

PETITION FOR SPECIAL EXCPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property 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 store (less than 5,000 SF) in combination with a service station under Section 405.4 DB.

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 for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Lessee
Contract Purchaser:
Shell Oil Company
(Type or Print Name)
Signature
5565 Sterrett Place
Address
Columbia, Maryland 21044
City and State
Attorney for Petitioner:
(Type or Print Name)
Signature
11433 Old Cabin Road
Address
St. Louis, Missouri 63141
City and State
Name, address and phone number of legal owner, contract purchaser or representative to be contacted:
Lyon Associates, Inc. (Michael G. Kohn)
7131 Rutherford Road
Baltimore, Maryland 21207 944-9112
Address Phone No.

ORDERED By The Zoning Commissioner of Baltimore County, this 21st day of February, 1984, 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 23rd day of April, 1984, at 11:15 o'clock A.M.

Arnold Jablon
Zoning Commissioner of Baltimore County

E.C.3-1 (over)

PETITION FOR SPECIAL EXCPTION

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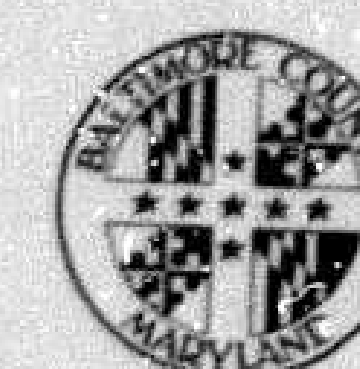
Arnold Jablon
Zoning Commissioner of Baltimore County

E.C.3-1 (over)

BALTIMORE COUNTY

ZONING PLANS

ADVISORY COMMITTEE



PETITION AND SITE PLAN

EVALUATION COMMENTS

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Zoning Commissioner
FROM: Norman E. Gerber, Director, Office of Planning and Zoning
SUBJECT: Baltgem Development Corp., et al
84-274-2

Assuming compliance with the comments of the Division of Current Planning and Development's representative on the Zoning Plans Advisory Committee, this office is not opposed to the granting of this petition.

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

NEG/JGH/sf

Mr. Stanley E. Rosenwald
Baltgem Development Corp.,
11433 Old Cabin Road
St. Louis, Missouri 63141

cc: LYN Associates, Inc.
7131 Rutherford Road
Baltimore, Maryland 21207

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your petition has been received and accepted for filing this 21st day of February, 1984.

Arnold Jablon
Zoning Commissioner
Received by: Nicholas B. Commodari
Chairman, Zoning Plans
Advisory Committee

Petitioner: Baltgem Development Corp., et al
Petitioner's Attorney

BALTIMORE COUNTY DEPARTMENT OF HEALTH

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

Zoning Item # 217, Zoning Advisory Committee Meeting of Feb 21, 1984
Property Owner: Baltgem Development Corp., et al
Location: 115 Eastern Ave District 15
Water Supply: public Sewage Disposal: public

COMMENTS ARE AS FOLLOWS:

- () 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 review and approval.
- () Prior to new installation/s of fuel burning equipment, the owner should contact the Division of Air Pollution Control, 134-3775, to obtain requirements for such installation/s before work begins.
- () A permit to construct from the Division of Air Pollution Control is required for such items as spray paint processes, underground gasoline storage tank/s (5,000 gallons or more) and any other equipment or process which exhausts into the atmosphere.
- () A permit to construct from the Division of Air Pollution Control is required for any chert-trailer operation which has a total cooking surface area of five (5) square feet or more.
- () Prior to approval of a Building Permit Application for renovations to existing or construction of new health care facilities, complete plans and specifications of the building, food service area and type of equipment to be used for the food service operation must be submitted to the Plans Review and Approval Section, Division of Engineering and Maintenance, State Department of Health and Mental Hygiene for review and approval.
- () Prior to any new construction or substantial alteration of public swimming pool, wading pool, bathhouse, saunas, whirlpools, hot tubs, water and sewerage facilities or other appurtenances pertaining to health and safety, two (2) copies of plans and specifications must be submitted to the Baltimore County Department of Health for review and approval. For more complete information, contact the Recreational Hygiene Section, Division of Environmental Support Services.
- () Prior to approval for a nursery school, owner or applicant must comply with all Baltimore County regulations. For more complete information, contact the Division of Maternal and Child Health.
- () If lubrication work and oil changes are performed at this location, the method providing for the elimination of waste oil must be in accordance with Water Resource Administration requirements.

SS 20 1082 (1)

Zoning Item # 217
Page 2

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

Jan J. Cornsby, Director
BUREAU OF ENVIRONMENTAL SERVICES

SS 20 1080 (2)

Pursuant to the advertisement, posting of property, and public hearing on the Petition and it appearing that by reason of the requirements of Section 602.1 of the Baltimore County Zoning Regulations

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this _____ day of _____, 19____, that the herein Petition for Special Exception

Pursuant to the advertisement, posting of property, and public hearing on the Petition and it appearing that by reason of the requirements of Section 602.1 of the Baltimore County Zoning Regulations

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this _____ day of _____, 19____, that the herein Petition for Special Exception

Pursuant to the advertisement, posting of property, and public hearing on the Petition and it appearing that by reason of the requirements of Section 602.1 of the Baltimore County Zoning Regulations

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this _____ day of _____, 19____, that the herein Petition for Special Exception

BALTIMORE COUNTY DEPARTMENT OF HEALTH

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

Zoning Item # 217, Zoning Advisory Committee Meeting of Feb 21, 1984
Property Owner: Beltgem Development Corp., et al
Location: 115 Eastern Ave District 15
Water Supply public Sewage Disposal public

COMMENTS ARE AS FOLLOWS:

- (☒) 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/s of fuel burning equipment, the owner should contact the Division of Air Pollution Control, 494-3775, to obtain requirements for such installation/s before work begins.
- () A permit to construct from the Division of Air Pollution Control is required for such items as spray paint processes, underground gasoline storage tank/s (5,000 gallons or more) and any other equipment or process which exhausts into the atmosphere.
- () A permit to construct from the Division of Air Pollution Control is required for any charbroiler operation which has a total cooking surface area of five (5) square feet or more.
- () Prior to approval of a Building Permit Application for renovations to existing or construction of new health care facilities, complete plans and specifications of the building, food service area and type of equipment to be used for the food service operation must be submitted to the Plans Review and Approval Section, Division of Engineering and Maintenance, State Department of Health and Mental Hygiene for review and approval.
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SS 20 1082 (1)

Zoning Item # 217
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- () All roads and parking areas should be surfaced with a dustless, bonding material.
- (☒) No health hazards are anticipated.
- () Others _____

Ian J. Forrest, Director
BUREAU OF ENVIRONMENTAL SERVICES

SS 20 1080 (2)

DATE March 23, 1984
BALTIMORE COUNTY DEPARTMENT OF HEALTH

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

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SS 20 1082 (1)

Zoning Item # 217

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Ian J. Forrest, Director
BUREAU OF ENVIRONMENTAL SERVICES

SS 20 1080 (2)

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

April 6, 1984

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

Chairman
Nicholas B. Commodari

MEMBERS
Bureau of Engineering
Department of Traffic Engineering
State Roads Commission
Bureau of Fire Prevention
Health Department
Project Planning
Buildings Department
Board of Education
Zoning Administration
Industrial Development

Mr. Stanley H. Rosenzweig
Baltgem Development Corporation
11433 Old Cabin Road
St. Louis, Missouri 63141

RE: Case No. 84-274-X (Item No. 217)
Petitioner - Baltgem Development Corp., et al
Special Exception Petition

Dear Mr. Rosenzweig:

The Zoning Plans Advisory Committee has reviewed the plan 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.

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:bsc

Enclosures

cc: STV/lyon Associates, Inc.
7131 Rutherford Road
Baltimore, Maryland 21207

BALTIMORE COUNTY
DEPARTMENT OF PUBLIC WORKS
TOWSON, MARYLAND 21204

MICHAEL J. PATEL, P.E.
DIRECTOR

April 4, 1984

Mr. Arnold Jablon
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Re: Item #217 (1983-1984)
Property Owner: Baltgem Development Corp., et al
N/S Eastern Avenue 672' E. Rolling Mill Rd.
Acres: 33,995 sq. ft.
District: 15th

Dear Mr. Jablon:

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

General:

Baltimore County highway and utility improvements exist and are not directly involved.

Eastern Boulevard (M6. 150) is a State Road. All improvements, intersections, entrances, drainage requirements and construction affecting a State Road right-of-way are subject to the standards, specifications and approval of the Maryland State Highway Administration in addition to those of Baltimore County.

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 nuisances or damages to adjacent properties, especially by the concentration of surface waters. Correction of any problem which may result, due to improper grading or improper installation of drainage facilities, would be the full responsibility of the Petitioner.

This office has no further comment in regard to the plan submitted for Zoning Advisory Committee review in connection with this item 217 (1983-1984).

Very truly yours,

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

RAM:RAM:PM:RIS

E-W Key Sheet
SE 1 F Topo

1 SE 21 Pos. Sheet
95 Tax Map

Maryland Department of Transportation
State Highway Administration

Lowell K. Bridwell
Secretary
M. S. Catliff
Administrator

February 22, 1984

Mr. Arnold Jablon
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Attention: Mr. N. Commodari

Re: ZAC Meeting of 2-21-84
ITEM #217.
Property Owner: Baltgem Development Corp., et al
Location: N/S Eastern Ave., Route 150, 672' E. Rolling Mill Road
Existing Zoning: M.L.-CSA
Proposed Zoning: Special Exception for a food store (less than 5,000 sq. ft.) in combination with a service station.
Acres: 30,995 sq. ft.
district: 15th

Dear Mr. Jablon:

On review of the submittal of 4-14-83 (Drawing #7233-50-001) and field inspection, the State Highway Administration finds the plan generally acceptable.

Very truly yours,

Charles Lee, Chief
Bureau of Engineering
Access Permits

CL:GW:maw

By: George Wittman

cc: Mr. J. Ogle

My telephone number is (301) 652-1350

Typewriter for impaired hearing or speech
383-7595 Baltimore Metro - 562-0451 D.C. Metro - 1-800-492-5063 Statewide Toll Free
P.O. Box 117 107 North Calvert St. Baltimore, Maryland 21203 0717

BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
TOWSON, MARYLAND 21204
494-3211
NORMAN E. GERBER
DIRECTOR

Mr. Arnold Jablon
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Re: Zoning Advisory Meeting of 2/14/84
Item # 217
Property Owner: Baltgem Dev. Corp., et al
Location: N/S Eastern Ave., E. of Rolling Mill Rd.

Dear Mr. Jablon:

The Division of Current Planning and Development has reviewed the subject petition and offers the following comments. The items checked below are applicable.

- () There are no site planning factors requiring comment.
- (x) A County Review Group Meeting is required.
- (x) A County Review Group meeting was held and the minutes will be forwarded by the Bureau of Public Services.
- (x) This site is part of a larger tract; therefore it is defined as a subdivision. The plan must show the entire tract.
- (x) A record plat will be required and must be recorded prior to issuance of a building permit.
- (x) The access is not satisfactory.
- (x) The circulation on this site is not satisfactory.
- (x) The parking arrangement is not satisfactory.
- (x) This property contains soils which are defined as wetlands, and development on these soils is prohibited.
- (x) Construction in or alteration of the floodplain is prohibited under the provisions of Section 22-55 of the Development Regulations.
- (x) Development of this site may constitute a potential conflict with the Baltimore County Master Plan.
- (x) The amended Development Plan was approved by the Planning Board on
- (x) Landscaping should be provided on this site and shown on the plan.
- (x) The property is located in a deficient service area as defined by Bill 178-79. No building permit may be issued until a Reserve Capacity Use Certificate has been issued. The deficient service is
- (x) The property is located in a traffic area controlled by a "B" level intersection as defined by Bill 178-79, and as conditions change capacity use may become more limited. The Basic Services Areas are re-evaluated annually by the County Council.
- (x) Additional comments:

The checking agrees to the jump check sheet
be shown on the plan.
The overall site may be shown on the
mainly sketch.

Supra A. Bober
Chief, Current Planning and Development

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

STEPHEN E. COLLINS
DIRECTOR

March 9, 1984

Mr. Arnold Jablon
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Item No. 215, 216, 217, 218, 219, and 220. ZAC Meeting of February 21, 1984.
Property Owner:
Location:
Existing Zoning:
Proposed Zoning:

Acres:
District:

Dear Mr. Jablon:

The Department of Traffic Engineering has no comments for item numbers 215, 216, 217, 218, 219, and 220.

Michael S. Flanigan
Traffic Engineering Assoc. II

MSF:ra

BALTIMORE COUNTY
FIVE DEPARTMENT
TOWSON, MARYLAND 21204-2586
494-4500

PAUL H. REINCKE
CHIEF

March 2, 1984

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

Attention: Nick Commodari, Chairman
Zoning Plans Advisory Committee

RE: Property Owner: Baltgem Development Corp., et al

Location: N/S Eastern Avenue 672' E. Rolling Mill Road

Item No.: 217

Zoning Agenda: Meeting of 2/21/84

Comments:

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.

- (x) 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.

- (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] Approved: [Signature]
Planning Group Fire Prevention Bureau

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 I liquids. 2. Attendant shall be on duty when store is open.

BALTIMORE COUNTY
DEPARTMENT OF PERMITS & LICENSES
TOWSON, MARYLAND 21204
494-3610

March 5, 1984

TED ZALESKI JR.
DIRECTOR

Mr. Arnold Jablon, Zoning Commissioner
Office of Planning and Zoning
County Office Building
Towson, Maryland 21204

Dear Mr. Jablon:

Comments on Item # 217 Zoning Advisory Committee Meeting are as follows:

Property Owner: Baltgem Development Corporation, et al
Location: N/S Eastern Avenue 672' E. Rolling Mill Road
Existing Zoning: M.L.-CSA
Proposed Zoning: Special exception for a food store (less than 5,000 sq. ft.) in combination with a service station.

Acres: 30,995 sq. ft.
District: 15th.

The items checked below are applicable:

- (x) All structures shall conform to the Baltimore County Building Code 1981/Consolidated Bill 1-80 State of Maryland Code for the Building and Code and other applicable codes.
- (x) A building & other / miscellaneous
- (x) Separate permits are required for retaining walls, lights, etc., etc., etc.
- (x) Residential: Three sets of construction drawings are required to file a permit application. Architect/Engineer seal is not required. Non-reproduced seals and signatures are required on Plans and Technical Data.
- (x) Commercial: Three sets of construction drawings with a Maryland Registered Architect or Engineer shall be required to file a permit application.
- (x) An exterior wall erected within 6'0" for Commercial use or 3'0" for One & Two Family use group of an adjacent lot line shall be of one hour fire resistance construction, no openings permitted within 3'0" of lot lines. A firewall is required if construction is on the lot line, see Table 101, line 2, Section 1007 and Table 1002, also Section 501.2.
- (x) Requested variance appears to conflict with the Baltimore County Building Code, Section 4.
- (x) 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. The structure shall be "B" Business for the Gas Station and "B" Mercantile for the retail store uses.
- (x) Before this office can comment on the above structure, please have the owner, then the services of a Registered in Maryland Architect or Engineer verify the structure, that the structure for which a proposed change in use is proposed can comply with the height/area requirements of Table 506 and the required construction classification of Table 101.
- (x) Comments - If this is a prefabricated structure it shall have a State Seal indicating compliance to the State Industrialized Housing Law. If the walls and cooler have foamed plastic construction it shall comply also with Section 1319.0 of B.C.C.A. The State has not granted waivers to this size prefabricated structure.

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 102 (Plans Review) at 111 W. Chesapeake Ave., Towson.

Very truly yours,

[Signature]
Charles E. Buckner, Chief
Plans Review

BALTIMORE COUNTY PUBLIC SCHOOLS

Robert Y. Dubel, Superintendent

Towson, Maryland - 21204

Date: February 21, 1984

Mr. Arnold Jablon
Zoning Commissioner
Baltimore County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

Z.A.C. Meeting of: February 21, 1984

RE: Item No. 215, 216, 217, 218, 219, 220.
Property Owner:
Location:
Present Zoning:
Proposed Zoning:

District:
No. Acres:

Dear Mr. Jablon:

The above items have no bearing on student population.

Very truly yours,

Wm. Nick Petrovich
Wm. Nick Petrovich, Assistant
Department of Planning

WN:/lh

RE: PETITION FOR SPECIAL EXCEPTION : BEFORE THE ZONING COMMISSIONER
N/S Eastern Ave., 572' E of
Rolling Mill Rd. (7938 Eastern : OF BALTIMORE COUNTY
Ave.), 15th District
BALGEM DEVELOPMENT CORPORATION, Case No. 84-274-X
et al., Petitioners

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Phyllis Cole Friedman
Phyllis Cole Friedman
People's Counsel for Baltimore County

Peter Max Zimmerman
Peter Max Zimmerman
Deputy People's Counsel
Rm. 223, Court House
Towson, MD 21204
494-2188

I HEREBY CERTIFY that on this 4th day of April, 1984, a copy of the foregoing Entry of Appearance was mailed to Mr. Stanley H. Rosenzweig, Baltgem Development Corp., et al., 11433 Old Cabin Road, St. Louis, MO 63141, Petitioners; Mr. R. M. Tambascio, Shell Oil Company, 5565 Sterrett Place, Columbia, MD 21044, Lessee; and Mr. Michael G. Kobin, Lyon Associates, Inc., 7131 Rutherford Rd., Baltimore, MD 21207, who requested notification.

Phyllis Cole Friedman
Phyllis Cole Friedman

STV/Lyon Associates, Inc.

Architects - Engineers - Surveyors
7131 Rutherford Road, Baltimore, Maryland 21207
Telephone: 301-944-9112

ZONING DESCRIPTION

EXISTING SHELL SERVICE STATION
7938 EASTERN AVENUE
BALTIMORE COUNTY, MARYLAND

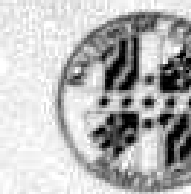
BEGINNING FOR THE SAME at a point on the northern right-of-way line of Eastern Avenue (66 feet wide), 672' ± East of Rolling Mill Road thence, running along said right-of-way line the following five courses and distances: (1) South 70°13'20" West 60.03 feet thence, (2) by a curve to the right having a chord bearing and distance of South 87°27'58" West 17.79 feet and a radius of 30.00 feet and an arc length of 18.06 feet thence, (3) North 75°17'24" West 3.49 feet thence, (4) by a curve to the left having a chord bearing and distance of South 87°53'16" West 14.47 feet and a radius of 25.00 feet and an arc length of 14.68 feet thence, (5) South 71°03'56" West 67.20 feet thence, leaving said right-of-way line and running, (6) by a curve to the right having a chord bearing and distance of North 64°16'59" West 56.22 feet and a radius of 40.00 feet and an arc length of 62.35 feet thence, (7) North 19°37'04" West 112.28 feet thence, (8) North 70°13'20" East 170.05 feet thence, (9) by a curve to the right having a chord bearing and distance of South 64°46'40" East 42.43 feet and a radius of 30.00 feet and an arc length of 47.12 feet thence, (10) South 19°46'40" East 135.00 feet to the place of beginning.

Containing in all 30,995 SF or 0.712 ±.



Signed This 7th day of February 1984
Mark A. Riddle is atty

File No. 7233-50-001



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

ARNOLD JABLON
ZONING COMMISSIONER

April 24, 1984

Mr. Anthony Cortesi
Lyon Associates, Inc.
7131 Rutherford Road
Baltimore, Maryland 21207

IN RE: Petition Special Exception
N/S of Eastern Avenue, 672' E
of Rolling Mill Road (7938
Eastern Avenue) - 15th Election
District
Baltgem Development Corporation,
et al., Petitioners
Case No. 84-274-X

Dear Mr. Cortesi:

I have this date passed by Order in the above-referenced matter in accordance with the attached.

Sincerely,

Arnold Jablon
ARNOLD JABLON
Zoning Commissioner

AJ/srl

Attachments

cc: People's Counsel

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

April 6, 1984

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

cc: Nicholas B. Commodari
Chairman

MEMBERS
Bureau of Engineering
Departments of
Traffic Engineering
State Roads Commission
Bureau of
Fire Protection
Police Department
Project Planning
Building Department
Board of Education
Zoning Administration
Industrial
Development

Mr. Stanley H. Rosenzweig
Baltgem Development Corporation
11433 Old Cabin Road
St. Louis, Missouri 63141

RE: Case No. 84-274-X (Item No. 217)
Petitioner - Baltgem Development Corp., et al
Special Exception Petition

Dear Mr. Rosenzweig:

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.

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

Very truly yours,

Nicholas B. Commodari

NICHOLAS B. COMMODARI
Chairman
Zoning Plans Advisory Committee

NBC:bsc

Enclosures

cc: STV/Lyon Associates, Inc.
7131 Rutherford Road
Baltimore, Maryland 21207



BALTIMORE COUNTY
DEPARTMENT OF PUBLIC WORKS
TOWSON, MARYLAND 21204

HARRY J. PISTEL P.E.
DIRECTOR

April 4, 1984

Mr. Arnold Jablon
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Re: Item 4217 (1983-1984)
Property Owner: Baltgem Development Corp., et al
N/S Eastern Avenue 672' E. Rolling Mill Rd.
Acres: 30,995 sq. ft.
District: 15th

Dear Mr. Jablon:

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 exist and are not directly involved.

Eastern Boulevard (Md. 150) is a State Road. All improvements, intersections, entrances, drainage requirements and construction affecting a State Road right-of-way are subject to the standards, specifications and approval of the Maryland State Highway Administration in addition to those of Baltimore County.

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 nuisances or damages to adjacent properties, especially by the concentration of surface waters. Correction of any problem which may result, due to improper grading or improper installation of drainage facilities, would be the full responsibility of the petitioner.

This office has no further comment in regard to the plan submitted for Zoning Advisory Committee review in connection with this Item 217 (1983-1984).

Very truly yours,

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

RAM:FWN:as

E-MN Key Sheet

SE 1 P Topo

1 SE 21 Pos. Sheet

96 Tax Map

Maryland Department of Transportation

State Highway Administration

Lowell K. Arkwell
Secretary
M. S. Calhoun
Administrator

February 22, 1984

Mr. Arnold Jablon
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Attention: Mr. N. Jablon

Re: ZAC Meeting of 2-21-84
ITEM: #217.
Property Owner: Baltgem Development Corp., et al
Location: N S Eastern Ave., Route 150, 672' E. Rolling Mill Road
Existing Zoning: M.L.-CSA
Proposed Zoning: Special Exception for a food store (less than 5,000 sq. ft.) in combination with a service station.
Acres: 30,995 sq. ft.
district: 15th

Dear Mr. Jablon:

On review of the submittal of 4-14-83 (Drawing #7233-50-001) and field inspection, the State Highway Administration finds the plan generally acceptable.

Very truly yours,

Charles Lee
Charles Lee, Chief
Bureau of Engineering
Access Permits

By: George Wittman

CL:GW:maw

cc: Mr. J. Ogil

My telephone number is (301) 659-1350
Teletypewriter for impaired hearing or speech
303 7595 Baltimore Metro - 865-6551 D.C. Metro - 1-800-492-0062 Statewide Toll Free
P.O. Box 717 / 707 North Calvert St., Baltimore, Maryland 21203 - 0717



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

NORMAN E. GENDER
DIRECTOR

Mr. Arnold Jablon
Zoning Commissioner
County Office Building
Towson, Maryland 21204

3/14/84

Re: Zoning Advisory Meeting of 3/14/84
Item # 217
Property Owner: Baltgem Dev. Corp. et al
Location: N/S Eastern Ave., E of Rolling Mill Rd.

Dear Mr. Jablon:

The Division of Current Planning and Development has reviewed the subject petition and offers the following comments. The items checked below are applicable.

- ☐ There are no site planning factors requiring comment.
- ☐ A County Review Group Meeting is required.
- ☐ A County Review Group Meeting was held and the minutes will be forwarded by the Bureau of Public Services.
- ☒ This site is part of a larger tract; therefore it is defined as a subdivision. The plan must show the entire tract.
- ☐ A record plat will be required and must be recorded prior to issuance of a building permit.
- ☐ The access is not satisfactory.
- ☐ The circulation on this site is not satisfactory.
- ☐ The parking arrangement is not satisfactory.
- ☐ Parking calculations must be shown on the plan.
- ☐ This property contains soils which are defined as wetlands, and development on these soils is prohibited.
- ☐ Construction in or alteration of the floodplain is prohibited under the provisions of Section 22-88 of the Development Regulations.
- ☐ Placement of this site may constitute a potential conflict with the Baltimore County Master Plan.
- ☐ The amended Development Plan was approved by the Planning Board on 2/21/84.
- ☐ Landscaping should be provided on entire site and shown on the plan.
- ☐ The property is located in a deficient service area as defined by Bill 178-79. A building permit may be issued until a Reserve Capacity Use Certificate has been issued. The deficient service is.
- ☐ The property is located in a traffic area controlled by a "B" level intersection as defined by Bill 178-79, and as conditions change traffic capacity may become more limited. The Basic Services Areas are re-evaluated annually by the County Council.
- ☐ Additional comments:

The parking space for the group school is not shown on the plan.
The overall site maybe shown on the existing site plan.

Expans G. Bels
Expans G. Bels
Chief, Current Planning and Development

PAUL H. REINKE
CHIEF

March 2, 1984

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

Attention: Nick Commodari, Chairman
Zoning Plans Advisory Committee

RE: Property Owner: Baltgem Development Corp., et al

Location: N/S Eastern Avenue 672' E. Rolling Mill Road

Item No.: 217 Zoning Agenda: Meeting of 2/24/84

Comments:

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 correct and incorporated into the final plans for the property.

() 1. Fire hydrants for the referenced property are required and shall be located at intervals of _____ feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.

() 2. A second means of vehicle access is required for the site.

() 3. The vehicle dead end condition shown at _____

EXCEEDS the maximum allowed by the Fire Department.

(x) 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.

(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: *Carl J. Kelly* 3/3/84 Noted and Approved: *George M. Hargrave*
Planning Group Fire Prevention Bureau

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 I liquids. 2. Attendant shall be on duty when store is open.

March 5, 1984

ED JABLON, JR.
DIR. - ZONING

Mr. Arnold Jablon, Zoning Commissioner
Office of Planning and Zoning
County Office Building
Towson, Maryland 21204

Dear Mr. Jablon:

Comments on Item # 217 Zoning Advisory Committee Meeting are as follows:

Property Owner: Baltgem Development Corporation, et al
Location: N/S Eastern Avenue 672' E. Rolling Mill Road
Existing Zoning: M.L.-C-3A
Proposed Zoning: Special exception for a food store (less than 5,000 sq. ft.) in combination with a service station.

Area: 30,995 sq. ft.
District: 15th.

The items checked below are applicable:

(A) All structures shall conform to the Baltimore County Building Code (B.C.B.C.) and all applicable codes.

(B) Building and other miscellaneous permits shall be required before beginning construction.

(C) Residential: Three sets of construction drawings are required to file a permit application. Architect/Engineer seal is not required. Non-reproduced seals and signatures are required on Plans and Technical Data.

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

(E) An exterior wall erected within 6'0" from the rear lot line or 3'0" for One & Two Family use group of an adjacent lot line shall be of one hour fire resistive construction, no openings permitted within 3'0" of lot lines. A fire wall is required if construction is on the lot line, see Table 401, line 2, Section 4407 and Table 4401, also Section 503.2.

(F) Requested variance appears to conflict with the Baltimore County Building Code, Section 4.

(G) A change of occupancy shall be applied for, along with an alteration permit application, and three required sets of drawings indicating how the structure will meet the Code requirements for the proposed change. ~~Separate permits are required for the proposed change. Separate permits are required for the proposed change. Separate permits are required for the proposed change.~~ Mixed use will be "B" Business for the Gas Station and "M" Mercantile for the Retail store used.

(H) Before this office can comment on the above structure, please have the owner, thru the services of a Registered in Maryland Architect or Engineer certify to this office, that the structure for which a proposed change in use is proposed one comply with the height/area requirements of Table 505 and the required construction classification of Table 401.

(I) Comments - If this is a prefabricated structure it shall have a State Seal indicating compliance to the State Industrialized Housing Law. If the walls and cooler have foamed plastic construction it shall comply also with Section 1319.0 of B.O.C.A. The State has not granted waivers to this size prefabricated structure.

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

Very truly yours,

Charles E. Burdick
Charles E. Burdick, Chief
Plans Review

CEB:es

IN RE: PETITION SPECIAL EXCEPTION
N/S of Eastern Avenue, 672' E.
of Rolling Mill Road (7938
Eastern Avenue) -
15th Election District
Baltgem Development Corpora-
tion, et al,
Petitioners

BEFORE THE
ZONING COMMISSIONER
OF BALTIMORE COUNTY
Case No. 84-274-X

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request a special exception for a food store in combination with a service station (gas and go), as more fully described on Petitioners' Exhibit 1.

Anthony Cortez and Steven McCalmont, designers for Lyon Associates, Inc., appeared and testified for Shell Oil Company, the Lessee of the Petitioners. There were no Protestants.

Testimony indicated that the property is zoned M.L.-C-3A. A closed gas and go service station presently exists on the site. The Lessee wishes to re-open on the site by adding a convenience store and having two islands for gas-line service. The proposed 12' x 40' store would replace the existing building and kiosk. The store would have one full-time employee to handle gasoline and food transactions and one part-time employee to provide additional help when the volume of sales requires it. The building would have a window facing outside where customers would pay before getting gasoline. This would also enable the employee at the window to serve walk-in customers. Two islands with two dual dispensers on each would provide service for a total of eight vehicles at any one time. The facility would be open 24 hours per day, but the store would close for walk-in business at 11:00 p.m. although customers could order items through the window.

ORDER RECEIVED FOR FILING

DATE *April 23, 1984*

BY *John P. Langley*

PETITION FOR SPECIAL EXCEPTION

15th Election District

ZONING: Petition for Special Exception

LOCATION: North side Eastern Avenue, 672 ft. East of Rolling Mill Road (7938 Eastern Avenue)

DATE & TIME: Monday, April 23, 1984 at 11:15 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 store (less than 5,000 sq. ft.) in combination with a service station under Section 405.4.D.8

Being the property of Baltgem Development Corporation, et al, as shown on plat plan filed with the Zoning Department.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be received in writing by the date of the hearing set above or made at the hearing.

BY ORDER OF
ARNOLD JABLON
ZONING COMMISSIONER
OF BALTIMORE COUNTY

Shell Oil is attempting to rehabilitate the site by preventing abandonment of this service station. It believes the only way to do so would be to add the convenience store. There are no other similar convenience stores within five miles of the site nor any abandoned service stations within two miles. The area is extensively commercial. Access is directly from Eastern Avenue and from Eastpoint Shopping Center, which is immediately adjacent.

It is clear that the proposed use will be welcome to the area and remove an existing blight. The Lessee will maintain the site in an attractive manner and will provide a needed use. According to Mr. Cortez, there will be no adverse impact on the community caused by the proposed use.

The Petitioners seek relief from Section 405.4.D.8, pursuant to Section 502.1, of the Baltimore County Zoning Regulations (BCZR).

It is clear that the BCZR permit the use requested by the Petitioners in an M.L. Zone-C-3A. District by special exception. It is equally clear that the proposed use would not be detrimental to the primary uses in the vicinity of the proposed food store in combination with a gas and go service station. Therefore, it must be determined whether the conditions as delineated by Section 502.1 are satisfied by the Petitioners.

After reviewing all of the testimony and evidence presented, it appears that the special exception as applied for should be granted, with certain restrictions as more fully described below.

The Petitioners had the burden of adducing testimony and evidence which showed that the proposed use met the prescribed standards and requirements set forth in Section 502.1. In fact, the Petitioners have shown that the proposed use would be conducted without real detriment to the neighborhood and would not actually adversely affect the public interest. The facts and circumstances of the use proposed by the Petitioners do not show that the proposed use at the

ORDER RECEIVED FOR FILING

DATE *April 23, 1984*

BY *John P. Langley*

STV/Lyon Associates, Inc.

Architects - Engineers - Surveyors

7131 Rutherford Road, Baltimore, Maryland 21207
Telephone: 301-944-9112

ZONING DESCRIPTION

EXISTING SHELL SERVICE STATION
7938 EASTERN AVENUE
BALTIMORE COUNTY, MARYLAND

BEGINNING FOR THE SAME at a point on the northern right-of-way line of Eastern Avenue (66 feet wide), 672' ± East of Rolling Mill Road thence; running along said right-of-way line the following five courses and distances: (1) South 70°13'20" West 60.03 feet thence, (2) by a curve to the right having a chord bearing and distance of South 87°27'58" West 17.79 feet and a radius of 30.00 feet and an arc length of 18.06 feet thence, (3) North 75°17'24" West 3.49 feet thence, (4) by a curve to the left having a chord bearing and distance of South 87°52'16" West 14.47 feet and a radius of 25.00 feet and an arc length of 14.68 feet thence, (5) South 71°03'56" West 67.20 feet thence, leaving said right-of-way line and running, (6) by a curve to the right having a chord bearing and distance of North 64°16'52" West 56.22 feet and a radius of 40.00 feet and an arc length of 62.35 feet thence, (7) North 19°37'54" West 112.20 feet thence, (8) North 70°13'20" East 170.00 feet thence, (9) by a curve to the right having a chord bearing and distance of South 64°46'40" East 42.43 feet and a radius of 30.00 feet and an arc length of 47.12 feet thence, (10) South 19°46'40" East 135.00 feet to the place of beginning.

Containing in all 30,995 SF or 0.712 AC ±.



Signed This 7th day February 1984
Mark A. Riddle is att

File No. 7829-60-001

particular location described by Petitioners' Exhibit 1 would have any adverse impact above and beyond those inherently associated with such a special exception use irrespective of its location within the zone. *Schultz v. Pritts*, 432 A.2d 1319 (1981).

The proposed use will not be detrimental to the health, safety, or general welfare of the locality, nor tend to create congestion in roads, streets, or alleys therein, nor be inconsistent with the purposes of the property's zoning classification, nor in any other way inconsistent with the spirit and intent of the BCZR.

Pursuant to the advertisement, posting of property, and public hearing held, and it appearing that by reason of the requirements of Section 502.1 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 Zoning Commissioner of Baltimore County, this 26th day of April, 1984, that the Petition for Special Exception for a food store in combination with a service station (gas and go), in accordance with the site plan introduced and accepted into evidence as Petitioners' Exhibit 1, be and is hereby GRANTED, from and after the date of this Order, subject, however, to the following restrictions:

1. A revised site plan, including a detailed landscaping plan, shall be submitted to and approved by the Current Planning and Development Division showing the entire tract of which the instant site is a part and indicating the location of the stacking spaces for the pump islands.
2. Upon approval of said plan, a building permit may be issued to the Petitioners upon its application and be granted same; however, Petitioners are hereby made aware that proceeding at this time is at its own risk until such time as the applicable appellate process from this Order has expired. If, for whatever reason,

ORDER RECEIVED FOR FILING

DATE *April 24, 1984*

BY *John P. Langley*

this Order is reversed, the Petitioner would be required to return and be responsible for returning, said property to its original condition.

Arnold Jablon
Zoning Commissioner of
Baltimore County

CEB:es

ARNOLD JABLON
ZONING COMMISSIONER

April 16, 1984

Mr. Michael G. Kobin
7131 Rutherford Road
Baltimore, Maryland 21207

Re: Petition for Special Exception
N/S Eastern Ave. 672' E of Rolling Mill
Rd. (7938 Eastern Avenue)
Baltgen Development Corporation, et al - Petitioners
Case No. 84-274-X

Dear Mr. Kobin:

This is to advise you that \$53.40 is due for advertising and posting of the above property.

This fee must be paid and our zoning sign and post returned on the day of the hearing before an Order is issued. Do not remove sign until day of hearing.

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

Sincerely,

ARNOLD JABLON
Zoning Commissioner

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

No. 130244

DATE 4-23-84 ACCOUNT R-11415-000

AMOUNT \$53.40

RECEIVED FROM Lynn Associates

FOR advertising & posting case #84-274-X (Baltgen)

0 028*****93610 0228A

VALIDATION OR SIGNATURE OF CASHIER

March 27, 1984

Shell Oil Company
c/o R. M. Tambascio
5565 Sterrett Place
Columbia, Maryland 21044

NOTICE OF HEARING

Re: N/S Eastern Ave., 672' E of Rolling
Mill Rd. (7938 Eastern Avenue)
Baltgen Development Corporation, et al - Petitioners
Case No. 84-274-X

TIME: 11:15 A.M.

DATE: Monday, April 23, 1984

PLACE: Room 106, County Office Building, 111 West Chesapeake
Avenue, Towson, Maryland

cc: Lynn Associates, Inc.
c/o Michael G. Kobin
7131 Rutherford Road
Baltimore, Maryland 21207

Arnold Jablon
Zoning Commissioner
of Baltimore County

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

No. 126826

DATE 4/2/84 ACCOUNT R-01-ED2000

AMOUNT \$100.00

RECEIVED FROM Lynn Associates

FOR filing fee for case #217

(Ch)

0 057*****100001 0000A

VALIDATION OR SIGNATURE OF CASHIER

PETITION FOR SPECIAL
EXCEPTION
15th Election District

Arnold Jablon, Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the Petition for Special Exception for a food store (less than 5,000 sq. ft.) in combination with a service station under Section 405.4.D.8 being the property of Baltgen Development Corporation, et al, as shown on plat plan filed with the Zoning Department.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be received in writing by the date of the hearing or made at the hearing.

By Order of
ARNOLD JABLON,
Zoning Commissioner of Baltimore County
April 8.

CERTIFICATE OF PUBLICATION

TOWSON, MD. April 5, 1984

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 23rd day of April, 1984, the first publication appearing on the 5th day of April, 1984.

THE JEFFERSONIAN
L. Frank Smith
Manager.

Cost of Advertisement, \$ 18.00

PETITION FOR SPECIAL
EXCEPTION
15th Election District

Arnold Jablon, Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the Petition for Special Exception for a food store (less than 5,000 sq. ft.) in combination with a service station under Section 405.4.D.8 being the property of Baltgen Development Corporation, et al, as shown on plat plan filed with the Zoning Department.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be received in writing by the date of the hearing or made at the hearing.

By Order of
ARNOLD JABLON,
Zoning Commissioner of Baltimore County
April 8.

DUPLICATE
CERTIFICATE OF PUBLICATION

TOWSON, MD. April 5, 1984

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 23rd day of April, 1984, the first publication appearing on the 5th day of April, 1984.

THE JEFFERSONIAN
L. Frank Smith
Manager.

Cost of Advertisement, \$ 18.00

CERTIFICATE OF PUBLICATION

OFFICE OF
Dundalk Eagle

38 N. Dundalk Ave.
Dundalk, Md. 21222 April 6, 1984

THIS IS TO CERTIFY, that the annexed advertisement of Arnold Jablon in the matter of P.O. #53694 - Req. #L59245, was inserted in The Dundalk Eagle a weekly newspaper published in Baltimore County, Maryland, once a week for one successive week before the 6th day of April, 1984; that is to say, the same was inserted in the issues of April 5, 1984

Kimbel Publication, Inc.
per Publisher.

By K.C. Oller

CERTIFICATE OF PUBLICATION

OFFICE OF
Dundalk Eagle

38 N. Dundalk Ave.
Dundalk, Md. 21222 April 6, 1984

THIS IS TO CERTIFY, that the annexed advertisement of Arnold Jablon in the matter of P.O. #53694 - Req. #L59245, was inserted in The Dundalk Eagle a weekly newspaper published in Baltimore County, Maryland, once a week for one successive week before the 6th day of April, 1984; that is to say, the same was inserted in the issues of April 5, 1984

Kimbel Publication, Inc.
per Publisher.

By K.C. Oller

PETITION FOR SPECIAL EXCEPTION

15th Election District

ZONING: Petition for Special Exception
LOCATION: North side Eastern Avenue, 672 ft. East of Rolling Mill Road (7938 Eastern Avenue)
DATE & TIME: Monday, April 23, 1984 at 11:15 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 store (less than 5,000 sq. ft.) in combination with a service station under Section 405.4.D.8

Being the property of Baltgen Development Corporation, et al, as shown on plat plan filed with the Zoning Department.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be received in writing by the date of the hearing set above or made at the hearing.

BY ORDER OF
ARNOLD JABLON
ZONING COMMISSIONER
OF BALTIMORE COUNTY

CERTIFICATE OF POSTING
ZONING DEPARTMENT & BALTIMORE COUNTY
Towson, Maryland

District 15 Date of Posting 4/5/84
Posted for: Petition for Special Exception
Petitioner: Baltgen Development Corp. et al
Location of property: N/S Eastern Ave., 672' E of Rolling Mill Rd.
Location of Sign: Large Eastern Ave. at entrance to property
Remarks: None
Posted by: Sam J. Gorman Date of return: 4/12/84
Number of Signs: 1

Baltgem Development Corporation, et al
3982/148
ZONED ML-CSA



VICINITY MAP

GENERAL NOTES

1. Bearings and distances as shown hereon are based on deeds of record.
2. Existing topography as shown hereon is based on a plat prepared by Shell Oil Company dated August 17, 1976.
3. Owner: Baltgem Development Corporation, et al
Lessee: Shell Oil Company
3982/148 Misc. 7/529
4. Utilities and other obstructions as shown hereon have been made by field inspection supplemented by information obtained from the various agencies involved. However, we do not guarantee the accuracy or the completeness of the information given. The contractor must verify all such information to his own satisfaction and must notify the utility companies involved prior to commencing work.
5. Utility Companies:
Chesapeake and Potomac Telephone Company
320 St. Paul Street
Baltimore, Maryland 21202
Baltimore Gas and Electric Company
Lexington and Liberty Streets
Baltimore, Maryland 21202

Baltgem Development Corporation, et al
3982/148
ZONED ML-CSA

Zoning Notes

Existing Zoning: ML-CSA

Proposed Zoning: No change but with a special exception under Section 406.4 (b) to permit a food store (less than 5,000 S.F.) in combination with a service station.

Area Requirements:

Two dispenser islands with two MPD's each. Each island capable of serving four cars at one time.

Total Servicing Success = 8
Total Servicing Bays = 0
Total Spaces and Bays = 8
Total Area Required = 8 x 1,500 SF = 12,000 SF (Use 15,000 SF Min.)
Total Waiting Spaces = 8

Ancillary Uses: None

Combination Uses:

Food Store Sales (Mini Market)
Additional Square Footage = Factor 4 x 800 SF = 3,200 SF

Totals: Area Required = 15,000 SF + 3,200 SF = 18,200 SF
Totals: Area of Tract = 30,996 SF or 0.712 Acre

Access Points:

Number of driveways on major street = 1
Required site width = 90 feet
Actual site width = 200 feet

Landscaping:

Landscaping Required (5% of site) = 1,550 SF
Landscaping Provided = 6,143 SF

Parking:

Parking Spaces Required = 1 per 200 SF of gross floor area = 4
Parking Spaces Provided = 9 (including one handicapped)

Area Disturbed by New Construction = 1,384 SF

P.O.B. ZONING DESCRIPTION



PETITIONER'S
EXHIBIT

PLAN PREPARATION

DRAWN BY: M. KOBIN
DESIGNED BY: SCALE: 1" = 10'-0"
CHECKED BY: A.J. CORTEAL

ZONING PLAN

SHELL OIL COMPANY
7938 EASTERN AVENUE
ELECTION DIST. 15 BALTIMORE CO., MD.

DRAWING NO.

7233-50-001

SHEET NO.

1 of 1

SHOPPING CENTER ENTRANCE DRIVE

EASTERN

AVENUE

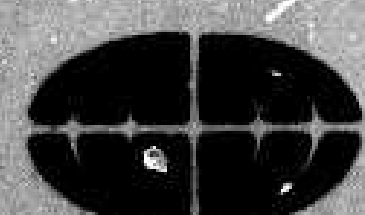
(66' R/W)

LYON ASSOCIATES, INC.

7131 Rutterford Road, Baltimore, Maryland 21207
Telephone: 301-944-9112

REVISIONS

NO.	DATE	DESCRIPTION



Baltgum Development Corporation, et al
3982/148
ZONED ML-CSA

21237



VICINITY MAP

R=30.00' L=47.12'
CHD=564°46'40"E 42.43'

GENERAL NOTES

- Bearings and distances as shown hereon are based on deeds of record.
- Existing topography as shown hereon is based on a plat prepared by Shell Oil Company dated August 17, 1978.
- Owner: Baltgum Development Corporation, et al
3982/148
Lessee: Shell Oil Company
Misc. 7/529
- Utilities and other obstructions as shown hereon have been made by field inspection supplemented by information obtained from the various agencies involved. However, we do not guarantee the accuracy or the completeness of the information given. The contractor must verify all such information to his own satisfaction and must notify the utility companies involved prior to commencing work.
- Utility Companies:
Chesapeake and Potomac Telephone Company
320 St. Paul Street
Baltimore, Maryland 21202
Baltimore Gas and Electric Company
Lexington and Liberty Streets
Baltimore, Maryland 21202

Baltgum Development Corporation, et al
3982/148
ZONED ML-CSA

Zoning Notes

Existing Zoning: ML-CSA

Proposed Zoning: No change but with a special exception under Section 405.4 DB to permit a food store (less than 5,000 S.F.) in combination with a service station.

Area Requirements:

Two dispenser islands with two MPD's each. Each island capable of serving four cars at one time.

Total Servicing Spaces = 8
Total Servicing Bays = 0
Total Spaces and Bays = 8
Total Area Required = 8 x 1,500 SF = 12,000 SF (Use 15,000 SF Min.)
Total Waiting Spaces = 8

Ancillary Uses: None

Combination Uses:

Food Store Sales (Mini Market)
Additional Square Footage = Factor 4 x 800 SF = 3,200 SF

Total Area Required = 15,000 SF + 3,200 SF = 18,200 SF
Total Area of Tract = 30,995 SF or 0.712 Acs

Access Points:

Number of driveways on major street = 1
Required site width = 20 feet
Actual site width = 200 feet

Landscaping:

Landscaping Required (5% of site) = 1,550 SF
Landscaping Provided = 6,143 SF

Parking:

Parking Spaces Required = 1 per 200 SF of gross floor area = 4
Parking Spaces Provided = 9 (including one handicapped)

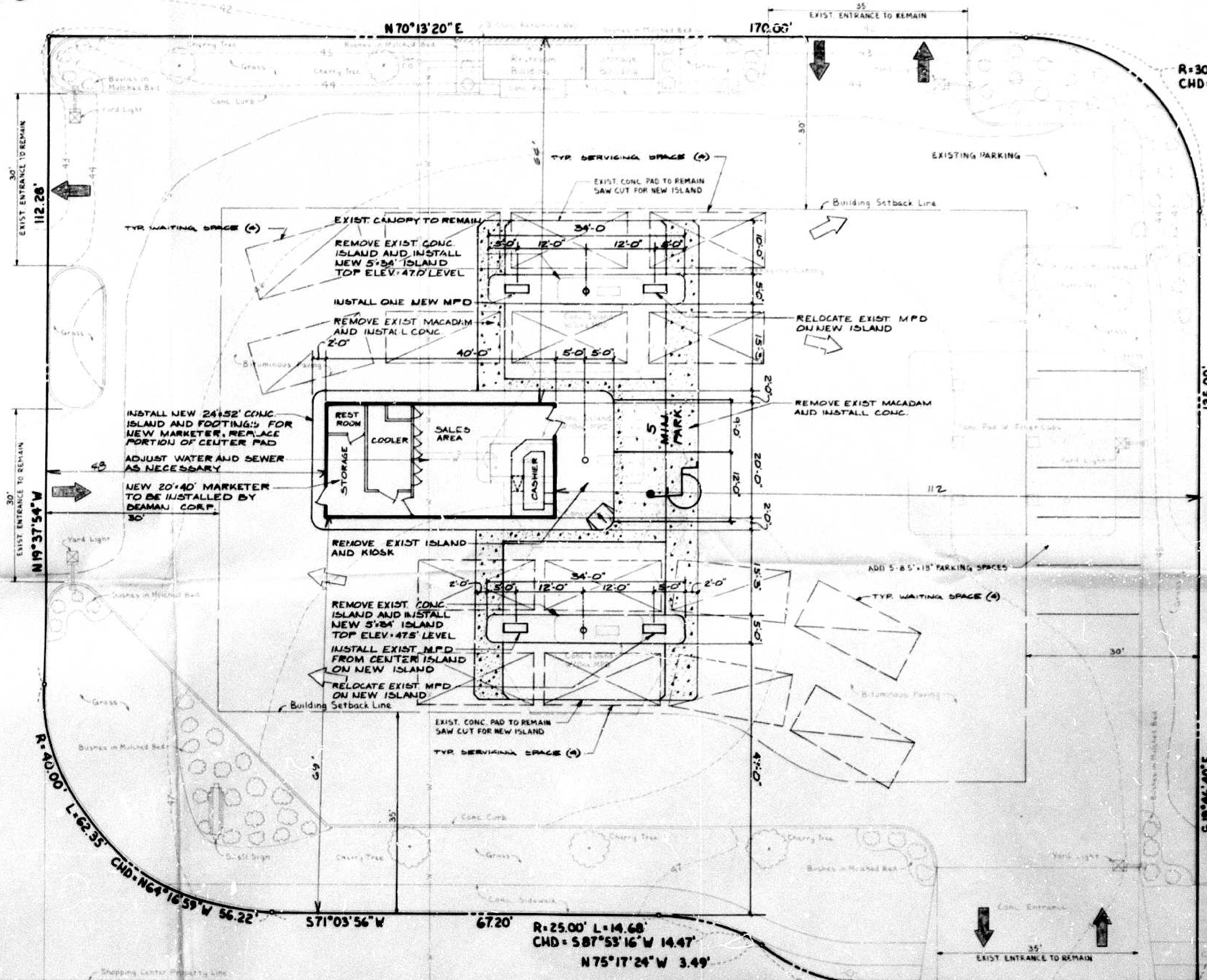
Area Disturbed by New Construction = 1,384 SF+

P.O.D. ZONING DESCRIPTION



SHOPPING CENTER ENTRANCE DRIVE

ZONED BM-CSA



EASTERN AVENUE

(66' R/W)

ZONED BM-CT

PLANS APPROVED
OFFICE OF PLANNING & ZONING

DATE 8/10/84
BY [Signature]
ZONING COMMISSIONER
84-274-X
C-647-84

LYON ASSOCIATES, INC.

7131 Rutherford Road, Baltimore, Maryland 21207

Telephone: 301-944-9112

REVISIONS

NO. DATE DESCRIPTION

PLAN PREPARATION

DRAWN BY: M. KOBIN DATE: APRIL 14, 1983

DESIGNED BY: SCALE: 1" = 30' - 0"

CHECKED BY: A.J. CORTEAL

SITE PLAN

SHELL OIL COMPANY
7938 EASTERN AVENUE
ELECTION DIST. 15 BALTIMORE CO., MD.

DRAWING NO.

7233-50-001

SHEET NO.

1 of 1