

PETITION FOR ZONING VARIANCE 85-107-A
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 405.4A(2a) to permit setbacks of 3.3 feet and 1.5 feet from the street right-of-way in lieu of the required 10 feet for a canopy and to permit a setback of 31.5 feet to the centerline of the street in lieu of the required 25 feet and to permit a setback of 11 feet in lieu of the required 15 feet for a pump island.

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

The layout and topography of the site have forced us to utilize area within the required setbacks.

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 For Baltimore County.

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

Contract Purchaser: _____
(Type or Print Name)

Signature: _____
Address: _____
City and State: _____

Legal Owner(s): Shell Oil Company
Signature: _____
Address: _____
City and State: _____

Name, address and phone number of legal owner, contract purchaser or representative to be contacted: Michael G. Kobin, c/o STV/Lyon Associates
Address: 21 Governor's Court
Baltimore, Maryland 21207 944-9112
Address: _____ Phone No. _____

ORDER RECEIVED FOR FILING

8-21 ORDERED By The Zoning Commissioner of Baltimore County, this 21st day of August, 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 22nd day of October, 1984, at 10:30 o'clock A.M.

Zoning Commissioner of Baltimore County.

**BALTIMORE COUNTY
ZONING PLANS
ADVISORY COMMITTEE**



**PETITION AND SITE PLAN
EVALUATION COMMENTS**

MICROFILMED

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Arnold Jablon
TO: Zoning Commissioner Date: October 16, 1984
Norman E. Gerber, Director
FROM: Office of Planning and Zoning
Zoning Petition Nos. 85-105-A, 85-106-Spl, 85-107-A, 85-108-X, 85-109-A,
SUBJECT: 85-114-A, 85-115-A, 85-118-A, 85-119-A, 85-120-A, and 85-121-A

There are no comprehensive planning factors requiring comment on these petitions.

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

NEG/JGH/sf

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

October 15, 1984

County Office Bldg.
111 W. Chesapeake Ave.
Towson, Maryland 21204

Mr. R. M. Tambascio
Shell Oil Company
10400 Little Patuxent Parkway
Columbia, Maryland 21044

RE: Case No. 85-107-A (Item No. 38)
Petitioner - Shell Oil Company
Variance Petition

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

Dear Mr. Tambascio:

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: Michael G. Kobin
STV/Lyon Assoc.
21 Governor's Court
Baltimore, Maryland 21207

**BALTIMORE COUNTY
DEPARTMENT OF PUBLIC WORKS
TOWSON, MARYLAND 21204**

HARRY J. PISTEL, P.E.
DIRECTOR

October 4, 1984

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

Re: Item #38 (1984-1985)
Property Owner: Shell Oil Company
N/W cor. Golden Ring Rd. & Kenwood Ave.
Acres: 0.421
District: 14th

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 Comments:

There are no public facilities involved; therefore, this office has no comment.

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.

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.

Very truly yours,
James A. Markle
JAMES A. MARKLE, P.E., Chief
Bureau of Public Services

JAM:EAM:DFM:es

Maryland Department of Transportation
State Highway Administration

William K. Hollmann
Secretary
Hal Kassoff
Administrator

September 4, 1984

Mr. Arnold Jablon
Zoning Administrator
County Office Bldg.
Towson, Md. 21204

Re: ZAC Meeting of 8-21-84
ITEM: #38.
Property Owner: Shell Oil Company
Location: N/W corner Golden Ring Road (Route 588) and Kenwood Ave.
Existing Zoning: B.L.-CNS
Proposed Zoning: Variance to permit a setback of 5'6" in lieu of the required 10' for a canopy and to permit a setback of 1'6" in lieu of the required 10' for a canopy and to permit a setback of 11' in lieu of the required 15' for a pump island.
Acres: 0.421
District: 14th

Dear Mr. Jablon:

On review of the site plan of 7-25-84 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:vrd
cc: Mr. J. Ogle

My telephone number is (301) 659-1350.
Teletypewriter for Impaired Hearing or Speech
383-7555 Baltimore Metro - 565-0451 D.C. Metro - 1-800-492-9052 Statewide Toll Free
P.O. Box 717 / 707 North Calvert St., Baltimore, Maryland 21203 - 0717

**BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
TOWSON, MARYLAND 21204**

NICHOLAS B. COMMODARI
DIRECTOR

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

9-6-84

Re: Zoning Advisory Meeting of 8-21-84
Item # 38
Property Owner: Shell Oil Company
Location: N/W cor. Golden Ring Rd. & Kenwood Ave.

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 22-90 of the Development Regulations.
- () Development 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 _____.
- () Landscaping should be provided on THIS SITE and shown on the plan.
- () The property is located in a deficient service area as defined by Bill 176-79. No 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 "D" level intersection as defined by Bill 176-79, and as conditions change traffic capacity may become more limited. The Basic Services Areas are re-evaluated annually by the County Council.
- (X) Additional comments:
An easement for ingress and egress with a 10' wide side yard for proposed 10' wide parking space 4.54' should have curb on North side.

Esperanza G. Baldo
Esperanza G. Baldo
Chief, Current Planning and Development

cc: James Hoesell

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 August, 1984.

Arnold Jablon
ARNOLD JABLON
Zoning Commissioner

Petitioner: Shell Oil Company
Received by: *Nicholas B. Commodari*
Nicholas B. Commodari
Chairman, Zoning Plans
Advisory Committee

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 not result in practical difficulty and unreasonable hardship upon the Petitioner(s) and the granting of the variance(s) requested will not adversely affect the health, safety, and general welfare of the community, the variance(s) should not be granted.

Therefore, IT IS ORDERED by the Zoning Commission of Baltimore County, this day of 10, 1984, that the herein Petition for Variance(s) to permit

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

STEPHEN E. COLLINS
DIRECTOR

August 27, 1984

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

Item No. 36, (38), 39, and 40 ZAC-Meeting of August 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 36, 38, 39, and 40.

Michael S. Flanigan
Michael S. Flanigan
Traffic Engineering Assoc. II

MSF/cm

1/22
85-107-A

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

PAUL H. RENCKE
CHIEF

September 10, 1984

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

Attention: Nick Commodari, Chairman
Zoning Plans Advisory Committee

RE: Property Owner: Shell Oil Company

Location: NW/Cor. Golden Ring Road and Kenwood Ave.

Item No.: 38 Zoning Agenda: Meeting of 8/21/84

Gentlemen:

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

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

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

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

EXCEEDS the maximum allowed by the Fire Department.

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

(X) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1976 Edition prior to occupancy.

() 6. Site plans are approved, as drawn.

() 7. The Fire Prevention Bureau has no comments, at this time.

REVIEWED BY: *George M. Haganoff*
Planning Group
Special Inspection Division

Noted and Approved:
George M. Haganoff
Fire Prevention Bureau

/mb

BALTIMORE COUNTY
DEPARTMENT OF PERMITS & LICENSES
TOWSON, MARYLAND 21204
494-3070

TED ZALESKI, JR.
DIRECTOR

August 30, 1984

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

Dear Mr. Jablon:

Comments on Item # 38 Zoning Advisory Committee Meeting are as follows:

Property Owner: Shell Oil Company
Location: NW/Cor. Golden Ring Road and Kenwood Avenue
Existing Zoning: B.L. - C-2S
Proposed Zoning: Variance to permit a setback of 5'6" in lieu of the required 10' for a canopy and to permit a setback of 1'6" in lieu of the required 10' for a canopy and to permit a setback of 11' in lieu of the required 15' for a pump island.

Acres: 0.121
District: 14th.

The items checked below are applicable:

(A) All structures shall conform to the Baltimore County Building Code 1981/Council Bill 14-82 State of Maryland Code for the Handicapped and Aged; and other applicable Codes.

(B) A building/ A other miscellaneous permit shall be required before beginning construction.

(C) Residential: Three sets of construction drawings are required to file a permit application. Architect/Engineer seal is/is not required. 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" for Commercial uses 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 firewall is required if construction is on the lot lines, see Table 401, line 2, Section 1407 and Table 1402, also Section 503.2.

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

(G) A change of occupancy shall be applied for, along with an alteration permit application, and three required sets of drawings indicating how the structure will meet the Code requirements for the proposed change. Drawings may require a professional seal.

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

(I) Comments - The canopy and station shall comply with Section 615.0.

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

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

CEB:ee

RE: PETITION FOR VARIANCES : BEFORE THE ZONING COMMISSIONER
NW Corner of Golden Ring Rd. : OF BALTIMORE COUNTY
and Kenwood Ave., 14th :
District :
SHELL OIL COMPANY, Petitioner : Case No. 85-107-A

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notices 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 1st day of October, 1984, a copy of the foregoing Entry of Appearance was mailed to Mr. R. M. Tambascio, Shell Oil Company, 10300 Little Patuxent Parkway, Columbia, MD 21044, Petitioner; and Mr. Michael G. Kohn, c/o STV/Lyon Associates, 21 Governor's Court, Baltimore, MD 21207, who requested notification.

Peter Max Zimmerman
Peter Max Zimmerman

September 24, 1984

Mr. R. M. Tambascio, Vice-President
Shell Oil Company
10300 Little Patuxent Parkway
Columbia, Maryland 21044

NOTICE OF HEARING
RE: Petition for Variances
NW/Corner of Golden Ring Road
and Kenwood Avenue
Shell Oil Company - Petitioner
Case No. 85-107-A (Item #38)

TIME: 10:30 A.M.

DATE: Monday, October 22, 1984

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

Attest:

cc: Mr. Michael G. Kohn
c/o STV/Lyon Associates
21 Governor's Court
Baltimore, Maryland 21207

BALTIMORE COUNTY, MARYLAND No. 131970
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

DATE: 8/7/84 ACCOUNT: 01-115-000
AMOUNT: \$100.00

RECEIVED FROM: Lyon Assoc.
FOR: Filing Fee for Van #38

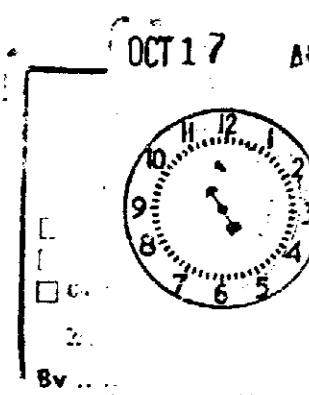
6 11400001000018 83887

VALIDATION OR SIGNATURE OF CARRIER

RE: PETITION FOR VARIANCES * BEFORE THE ZONING
NW Corner of Golden Ring * COMMISSIONER
Rd. and Kenwood Ave., * OF BALTIMORE COUNTY
14th District *
SHELL OIL COMPANY, * Case No. 85-107-A
Petitioner *

ENTRY OF APPEARANCE

Please enter the appearance of John O. Selland and Selland and Jednorski as Counsel for Petitioner, Shell Oil Company, in the above captioned matter.



John O. Selland
John O. Selland
Selland and Jednorski
25 W. Chesapeake Ave.
Towson, Md. 21204
321-8200

I HEREBY CERTIFY, That on this 15th day of October, 1984, a copy of the foregoing Entry of Appearance was mailed to Mr. R. M. Tambascio, Shell Oil Company, 10300 Little Patuxent Parkway, Columbia, Md. 21044; Mr. Michael G. Kohn, c/o STV/Lyon Associates, 21 Governor's Court, Baltimore, Maryland 21207 and Peter Max Zimmerman, Esquire, Deputy People's Counsel, Room 223, Court House, Towson, Maryland 21204.

John O. Selland
John O. Selland

SELLAND & JEDNORSKI
ATTORNEYS AT LAW
SUITE 204
25 W. CHESAPEAKE AVE.
TOWSON, MD 21204
(410) 321-8200

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 14th Lots of Posting: 10-5-84
Posted for: Variance - setback
Petitioner: Shell Oil Co.
Location of property: NW/Corner of Golden Ring Rd. & Kenwood Ave.
Location of Sign: SEC. of property (to post at) the intersection
Remarks:
Posted by: *John O. Selland* Date of return:
Number of Signs: 1

Petition for Variance
 14th Election District
 Location: Northwest corner of Golden Ring Road and Kenwood Avenue
 DATE AND TIME: Monday, October 22, 1984 at 10:30 a.m.
 PUBLIC HEARING: Room 106, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland
 The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the Petition for Variance to permit setbacks of 5.5 feet and 1.5 feet from the street right-of-way in lieu of the required 10 feet for a canopy and to permit a setback of 31.5 feet to the centerline of the street in lieu of the required 35 feet and to permit a setback of 11 feet in lieu of the required 15 feet for a pump island.

85-107-A
The Times
 Middle River, Md., Oct 19 1984
 This is to Certify, That the annexed Letter was inserted in The Times, a newspaper printed and published in Baltimore County, once in each of one successive weeks before the 22nd day of October, 1984
SR D. W. [Signature] Publisher.

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING TOWSON, MARYLAND 21204 494-3353
 ARNOLD JABLON ZONING COMMISSIONER
 October 16, 1984
 Mr. R.M. Tambascio, Vice-President
 Shell Oil Company
 10400 Little Patuxent Parkway
 Columbia, Maryland 21044
 RE: Petition for Variance NW/cor. Golden Ring Road and Kenwood Avenue Shell Oil Company - Petitioner Case No. 85-107-A
 Dear Mr. Tambascio:
 This is to advise you that \$47.05 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 remove sign until day of hearing.
 BALTIMORE COUNTY, MARYLAND No. 134373
 OFFICE OF FINANCE - REVENUE DIVISION
 MISCELLANEOUS CASH RECEIPT
 DATE: October 22, 1984 ACCOUNT: R-01-615-000
 AMOUNT: \$47.05
 RECEIVED BY: Lyon Associates
 FROM: Advertising and Posting for Case No. 85-107-A (Shell Oil Co.)
 VALIDATION OR SIGNATURE OF CASHIER

STV LYON ASSOCIATES.
 ENGINEERS, ARCHITECTS & PLANNERS
 21 GOVERNOR'S COURT BALTIMORE, MD 21207-3722 301/944-9112
 ZONING DESCRIPTION
 EXISTING SHELL SERVICE STATION
 KENWOOD AVENUE AND GOLDEN RING ROAD
 BEGINNING FOR THE SAME at a point located along the Northern right-of-way line of Golden Ring Road at the intersection of Golden Ring Road and Kenwood Avenue; thence running with and binding on the Northern right-of-way line of Golden Ring Road North 89°09'50" West 97.00 feet; thence leaving said right-of-way line North 20°50'10" East 140.00 feet; thence South 69°09'50" East 102.58 feet to a point on the Western right-of-way line of Kenwood Avenue; thence running with and binding on said right-of-way line South 09°18'20" East 75.00 feet; thence by a fillet curve to the right having a radius of 50.00 feet, an arc length of 104.84 feet, said curve being subtended by a chord bearing South 50°45'55" West 86.66 feet to the place of beginning.
 Containing in all 18,324 square feet or 0.421 acres of land, more or less.
Joseph M. Lyon 8/1/84
 Date
 CITY OF BALTIMORE
 PROFESSIONAL ENGINEER

PETITION FOR VARIANCES
 14th Election District
 LOCATION: Northwest Corner of Golden Ring Road and Kenwood Avenue
 DATE AND TIME: Monday, October 22, 1984 at 10:30 a.m.
 PUBLIC HEARING: Room 106, County Office Building, 111 West 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 Variance to permit setbacks of 5.5 feet and 1.5 feet from the street right-of-way in lieu of the required 10 feet for a canopy and to permit a setback of 31.5 feet to the centerline of the street in lieu of the required 35 feet and to permit a setback of 11 feet in lieu of the required 15 feet for a pump island.
 Being the property of Shell Oil Company as shown on the plat filed with the Zoning Office.
 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

85-107-A
CERTIFICATE OF PUBLICATION
 TOWSON, MD., October 4, 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., appearing on October 4, 1984.
 THE JEFFERSONIAN,
B. Ventral Publisher
 Cost of Advertising 20.00

IN RE: PETITIONS ZONING VARIANCES * BEFORE THE *
 NW/corner of Golden Ring Road * ZONING COMMISSIONER *
 and Kenwood Avenue - 14th * OF BALTIMORE COUNTY *
 Election District * Case No. 85-107-A *
 Shell Oil Company, * Petitioner *
 * * * * *
FINDINGS OF FACT AND CONCLUSIONS OF LAW
 The Petitioner herein requests variances to permit setbacks of 5 1/2 feet and 1 1/2 feet from the street right of way instead of the required ten feet for a canopy, a setback of 31 1/2 feet to the centerline of Golden Ring Road instead of the required 35 feet, and a setback of 11 feet instead of the required 15 feet for a pump island, as more particularly described on Petitioner's Exhibit 1.
 The Petitioner, by Richard Tambascio, its Project Engineer, appeared and testified, and was represented by Counsel. Also appearing was Michael Kolin of Lyons Associates, the engineers for the Petitioner. There were no Protestants.
 Testimony indicated that the subject property, zoned B.L.-C.N.S., is presently improved with a service station. The Petitioner proposes to raze the existing pump islands and replace them with new islands and gas pumps which will now include canopies. The station is on the corner of Golden Ring Road and Kenwood Avenue. Two islands will face Kenwood Avenue and one will face Golden Ring Road, as they do now. The proposed islands and canopies require setbacks of feet for the canopy facing Kenwood Avenue, 1 1/2 feet for the canopy facing Golden Ring Road, 31 1/2 feet from the centerline of Golden Ring Road, and 11 feet for the pump island on Golden Ring Road.
 These variances are required because it would be impractical to satisfy the setback requirements due to the topography of the property which slopes down to the existing garage building from Golden Ring Road and the lack of maneuverability between the garage and islands. If the variances were denied and the

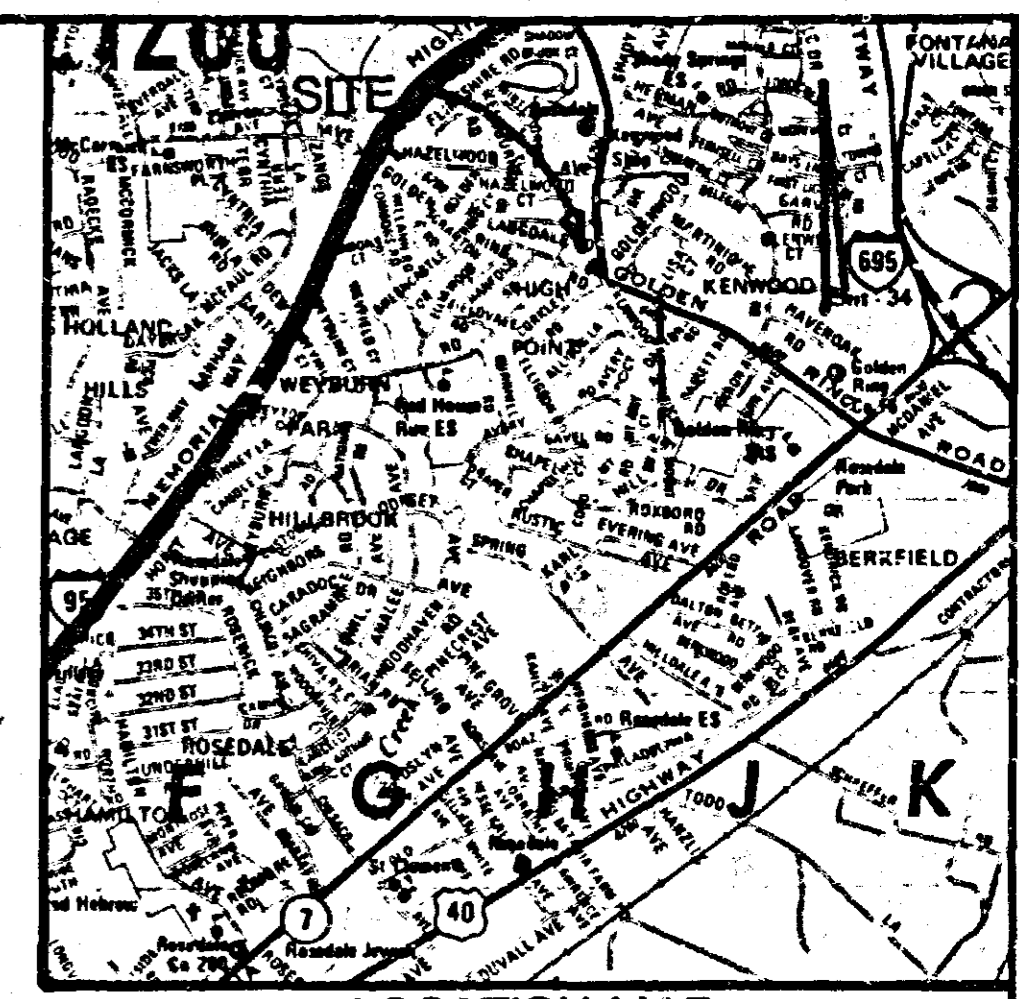
islands moved back, the distance between the building and islands would be drastically reduced and there would be a lack of area for cars to maneuver and pass. Mr. Tambascio testified that 20 feet between the islands and the building is the standard for two vehicles to pass each other but the 15 feet that would exist if the proposed renovation were approved is the minimum necessary. Anything less would cause severe traffic congestion and interfere with the free flow of traffic.
 The Petitioner seeks relief from Section 405.4.A.2.a., pursuant to Section 307, Baltimore County Zoning Regulations (BCZR).
 An area variance may be granted where strict application of the zoning regulation would cause practical difficulty to the petitioner and his property. McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the petitioner must meet the following:
 1. whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;
 2. whether the grant would do substantial injustice to applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give substantial relief; and
 3. whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.
Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).
 It is clear from the testimony that if the variances were granted, such use as proposed would not be contrary to the spirit of the BCZR and would not result in substantial detriment to the public good.
 After due consideration of the testimony and evidence presented, it is clear that a practical difficulty or unreasonable hardship would result if the instant variances were not granted. It has been established that the requirements of the ordinance will be observed and public safety and welfare secured if the Petitioner seeks relief from here would unduly restrict the use of the

land due to the special conditions unique to this particular parcel. In addition, the variances requested will not be detrimental to the public health, safety, and general welfare.
 Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the variances requested should be granted.
 Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 24th day of October, 1984, that the Petition for Zoning Variances to permit setbacks of 5 1/2 feet and 1 1/2 feet from the street right-of-way instead of the required ten feet for a canopy, a setback of 31 1/2 feet to the centerline of Golden Ring Road instead of the required 35 feet, and a setback of 11 feet instead of the required 15 feet for a pump island be and is hereby GRANTED, from and after the date of this Order, subject, however, to the following restrictions:
 1. The Petitioner may apply for his building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at his own risk until such time as the applicable appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.
 2. Parking space Nos. 4, 5, and 6 located on the north and west sides of the property shall have concrete wheel stops instead of concrete curbs.
Arnold Jablon
 Zoning Commissioner of Baltimore County
 AJ/ar1
 cc: John O. Seiland, Esquire
 People's Counsel

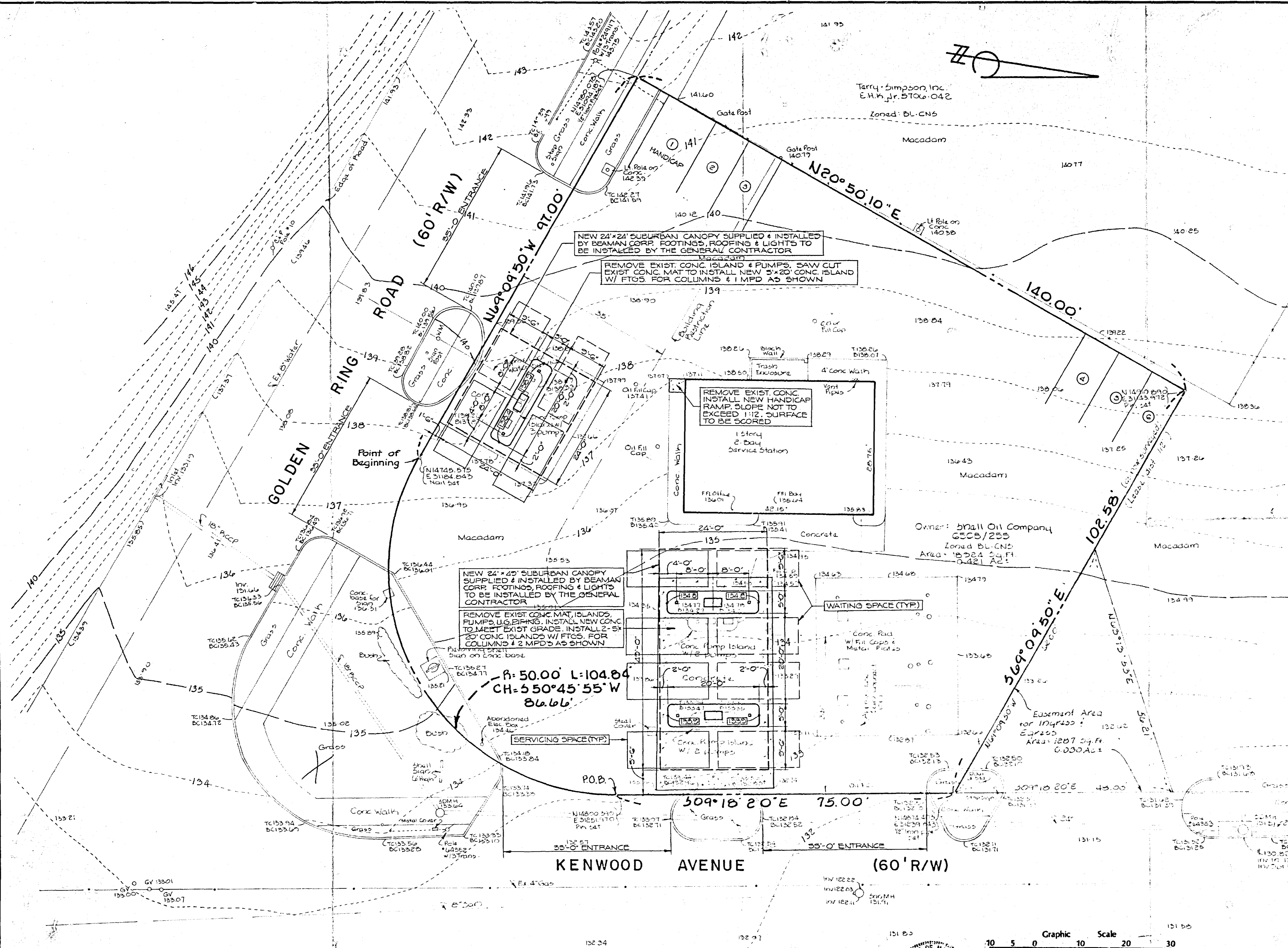
ORDER RECEIVED FOR FILING
 DATE October 24, 1984
 BY John O. Seiland

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 DATE October 24, 1984
 BY John O. Seiland



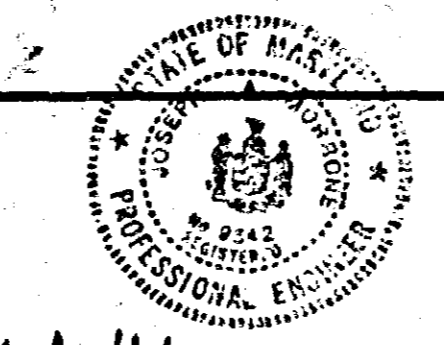
LOCATION MAP
SCALE: 1" = 200'



- GENERAL NOTES:**
- BEARINGS AND DISTANCES SHOWN HEREON ARE BASED ON A SURVEY PERFORMED BY LYON ASSOCIATES, INC., DATED 2/10/83.
 - ELEVATIONS SHOWN HEREON ARE BASED ON BALTIMORE COUNTY BENCH MARK X-5671-D WHICH IS A SQUARE CUT, TOP CENTERLINE OF AN INLET ON THE EAST SIDE OF KENWOOD AVE. 100 FEET SOUTH OF GOLDEN RING ROAD. ELEVATION 132.130
 - OWNER OF PROPERTY: SHELL OIL COMPANY
6508/255
APRIL 1983
 - AREA: 18,324 SQ. FT. OR 0.421 AC.
 - UTILITIES AND OTHER OBSTRUCTIONS AS SHOWN HEREON HAVE BEEN LOCATED BY ACTUAL FIELD MEASUREMENTS SUPPLEMENTED BY INFORMATION OBTAINED FROM THE VARIOUS AGENCIES INVOLVED. HOWEVER, WE DO NOT GUARANTEE THE ACCURACY OR THE COMPLETENESS OF THE INFORMATION RECEIVED. THE CONTRACTOR MUST VERIFY ALL SUCH INFORMATION TO HIS OWN SATISFACTION AND MUST NOTIFY THE UTILITY COMPANIES INVOLVED PRIOR TO COMMENCING WORK.
 - UTILITY COMPANIES:
BALTIMORE GAS & ELECTRIC COMPANY
LEXINGTON & LIBERTY STREETS, BALTIMORE, MD 21202
CHESAPEAKE & POTOMAC TELEPHONE COMPANY
320 ST. PAUL STREET, BALTIMORE, MD 21202
- ZONING NOTES:**
- EXISTING ZONING: BL-CNS
PROPOSED ZONING: NO CHANGE BUT WITH 2 VARIANCES FROM SECTION 405.4A(2)
 1) TO PERMIT A SETBACK OF 5' IN LIEU OF THE REQUIRED 10 FEET FOR A CANOPY.
 2) TO PERMIT A SETBACK OF 1'6" IN LIEU OF THE REQUIRED 10 FEET FOR A CANOPY AND TO PERMIT A SETBACK OF 11 FEET IN LIEU OF THE REQUIRED 15 FEET FOR A PUMP ISLAND.
- AREA REQUIREMENTS:**
 3 DISPENSER ISLANDS WITH 3 DISPENSERS SERVING 2 CARS AT ONE TIME.
 TOTAL SERVICING SPACES = 6
 TOTAL WAITING SPACES = 2
 TOTAL SPACES AND BAYS = 8
 TOTAL AREA REQUIRED = 8 x 1,500 SF = 12,000 SF (USE 15,000 SF MIN.)
 TOTAL WAITING SPACES = 6
- ANCILLARY USES:**
 VEHICLE REPAIR SERVICES
 VENDING MACHINES
 TIRE SALES AND INSTALLATION
 SALE OF SMALL AUTO PARTS AND ACC.
 MINOR ACCESSORY USES
 NO ADDITIONAL SQUARE FOOTAGE REQUIRED
- COMBINATION USES: NONE**
 TOTAL AREA REQUIRED = 15,000
 TOTAL AREA OF TRACT = 18,324
- ACCESS POINTS:**
 NUMBER OF DRIVEWAYS ON MAJOR STREET = 2
 REQUIRED SITE WIDTH = 2 x 65' = 130'
 ACTUAL SITE WIDTH = 162'
- LANDSCAPING:**
 LANDSCAPING REQUIRED (5% OF SITE) = 916 SF
 LANDSCAPING PROVIDED = 2038 SF (11.18%)
- PARKING:**
 PARKING SPACES REQUIRED = 2 BAYS x 3 EACH = 6
 PARKING SPACES PROVIDED = 6 (INCLUDING ONE HANDICAPPED)
- AREA DISTURBED BY NEW CONSTRUCTION = 1322 SF

STV / LYON ASSOCIATES
 Engineers Surveyors Planners
 21 Governor's Court Baltimore, Maryland 21207
 Telephone : 301-944-9112

REVISIONS		
NO.	DATE	DESCRIPTION



Graphic Scale: 1" = 10'

PLAN PREPARATION	
DRAWN BY: R. KING	DATE: 7/25/84
DESIGNED BY: M. KOBN	SCALE: 1" = 10'
CHECKED BY:	

SHELL OIL COMPANY
 HOUSTON, TEXAS
 KENWOOD AVE. AND GOLDEN RING ROAD
 ELECT. DIST 14 BALTIMORE CO., MD.

DRAWING NO. 7429-50-006
 SHEET NO. 1 of 1