

255
85-160-X
PETITION FOR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Exception under the Zoning Law and Zoning Regulations of Baltimore County, to use the herein described property for a food store as a use in combination with a gas and so service station.

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.

Contract Purchaser: _____
(Type or Print Name)

Signature: _____
S. A. Mazzotta

Address: _____
506 Windley Rd.
Wilmington, Delaware 19803

City and State: _____

Attorney for Petitioner: _____
(Type or Print Name)

Name: _____
Thomas J. Hoff
Hoff, Rosenfelt & Woolfolk, Inc.

Address: _____
11-H Gwynns Mill Ct.
Owings Mills, MD 21117

City and State: _____

Name, address and phone number of legal owner, contract purchaser or representative to be contacted: _____

Name: _____
Thomas J. Hoff
Hoff, Rosenfelt & Woolfolk, Inc.

Address: _____
11-H Gwynns Mill Ct.
Owings Mills, MD 21117

City and State: _____

Attorney's Telephone No.: _____

ORDER RECEIVED FOR FILING
DATE: December 10, 1984
BY: [Signature]
BY ORDERED BY The Zoning Commissioner of Baltimore County, this 7th day of November, 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 10th day of December, 1984, at 10:45 o'clock A.M.

[Signature]
Zoning Commissioner of Baltimore County.


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

85-160-X
K-09-58
Getty Refining & Marketing Co. 85-160-X
E/S Back River Neck Rd. & Williams Ave. (199 Back River Neck Rd.) 15th

BALTIMORE COUNTY

ZONING PLANS

ADVISORY COMMITTEE



PETITION AND SITE PLAN

EVALUATION COMMENTS

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Arnold Jablon
TO: Zoning Commissioner Date: November 23, 1984

Norman E. Gerber, Director
FROM: Office of Planning & Zoning

Zoning Petition No. 85-160-X
SUBJECT:

If granted, it is requested that the plan be revised to comply with the standards set forth in the Baltimore County Landscape Manual.

[Signature]
Norman E. Gerber
Director

NEG:JGH:bjs

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE
November 29, 1984

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

ofo
Nicholas B. Commodari
Chairman

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

Mr. Marvin Taylor
Easton Petroleum Company
P. O. Box 666
Easton, Maryland 21601

RE: Item No. 225, Case No. 85-160-X
Getty Refining and Marketing Co.-Petitioner
Special Exception Variance

Dear Mr. Taylor:

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 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,
[Signature]
NICHOLAS B. COMMODARI
Chairman
Zoning Plans Advisory Committee

NBC:bsc

Enclosures

cc: Mr. Thomas J. Hoff
Hoff, Rosenfelt & Woolfolk, Inc.
11-H Gwynns Mill Court
Owings Mills, Maryland 21117

BALTIMORE COUNTY
DEPARTMENT OF PUBLIC WORKS
TOWSON, MARYLAND 21204

HARRY J. PISTEL, P.E.
DIRECTOR

April 26, 1984

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

Re: Item #225 (1983-1984)
Property Owner: Getty Refining and Marketing Company
E/S Back River Neck Rd. 48' N/E from center-line Williams Ave.
Acres: 0.607 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.

This office has no further comment in regard to the plan submitted for Zoning Advisory Committee review in connection with this Item #225 (1983-1984).

Very truly yours,

[Signature]
ROBERT A. MORTON, P.E., CHIEF
Bureau of Public Services

RAM:EAM:FWR:ss

I-SE Key Sheet
4 & 5 NE 33 Pos. Sheets
NE 1 & 2 I Topo
97 Tax Map

BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
TOWSON, MARYLAND 21204

NORMAN E. GERBER
DIRECTOR

3/19/84

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

Re: Zoning Advisory Meeting of 3/6/84
Item # 225
Property Owner: Getty Refining & Marketing Co.
Location: E/S Back River Neck 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 22-98 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 as
- Landscaping should be provided on this site and shown on the plan.
- The property is located in a deficient service area as defined by 811 178-79. 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 811 178-79, and as conditions change traffic capacity may become more limited. The Basic Services Areas are re-evaluated annually by the County Council.
- Additional comments:

Shrub or other plant material should be provided in landscaped areas. Handicapped parking space must be shown. Parking must be accessible from adjacent dwelling.

[Signature]
Eugene A. Boler
Chief, Current Planning and Development

cc: James Howell

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

STEPHEN E. COLLINS
DIRECTOR

March 8, 1984

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

Item No. 225, 227, 228, and 229. ZAC- Meeting of March 6, 1984
Property Owner:
Location:
Existing Zoning:
Proposed Zoning:

Acres:
District:

Dear Mr. Jablon:

The Department of Traffic Engineering has no comments for item numbers 225, 227, 228, and 229.

MSF/ccm

[Signature]
Michael S. Flanigan
Traffic Engineering Assoc. II

85-160-X

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 7th day of November, 1984.

ARNOLD JABLON
Zoning Commissioner

Received by: [Signature]
Nicholas B. Commodari
Chairman, Zoning Plans
Advisory Committee

Getty Refining and
Marketing Company
Petitioner's
Attorney

November 8, 1984

Mr. S.A. Mazzotta
Getty Refining and Marketing Company
506 Windley Road
Wilmington, Delaware 19803

NOTICE OF HEARING

RE: Petition for Special Exception
SE/corner Back River Neck Rd. &
Williams Ave. (149 Back River Neck Rd.)
Getty Refining & Marketing Co. - Petitioner
Case No. 85-160-X

TIME: 10:45 A.M.

DATE: Monday, December 10, 1984

111 West Chesapeake

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

No. 126845

DATE: 11/22/84 ACCOUNT: R01-615-000

AMOUNT: \$100.00

RECEIVED FROM: *Easton Petroleum Co.*
FOR: *file fee for 11/22/84*

6 037*****1069016 8224A

VALIDATION OR SIGNATURE OF CASHIER

cc: Mr. Thomas J. Hoff
Hoff, Rosenfelt & Woolfolk, Inc.
11-H Gwynns Mill Court
Owings Mills, Maryland 21117

HOFF, ROSENFELT & WOOLFOLK, INC.
11 Gwynns Mill Court
Owings Mills, MD 21117
(301) 363-6830

DESCRIPTION TO ACCOMPANY PETITION
FOR SPECIAL EXCEPTION FOR USE IN
COMBINATION FOOD STORE

LOCATION: 149 BACK RIVER NECK ROAD
15th ELECTION DISTRICT
BALTIMORE COUNTY, MARYLAND

DATE: FEBRUARY 21, 1984

DESCRIPTION:

Beginning for the same at a point on the east side of Back River Neck Road, 70 feet wide, said point being North 89 degrees East 48 feet, more or less, from the intersection of the centerline of said road with the centerline of Williams Avenue, 50 feet wide, running thence binding on the east side of Back River Neck Road, the two following courses viz:

- (1) By a curve to the left having a radius of 5729.58 feet and a length of 64.58 feet, said curve being subtended by a chord bearing South 30 degrees 41 minutes 57 seconds East and a distance of 64.58 feet and
- (2) South 34 degrees 50 minutes 05 seconds East 72.45 feet to a point on the division line between lots 6 and 7, Block 'D', as shown on a plat entitled "Plat of French's Park", recorded in Baltimore County, Maryland in Plat Book W.P.C. 6 folio 138, running thence binding on part of said division line;
- (3) North 29 degrees 47 minutes 00 seconds East 190.93 feet to the end thereof, running thence binding on the rear line of lots 6, 5, 4, 3, 2 and part of lot 1, Block 'D', in all;
- (4) North 33 degrees 23 minutes 00 seconds West 155.52 feet to the south side of Williams Avenue, running thence binding on the south side of said road;
- (5) South 29 degrees 47 minutes 00 seconds West 177.16 feet, running thence across the cutoff line of the southeast corner of Back River Neck Road and Williams Avenue;
- (6) South 09 degrees 16 minutes 31 seconds East 27.17 feet to the place of beginning.

Containing 0.607 acres of land, more or less.

Civil Engineers & Landscape Architects
Water Quality & Stormwater Management Specialists
Thomas J. Hoff, L.A. / Robert S. Rosenfelt, P.E. / Thomas N. Woolfolk

BUREAU OF ENGINEERING - BALTIMORE COUNTY, MD

Petition for Special Exception

15th Election District
LOCATION: Southeast corner of Back River Neck Road and Williams Avenue (149 Back River Neck Road).
DATE & TIME: Monday, December 10, 1984 at 10:45 p.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 a Petition for Special Exception for a food store as a use in combination with a gas and go service station.
Being the property of Getty Refining and Marketing Company, 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

The Times

Middle River, Md., Nov 22 19 84

This is to Certify, That the annexed
Letter
Reg. L 67362
was inserted in *one* The Times, a newspaper printed and published in Baltimore County, once in each of *one* successive weeks before the *22nd* day of *Nov* 19 *84*
S.E. D. W. J. Publisher.

CERTIFICATE OF PUBLICATION

TOWSON, MD., November 22, 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 November 22, 1984

THE JEFFERSONIAN,

P. B. Venetian
Publisher

Cost of Advertising 20.00

PETITION FOR SPECIAL HEARING

15th Election District
LOCATION: Southeast corner of Back River Neck Road and Williams Avenue (149 Back River Neck Road).
DATE AND TIME: Monday, December 10, 1984 at 10:45 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 a Petition for Special Exception for a food store as a use in combination with a gas and go service station.
Being the property of Getty Refining and Marketing 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
Nov. 22

PAGE 2

Being a portion of lots 6, 5, 4, 3, 2 and 1, Block 'D', as shown on a plat entitled "Plat of French's Park" recorded in Baltimore County, Maryland in Plat Book W.P.C. 6 folio 138. Also being all that parcel of land described in an indenture dated March 30, 1972 between Getty Oil Company and Getty Oil Company (Eastern Operations), Inc. and recorded among the Land Records of Baltimore County, Maryland in Liber O.T.G. 5269 folio 122.

NOTE: The above description has been prepared from deeds and other records and does not represent a field survey and is intended for zoning purposes only.



HOFF, ROSENFELT & WOOLFOLK, INC.

85-160-X

PETITION FOR SPECIAL EXCEPTION

15th Election District

LOCATION: Southeast corner of Back River Neck Road and Williams Avenue (149 Back River Neck Road)

DATE AND TIME: Monday, December 10, 1984 at 10:45 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 Special Exception for a food store as a use in combination with a gas and go service station.

Being the property of Getty Refining and Marketing 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

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

85-160-X
2:42 PM

District: *15th* Date of Posting: *11/16/84*
Posted for: *Special Exception for Food Store*
Petitioner: *Getty Refining & Marketing Co.*
Location of property: *S.E. corner of Back River Neck Rd., S. of Williams Ave.*
Location of Signs: *Attached to sign pole at cor. of Back River Neck & Williams, 2 signs facing Back River Neck Rd.*
Remarks: *Permit application provided by Town to post on pole*
Posted by: *[Signature]* Date of return: *11/23/84*
Number of Signs: *1*



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

ARNOLD JABLON
ZONING COMMISSIONER

December 3, 1984

Mr. Marvin Taylor
Easton Petroleum Company
P.O. Box 666
Easton, Maryland 21601

RE: Petition for Special Exception
SE/cor. Back River Neck Rd. &
Williams Avenue (149 Back River Neck Rd.)
Getty Refining and Marketing Co. - Petitioner
Case No. 85-160-X

Dear Mr. Taylor:

This is to advise you that \$44.85 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,

[Signature]
ARNOLD JABLON
Zoning Commissioner

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

No. 003140

DATE: Dec. 21, 1984 ACCOUNT: R-01-615-000

AMOUNT: \$44.85

RECEIVED FROM: Easton Petroleum Company

Advertising & Posting of Case No. 85-160-X
(Getty Refining and Marketing Co.)

6 003*****448016 8208F

VALIDATION OR SIGNATURE OF CASHIER

IN RE: PETITION FOR SPECIAL EXCEPTION * BEFORE THE
SE/corner of Back River Neck * ZONING COMMISSIONER
Road and Williams Avenue (149 * OF BALTIMORE COUNTY
Back River Neck Road) - 15th *
Election District *
Getty Refining & Marketing * Case No. 85-160-X
Company, *
Petitioner *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioner herein requests a special exception for a food store with less than 5,000 square feet of retail sales area in combination with a service station, as more particularly described on Petitioner's Exhibit 1.

The Petitioner, by Martin Taylor, Executive Vice President of Easton Petroleum Company, Inc., its Lessee, appeared and testified. Appearing as Protestants were Mr. and Mrs. Joseph Mangione, owners of a 7-Eleven Store across the street from the instant site, and Thomas Morris, a neighbor.

Testimony indicated that the subject property, zoned B.L.-C.N.S., is presently improved with a gas and go service station. The Lessee wishes to sell specific food items from a portion of the existing 42' x 44' one-story building. The proposed sales area is 246' square feet with storage of pet food in the 232 square foot bay area. Sales are aimed at an existing trade, and there is no expectation that such a small operation would add significantly to traffic congestion. The station is located at the corner of Back River Neck Road and Williams Avenue with access from both roads.

Mr. and Mrs. Mangione pointed out that there are three convenience stores, including theirs, within 200 feet of the instant site and another would not be needed. They were concerned that the proposal was for a full convenience store but to not oppose the limited scope as outlined by the Petitioner. Mr. Morris concurs.

ORDER RECEIVED FOR FILING
DATE: *December 11, 1984*
[Signature]

MAY 15 1984

The Petitioner seeks relief from Section 405.4.D.8, pursuant to Section 502.1, Baltimore County Zoning Regulations (BCZR).

It is clear that the BCZR permit the use requested by the Petitioner in a B.L.-C.N.S. Zone 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 use. Therefore, it must be determined whether the conditions as delineated by Section 502.1 are satisfied by the Petitioner.

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 Petitioner had the burden of adducing testimony and evidence which would show that the proposed use met the prescribed standards and requirements set forth in Section 502.1. In fact, the Petitioner has 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 Petitioner do not show that the proposed use at the particular location described by Petitioner's Exhibit 1 would have any adverse impact above and beyond that inherently associated with such a special exception use irrespective of its location within the zone. Schultz v. Pritts, 432 A.2d 1319 (1981).

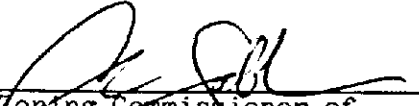
The proposed use will not be detrimental to the health, safety, or general welfare of the locality, nor tend to create congestion in roads, streets, or alleys therein, nor be inconsistent with the purposes of the property's zoning classification, nor in any other way inconsistent with the spirit and 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 14th day of December, 1984, that the Petition for Special Exception for a food store with less than 5,000 square feet of retail sales area in combination with a service station be and is hereby GRANTED, from and after the date of this Order, subject, however, to the following restrictions:

1. Compliance with the comments submitted by the Baltimore County Zoning Plans Advisory Committee (ZPAC), which are adopted in their entirety and made a part of this Order.
2. Compliance with the requirements of the Baltimore County Landscape Manual.
3. Sales shall be limited to soda, cigarettes, candy, snacks, auto service products, pet food, and wild bird seed. The sale of any other items shall be permitted only after amending this special exception via a special hearing.


Zoning Commissioner of
Baltimore County

AJ/srl

cc: Mr. Marvin Taylor

Mr. & Mrs. Joseph Mangione

Mr. Thomas Morris

People's Counsel

ORDER RECEIVED FOR FILING

DATE December 14, 1984

BY Shirley P. Lacey, et al

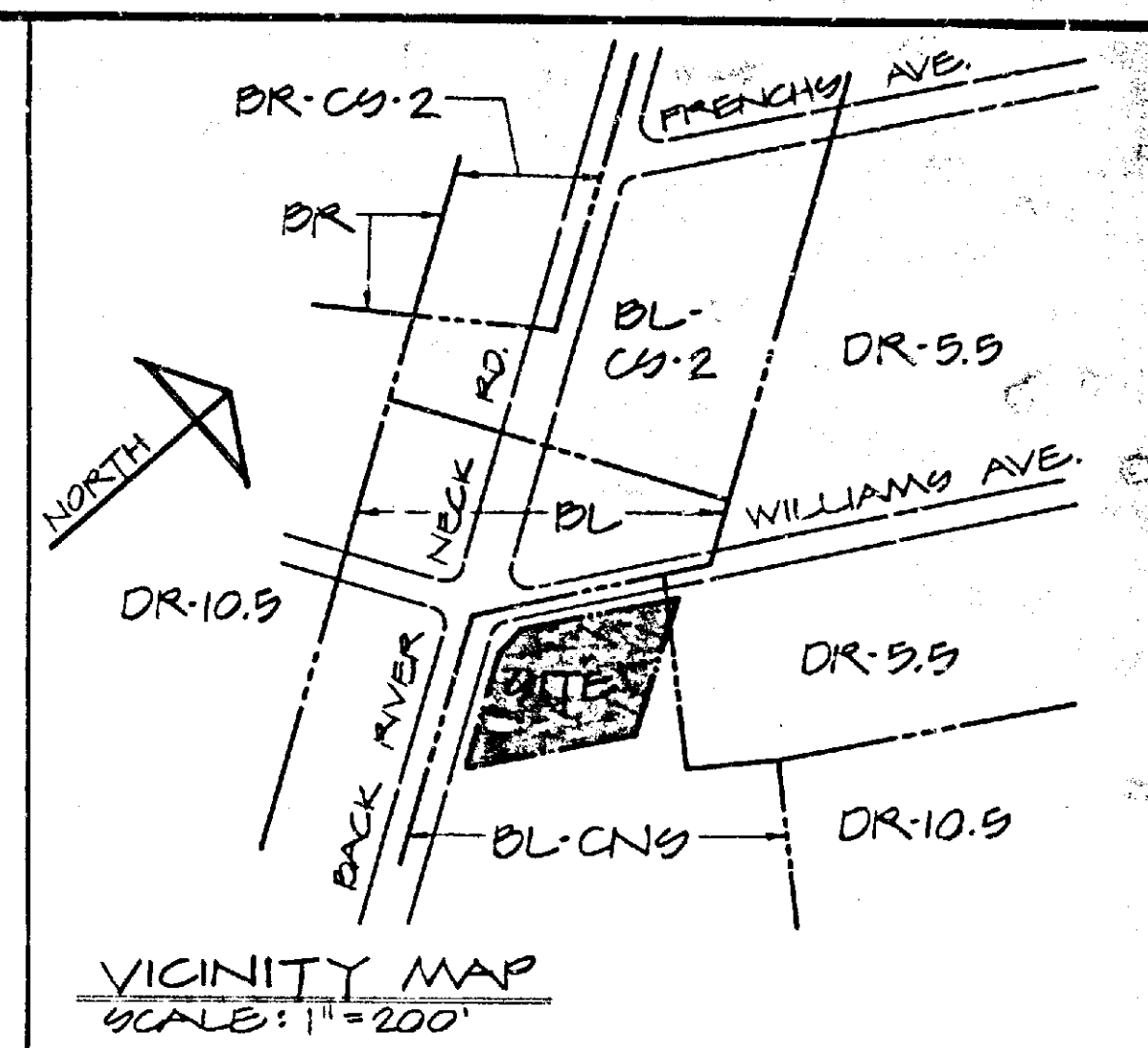
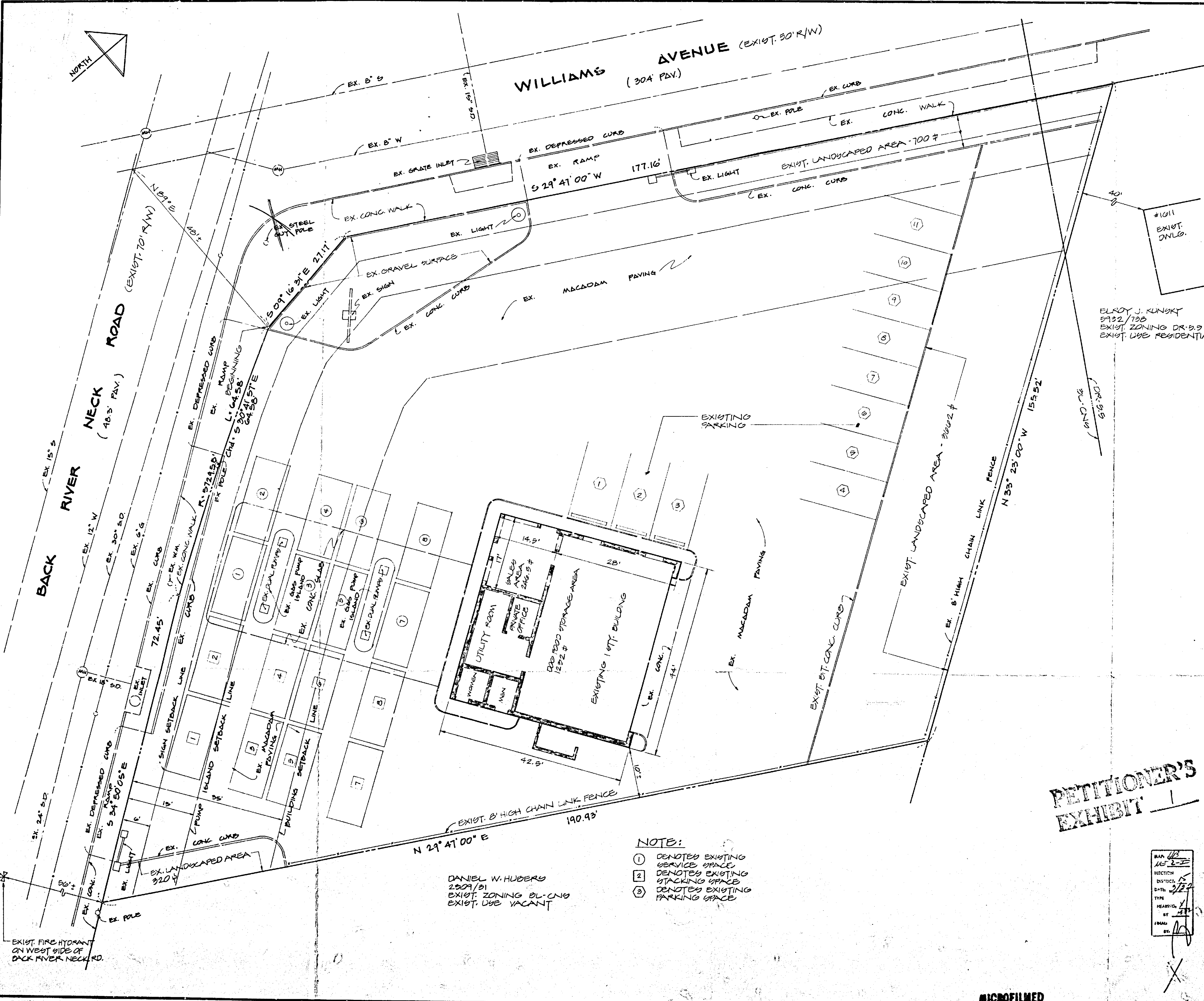
ADMINISTRATIVE ASSISTANT

ORDER RECEIVED FOR FILING

DATE December 14, 1984

BY Shirley P. Lacey, et al

ADMINISTRATIVE ASSISTANT



SITE DATA:

GROSS ACREAGE	0.829 AC.
NET	0.607 AC.
EXISTING ZONING	BL-C9-2 + DR-S-9
EXISTING USE	SERVICE STATION
PROPOSED USE	SERVICE STATION IN COMBINATION WITH FOOD STORE
SITE AREA REQUIRED	19000 sq ft
FOOD STORE (1870 sq ft)	7400 sq ft
TOTAL AREA REQUIRED	22400 sq ft OR 0.62 AC.
SERVICE SPACES REQUIRED (4 DUAL PUMPS)	8 SPACES
SERVICE SPACES SHOWN	8 "
STACKING SPACES REQUIRED	8 "
STACKING SPACES SHOWN	8 "
PARKING REQUIRED (1870 sq ft x 1/200)	9.35 "
PARKING SHOWN	11 "
LANDSCAPED AREA REQUIRED (9% OF 0.829 AC.)	1800 sq ft
LANDSCAPED AREA SHOWN	4002 sq ft

GENERAL NOTES:

- 1 LANDSCAPED AREAS ARE IN TURF GRASS.
- 2 ANCILLARY USES - VENDING MACHINES
- 3 GRATING WILL BE ADDED TO EXISTING FENCE ALONG EAST PROPERTY LINE.
- 4 PARKING SPACES ARE 9' x 18'.
- 5 PROPERTY LINE, EXISTING UTILITIES AND IMPROVEMENTS SHOWN HEREON ARE TAKEN FROM A PLAN TITLED "PROPERTY NO. 3791, BACK RIVER NECK ROAD AND WILLIAMS AVENUE - PLOT PLAN" DATED 6/22/71, PREPARED BY CROCKETT HUMAN ASSOCIATES, INC.

PLAT TO ACCOMPANY PETITION FOR SPECIAL EXCEPTION FOR USE IN COMBINATION FOOD STORE
 149 BACK RIVER NECK ROAD
 19th ELECTION DISTRICT BALTIMORE CO. MD.

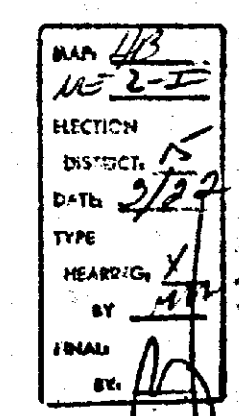
SCALE: 1" = 10' DATE: FEB. 21, 1984 JOB NO. 83-07/01
 DESIGNED: TJH DRAWN: JWH CHECKED: JWH

HOFF, ROSENFELT & WOOLFOLK, INC.
 Civil Engineers & Landscape Architects
 11 Gwynns Mill Court
 Owings Mills, MD 21117
 (301) 363-6830

OWNER:
 BETTY REFINING & MARKETING COMPANY
 506 WINDLEY ROAD
 WILMINGTON, DELAWARE
 19809
 JBEO REF. : 9269/122

REVISION: 10/25
 DRAWING NO. 9P-1
 SHEET 1 OF 1

PETITIONER'S EXHIBIT 1

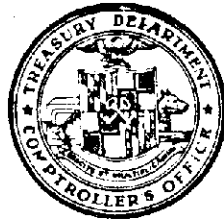


NOTE:

- 1 DENOTES EXISTING SERVICE SPACE
- 2 DENOTES EXISTING STACKING SPACE
- 3 DENOTES EXISTING PARKING SPACE

DANIEL W. HUBERS
 2509/91
 EXIST. ZONING BL-C9-2
 EXIST. USE VACANT

MICROFILMED



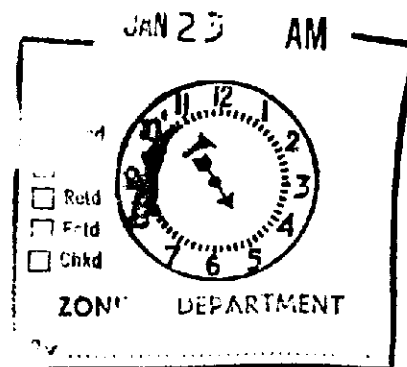
85-1514

85-160X
COMPTROLLER OF THE TREASURY
MOTOR VEHICLE FUEL TAX DIVISION
P.O. BOX 1751
LOUIS L. GOLDSTEIN TREASURY BUILDING
ANNAPOLIS, MARYLAND 21404

1/23/85
g
LOUIS L. GOLDSTEIN
COMPTROLLER
J. BASIL WISNER
CHIEF DEPUTY
HOWARD C. FITZGERALD
DIRECTOR OF DIVISION

IN REPLY REFER TO FILE NO.

January 21, 1985



Mr. Arnold Jablon
Zoning Commissioner
Baltimore County
New Court Building - 4th Floor
Towson, Maryland 21404

Dear Mr. Jablon:

For easy reference, we are attaching a copy of Petition For Special Exception submitted to us by Easton Petroleum Company, Inc. as evidence of compliance with Section 157F(a) of Article 56, Annotated Code of Maryland. This particular portion of law prevents the Comptroller from issuing a Certificate of Registration to service stations structurally modified from full service to "gas and go type" unless local Zoning Boards or Planning Commissioners rule in favor of such conversions.

Beginning on Line 8 of the attached "Findings of Fact and Conclusions of Law" is the statement "is presently improved with a gas and go service station". This facility had been a full service facility, so registered and operated by Easton Petroleum Company, Inc. A renewal application was submitted by Easton Petroleum Company dated June 19, 1984, indicating they had converted to "gas and go". At that point in time, we called to their attention the fact they must obtain local zoning approval in order for us to issue a Certificate of Registration. As an accommodation and in order to allow them time to obtain such county approval, we permitted them to operate on a temporary basis.

In our interpretation of the attachment, it appears the Zoning Commissioner has not addressed the problem of converting to gas and go because of the Findings of Fact statement, to the effect it was already a gas and go facility.

Please clarify for us whether or not Baltimore County has actually approved the conversion from full serve with service facilities to gas only at this location.

Very truly yours,

A. E. Price
Assistant to the Director
Motor Vehicle Fuel Tax Division

AEP:lcz
Attachment

My Telephone Number is (301) - 269-3126
TTY for Deaf: Annapolis Area 269-2609
AN EQUAL OPPORTUNITY EMPLOYER



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

ARNOLD JABLON
ZONING COMMISSIONER

JEAN M. H. JUNG
DEPUTY ZONING COMMISSIONER

January 23, 1985

Mr. A. E. Price
Assistant to the Director
Motor Vehicle Fuel Tax Division
Comptroller of the Treasury
P.O. Box 1751
Annapolis, Maryland 21404

RE: Case No. 85-160-X
Getty Refining & Marketing
Company, Petitioner

Dear Mr. Price:

With reference to your letter of January 21, 1985, please be advised that your point is well taken. In this particular case, local zoning has been satisfied as to the conversion from a full service station to a "gas and go" operation. The Petitioner needs to do nothing further.

Indeed, your letter has particular significance, and I suggest that I be notified of all future requests to your office for such conversions. In that way, I will insure notification to you.

I must admit to having learned something, and I appreciate that. If I can be of further assistance, please contact me.

Sincerely,

ARNOLD JABLON
Zoning Commissioner

AJ/srl