.66 feet, (5) curve
to the right of a radius of
35 feet and a length of 55.87
feet, (6) S 48° 31' 18" W
37.78 feet, and (7) N 39° 57'
34" W 10.67 feet to the
point of beginning.

Containing 17,638
square feet or 0.6391 of an
acre of land. Being the
property of Nelson L. Sap-
pington, et al, as shown on
plat plan filed with the
Zoning Department.

Hearing Date: Thurs-
day, January 13, 1983 at
1:30 P.M.

Public Hearing: Room
106, County Office Build-
ing, 111 W. Chesapeake
Avenue, Towson,
Maryland.

BY ORDER OF

William E. Hammond
Zoning Commissioner
Of Baltimore County

The Times

Middle River, Md., Dec. 23, 1982

This is to Certify, That the annexed

Petition

was inserted in The Times, a newspaper printed
and published in Baltimore County, once in each
of one successive

weeks before the 23rd day of

Dec, 1982

John D. Utley Jr. Publisher.



Pursuant to the advertisement, posting of property, and public hearing on the Petition and it appearing that by reason of the requirements of Section 502.1 and 405.3 of the Baltimore County Zoning Regulations having been met and the health, safety, and general welfare of the community not being adversely affected, the special exception should be granted.

Therefore, IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County, this 27th day of May, 1983, that the Petition for Special Exception for a gas and go service station with a food store as a use in combination, in accordance with the site plan prepared by Colbert Engineering, Inc., revised October 12, 1982, and marked Petitioner's Exhibit 3, is hereby GRANTED, from and after the date of this Order, subject, however, to the following restrictions:

1. The location of the Middle River Road entrance shall be approved by the Maryland Department of Transportation and the Department of Traffic Engineering.
2. All outdoor lighting shall be regulated as to location, direction, glare, and intensity to minimize illumination beyond the subject property.
3. Any proposed sign(s) shall be erected and maintained in accordance with Section 413 of the Baltimore County Zoning Regulations.
4. Compliance with Section 405 of the Baltimore County Zoning Regulations, the comments submitted by the Health Department, dated December 2, 1982, and the requirements of the Maryland Department of Transportation.
5. Landscaping shall be in accordance with Sheet 2 of Petitioner's Exhibit 3.
6. The rear easement for future ingress and egress may be paved and shall be connected to the future drive as shown on Petitioner's Exhibit 3.
7. Approval of the aforementioned site plan by the Maryland Department of Transportation, the Department of Public Works, the Department of Traffic Engineering, and the Office of Planning and Zoning, including landscaping and screening required for approval by the Current Planning and Development Division.

John M. H. Jorg
Deputy Zoning Commissioner of
Baltimore County

ORDER RECEIVED FOR FILING

DATE May 18, 1983
BY John P. Jorg
ADMINISTRATIVE ASSISTANT

Item No. 76 - Case No. 83-159-X
Nelson L. Sappington, et al
Special Exception Petition
Page 2

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

NBC:bsc

Enclosures

cc: Colbert Engineering, Inc.
Severn Professional Building
P.O. Box 135
Millersville, Maryland 21108

BALTIMORE COUNTY, MARYLAND

SUBJECT: SUBDIVISION REVIEW COMMENTS

DATE: August 27, 1982

FROM: Edward A. McDonough, P.E., Chief
Developers Engineering Division

PROJECT NAME: Seven-Eleven Store

PROJECT NUMBER: #82117

LOCATION: Philadelphia Road and
Middle River Road

DISTRICT: 15

The Plan for the subject site, dated July 7, 1982, has been reviewed by the Developers Engineering Division and we comment as follows:

GENERAL COMMENTS:

All private contracts for construction of storm drains and roads intended for public title and maintenance must be let under a contract form, proposal and attachments adopted by the Baltimore County Department of Public Works. The Developer has the option of placing the storm drains under a public contract.

Philadelphia Road is a State Road. All improvements, intersections, entrances, drainage requirements and construction affecting a State Road right-of-way are subject to the standards, specifications and approval of the Maryland State Highway Administration in addition to those of Baltimore County.

The State Health Department Construction Permits for each private utility (water, sanitary sewer and storm drains) totaling over 400 feet in length will be obtained through the Baltimore County Department of Public Works.

All construction drawings and construction for public use shall conform with Baltimore County Department of Public Works Design Standards and Standard Specifications and Details for Construction.

The responsibilities of the Developer involving public improvements shall include the Inspection Fees, Burden and Fringe Costs incurred. Currently these charges are 1.5 times payroll.

The Developer's responsibilities along the existing road frontage of the site shall be as follows:

- a. The submission of detailed construction drawings to extend a minimum distance of 200 feet beyond the limits of the site or as may be required to establish line and grade.

 Maryland Department of Transportation
State Highway Administration

Lowell K. Bridwell
Secretary
M. S. Caltrider
Administrator

November 12, 1982

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

Attention: Mr. N. Commodari

Re: ZAC Meeting of Nov. 3, 1982
ITEM: #76.
Property Owner: Nelson L. Sappington, et al
Location: NE/Cor.
Philadelphia Road, Route 7,
and Middle River Road
Existing Zoning: B.L.-CNS
Proposed Zoning: Special
Exception for a service
station (Gas & Go) and a
food store as use in combination (CRG)
Acres: 0.6391
District: 15th

Dear Mr. Hammond:

On review of the pre-development plan for C.R.G. of July 7, 1982 and field inspection, the State Highway Administration will require the plan to be revised.

The revised plan must show the following:

1. A proposed S.H.A. concrete curb and gutter 36' from the centerline of Philadelphia Road along the southeast frontage. The proposed curb line parallel to Philadelphia Road on or in back of the proposed R/W must be S.H.A. Type "A" concrete.
2. The radius at Philadelphia Road and Middle River Road shall be a minimum of 30'. (35' as shown on the plan is acceptable).

My telephone number is (301) 659-1350

Secretary: Mr. Richard H. Heston or Sonnet
363-7555 Baltimore Metro - 545-0481 D.C. Metro - 1-800-492-5062 Statewide Toll Free
P.O. Box 717 707 North Carroll St., Baltimore, Maryland 21203-0717

Project #82117
Seven-Eleven Store
Page 2
August 27, 1982

GENERAL COMMENTS: (Cont'd)

- b. The submission of cross-sections as deemed necessary for design or construction purposes. The sections are to be taken at 25-foot intervals and are to be shown on standard cross-section paper at 1"=5' horizontal to 1"=5' vertical scale.
- c. The preparation of the right-of-way plat for, and the dedication of any widening and slope easements at no cost to the County.
- d. The preparation of the right-of-way plats for any offsite road rights-of-way required to make the necessary improvements. Baltimore County will attempt to acquire the right-of-way.
- e. The grading of the widening and the existing road to the established grade. Where adjacent properties are adversely affected by the improvements, the Developer shall be financially responsible for the necessary repairs to these properties.
- f. The construction of combination curb and gutter in its ultimate location and a maximum of 28.5 feet of paving adjacent thereto along the frontage of the property.
- g. The relocation of any utilities or poles as required by the road improvements.

Sidewalks are required adjacent to the public roads serving this site. The walks shall be 5 feet wide and shall be installed to conform with Baltimore County Standards (Detail R-19) which places the back edge of the sidewalk 2 feet off the property line.

The Developer shall be responsible for construction stake-out of all highway improvements required in connection with this site and all stake-outs shall be in accordance with Baltimore County Standards.

It shall be the Developer's responsibility to have his engineer set property line control stakes on the points of curvature and points of tangency and on adjacent rights-of-way along proposed roads to be used as control for the stake-out of utilities.

It shall be the responsibility of the Developer's engineer to clarify all rights-of-way within the property and to initiate such action that may be necessary to abandon, widen or extend said rights-of-way. The Developer shall be responsible for the submission of all necessary plats and for all costs of acquisition and/or abandonment of these rights-of-way.

In accordance with Bill No. 32-72, street lights are required in all developments. The Developer will be responsible for the full costs of installation of the cable, poles and fixtures. The County will assume the cost of the power when the streets have been accepted for County maintenance.

Mr. W. Hammond

-2-

November 12, 1982

3. A future R/W of 45' on the southeast side of Philadelphia Rd. will be required. The State Highway Administration is agreeable to acceptance of the additional widening at "no cost" to the Administration.
4. A study is underway by the S.H.A. District #4 Traffic Engineer at the above intersection with the possibility of the installation of a traffic signal. Additional comments will be forthcoming as to the warrants of a signal at this location.
5. "No Parking" signs will be required along the "7-11" frontage of Philadelphia Road. All parking for the customers at this site will be within the proposed parking lot of the facility. Additional "No Parking" signs may be required by the District Traffic Engineer upon completion of his study of the intersection. This sign location would be on the northwest side of Philadelphia Road.
6. On review of the plan and field inspection it appears an additional inlet will be needed or the proposed inlet relocated. A study will be required by the developer's engineer as to the relocation of the storm drain. Any proposed storm drain inlet within the S.H.A. R/W must have WR grates. With a direct connection to the State Storm Drain System, the State Highway Administration will require a Hydraulic Review of the system showing existing and proposed conditions for the 2, 10 and 100 year storm.
7. A paving taper of 10:1 must be constructed from the existing R/W at the northeast to meet the existing edge of roadway.
8. The area from the edge of the traveled way to the proposed gutter pan, to the proposed R/W of the entrance, and including taper must be paved with bituminous concrete.
9. The District Traffic Engineer will determine the new traffic lay-out for the left turn facility and implement the change over when additional widening takes place on the opposite side of the intersection.
10. Sidewalks and handicap ramps will be required along the frontage of the site.

Mr. William Hammond

-3-

November 12, 1982

It is requested that all approvals and applications be held until the plan is revised, access permit is applied for and a bond in the amount of \$20,000.00 is posted to guarantee construction.

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

By: George Wittman

CL:GW:maw

Attachment

cc: Mr. J. Wimbley

BALTIMORE COUNTY, MARYLAND

SUBJECT: COUNTY REVIEW GROUP COMMENTS
FROM: OFFICE OF PLANNING AND ZONING

DATE: September 1, 1982

PROJECT NAME: 7-11 Store PLAN XXXXX
COUNCIL & ELECTION DISTRICT C-6 E-15 PLAN EXTENSION
REVISED PLAN
PLAT

This office has reviewed the subject and offers the following comments.

The plan of the property as submitted appears to be a portion of a larger tract of land; therefore a plan showing the entire property must be submitted.

John L. Wimbley

BALTIMORE COUNTY, MARYLAND

TO: Mr. Robert Morton, Public Services

SUBJECT: SUBDIVISION REVIEW COMMENTS

DATE: August 27, 1982

FROM: C. Richard Moore

PROJECT NAME: 7-11 C.R.G. PRELIMINARY PLAN X
PROJECT NUMBER: TENTATIVE PLAN
LOCATION: Philadelphia & Middle River Rd. DEVELOPMENT PLAN
DISTRICT: 15 FINAL PLAT

It is recommended that Philadelphia Road be widened enough to provide for an ultimate 5 lane section to provide for a left turn lane.

The proposed entrance on Philadelphia Road should be widened to 35 feet.

The proposed entrance on Middle River Road needs to be studied further to improve the sight distance on the inside of the curve. The existing hedgerow east of the proposed entrance may have to be cut back.

C. Richard Moore
C. Richard Moore
Assistant Traffic Engineer

CRM/GMZ/zlj

Dec. 2, 1982
Date

BALTIMORE COUNTY DEPARTMENT OF HEALTH

Zoning Commissioner
Office of Planning and Zoning
County Office Building
Towson, Maryland 21204

Zoning Item # 76, Zoning Advisory Committee Meeting of Nov. 3, 1982

Property Owner: Nelson L. Sappington, et al

Location: NE/Cor. Phila. Rd. & Middle River Rd. District 15

Water Supply Public Sewage Disposal Public

COMMENTS ARE AS FOLLOWS:

- (X) Prior to approval of a Building Permit for construction, renovation and/or installation of equipment for any existing or proposed food service facility, complete plans and specifications must be submitted to the Plans Review Section, Environmental Support Services, for final review and approval.
- (X) Prior to new installation/s of fuel burning equipment, the owner should contact the Division of Air Pollution Control, 194-3775, to obtain requirements for such installation/s before work begins.
- (X) A permit to construct from the Division of Air Pollution Control is required for such items as spray paint processes, underground gasoline storage tank/s (5,000 gallons or more) and any other equipment or process which exhausts into the atmosphere.
- () A permit to construct from the Division of Air Pollution Control is required for any charbroiler operation which has a total cooking surface area of five (5) square feet or more.
- () Prior to approval of a Building Permit Application for renovations to existing or construction of new health care facilities, complete plans and specifications of the building, food service area and type of equipment to be used for the food service operation must be submitted to the Plans Review and Approval Section, Division of Engineering and Maintenance, State Department of Health and Mental Hygiene for review and approval.
- () Prior to any new construction or substantial alteration of public swimming pool, wading pool, bathhouse, saunas, whirlpools, hot tubs, water and sewerage facilities or other appurtenances pertaining to health and safety; two (2) copies of plans and specifications must be submitted to the Baltimore County Department of Health for review and approval. For more complete information, contact the Recreational Hygiene Section, Division of Environmental Support Services.
- () Prior to approval for a nursery school, owner or applicant must comply with all Baltimore County regulations. For more complete information, contact the Division of Maternal and Child Health.
- () If lubrication work and oil changes are performed at this location, the method providing for the elimination of waste oil must be in accordance with Water Resources Administration requirements.

SS 20 1082 (1)

Zoning Item # 76
Page 2

- () Any existing underground storage tanks containing gasoline, waste oil, solvents, etc., must have the contents removed by a licensed hauler and either be removed from the property or properly backfilled.
- () Soil percolation tests have been conducted.
 - () The results are valid until
 - () Revised plans must be submitted prior to approval of the percolation tests.
- () Prior to occupancy approval, the potability of the water supply must be verified by collection of bacteriological and chemical water samples.
- () In accordance with Section 13-117 of the Baltimore County Code, the water well yield test
 - () shall be valid until
 - () is not acceptable and must be retested. This must be accomplished prior to conveyance of property or approval of Building Permit Applications.
- () All roads and parking areas should be surfaced with a dustless, bonding material.
- () No health hazards are anticipated.
- (X) Others: 1) Public water and sewers must be utilized and/or extended to serve the property.
2) The existing dug well and septic system must be properly abandoned and backfilled under Health Dept. supervision prior to approval of any grading, paving or Building Permit for the site.

John J. Fortest
John J. Fortest, Director
BUREAU OF ENVIRONMENTAL SERVICES

SS 20 1080 (2)

BALTIMORE COUNTY
FIRE DEPARTMENT
TOWSON, MARYLAND 21204
825-7310

PAUL H. REINCKE
CHIEF

December 20, 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: Nelson L. Sappington, et al

Location: NE/Cor. Philadelphia Road and Middle River Road

Item No.: 76

Zoning Agenda: Meeting of November 3, 1982

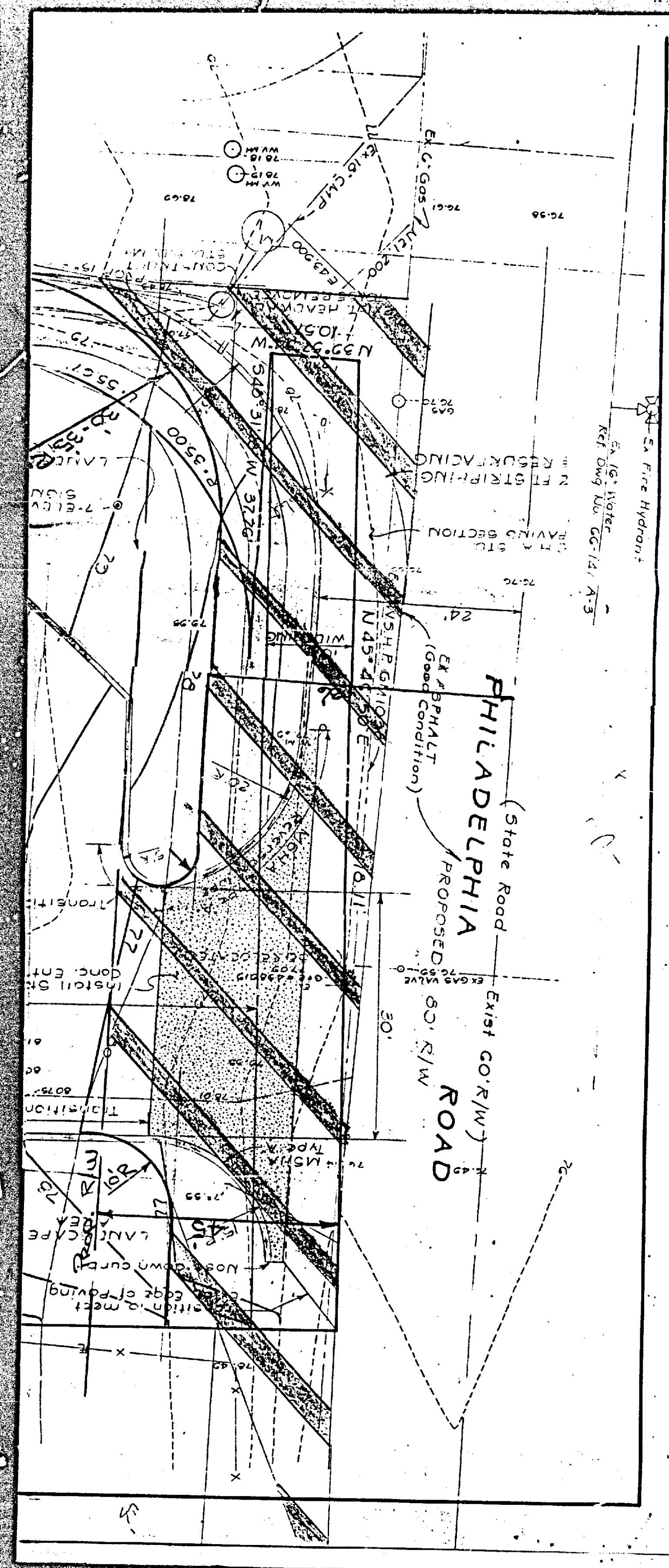
Gentlemen:

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 of _____ 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.
- (X) 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation. (See Attached)
- (X) 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 BY: *George M. Connell* Noted and Approved: George M. Connell
Planning Group Special Inspection Division Fire Prevention Bureau

JK/mh/cm



Owner: Nelson L. Sappington, et al
Location: NE/Cor. Philadelphia Road and Middle River Road
Item No.: 76
December 20, 1982
Page two

Comment #4: All self-service stations shall have at least one attendant on duty while the station is open to the public. The attendant's primary function shall be to supervise and control the dispensing of Class I liquids while said liquids are actually dispensed, according to NFPA 30, Section 7-7.4.3.



BALTIMORE COUNTY
DEPARTMENT OF PLANNING & LICENSES
TOWSON, MARYLAND 21204
494-3900

YED ZAKSNI, JR.
DIRECTOR

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

Dear Mr. Hammond:

Comments on Item # 76 Zoning Advisory Committee Meeting
are as follows:

Property Owner: Nelson L. Sappington, et al
Location: NE/Cor. Philadelphia Road and Middle River Road
Existing Zoning: B.L.-OES
Proposed Zoning: Special Exception for a service station (Gas & Go) and a food store as use in combination. (CRG)

Address: 0.6391
District: 15th

The items checked below are applicable:

X.A. All structure shall conform to the Baltimore County Building Code 1981/
Council Bill 1-82 State of Maryland G-7 for the Handicapped and Age
and other applicable Codes.

X.B. A building/and other miscellaneous perm. 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. 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 101, Line 2,
Section 1107 and Table 1102.

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 101.

X.I. Comments: See section 312.2. for mixed uses/incidental uses.
Razing permits for existing improvement removal shall
be required.

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., 21204.

Very truly yours,

Charles E. Burnham
Charles E. Burnham, Chief
Plans Review

CHS:mdj
FORM 01-82

CIRCUIT COURT FOR BALTIMORE COUNTY

CATEGORY: APPEAL

ATTORNEYS

IN THE MATTER OF THE APPLICATION OF NELSON H. GOLDBERG
ET UX
FOR VARIANCE FROM SECTION 400.1 OF THE BALTIMORE
COUNTY ZONING REGULATIONS S/S of Hickory Hill
Road 60° E. of the Centerline of Falls Rd.
8th District

Dwight C. Stone
Sts. 1112 W.R. Grace Bldg.
Charles & Baltimore Sts. (02)
752-6254

Protestants

NELSON H. GOLDBERG
MARCIA GOLDBERG
Petitioners

Donald L. Allewalt
Allewalt & Murphy
805 N. Calvert St. (02) 721-6205

ZONING BOARD OF APPEALS OF BALTIMORE COUNTY
COUNTY BOARD OF APPEALS OF BALTIMORE COUNTY

COSTS
JULY 27, 1983 - Protestants Order for Appeal from the decision of the
Zoning Board of Appeals of Baltimore County and Petition for Appeal fd.
JULY 29, 1983 Certificate of Notice fd.
Aug. 10, 1983 - App. of Donald L. Allewalt for Petitioner and Same
Day Answer fd.
Aug. 22, 1983 - Protestants Request for Extension of Time
to File Record and Order of Court Granting Same fd. (JSS)
Sept. 13, 1983 - Final Transcript of Record fd.
Sept. 13, 1983 - Notice of filing of record fd.
Jan. 17, 1984 - Mr. Clerk: Please dismiss the appeal in this case.
with prejudice upon payment of any open Court Costs fd. (FSC)

WISC # 83269 W
L-CLERK 60.00
B LERY 5.00
CHECK - TL 85.00
#11874-CR01 R02 T15+16
07/27/83

Clk 5.00
Clk 5.00

DCS/gn
1/11/84

IN THE MATTER OF
THE APPLICATION OF
NELSON H. GOLDBERG, ET. UX.
FOR VARIANCE FROM
SECTION 400.1 OF THE
BALTIMORE COUNTY
ZONING REGULATIONS

IN THE
CIRCUIT COURT
BALTIMORE COUNTY
Law No. 83-M-269

ORDER OF DISMISSAL

Mr. Clerk:

Please dismiss the appeal in this case. *with prejudice upon payment of any open Court Costs*

DWIGHT C. STONE
1112 W. R. Grace Building
Baltimore, Maryland 21202
752-6254

Attorney for Appellants

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 11th day of January,
1984 a copy of the foregoing Order of Dismissal was mailed to
Donald L. Allewalt, Esquire, 805 North Calvert Street, Baltimore
Maryland 21202.

FILED JAN 17 1984

DWIGHT C. STONE

BALTIMORE COUNTY PUBLIC SCHOOLS

Robert V. Duke, Superintendent

Towson, Maryland - 21204

Date: Nov. 3, 1982

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

Z.A.C. Meeting of: Nov. 3, 1982

RE: Item No: 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85
Property Owner:
Location:
Present Zoning:
Proposed Zoning:

District:
No. Acres:

Dear Mr. Hammond:

All of the above have no bearing on student population.

* If the flight patterns of aircraft taking off and landing are such
that they must pass over school property we would be deeply concerned
since the safety of school children is very important to us.

Very truly yours,

Wm. Nick Petrovich

Wm. Nick Petrovich, Assistant
Department of Planning

WNP/dp

LAW OFFICES
GOLDMAN & FEDDER, P.A.
SUITE 100 CHARLES CENTER SOUTH
36 SOUTH CHARLES STREET
BALTIMORE, MARYLAND 21201-3130
(301) 752-5006

BRIAN A. GOLDMAN
STEVEN E. FEDDER
JUDITH E. HORTON

November 8, 1983

County Board of Appeals
of Baltimore County
Room 200 Court House
Towson, Maryland 21204

Re: Case No. 83-159-X Nelson L. Sappington, et al
NE/corner Philadelphia and Middle River Roads
Special Exception - Service Station and Food Store

Gentlemen:

Please dismiss the above captioned appeal which is currently scheduled for
Thursday, November 17, 1983, at 10:00 a.m.

This is an appeal for Special Exception to allow a gas and go service station in
combination with a food store. My client has advised me that it is abandoning its
desire to have the gas and go service station at the subject site. A Special Exception
would not be required for use of the subject site purely as a 7-Eleven store. Therefore,
my client has requested that I dismiss this appeal.

Thank you for your cooperation.

Sincerely yours,

Brian A. Goldman
Brian A. Goldman

BAG/bq

cc: Mr. Nelson L. Sappington
Mr. Harry Brown
John W. Hession, III, Esq.
Mr. Milton Stroup
Kenneth J. Colbert, P.E.
John W. Erdman, P.E.

*Rec'd. 11/10/83
3:35 PM*

IN THE MATTER
OF THE APPLICATION OF
NELSON L. SAPPINGTON, ET AL
FOR SPECIAL EXCEPTION FOR A
SERVICE STATION AND FOOD STORE
NE CORNER PHILADELPHIA AND
MIDDLE RIVER ROADS
15th DISTRICT

BEFORE
COUNTY BOARD OF APPEALS
OF
BALTIMORE COUNTY
NO. 83-159-X

ORDER OF DISMISSAL

Petition of Nelson L. Sappington, et al for a special
exception for a service station in combination with a food store
on property located at the northeast corner of Philadelphia and
Middle River Roads, in the Fifteenth Election District of Balti-
more County.

WHEREAS, the Board of Appeals is in receipt of a letter
of dismissal of appeal (petition) filed November 10, 1983(a copy
of which is attached hereto and made a part hereof) from the
attorney representing the Petitioners in the above entitled matter;
and

WHEREAS, the said attorney for the said Petitioners
requests that the appeal (petition) filed on behalf of said
Petitioners be dismissed and withdrawn as of November 10, 1983.

IT IS HEREBY ORDERED this 16th day of November, 1983
that said petition be and the same is DISMISSED.

COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY

William T. Hackett
William T. Hackett, Chairman

Patricia Phipps
Patricia Phipps

William H. Evans
William H. Evans

HOUSE OF DELEGATES

ANNAPOLIS, MARYLAND 21401

THOMAS L. BROWNELL
8TH DISTRICT
BALTIMORE COUNTY
COMMITTEE
CONSTITUTIONAL & ADMINISTRATIVE LAW

CHAIRMAN
SUB-COMMITTEE
WORKMEN'S COMPENSATION

CHAIRMAN
BALTIMORE COUNTY
REAPPORTIONMENT COMMITTEE

December 1, 1982

Mr. William Hammon
Commissioner Baltimore County
Zoning Board
County Courts Building
Towson, Maryland 21204
Dear Mr. Hammon:

Enclosed please find a copy of a letter sent
to you on November 23, 1982 by a Mr. Michael B. Kujawa
concerning the 7-11 store to be constructed at
Middle River Road and Old Philadelphia Road in the
Rosedale-Nottingham area of my district. I was also
present at the CRG meeting in September when the
Southland Corporation presented their proposal for
building a 7-11 at that corner.

I agree with the majority of Mr. Kujawa reasons
for not allowing the 7-11 store to be constructed at
that location. My major concern, however, will be
the inadequate drainage system which is in that area.

As a result of the construction of the Kings
Court Shopping Center, the residence in the surrounding
condominiums have been forced to comply with a
\$10,000 bill for flushing out the existing system in
their neighborhood.

Southland Corporation nor Baltimore County could
assure anyone at the CRG meeting that because of
the construction of this new building and parking
lot, a larger problem would not develop. I would,
therefore, ask you to take a hard look at what the

*Nelson L. Sappington, et al
Dec 70.76*

83-M-269

after effects might be to the community at the above location.
I hope that you will agree with me and the community that the neighborhood just is not ready for a 7-11 or the problem it might pose.

Sincerely,

Thomas L. Bromwell
Senator-Elect
8th Leg. District
Baltimore County

TLB/es

CLARENCE D. LONG
20-2575
10-12-82

COMMITTEE ON
APPROPRIATIONS

CHAIRMAN:
SUBCOMMITTEE ON
FOREIGN OPERATIONS

MEMBER:
SUBCOMMITTEE ON
INTERIOR

MILITARY CONSTRUCTION

Congress of the United States
House of Representatives
Washington, D.C. 20515

December 1, 1982

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

Dear Mr. Hammond:

I am in receipt of a copy of Mr. Michael Kujawa's correspondence to you (copy enclosed) concerning a proposal to build a 7-11 Store and gas pump operation at the intersection of Middle River and Philadelphia Roads.

It is obvious from his letter that the nearby communities are opposed to this use and very concerned about the impact of such an operation on area traffic and the quality of life in the residential areas.

I should appreciate your every consideration of their position during any variance or special exception deliberations, and keeping me informed of any decisions by your Department.

Sincerely,

CLARENCE D. LONG

CDL:cw
Enclosure
cc: Mr. Kujawa

DEC 2 1982 AM

ZONING DEPARTMENT

THIS STATIONERY PRINTED ON PAPER MADE WITH RECYCLED FIBERS

Michael D. Kujawa
Stop 7-11 Coalition
9610 Baron Place
Rosedale, Maryland 21237
November 23, 1982

NOV 24 1982

Mr. William Hammond
Commissioner
Baltimore County Zoning Board
County Courts Building
Towson, Maryland 21204

Dear Mr. Hammond:

I am writing to you on behalf of several thousand residents of Baltimore County, Maryland, who request your assistance in a most serious matter.

I am sure that you are aware of Southlands proposal to build an all-night convenience store with gasoline pumps at the corner of Middle River and Philadelphia Roads. We are 100% opposed to the plan and we intend to fight it with any and all tools available.

The reasons for our opposition are multiple and I would like to make them known to you. The particular location of the proposed store is an undesirable one for many reasons. First of which is safety for our children. As you know, 7-11 stores generate immense business from juveniles who would not be in a position to drive to a store or arcade. If our children would attempt to cross a state highway, known for its congestion and lack of speed control, the result would be fatal. This is not an issue I raise lightly. It will happen if a store such as 7-11 locates at this spot.

The added traffic burden a 7-11 would add is also a cause for concern. At the present time it takes several minutes to cross Route 7 into our development during peak hours. I have watched several accidents occur and many more near misses. The plans for the traffic flow of the proposed store would generate additional problems according to the two experts who spoke at the C.R.G. meeting in September. We do not need more congestion, we need less congestion! To make matters worse, the present plans include gas pumps. What happens if a Mid-East war creates another gasoline shortage? This corner would be total confusion.

The Southland plans show the water run off descending down Route 7 into the heart of our development. We are a condominium and as such receive no county assistance when our ditches back up. Last year, due to the development of the Kings Court Shopping Center, our residents had to pay over \$10,000 to have our system flushed. Is this fair? We do not believe it is.

Mr. William Hammond

-2-

November 23, 1982

At the present time there is a bar on the opposite corner of the proposed site. Between the hours of 12:00 midnight and 2:30 A.M. the noise, litter and other undesirable acts that occur affect our children's sleep, (their bedrooms back up to Route 7). If a 7-11 were to open, this problem would not abate, but would instead increase.

The lighting of this location would also glare into the bedrooms in the rear of our homes. Again our children's bedrooms. Truck drivers in the morning would sit on Route 7 and leave their diesel engines running while running in for a quick cup of coffee. This already occurs at the Farm Store 2 miles south. If a 7-11 were to be built at this proposed site, the problem would most definitely move to the new spot.

Mr. Hammond, we need your help! Southland needs a variance under Section 502 Special Exceptions. We are prepared to demonstrate that they cannot meet the provisions under Section 502.1 (a,b,d,f). We are planning a massive show of support via attendance and petitions. We currently have gathered over 700 local residents signatures requesting a denial to their zoning variance request, and we are continuing our drive. During months of talking with neighbors and over 700 signatures to date, we have found only 2 people that would like to see a 7-11 at this corner. The community does not need it nor want it for the concrete reasons stated above.

It is our overall goal to defeat the entire project, but if we are not successful overall, we do not want the gas pumps. Help us satisfy the public's desire.

Sincerely,

Michael D. Kujawa
Chairman
Stop 7-11 Coalition

MJK:sc

cc: Honorable Clarence Long
Senator Thomas Bromwell
County Executive Donald Hutchinson
Councilman Eugene Callagher
William Hackette
Kenneth Dryden

Jim Hoswell
Susan Carroll
Nony Ingram, Belair Booster
Donna Weaver, The Avenue
Ernie Imhoff, The Evening Sun

BRIAN A. GOLDMAN

ATTORNEY AT LAW

SUITE 1810 CHARLES CENTER SOUTH

36 SOUTH CHARLES STREET

BALTIMORE, MARYLAND 21201

(301) 752-9008

BRIAN A. GOLDMAN
JUDITH B. BECKER

December 27, 1982

Zoning Commissioner for Baltimore County
Baltimore County Zoning Office
111 West Chesapeake Avenue
Room 113
Towson, Maryland 21204

Attn: Mr. Nicholas B. Commodari

Re: Petition for Special Exception
NE corner of Philadelphia & Middle River Roads
Nelson L. Sappington, et al - Petitioners
Case #83-159-X

Gentlemen:

It would be appreciated if you would postpone the above captioned matter which is currently scheduled for Thursday, January 13, 1983 at 1:30 p.m.

A crucial witness for my client's case will be out-of-town for the entire week, and will be unable to attend the hearing.

Thank you for promptly rescheduling this matter to a later date.

Sincerely yours,

Brian A. Goldman

BAG/bq

cc: Mr. Harry Brown

DEC 30 1982 AM

ZONING DEPARTMENT

Michael D. Kujawa
Stop 7-11 Coalition
9610 Baron Place
Rosedale, Maryland 21237
November 23, 1982

NOV 29 1982 AM

Mr. William Hammond
Commissioner
Baltimore County Zoning Board
County Courts Building
Towson, Maryland 21204

Dear Mr. Hammond:

I am writing to you on behalf of several thousand residents of Baltimore County, Maryland, who request your assistance in a most serious matter.

I am sure that you are aware of Southlands proposal to build an all-night convenience store with gasoline pumps at the corner of Middle River and Philadelphia Roads. We are 100% opposed to the plan and we intend to fight it with any and all tools available.

The reasons for our opposition are multiple and I would like to make them known to you. The particular location of the proposed store is an undesirable one for many reasons. First of which is safety for our children. As you know, 7-11 stores generate immense business from juveniles who would not be in a position to drive to a store or arcade. If our children would attempt to cross a state highway, known for its congestion and lack of speed control, the result would be fatal. This is not an issue I raise lightly. It will happen if a store such as 7-11 locates at this spot.

The added traffic burden a 7-11 would add is also a cause for concern. At the present time it takes several minutes to cross Route 7 into our development during peak hours. I have watched several accidents occur and many more near misses. The plans for the traffic flow of the proposed store would generate additional problems according to the two experts who spoke at the C.R.G. meeting in September. We do not need more congestion, we need less congestion! To make matters worse, the present plans include gas pumps. What happens if a Mid-East war creates another gasoline shortage? This corner would be total confusion.

The Southland plans show the water run off descending down Route 7 into the heart of our development. We are a condominium and as such receive no county assistance when our ditches back up. Last year, due to the development of the Kings Court Shopping Center, our residents had to pay over \$10,000 to have our system flushed. Is this fair? We do not believe it is.

Mr. William Hammond

-2-

November 23, 1982

At the present time there is a bar on the opposite corner of the proposed site. Between the hours of 12:00 midnight and 2:30 A.M. the noise, litter and other undesirable acts that occur affect our children's sleep, (their bedrooms back up to Route 7). If a 7-11 were to open, this problem would not abate, but would instead increase.

The lighting of this location would also glare into the bedrooms in the rear of our homes. Again our children's bedrooms. Truck drivers in the morning would sit on Route 7 and leave their diesel engines running while running in for a quick cup of coffee. This already occurs at the Farm Store 2 miles south. If a 7-11 were to be built at this proposed site, the problem would most definitely move to the new spot.

Mr. Hammond, we need your help! Southland needs a variance under Section 502 Special Exceptions. We are prepared to demonstrate that they cannot meet the provisions under Section 502.1 (a,b,d,f). We are planning a massive show of support via attendance and petitions. We currently have gathered over 700 local residents signatures requesting a denial to their zoning variance request, and we are continuing our drive. During months of talking with neighbors and over 700 signatures to date, we have found only 2 people that would like to see a 7-11 at this corner. The community does not need it nor want it for the concrete reasons stated above.

It is our overall goal to defeat the entire project, but if we are not successful overall, we do not want the gas pumps. Help us satisfy the public's desire.

Sincerely,

Michael D. Kujawa

Chairman
Stop 7-11 Coalition

MJK:sc

cc: Honorable Clarence Long
Senator Thomas Bromwell
County Executive Donald Hutchinson
Councilman Eugene Callagher
William Hackette
Kenneth Dryden

Jim Hoswell
Susan Carroll
Nony Ingram, Belair Booster
Donna Weaver, The Avenue
Ernie Imhoff, The Evening Sun



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

WILLIAM E. HAMMOND
ZONING COMMISSIONER

May 18, 1983

Brian A. Goldman, Esquire
Suite 1810, Charles Center South
36 South Charles Street
Baltimore, Maryland 21201

RE: Petition for Special Exception
NE corner of Philadelphia and
Middle River Rds. - 15th
Election District
Nelson L. Sappington, et al -
Petitioners
NO. 83-159-X (Item No. 76)

Dear Mr. Goldman:

I have this date passed my Order in the above captioned matter in accordance with the attached.

Very truly yours,

JEAN M.H. JUNG

Deputy Zoning Commissioner

JMHJ/mc

Attachments

cc: Mr. Milton Stroup
50 King Charles Circle
Baltimore, Maryland 21237

Ms. Jole Duffy
39 Darrow Drive
Baltimore, Maryland 21228

Mr. O.G. Turner
9226 Ravenwood Road
Baltimore, Maryland 21237

Mr. Mike Preston
Times Newspaper
2130 Old Eastern Avenue
Baltimore, Maryland 21220

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

MAR 16 1983



June 17, 1983

Brian A. Goldman, Esquire
1910 Charles Center South
36 South Charles Street
Baltimore, Maryland 21201

Re: Petition for Special Exception
NE/corner of Philadelphia and
Middle River Roads
Nelson L. Sappington, et al - Petitioners
Case No. 83-159-X

Dear Mr. Goldman:

Please be advised that the following two appeals have been filed from the decision rendered by the Deputy Zoning Commissioner of Baltimore County in the above referenced matter:

- 1) appeal from People's Counsel, by John W. Hessian, III, Esquire
- 2) appeal from protestant, Milton Stroup, President of Kings Court Condominium, Section 3

You will be notified of the date and time of the appeal hearing when it is scheduled by the County Board of Appeals.

Very truly yours,

William E. Hammond
Zoning Commissioner

WEH:aj

cc: Mr. Milton Stroup
50 King Charles Circle
Baltimore, Maryland 21237

Ms. Joie Duffy
39 Darrow Drive
Baltimore, Mar, and 21228

People's Counsel

Mr. O. G. Turner
9226 Ravenwood Road
Baltimore, Maryland 21237

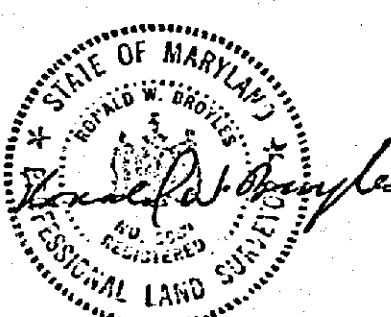
Mr. Mike Preston, Times Newspaper
2130 Old Eastern Avenue
Baltimore, Maryland 21220

DESCRIPTION

Beginning, for the same at the point formed by the intersection of the southeastern right-of-way line of Philadelphia Road (variable width) and the northeastern right-of-way line of Middle River Road (50 feet wide) running the following seven courses:

- (1) N 45° 39' 17" E 118.11 feet, (2) S 44° 14' 16" E 240.89 feet, (3) S 51° 48' 02" W 123.68 feet, (4) N 47° 37' 00" W 181.66 feet, (5) curve to the right of a radius of 35 feet and a length of 55.67 feet, (6) S 48° 31' 18" W 37.76 feet, and (7) N 39° 57' 34" W 10.57 feet to the point of beginning.

Containing 27,838 square feet or 0.6391 of an acre of land.



OFFICE COPY

December 15, 1982

Brian A. Goldman, Esquire
1910 Charles Center South
36 S. Charles Street
Baltimore, Maryland 21201

NOTICE OF HEARING
Re: Petition for Special Exception
NE/corner of Philadelphia & Middle River Rds.
Nelson L. Sappington, et al - Petitioners
Case #83-159-X

TIME: 1:30 P.M.

DATE: Thursday, January 13, 1983

PLACE: Room 106, County Office Building, 111 West

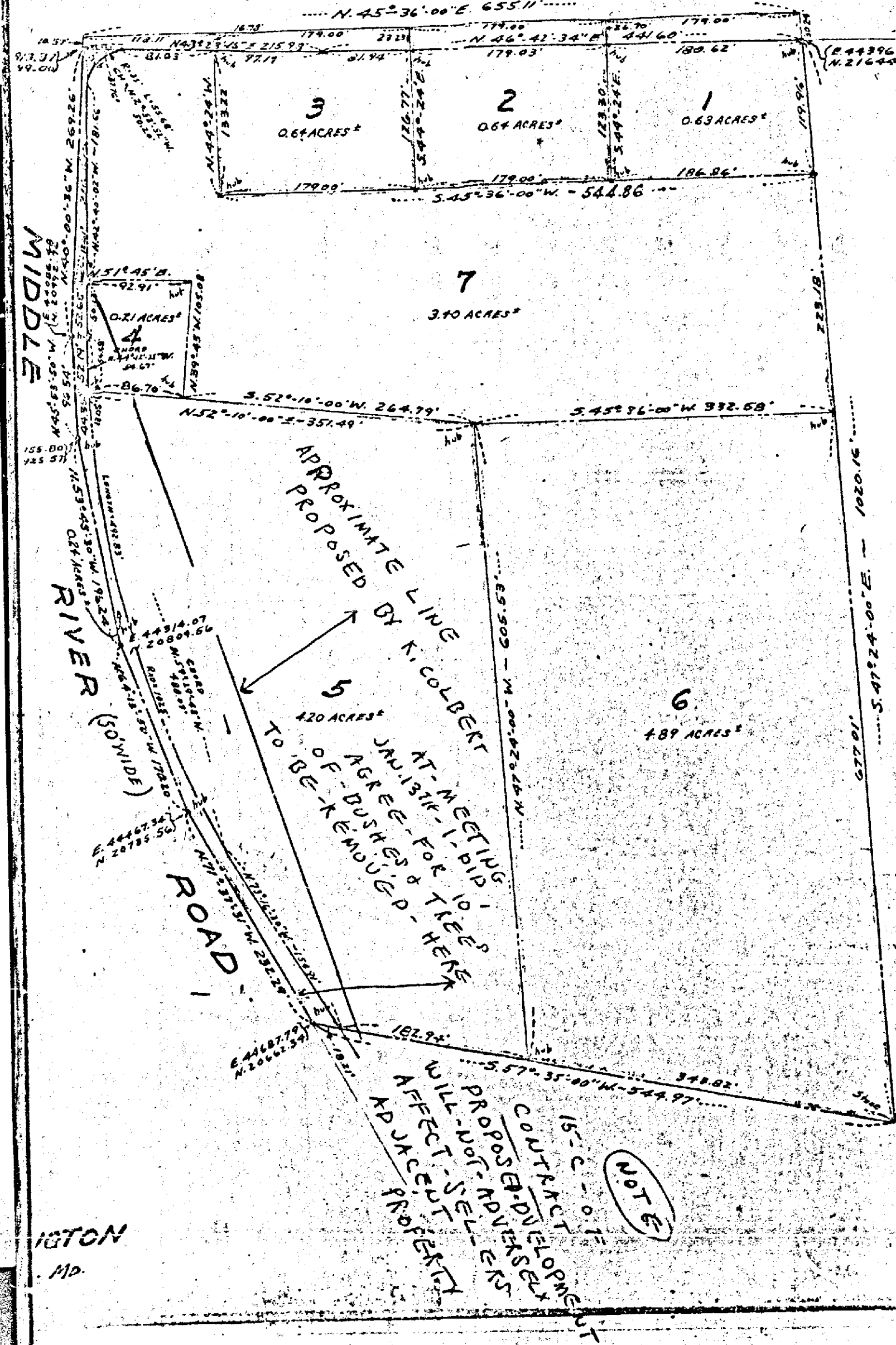
Chesapeake Avenue, Towson, Maryland

cc: Mr. Kenneth J. Colbert
CCH Engineering Corp.
10 3rd Avenue, S.W.
Glen Burnie, Maryland 21061

Michael D. Kujawa, Chairman
Stop 7-11 Coalition
9610 Baron Place
Rosedale, Maryland 21237
(332-6547)

ZONING COMMISSIONER OF
BALTIMORE COUNTY

I WANT NONE OF THESE LOTS
CUT INTO FOR 3RD LANE
NO. 3-2-2-1
PHILADELPHIA ROAD



PETITION FOR SPECIAL EXCEPTION

15th Election District

ZONING: Petition for Special Exception
LOCATION: Northeast corner of Philadelphia and Middle River Roads
DATE & TIME: Thursday, January 13, 1983 at 1:30 P.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 Exception for a service station (gas and go) and a food store as use in combination with a service station

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

Being the property of Nelson L. Sappington, et al, as shown on plat plan filed with the Zoning Department.

Hearing Date: Thursday, January 13, 1983 at 1:30 P.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

BRIAN A. GOLDMAN
ATTORNEY AT LAW
SUITE 1810 CHARLES CENTER SOUTH
36 SOUTH CHARLES STREET
BALTIMORE, MARYLAND 21201
6011 782-8008

March 8, 1983

Mrs. Jean Jung
Deputy Zoning Commissioner
Room 113
County Office Building
Towson, Maryland 21204

Re: ITEM NO. 76
Case No. 83-159X
Petitioner: Nelson L. Sappington, et al
Special Exception Petition
Proposed 7-Eleven Store
at Route 7 and Middle River Road

Dear Mrs. Jung:

I am writing you this letter in order to confirm the statement made by Kenneth J. Colbert, P.E., the engineer for The Southland Corporation, at the hearing for the above captioned property, which was held on February 8, 1983.

Mr. Colbert has advised me that he has checked his records concerning the deeds for the above captioned properties and the subject site, plus parcels 3, 6 and 7, all were obtained by Nelson L. Sappington, et al from the same deed which is recorded among the Land Records of Baltimore County at Liber No. 5271, Folio 903.

I also have confirmed with Mr. Sappington and The Southland Corporation that the easement at the rear of the proposed 7-Eleven store will be paved. Mr. Sappington will use the paved easement for personal access and maintenance of the farming operation, as he testified at the hearing.

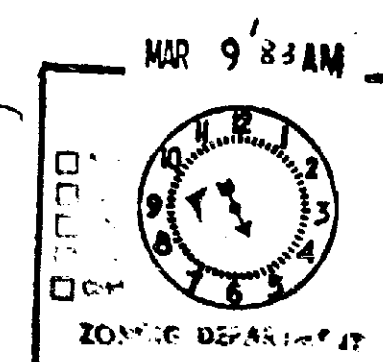
I have also discussed the sight distance requirement with Kenneth J. Colbert, Wilmer R. Sappington and The Southland Corporation, and all parties understand that any work that would have to be done to improve the existing sight distance at the subject site must meet the requirements of Baltimore County.

If you desire any further information with respect to this matter, please advise the undersigned.

Sincerely yours,

Brian A. Goldman

BAG/bq
cc: Mr. Harry Brown
Mr. Nelson L. Sappington
Mrs. Joey Duffy
Mr. Milt Stroup
Kenneth J. Colbert, P.E.
Mr. Wilmer R. Sappington



MR. DYER
13-214
940-89
DEAR SIR:

2-11-83

I WOULD DESIRE VERY MUCH TO MAKE THIS SALE TO SOUTH LAND CORP. REFERRED TO BELOW. IT IS A FINANCIAL NECESSITY, BUT I WANT ONLY FACTS & TRUTHS PRESENTED, PLEASE DO NOT IN ANY WAY TAKE SERIOUS THE LINE ACROSS PARCELS OF LAND. 4 & 5 ON INCLOSED PLAT AT THE MEETING FEB. 9TH. 1983 WITH MRS. JUNG IN REGARD TO GASOLINE PUMPS AT PROPOSED 7-11 STORE AT MIDDLE RIVER & PHILADELPHIA RD. KEN COLBERT E.G. FOR SOUTH LAND CORP. TOLD THE HEARING HE WOULD PROPOSE THE ABOVE STATED LINE TO YOUR OFFICE HE IN NO WAY TALKED WITH ME IN REGARD TO THIS UNACERTABLE PROPOSAL IN REGARD TO THE LINE. ONCE AGAIN I THINK HE IS PROPOSING THAT WE GIVE THIS LAND TO SOME SOURCE. THE LINE I AM MAKING IS VERY CLOSE TO LINE THAT KEN COLBERT BROUGHT ABOUT IN HIS ILLUSTRATION AT SAME MEETING.

FEB 16 1983

PHONE (686-0282) H.2. Box 371

Call 21237 83-159-X

Protestants 2/9/83

WALTER Dwyer 42 King Charles Circle

Pat Stroup 50 King Charles Circle

Shirley L. Lunge 9611 Baron Place, 21237

Eileen S. Fabianak 9215 Nottingham Rd, 21237

Debbie Babikow 9212 Nottingham Rd 21237

Spencer Chaplin 9203 Ravenwood Rd 21237