

PETITION FOR ZONING VARIANCE 83-208-XSPHA
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 Variance from Section 255.1 and 258.2 to have a rear yard of 6ft instead of the required 30ft rear yard for the location of a storage room, vending machine area and electric room.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (Indicate hardship or practical difficulty)

Provide better traffic flow for ingress and egress through site.

There are no buildings to rear of subject site or adjoining parcel.

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

I, or we, agree to pay expenses of above Variance 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 of 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:
Racetrac Petroleum, Inc.
(Type or Print Name)

Signature

P.O. Box 105035

Address

Atlanta, Georgia 30348

City and State

Attorney for Petitioner:

Brian A. Goldman

(Type or Print Name)

Signature

1510 Charles Center South

36 South Charles Street

Baltimore, Maryland 21201

City and State

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

Address

Phone No.

Ordered By The Zoning Commissioner of Baltimore County, this 18th day

of January, 1983, 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 8th day of March, 1983, at 1:30 o'clock

P.M.

RECEIVED:

Wed., March 9, 1983

at 9:30 A.M.

Zoning Commissioner of Baltimore County.

(over)

DATE: Jan 23/83

ORDER RECEIVED FOR FILING

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PETITION FOR SPECIAL HEARING 83-208-XSPHA
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 900.7 of the Baltimore County Zoning Regulations, to determine whether or not the Zoning Commissioner and/or Deputy Zoning Commissioner should approve

Conversion from full service gas station to gas and go in combination with a food convenience store

by amending the site plan in Case #2599

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 of 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:
Racetrac Petroleum, Inc.
(Type or Print Name)

Signature

P.O. Box 105035

Address

Atlanta, Georgia 30348

City and State

Attorney for Petitioner:

Brian A. Goldman

(Type or Print Name)

Signature

1910 Charles Center South

36 South Charles Street

Baltimore, Maryland 21201

City and State

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

Address

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ORDER RECEIVED FOR FILING

DATE: Jan 23/83

PETITION FOR SPECIAL EXCEPTION 83-208-XSPHA
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 Exception under the Zoning Law and Zoning Regulations of Baltimore County, to use the herein described property for a food convenience store as a use in combination with a service station (gas and go)

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

I, or we, 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 of 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:
Racetrac Petroleum, Inc.
(Type or Print Name)

Signature

P.O. Box 105035

Address

Atlanta, Georgia 30348

City and State

Attorney for Petitioner:

Brian A. Goldman

(Type or Print Name)

Signature

1910 Charles Center South

36 South Charles Street

Baltimore, Maryland 21201

City and State

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

Address

Phone No.

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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 8th day of March, 1983, at 1:30 o'clock

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BALTIMORE COUNTY
DEPARTMENT OF PUBLIC WORKS
TOWSON, MARYLAND 21204

HARRY J. PISTEL, P.E.
DIRECTOR

January 18, 1983

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

Re: Item #107 (1982-1983)
Property Owner: W.O.W. Associates Limited Partnership
S/S Reisterstown Rd. .30' N/W from centerline of Robin Lane
Acres: 22,560 sq. ft. District: 3rd

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:

Baltimore County highway and utility improvements are not directly involved.

Reisterstown Road (Md. 140) 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.

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.

The Petitioner must provide necessary drainage facilities (temporary or permanent) to prevent creating any nuisance 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.

There are 8 and 16-inch public water mains in Reisterstown Road. The public 10-inch Garrison Area Sub-Interceptor Sewer exists as indicated on the submitted plan. Permission to connect to this sub-interceptor sewer and any private easement required is the responsibility of the Petitioner.

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

March 1, 1983

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

John
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
36 South Charles Street
1910 Charles Center South
Baltimore, Maryland 21201

RE: Item No. 107 - Case No. 83-208-XSPHA
Petitioner - W.O.W. Associates Limited Partnership
Special Exception, Special Hearing and Variance Petitions

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.

In view of your clients' proposal to convert the existing service station to a gas and go operation in combination with a food (convenience) store, the special hearing and special exception are required. The variance is included in order to allow the proposed storage and electrical rooms and vending area to be located within 6 feet of the rear property line in lieu of the required 30 feet.

As indicated in our previous conversations, there was some question whether the existing use has been used continuously without changing to another use. This was brought up in view of the fact that at the time of field inspection the gas pumps appeared to be out of order. A copy of a letter from Mr. William S. Saslaff, President of W.O.W. Associates dated January 18, 1983, attesting to the fact that the gas station is still operating, has been included in this file. This matter should be discussed at the hearing.

Item No. 107 - Case No. 83-208-XSPHA
Petitioner - W.O.W. Associates Limited Partnership
Special Exception, Special Hearing & Variance

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
Chairman
Zoning Plans Advisory Committee

NBC:bac

Enclosures

cc: CDB Engineering Corp.
10 third Avenue S.W.
Glen Burnie, Md. 21061

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 be granted.

Therefore, IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County, this 2nd day of June, 1983, that the herein Petition for Variance(s) to permit a rear setback yard of 6 feet in lieu of the required 30 feet for storage, vending machine and electrical areas, and restrooms, in accordance with Petitioner's Exhibit 1a, is hereby GRANTED, from and after the date of this Order, subject, however, to the terms, provisions, and conditions contained in the accompanying Special Exception Order.

Jan 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 that to amend the site plan filed in Case No. 2599 to convert an existing full service station to a gas and go operation in combination with a food store would be in strict harmony with the spirit and intent of the Baltimore County Zoning Regulations and will not adversely affect the health, safety, and general welfare of the community, and, therefore,

IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County, this 2nd day of June, 1983, that the amendment to the site plan filed in Case No. 2599 to convert an existing full service station to a gas and go operation in combination with a food store, in accordance with Petitioner's Exhibit 1a, is approved and, as such, the Petition for Special Hearing is hereby GRANTED, from and after the date of this Order, subject, however, to the terms, provisions, and conditions contained in the accompanying Special Exception Order.

Jan 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 requirements of Section 502.1 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 2nd day of June, 1983, that the herein Petition for Special Exception for a food convenience store as a use in combination with a gas and go operation, in accordance with the site plan prepared by CDH Engineering Corporation, revised March 9, 1983, and marked Petitioner's Exhibit 1a, is GRANTED, from and after the date of this Order, subject, however, to the approval of the aforementioned site plan by the Maryland Department of Transportation, the Department of Public Works, and the Office of Planning and Zoning.

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

Item #107 (1982-1983)
Property Owner: W.O.W. Associates Limited Partnership
Page 2
January 18, 1983

General: (Cont'd)

The Petitioner is responsible for the cost of capping and plugging any existing water and sanitary sewer service connections not used to serve his proposed improvements.

Very truly yours,

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

RAM:EAM:FWR:gg

P-NE Key Sheet
40 NW 28 Pos. Sheet
NW 10 G Topo
67 Tax Map



Louell E. Bennett
Secretary
H. S. Callender
Administrator

December 10, 1982

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

Attention: Mr. N. Commodari

Re: ZAC Meeting of Dec. 7, 1982
ITEM: #107.
Property Owner: W.O.W. Associates Limited Partnership
Location: S/S Reisterstown Road, Route 140, 750' N/W from centerline of Tobin Lane
Existing Zoning: M.L.-IM
Proposed Zoning: Special Hearing to approve conversion from full service gas station to gas and go by amending the site plan in Case #2590, Special Exception for a food convenience store as a use in combination with a gas station. Variance to permit a rear yard setback of 6' in lieu of the required 30' for location of storage room, vending machine area and electric room.
Acres: 22,500 sq. ft.
District: 3rd.

Dear Mr. Hammond:

As to date the Maryland State Highway Administration has reviewed three (3) site plans for Racetrac Petroleum.

With two (2) of the three (3) plans showing revision, the Maryland State Highway Administration will withhold issuance of any access permits until the Special Hearing to approve conversion from full service gas station to gas and go has been granted.

My telephone number is (301) 659-1350

Teletypewriter for Imprinted Hearing or Speech
363-7665 Baltimore Metro - 685-0481 D.C. Metro - 1-800-485-5282 Statewide Toll Free
P.O. Box 717 / 707 North Calvert St., Baltimore, Maryland 21202 - 0717

Mr. W. Hammond

-2-

December 10, 1982

At that time we request six (6) copies of the approved site plan be forwarded to this office for issuance of a S.H.A. access permit to work within the State Right of Way.

If you have any questions, please do not hesitate to write or call this office.

Very truly yours,

Charles Lee
Charles Lee, Chief
Bureau of Engineering
Access Permits

CL:GW:HAM

By: George Wittman

cc: Mr. J. Wimbley



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

STEPHEN E. COLLINS
DIRECTOR

January 5, 1983

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

-ZAC- Meeting of December 7, 1982
Item Nos. 107, 108, 109, 110, 111, and 112.

Dear Mr. Hammond:

The Department of Traffic Engineering has no comments for item numbers 107, 108, 109, 110, 111, and 112.

Michael S. Flanagan
Michael S. Flanagan
Traffic Engineering Assoc. II

MSF/ccs

BALTIMORE COUNTY DEPARTMENT OF HEALTH

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

Zoning Item # 107, Zoning Advisory Committee Meeting of Dec. 7, 1982

Property Owner: W.O.W. Assoc. Ltd. Partnership

Location: S/S Rt. 140, 750' N/W Tobin Ln., District 3

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.
- () Prior to new installation of fuel burning equipment, the owner should contact the Division of Air Pollution Control, 434-3775, to obtain requirements for such installation 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 contribute into the atmosphere.
- () A permit to construct from the Division of Air Pollution Control is required for any chiller operation which has a total cooling 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, bathroom, sauna, whirlpools, hot tubs, water and sewerage facilities or other amusements 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.

88 20 1080 (1)

- (X) 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.
- () Others _____

[Signature]
Ian J. Forrest, Director
BUREAU OF ENVIRONMENTAL SERVICES

SS 20 1080 (2)

BALTIMORE COUNTY PUBLIC SCHOOLS

Robert Y. Dube, Superintendent

Towson, Maryland - 21204

Date: December 6, 1982

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

Z.A.C. Meeting of: December 7, 1982

RE: Item No: 107, 108, 109, 110, 111, 112
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,
[Signature]
Mr. Nick Petrovich, Assistant
Department of Planning

MNP/bp



BALTIMORE COUNTY
FIRE DEPARTMENT
TOWSON, MARYLAND 21204
825-7310

PAUL H. KENCKE
CHIEF

December 20, 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: W.O.W. Associates Limited Partnership

Location: S/S Reisterstown Road 750' N/W from centerline of Tobin Lane

Item No.: 107

Zoning Agenda: Meeting of December 7, 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.
- (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: *[Signature]* 12-20-82
Planning Group
Special Inspection Division

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

JK/mb/cm

SURVEY OF RACETRAC PETROLEUM STATIONS OFFERING GASOLINE

SIMILAR IN COMPETITION TO SUBJECT SITE

Sta. No.	Monthly Traffic Volume	No. of 10-Gallon Customers per Month	% of Traffic
0275	1,275,420	22,855	1.8%
0295	801,900	25,660	3.2%
0233	252,857	24,384	2.5%
0235	1,299,750	10,240	1.5%
0299	792,900	19,822	2.5%
0256	1,182,540	17,520	1.5%
South Cobb			2.1%

PROJECTED FOR REISTERSTOWN ROAD

Average Daily Traffic Volume	42,450 X 30
Average Monthly Volume	1,279,500
Estimated % of Traffic	X 2.16%
No. 10 Gal. Customers	27,637

Projected Volume Per Month 276,372 Gallons

1981 Maryland Average 75,373 Gal/Mo.
1981 U.S.A. 57,396 Gal/Mo.

PETITIONER'S
EXHIBIT 4

Owner: W.O.W. Associates Limited Partnership
Location: S/S Reisterstown Road 750' N/W from centerline of Tobin Lane
Item No.: 107
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, observe and control the dispensing of class 1 liquids while said liquids are actually being dispensed, according to NFPA 30, Section 7-7.4.3.



BALTIMORE COUNTY
DEPARTMENT OF PERMITS & LICENSES
TOWSON, MARYLAND 21204
424-3900

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 # 107 Zoning Advisory Committee Meeting are as follows:

Property Owner: W.O.W. Associates Limited Partnership
Location: S/S Reisterstown Road 750' N/W from centerline of Tobin Lane
Item No.: 107
Proposed Change: Special Hearing to approve conversion from full service gas station to 22,500 sq. ft. self-service gas station with a gas station attendant on duty. The proposed change is a use in compliance with a gas station license to permit a rear yard setback of 6' in lieu of the required 10' for location of storage room, vending machine area and electric room.

The items checked below are applicable:

RETAIL structures shall conform to the Baltimore County Building Code 1982/ General Bill 1-82 State of Maryland Code for the Building and Code and other applicable Codes.

(X) A building and other miscellaneous permits shall be required before beginning construction.

() Residential: Three sets of construction drawings are required to file a permit application. Architect/Engineer seal is/is not required.

(X) Commercial: Three sets of construction drawings with a Maryland Registered Architect or Engineer shall be required to file a permit application.

() An exterior wall erected within 10' of an adjacent lot line shall be of one hour fire resistive construction, no openings permitted within 3'-0" of lot line. A fireproof door is required if construction is on the lot line. See Table 401, line 2, Section 1007 and Table 1002.

() Proposed variances conflict with the Baltimore County Building Code, Section/s _____.

() 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.

() Before this office can comment on the above structure, please have the owner, then 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 design/area requirements of Table 505 and the proposed construction classification of Table 401.

(X) Comments: Obtain existing permits for existing structures and improvements. Re-located curb cuts, parking signs, etc. See Section 1007 for code compliance. Gas station is a business use-food store is mercantile use. See Section 615.1, Table 305 and 307.0.

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., 21204.

Very truly yours,

[Signature]
Charles E. Hammond, Chief
Plan Review

CEH:ryj
PCRM 01-82

KENNETH J. COLBERT
Page 2

EMPLOYMENT (con't)

5/71-2/73 Assist. at Construction Superintendent
Mathews-Phillips Inc.
10750 Columbia Pike
Silver Spring, Maryland

7/70-5/71 Design Engineer
Richard P. Browne, Assoc.
American City Building
Columbia, Maryland

6/68-7/70 Design Engineer
Clayton Surv. and Engr. Co.
725 Old Ballas Road
St. Louis, Missouri

EXPERIENCE:

6/82-Present CDH Engineering Corporation

In June 1932, Colbert Engineering, Inc. merged its operation with that of another consulting engineering firm to form CDH Engineering Corporation. This merger enabled the new firm to expand its engineering and surveying capabilities. As the engineering partner of the similar duties and responsibilities continued on an expanded basis.

11/78-6/82 Colbert Engineering, Inc.

Established a private consulting firm whose primary area of concentration was the design, processing and coordination of land development projects. The firm provided analysis of various properties relative to their ability to support development; conceptual plans and projected construction cost estimates; design of engineering and site development plans for single family residential, multi-family residential and commercial developments; review of engineering plans prepared by other consultants relative to efficiency and cost effectiveness of the design; management and supervision of the land development phase of multi-family construction. In addition, appearances have been made and testimony rendered as an expert witness in numerous zoning cases.

RESUME

KENNETH J. COLBERT

RESIDENCE: 8603 Lucerne Road
Randallstown, Maryland 21133
(301) 655-5148

DATE OF BIRTH: June 29, 1945
Philadelphia, Pennsylvania

MARITAL STATUS: Married, 2 children

HEALTH: Excellent

PROFESSIONAL STATUS: Professional Engineer, State of Maryland

EDUCATION:

9/59-6/61 Cass Technical High School
Detroit, Michigan
Mechanical Drafting Curriculum

9/61-6/63 University City Senior High School
University City, Missouri
Diploma

9/63-6/68 University of Missouri-Rolla
Rolla, Missouri
Bachelor of Science, Civil Engineering

6/68-1/69 Washington University
St. Louis, Missouri
"Theory and Practice of Urban Planning"

EMPLOYMENT:

6/82-Present Vice President & Partner
CDH ENGINEERING CORPORATION
702 N. CRAIN HIGHWAY
GLEN BURNIE, MD 21061

11/78-6/82 Owner
Colbert Engineering, Inc.
P.O. Box 135
Millersville, Maryland 21108

3/76-11/78 Civil Engineer
Anne Arundel County, Maryland
Department of Public Works
1 Harry S. Truman Parkway
Annapolis, Maryland 21401

2/73-3/76 Project Engineer
Purdus & Jeschke Consulting Engineers
1023 N. Calvert Street
Baltimore, Maryland 21202

PETITIONER'S
EXHIBIT 5

3/76-11/78

Anne Arundel County, Maryland

Began employment with Anne Arundel County as a Senior Engineer responsible for the operation of the Engineering Review Section of the Development Services Division. This Section, which had a complement of four engineers, reviewed the engineering plans for all private construction performed within the County. In July, 1977, promoted to Chief of the Development Services Division. The Development Services Division, of which the Engineering Review Section was a portion, had a staff of 13 people. The staff consisted of engineers, engineering technicians, construction inspectors and clerical personnel. The function of this division is the review and processing of all private construction within the County. Duties of the Division Chief were more administrative than technical with a substantial amount of time being dedicated to meetings and hearings with private consultants, the public and various other County and State agencies.

2/73-3/76

Purdum & Jeschke

Associated initially with Purdum & Jeschke as a Design Engineer with prime areas of responsibilities being design of Storm Drainage Systems and Site Grading for various land development projects. Responsibilities increased in a short time with the assignment as Job Engineer for a three hundred unit townhouse development. From this point on, the level of responsibility was that of Project Engineer. The projects ranging from small bulk parcel developments to large and unusual low density residential and non-residential developments. Responsibility being for the entire developmental process for these projects. Also during the period from May, 1973 through June, 1974, I was the firm representative to the Howard County Department of Public Works in the area of plan review. This involved the review of preliminary and final subdivision plans, road construction plans, site development plans, and the many other varied types of plans, site development plans and the many other varied types of plans which pass through the Department of Public Works.

EXPERIENCE (cont.)

5/71-2/73

Mathews-Phillips, Inc.

Employed by Mathews-Phillips, Inc. as an Assistant Construction Superintendent assigned initially to a 292 unit Carden Apartment Project followed by assignment to a 79 unit Townhouse Project. Prime areas of responsibility on the Carden Project included the installation of all underground utilities, control of Site Grading and Paving, and the finishing phase of the units. Grading and Paving, and the finishing phase of the units. Prime responsibilities on the Townhouse Project were those of Site Engineer. This included Stake Out for grading of Streets and Foundations, Vertical and horizontal control for footings and foundation masonry, installation of all underground utilities, control of Storm Drainage, Site Grading and Paving.

7/70-5/71

Richard P. Browne Associates

Associated with Richard P. Browne Associates as an Engineer with the prime responsibility of design and coordination of Storm Drain Systems and Site Grading for various land development projects including single family residences and multi-family sites. Also responsible for preliminary and final design and preparation of road construction plans. Included in the coordination of these projects was considerable client contact and consultation with Municipal Officials.

6/68-7/70

Clayton Surveying and Engineering Company

Joined Clayton Surveying and Engineering Company immediately following graduation from college as a Design Engineer working primarily on the design of small residential subdivisions and commercial sites. This included the design of Road Systems, Storm Sewers and Sanitary Sewer Systems.

LICENSES

Art. 56, § 157F

§ 157F. Registration of wholesalers, distributors, manufacturers, refiners, jobbers and dealers; filing specifications, terminal agreements and exchange agreements; penalties.

(a) Annual registration required; information as to pumps; posting certificate; requirements for certain retail service stations. — (1) Every motor fuel wholesaler, diesel fuel seller, heating oil distributor, manufacturer, refiner, jobber, and retail service station dealer before marketing gasoline and special fuels shall register with the Comptroller of the Treasury before selling or exposing or offering for sale any gasoline, other motor vehicle fuels or special fuels and shall register annually and shall make known to the Comptroller his desire to sell gasoline and special fuels giving the name and manner and kind of pump or pumps he will use and the location of same and shall keep the certificate or certificates of registration issued by the Comptroller of the Treasury, posted in a prominent and accessible place in his place of business where such gasoline and special fuels are sold. The form of that certificate shall be designated by the Comptroller of the Treasury. Certificates of registration may not be issued to retail service station dealers marketing motor vehicle fuel through retail outlets enlarged, altered, or structurally modified (other than as may be required by appropriate governmental authority) in any way after July 1, 1977, and before July 1, 1981, unless the facilities contain enclosed work areas where service of motor vehicles is offered to customers, irrespective of whether or not motor vehicle fuel is purchased, including, but not limited to lubrication, oil change, tire repair, battery charge, and replacement of accessories such as fan belts, radiator hose and wiper blades. This restriction does not apply to: (i) stations which do not have such enclosed work areas prior to the time that they are enlarged, altered or structurally modified; or (ii) stations enlarged, altered, or structurally modified when local zoning boards or planning commissions rule in favor of conversions to gasoline-only outlets after considering the needs for this type of service to the general public in the locality. (2) Notwithstanding the above, all contractual relationships between suppliers and dealers must conform to the Maryland Gasoline Products Marketing Act and the Federal Petroleum Products Marketing Act. (3) A service station which has been closed for 30 days or more prior to August 31, 1978, shall be considered as newly established, for the purposes of this section, at the time as it is reopened and offering motor vehicle fuel for sale to the general public.

(b) Refinery specifications to be filed; designation of component as trade secret. — Every manufacturer, refiner, or motor fuel wholesaler importing gasoline and special fuels shall file refinery specifications including additive specifications regardless of where the additives become a part of the gasoline and special fuels. When filing, the manufacturer, refiner, or motor fuel wholesaler may designate with the Comptroller of the Treasury certain components, including additives, of the gasoline or special fuel as being a trade secret. For any such component which the Comptroller agrees is a trade secret, the Comptroller shall make every reasonable effort to protect the trade secret from disclosure to the general public or to other manufacturers, refiners or

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Art. 56, § 157F ANNOTATED CODE OF MARYLAND

motor fuel wholesalers. In determining whether a component is a trade secret the Comptroller shall consider whether a competent chemist using modern analytical techniques could be reasonably expected to identify the component.

(c) Terminal agreements to be filed for approval. — Every manufacturer, refiner, or motor fuel wholesaler shall file all terminal agreements with additive and refinery specifications for approval by the Comptroller of the Treasury before any sales can be made.

(d) Exchange agreements to be filed for approval; divulging additive and refinery specifications. — Every manufacturer, refiner, or motor fuel wholesaler shall file all exchange agreements with the additive and refinery specifications for approval by the Comptroller of the Treasury before any sales can be made. All additive and refinery specifications shall be treated as trade secrets and may not be divulged by any employee of the Comptroller's office.

(e) Waiver of requirements. — The Comptroller of the Treasury may waive the provisions of this section only when the consumers in the State of Maryland would be subject to extreme hardships during any emergency or civil disturbance.

(f) Stop-sale notices; suspension or revocation of registration certificate. — If the Comptroller of the Treasury finds any person willfully marketing gasoline and special fuels that have not been approved, or willfully using petroleum product advertisements which are deceptive or misleading the Comptroller of the Treasury shall issue a stop sale notice. In addition to a stop sale notice, the Comptroller may suspend or revoke any certification of registration for any violation of this section, for a period not to exceed thirty (30) days.

(g) Criminal penalty. — Any person, copartnership, or corporation, or any member, officer, agent, or employee of any copartnership or corporation, who violates any provision of this subtitle, is guilty of a misdemeanor and, upon conviction thereof, shall be punishable by a fine of not more than five thousand dollars (\$5,000.00), or by imprisonment for not more than six (6) months, or by both fine and imprisonment.

(h) Adulteration or commingling of gasoline with other petroleum products. — No motor fuel wholesaler, diesel fuel seller, heating oil distributor, manufacturer, refiner, jobber, common carrier, and contract carrier engaged in interstate and intrastate transportation of gasoline and special fuels may willfully adulterate or commingle any refined gasoline with other petroleum products. No common carrier or contract carrier may, place any additives in any gasoline or special fuels. This subsection shall not preclude adulteration or commingling of gasoline with other petroleum products which occurs as a natural cause of transit and as a consequence of transit in pipeline carriers.

(i) Commingling brands or grades of gasoline at service station. — Any retail service station dealer who with the intent to adulterate commingles gasoline by brands or grades is subject to the provisions of § 157 (g) (4) 157F (g).

(j) Liability when suspension or revocation without fault on retailer's part. — In the event that the certification or registration of any retail service station dealer is suspended or revoked under the provisions of this subsection without fault on the part of the retail service station dealer, the supplier or the unapproved product shall be liable in damages to the retail service station dealer

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LICENSES

Art. 56, § 157F

so suspended or revoked in an amount equal to the net operating loss sustained during the period of the suspension or revocation. (1969, ch. 421; 1973, ch. 890; 1977, ch. 870; 1978, ch. 61; 1979, ch. 92.)

Effect of amendments. — The 1976 amendment, effective July 1, 1976, repealed former subsection (i), which applied only to the fiscal year 1974, and redesignated former subsection (k) to be subsection (i). The 1979 amendment, effective July 1, 1979, designated the former first, second, third and fourth sentences in subsection (i) as subsection (1), made a style change near the beginning of the third sentence therein, substituted "July 1, 1981," for "July 1, 1977," in that sentence, made a style change near the beginning of the fourth sentence, inserted a colon and "or" therein, added clause (ii) in that sentence, added subsection (2), designated the former fifth sentence in the subsection as subsection (3) and substituted "August 31, 1978," for "July 1, 1977," therein.

Constitutionality of ch. 870, Acts 1977. — The language of ch. 870, Acts 1977, is sufficiently clear and precise to meet federal and State constitutional due process requirements. 82 Op. Att'y Gen. 245 (1977).

Chapter 870, Acts 1977, does not create a permanent irrebuttable presumption with no opportunity for a hearing of individual cases, in violation of the due process clause of the State Constitution. 82 Op. Att'y Gen. 245 (1977).

Chapter 870, Acts 1977, does not run afoul of the equal protection clause of the Fourteenth Amendment because the classification of these stations affected is not arbitrary in the constitutional sense. The classification made clear "a rational relationship to the stated objective of preserving in the public interest an adequate number of existing retail service stations in the State which have historically offered petroleum products and automobile maintenance and repair service to the public. The fact that the chapter only applies to the conversion of existing 'full service' facilities and does not prohibit the opening of new gas-only stations is consistent with this legislative objective and does not create any equal protection problem. 82 Op. Att'y Gen. 245 (1977).

Since the classifications established by ch. 870, Acts 1977, are not purely arbitrary, but are founded on a rational legislative intent, the law does not violate the equal protection clause. 82 Op. Att'y Gen. 245 (1977).

Chapter 870, Acts 1977, does not place an undue burden on, or discriminate against, interstate commerce in violation of the

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Art. 56, § 157F ANNOTATED CODE OF MARYLAND

Presumption of severability requires that only January 1, 1979, clauses be invalid. — The presumption of severability in cases of constitutional invalidity requires that only the January 1, 1979, limitation clause of subsection (c) of this section be invalidated.

§ 157F. Registration of wholesalers, distributors, manufacturers, refiners, jobbers and dealers; filing specifications, terminal agreements and exchange agreements; penalties.

(a) Annual registration required; information as to pumps; posting certificate; requirements for certain retail service stations. — (1) Every motor fuel wholesaler, diesel fuel seller, heating oil distributor, manufacturer, refiner, jobber, and retail service station dealer before marketing gasoline and special fuels shall register with the Comptroller of the Treasury before selling or exposing or offering for sale any gasoline, other motor vehicle fuels or special fuels and shall register annually and shall make known to the Comptroller his desire to sell gasoline and special fuels giving the name and manner and kind of pump or pumps he will use and the location of same, and shall keep the certificate or certificates of registration issued by the Comptroller of the Treasury, posted in a prominent and accessible place in his place of business where such gasoline and special fuels are sold. The form of that certificate shall be designated by the Comptroller of the Treasury. Certificates of registration may not be issued to retail service station dealers marketing motor vehicle fuel through retail outlets enlarged, altered, or structurally modified (other than as may be required by appropriate governmental authority) in any way after July 1, 1977, before July 1, 1984, unless the facilities contain enclosed work areas where service of motor vehicles is offered to customers, irrespective of whether or not motor vehicle fuel is purchased, including, but not limited to lubrication, oil change, tire repair, battery charge, and replacement of accessories such as fan belts, radiator hose and wiper blades. This restriction does not apply to: (i) stations which do not have such enclosed work area, prior to the time that they are enlarged, altered or structurally modified; or (ii) stations enlarged, altered, or structurally modified when local zoning boards or planning commissions rule in favor of conversions to gasoline-only outlets after considering the needs for this type of service to the general public in the locality, and upon agreement between the owner and dealer. (2) Notwithstanding the above, all contractual relationships between suppliers and dealers must conform to the Maryland Gasoline and Gasoline Products Marketing Act and the Federal Petroleum Products Marketing Act.

(b) Stop-sale notices; suspension or revocation of registration certificate. — (1) If the Comptroller of the Treasury finds any person willfully marketing gasoline and special fuels that have not been approved, or willfully using petroleum product advertisements which are deceptive or misleading the Comptroller of the Treasury shall issue a stop sale notice. In addition to a stop sale notice, the Comptroller may suspend or revoke any certification of registration for any violation of this section, for a period not to exceed thirty (30) days.

(2) If the Comptroller of the Treasury finds any person has willfully enlarged, altered, or structurally modified any retail outlet in violation of this section, the Comptroller may suspend or revoke any applicable certification of registration until the violation is corrected. (1981, ch. 287.)

Effect of amendments. — The 1981 amendment, effective July 1, 1981, substituted "July 1, 1984," for "July 1, 1981," in the third sentence in subsection (1), in the second sentence in subsection (2), and between the words "sub-section" and "Gasoline" in subsection (2), substituted "Gasoline and Gasoline Products Marketing Act" for "Maryland Gasoline Products Marketing Act" in subsection (2), eliminated former

sub-section (3) at the end of subsection (a), redesignated the former provisions of subsection (f) as subsection (1), added "including the filing of any false statement" in the second sentence in subsection (1) of subsection (f) and made a style change at the end of that sentence, and added subsection (2) of subsection (f).

As the other subsections were not affected by the amendment, they are not set forth above.

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1982 CUMULATIVE SUPPLEMENT

Art. 56, § 157J

special legislation. Cities Serv. Co. v. Governor of Md., 290 Md. 553, 431 A.2d 663 (1981).

Effect of amendments. — The 1981 amendment, effective July 1, 1981, substituted "July 1, 1984," for "July 1, 1981," in the third sentence in subsection (1), in the second sentence in subsection (2), and between the words "sub-section" and "Gasoline" in subsection (2), substituted "Gasoline and Gasoline Products Marketing Act" for "Maryland Gasoline Products Marketing Act" in subsection (2), eliminated former

sub-section (3) at the end of subsection (a), redesignated the former provisions of subsection (f) as subsection (1), added "including the filing of any false statement" in the second sentence in subsection (1) of subsection (f) and made a style change at the end of that sentence, and added subsection (2) of subsection (f).

As the other subsections were not affected by the amendment, they are not set forth above.

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LAW OFFICES

PFEIFER & FABIAN, P.A.

SUITE 200

15 CHARLES PLAZA

BALTIMORE, MARYLAND 21201

March 28, 1982

Mrs. Joan M. Jung
Deputy Zoning Commissioner
for Baltimore County
Office of Planning and Zoning
Room 113, County Office Building
Towson, Maryland 21204

RE: Application of Racetrac
Case No: 83-208-OSPHA

Dear Mrs. Jung:

Enclosed please find copy of a letter dated March 16, 1983 from A. E. Price, Revenue Administrator, Motor Fuel Inspection & Testing, directed to Ms. Joie Duffy, who had testified along the same lines at the hearing in this matter. It is our position, as the three witnesses we produced had indicated, that in fact no sales of gasoline have occurred at this station and that moreover, as a sheer legal matter it was unlawful to so much as even "expose or offer for sale" such fuels as of April, 1982 as shown by the attached copy of Article 56, Section 157 F pertinent parts of which I have underscored.

I have also included, as well, the complete text of the amendment of this law which appears in the supplemental part of the Code insofar as it extends the operative date of the act from 1981 to 1984, thereby keeping it in force at all pertinent times herein.

In light of the foregoing, we would respectfully submit that the Commission is given no choice but to conclude that this station had abandoned the sale of gasoline, which thereby in turn creates a prima facie presumption that the

Mrs. Jean M. Jung
Deputy Zoning Commissioner
for Baltimore County
Page 2 March 28, 1983

is no evidence of the probability of a reasonable public need for such a proposed service station as called for by Section 405.3D of the Zoning Code.

Respectfully submitted,

David M. Thomas
DAVID M. THOMAS

DMT/mg
Enclosure
cc: Brian A. Goldman, Esquire
Ms. Joie Duffy



COMPTROLLER OF THE TREASURY
MOTOR VEHICLE FUEL TAX DIVISION
P.O. BOX 1751
STATE TREASURY BUILDING
ANNAPOLIS, MARYLAND 21404
IN REPLY REFER TO FILE NO. 110989
March 16, 1983

LOUIS L. GOLDSTEIN
COMPTROLLER
J. BASIL WIENER
CHIEF DEPUTY
ROBERT L. SERVICE, SR.
DIRECTOR OF DIVISION
HOWARD C. FITZGERALD
ASSISTANT DIRECTOR

M's Joie Duffy
Greater Washington/Maryland
Service Station Association
9200 Edmonston Road
Suite 304
Greenbelt, Maryland 20770

Dear M's Duffy:

Per your request of March 14, 1983, and to confirm our conversation of last week, the following are facts from our files regarding Tal Hong Han T/A Han's Texaco, 9634 Reisterstown Road, Garrison, Maryland 21055, our account number 110989.

During the registration year ending June 30, 1982, our Field Inspector observed the location filled with vehicles jammed around the pump island and no activity of gasoline sales during his, then, most recent visits to the facility. According to our Inspector Joseph Messina, he spoke with the proprietor, Mr. Han in early April, 1982 advising Mr. Han he was cancelling the account due to Mr. Han's not offering motor vehicle fuel for sale. Mr. Han asked that the account not be cancelled as he may sell gasoline in the future. Inspector Messina advised Mr. Han that the registration would be cancelled and if at a later date sales were to resume, all Mr. Han would have to do is call the office or Mr. Messina and the registration would be re-activated.

The registration was cancelled in April, 1982 and according to our records, there is no indication of any subsequent motor fuel sales.

If you need additional information or a statement from Inspector Joseph Messina, please feel free to contact him through this office.

Very truly yours,

A. E. Price, Revenue Administrator
Motor Fuel Inspection & Testing

AEP/ks
cc: Mr. Robert Crawford
Mr. Daniel Bukovsky
Mr. Joseph Messina

My Telephone Number is (301) 269-3126
TTY for Deaf: Annapolis Area 269-2409
AN EQUAL OPPORTUNITY EMPLOYER

LAW OFFICES
PFEIFER & FABIAN, P.A.
SUITE 200
15 CHARLES PLAZA
BALTIMORE, MARYLAND 21201

March 28, 1983

Mrs. Jean M. Jung
Deputy Zoning Commissioner
for Baltimore County
Office of Planning and Zoning
Room 113, County Office Building
Towson, Maryland 21204

RE: Application of Racetrac
Case No: 83-208-XSPHA

Dear Mrs. Jung:

I have now received word from Mr. J. Eugene Goll, Resale Marketing Representative, Greater Baltimore Marketing Area, Texaco, Inc., regarding the following information which I proffer at this time and am in the process of procuring from Mr. Goll on Texaco stationery:

That during the calendar year of 1980 the location in question (Texaco Station #665), operated by a Mr. Han, purchased from Texaco, Inc., 7,900 gallons of motor fuel in each and every month with the sole exception of September, when no motor fuel was purchased.

That during 1981, purchases of motor fuels from Texaco, Inc. were as follows:

January	2,301
February	None
March	8,600
April	8,600
May	None
June	8,600

That the foregoing sale of fuel in June, 1981 of 8,600 gallons was the last sale of fuel to be made to this location in question.

Mrs. Jean M. Jung
Deputy Zoning Commissioner
for Baltimore County
Page 2 March 28, 1983

That in the first months of 1982, Mr. Goll approached Mr. Han at his station concerning the operation of it. At that time Mr. Han was purchasing Texaco motor oils and lubricants through the Royal Oil Company (which is connected with Texaco) and was using the Texaco credit card arrangements for repair work (chiefly of Volkswagens) which he was conducting there, however, Mr. Han indicated that "he did not want to fool with" the sale of motor fuel anymore, whereupon the decision was made to de-identify the station, removing all Texaco trademarks from the building, pump dispensers and the like. This occurred sometime "early" in 1982 by Mr. Goll's recollection.

Respectfully submitted,

David M. Thomas
DAVID M. THOMAS

DMT/mg
cc: Mr. Goll
Joie Duffy
Brian A. Goldman, Esq.



COMPTROLLER OF THE TREASURY
MOTOR VEHICLE FUEL TAX DIVISION
P.O. BOX 1751
STATE TREASURY BUILDING
ANNAPOLIS, MARYLAND 21404

IN REPLY REFER TO FILE NO. 110989
March 16, 1983

LOUIS L. GOLDSTEIN
COMPTROLLER
J. BASIL WIENER
CHIEF DEPUTY
ROBERT L. SERVICE, SR.
DIRECTOR OF DIVISION
HOWARD C. FITZGERALD
ASSISTANT DIRECTOR

M's Joie Duffy
Greater Washington/Maryland
Service Station Association
9200 Edmonston Road
Suite 304
Greenbelt, Maryland 20770

Dear M's Duffy:

Per your request of March 14, 1983, and to confirm our conversation of last week, the following are facts from our files regarding Tal Hong Han T/A Han's Texaco, 9634 Reisterstown Road, Garrison, Maryland 21055, our account number 110989.

During the registration year ending June 30, 1982, our Field Inspector observed the location filled with vehicles jammed around the pump island and no activity of gasoline sales during his, then, most recent visits to the facility. According to our Inspector Joseph Messina, he spoke with the proprietor, Mr. Han in early April, 1982 advising Mr. Han he was cancelling the account due to Mr. Han's not offering motor vehicle fuel for sale. Mr. Han asked that the account not be cancelled as he may sell gasoline in the future. Inspector Messina advised Mr. Han that the registration would be cancelled and if at a later date sales were to resume, all Mr. Han would have to do is call the office or Mr. Messina and the registration would be re-activated.

The registration was cancelled in April, 1982 and according to our records, there is no indication of any subsequent motor fuel sales.

If you need additional information or a statement from Inspector Joseph Messina, please feel free to contact him through this office.

Very truly yours,

A. E. Price, Revenue Administrator
Motor Fuel Inspection & Testing

AEP/ks
cc: Mr. Robert Crawford
Mr. Daniel Bukovsky
Mr. Joseph Messina

My Telephone Number is (301) 269-3126
TTY for Deaf: Annapolis Area 269-2409
AN EQUAL OPPORTUNITY EMPLOYER

005
THIS IS TO CERTIFY, that Tal Hong Han
has complied with the registration provisions of Article 56, Section 157E of the Annotated Code of Maryland, and is hereby registered to engage in business in the State of Maryland, subject to the requirements of the applicable laws and regulations under the Motor Fuel Inspection subtitle.

WITNESS the hand of the State Comptroller and the official seal of his office
This Certification does not authorize operation in violation of Article 56, Section 157E. March 23, 1983

06/30/83 EXPIRATION DATE	Tal Hong Han Hans Service Station 9634 Reisterstown Road Garrison, Maryland 21055	7 C3	110989 ACCOUNT NUMBER
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MUST BE POSTED IN A PROMINENT PLACE
NON-TRANSFERABLE (over)

STATE COMPTROLLER

Greater Washington/Maryland Service Station Association
9200 EDMONSTON ROAD, SUITE 304
GREENBELT, MARYLAND 20770
(202) 441-1100

3/17/83
Dear Mrs. Jung,
I received the attached letter in the mail this morning. I'm sure our attorney, David Thomas, will also forward a copy to you with comments. My purpose is simply to make sure this is the information you are seeking. If you require additional information please contact me at 788-5050 or 1-800-492-0377. Thank you for your attention to this matter.
Sincerely,
Joie Duffy

BRIAN A. GOLDMAN
ATTORNEY AT LAW
SUITE 1810 CHARLES CENTER SOUTH
34 SOUTH CHARLES STREET
BALTIMORE, MARYLAND 21201-3130
(301) 752-8008

March 25, 1983

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

Re: 9700 Reisterstown Road
Item No. 107
Case No. 83-208-XSPHA
Petitioner: W.O.W. Associates Limited Partnership
Special Exception, Special Hearing and Variance Petitions
Date of Hearing: March 9, 1983

Dear Mrs. Jung:

In accordance with your request at the above captioned hearing, enclosed please find a photocopy of the new Certificate of Registration issued by the Comptroller of the Treasury, with respect to the above captioned site. As you can see from the enclosure, Hans Service Station now has a license for the disbursement of gasoline with the Comptroller of the Treasury's office. This license expires June 30, 1983.

Although Mr. Alan Aberman stands by his testimony at our hearing, apparently the Certificate of Registration was cancelled on April 2, 1982, and was not reissued until after our hearing.

Kenneth Colbert, P.E. has advised me that the Department of Public Works has received the additional information it requested concerning the flood plain limits in the rear of the subject site, and these documents show that the limits of the 100 year flood plain do not encroach upon the site.

Thank you for your consideration.

Sincerely yours,

Brian A. Goldman

BAG/bq
Enclosures

cc: Kenneth W. Rickett, Esquire
David M. Thomas, Esquire
Alan I. Aberman, Esquire
Kenneth J. Colbert, P.E.

BRIAN A. GOLDMAN
ATTORNEY AT LAW
SUITE 1810 CHARLES CENTER SOUTH
34 SOUTH CHARLES STREET
BALTIMORE, MARYLAND 21201-3130
(301) 752-8008

April 4, 1983

HAND DELIVERED

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

Re: 9700 Reisterstown Road
Item No. 107
Case No. 83-208-XSPHA
Petitioner: W.O.W. Associates Limited Partnership

Dear Mrs. Jung:

Enclosed please find a photocopy of the March 31, 1983 letter from Kenneth J. Colbert, P.E. to Mr. Harris Shalowitz, in which Mr. Colbert acknowledges the approval of Baltimore County for the 100-year flood plain study for the above captioned site. Please note the acknowledgement contained in this letter states that the 100-year flood plain does not encroach upon the subject property.

I have also received a copy of the March 28, 1983 letter of David A. Thomas delivered to you, containing hearsay comments from J. Eugene Goll, which are not subject to my cross-examination. In addition, they do not answer the questions as to whether or not Messrs. Han obtained gasoline from another source in addition to Texaco.

However, I assume the contents of Mr. Thomas' letter have been rendered moot by virtue of the fact that the Comptroller of the Treasury has reissued a motor fuel dispensing license, and I understand that Messrs. Han are currently selling gasoline at the subject site.

If I can provide you with any further information concerning this matter, please advise the undersigned.

Sincerely yours,

Brian A. Goldman

BAG/bq

Enclosures

cc: Kenneth W. Rickett, Esquire w/e
Mr. William Sadoff w/e
Alan I. Aberman, Esquire w/e

March 31, 1983

Mr. Harris Shalowitz
Developers, Design and Approval Section
Baltimore County Department of Public
Works
County Office Building
Towson, Maryland 21204

Re: Commercial Application C-1476-82
Racetrac Petroleum
9700 Reisterstown Road
District 3

Dear Mr. Shalowitz:

Thank you for your prompt review of the additional information provided which substantiates the fact that the 100-year flood plain does not encroach upon the subject property. Submittal of this information was made in response to a request by Mr. Robert Morton, Chief Bureau of Public Services. Please notify Mr. Morton's office of your concurrence with our flood plain study to enable them to continue processing of the referenced commercial permit application.

As requested we are forwarding, to you, two copies of the grading plan as prepared by Racetrac Petroleum. By copy of this letter to Mr. Rick Massey, Design Engineer, Racetrac Petroleum, I will make him aware of your suggestion that the finished floor elevation, of the marketer building, be raised. If Mr. Massey has any questions regarding this matter, I feel certain he will contact you directly.

Thank you again for your attention to this matter. If we may be of any further assistance to you, please do not hesitate to call upon us at your convenience.

Sincerely,

Kenneth G. Colbert
Kenneth G. Colbert, P.E.
CDH ENGINEERING CORPORATION

KJC/kjc

cc: Rick Massey
Brian Goldman

CONSULTING ENGINEERS & SURVEYORS
(301) 787-1111

January 18, 1983

Baltimore County Zoning Plans Advisory Committee
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Attention: Mr. Nicholas B. Cowandari
Chairman

RE: Gas & Go Station
9700 Reisterstown Road, Owings Mills, Maryland
W.O.W. Associates Limited Partnership
Application Date: November 23, 1982

Gentlemen:

I am a partner in W.O.W. Associates Limited Partnership which is the owner of the above-captioned premises, which has filed a Petition for Special Exception and a Petition for Special Hearing to convert the subject premises from a full-service gas station to gas & go by amending the site plan in Case No. 2599.

The current operators of the subject premises are Messrs. Tai Hong Han and Ki H Han, T/A Han's Texaco. Han's Texaco maintains its license as a retail service station in accordance with Article 56, Section 157F of the Annotated Code of Maryland. Han's Texaco, in accordance with Paragraph 3 of their Lease which reads as follows: "Lessee shall use the Premises as a drive-in gasoline filling and service station only, and shall not use nor permit the use of the Premises for any other purpose." retails motor fuel products and operates a full-service service station in accordance with the Special Exception previously granted and has never abandoned use of the premises as a full-service gas station.

Sincerely yours,

William S. Sestoff
William S. Sestoff
President

MSS:s
cc: Brian A. Goldman, Esquire



SUITE 200

15 CHARLES PLAZA
BALTIMORE, MARYLAND 21201

June 23, 1983

Zoning Commissioner
County Office Building
Towson, Maryland 21204

RE: Greater Washington Maryland Service Station
Association, Thomas Whitcomb and Richard
Galley vs. Baltimore County Zoning Commissioner

Gentlemen:

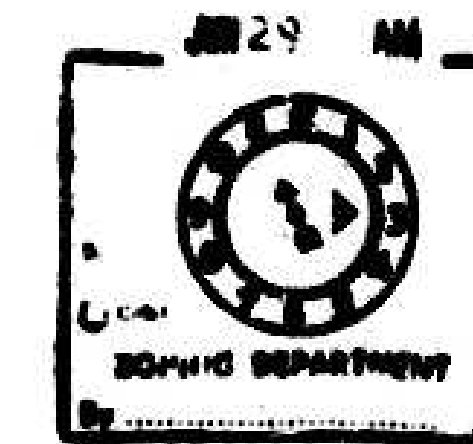
Please file the enclosed Order for Appeal in the above captioned matter.

I am enclosing herewith our check in the amount of \$100.00 for the costs of same.

Very truly yours,

David M. Thomas
DAVID M. THOMAS

DMT:ga
Enc.



SUITE 200

15 CHARLES PLAZA
BALTIMORE, MARYLAND 21201

June 29, 1983

Zoning Commissioner
County Office Building
Towson, Maryland 21204
Attention: Arlene January

RE: Greater Washington Maryland Service
Station Association, et al vs.
Baltimore County Zoning Commissioner

Dear Ms. January:

Enclosed please find our check in the amount of \$155.00, which together with the \$100.00 already forwarded to your office, would constitute the \$255.00 total which is due.

Thanking you for your cooperation, I am

Very truly yours,

David M. Thomas
DAVID M. THOMAS

DMT:ga
Enc.

DESCRIPTION

9700 REISTERSTOWN ROAD

Beginning for the same at a point on the southerly right-of-way line of Reisterstown Road said point being 750 feet more or less northwesterly from the intersection of Reisterstown Road and Tobin Lane, and proceeding along said right-of-way N 48° 40' 16" W a distance of 150.00 feet; thence leaving said right-of-way and extending the three (3) following courses and distances.

- (1) S 41° 19' 49" W a distance of 150.00 feet
- (2) S 48° 40' 16" E a distance of 150.00 feet
- (3) N 41° 19' 44" E a distance of 150.00 feet to the point of beginning.

Containing 22,500 square feet.

DJD/kjc

November 30, 1982



OFFICIAL PLANS

DEC 6 1982

ITEM 1107

CONSULTING ENGINEERS & SURVEYORS
(301) 787-1111

PETITION FOR SPECIAL EXCEPTION, SPECIAL HEARING AND VARIANCE

3rd Election District

ZONING: Petition for Special Exception, Special Hearing and Variance
LOCATION: South side of Reisterstown Road, 750 ft. North of the centerline of Tobin Lane
DATE & TIME: Wednesday, March 9, 1983 at 9:30 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 Exception for a food (convenience) store as a use in combination with a service station (gas and go); Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County to determine whether or not the Zoning Commissioner and/or Deputy Zoning Commissioner should approve conversion from full service gas station to gas and go in combination with a food (convenience) store, by amending the site plan in Case No. 2599; and Variance to have a rear yard of 6 ft. instead of the required 30 ft. rear yard for the location of a storage room, vending machine area and electric room

The Zoning Regulation to be excepted as follows:
Sections 255.1 and 238.2 - minimum rear yard setbacks in an M.L. zone
All that parcel of land in the Third Election District of Baltimore County

Being the property of W.O.W. Associates Limited Partnership, as shown on plat plan filed with the Zoning Department.

Hearing Date: Wednesday, March 9, 1983 at 9:30 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

February 15, 1983

Brian A. Goldman, Esquire
1930 Charles Center South
36 South Charles Street
Baltimore, Maryland 21201

RESCHEDULED
NOTICE OF HEARING
Re: Petition for Special Exception, Special Hearing & Variance
S/S of Reisterstown Road, 750' N of the centerline of
Tobin Lane
W.O.W. Associates Limited Partnership - Petitioner
Case No. 63-206-XSPHA

TIME: 9:30 A.M.

DATE: Wednesday, March 9, 1983

PLACE: Room 106, County Office Building, 111 West

Chesapeake Avenue, Towson, Maryland

cc: Racetrac Petroleum, Inc.
P.O. Box 188030
Atlanta, Georgia 30348

William E. Hammond
ZONING COMMISSIONER OF
BALTIMORE COUNTY

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

William E. Hammond

TO: Zoning Commissioner
Norman E. Gerber, Director
FROM: Office of Planning and Zoning

Date: February 28, 1983

SUBJECT: Zoning Petition No. 63-206-XSPHA
W.O.W. Associates Limited Partnership

This office has some questions as to the appropriateness of granting amendments to special exceptions that were originally granted so many years ago. Further, it is suggested that amendments to the Baltimore County Zoning Regulations adopted in 1970-71 as they apply to this case do not permit the proposed use. If this is correct, a service station is not a permitted use and the prior special exception would not be applicable.

Norman E. Gerber
Norman E. Gerber
Director of Planning and Zoning

NEG:JGHsk

cc: Arlene January
Shirley Nass

WILLIAM E. HAMMOND
ZONING COMMISSIONER

July 1, 1983

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

Re: Petitions for Special Exception, Special
Hearing and Variance
S/S of Reisterstown Rd., 750' N of the
c/l of Tobins Lane
W.O.W. Associates Limited Partnership -
Petitioner
Case No. 83-208-XSPHA

Dear Mr. Goldman:

Please be advised that an appeal has been filed by David M. Thomas, Esquire,
on behalf of protestants, from the decision rendered by the Deputy Zoning Commissioner
of Baltimore County in the above referenced matter.

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

WILLIAM E. HAMMOND
ZONING COMMISSIONER

June 2, 1983

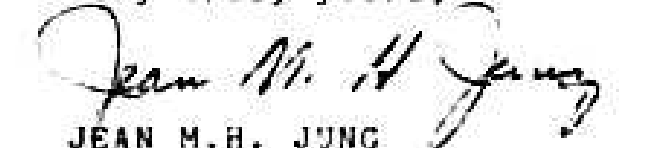
Brian A. Goldman, Esquire
1910 Charles Center South
36 South Charles Street
Baltimore, Maryland 21201

RE: Petitions for Special Exception,
Special Hearing, and Variance
S/S of Reisterstown Rd., 750' N
of the center line of Tobins Lane
3rd Election District
W.O.W. Associates Limited Partner-
ship - Petitioner
NO. 83-208-XSPHA (Item No. 107)

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: David M. Thomas, Esquire
Suite 200
15 Charles Plaza
Baltimore, Maryland 21201

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

MICROFILMED



County Board of Appeals of Baltimore County

Room 200 Court House
Towson, Maryland 21204
(301) 494-3180

October 18, 1983

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

Re: Case No. 83-208-XSPHA
W.O.W. Associates
Limited Partnership

Dear Mr. Goldman:

Enclosed herewith is a copy of the
Order of Dismissal passed today by the County Board of
Appeals in the above entitled case.

Very truly yours,


Edith T. Eisenhart
Administrative Secretary

Encl.

cc: W.O.W. Associates
David M. Thomas
John W. Hessian, III, Esq.
N. E. Gerber
J. G. Howell
A. Jablon
J. Jung
J. E. Dyer

MICROFILMED



County Board of Appeals of Baltimore County

Room 200 Court House (Hearing Room #218)
Towson, Maryland 21204
(301) 494-3180

September 19, 1983

NOTICE OF ASSIGNMENT

NO POSTPONEMENTS WILL BE GRANTED WITHOUT GOOD AND SUFFICIENT
REASONS. REQUESTS FOR POSTPONEMENTS MUST BE IN WRITING AND IN
STRICT COMPLIANCE WITH BOARD RULE 2(b). ABSOLUTELY NO POSTPONE-
MENTS WILL BE GRANTED WITHIN FIFTEEN (15) DAYS OF SCHEDULED HEAR-
ING DATE IN ACCORDANCE WITH RULE 2(c), COUNTY COUNCIL BILL #59-79

CASE NO. 83-208-XSPHA W.O.W. ASSOCIATES LTD. PARTNERSHIP

S/S Reisterstown Rd., 750' N of the center
line of Tobins Lane

3rd District

SE-Food store in combo w/service station
SPH-conversion from full gas station to gas & go,
omand. site plan.
Var.-Rear Yard of 6' in lieu of 30'

ASSIGNED FOR:

WEDNESDAY, NOVEMBER 30, 1983, at 10 a.m.

cc: Brian Goldman, Esq.

Counsel for petitioners

W.O.W. Associates

Petitioners

David M. Thomas, Esq.

Counsel for Protestants

John W. Hessian, Esq.

People's Counsel

N. Gerber
J. Howell
J. Dyer
J. Jung
A. Jablon

June Holman, Secy.

MICROFILMED

9/19/83 - Following were notified of hearing set for Wed. Nov. 30, 1983, at 10 a.m.:

Brian Goldman, Esq.
WOW Assoc.
David Thomas
J. Hessian
N. Gerber
J. Howell
J. Dyer
J. Jung
A. Jablon

JOHN W. PFEIFER
JAMES J. FABIAN
DAVID M. THOMAS
JOHN E. HEURICH

LAW OFFICES
PFEIFER & FABIAN, P.A.

SUITE 200
15 CHARLES PLAZA
BALTIMORE, MARYLAND 21201

TELEPHONE
385-0385
AREA CODE 301

September 29, 1983

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

RE: GWMSSA, et al vs.
Baltimore County Zoning
Case No: 83-208-XSPHA

Gentlemen:

Enclosed are three Subpoena Duces Tecum which
are being forwarded regarding the hearing on November 30,
1983 at 10:00 A.M.

Very truly yours,


DAVID M. THOMAS

DHT/mg
Enclosure

MICROFILMED

Rec. 9/30/83
9:40 a.m.

MICROFILMED

February 9, 1983

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

NOTICE OF HEARING

Re: Petitions for Special Exception, Special Hearing & Variance
S/S of Reisterstown Road, 750' N of the centerline of
Tobins Lane
W.O.W. Associates Limited Partnership - Petitioner
Case No. 83-208-XSPHA

TIME: 1:50 P.M.

DATE: Tuesday, March 8, 1983

PLACE: Room 106, County Office Building, 111 West

Chesapeake Avenue, Towson, Maryland

cc: Racetrac Petroleum, Inc.
P. O. Box 188888
Atlanta, Georgia 30348

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

DATE: 11/23/83 ACCOUNT: R-01-615-000

AMOUNT: 250.00

RECEIVED BY: Brian A. Goldman

FOR: W.O.W. Associates

DATE: 11/21/83

MICROFILMED

MICROFILMED



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

WILLIAM E. HAMMOND
ZONING COMMISSIONER

February 28, 1983

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

Re: Petitions for Special Exception, Special Hearing
and Variance
S/S of Reisterstown Rd., 750' N of the c/l of
Tobins Lane
W.O.W. Associates Limited Partnership, Petitioner
Case No. 83-208-XSPHA

Dear Mr. Goldman:

This is to advise you that \$84.12 is due for advertising and posting
of the above property.

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

Very truly yours,


WILLIAM E. HAMMOND
Zoning Commissioner

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

DATE: 3/2/83 ACCOUNT: R-01-615-000

AMOUNT: 84.12

RECEIVED BY: Brian A. Goldman

FOR: W.O.W. Associates

DATE: 11/21/83

MICROFILMED

MICROFILMED

DESCRIPTION

9700 REISTERSTOWN ROAD

Beginning for the same at a point on the southerly right-of-way line of Reisterstown Road said point being 750 feet more or less northwesterly from the intersection of Reisterstown Road and Tobin Lane, and proceeding along said right-of-way N 48° 40' 16" W a distance of 150.00 feet; thence leaving said right-of-way and extending the three (3) following courses and distances.

- (1) S 41° 19' 49" W a distance of 150.00 feet
(2) S 48° 40' 16" E a distance of 150.00 feet
(3) N 41° 19' 44" E a distance of 150.00 feet to the point of beginning.

Containing 22,500 square feet.

DJD/kjc

November 30, 1982



REVISED PLANS

ST. #107

DEC 6 1982

CONSULTING ENGINEERS • SURVEYORS
(301) 787-1111

OFFICE COPY

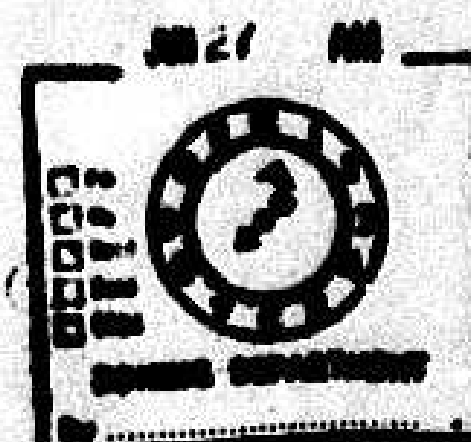
W.O.W. ASSOCIATES LIMITED PARTNERSHIP

GREATER WASHINGTON MARYLAND SERVICE STATION ASSOCIATION : IN THE
By its Executive Director :
WILLIAM SHOENAKER :
9200 Edmonston Road :
Suite 304 :
Greenbelt, Maryland 20770 : BALTIMORE COUNTY
and :
THOMAS WHITCOMB :
Painters Mill Amoco :
10231 Reisterstown Road : BOARD OF APPEALS
Owings Mills, Maryland 21117 :
and :
RICHARD GALEY :
Valley Amoco :
Reisterstown Road and :
Greenspring Valley Road :
Garrison, Maryland 21055 :
vs. :
BALTIMORE COUNTY ZONING :
COMMISSIONER :
Baltimore County Office of :
Planning & Zoning :
Towson, Maryland 21204 :

The Greater Washington Maryland Service Station Association by and through its Executive Director, William Shoemaker, an interested party, together with Thomas Whitcomb and Richard Galey, both Baltimore County taxpayers, nearby gasoline station dealers, and interested parties, all having participated at the hearing before the Zoning Commissioner and all feeling aggrieved by the decision of said Zoning Commissioner, do hereby jointly and severally appeal to the Baltimore County Board of Appeals in Case No. 83-208-XSPHA by and through their attorneys, Pfeiffer & Fabian, P.A. and David M. Thomas, Esquire, this Board being the appropriate body of appellate decision and the date of the aforesaid decision being June 2, 1983.

PFEIFFER & FABIAN, P.A.

BY: 19

DAVID M. THOMAS
Suite 200 - 13 Charles Plaza
Baltimore, Maryland 21201
382-0385PETITIONER'S
EXHIBIT 8a

HOURS OF OPERATION
Bays - 5:15 a.m. to 10:30 p.m. Monday thru Friday, 5:15 a.m. to 12 p.m. Saturday
Pumps - 5:15 a.m. to 10 p.m. Monday thru Friday, 5:15 a.m. to 12 p.m. Saturday
Bays - 24 hours
Pumps - 24 hours
Bays - 6:30 a.m. to 9 p.m. Monday thru Wednesday, 6:30 a.m. to 10 p.m. Thursday thru Saturday, 6:30 a.m. to 9 p.m. Sunday
Pumps - 6:30 a.m. to 9 p.m. Monday thru Wednesday, 6:30 a.m. to 10 p.m. Thursday thru Saturday, 6:30 a.m. to 9 p.m. Sunday

I HEREBY CERTIFY That on this ___ day of June, 1983, a copy of the foregoing Order for Appeal was mailed to William E. Raymond, Zoning Commissioner of Baltimore County c/o Baltimore County Office of Planning and Zoning, Towson, Maryland 21204.

DAVID M. THOMAS

SERVICE STATIONS WITHIN 1.5 MILES

BUSINESS	DISTANCE FROM SITE	TRAFFIC DIRECTION	TYPE OF SERVICE
1. Valley Amoco	.1 miles	Southbound	Full Service
2. Valley Sunoco	.1 miles	Northbound	Full Service
3. Painters Mill Amoco	1.1 miles	Northbound	Full Service
4. Taylor's Gulf	1.2 miles	Northbound	Full Service

SERVICE STATIONS WITHIN 1.5 MILES

BUSINESS	DISTANCE FROM SITE	TRAFFIC DIRECTION	TYPE OF SERVICE
5. Owings Hill Shell	1.3 miles	Northbound	Full Service

HOURS OF OPERATION
Bays - 7 a.m. to 5:30 p.m. Monday thru Friday, 8 a.m. to 4:30 p.m. Saturday, Sunday (every other week)
Pumps - 24 hours

IN THE MATTER OF THE APPLICATION OF :
W.O.W. ASSOCIATES :
LIMITED PARTNERSHIP :
FOR SPECIAL EXCEPTION, :
SPECIAL HEARING AND :
VARIANCE ON PROPERTY :
S/S REISTERSTOWN RD. 750' :
N. OF C/L OF TOBINS LANE :
3rd DISTRICT :

BEFORE :
COUNTY BOARD OF APPEALS :
OF :
BALTIMORE COUNTY :
NO. 83-208-XSPHA :

ORDER OF DISMISSAL

Petition of W.O.W. Associates Limited Partnership for a special exception for a food store in combination with a service station, a special hearing for approval of conversion from a full service gas station to gas and go by amending the site plan in case #2599 and variances from Sections 255.1 and 238.2 of the Baltimore County Zoning Regulations to permit a rear yard of 6 feet instead of the required 30 feet for the location of a storage room, vending machine area and electric room or property located on the south side of Reisterstown Road 750 feet north of the centerline of Tobins Lane, in the Third Election District of Baltimore County.

WHEREAS, the Board of Appeals is in receipt of a Letter of Withdrawal of Petition filed October 13, 1983, (a copy of which is attached hereto and made a part hereof) from the attorney representing the Petitioner in the above entitled matter, and

WHEREAS, the said attorney for the said Petitioner requests that the petition filed on behalf of said Petitioner be dismissed and withdrawn as of October 13, 1983.

IT IS HEREBY ORDERED this 18th day of October, 1983, that said petition be and the same is DISMISSED.

COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY

Keith S. Franz, Acting Chairman

Joanne M. Suder

Patricia Phipps

BE: PETITION FOR SPECIAL EXCEPTION : BEFORE THE ZONING COMMISSIONER
PETITION FOR SPECIAL HEARING :
PETITION FOR VARIANCE : OF BALTIMORE COUNTY
S/S of Reisterstown Rd., 750' :
N of the centerline of Tobins Lane, :
3rd District :
W.O.W. ASSOCIATES LIMITED : Case No. 83-208-XSPHA
PARTNERSHIP, Petitioner :

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
Peter Max Zimmerman
Deputy People's Counsel

John W. Hession, III
John W. Hession, III
People's Counsel for Baltimore County
Rm. 223, Court House
Towson, Maryland 21204
494-2186

I HEREBY CERTIFY that on this 18th day of February, 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 Petitioner and Racehac Petroleum, Inc., P. O. Box 105035, Atlanta, Georgia 30348, Contract Purchaser.

John W. Hession, III
John W. Hession, III

LAW OFFICES
GOLDMAN & FEDDER, P.A.

SUITE 200 CHARLES CENTER SOUTH
36 SOUTH CHARLES STREET
BALTIMORE, MARYLAND 21201-3150
(410) 752-1000

October 11, 1983

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

Re: Case No. 83-208-XSPHA
W.O.W. Associates Ltd. Partnership
S/S Reisterstown Road
750' N of the centerline of Tobins Lane

Gentlemen:

It would be appreciated if you would dismiss the above captioned matter which is currently scheduled for hearing on November 30, 1983 at 10:00 a.m.

Our client has sold the above captioned premises and no longer desires the special exception.

Thank you for your cooperation.

Sincerely yours,

Brian A. Goldman
Brian A. Goldman

BAG/pm

cc: David M. Thomas, Esquire

Recd. 10-13-83
12:22 PM

GREATER WASHINGTON MARYLAND
SERVICE STATION ASSOCIATION
and
THOMAS WHITCOMB
and
RICHARD GALEY
Plaintiffs
vs.
BALTIMORE COUNTY ZONING
Defendant

IN THE
COUNTY COURT
OF APPEALS
OF BALTIMORE COUNTY
Case No: 82-208-XSPHA

SUBPOENA DUCES TECUM

MR. CLERK:

Please issue Subpoena Duces Tecum for the following

witness:

TAL HONG HAN
c/o Hans Service Station
9634 Reisterstown Road
Garrison, Maryland 21055
(Baltimore County)

To appear and bring with him any and all documents pertaining to
the sale of motor fuel at Hans Texaco, 9634 Reisterstown Road,
Garrison, Maryland 21055.

RETURNABLE on the 30th day of November, 1983 at 10:00 A.M.,
Room 218, Court House, Towson, Maryland 21204.

COST \$ 0.00
PFEIFER & FABIAN, P.A.

BY:

DAVID M. THOMAS
Suite 200, 15 Charles Plaza
Baltimore, Maryland 21201
385-0385

Mr. Sheriff:

Please issue the above summons.

John Holman, Board of Appeals

I HEREBY CERTIFY That on this 15th day of June, 1983, a
copy of the foregoing Order for Appeal was mailed to William E.
Hammond, Zoning Commissioner of Baltimore County c/o Baltimore
County Office of Planning and Zoning, Towson, Maryland 21204.

DAVID M. THOMAS

GREATER WASHINGTON MARYLAND
SERVICE STATION ASSOCIATION
and
THOMAS WHITCOMB
and
RICHARD GALEY
Plaintiffs
vs.
BALTIMORE COUNTY ZONING
Defendant

IN THE
COUNTY COURT
OF APPEALS
OF BALTIMORE COUNTY
Case No: 82-208-XSPHA

SUBPOENA DUCES TECUM

MR. CLERK:

Please issue Subpoena Duces Tecum for the following

witness:

A. E. PRICE,
Revenue Administrator
Motor Fuel Inspection & Testing
Comptroller of the Treasury
P.O. Box 1751
State Treasury Building
Annapolis, Maryland 21404

To appear and bring with him any and all documents pertaining to
the sale of motor fuel at Hans Texaco, 9634 Reisterstown Road,
Garrison, Maryland 21055.

RETURNABLE on the 30th day of November, 1983, at 10:00
A.M., Room 218, Court House, Towson, Maryland 21204.

PFEIFER & FABIAN, P.A.

BY:

DAVID M. THOMAS
Suite 200, 15 Charles Plaza
Baltimore, Maryland 21201
385-0385

Mr. Sheriff:

Please issue the above summons.

John Holman, Board of Appeals

GREATER WASHINGTON MARYLAND
SERVICE STATION ASSOCIATION
and
THOMAS WHITCOMB
and
RICHARD GALEY
Plaintiffs
vs.
BALTIMORE COUNTY ZONING
Defendant

IN THE
COUNTY COURT
OF APPEALS
OF
BALTIMORE COUNTY
Case No: 82-208-XSPHA

SUBPOENA DUCES TECUM

MR. CLERK:

Please issue Subpoena Duces Tecum for the following:

J. EUGENE GOLL,
Re-Sale Marketing Representative
Texaco
3800 Pickett Road
Fairfax, Virginia 22031

To appear and bring with him any and all documents pertaining to
the sale of motor fuel at Hans Texaco, 9634 Reisterstown Road,
Garrison, Maryland, 21055.

RETURNABLE on the 30th day of November, 1983, at 10:00
A.M., Room 218, Court House, Towson, Maryland 21204.

PFEIFER & FABIAN, P.A.

BY:

DAVID M. THOMAS
Suite 200, 15 Charles Plaza
Baltimore, Maryland 21201
385-0385
Attorney for Plaintiff

Mr. Sheriff:

Please issue the above summons.

John Holman, Board of Appeals

THIS LEASE AGREEMENT made this 15th day of MAY
1981, by and between TRUCK TERMINAL, INC., a Maryland
corporation (hereinafter referred to as "Lessor") and TAL HONG
HAN (hereinafter referred to as "Lessee").

WITNESSETH:

That in consideration of the respective covenants,
conditions and agreements herein contained it is agreed
by and between Lessor and Lessee as follows:

1. That the Lessor hereby rents to the Lessee certain
premises known as 9700 Reisterstown Road, Baltimore County,
Maryland (formerly occupied by Texaco, Inc.) together with
all buildings, improvements and equipment thereon; and together
with all rights, alleys, ways and appurtenances there unto
belonging or in anywise appertaining; and together with all
Lessor's right, title and interest in and to all sidewalks,
alleys and street spaces abutting the leased premises (such
leased premises hereinafter referred to as "Premises").
2. The term of this Lease shall be for a period
of Five (5) years beginning on the 1st day of MAY
1981 and ending on the 30th day of APRIL, 1986, at a
rent of Nine Thousand Dollars (\$9,000.00) per year,
payable in advance, in equal monthly installments of
Seven Hundred Fifty Dollars (\$750.00) on the first day
of each month, on the terms, conditions and covenants, which
the parties hereto, for themselves, their respective successors,
and legal representatives, hereby agree to keep and perform.
3. Lessee shall use the Premises as a drive-in gasoline
filling and service station only, and shall not use nor
permit the use of the Premises for any other purpose.
4. Lessee further covenants to pay as and when due
any and all license and permit fees, taxes (other than

GREATER WASHINGTON MARYLAND
SERVICE STATION ASSOCIATION
By its Executive Director
WILLIAM SHOEMAKER
9200 Edmonston Road
Suite 304
Greenbelt, Maryland 20770
and
THOMAS WHITCOMB
Reister Mill Amoco
10231 Reisterstown Road
Owings Mills, Maryland 21117
and
RICHARD GALEY
Valley Amoco
Reisterstown Road and
Greenspring Valley Road
Garrison, Maryland 21055
vs.
BALTIMORE COUNTY ZONING
COMMISSIONER
Baltimore County Office of
Planning & Zoning
Towson, Maryland 21204

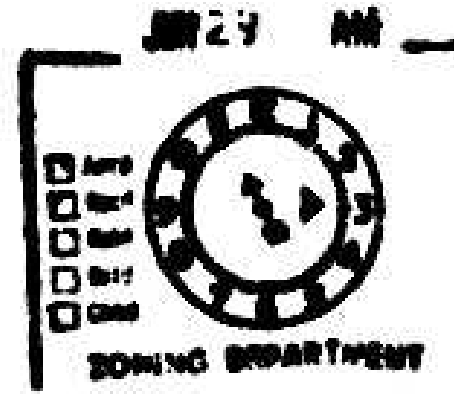
IN THE
COUNTY COURT
OF APPEALS
OF BALTIMORE COUNTY
BOARD OF APPEALS

ORDER FOR APPEAL

The Greater Washington Maryland Service Station Association
by and through its Executive Director, William Shoemaker, an
interested party, together with Thomas Whitcomb and Richard Gailey,
both Baltimore County taxpayers, nearby gasoline station dealers,
and interested parties, all having participated at the hearing
before the Zoning Commissioner and all feeling aggrieved by the
decision of said Zoning Commissioner, do hereby jointly and
severally appeal to the Baltimore County Board of Appeals in
Case No. 83-208-XSPHA by and through their attorneys, Pfeifer &
Fabian, P.A. and David M. Thomas, Esquire, this Board being the
appropriate body of appellate decision and the date of the afore-
said decision being June 2, 1983.

PFEIFER & FABIAN, P.A.

BY: DAVID M. THOMAS
Suite 200 - 15 Charles Plaza
Baltimore, Maryland 21201
385-0385



real and personal property taxes assessed on the Premises)
and other charges whatsoever incident to any equipment and
accessories installed or used on the said Premises or in the
conduct and operation of the business thereon, as well as
all charges for gas, electricity and other utilities. In
the event Lessee shall fail to pay any of the aforesaid
charges, Lessor may, but shall not be required to, pay such
charges, and any such charges paid by Lessor shall be destroyed
for and recovered as rent or Lessor may have recourse to any
other remedy allowed by law.

5. Lessee represents that he had examined and is
familiar with the condition of the Premises and the buildings
and equipment located thereon, and that the same are received
"AS IS," without warrant by the Lessor as to the condition
or repair thereof or as to their fitness for use as a drive-
in gasoline filling and service station. Lessee covenants
to maintain the Premises and the equipment located thereon
(including but not limited to all underground tanks, gasoline
pumps, air compressors, lifts and air towers) in good condition
and repair, ordinary wear and tear, excepted. Lessee shall,
during the term of this Lease or any renewal term hereof,
maintain fire, vandalism and extended coverage insurance, in
the name of Lessor, for the Premises with a good and solvent
insurance company in an amount equal to eighty percent (80%)
of the fully insurable value of the Premises. If Lessee
shall fail at any time to insure or maintain insurance as
aforesaid, Lessor may do all things necessary to effect or
maintain such insurance, and any moneys expended by Lessor
shall become immediately due and payable to Lessor from
Lessee and may be recovered by Lessor as additional rent.

6. Lessee shall neither do nor knowingly suffer to be
done any act, matter or thing whereby any policy of insurance
on the Premises shall become void, suspended or uncollectable

PFEIFER & FABIAN
EXHIBIT 10

or the amount of any insurance premium shall be increased. Lessee shall not use nor permit anyone else to use the Premises for any illegal or immoral purpose nor permit waste or nuisance thereon. Lessee covenants promptly to execute and comply with all statutes, ordinances, rules, orders, regulations and requirements of the Federal, State and City Governments and of any and all of their respective Departments and Bureaus applicable to said Premises, or to the operation thereof as a drive-in gasoline filling and service station; all of the foregoing to be at the Lessee's own cost and expense.

7. Lessee covenants to make no alterations, additions or changes in the Premises or the equipment thereon without first obtaining the written consent of the Lessor. Nothing contained in this Paragraph shall be deemed to release any obligation to be performed by Lessee pursuant to Paragraphs 5 and 6 hereof.

8. The Lessee covenants to save harmless and protect and indemnify the Lessor from and against any and all losses, damages, claims, suits or actions, judgments and costs, and reasonable attorney's fees which may arise or grow out of any injury to or death of any person or damage to any property, (including, but not limited to, Lessee and employees of Lessee and their property) which is caused by or connected with the use and possession of the Premises and equipment thereon by Lessee or by the operation of the business conducted by Lessee on the said Premises, including but not limited to any such injury, death or damage caused by any defect in or condition of the Premises and equipment thereon, whether latent or patent and whether now or hereafter existing. Lessee shall procure and maintain public liability and property damage insurance from an insurance company approved

-3-

17. If the Premises shall be destroyed or rendered untenable by fire or unavoidable accident, the tenancy hereby created shall be thereby terminated, and all liability for rent hereunder shall cease from payment proportionately to the day of such fire or unavoidable accident.

18. This Lease contains the entire agreement between the parties with respect to the subject matter hereof, and all prior negotiations are merged herein. It is agreed by the parties hereto that in the event any provision or provisions of the Lease shall be held void by any court of competent jurisdiction, the remaining provisions shall be given full force and effect as fully as if the provision or provisions so held void had not been included herein.

IN WITNESS WHEREOF the parties hereto have caused these presents to be executed the day and year first above written.

ATTEST:

TRUCK TERMINAL, INC.

M. J. Spitzer

BY: *M. J. Spitzer* (SEAL)
Vice-President
Lessor

WITNESS:

M. J. Spitzer

T. H. Long (SEAL)
Lessee

by Lessor in amount of not less than One Million Dollars (\$1,000,000.00) for injury or death of any person; Two Million Dollars (\$2,000,000.00) for injury or death of two or more persons; and Three Hundred Thousand Dollars (\$300,000.00) for damage to property, sustained or occurring on or in connection with the use and occupancy of the Premises. Lessee shall name Lessor as additional insured under the foregoing insurance coverage and shall furnish Lessor with proof satisfactory to Lessor that such insurance has been procured.

9. In the event of the condemnation of the whole or any part of the Premises, Lessee shall not be entitled to any part of any amount which may be awarded as damages for the taking of the property.

10. Lessor reserves the right to visit and inspect the Premises at any time, whether during business hours or not, and Lessor may, but shall not be required to, make additions, changes, alterations and repairs to the demised Premises and the equipment located thereon.

11. If Lessee shall default in the performance of any covenants contained in this Lease, Lessor may, in its absolute discretion and without being required to, perform such covenants and the cost of such performance may be distrained for and recovered as rent, or Lessor may have recourse to any other remedy allowed by law. Further, if Lessee's payment of rent shall be ten (10) days in arrears, the Lessor shall have the right to distrain for the same, and to re-enter and take possession of the Premises; and if Lessee shall violate any of the covenants on his part made herein, Lessor shall have the right without formal notice to re-enter and take possession of the Premises.

12. Upon termination of this Lease, whether by expiration in accordance with the provisions hereof

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CERTIFICATE OF POSTING
JUNIOR DEPARTMENT OF BALTIMORE COUNTY
TOWSON, MARYLAND

83-208-XSPHA

District: *3rd* Date of Posting: *2-19-83*
Posted by: *Spitzer, M. J. Spitzer, M. J. Spitzer, M. J. Spitzer*
Publication: *W. O. W. Association, Limited Partnership*
Location of property: *515 N. of R. 750' N. of the Centerville*
of L. H. Spitzer
Location of Sign: *515 N. of R. 750' N. of the Centerville*
7700 R. 750' N. of the Centerville
Remarks: _____
Posted by: *M. J. Spitzer* Date of return: *2-25-83*
Number of Signs: *1*

CERTIFICATE OF POSTING
JUNIOR DEPARTMENT OF BALTIMORE COUNTY
TOWSON, MARYLAND

83-208-XSPHA

District: *3rd* Date of Posting: *2-19-83*
Posted by: *Spitzer, M. J. Spitzer, M. J. Spitzer, M. J. Spitzer*
Publication: *W. O. W. Association, Limited Partnership*
Location of property: *515 N. of R. 750' N. of the Centerville*
of L. H. Spitzer
Location of Sign: *515 N. of R. 750' N. of the Centerville*
7700 R. 750' N. of the Centerville
Remarks: _____
Posted by: *M. J. Spitzer* Date of return: *2-25-83*
Number of Signs: *1*

or by cancellation or otherwise, Lessee shall peacefully and quietly quit and surrender the demised Premises to Lessor in as good condition as when received, ordinary wear and tear excepted. In the event Lessee shall fail to vacate the Premises upon the termination or cancellation of this Lease, Lessee consents that an attorney may appear for him in an action of ejectment, to be brought by Lessor in any court of competent jurisdiction for the recovery of the Premises and damages for the detention thereof and therein confess judgment against the Lessee, for which this Agreement (or a true copy thereof) shall be sufficient warrant; and Lessor may issue thereon all necessary writs or process for recovering possession of the Premises, with damages for detention (to be assessed in an amount equal to Forty Dollars (\$40.00) for each day the Premises are held over), and costs and reasonable attorney's fees. Neither termination or cancellation of this Lease, nor recovery of possession or damages as aforesaid, shall release the Lessee from the breach of any covenants herein contained or the obligation to pay any rent theretofore accrued. Lessee waives all right of appeal from a writ of error or certiorari to any judgment, order or decree that may be entered against Lessee by any court for rent, damages, possession or otherwise; and does further expressly waive the benefit of any and all stays of execution or exemptions from civil process under any law of any State or of the United States, now in force or hereinafter to be enacted; this waiver to extend to and be applicable to any and all proceedings or actions for recovery of possession, for damages or for rent, whether by distress or otherwise; and it is further expressly agreed that execution for possession, for damages, or otherwise, may issue upon any judgment entered in any proceeding hereon immediately upon the entry thereof; and Lessee expressly waives any right to notice

-5-

CERTIFICATE OF PUBLICATION

TOWSON, MD. February 17, 1983

THIS IS TO CERTIFY that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., on the 17th day of February, 1983, before the 17th day of February, 1983, appearing on the 17th day of February, 1983.

THE JEFFERSONIAN

Manager

Cost of Advertisement \$ *29.75*

required by any law, and agree that five (5) days' notice shall be sufficient.

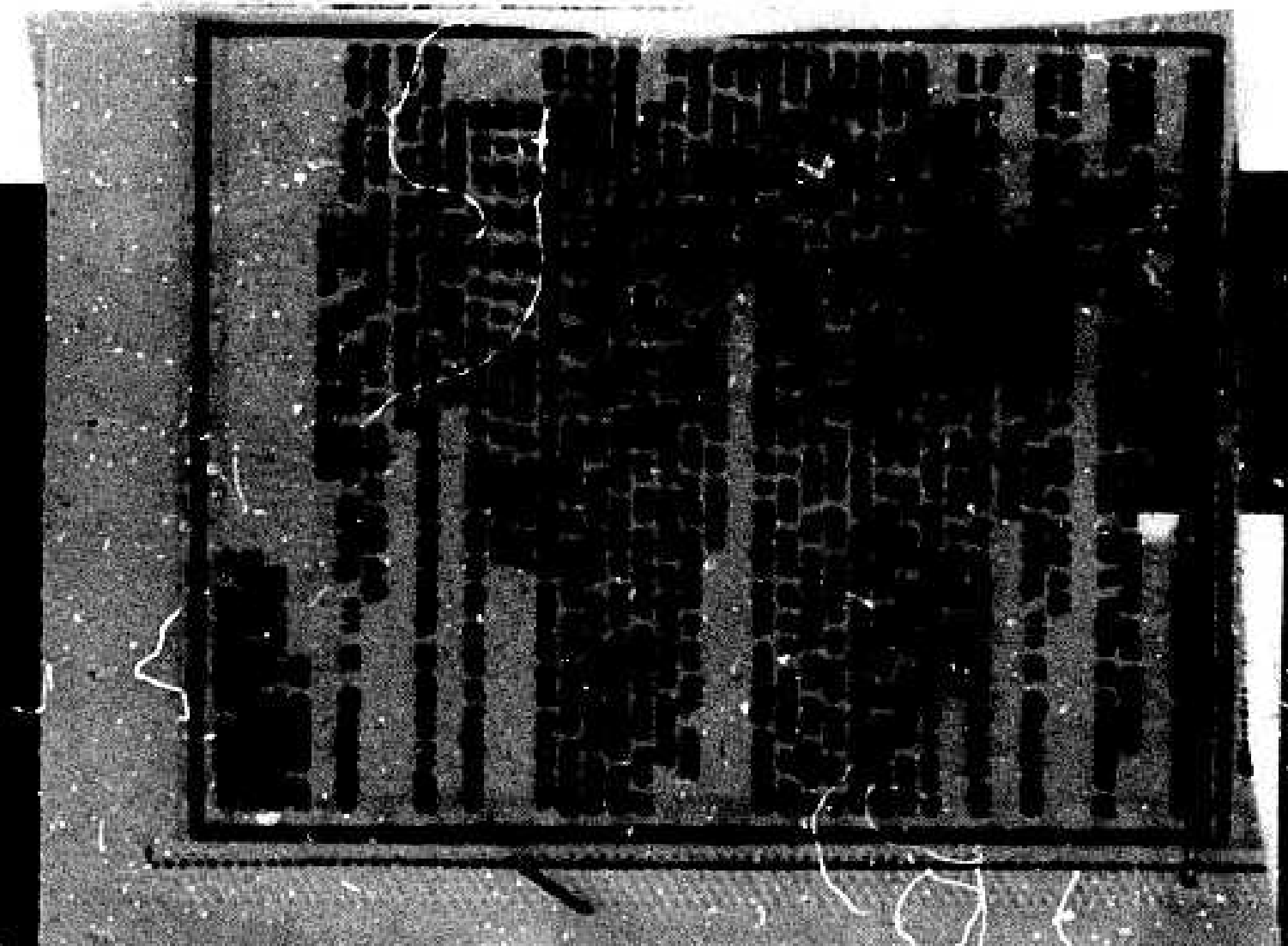
13. The terms, conditions and covenants of this Lease shall be binding upon and inure to the benefit of each of the parties hereto and their respective heirs, personal representatives, successors and assigns, and shall run with the land. Further, Lessee shall not assign, mortgage or otherwise encumber this Lease or the interest herein granted or permit the same to be encumbered, or sub-let the demised premises or any part thereof or admit any person to any interest therein, whether as a partner, associate or otherwise, without the written consent of Lessor first had and obtained. Any transfer by operation of law shall be deemed an assignment by Lessee.

14. No waiver of any breach of any covenant, condition or agreement herein contained shall operate as a waiver of the covenant, condition or agreement itself or any subsequent breach thereof. No notice hereunder shall be sufficient unless in writing, and, if to Lessor, sent by registered mail addressed to it at 910 Reisterstown Road, Baltimore, Maryland 21208 and, if to Lessee, sent by registered mail addressed to him at the Premises herein described. Lessor may change its address for notice by giving notice as provided in this Paragraph.

15. Lessee hereby agrees to pay to Lessor upon the execution of this Lease the first and twelfth months' rent due under this Lease, and Lessor hereby acknowledges receipt of the same.

16. The parties hereto agree that this Lease, with all of its provisions and covenants, shall continue in force from month to month after the expiration of the original term hereof, provided, however, that the parties hereto, or either of them can terminate the same at the end of ninety (90) days after the commencement of the original term hereof, or of any term thereafter, by giving at least ninety (90) days' previous notice thereof in writing.

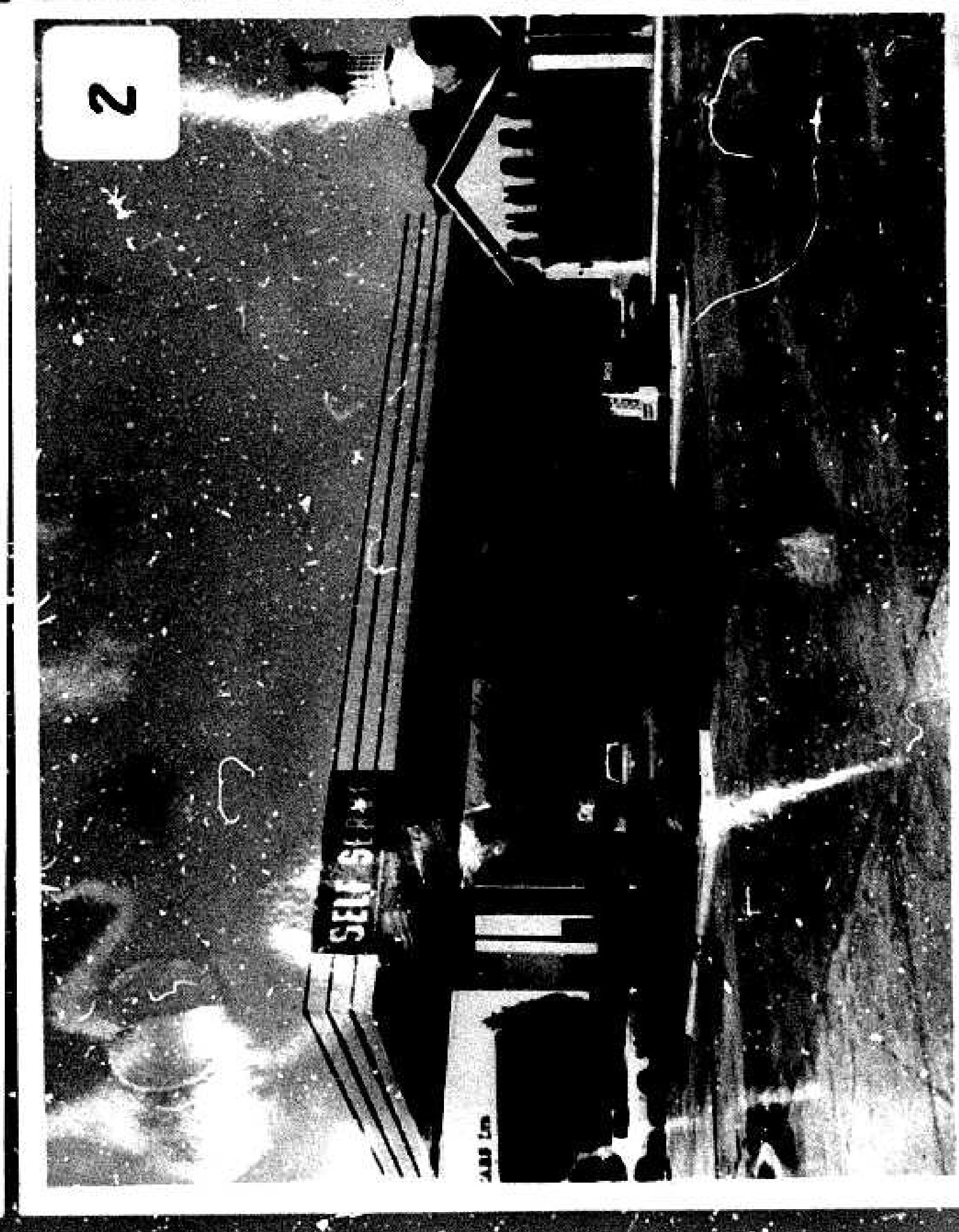
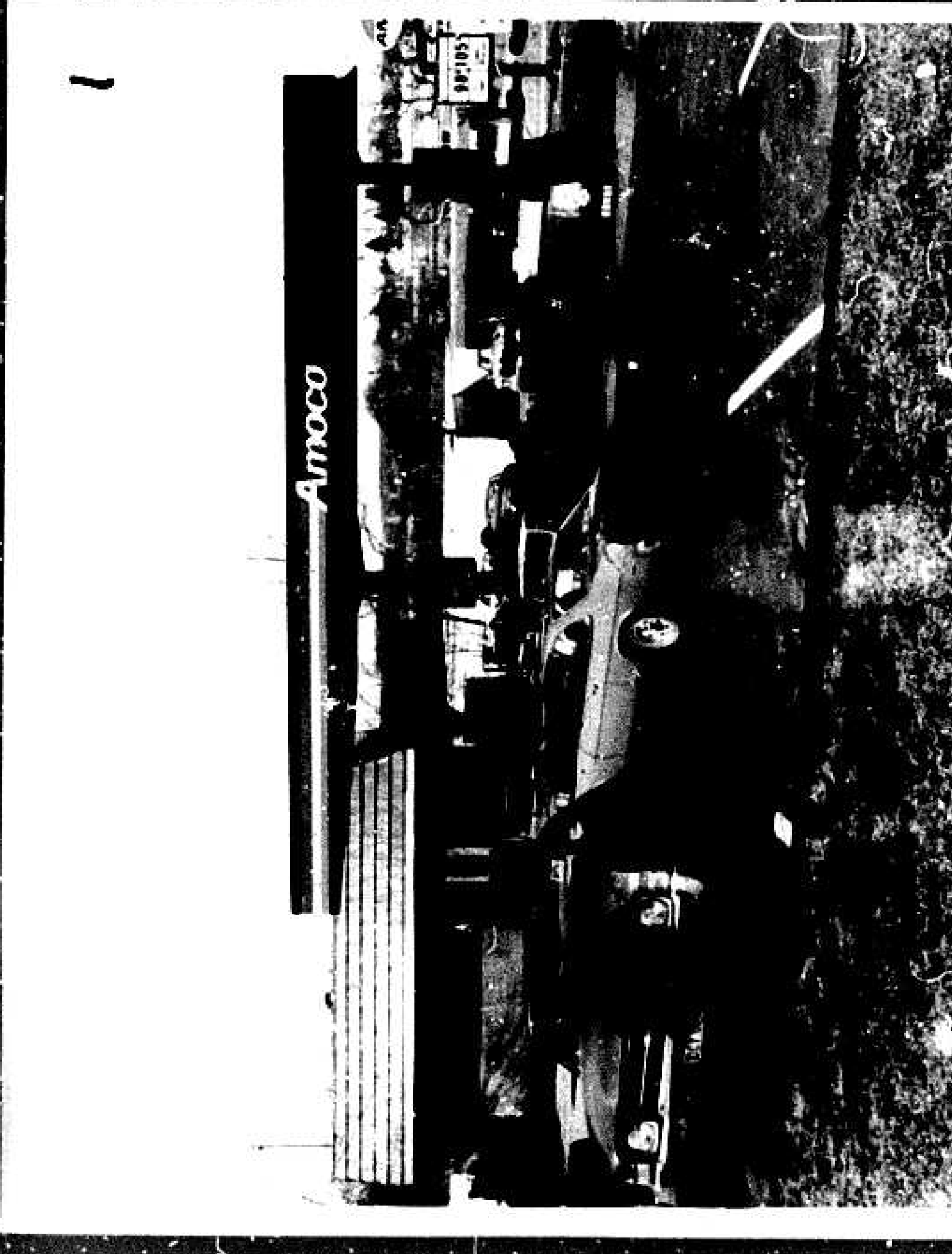
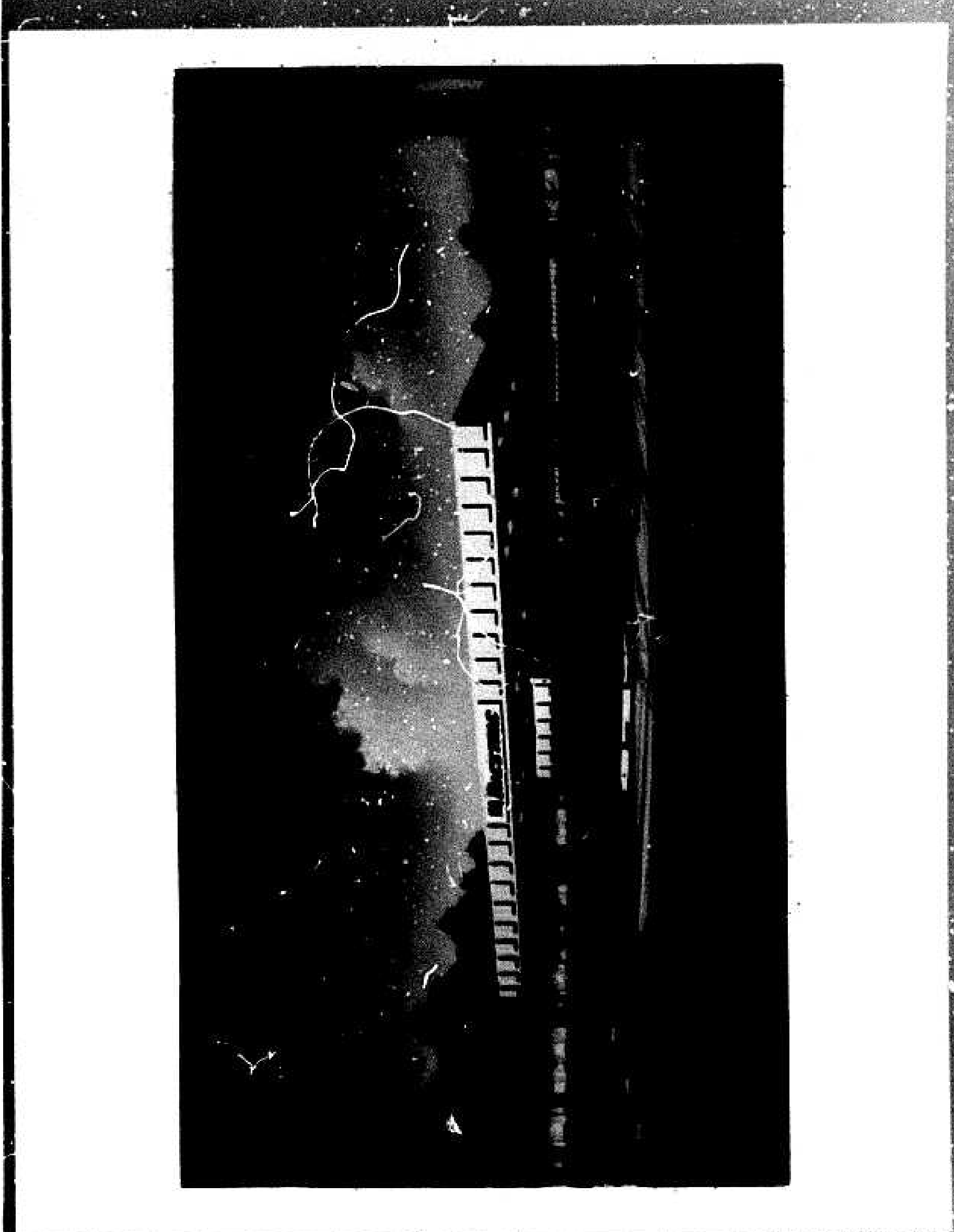
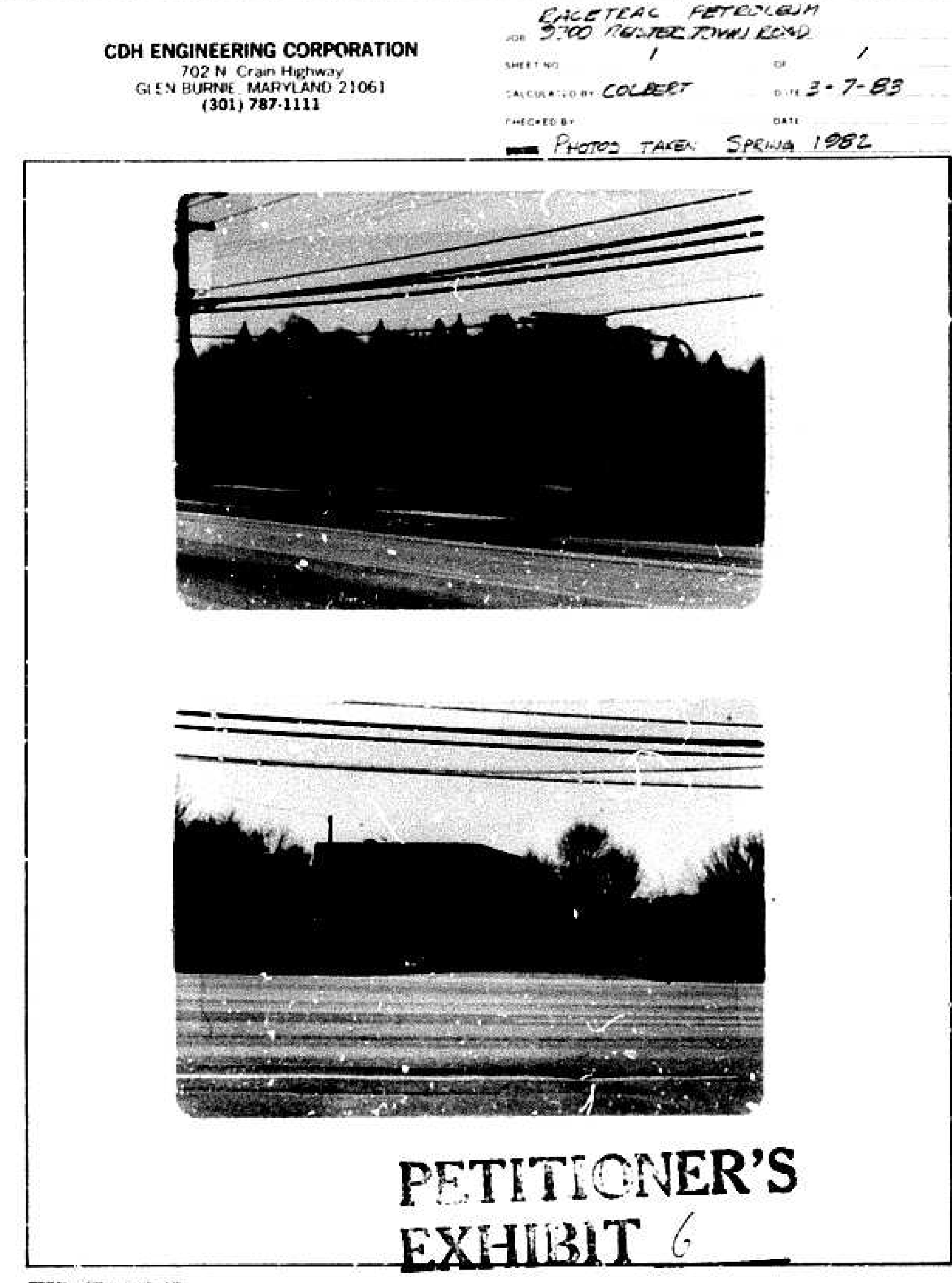
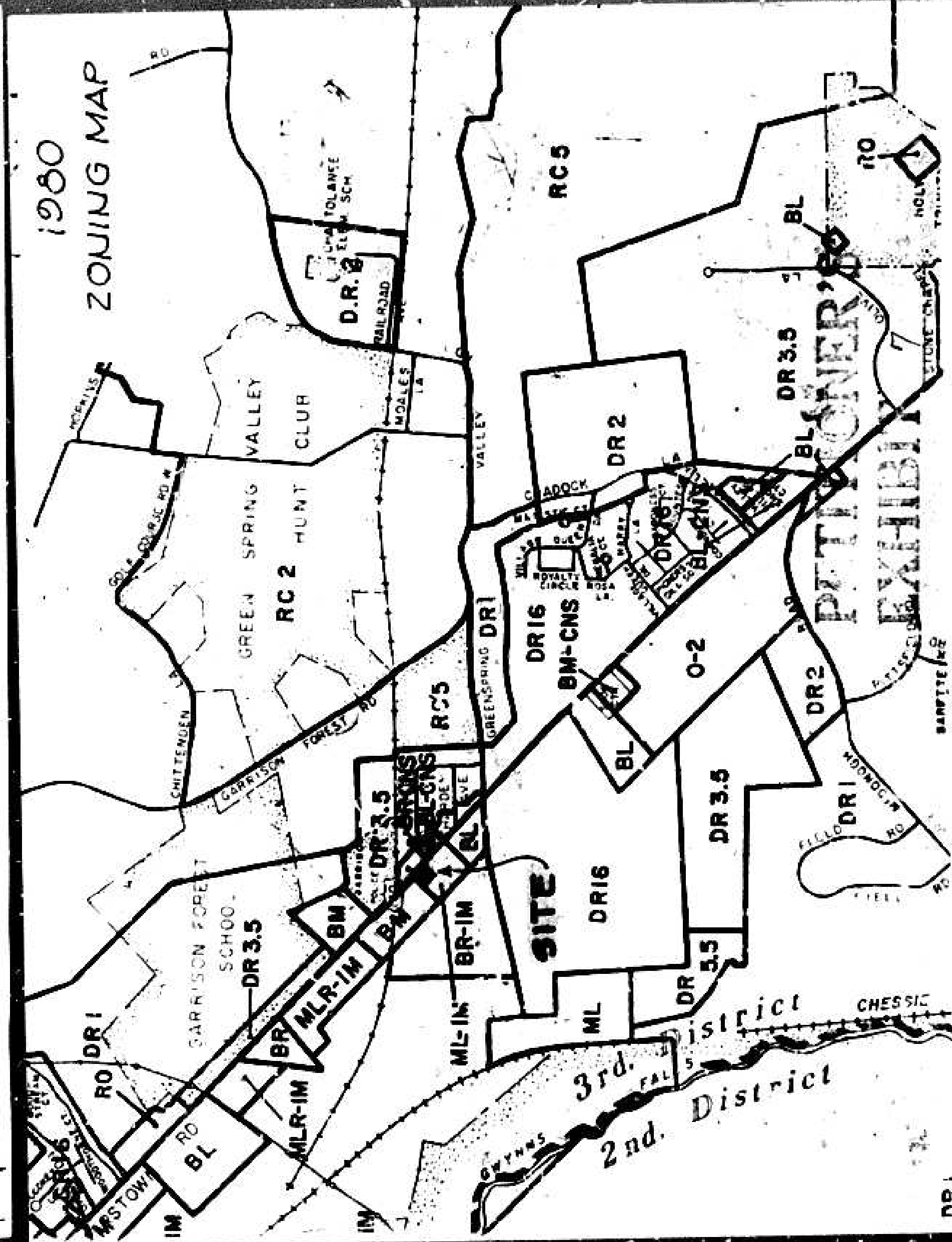
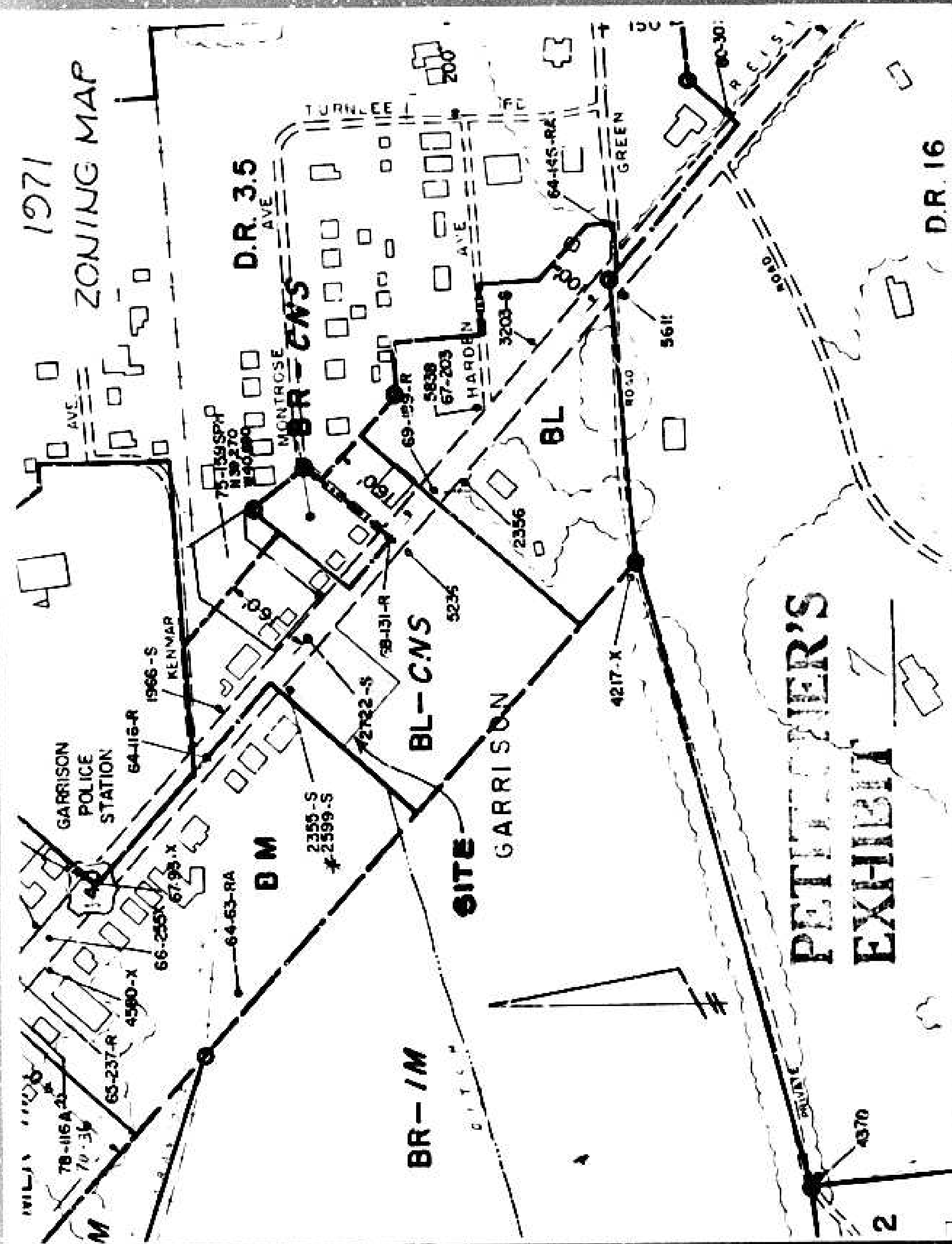
-6-



LANDMARK COMMUNITY NEWSPAPERS OF MARYLAND, INC.
Westminster, Md. Feb. 17, 1983.
THIS IS TO CERTIFY that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., on the 17th day of February, 1983, before the 17th day of February, 1983, appearing on the 17th day of February, 1983.

☐	Carroll County Times, a daily newspaper published in Westminster, Carroll County, Maryland
☐	South Carroll Herald, a weekly newspaper published in Eldersburg, Carroll County, Maryland
☐	Community Times, a weekly newspaper published in Frederick, Baltimore County, Maryland

For: *Spitzer, M. J. Spitzer, M. J. Spitzer, M. J. Spitzer*



2nd District

5/5 of Baltimore Rd., 750' N of c/l of
Tobacco Lane

W.O.W. Associates Ltd. Partnership

1 SIGN

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

No. 119405

DATE 7/1/83 ACCOUNT R-61-615-000

AMOUNT \$255.00

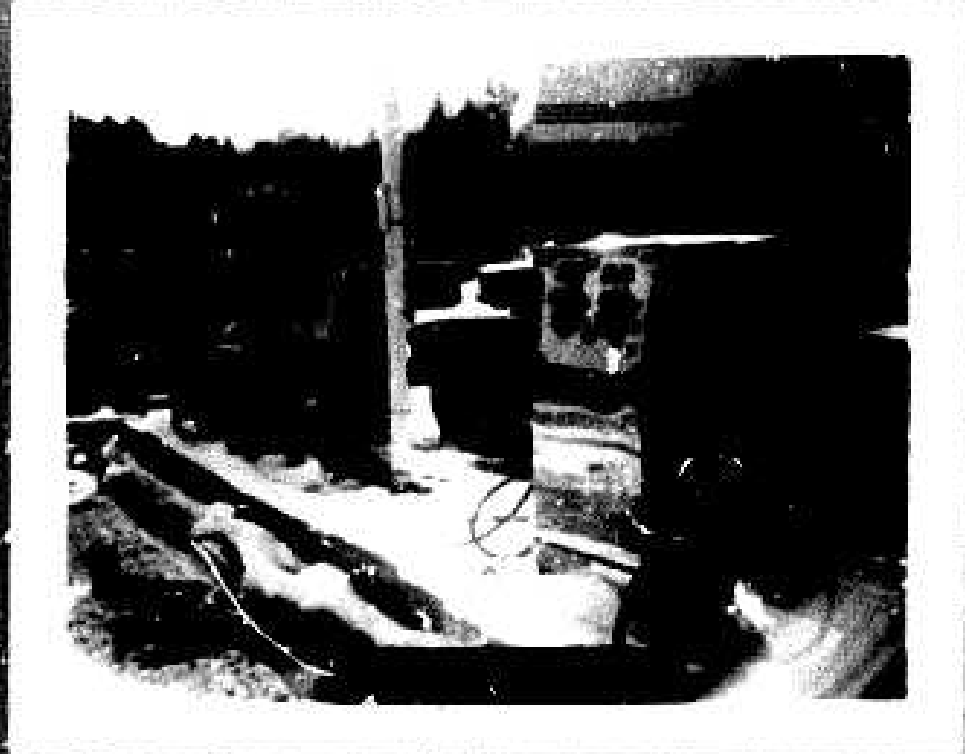
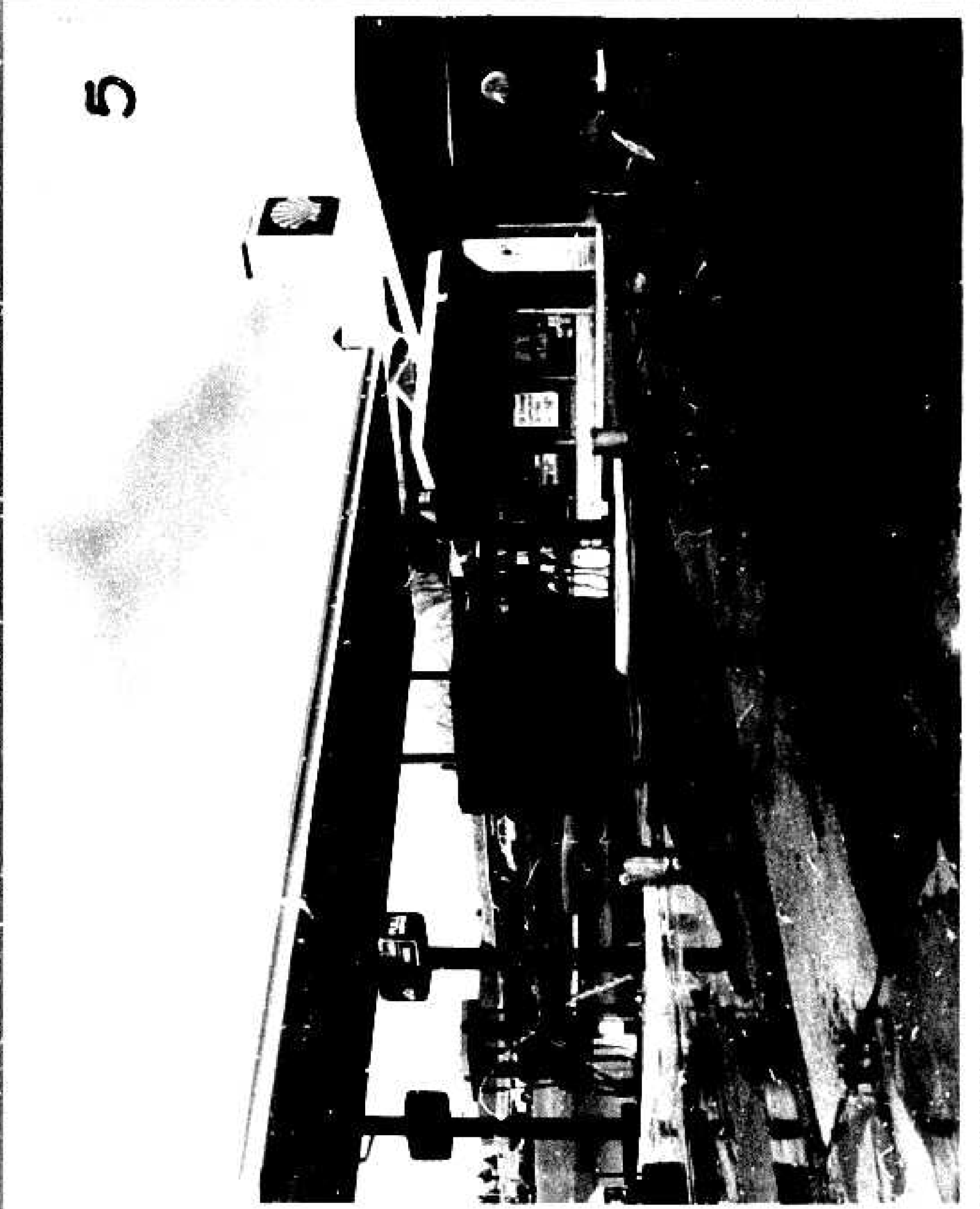
RECEIVED FROM David M. Thomas, Esquire

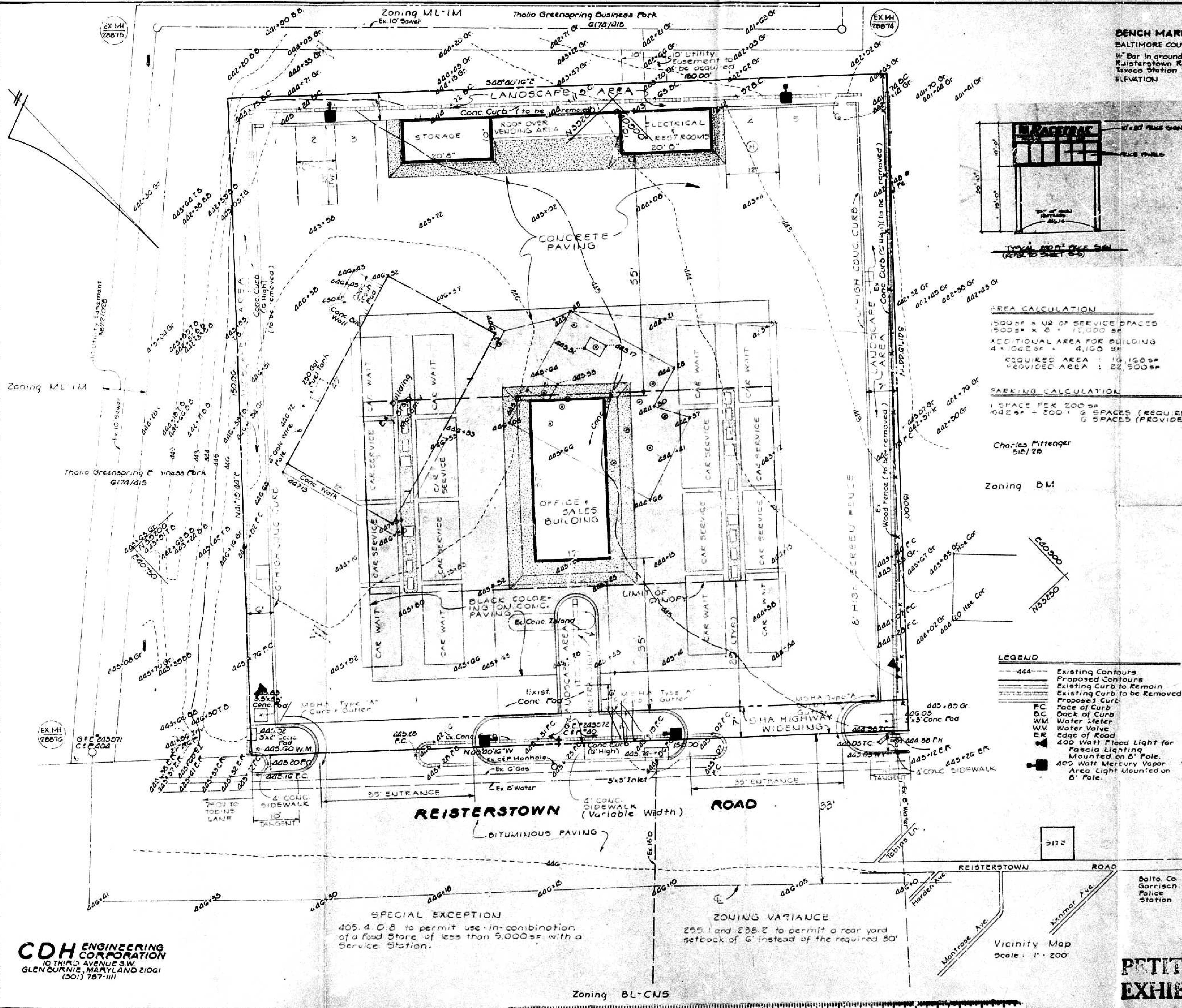
FOR Appeal Fee on Case #83-208-XSPHA

(Signature)

8 05400002550610 0010A

VALIDATION OR SIGNATURE OF CASHIER





BENCH MARK
BALTIMORE COUNTY 12750
W. Bar In ground on West side of
Reisterstown Road opposite
Taxaco Station
ELEVATION 445.75

VICINITY MAP Scale: 1"=200'

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 increase in 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 shows 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. Standards & Specifications.
- All existing site features not being retained shall be removed and disposed of at a Baito, 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 limits of the project shall be covered with an impervious material and adequately anchored to prevent discharge of sediment laden runoff.
- Standard MSHA Handicap Ramp to be provided at all entrances.
- Placement of 3/4" (fill material is to be placed in 3" thick loose clean sand compacted to 90% density under parking surface to be 10.00' density. Compaction shall be determined by ASTM D-1557 (Modified Proctor). Any fill within building area is to be compacted to a minimum of 95%.

* Note: 12 dual dispensers & 2 single dispensers capable of serving 8 vehicles.

LEGEND

- 444 --- Existing Contours
- Proposed Contours
- Existing Curb to Remain
- Existing Curb to be Removed
- Proposed Curb
- FC Face of Curb
- DC Back of Curb
- WM Water Meter
- WV Water Valve
- ER Edge of Road
- 400 Watt Flood Light for Fascia Lighting Mounted on 8' Pole
- 400 Watt Mercury Vapor Area Light Mounted on 8' Pole

SITE ANALYSIS

- ZONING: ML-1M
- AREA OF PARCEL: 22,500 sq ft
- DISTURBED AREA: 22,500 sq ft
- AREA TO BE PAVED: 19,158 sq ft
- AREA OF BUILDING: 10,428 sq ft
- LANDSCAPE AREA: 1,250 sq ft (5% OF TOTAL SITE AREA) PROVIDED: 2,300 sq ft (10.2% PROVIDED)
- GASOLINE PUMP SPACES: 6
SERVICING SPACES: 6
WAITING SPACES: 6
- WATERSHED: 27
- SEWERED: 65
- CENSUS TRACT: 4037.02
- COUNCILMANIC DISTRICT: 588
- PREDOMINANT SOIL TYPE: COA: CAPTAIN SILT LOAM, 0-3% SLOPES
- EXISTING USE: GASOLINE & SERVICE STATION
- PROPOSED USE: GASOLINE SALES

SITE PLAN
RACETRAC PETROLEUM, INC.

9700 REISTERSTOWN ROAD
Third District
Scale: 1"=10'

Deed Reference: 3166/296

DEC 6 1982

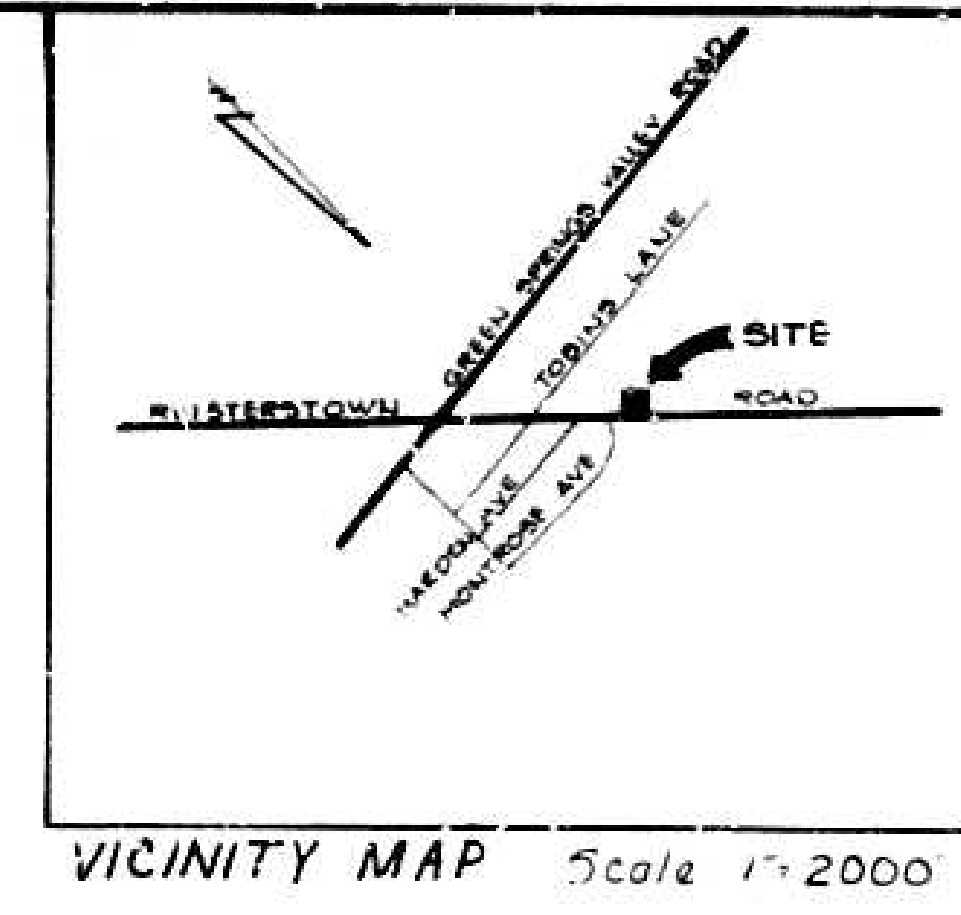
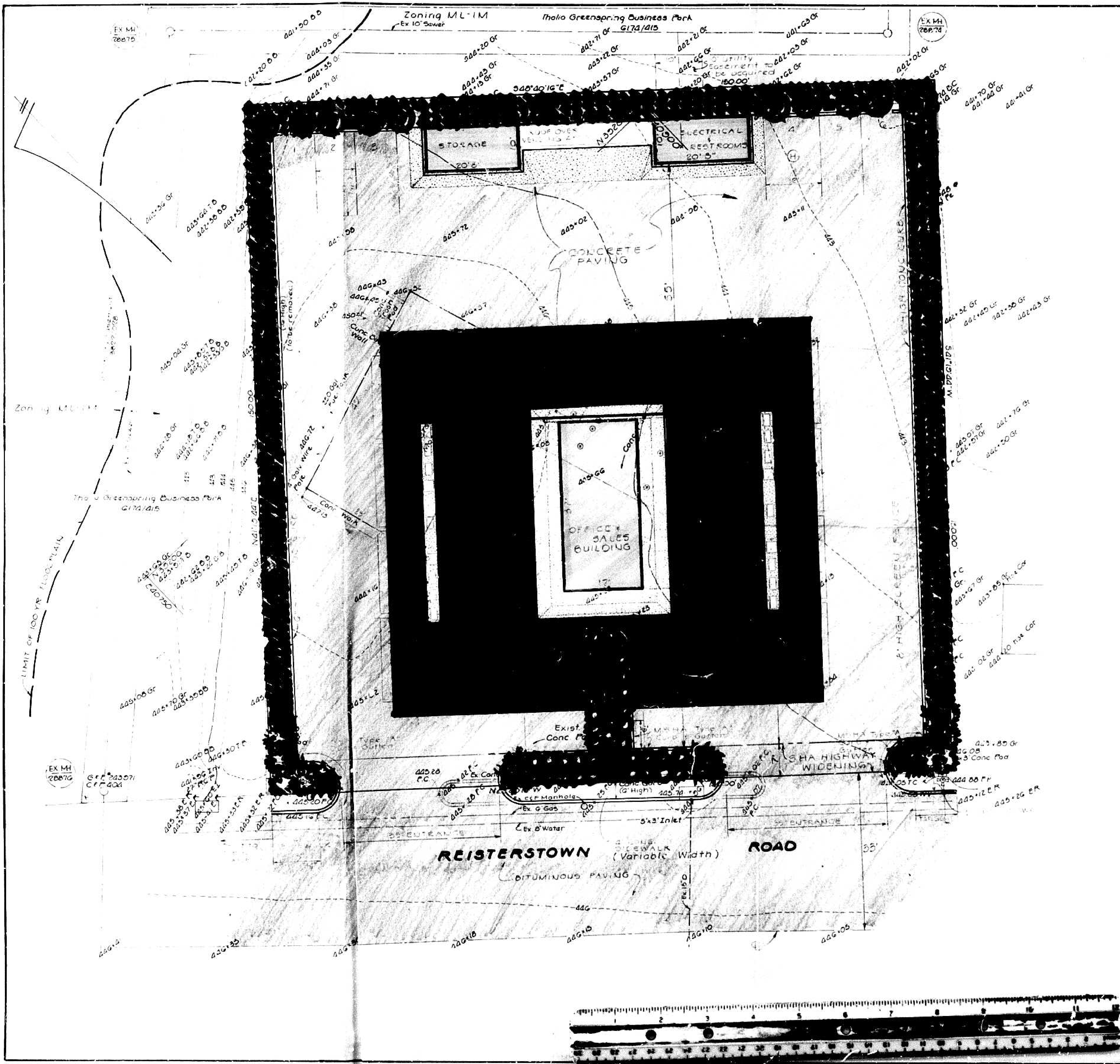
NOV 23 1982
NOV 30 1982

REVISED PLANS

PETITIONER'S EXHIBIT

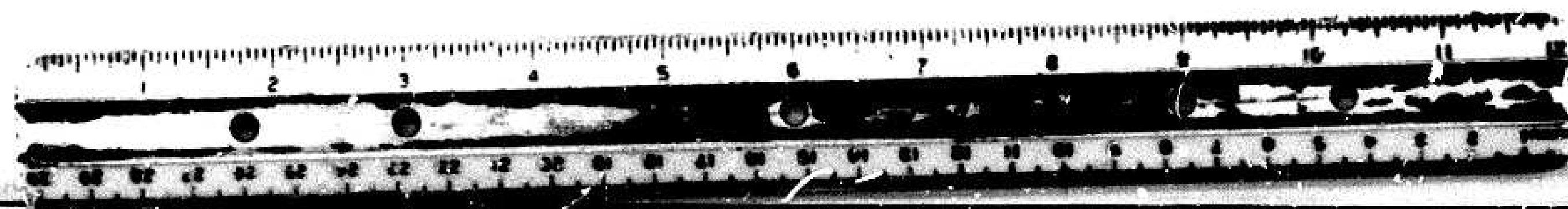
CDH ENGINEERING CORPORATION
10 THIRD AVENUE S.W.
GLEN BURNIE, MARYLAND 21061
(301) 787-1111

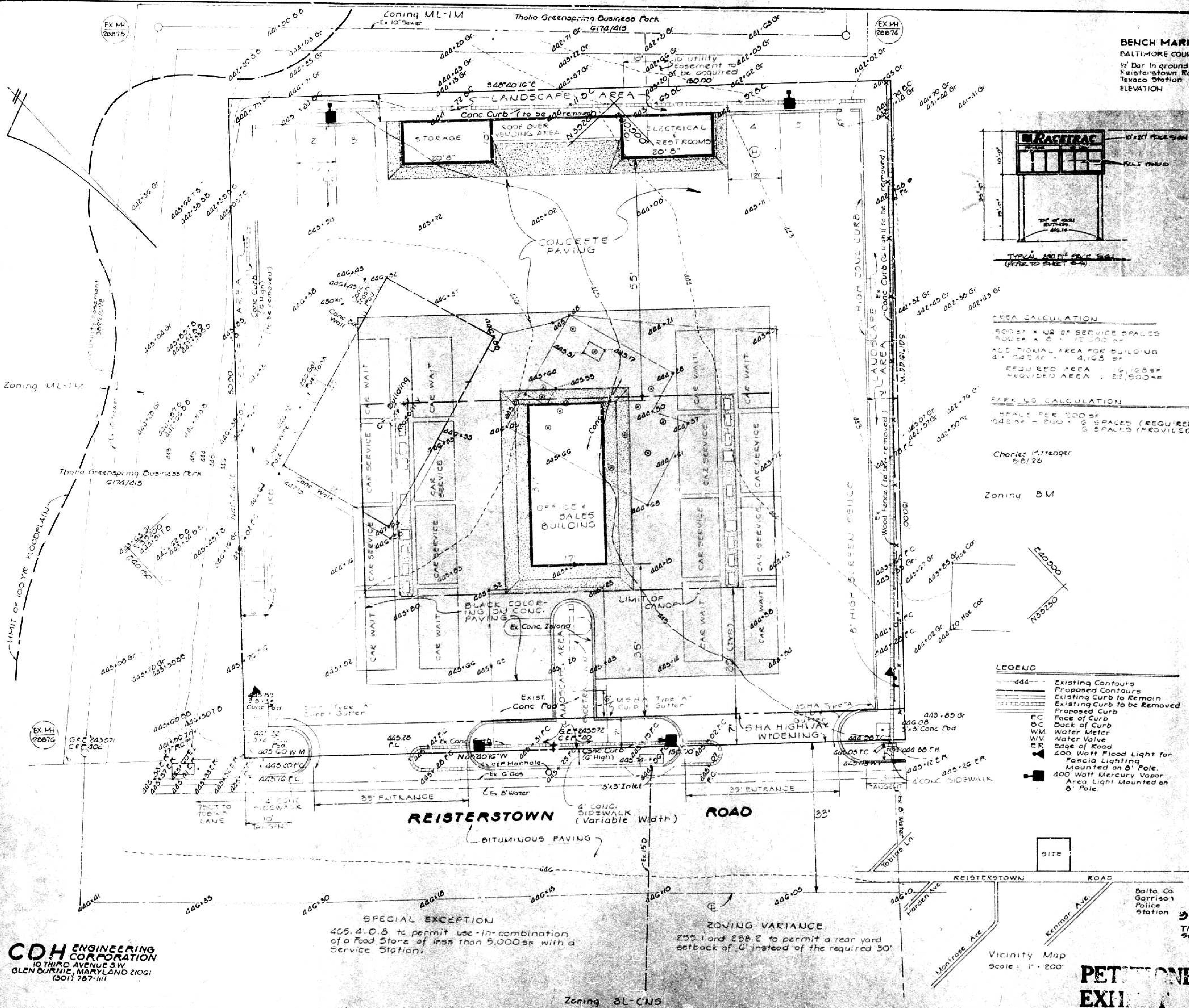
Zoning BL-CNS



PETITIONER'S EXHIBIT 9

SITE PLAN
RACETRAC PETROLEUM, INC.
9700 REISTERSTOWN ROAD
 Third District Baltimore County, Md
 Scale 1" = 10' October 29, 1982
 Deed Reference: BIGG/236





BENCH MARK
BALTIMORE COUNTY 12750
1/4" Bar In ground on West side of
Reisterstown Road opposite
Taxaco Station
ELEVATION 445.75

VICINITY MAP Scale: 1"=200'

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 each 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 High 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. Standards & Specifications.
- All existing site features not being retained shall be removed and disposed of at Baltimore Co. approved location.
- Provide reverse slope gutter in those locations so noted.
- Existing utilities have been located 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 MSHA Landscaping to be provided at all entrances.
- Placement of all fill material is to be placed in 4" thick loose courses and compacted. Compaction under parking surface to be to 95% density. Compaction to be determined by ASTM D-1557 (Modified Proctor). Any fill within building area is to be compacted to a minimum 95%.

* Note: 12 dual dispensers & 2 single dispensers capable of serving 3 vehicles.

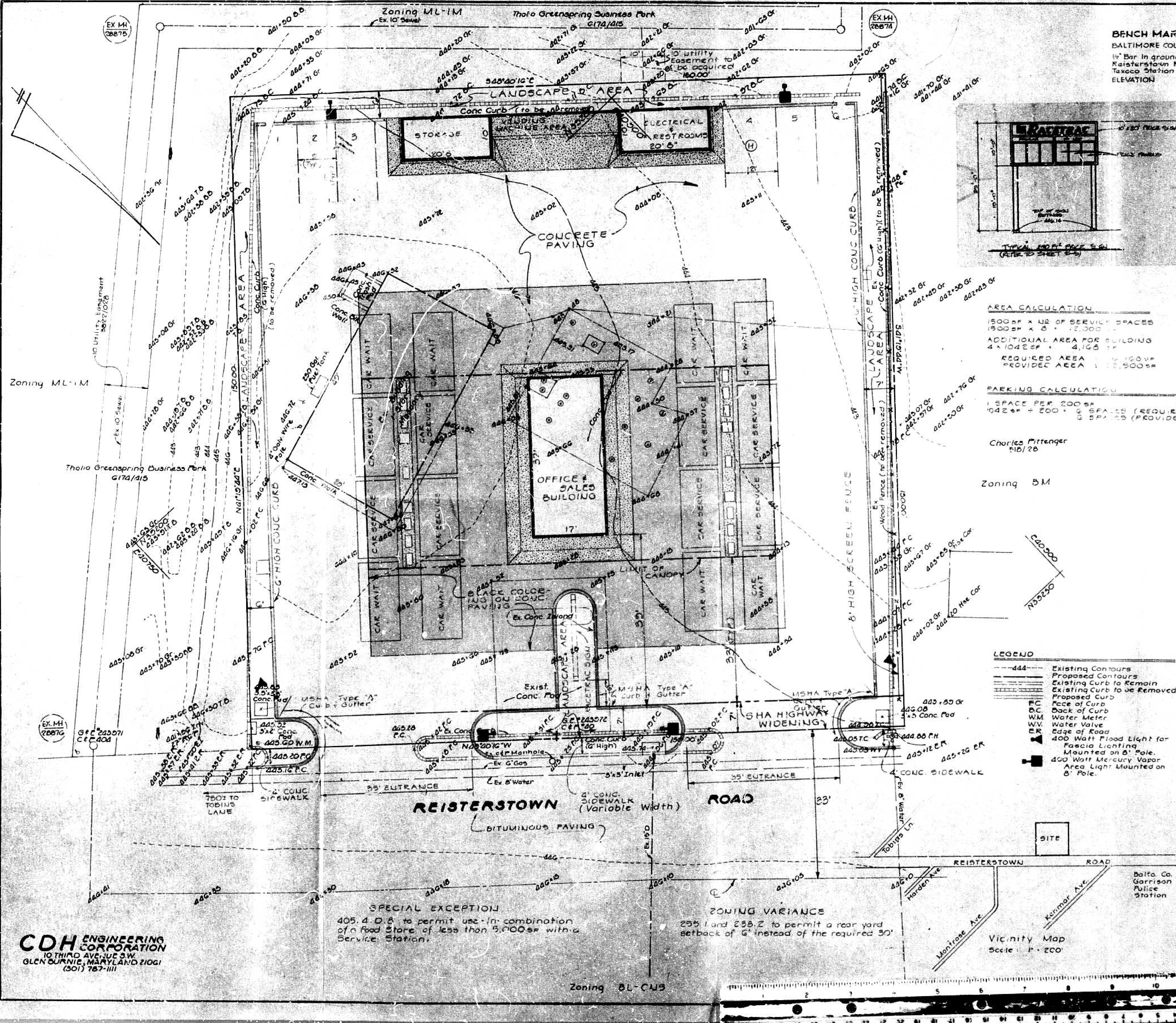
- SITE ANALYSIS**
- ZONING: ML-1M
 - AREA OF PARCEL: 22,500 SF
 - DISTURBED AREA: 22,500 SF
 - AREA TO BE PAVED: 15,150 SF
 - AREA OF BUILDING: 1,000 SF
 - LANDSCAPE AREA: 1,000 SF
 - GASOLINE PUMP SPACES: 12 SPACES (REQUIRED)
 - GASOLINE PUMP SPACES: 12 SPACES (PROVIDED)
 - WATER SEWER: 27' DIA. (REQUIRED)
 - WATER SEWER: 27' DIA. (PROVIDED)
 - CENSUS TRACT: 4037.02
 - COUNCILMANIC DISTRICT: 388
 - PREDOMINANT SOIL TYPE: CQA (CAPTINA SILT LOAM, 0-5% SLOPES)
 - EXISTING USE: GASOLINE & SERVICE STATION
 - PROPOSED USE: GASOLINE SALES

SITE PLAN
RACETRAC PETROLEUM, INC.
9700 REISTERSTOWN ROAD
Third District
Scale: 1"=10'
Baltimore County, Md.
October 29, 1982

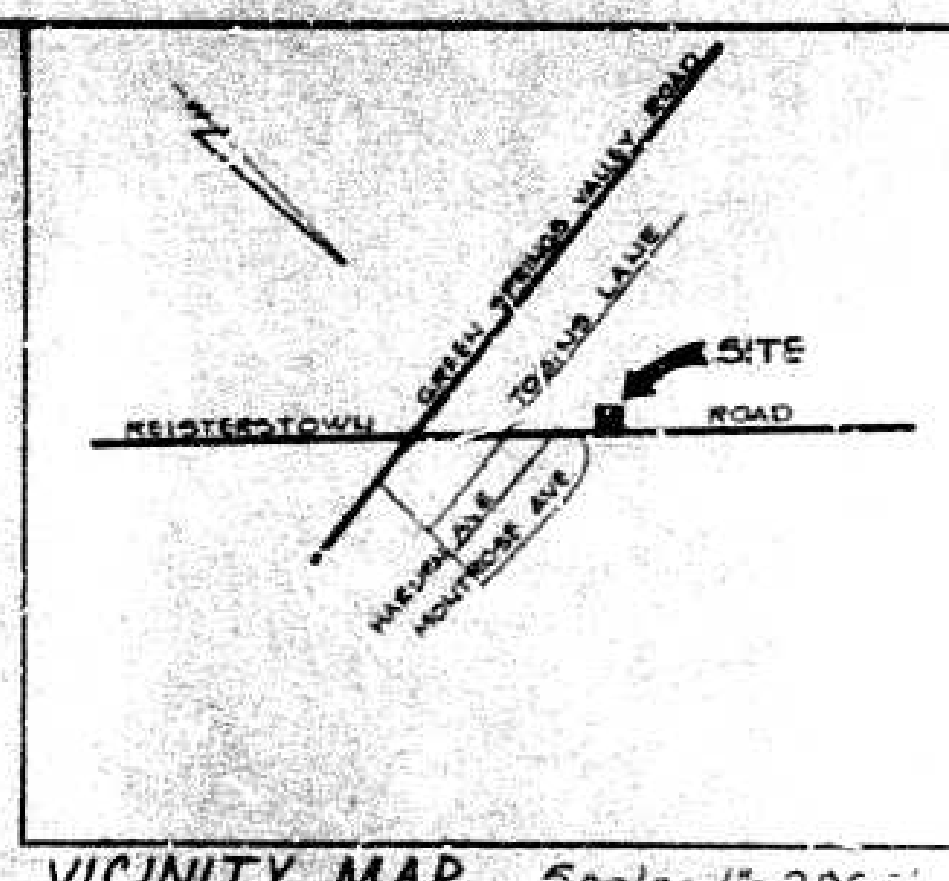
Deed Reference: 3166/236
Rev. NOV. 23, 1982
NOV. 20, 1982
March 9, 1983

CDH ENGINEERING CORPORATION
10 THIRD AVENUE S.W.
GLEN BURNIE, MARYLAND 21061
(301) 767-1111

PETITIONER'S EXHIBIT 1a



BENCH MARK
BALTIMORE COUNTY 12700
1/4" Bar in ground on West side of
Reisterstown Road opposite
Texaco Station
ELEVATION 445.75



- GENERAL NOTES**
1. It shall be distinctly understood that failure to mention specifically any work which shall normally be required to complete the project shall not relieve the contractor of his responsibility to complete such work.
 2. 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.
 3. Give (5) working days before starting work shown on these drawings the contractor shall notify Miss Utility (301) 559-0100.
 4. See sheet 2 of 2 for LANDSCAPE PLAN.
 5. Work performed within a public R/W shall be in accordance with applicable State of Md. Standards & Specifications.
 6. All existing site features not being retained shall be removed and disposed of at a Baltimore approved location.
 7. Provide reverse slope gutter pan in those locations as noted.
 8. 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.
 9. 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.
 10. Any material stockpiled outside the delineated limits of disturbance shall be covered with an impervious material and adequately anchored to prevent displacement and sediment laden runoff.
 11. Standard MSHA Rimpac Ramp to be provided at all entrances.
 12. Placement of all fill material is to be placed in 8" thick loose courses and compacted. Compaction under parking surface 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%.

AREA CALCULATION
500 SF x 12 OF SERVICE SPACES
500 SF x 8 = 4,000 SF
ADDITIONAL AREA FOR BUILDING
4 x 1042 SF = 4,168 SF
REQUIRED AREA = 8,168 SF
PROVIDED AREA = 8,500 SF

PARKING CALCULATION
1 SPACE PER 200 SF
1042 SF ÷ 200 = 5 SPACES (REQUIRED)
8 SPACES (PROVIDED)

Charles Pittenger
R10/20

Zoning BM

- LEGEND**
- 444--- Existing Contours
 - Existing Curb to Remain
 - Existing Curb to be Removed
 - FC Face of Curb
 - BC Back of Curb
 - WM Water Meter
 - WV Water Valve
 - ER Edge of Road
 - 400 Watt Flood Light for Fascia Lighting Mounted on 8' Pole
 - 400 Watt Mercury Vapor Area Light Mounted on 8' Pole

- SITE ANALYSIS**
1. ZONING: ML-1M
 2. AREA OF PARCEL: 22,500 SF
 3. DISTURBED AREA: 22,500 SF
 4. AREA TO BE PAVED: 12,168 SF
 5. AREA OF BUILDING: 1042 SF
 6. LANDSCAPE AREA: 1,128 SF (5% OF TOTAL SITE AREA) PROVIDED: 2,500 SF (10.2% PROVIDED)
 7. GASOLINE PUMP SPACES: 8
 8. WAITING SPACES: 2
 9. WATERSEED: 27
 10. SEWERED: 27
 11. COUNCILMANIC DISTRICT: 282
 12. COUNCILMANIC DISTRICT: 282
 13. FREDDOMATE SOIL TYPE: C&A: CAPTINA SILT LO.M. 0-3% SLOPES
 14. EXISTING USE: GASOLINE & SERVICE STATION
 15. PROPOSED USE: GASOLINE SALES

SITE PLAN
RACETRAC PETROLEUM, INC.
9700 REISTERSTOWN ROAD
Third District
Scale: 1" = 10'
Baltimore County, Md.
October 23, 1982.
Deed Reference: 3166/256
Rev: NOV. 23, 1982.

CDH ENGINEERING CORPORATION
10 THIRD AVENUE SW
GLEN BURNIE, MARYLAND 21061
(301) 767-1111

SPECIAL EXCEPTION
405.4 D.5 to permit use in combination of a Food Store of less than 5,000 SF with a Service Station.

ZONING VARIANCE
235 Land 288.2 to permit a rear yard setback of 6' instead of the required 30'

Zoning BL-CUS



178-82-1460

178-82 9-1388

4-8-82

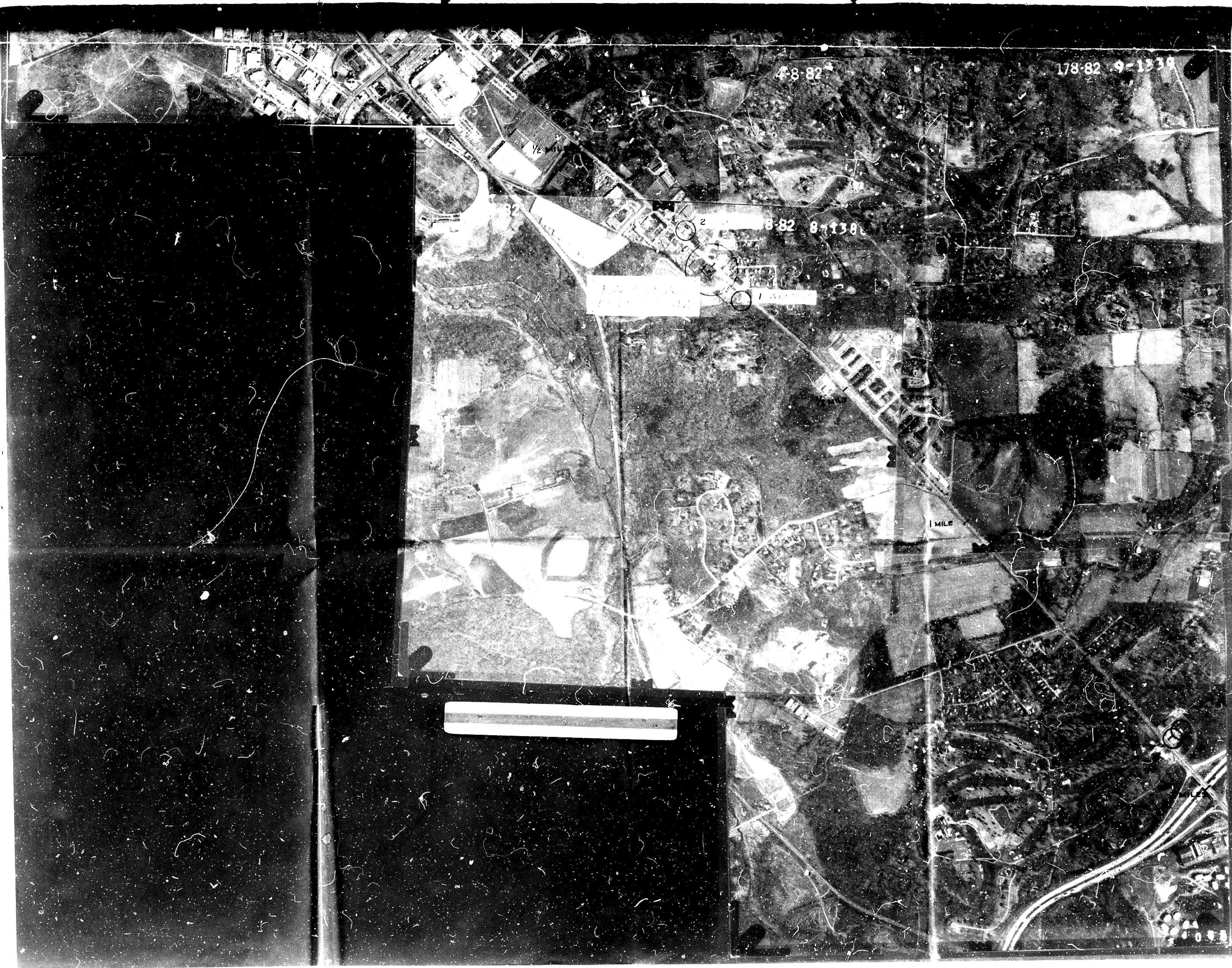
178-82 9-1339

8-82 8-1386



1 MILE

1 MILE



4-8-82

178-82 9-1339

8-82 8-138

1 MILE