86-19-XA

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 with less than 5,000 square feet of retail sales area in combination with its present use as a service station, as permitted under B.C.Z.R. 405.4.D.8, and to allow the conversion from a service station to a gas and go

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

I, or we, agree to pay expenses of above Special Exception advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law 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

Attorney for Petitioner:

F. Vernon Boozer
(Type or Print Name)

Signature

Address

City and State

Attorney's Telephone No.:

Legal Owner(s):

Exxon Corporation
(Type or Print Name)

Stewart A. Bain
Signature

Stewart A. Bain, Real Estate Rep. Exxon Corp.
(Type or Print Name)

Signature

614 Bosley Avenue 828-9441
Address Phone No.

Towson, Maryland 21204
City and State

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

F. Vernon Boozer
Name

614 Bosley Avenue, Towson, MD 21204
Address Phone No. 828-9441

ORDERED By The Zoning Commissioner of Baltimore County, this 10th day of June, 1985, 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 15th day of July, 1985, at 10:00 o'clock

Zoning Commissioner of Baltimore County.

(over)

ORDER RECEIVED FOR FILING
DATE July 21, 1985
BY

86-19-XA

PETITION FOR ZONING VARIANCE

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 230.2 to allow a rear yard setback of 5' in lieu of its required 30'; Section 405.4A.2a to allow a setback of 34' from the street right-of-way in lieu of the required 35'; Sec. 405.4.A1 and D.8 to allow a site area of 16,396 sq. ft. in lieu of the required 19,316 sq. ft.; Section 413.2.f to allow 6 (six) free-standing business signs with a total sq. footage of 820.56 (counting all sides) in lieu of the permitted 3 signs with a permitted sq. footage of 100 sq. feet. of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty)

1. The present station is in need of major renovations and these variances would allow a use that is more cost-effective and of service to the public.
2. The desired use constitutes the best use for the property.
3. The sign variance is necessary for compliance with state and federal laws regarding pricing and advertising.

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

Attorney for Petitioner:

F. Vernon Boozer
(Type or Print Name)

Signature

Address

City and State

Attorney's Telephone No.:

Legal Owner(s):

Exxon Corporation
(Type or Print Name)

Stewart A. Bain
Signature

Stewart A. Bain, Real Estate Rep. Exxon Corp.
(Type or Print Name)

Signature

614 Bosley Avenue, 828-9441
Address Phone No.

Towson, MD 21204
City and State

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

F. Vernon Boozer
Name

614 Bosley Avenue, Towson, MD 21204
Address Phone No. 828-9441

ORDERED By The Zoning Commissioner of Baltimore County, this 10th day of June, 1985, 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 15th day of July, 1985, at 10:00 o'clock A.M.

Zoning Commissioner of Baltimore County.

(over)

ORDER RECEIVED FOR FILING
DATE July 21, 1985
BY

86-19-XA

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 10th day of June, 1985.

ARNOLD JABLON
Zoning Commissioner

Petitioner Exxon Corporation
Petitioner's Attorney

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

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

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

Nicholas B. Commodari
Chairman

MEMBERS

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

July 8, 1985

F. Vernon Boozer, Esquire
614 Bosley Avenue
Towson, Maryland 21204

RE: Item No. 268 - Case No. 86-19-XA
Petitioner - Exxon Corporation
Variance & Special Exception

Dear Mr. Boozer:

The Zoning Plans Advisory Committee and the County Review Group (CRG) have both reviewed the plans submitted with the above referenced petition. The following comments from the CRG have been substituted for those of the Zoning Plans Advisory Committee. They 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.

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

COUNTY REVIEW GROUP MEETING MINUTES

TX-458

Wednesday, May 29, 1985

EXXON CONVENIENCE STORE

District: 9 C9

COUNTY REVIEW GROUP - THOSE PRESENT

Gilbert S. Benson, Chairman	*- Dept. of Public Works*
Susan Carrell, Co-Chairman	*- Office of Planning*

Agency Representatives

Greg Jones	*- Traffic Engineering*
George Wittman	*- State Highway Administration*

Developer and/or Representatives

Vernon Boozer	*- Attorney for Exxon*
Tony DiPaula	*- Attorney for Exxon*
Anthony Corteal	*- Developer's Engineer*

Mr. Benson convened the meeting at 9:00 a.m., introduced the staff and explained the purpose of the meeting.

Mr. A. Corteal, Developer's Engineer, presented the plan and stated that the existing building is to be removed and they propose to reconstruct a new convenience shop. The entrances are to be revised and it is proposed that one entrance only is to be constructed for both Joppa Road and Loch Raven Boulevard. The pump islands are to be revised as shown on the plan.

Susan Carrell, Co-Chairman, summarized written comments submitted from Traffic Engineering, Zoning, Planning, Department of Health, State Highway Administration, Bureau of Sanitation, Developers Engineering Division and the Storm Water Management Section. The comments have been made a part of the minutes and a copy was given to the developer and developer's engineer.

The Traffic Engineer stated that the two entrances on Joppa Road are to be combined into one entrance as shown on the attached plan to their comments.

The Office of Planning stated that the landscape calculations shall be revised as stated in their comments.

The Office of Zoning stated that the parking is to be revised to improve circulation within this site. Two parking spaces are to be relocated on the north side of the building, and three parking spaces are to remain on the south side.

EXXON CONVENIENCE STORE *May 29, 1985*

The plan was approved by the Chairman and Co-Chairman, subject to the several revisions as requested by the agencies.

The meeting was adjourned at 10:00 a.m.

BALTIMORE COUNTY, MARYLAND

SUBJECT: SUBDIVISION REVIEW COMMENTS DATE: May 27, 1985

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

PROJECT NAME:	Exxon Convenience Store
PROJECT NUMBER:	#85123
LOCATION:	S/E corner Loch Raven Boulevard and Joppa Road
DISTRICT:	9C4

The Plan for the subject site, dated March 19, 1985, has been reviewed by the Developers Engineering Division and we comment as follows:

GENERAL COMMENTS:

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

The Developer is responsible for the full cost of all highway and storm drain construction.

The Developer shall be responsible for damages to the County's facilities, such as water meters, manholes, curbs and gutters and inlets within his site. Occupancy Permits will be withheld until such damages have been corrected.

The Plan is satisfactory pending conformance with the following comments.

HIGHWAY COMMENTS:

The Developer is responsible for the relocation of any utilities or poles as required by the road improvements.

The entrance locations are subject to approval by the Department of Traffic Engineering.

Entrances shall be a minimum of 24 feet and a maximum of 35 feet wide. Depressed curb is to be used with no curb returns to the property line.

HIGHWAY COMMENTS: (Cont'd)

Prior to removal of any existing curb for entrances, the Developer shall obtain a permit from the Bureau of Public Services, Attention: Mr. C. E. Brown, 494-3321.

Ramps shall be provided for physically handicapped persons at all street intersections.

Sidewalks are required adjacent to the public roads serving this site. The walks shall be 5 feet wide and shall be installed to conform with Baltimore County Standards, which places the back edge of the sidewalk 2 feet off the property line, or the adjacent unencumbered area.

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

STORM DRAINS, SEDIMENT CONTROL AND STORM WATER MANAGEMENT COMMENTS:

Onsite drainage facilities serving only areas within the site are considered private. Therefore, construction and maintenance shall be the Developer's responsibility. However, a drainage area map, scale 1"=200', including all facilities and drainage areas involved, shall be shown on the required construction plans.

The Developer 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 Developer.

No storm water management is required.

A grading permit and sediment control and grading plan may be required in accordance with Baltimore County Council Grading and Sediment Control Ordinance Bill No. 13-85.

WATER AND SANITARY SEWER COMMENTS:

A preliminary print of this property has been referred to the Baltimore City Water Division for review and comment in regard to adequacy of water pressure in this development.

Permission to obtain a metered connection from the existing main may be obtained from the Department of Permits and Licenses.

The Developer is responsible for the cost of capping or plugging any existing house connection not used to serve the proposed site.

JAN 29 1986

Southgate Harbor, 279 Md. 586 (1977). If all multiple-faced business signs were to be considered as one, the language of Section 413.2.e would be meaningless, or at the very least, superfluous.

The language of Section 413.2 is clear and unambiguous; therefore, the long-standing and customary application of the policy which considers all multiple-faced business signs as one should be disregarded for the strongest and most urgent of reasons, i.e., the policy conflicts with the plain meaning of the statute. Smith v. Higinbothom, 187 Md. 115. If the two sides of the multiple-faced business sign exceed the permitted size delineated by law after computation, a variance shall be required.

Not all of the requested signage will be permitted since no evidence was presented to support the burden of proof required by Section 307, i.e., that a practical difficulty would exist if not granted. Therefore, after weighing the testimony and evidence presented, only two free-standing identification signs, 24'4" high from grade, 120.64 square feet per face for a total of 482.46 square feet and one sign attached to the canopy column spreader bar identifying the diesel dispenser, 33.8 square feet per side for a total of 67.6 square feet, will be allowed for a total of 550.16 square feet of signage permitted under Section 413.2.f.

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 and variances, as limited and described above, should be granted.

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 31st day of July, 1985, that the Petition for Special Exception for a food store with less than 5,000 square feet of retail sales area in combination

ORDER RECEIVED FOR FILING
DATE July 31, 1985
BY [signature], Administrative Assistant

with a service station and conversion to a gas and go operation and, additionally, variances to permit a rear yard setback of 5 feet instead of the required 30 feet, a setback of 34 feet instead of the required 35 feet to the street right of way, a site area of 16,356 square feet instead of the required 19,316 square feet, and the signage described above be and are hereby GRANTED, from and after the date of this Order, subject, however, to the following restrictions which are conditions precedent to the relief herein granted:

1. The Petitioner may apply for its building permit and be granted same upon receipt of this Order; however, Petitioner is 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, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.

2. Two canopy facia signs will be permitted to identify Exxon, but they must be reduced from 38.8 square feet each to 13 square feet each.

3. Four canopy column signs, each 7.27 square feet, will be permitted as long as the total comports to the size requirements of Section 413.2.b.

[signature]
Zoning Commissioner of
Baltimore County

AJ/srl

cc: F. Vernon Boozer, Esquire
Mrs. Mary Ginn
People's Counsel

ORDER RECEIVED FOR FILING
DATE July 31, 1985
BY [signature]

PETITION FOR SPECIAL EXCEPTION AND VARIANCE

9th Election District

LOCATION: Southeast corner of Loch Raven Boulevard and Joppa Road (1701 East Joppa Road)

DATE AND TIME: Monday, July 15, 1985 at 10:00 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 to use the property for a food store with less than 5,000 square feet of retail sales area in combination with its present use as a service station, as permitted under Baltimore County Zoning Regulations 405.4.D.8, and to allow the conversion from a service station to a gas and go; additionally, Petition for Variance from Section 238.2 to allow a rear yard setback of 5 feet in lieu of the required 30 feet; Section 405.4A.2a to allow a setback of 34 feet from the street right-of-way in lieu of the required 35 feet; Section 405.4.A1 and D.8 to allow a site area of 16,356 sq.ft. in lieu of the required 19,316 sq.ft.; Section 413.2.f to allow 6 free-standing business signs with a total square footage of 820.56 (counting all sides) in lieu of the permitted 3 signs with a permitted square footage of 100 square feet.

Being the property of EXXON CORPORATION, as shown on plat plan filed with the Zoning Office.

In the event that these Petitions are 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

STV/LYON ASSOCIATES.

ENGINEERS, ARCHITECTS & PLANNERS.
21 GOVERNOR'S COURT
BALTIMORE, MD 21207-2722
301/944-9112

ZONING DESCRIPTION
NO. 1701 EAST JOPPA ROAD AT LOCH RAVEN BOULEVARD
NINTH ELECTION DISTRICT, BALTIMORE COUNTY, MARYLAND

BEGINNING FOR THE SAME at a point along the eastern side of Loch Raven Boulevard at the southeastern intersection of Joppa Raod, thence running,

1. North 77°22'30" East 7.90 feet to the beginning of a site flare, thence by a curve to the right having,
2. A radius of 51.00 feet, an arc length of 72.10 feet, said curve being subtended by a chord bearing North 28°00'19" East 66.24 feet to a point along the southeast side of Joppa Road, thence along same,
3. North 68°30'20" East 75.76 feet, thence leaving the southeast side of Jappa Road and running,
4. South 22°49'15" East 127.84 feet thence,
5. South 68°54'45" West 66.00 feet thence,
6. North 22°49'15" West 4.92 feet thence,
7. South 72°25'45" West 84.05 feet to a point on the east side of Loch Raven Boulevard, thence along same, by a curve to the left having,
8. A radius of 2,123.48 feet, an arc length of 76.00 feet, said curve being subtended by a chord bearing North 11°35'44" West 76.00 feet to the point of beginning . . . containging 0.375 acre of land or 16,356 square feet, more or less

Mark A. Riddle
STV/LYON ASSOCIATES, INC.
Mark A. Riddle
Md. Reg. P.L.S. No. 244

February 6, 1985

STATE OF MARYLAND · MARK ALAN RIDDLE · No 244 REGISTERED · PROPERTY LINE SURVEYOR

STV ENGINEERS, Engineers, Architects, Planners, Construction Managers. Professional Member Firms: STV/Baltimore Transportation Associates; STV/Lyon Associates; STV/Management Consultants Group; STV/H. D. Nottingham & Associates; STV/Sanders & Thomas; STV/Sentatric; STV/Seelye Stevenson Value & Knecht

RE: PETITION FOR SPECIAL EXCEPTION : BEFORE THE ZONING COMMISSIONER
PETITION FOR VARIANCES
SE Corner of Loch Raven Blvd. : OF BALTIMORE COUNTY
and Joppa Rd. (1701 E. Joppa
Rd.), 9th District :
EXXON CORPORATION, Petitioner : Case No. 86-19-XA

: : : : : : :

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 21st day of June, 1985, a copy of the foregoing Entry of Appearance was mailed to F. Vernon Boozer, Esquire, 614 Bosley Ave., Towson, MD 21204, Attorney for Petitioner.

Peter Max Zimmerman
Peter Max Zimmerman

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

ARNOLD JABLON
ZONING COMMISSIONER

July 11, 1985

F. Vernon Boozer, Esquire
614 Bosley Avenue
Towson, Maryland 21204

RE: Petition for Special Exception & Variance
SE corner of Loch Raven Blvd. & Joppa Road
(1701 East Joppa Road) - 9th District
Exxon Corporation - Petitioner
Case No. 86-19- XA

Dear Mr. Boozer,

This is to advise you that $106.70 is due for advertising and posting of the above property. This fee must be paid before an Order is issued.

This fee must be paid and the zoning sign and post returned on the day of the hearing. Do not remove sign until day of the hearing.

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

Sincerely,

Arnold Jablon
ARNOLD JABLON
Zoning Commissioner

CERTIFICATE OF POSTING 86-19-XA
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 9th — Date of Posting: 6/27/85
Posted for: Special Exception & Variance
Petitioner: Exxon Corporation
Location of property: SE/cor. Loch Raven Blvd & Joppa Rd. 1701 E Joppa Rd
Location of Signs: @ facing Loch Raven & @ facing Joppa, both approx. 6' fr. roadway, on property of petitioner
Remarks: Attach to owners light poles, permission given by station mgr
Posted by: [signature] (Signature) — Date of return: 6/28/85
Number of Signs: 2

PETITION FOR SPECIAL EXCEPTION AND VARIANCE
9th Election District

LOCATION: Southeast corner of Loch Raven Boulevard and Joppa Road (1701 East Joppa Road)
DATE AND TIME: Monday, July 15, 1985 at 10:00 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 to use the property for a food store with less than 5,000 square feet of retail sales area in combination with its present use as a service station, as permitted under Baltimore County Zoning Regulations 405.4.D.8, and to allow the conversion from a service station to a gas and go; additionally, Petition for Variance from Section 238.2 to allow a rear yard setback of 5 feet in lieu of the required 30 feet; Section 405.4A.2a to allow a setback of 34 feet from the street right-of-way in lieu of the required 35 feet; Section 405.4.A1 and D.8 to allow a site area of 16,356 sq. ft. in lieu of the required 19,316 sq. ft.; Section 413.2.f to allow 6 free-standing business signs with a total square footage of 820.56 (counting all sides) in lieu of the permitted 3 signs with a permitted square footage of 100 square feet.

Being the property of Exxon Corporation, as shown on plat plan filed with the Zoning Office.

In the event that these Petitions are 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
June 27.

CERTIFICATE OF PUBLICATION 86-19-XA

TOWSON, MD., June 27, 19 85

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 June 27, 19 85

THE JEFFERSONIAN,
[signature]
Publisher

Cost of Advertising
33.00

CERTIFICATE OF PUBLICATION 86-19-XA

Towson, Md. 7/9 1985

THIS IS TO CERTIFY, that the annexed advertisement was published in the TOWSON TIMES, a weekly newspaper distributed in Towson, Baltimore County, Md., once a week for 1 consecutive weeks, the first publication appearing on the 26th day of June 1985

The TOWSON TIMES
[signature]

Cost of Advertisement: $63.70

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT — No. 007372

DATE 7-17-85 ACCOUNT R-01-615-000
AMOUNT $ 106.70
RECEIVED FROM: F Vernon Boozer Esq
FOR: Advertising & Posting — 86-19-XA

VALIDATION OR SIGNATURE OF CASHIER

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT — No. 005266

DATE [illegible]/85 ACCOUNT R-01-615-000
AMOUNT $ [illegible]
RECEIVED FROM: Vernon Boozer
FOR: [illegible]

VALIDATION OR SIGNATURE OF CASHIER

JAN 29 1986

F. Vernon Boozer, Esquire
614 Bosley Avenue
Towson, Maryland 21204

June 12, 1985

NOTICE OF HEARING

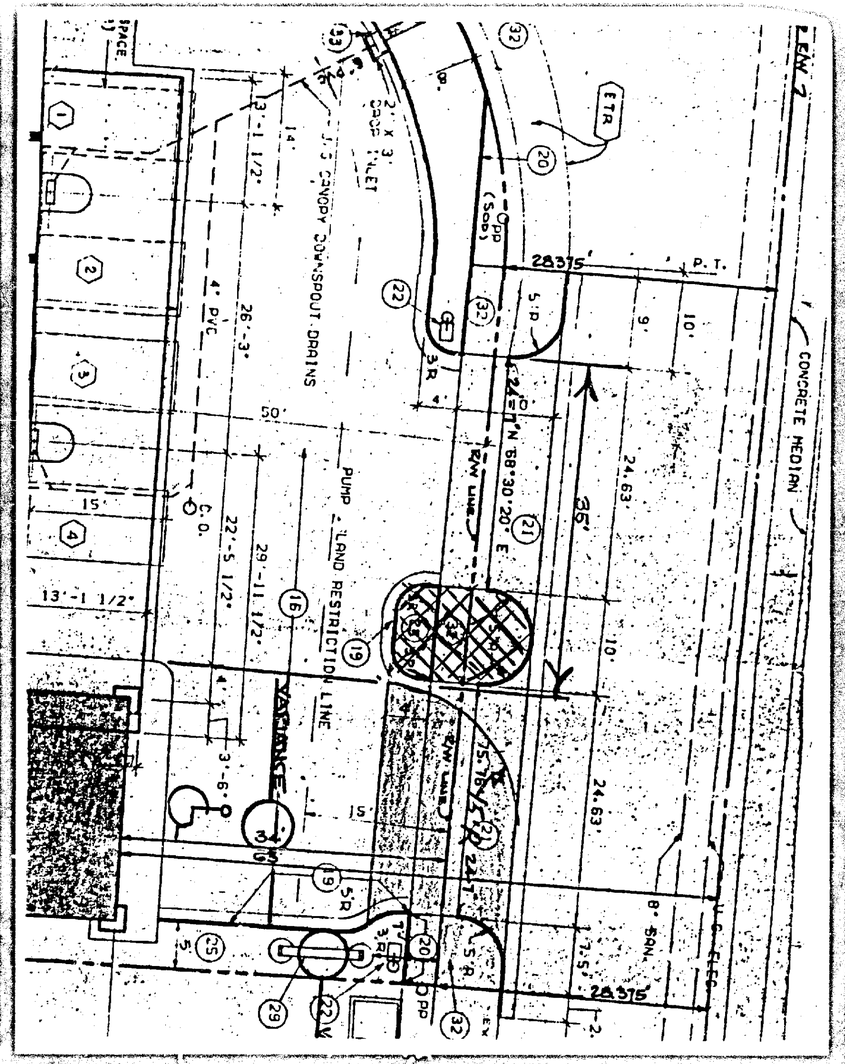
RE: PETITIONS FOR SPECIAL EXCEPTION, VARIANCE
SE corner of Loch Raven Blvd. & Joppa Road
(1701 East Joppa Road) - 9th District
Exxon Corporation - Petitioner
Case No. 86-19-XA

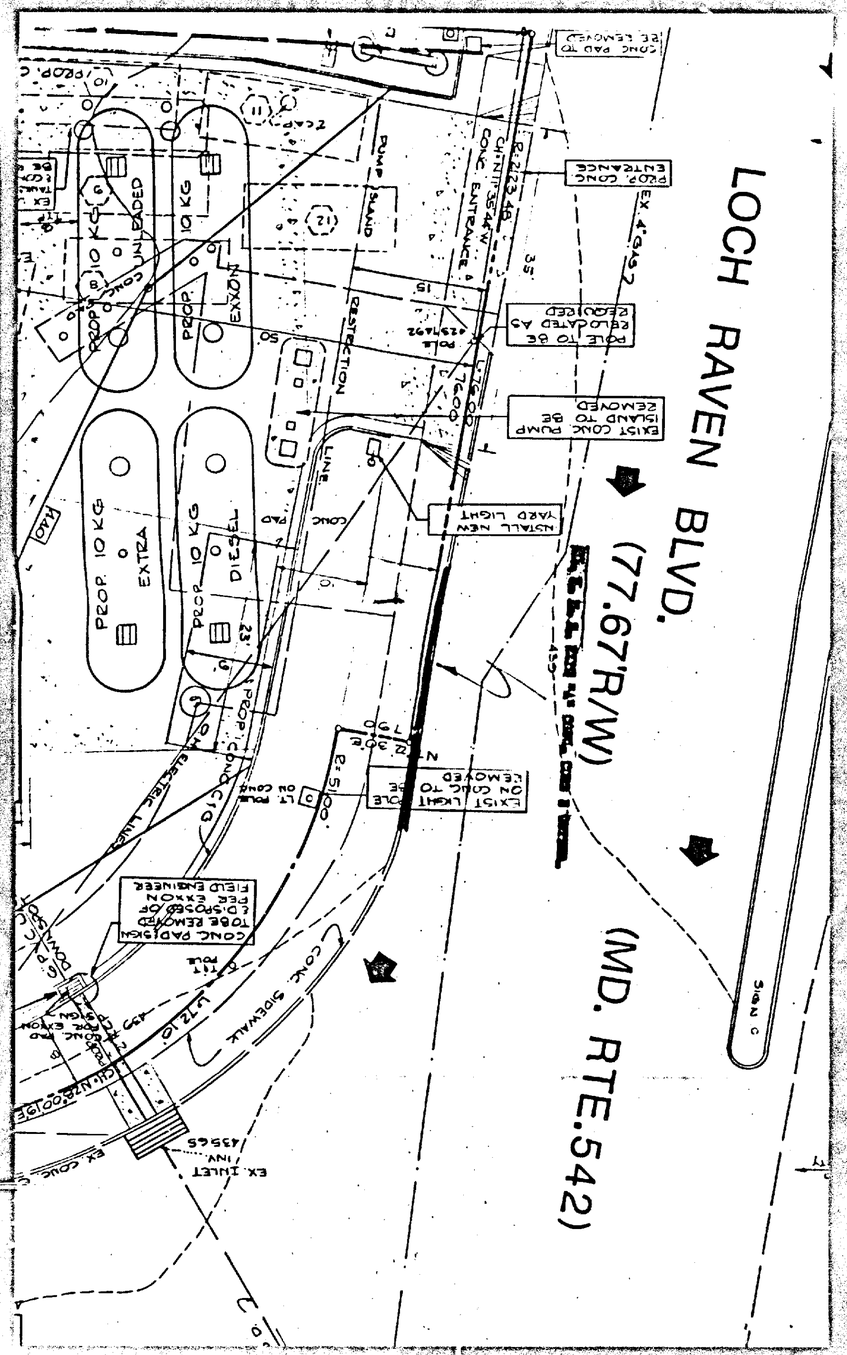
TIME: 10:00 a.m.

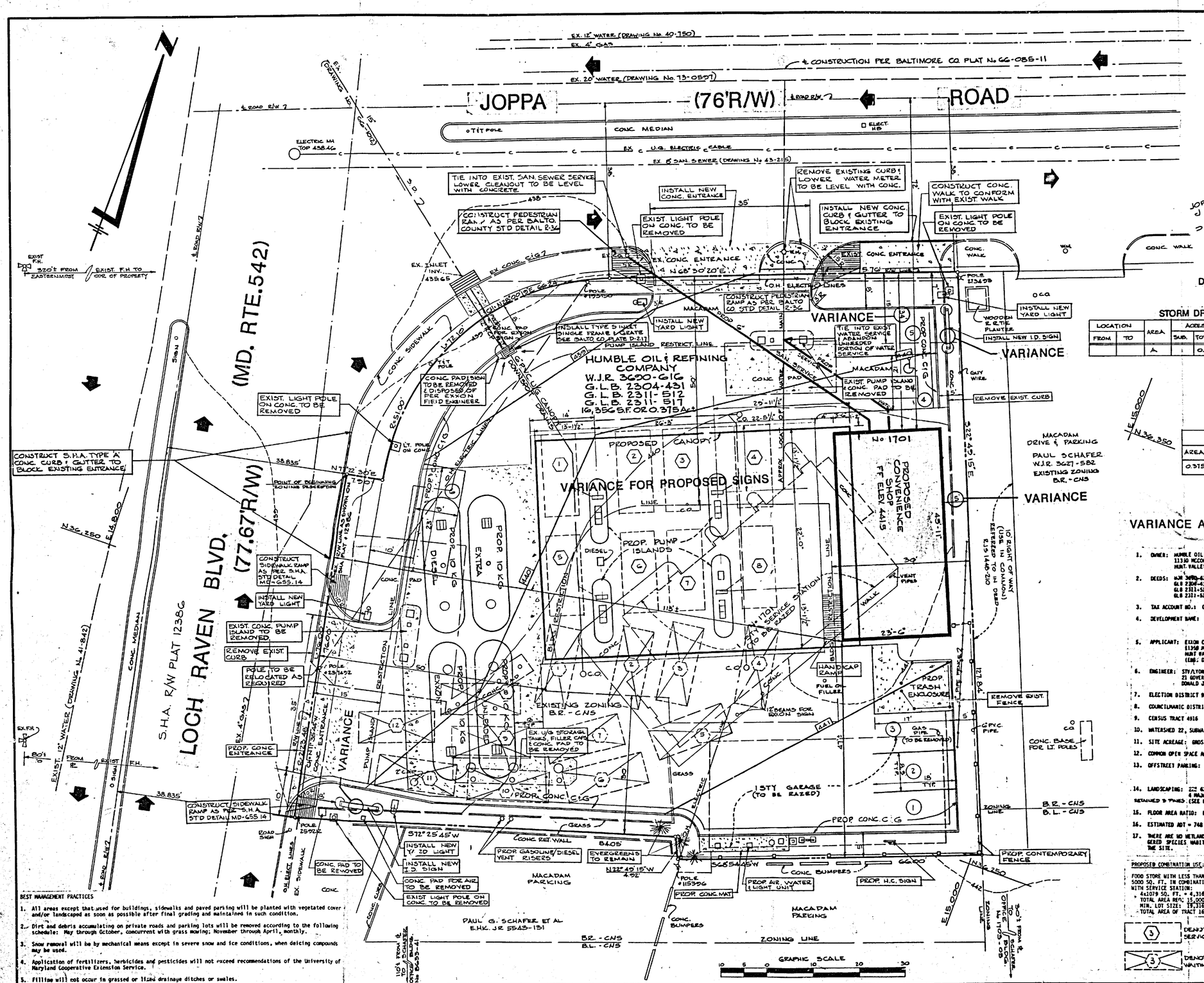
DATE: Monday, July 15, 1985

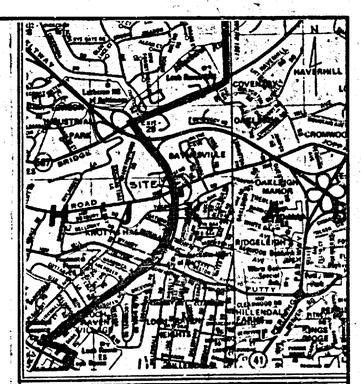
PLACE: Room 106, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland

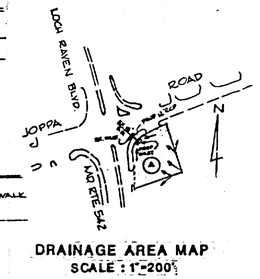
Zoning Commissioner
of Baltimore County











STORM DRAIN FLOW TABULATION FORM

LOCATION FROM	LOCATION TO	AREA	ACRES SUB.	ACRES TOTAL	COEFF. 'C'	CA	Σ CA	TIME CONC.-MIN. INLET	TIME CONC.-MIN. DRAIN	TIME CONC.-MIN. TOTAL	INTEN. 'I'	Q=C.I.A. C.F.S.	PIPE Nº SIZE	PIPE Nº SLOPE	PIPE Nº VEL.	PIPE Nº LGTH	REMARKS
		A		0.40	.95	0.38		5.0	-	5.0	8.0	3.04					10 YR. FREQUENCY

SOIL SURVEY DATA

AREA	SYM.	TYPE	(BLDG (1STY) W/O BSMT.	STREETS & PARKING LOT	HYDRO. CL.
0.375	GlB	GLENELG-URBAN LAND COMPLEX 0-8%	SLIGHT	MODERATE	B

VARIANCE AND C.R.G. NOTES

1. OWNER: HUMBLE OIL & REFINING CO. (NOW EXXON)
   11350 MCCORMICK ROAD
   HUNT VALLEY, MARYLAND 21031
2. DEEDS: W.J.R. 3600-616
   G.L.B. 2304-431
   G.L.B. 2311-512
   G.L.B. 2311-517
3. TAX ACCOUNT NO.: 0905570126
4. DEVELOPMENT NAME: EXXON COMPANY, USA
   S.E. CORNER OF LOCH RAVEN BLVD. & JOPPA ROAD
   NO. 1701 JOPPA RD., BALTIMORE, MD. 21234
5. APPLICANT: EXXON CO. USA
   11350 MCCORMICK ROAD
   HUNT VALLEY, MARYLAND 21031
   (ENG. DEPT. PHONE 628-6652)
6. ENGINEER: STV/LYON ASSOCIATES, INC., ATTN: THOMAS W. BOWEN
   21 GOVERNOR'S COURT, BALTIMORE, MARYLAND 21207
   DONALD J. WISE, P.E. (PHONE 944-8112)
7. ELECTION DISTRICT 9
8. COUNCILMANIC DISTRICT 9
9. CENSUS TRACT 4916
10. WATERSHED 22, SUBWATERSHED 50
11. SITE ACREAGE: GROSS 0.376 AC ±, NET 0.375 AC ±, OR 16,356 SF ±
12. COMMON OPEN SPACE AND DENSITY CALCULATIONS REQUIREMENTS: NONE
13. OFFSTREET PARKING: RETAIL STORE (1,079 SF ÷ 200) = 6 SPACES REQUIRED, 6 SPACES PROVIDED (INCLUDING 1 HANDICAP)
14. LANDSCAPING: 222.63 ÷ 40 = 6.7 OR 6 MAJOR TREES REQUIRED
    4 MAJOR TREES AND 9 MINOR TREES PROVIDED
    RETAINED 9 TREES (SEE PLANTING PLAN)
15. FLOOR AREA RATIO: PERMITTED RATIO = 2.0, SITE RATIO = 0.07
16. ESTIMATED ADT = 748
17. THERE ARE NO WETLANDS, CRITICAL AREAS, ARCHEOLOGICAL SITES, ENDANGERED SPECIES, HABITATS, OR HAZARDOUS WASTE MATERIAL SITES WITHIN THE SITE.
18. EXISTING USE: FULL SERVICE STATION
    PROPOSED USE: CONVENIENCE STORE AND GAS & GO
19. THERE ARE NO EXISTING OR PROPOSED SEPTIC AND/OR WELL AREAS.
20. THERE ARE NO HISTORIC BUILDINGS ON SITE.
21. STORMWATER MANAGEMENT WAIVER HAS BEEN GRANTED.
22. ANCILLARY USES: MINOR ACCESSORY USES
    NO ADDITIONAL SQUARE FOOTAGE REQUIRED
23. AREA DISTURBED BY NEW CONSTRUCTION: 16,356 SF ±
24. ACCESS POINTS: 1 DRIVEWAY ON JOPPA ROAD: 38' WIDE
    1 DRIVEWAY ON LOCH RAVEN BOULEVARD: 38' WIDE
25. LIGHTING: 4 SUPER HALIDE, 400 W
    1 METAL HALIDE, 250 W

ZONING:

EXISTING ZONING: BR-CNS
PROPOSED ZONING: NO CHANGE BUT WITH A SPECIAL EXCEPTION TO ALLOW A FOOD STORE WITH < 5,000 SQ. FT. IN CONJUNCTION WITH ITS PRESENT USE AS A SERVICE STATION AS PERMITTED UNDER BCZR 405.C.0.8, AND TO ALLOW THE CONVERSION FROM A SERVICE STATION TO A GAS AND GO.

THE FOLLOWING VARIANCE PETITIONS HAVE BEEN REQUESTED:

SEC. 238.2 - TO ALLOW A 5' REAR SETBACK IN LIEU OF 30' REQUIRED.

SEC. 405.4.A.1 AND 9.B - TO ALLOW A FOOD STORE WITH LESS THAN 5,000 SQ. FT. WHERE THE TOTAL AREA IS 16,356 SQ. FT. IN LIEU OF THE REQUIRED 19,316 SQ. FT.

SEC. 405.A.2.a - TO ALLOW A 34' SIDE SETBACK FROM THE STREET RIGHT-OF-WAY IN LIEU OF THE REQUIRED 36'.

SEC. 413.2.f - TO ALLOW 10 BUSINESS SIGNS WITH AN AREA OF 656.88 SQ. FT. IN LIEU OF 3 BUSINESS SIGNS WITH AN AREA OF 100 SQ. FT.

REASONS FOR REQUEST:

1. THE PRESENT STATION IS IN NEED OF MAJOR RENOVATIONS AND THESE VARIANCES WOULD ALLOW A USE THAT IS MORE COST EFFECTIVE AND OF SERVICE TO THE PUBLIC.
2. THE DESIRED USE CONSTITUTES THE BEST USE FOR THE PROPERTY.
3. THE SIGN VARIANCE IS NECESSARY FOR COMPLIANCE WITH STATE AND FEDERAL LAWS REGARDING PRICING AND ADVERTISING.

PROPOSED COMBINATION USE:
FOOD STORE WITH LESS THAN 5000 SQ. FT. IN COMBINATION WITH SERVICE STATION:
4x1079 SQ. FT. = 4,316 SQ. FT.
TOTAL AREA REQ'D: 15,000 SQ. FT.
MIN. LOT SIZE: 19,316 SQ. FT.
TOTAL AREA OF TRACT 16,356 SQ. FT.

AREA REQUIREMENTS
2 DISPENSER ISLANDS W/4 (GASO)
MULTI PRODUCT DISPENSER & 1 DIESEL DISPENSER SERVING 8 CARS @ ONE TIME
TOTAL SERVICING SPACES - 8
TOTAL SPACES A.B
SITE AREA REQ'D - 15,000 SQ. FT.

LANDSCAPING
CONSISTS OF GRASS & SMALL SHRUBS
AREA A = 408 SQ. FT.
AREA B = 1320 SQ. FT.
TOTAL = 1728 SQ. FT. = 10.68 OF TRACT
5% OF TRACT = 818 SQ. FT. MIN. REQ'D.

(3) DENOTES SERVICING SPACE
(3) DENOTES WAITING SPACE

VARIANCE AND C.R.G. PLAN

BEST MANAGEMENT PRACTICES

1. All areas except that used for buildings, sidewalks and paved parking will be planted with vegetated cover and/or landscaped as soon as possible after final grading and maintained in such condition.
2. Dirt and debris accumulating on private roads and parking lots will be removed according to the following schedule: May through October, concurrent with grass mowing; November through April, monthly.
3. Snow removal will be by mechanical means except in severe snow and ice conditions, when deicing compounds may be used.
4. Application of fertilizers, herbicides and pesticides will not exceed recommendations of the University of Maryland Cooperative Extension Service.
5. Fillins will not occur in grassed or lined drainage ditches or swales.

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

REVISIONS

NO.	DATE	DESCRIPTION
1	6/21/85	COMBINE CRG & VARIANCE INTO ONE PLAT; MAKE REVISIONS AS PER C.R.G. COMMENTS AS DESCRIBED NEXT BLOCK.

1) S.H.A COMMENTS - ELIMINATION OF ONE ENTRANCE AT LOCH RAVEN BLVD.
2) ZONING COMMENTS - PARKING SPACES LAYOUT REVISED - ELEVATION & S.F. OF EACH NOTED
3) ENVIRONMENTAL SUPPORT SERVICES COMMENTS - NOTED ADDED
4) P & Z COMMENTS - REVISED LANDSCAPE CALCULATIONS.
5) DEVELOPED ENGINEERING DIVISION - DRAINAGE STUDY ADDED.

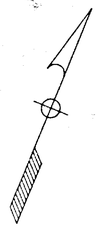
PLAN PREPARATION

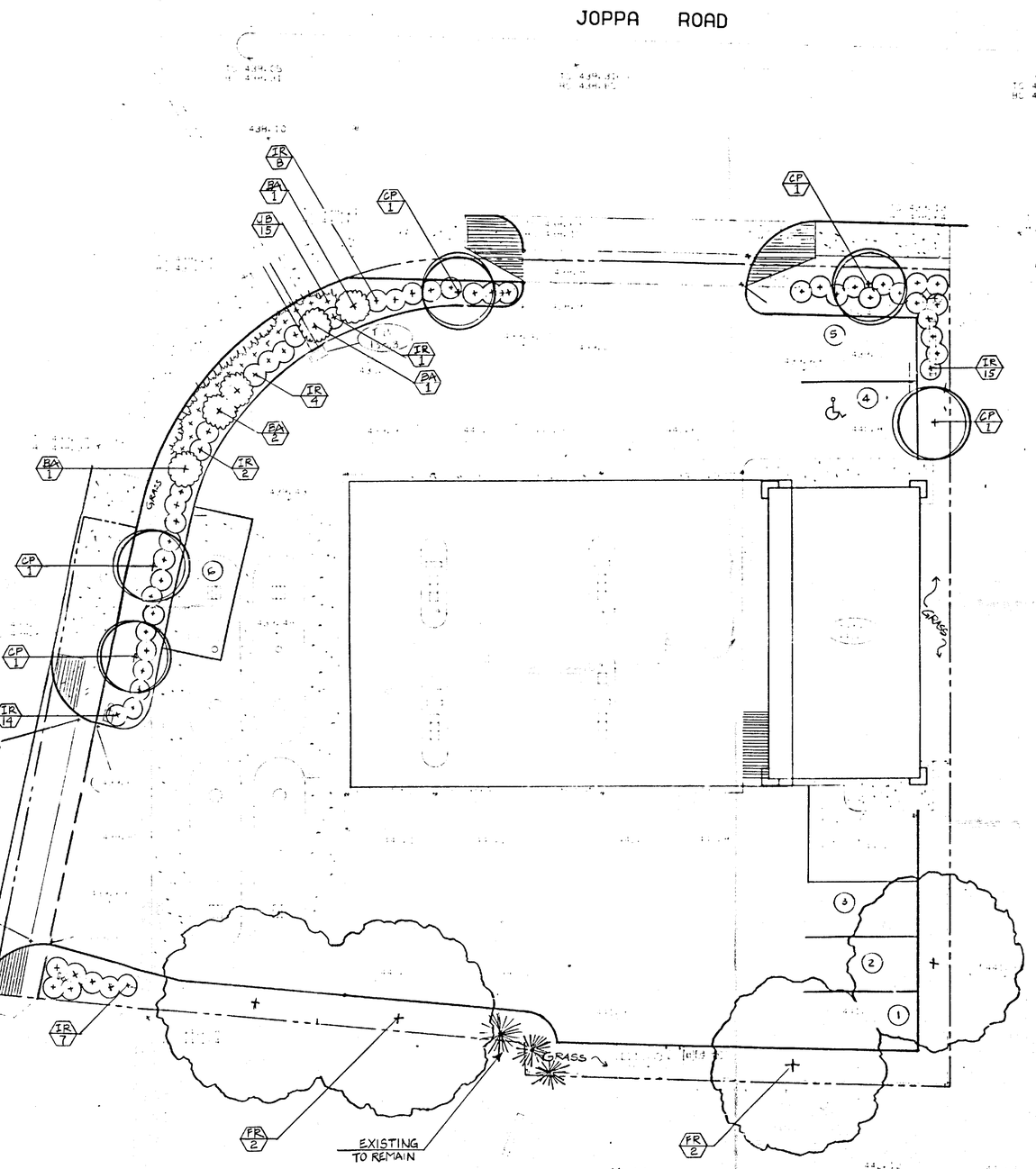
DRAWN BY: E. J. MUTI	DATE: MARCH 19, 1985
DESIGNED BY: E. J. MUTI	SCALE: 1" = 10'
CHECKED BY: T. CATTERAL	

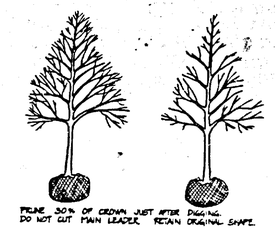
EXXON CONVENIENCE STORE
WITH GAS & GO FACILITIES
S.E. COR. LOCH RAVEN BLVD. & JOPPA RD.
ELECT. DIST. 9 BALTIMORE CO. MD.

DRAWING NO. 7518-53-027

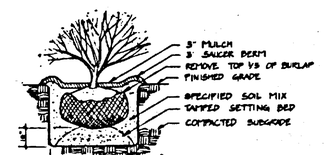
SHEET NO. 1 of 3



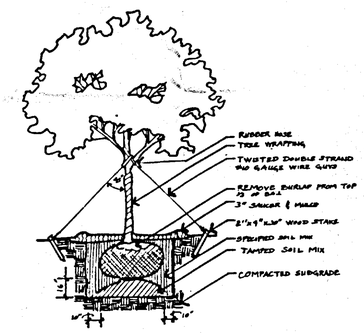




PRUNING

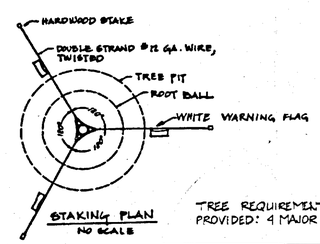


SHRUB PLANTING



TREE PLANTING

NO SCALE



STAKING PLAN

NO SCALE

PLANT MATERIALS

A. Scope
1. The Landscape Contractor shall furnish and plant all plants shown on the Plans according to Specifications.

B. Standards
1. All plant material will conform to the current issue of the American Standard for Nursery Stock published by the American Association of Nurserymen.
2. Plant material must be selected from nurseries that have been inspected by the State or Federal Agencies.
3. Balled and Burlapped
a. Balled and burlapped plants shall be dug with firm natural balls of earth.
b. Ball sizes shall be in accordance with A.A.N. Specifications.
4. Container grown stock shall have been grown in a container long enough for the root system to have developed sufficiently to hold its soil together.
5. All plant material shall be nursery grown unless otherwise specified. Pruning shall be done before planting or during the planting operation. See pruning detail.
6. All plant material in transit shall be covered with a burlap or similar cover to keep from drying out.
7. Anti-desiccants shall be applied on all material dug while in foliage.

C. Inspection
1. Plants may be subject to inspection and approval by the Owner or Owner's representative at the place of growth for conformity to Specification requirements as to quality, size and variety. This will be at the Owner's expense.
2. Plants damaged in handling or transportation may be rejected by the Owner or Owner's representative.
3. State or Federal Nursery Inspection Certificates shall be furnished to the Landscape Architect upon request.

D. Substitutions
1. No substitutions will be made except by written consent of the Landscape Architect. If a plant is found not to be suitable or available, the Landscape Contractor is to notify the Landscape Architect before planting.

I. PLANTING PROCEDURES

A. Trees, Shrubs & Ground Covers
1. Planting procedures shall be as noted in "Landscape Specification Guidelines for the Baltimore-Washington Metropolitan Areas", Jan. 1980, Pg. 8-14.

B. Seeding
1. Grass and Crownvetch seeding shall be accomplished as outlined in "Landscape Specification Guidelines for the Baltimore-Washington Metropolitan Areas", Jan. 1980, Pg. 34-38.
2. Areas to be seeded shall have subsoil adequately prepared and topsoil added, both in accordance with the one as mentioned "Guidelines", Pgs. 23-26.
3. Seed shall meet standards outlined in the above mentioned "Guidelines".
4. Hot seeding is the preferred method.

II. ACCESSORY MATERIALS

A. Soil
1. Topsoil
a. Topsoil shall be a sandy loam and uniform in composition.
b. Topsoil shall be free of stones, lumps, plants, roots and other debris over 1½ inches in diameter.
c. Topsoil shall contain no toxic substances harmful to plant growth.
d. Topsoil shall have a PH range of 5.0 to 7.0 and organic matter shall be a minimum of 1.0%.
2. Backfill Mixture
a. Backfill mixture shall be 2/3 existing soil mixed with 1/3 organic material.
b. Organic matter used in backfill mix shall be peat, composted bark, leaf mold or other material approved by the Landscape Architect.
3. Soil Mixes for Planters (Mix thoroughly to a 1:1:1 ratio)
a. 1/3 Cubic yard topsoil.
b. 1/3 Cubic yard coarse sand - filter or concrete.
c. 1/3 Cubic yard potting grade pine bark, or approved equal.
d. 10-6-4 As specified is to be incorporated during planting operation at a rate of 3 pounds per 100 square feet of bed area.

B. Fertilizer
1. Fertilizer shall be a complete fertilizer with a minimum analysis of 10% nitrogen, 6% Phosphorus and 4% Potassium.
2. Fertilizer is to be added depending on the size of the plant and the manufacturer's recommendation.
a. Trees
Use 2-3 lbs. per inch of trunk diameter.
b. Shrubs
Use 1 lbs. per foot of height or spread or 3-5 pounds per 100 square feet of bed area.
c. Ground Cover, vines, and herbaceous plants
Use 3 lbs. per 100 square feet of bed area.

C. Mulch
1. Material: shall be pine bark or approved equal.
2. Material shall be mulching grade, uniform in size and free of foreign matter.

D. Gravel
1. Gravel used for bottom of planters shall be 8 - 12" washed river gravel.

E. Soil Separator
1. A fiber soil separator approved by the Landscape Architect shall be used to prevent infiltration of soil into drainage aggregate or gravel and to allow free passage of water.

F. Substitutions
1. When requested by the Owner or Owner's representative, samples of all materials other than plants shall be submitted for approval.

G. Bed Edging
1. 5" x 1/8" Polyethylene, tubular top, anchor hook bottom, staked, as per manufacturer's Specifications.

V. WARRANTY
A. Landscape Contractor shall warrant all plant materials for a full one year period as outlined on pages 19 and 20. "Landscape Specification Guidelines for Baltimore-Washington Metropolitan Areas", Jan. 1980.

VI. MAINTENANCE
A. Landscape Contractor shall supply one full year maintenance on all plant materials as outlined on pages 21 and 22 of the above mentioned "Guidelines".

SPECIFICATIONS

TREE REQUIREMENTS: 22'x63' R.O.W. ÷ 40 = 5.7 or 6 MAJOR TREES
PROVIDED: 4 MAJOR TREES & 5 MINOR TREES. RETAINED 3 PINES

PLANT SCHEDULE

SYM	BOTANIC / COMMON NAME	NO.	SIZE	SPACING	COND.
FR	FRAXINUS AMERICANA 'ROSEHILL' / ROSEHILL ASH	4	2-2½"Cal		B&B
CP	CRATAEGUS PHAENOPYRUM / WASHINGTON HAWTHORN TREE	5	5-6'		B&B
BA	BERBERIS THUNBERGI 'ATROPURPUREA'/RED JAPANESE BARBERRY	5	2-2½'H		B&B
IR	ILEX CORNUTA 'ROTUNDA' / DWARF CHINESE HOLLY	52	2-24"SP	3' O.C.	B&B
JB	JUNIPERUS SABINA 'BUFFALO'/ BUFFALO SAVIN JUNIPER	19	18-24"SP.	2'-6" O.C.	B&B

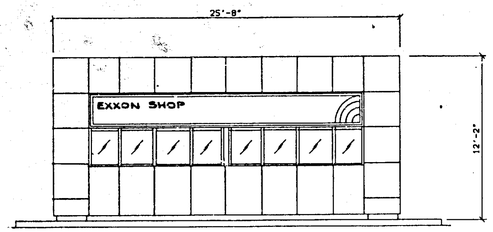
DATE	REVISIONS	BY	CHK
12-13-84	GENERAL REVISIONS	TK	
6-19-85	PLANT SUBSTITUTION & NO.	MBT	
6-21-85	ADDED 1 TREE (PER C.R.G. COMMENT)	MBT	

EXXON COMPANY, U.S.A.
A DIVISION OF EXXON CORPORATION
Marketing Department
Real Estate & Engineering

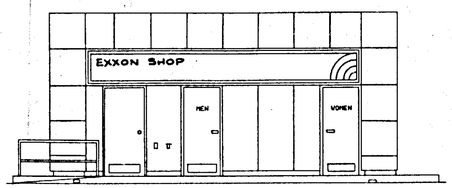
DATE 2-18-85
DRAWN BY M.T.
CHK BY M.M.
SCALE 1"=10'

PLANTING PLAN
JOPPA RD. & LOCH RAVEN BLVD.
BALTIMORE CO., MD.

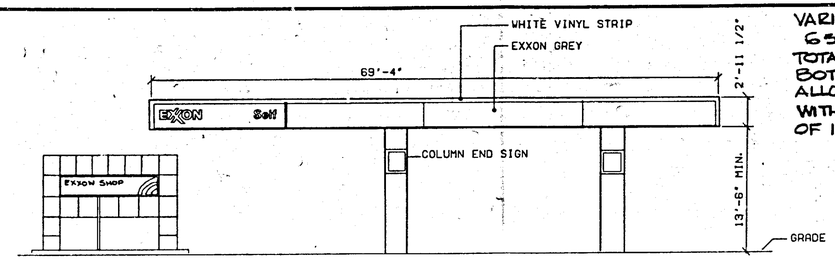
PROJECT NO.
DISC NO. 443-444
RAS NO. 2-5084
DWG. NO. 2 OF 3



FRONT ELEVATION



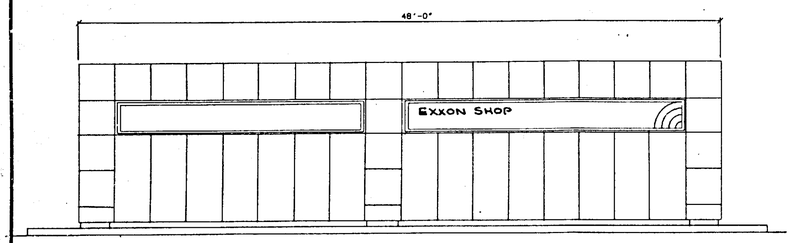
REAR ELEVATION



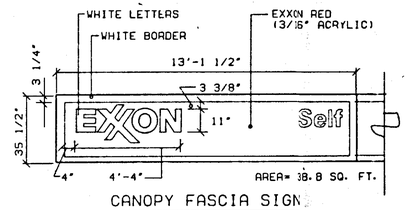
CANOPY FRONT ELEVATION

NTS

VARIANCE NOTE:
6 SIGNS (FREESTAND)
TOTAL S.F. 651.56 (COUNTING BOTH SIDES) IN LIEU OF THE ALLOWED 3 SIGNS (FREESTAND) WITH TOTAL S.F. PERMITTED OF 100 (COUNTING BOTH SIDES)

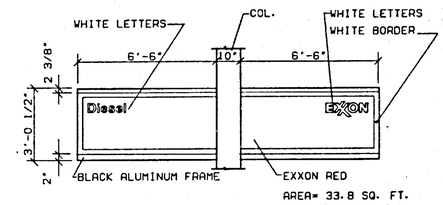


LEFT ELEVATION



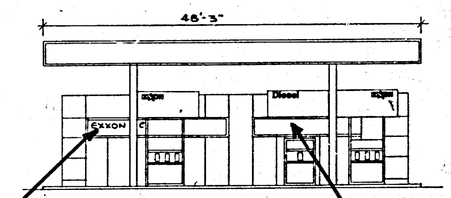
CANOPY FASCIA SIGN

NTS



CANOPY SPREADER BAR

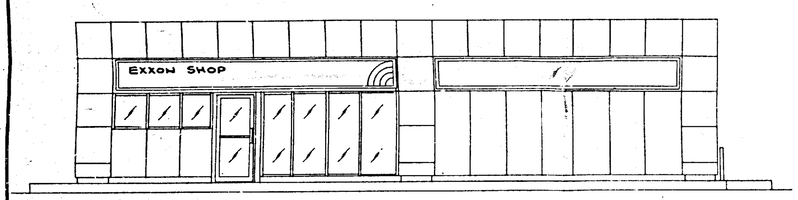
NTS



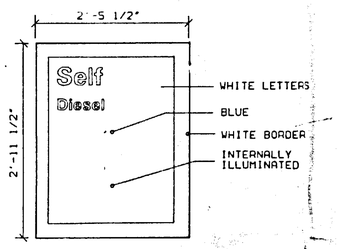
CANOPY END ELEVATION

NTS

1 SIGN - (2 SIDES @ 33.8 SF/SIDE) = 67.60 SF
3 SIGN (6 SIDES @ 16.9 SF/SIDE) = 101.40 SF
2 I.D. SIGN (4 SIDES @ 120.64/SIDE) = 482.56 SF
TOTAL 651.56 S.F.
(FRAMES OF SIGNS NOT INCLUDED)

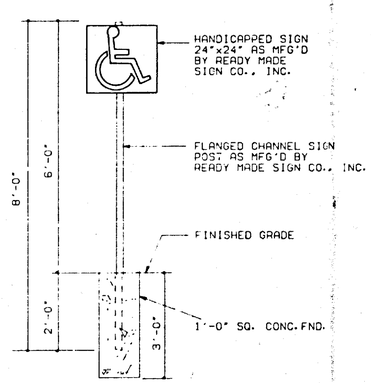


RIGHT ELEVATION



COLUMN END SIGN

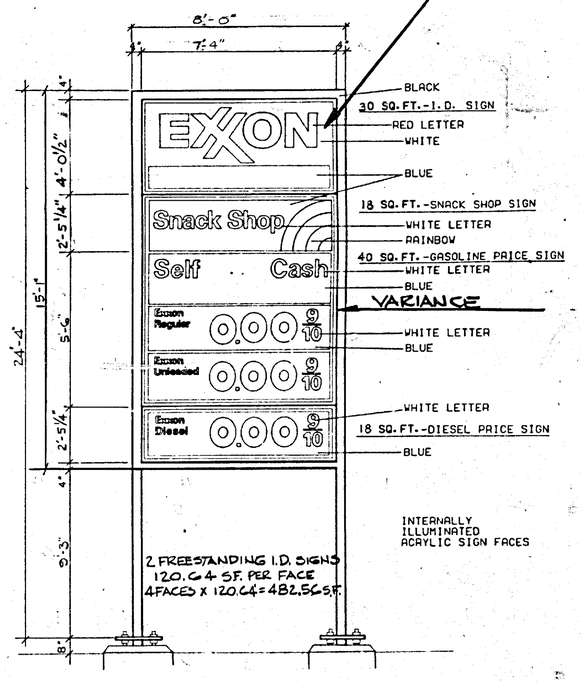
NTS AREA= 7.27 SQ. FT.



HANDICAPPED PARKING SIGN DETAIL

(FURNISHED & INSTALLED BY GC)

NTS



ZONING NOTES

ZONING STATUS	ACCESS POINTS
EXISTING ZONING: BR-CNS	1 DRIVEWAYS ON JOPPA ROAD WIDTH 35'
PROPOSED ZONING: NO CHANGE	
EXISTING DISTRICT: CS2	1 DRIVEWAY ON LOCH RAVEN BLVD. WIDTH 35'
PROPOSED DISTRICT: NO CHANGE	

AREA REQUIREMENTS

2 DISPENSER ISLANDS W/ 4 (QASO) MULTI-PRODUCT DISPENSERS & 1 DIESEL DISPENSER SERVING 8 CARS = ONE TIME.

TOTAL SERVICING SPACES- 8

TOTAL SPACES - 8

SITE AREA REQ'D - 15,000 SQ. FT.

ANCILLARY USES

MINOR ACCESSORY USES - NO ADDITIONAL SQUARE FOOTAGE REQUIRED

LANDSCAPING

CONSISTS OF GRASS & SMALL SHRUBS

AREA A= 408 SQ. FT.

AREA B= 1320 SQ. FT.

TOTAL= 1728 SQ. FT. = 10.6% OF TRACT

5% OF TRACT = 818 SQ. FT. MIN. REQ'D

PARKING

CONV. STORE

PARKING SPACES REQUIRED- 6

PARKING SPACES PROVIDED- 6

LIGHTING

4 SUPER HALIDE 400 W

1 METAL HALIDE 250 W

PROPOSED COMBINATION USE:

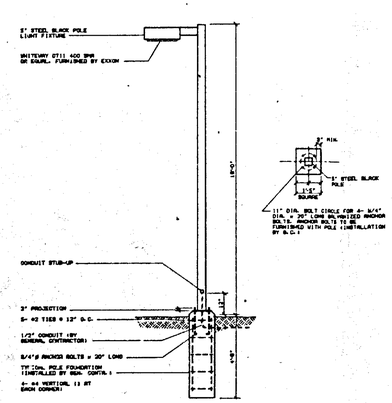
FOOD STORE WITH LESS THAN 5000 SQ. FT. IN COMBINATION WITH SERVICE STATION:

4 x 1079 SQ. FT. = 4316 SQ. FT.

TOTAL AREA REQUIRED: 15,000 SQ. FT.

MINIMUM LOT SIZE: 19,316 SQ. FT.

TOTAL AREA OF TRACT: 16,356 SQ. FT.



YARD LIGHT DETAIL

NTS

DATE	REVISIONS	BY	CHK
12-7-84	REVISED SIGN SQ. FT. AREA	R.M.	
12/11/84	REVISED ZONING NOTES	T.K	
6/21/85	REVISED VARIANCE NOTES	E.J.M.	

EXXON COMPANY, U.S.A. — A DIVISION OF EXXON CORPORATION
Marketing Department — Real Estate & Engineering

11-02-84

DRAWN BY C.F.
CHK BY AL ALM
SCALE AS NOTED

DETAILS & ZONING NOTES
JOPPA RD. & LOCH RAVEN BLVD.
BALTIMORE, CO., MD.

PROJECT NO.
DISC NO. 443-444
RAS NO. 2-5064
DWG. NO. 3 OF 3

86-19-XA

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 with less than 5,000 square feet of retail sales area in combination with its present use as a service station, as permitted under B.C.Z.R. 405.4.D.8, and to allow the conversion from a service station to a gas and go

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

I, or we, agree to pay expenses of above Special Exception advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law 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

Attorney for Petitioner:

F. Vernon Boozer
(Type or Print Name)

Signature

Address

City and State

Attorney's Telephone No.:

Legal Owner(s):

Exxon Corporation
(Type or Print Name)

Stewart A. Bain
Signature

Stewart A. Bain, Real Estate Rep. Exxon Corp.
(Type or Print Name)

Signature

614 Bosley Avenue 828-9441
Address Phone No.

Towson, Maryland 21204
City and State

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

F. Vernon Boozer
Name

614 Bosley Avenue, Towson, MD 21204
Address Phone No. 828-9441

ORDERED By The Zoning Commissioner of Baltimore County, this 10th day of June, 1985, 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 15th day of July, 1985, at 10:00 o'clock

Zoning Commissioner of Baltimore County.

(over)

ORDER RECEIVED FOR FILING
DATE July 21, 1985
BY

86-19-XA

PETITION FOR ZONING VARIANCE

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 230.2 to allow a rear yard setback of 5' in lieu of its required 30'; Section 405.4A.2a to allow a setback of 34' from the street right-of-way in lieu of the required 35'; Sec. 405.4.A1 and D.8 to allow a site area of 16,396 sq. ft. in lieu of the required 19,316 sq. ft.; Section 413.2.f to allow 6 (six) free-standing business signs with a total sq. footage of 820.56 (counting all sides) in lieu of the permitted 3 signs with a permitted sq. footage of 100 sq. feet. of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty)

1. The present station is in need of major renovations and these variances would allow a use that is more cost-effective and of service to the public.
2. The desired use constitutes the best use for the property.
3. The sign variance is necessary for compliance with state and federal laws regarding pricing and advertising.

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

Attorney for Petitioner:

F. Vernon Boozer
(Type or Print Name)

Signature

Address

City and State

Attorney's Telephone No.:

Legal Owner(s):

Exxon Corporation
(Type or Print Name)

Stewart A. Bain
Signature

Stewart A. Bain, Real Estate Rep. Exxon Corp.
(Type or Print Name)

Signature

614 Bosley Avenue, 828-9441
Address Phone No.

Towson, MD 21204
City and State

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

F. Vernon Boozer
Name

614 Bosley Avenue, Towson, MD 21204
Address Phone No. 828-9441

ORDERED By The Zoning Commissioner of Baltimore County, this 10th day of June, 1985, 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 15th day of July, 1985, at 10:00 o'clock A.M.

Zoning Commissioner of Baltimore County.

(over)

ORDER RECEIVED FOR FILING
DATE July 21, 1985
BY

86-19-XA

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 10th day of June, 1985.

ARNOLD JABLON
Zoning Commissioner

Petitioner Exxon Corporation
Petitioner's Attorney

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

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

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

Nicholas B. Commodari
Chairman

MEMBERS

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

July 8, 1985

F. Vernon Boozer, Esquire
614 Bosley Avenue
Towson, Maryland 21204

RE: Item No. 268 - Case No. 86-19-XA
Petitioner - Exxon Corporation
Variance & Special Exception

Dear Mr. Boozer:

The Zoning Plans Advisory Committee and the County Review Group (CRG) have both reviewed the plans submitted with the above referenced petition. The following comments from the CRG have been substituted for those of the Zoning Plans Advisory Committee. They 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.

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

COUNTY REVIEW GROUP MEETING MINUTES

TX-458

Wednesday, May 29, 1985

EXXON CONVENIENCE STORE

District: 9 C9

COUNTY REVIEW GROUP - THOSE PRESENT

Gilbert S. Benson, Chairman	*- Dept. of Public Works*
Susan Carrell, Co-Chairman	*- Office of Planning*

Agency Representatives

Greg Jones	*- Traffic Engineering*
George Wittman	*- State Highway Administration*

Developer and/or Representatives

Vernon Boozer	*- Attorney for Exxon*
Tony DiPaula	*- Attorney for Exxon*
Anthony Corteal	*- Developer's Engineer*

Mr. Benson convened the meeting at 9:00 a.m., introduced the staff and explained the purpose of the meeting.

Mr. A. Corteal, Developer's Engineer, presented the plan and stated that the existing building is to be removed and they propose to reconstruct a new convenience shop. The entrances are to be revised and it is proposed that one entrance only is to be constructed for both Joppa Road and Loch Raven Boulevard. The pump islands are to be revised as shown on the plan.

Susan Carrell, Co-Chairman, summarized written comments submitted from Traffic Engineering, Zoning, Planning, Department of Health, State Highway Administration, Bureau of Sanitation, Developers Engineering Division and the Storm Water Management Section. The comments have been made a part of the minutes and a copy was given to the developer and developer's engineer.

The Traffic Engineer stated that the two entrances on Joppa Road are to be combined into one entrance as shown on the attached plan to their comments.

The Office of Planning stated that the landscape calculations shall be revised as stated in their comments.

The Office of Zoning stated that the parking is to be revised to improve circulation within this site. Two parking spaces are to be relocated on the north side of the building, and three parking spaces are to remain on the south side.

EXXON CONVENIENCE STORE *May 29, 1985*

The plan was approved by the Chairman and Co-Chairman, subject to the several revisions as requested by the agencies.

The meeting was adjourned at 10:00 a.m.

BALTIMORE COUNTY, MARYLAND

SUBJECT: SUBDIVISION REVIEW COMMENTS DATE: May 27, 1985

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

PROJECT NAME:	Exxon Convenience Store
PROJECT NUMBER:	#85123
LOCATION:	S/E corner Loch Raven Boulevard and Joppa Road
DISTRICT:	9C4

The Plan for the subject site, dated March 19, 1985, has been reviewed by the Developers Engineering Division and we comment as follows:

GENERAL COMMENTS:

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

The Developer is responsible for the full cost of all highway and storm drain construction.

The Developer shall be responsible for damages to the County's facilities, such as water meters, manholes, curbs and gutters and inlets within his site. Occupancy Permits will be withheld until such damages have been corrected.

The Plan is satisfactory pending conformance with the following comments.

HIGHWAY COMMENTS:

The Developer is responsible for the relocation of any utilities or poles as required by the road improvements.

The entrance locations are subject to approval by the Department of Traffic Engineering.

Entrances shall be a minimum of 24 feet and a maximum of 35 feet wide. Depressed curb is to be used with no curb returns to the property line.

HIGHWAY COMMENTS: (Cont'd)

Prior to removal of any existing curb for entrances, the Developer shall obtain a permit from the Bureau of Public Services, Attention: Mr. C. E. Brown, 494-3321.

Ramps shall be provided for physically handicapped persons at all street intersections.

Sidewalks are required adjacent to the public roads serving this site. The walks shall be 5 feet wide and shall be installed to conform with Baltimore County Standards, which places the back edge of the sidewalk 2 feet off the property line, or the adjacent unencumbered area.

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

STORM DRAINS, SEDIMENT CONTROL AND STORM WATER MANAGEMENT COMMENTS:

Onsite drainage facilities serving only areas within the site are considered private. Therefore, construction and maintenance shall be the Developer's responsibility. However, a drainage area map, scale 1"=200', including all facilities and drainage areas involved, shall be shown on the required construction plans.

The Developer 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 Developer.

No storm water management is required.

A grading permit and sediment control and grading plan may be required in accordance with Baltimore County Council Grading and Sediment Control Ordinance Bill No. 13-85.

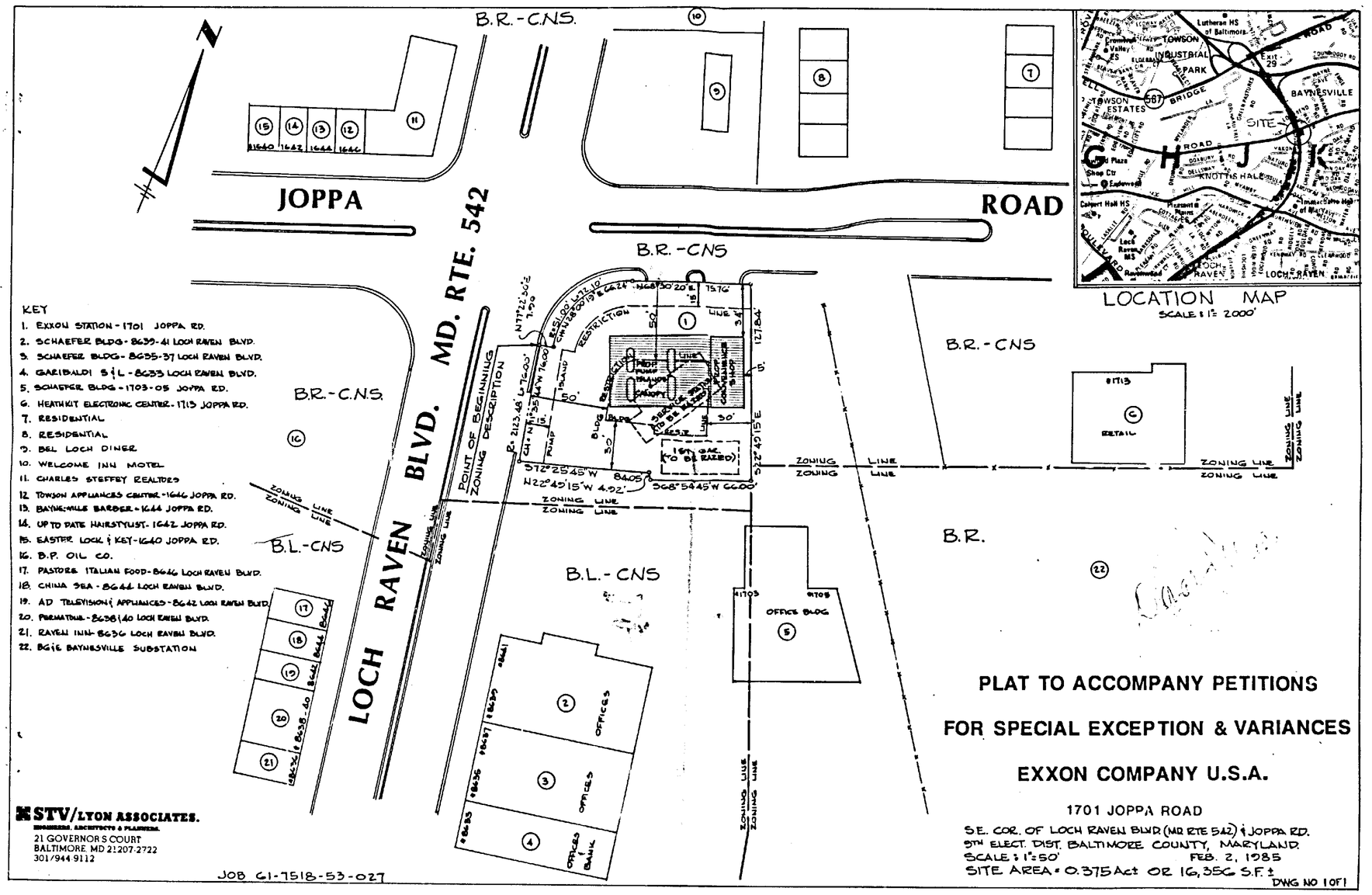
WATER AND SANITARY SEWER COMMENTS:

A preliminary print of this property has been referred to the Baltimore City Water Division for review and comment in regard to adequacy of water pressure in this development.

Permission to obtain a metered connection from the existing main may be obtained from the Department of Permits and Licenses.

The Developer is responsible for the cost of capping or plugging any existing house connection not used to serve the proposed site.

JAN 29 1986


B.R.-C.N.S.
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B.R.-C.N.S.
B.L.-CNS
B.L.-CNS
B.R.-CNS
B.R.
POINT OF BEGINNING ZONING DESCRIPTION
ZONING LINE
OFFICES
OFFICE BLDG
RETAIL
1ST GAS (TO BE RAZED)
LOCATION MAP
SCALE: 1" = 2000'
KEY
1. EXXON STATION - 1701 JOPPA RD.
2. SCHAEFER BLDG - 8639-41 LOCH RAVEN BLVD.
3. SCHAEFER BLDG - 8635-37 LOCH RAVEN BLVD.
4. GARIBALDI S & L - 8633 LOCH RAVEN BLVD.
5. SCHAEFER BLDG - 1703-05 JOPPA RD.
6. HEATHKIT ELECTRONIC CENTER - 1713 JOPPA RD.
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8. RESIDENTIAL
9. BEL LOCH DINER
10. WELCOME INN MOTEL
11. CHARLES STEFFEY REALTORS
12. TOWSON APPLIANCES CENTER - 1646 JOPPA RD.
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16. B.P. OIL CO.
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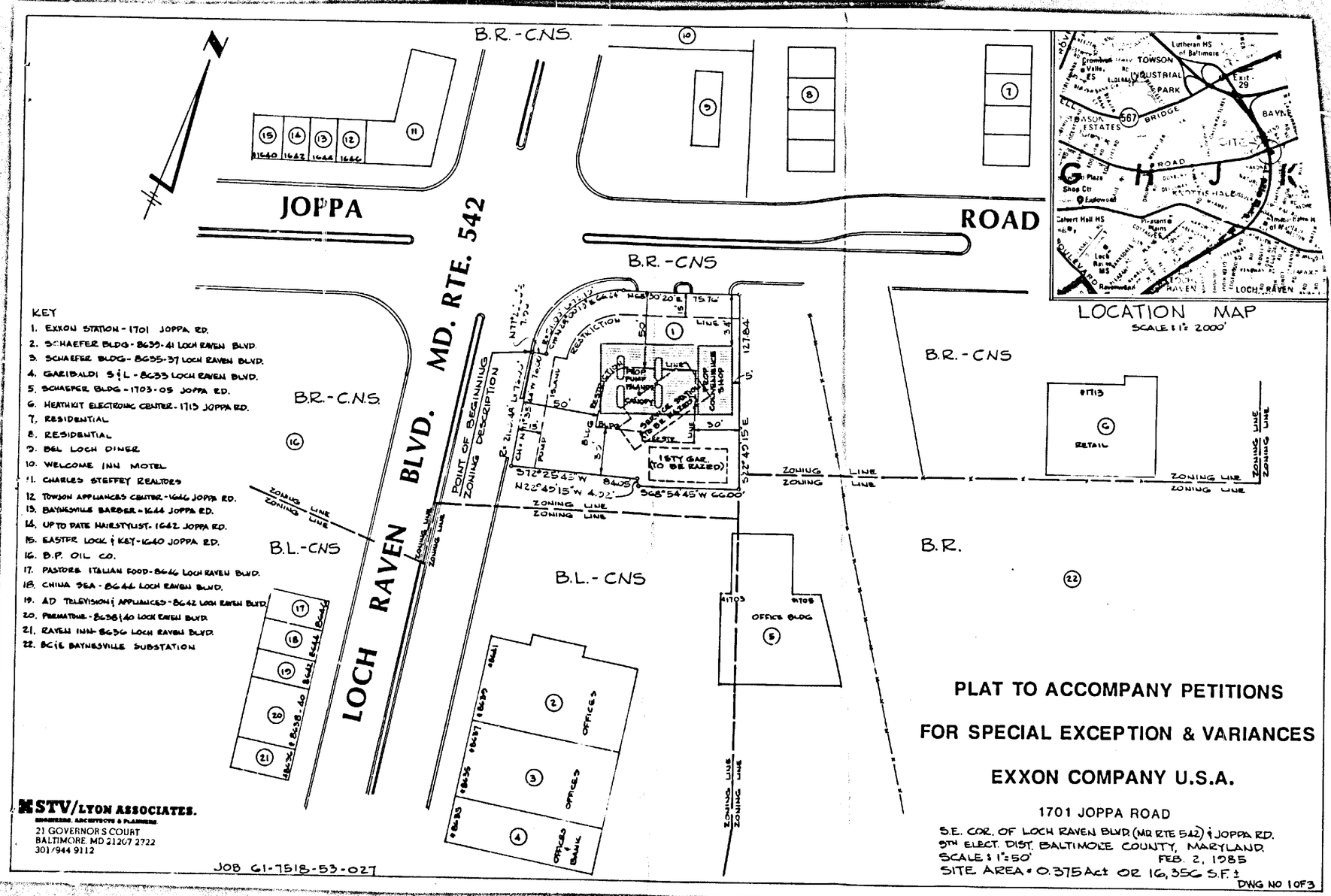
19. AD TELEVISION & APPLIANCES - 8642 LOCH RAVEN BLVD.
20. PREMATURE - 8638 & 40 LOCH RAVEN BLVD.
21. RAVEN INN - 8636 LOCH RAVEN BLVD.
22. BGE BAYNESVILLE SUBSTATION
STV/LYON ASSOCIATES.
ENGINEERS, ARCHITECTS & PLANNERS
21 GOVERNOR'S COURT
BALTIMORE, MD 21207 2722
301/944 9112
JOB 61-7518-53-027
PLAT TO ACCOMPANY PETITIONS
FOR SPECIAL EXCEPTION & VARIANCES
EXXON COMPANY U.S.A.
1701 JOPPA ROAD
S.E. COR. OF LOCH RAVEN BLVD (MD RTE 542) & JOPPA RD.
9TH ELECT. DIST. BALTIMORE COUNTY, MARYLAND
SCALE: 1" = 50'
FEB. 2, 1985
SITE AREA = 0.375 Act OR 16,356 S.F. ±
DWG NO 1 OF 1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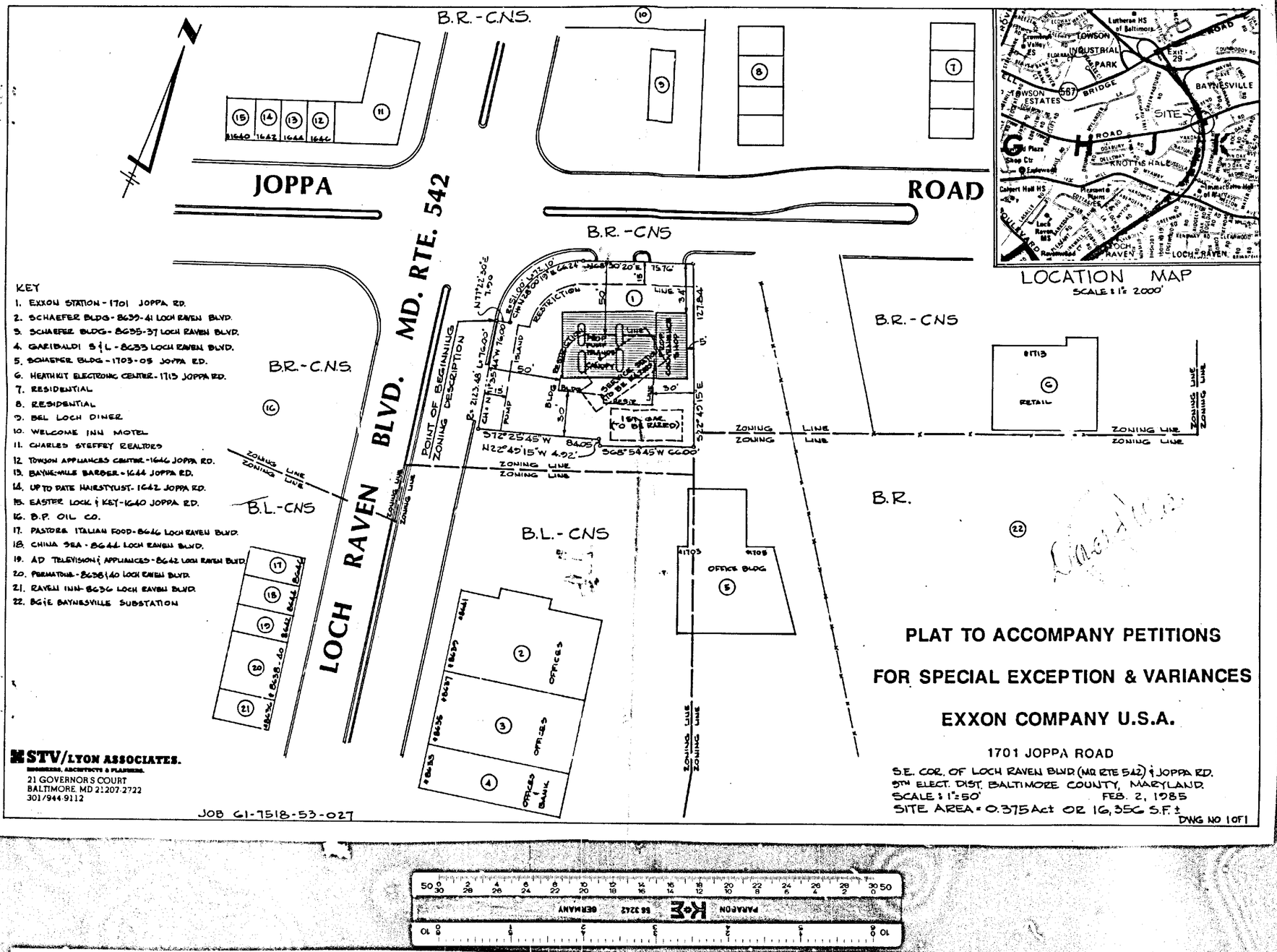
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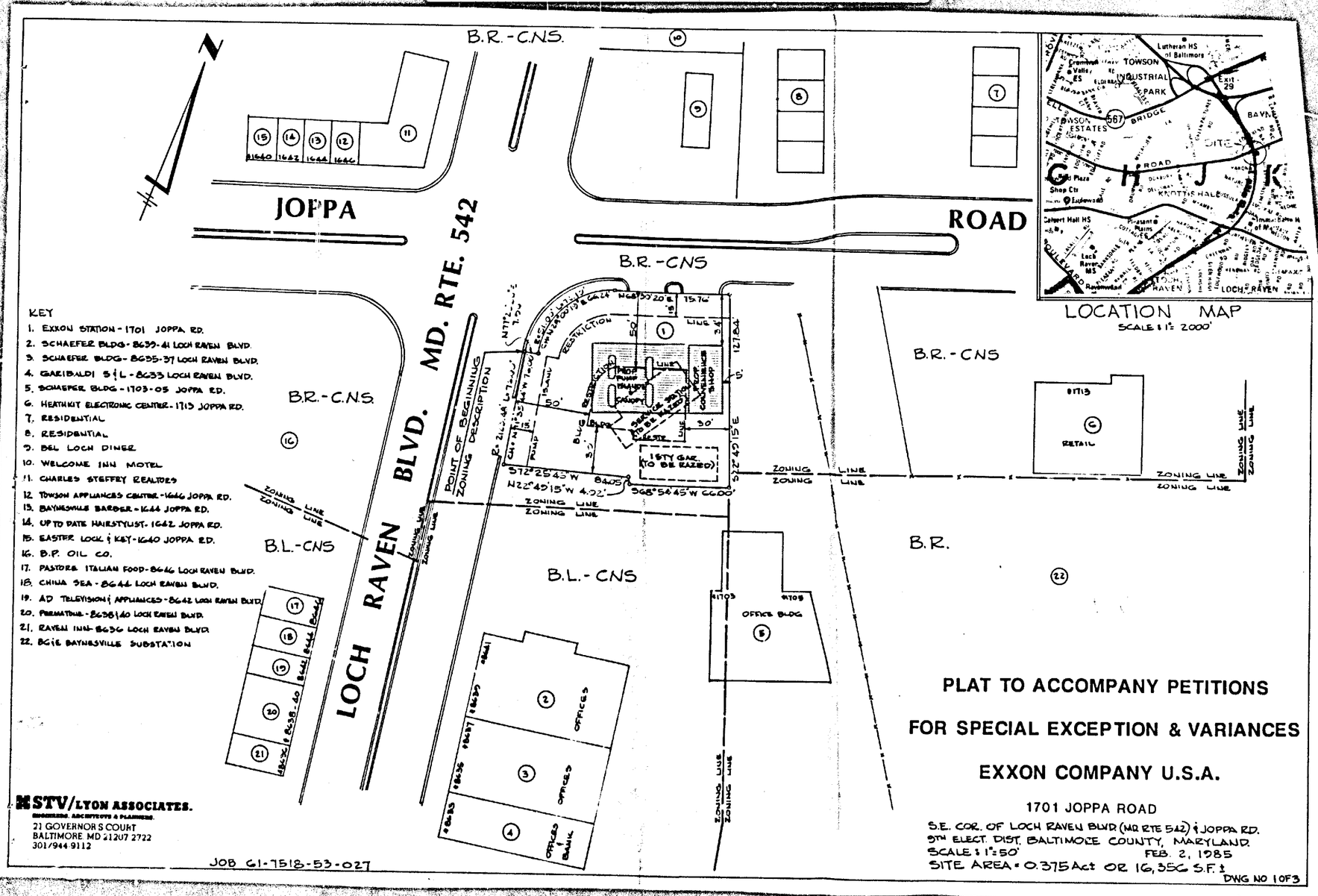
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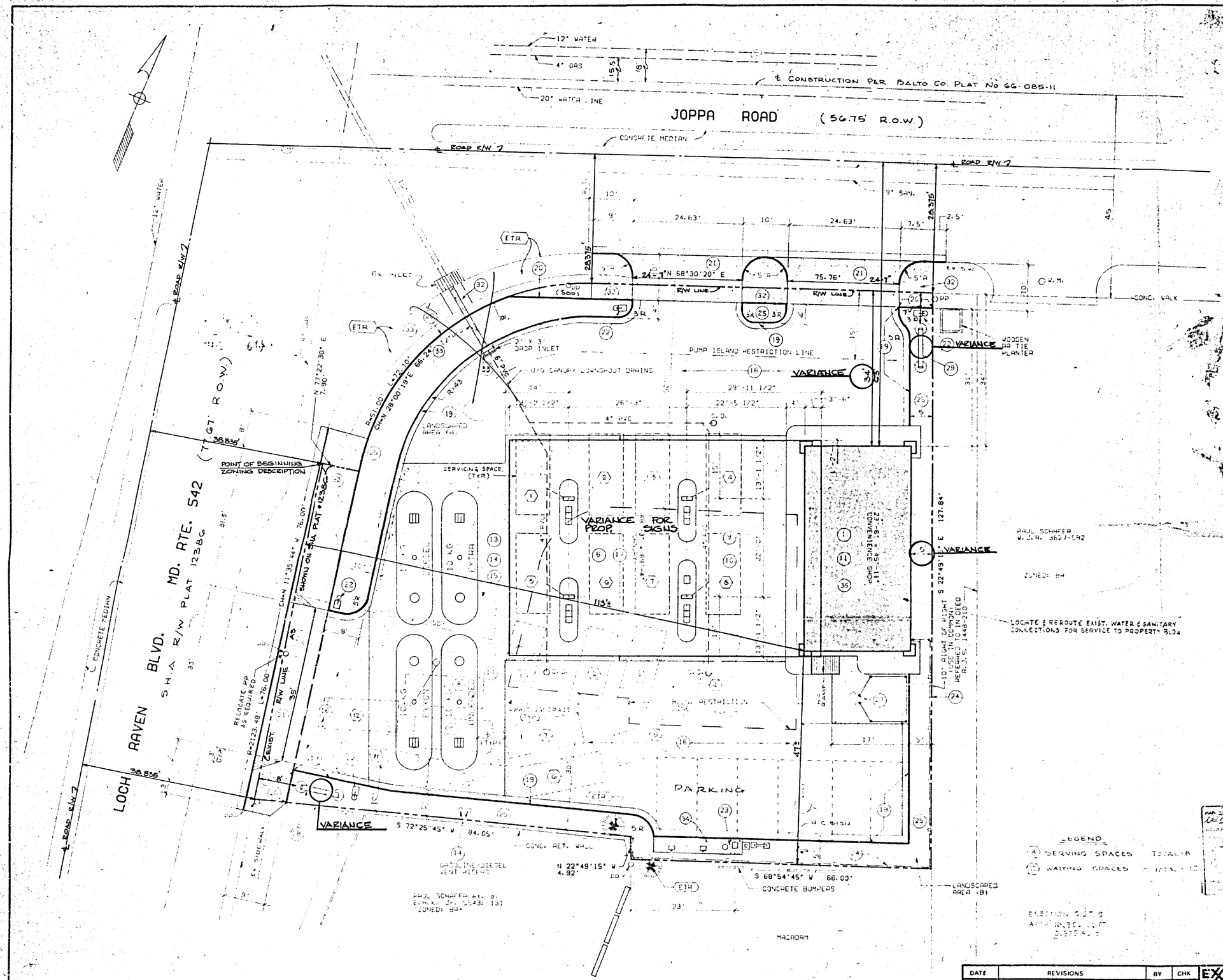


ZONING NOTES

ZONING STATUS
EXISTING ZONING: BR-CNS
PROPOSED ZONING: NO CHANGE
EXISTING DISTRICT: C52
PROPOSED DISTRICT: NO CHANGE

AREA REQUIREMENTS
2 DISPENSER ISLANDS W/4 (GASO)
MULTI-PRODUCT DISPENSER & 1
DIESEL DISPENSER SERVING
8 CARS @ ONE TIME
TOTAL SERVICING SPACES - 8
TOTAL SPACES - 8
SITE AREA REQ'D - 15,000 SQ. FT.

ANCILLARY USES
MINOR ACCESSORY USES
NO ADDITIONAL SQUARE
FOOTAGE REQUIRED

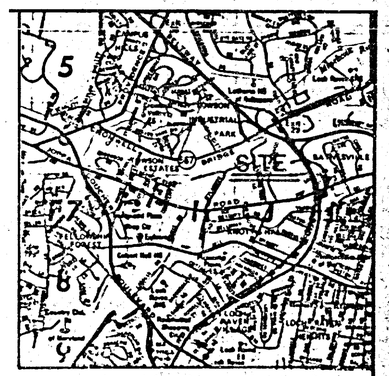
LIGHTING
4 SUPER HALIDE 400W
1 METAL HALIDE 250W

PROPOSED COMBINATION USE:
FOOD STORE WITH LESS THAN
5000 SQ. FT. IN COMBINATION
WITH SERVICE STATION:
4x 1079 SQ.FT = 4,316 SQ. FT.
TOTAL AREA REQ. 15,000 SQ. FT.
MIN. LOT SIZE: 19,316 SQ. FT.
TOTAL AREA OF TRACT 16,356 SQ. FT.

ACCESS POINTS
2 DRIVEWAYS ON JOPPA ROAD
WIDTH 24'-7" - 1 - 24'-7"
1 DRIVEWAY ON LOCH RAVEN BLVD.
WIDTH 35'

LANDSCAPING
CONSISTS OF GRASS & SMALL SHRUBS
AREA A = 408 SQ. FT.
AREA B = 1320 SQ. FT.
TOTAL = 1728 SQ. FT = 10.6% OF TRACT
5% OF TRACT = 818 SQ. FT. MIN. REQ'D.

PARKING
CONVENIENCE STORE
PARKING SPACES REQUIRED - 6
PARKING SPACES PROVIDED - 6



Location Map
Scale 1" = 2000'

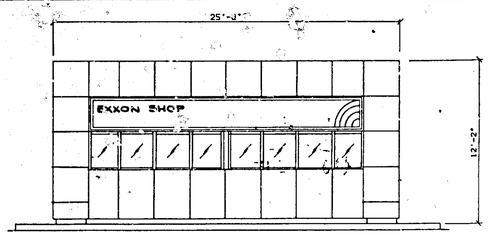
DATE	REVISIONS	BY	CHK
11-5-84	ADDITIONAL INFORMATION ADDED		
11-16-84	GENERAL REVISIONS	B.M.	

EXXON COMPANY, U.S.A.
A DIVISION OF EXXON CORPORATION
Marketing Department — Real Estate & Engineering

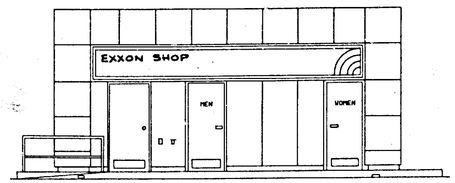
DATE 11-01-84
DRAWN BY C.F.
CHK BY —
SCALE 1"=10'

SITE PLAN
JOPPA RD. & LOCH RAVEN BLVD.
BALTIMORE, CO., MD.

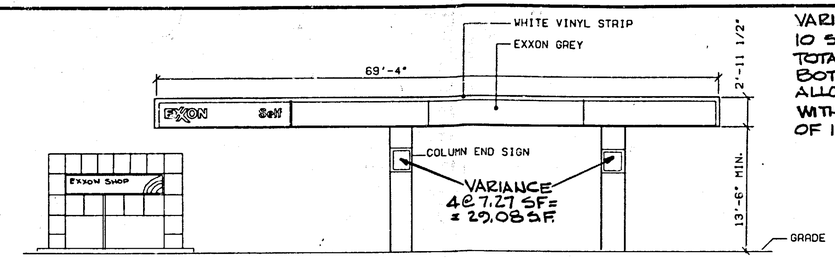
PROJECT NO.
DISC NO. 443-144
RAS NO. 72-5084
DWG. NO. 2 OF 3



FRONT ELEVATION



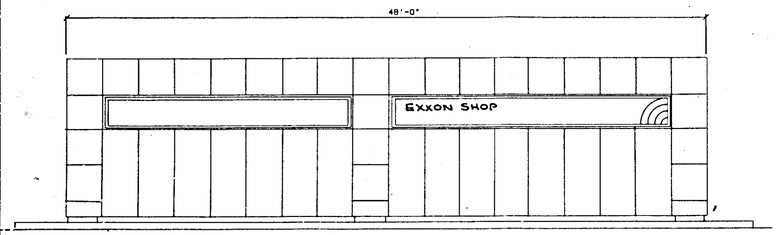
REAR ELEVATION



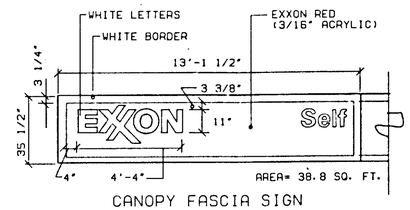
CANOPY FRONT ELEVATION

NTS

VARIANCE NOTE:
10 SIGNS (FREESTAND)
TOTAL S.F. 655.88 (COUNTING BOTH SIDES) IN LIEU OF THE ALLOWED 3 SIGNS (FREESTAND) WITH TOTAL S.F. PERMITTED OF 100 (COUNTING BOTH SIDES)

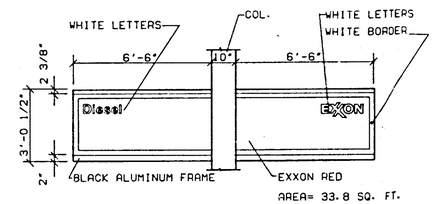


LEFT ELEVATION



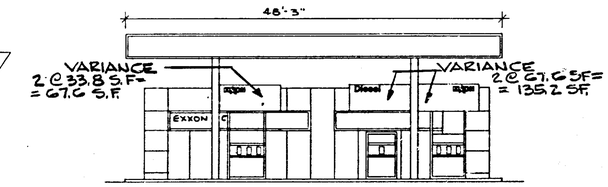
CANOPY FASCIA SIGN

NTS



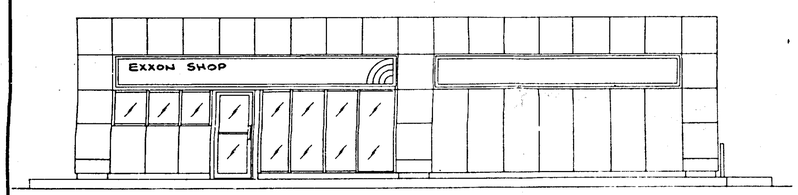
CANOPY SPREADER BAR

NTS

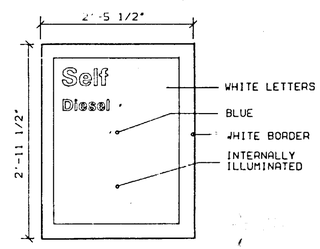


CANOPY END ELEVATION

NTS

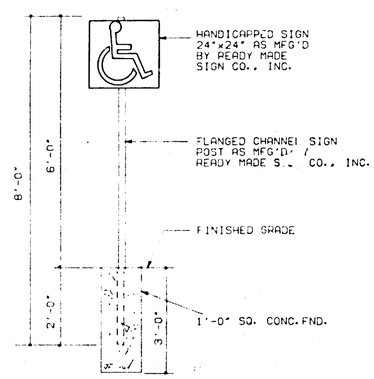


RIGHT ELEVATION



COLUMN END SIGN

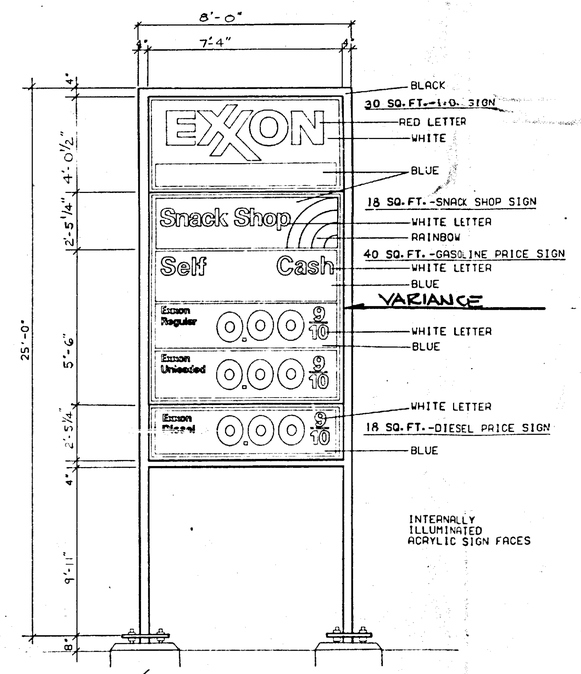
NTS AREA= 7.27 SQ. FT.



HANDICAPPED PARKING
SIGN DETAIL

(FURNISHED & INSTALLED BY GC)

NTS



2 { 30 SQ. FT. I.D. SIGN
18 SQ. FT. SNACK SHOP SIGN
40 SQ. FT. GASOLINE PRICE SIGN
18 SQ. FT. DIESEL PRICE SIGN

NTS

ZONING NOTES

ZONING STATUS

EXISTING ZONING: BR-CNS

PROPOSED ZONING: NO CHANGE

EXISTING DISTRICT: CS2

PROPOSED DISTRICT: NO CHANGE

AREA REQUIREMENTS

2 DISPENSER ISLANDS W/ 4 (GASO) MULTI-PRODUCT DISPENSERS & 1 DIESEL DISPENSER SERVING 8 CARS @ ONE TIME.

TOTAL SERVICING SPACES- 8

TOTAL SPACES - 8

SITE AREA REQ'D - 15,000 SQ. FT.

ANCILLARY USES

MINOR ACCESSORY USES - NO ADDITIONAL SQUARE FOOTAGE REQUIRED.

PROPOSED COMBINATION USE:

FOOD STORE WITH LESS THAN 5000 SQ. FT. IN COMBINATION WITH SERVICE STATION:
4 X 1079 SQ. FT. = 4316 SQ. FT.
TOTAL AREA REQUIRED: 15,000 SQ. FT.
MINIMUM LOT SIZE: 19,316 SQ. FT.
TOTAL AREA OF TRACT: 16,356 SQ. FT.

ACCESS POINTS

2 DRIVEWAYS ON JOPPA ROAD
WIDTH 24'-7"-1-24'-7"

1 DRIVEWAY ON LOCH RAVEN BLVD.
WIDTH 35'

LANDSCAPING

CONSISTS OF GRASS & SMALL SHRUBS

AREA A= 408 SQ. FT.

AREA B= 1320 SQ. FT.

TOTAL= 1728 SQ. FT. = 10.6% OF TRACT

5% OF TRACT = 818 SQ. FT. MIN. REQ'D

PARKING

CONV. STORE

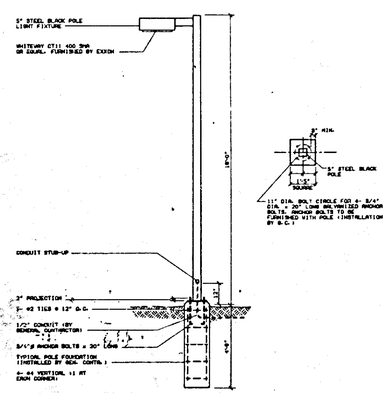
PARKING SPACES REQUIRED- 6

PARKING SPACES PROVIDED- 6

LIGHTING

4 SUPER HALIDE 400 W

1 METAL HALIDE 250 W



YARD LIGHT DETAIL

NTS

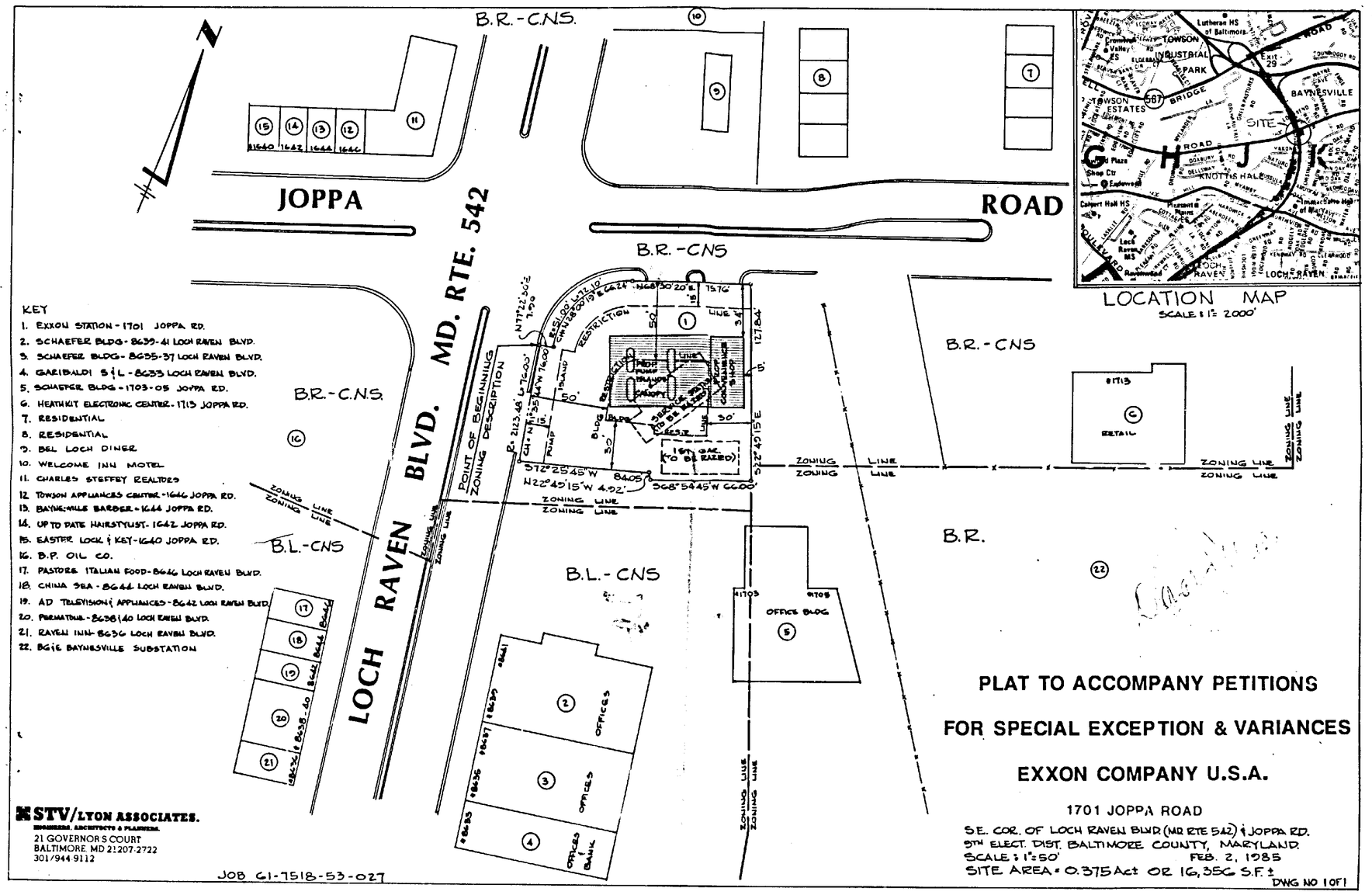
DATE	REVISIONS	BY	CHK.
12-7-84	REVISED SIGN SQ. FT. AREA	R.M.	
12/11/84	REVISED ZONING NOTES	T.K.	

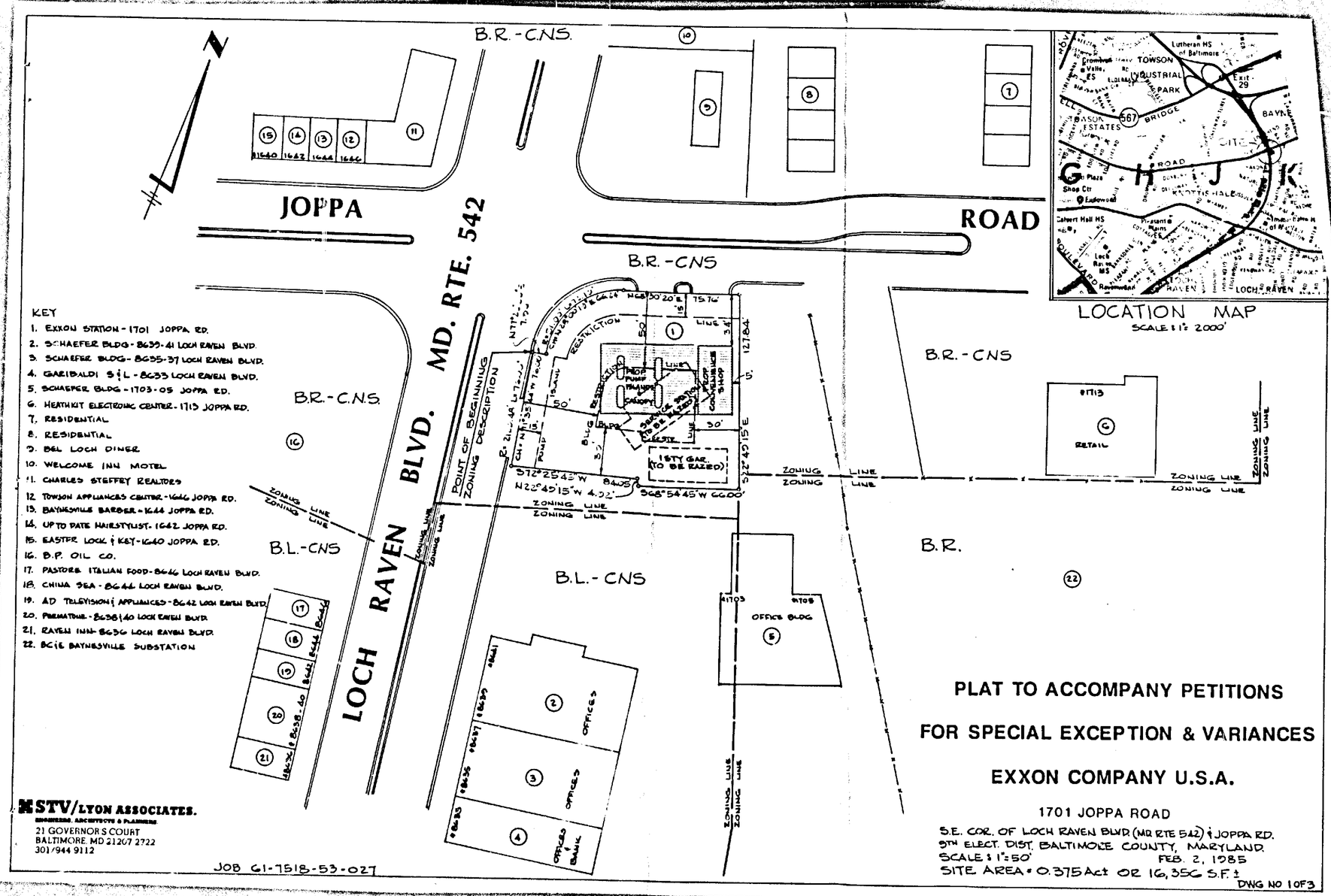
EXXON COMPANY, U.S.A.
Marketing Department
A DIVISION OF EXXON CORPORATION
Real Estate & Engineering

DATE 11-02-84
DRAWN BY C.F.
CHK BY MCM
SCALE AS NOTED

DETAILS & ZONING NOTES
JOPPA RD. & LOCH RAVEN BLVD.
BALTIMORE, CO., MD.

PROJECT NO.
DISC NO. 443-444
RAS NO. 2-5064
DWG. NO. 3 OF 3


B.R.-C.N.S.
JOPPA
ROAD
B.R.-CNS
LOCH RAVEN BLVD. MD. RTE. 542
B.R.-C.N.S.
B.L.-CNS
B.L.-CNS
B.R.-CNS
B.R.
POINT OF BEGINNING ZONING DESCRIPTION
ZONING LINE
OFFICES
OFFICE BLDG
RETAIL
1ST GAS (TO BE RAZED)
LOCATION MAP
SCALE: 1" = 2000'
KEY
1. EXXON STATION - 1701 JOPPA RD.
2. SCHAEFER BLDG - 8639-41 LOCH RAVEN BLVD.
3. SCHAEFER BLDG - 8635-37 LOCH RAVEN BLVD.
4. GARIBALDI S & L - 8633 LOCH RAVEN BLVD.
5. SCHAEFER BLDG - 1703-05 JOPPA RD.
6. HEATHKIT ELECTRONIC CENTER - 1713 JOPPA RD.
7. RESIDENTIAL
8. RESIDENTIAL
9. BEL LOCH DINER
10. WELCOME INN MOTEL
11. CHARLES STEFFEY REALTORS
12. TOWSON APPLIANCES CENTER - 1646 JOPPA RD.
13. BAYNESVILLE BARBER - 1644 JOPPA RD.
14. UP TO DATE HAIRSTYLIST - 1642 JOPPA RD.
15. EASTER LOCK & KEY - 1640 JOPPA RD.
16. B.P. OIL CO.
17. PASTORE ITALIAN FOOD - 8646 LOCH RAVEN BLVD.
18. CHINA SEA - 8644 LOCH RAVEN BLVD.
19. AD TELEVISION & APPLIANCES - 8642 LOCH RAVEN BLVD.
20. PREMATURE - 8638 & 40 LOCH RAVEN BLVD.
21. RAVEN INN - 8636 LOCH RAVEN BLVD.
22. BGE BAYNESVILLE SUBSTATION
STV/LYON ASSOCIATES.
ENGINEERS, ARCHITECTS & PLANNERS
21 GOVERNOR'S COURT
BALTIMORE, MD 21207 2722
301/944 9112
JOB 61-7518-53-027
PLAT TO ACCOMPANY PETITIONS
FOR SPECIAL EXCEPTION & VARIANCES
EXXON COMPANY U.S.A.
1701 JOPPA ROAD
S.E. COR. OF LOCH RAVEN BLVD (MD RTE 542) & JOPPA RD.
9TH ELECT. DIST. BALTIMORE COUNTY, MARYLAND
SCALE: 1" = 50'
FEB. 2, 1985
SITE AREA = 0.375 Act OR 16,356 S.F. ±
DWG NO 1 OF 1


B.R.-C.N.S.
JOPPA
ROAD
B.R.-CNS
LOCH RAVEN BLVD. MD. RTE. 542
B.R.-C.N.S.
B.L.-CNS
B.L.-CNS
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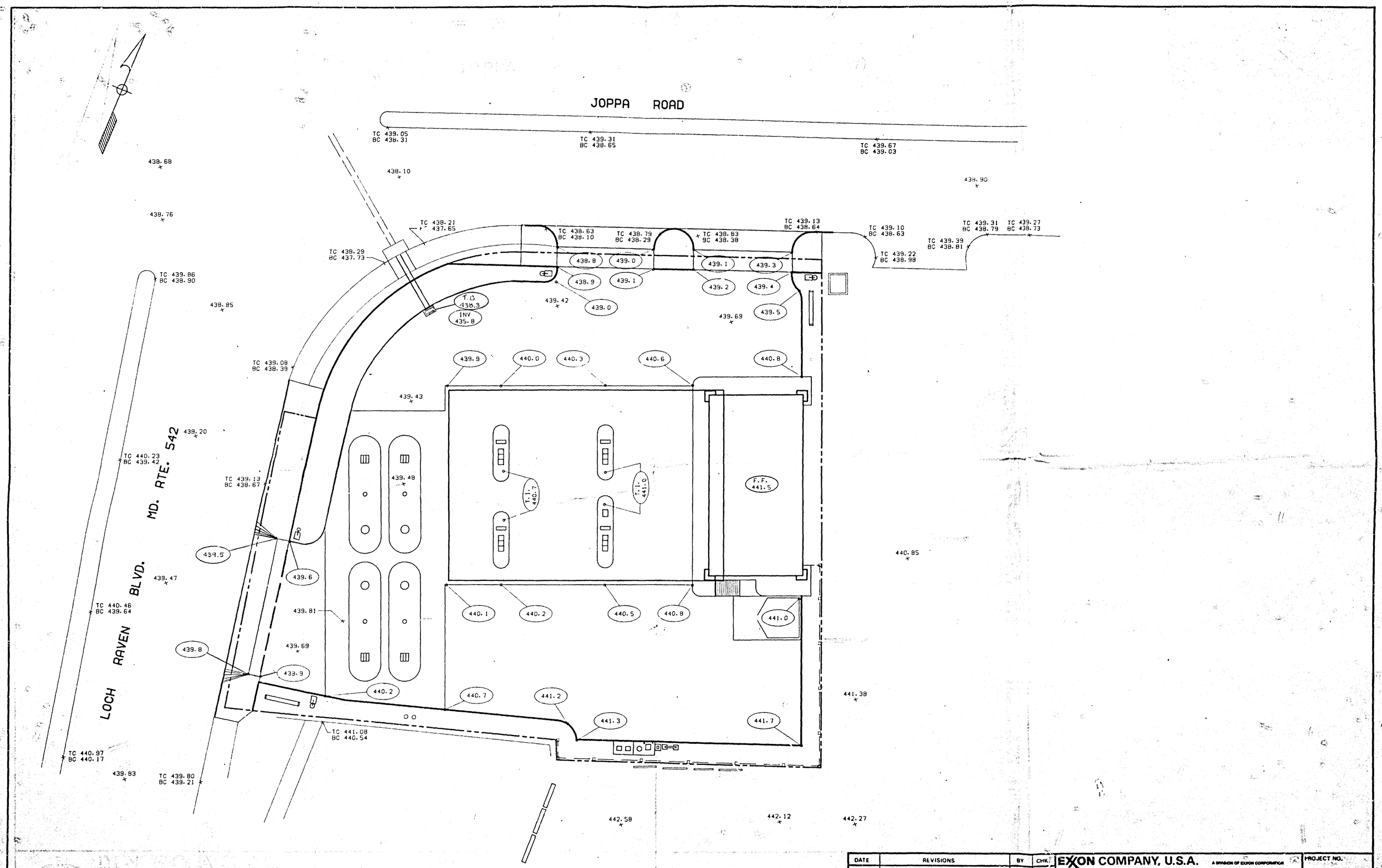

DATE	REVISIONS	BY	CHK.
12-13-84	GENERAL REVISIONS	T.K.	

EXXON COMPANY, U.S.A. A DIVISION OF EXXON CORPORATION
Marketing Department — Real Estate & Engineering

DATE 11-01-84
DRAWN BY C. F.
CHK HLH
SCA 1"=10'

GRADING PLAN
JOPPA RD. & LOCH RAVEN BLVD.
BALTIMORE, CO., MD.

PROJECT NO.
DISC NO. 443-444
RAS NO. 2-5064
DWG. NO. 2 OF 4

Pursuant to the advertisement, posting of property, and public hearing on the Petition and it appearing that by reason of the requirements of Section 502.1 of the Baltimore County Zoning Regulations

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

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this _____ day of _____, 19____, that the herein Petition for Variance(s) to permit

DEPARTMENT OF TRAFFIC ENGINEERING
BALTIMORE COUNTY, MARYLAND

TO : Mr. James A. Markle DATE: _____

FROM : C. Richard Moore

SUBJECT: C.R.G. Comments

PROJECT NAME: Exxon Convenience Store C.R.G. PLAN: X

PROJECT NUMBER & DISTRICT: _____ DEVELOPMENT PLAN: _____

LOCATION: Joppa Rd & Loch Raven Blvd. RECORD PLAT: _____

Attached is a sketch of recommended changes made in the Zoning comments.

D M Jones

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO Sy Benson Date May 15, 1985

FROM Charles K. Weiss

SUBJECT Exxon Convenience Store
1701 Joppa Road @ Loch Raven Blvd.
CRG 5/29/85

Baltimore County does not provide commercial refuse collection.

The trash enclosure is acceptable only if the proposed island adjacent to Loch Raven Blvd. are relocated to provide proper access to the container.

CKW/KRA/rab

CPS-008

Project #85123
Exxon Convenience Store
Page 3
May 27, 1985

WATER AND SANITARY SEWER COMMENTS: (Cont'd)

This property is subject to Water and/or Sewer System Connection Charges based on the size of water meters utilized in accordance with current County Policy.

The total Water and/or Sanitary Sewer System Connection Charge is determined, and payable, upon application for the Plumbing Permit. This Charge is in addition to the normal front foot assessment and permit charges.

Water mains outside of public rights-of-way serving a proposed site improvement are considered private and shall be the Developer's full responsibility for construction and maintenance.

The Developer is entirely responsible for the construction, and the cost of the construction and maintenance, of his onsite private sanitary sewerage, which must conform with the Baltimore County Plumbing Code.

Fire hydrant spacing and location are subject to review and approval by the Fire Protection Section of the Fire Department.

Permission to connect additional sanitary fixtures to the existing public sanitary sewer may be obtained from the Department of Permits and Licenses.

EDWARD A. MCDONOUGH, P.E., Chief
Developers Engineering Division

EAM:REC:ss

cc: File

Planning

Maryland Department of Transportation
State Highway Administration

William K. Hellmann, Secretary
Hal Kassoff, Administrator

May 22, 1985

Mr. J. Markle, Chief
Bureau of Public Services
County Office Building
Towson, Maryland 21204

Re: CRG Meeting of 5-29-85
Exxon Convenience Store
E/S Loch Raven Blvd.
Route 542 @ Joppa Road

Dear Mr. Markle:

On review of the submittal of 3-19-85, the State Highway Administration finds the plan generally acceptable.

However, the plan should be revised or red lined to show the elimination of the north entrance of Loch Raven Blvd. by construction of State Highway Administration Type "A" concrete curb and gutter.

It is requested that all Baltimore County Building Permits be held until State Highway Administration Access Permits is applied for.

Very truly yours,

Charles Lee, Chief
Bureau of Engineering
Access Permits

By: George Wittman

CL:GW:maw

Attachment

cc: Mr. J. Ogle

My telephone number is (301) 659-130
Teletypewriter for Impaired Hearing or Speech
383-7555 Baltimore Metro — 565-0451 D.C. Metro — 1-800-492-5062 Statewide Toll Free
P.O. Box 717 / 707 North Calvert St., Baltimore, Maryland 21203 - 0717

BALTIMORE COUNTY, MARYLAND

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

DATE: May 28, 1985

PROJECT NAME: Exxon Convenience Store
COUNCIL & ELECTION DISTRICT IX-458

PLAN XXXXXXXXXXXXX
PLAN EXTENSION _____
REVISED PLAN _____
PLAT _____

Location: 1701 Joppa Road at Loch Raven Boulevard.

The plan shows an existing gas station with a proposed convenience store and gas and go.

The landscape calculations are incomplete. Calculations must include 1 additional tree for the parking spaces shown.

Further study is necessary to determine the appropriate number of entrances.

Susan Carrell

BALTIMORE COUNTY, MARYLAND

SUBJECT: COUNTY REVIEW GROUP COMMENTS DATE: May 28, 1985

FROM: ZONING OFFICE

PROJECT NAME: EXXON CONVENIENCE STORE PLAN: ✓

LOCATION: 1701 Joppa Rd. @ Loch Raven Blvd. DEVELOPMENT PLAN: _____

DISTRICT: 9th Election District PLAT: _____

1. Zoning hearings for a Special Exception, Special Hearing, area, setback and sign variances have been filed for under Item #268, 3/12/85.
2. The sign variance requests, and the parking and on-site circulation may have to be revised. The large number of waiting spaces and servicing spaces impedes access to the parking spaces. Show servicing and waiting spaces in notes.
3. Show ex. signs if the same poles are used and any proposed signs for the site - on the plan - show elevation and square footage of each proposed sign.

W. CARL RICHARDS, JR.
Zoning Associate

WCR:bg

JAN 29 1988

5-28-85
Date

COUNTY REVIEW GROUP
COMMENTS ON PROPOSED SUBDIVISION PLANS
BALTIMORE COUNTY DEPARTMENT OF HEALTH

EXXON CONVENIENCE STORE - BAYNESVILLE
Subdivision Name, Section and/or Plat

EXXON CO.-USA — STV/Lyn Assoc
Developer and/or Engineer

Herring Run	1	0.37	Public	Public
Watershed	No. of Lots or Units	Total Acreage	Water	Sewer

COMMENTS ARE AS FOLLOWS:

___ Soil percolation tests are required; a minimum of two test are required within a designated 10,000 square foot sewage disposal reserve area. For further information regarding these requirements, contact this office at 494-2762.

___ Soil percolation test have been conducted. Revised plans, ___ must be submitted prior to approval of plat, ___ are not required and the plat can be approved as submitted. Contact this office for more complete information, 494-2762.

✓ Public sewers ✓, public water ✓, must be utilized and/or extended to serve the property.

✓ A Hydrogeological Study and Environmental Effects Report for this subdivision, ___ must be submitted, ___ are not required, ___ is incomplete and must be revised, ✓ has/have been reviewed and approved.

___ A Water Appropriation Permit Application, ___ must be submitted, ___ has been submitted. NOTE: Greater than 33 lots necessitates a public hearing with Water Resources Administration as part of the permit process.

✓ It is recommended the plan, ___ be approved as submitted, ✓ be approved as submitted subject to the following conditions noted: as the attached memo dated 5-28-85

___ It is recommended this plan not be approved at this time. See revisions and/or comments.

REVISIONS AND/OR COMMENTS:

SS 783R

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Mr. Brooks Stafford, Director, Environmental Support Services — Date: May 28, 1985

FROM: Stephanie A. Taylor, Waste and Water Quality Management

SUBJECT: ENVIRONMENTAL EFFECTS REPORT — Exxon Convenience Store - Baynesville (Name)

CRG MEETING: May 29, 1985 (Date) ___ (Time)

PLAN REVIEW NOTES

1. Exxon Convenience Store and gas station on 0.375 acres. (Describe Site)
2. Public water and Public sewer is proposed.
3. No streams on site. (Describe streams on-site)
5. No wetland soils. (Describe wetland soils on-site)
6. Storm Water Management ___ required.
7. ___ proposed impervious area.

RESPONSES

___ The Environmental Effects Report is not approved. In order to receive approval, the following checked items/conditions must be met.

✓ The Environmental Effects report is approved, subject to the following checked items/conditions.

A. ___ No development is allowed in ___ (soil/name & symbol)

B. ___ A revised site plan indicating no development in ___ must be submitted.

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

JUNE 12, 1985

Re: Zoning Advisory Meeting of MARCH 26, 1985
Item # 268
Property Owner: EXXON CORPORATION
Location: S/E CORNER LOCH RAVEN BLVD. + JOPPA 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.
(X)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; therfore 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 on ___
( )Landscaping: Must comply with Baltimore County Landscape Manual.
( )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 ___
( )The property is located in a traffic area controlled by a "D" 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.
(X)Additional comments:
PLAN APPROVED BY C.R.G. 5/29/85

Eugene A. Bober
Chief, Current Planning and Development

cc: James Hoswell

BALTIMORE COUNTY
DEPARTMENT OF PUBLIC WORKS
TOWSON, MARYLAND 21204

HARRY J. PISTEL, P. E.
DIRECTOR

April 26, 1985

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

Re: Item #268 (1984-1985)
Property Owner: Exxon Corporation
S/E cor. Loch Raven Blvd. & Joppa Rd.
Acres: 0.375
District: 9th

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:

As no public facilities are involved, this office has no comments.

Very truly yours,

JAMES A. MARKLE, P.E., Chief
Bureau of Public Services

JAM:EAM:ROP:ss

cc: File

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

TED ZALESKI, JR.
DIRECTOR

April 11, 1985

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

Dear Mr. Jablon:

Comments on Item # 268 Zoning Advisory Committee Meeting are as follows:

Property Owner: Exxon Corporation
Location: SE/Cor. Loch Raven Blvd. and Joppa Road
Existing Zoning: B.R. -CNS
Proposed Zoning: Variance to permit a rear yard setback of 5' in lieu of the required 30', etc.

Acres: 0.375
District: 9th.

The items checked below are applicable:

A. All structures shall conform to the Baltimore County Building Code 1981/Council Bill 4-82 State of Maryland Code for the Handicapped and Aged; and other applicable Codes.
B. A building/ & 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 line, 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 services of a Registered in Maryland Architect or Engineer certify to this office, that, the structure for which a proposed change in use is proposed can comply with the height/area requirements of Table 505 and the required construction classification of Table 401.
I. Comments - Canopy construction and location 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. Burnham, Chief
Plans Review

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

PAUL H. REINCKE
CHIEF

April 4, 1985

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: Exxon Corporation

Location: SE/Cor. Loch Raven Blvd. and Joppa Road

Item No.: 268 *Zoning Agenda:* Meeting of 3/26/85

Gentlemen:

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

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

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

( ) 3. *The vehicle dead end condition shown at ___ EXCEEDS the maximum allowed by the Fire Department.*

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

(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.*

REVIEWER: Lt. Jerry Kelly 4-5-85 *Noted and Approved:* Roy W. Kemmerer
Planning Group *Fire Prevention Bureau*
Special Inspection Division

* 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 while said liquids are being dispensed, according to NFPA 30, 1984, Section 7-6.4.3 and Section 7-6.4.4

/mb

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

STEPHEN E. COLLINS
DIRECTOR

April 8, 1985

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

Item No. 268 -ZAC- Meeting of March 26, 1985
Property Owner: Exxon Corporation
Location: SE/Cor. Loch Raven Boulevard and Joppa Road
Existing Zoning: B.R.-CNS
Proposed Zoning: SEE C.R.G. COMMENTS OF MARCH 26, 1985

Acres: 0.375
District: 9th

Dear Mr. Jablon:

Attached are some recommended changes to the site plan.

Michael S. Flanigan
Traffic Engineering Associate II

MSF/ccm

Att.

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Zoning Commissioner — Date: July 2, 1985

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

SUBJECT: Zoning Petition No. 86-19-XA

The plan was approved by the CRG on May 29, 1985.

Norman E. Gerber, Director
Office of Planning and Zoning

NEG:JGH:slm

JAN 29 1986

IN RE: PETITION SPECIAL EXCEPTION AND VARIANCES
SE/corner of Loch Raven Boulevard and Joppa Road (1701 East Joppa Road) - 9th Election District

Exxon Corporation,

Petitioner

BEFORE THE
ZONING COMMISSIONER
OF BALTIMORE COUNTY

Case No. 86-19-XA

* * * * * * * * * * * *

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 and to convert from a full service station to a gas and go operation and, additionally, variances to permit a rear yard setback of 5 feet instead of the required 30 feet, a setback of 34 feet instead of the required 35 feet to the street right of way, a site area of 16,356 square feet instead of the required 19,316 square feet, and six free-standing business signs with a total of 820.56 square feet instead of the permitted three signs with a total of 100 square feet.

The Petitioner, by Mose Dunning, its Project Engineer, and Stewart A. Bain, its Senior Real Estate Marketing Representative, appeared and was represented by Counsel. Also appearing on behalf of the Petitioner was Richard Bonett, the owner and operator of the station. Mary Ginn, representing the Association of Baltimore County Community Councils, appeared as a Protestant.

Testimony indicated that the subject property, zoned B.R.-C.N.S. and located on the corner of Loch Raven Boulevard and Joppa Road, is presently improved with a three-bay service station. A marketing and demographic study was completed which found that a convenience store in combination with a gas and go operation would be preferred over a full service station at this location due to

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DATE July 31, 1985
BY Administrative Assistant

the availability of service bays within 1½ miles of the site and the lack of a small convenience store. The location of apartment complexes and rowhouses within walking distance mitigate toward the proposed convenience store. A full service station operation would engulf the entire lot because of its small size. Presently, only one of the three bays is used for occasional lubrication and oil changes.

The Petitioner proposes to raze the existing building and gas islands and replace them with the smallest prefabricated building available, i.e., 23½' x 46', and four gas islands parallel to each other in two rows, each with a multi-dispenser. One island would also have a diesel dispenser. The islands would be covered with a canopy attached to the building for protection from inclement weather.

The proposed use was approved by the County Review Group (CRG) on March 29, 1985. Testimony indicated that the conditions delineated in Section 502.1, Baltimore County Zoning Regulations (BCZR), will be satisified. However, a variance from Sections 405.4.A.1 and 405.4.D.8 to permit a site area of 16,356 square feet instead of the required 19,316 square feet is also needed. Mr. Bain and Mr. Dunning testified that without this variance, the proposed use would not be possible. As for the rear yard setback of 5 feet, Mr. Dunning pointed out that there is a private ten-foot right of way behind the property which is seldom used. All of the testimony indicated that the variances, if granted, would be within the spirit and intent of the BCZR, that there would be a practical difficulty if denied, and that there would be no adverse impact on the health, safety, and welfare of the community.

The Petitioner also requests a variance for other business signs to contain 820.56 square feet instead of the 100 square feet allowed. The Petitioner proposes to have two multiple-faced, free-standing signs totaling 482.56 square

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feet to be placed at the southwest boundary line and the northeast boundary line. They would contain Exxon's identification, a sign for the convenience store, and gasoline price signs which are required by federal and State law. Eight canopy spreader bar signs are also requested, which would be placed over the dispensers and be attached to the columns supporting the canopy. Of these, four would identify Exxon and contain 16.9 square feet. Four signs would also be placed on the opposite side of the columns and contain 16.9 square feet per side for a total of 135.2 square feet. The Petitioner also requests one sign identifying the diesel pump, containing 33.8 square feet per side for a total of 67.6 square feet. In addition, two signs on the canopy facia containing 38.8 square feet each and four column end signs containing 7.27 square feet each are requested. These signs are not included in the computation of "other business signs" as determined by the BCZR. The signs on the canopy facia, on the columns, and attached to the store itself are permitted pursuant to the computation determined by Section 413.2.b, BCZR, i.e., a sign affixed parallel to any part of a building shall not exceed in square feet four times the length of the front building wall.

Mrs. Ginn opposes only the requested variance for the signs and maintains that the Petitioner is asking for too much and has no rational support for the request.

The Petitioner seeks relief from Section 405.4.D.8, pursuant to Section 502.1; from Sections 238.2, 405.4.A.2.a, and 405.4.A.1 and D.8; and from Section 413.2.f, pursuant to Section 307, BCZR.

It has been a long-standing policy of the Zoning Commissioner to require the conversion from a full service station to a gas and go operation to be considered as part of the special exception when a food store or other combination use is also proposed.

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It is clear that the BCZR permits the use requested by the Petitioner in a B.R. Zone by special exception. It is equally clear that the proposed use would not be detrimental to the primary uses in the vicinity. Therefore, it must be determined whether the conditions as delineated in Section 502.1 are satisfied by the Petitioner.

After reviewing all of the testimony and evidence presented, it appears that the special exception 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 adversely affect the public interest. The facts and circumstances 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.

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;

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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 requirement from which the Petitioner seeks relief 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.

For many years, a Zoning Office policy permitted both sides of a multiple-faced business sign to be computed as one for the purpose of determining the size permitted. Section 413.2.f, BCZR, permits other business signs if limited to a total area of 100 square feet. If a business sign such as the multiple-faced, free-standing sign proposed here was computed to be 98 square feet on each side, past policy would have counted only one side and permitted such a sign as a matter of right. If both sides were counted for a total of 196 square feet, a variance would be required.

This interpretation does not comport to either the language or the intent of the BCZR. By their inherent nature, policies facilitate and improve the implementation of procedures, but they are equally subject to alteration, modification, or revision in accordance with the authority under which they are

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initially adopted. They may be used to interpret and/or to construe the law but cannot supplant or contradict the law. Official administrative interpretations of statutes in the form of policy that have long-continued and unvaried application should not be disregarded except for the strongest reason. Hofmeister v. Frank Realty Co., 373 A.2d 273, 281 (1977). As long as the rules and regulations adopted by the administrative official are reasonable and consistent with the statute, they should be applied. Parber's Inc. v. Comptroller of the Treasury of the State of Maryland, 266 Md. 44 (1972).

There is a strong presumption of the correctness of original zones and of comprehensive zoning. Howard County v. Dorsey, 438 A.2d 1339 (1982). There is a presumption of validity that must be accepted. Johnson & Wales College v. DiPiete, 448 A.2d 1271 (R.I., 1982). When interpreting the zoning regulations, the restrictive language contained must be strictly construed so as to allow the landowner the least restrictive use of his property. Mayor of Balto. v. Byrd, 62 A.2d 588 (1948); Lake Adventure, Inc. v. Zoning Hearing Bd. of Dingham Township, 440 A.2d 1284 (Pa. Cmwlth., 1982). When the language of a zoning regulation is clear and certain, there is nothing left for interpretation and the ordinance must be interpreted literally. Mongony v. Bevilacqua, 432 A.2d 661 (R.I., 1981). Section 413.2, BCZR, is clear and unambiguous.

The meaning of the plainest words in a statute may be controlled by the context. A statute should be so construed that all its parts harmonize with each other and render them consistent with its general object and scope. Pittman v. Housing Authority, 25 A.2d 466.

The basic principles of statutory construction were comprehensively set out by the Court of Appeals in State v. Fabritz, 276 Md. 416 (1975), cert. denied, 425 U.S. 942 (1976):

> The cardinal rule in the construction of statutes is to effectuate the real and actual intention of the Legislature.

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Purifoy v. Merc. Safe Dep. & Trust, 273 Md. 58, 327 A.2d 483 (1974); Scoville Serv., Inc. v. Comptroller, 269 Md. 390, 306 A.2d 534 (1973); Height v. State, 225 Md. 251, 170 A.2d 212 (1961). Equally well settled is the principle that statutes are to be construed reasonably with reference to the purpose to be accomplished, Walker v. Montgomery County, 244 Md. 98, 223 A.2d 181 (1966), and in light of the evils or mischief sought to be remedied, Mitchell v. State, 115 Md. 360, 80 A.2d 1020 (1911); in other words, every statutory enactment must be 'considered in its entirety, and in the context of the purpose underlying [it] enactment.' Giant of Md. v. State's Attorney, 267 Md. 501 at 509, 298 A.2d 427, at 432 (1973). Of course, a statute should be construed according to the ordinary and natural import of its language, since it is the language of the statute which constitutes the primary source for determining the legislative intent. Grosvenor v. Supervisor of Assess., 271 Md. 232, 315 A.2d 758 (1974); Height v. State, supra. Where there is no ambiguity or obscurity in the language of a statue, there is usually no need to look elsewhere to ascertain the intention of the Legislature. Purifoy v. Merc.-Safe Deposit & Trust, supra. Thus, where statutory language is plain and free from ambiguity and expresses a definite and sensible meaning, courts are not at liberty to disregard the natural import of words with a view towards making the statute express an intention which is different from its plain meaning. Gatewood v. State, 244 Md. 609, 224 A.2d 677 (1966). On the other hand, as stated in Maguire v. State, 192 Md. 615, 623, 65 A.2d 299, 302 (1949), '[a]dherence to the meaning of words does not require or permit isolation of words from their context'***[since] the meaning of the plainest words in a statute may be controlled by the context . . . . ' ' In construing statutes, therefore, results that are unreasonable, illogical or inconsistent with common sense should be avoided whenever possible consistent with the statutory language, with the real legislative intention prevailing over the intention indicated by the literal meaning. B. F. Saul Co. v. West End Park, 250 Md. 707, 246 A.2d 591 (1968); Sanza v. Md. Board of Censors, 245 Md. 319, 226 A.2d 317 (1967); Height v. State, supra.

In applying these principles to the BCZR, particularly Section 413.2, the conclusion is inescapable that under the plain wording of Section 413.2, the policy as described above is in conflict and therefore wrong.

The intent of the BCZR must be determined as being construed as a whole. See Smith v. Miller, 249 Md. 390. Thus, the specific language delineating the use regulations in Section 413, BCZR, must be construed in light of all of the provisions concerning signs so that the several parts of those regulations are

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given their intended effect. Moreover, the relationship between those various provisions regulating signs must be reconciled as a whole. See Smith, supra; Bowie Vol. Fire Depart. & Rescue Squad, Inc. v. Bd. of County Commissioners, 255 Md. 381; Anderson, American Law of Zoning, Section 16.08.

"Zoning regulations are in derogation of common law rights and they cannot be construed to include or to exclude by implication that which is not clearly within their express terms." Yokely, Zoning Law & Practice, Sections 1-4 and 25-8; Aspen Hill Venture v. Montgomery County, 265 Md. 303 (1972). Landay v. MacWilliams, 173 Md. 460 (1938) a/k/a Landay v. Bd. of Zoning Appeals. Zoning regulations must be strictly construed and cannot be extended by implication to prohibit uses not clearly within their scope. Gino's of Maryland, Inc. v. Baltimore, 250 Md. 621 (1968); McQuillin, Municipal Corp., Section 25.72.

Only Section 413.2.e., BCZR, permits a multiple-faced sign to be considered as one and that is limited to an identification sign for a shopping center or other integrated group of stores or commercial buildings. The introductory language of Section 413.2 does not provide the right to treat all business signs alike. The language is not all inclusive nor all permissive. It provides a preamble to the section's intent and conditions any permission to place a business sign of a particular size in only those business or industrial zones permitted in subsequent subsections. If all of the subparagraphs of Section 413.2 are read and their intent interpreted as a whole, any such interpretation must conclude that the Baltimore County Council intended each face of a sign to be counted, except for shopping center identification signs. Section 413.5.a, BCZR, buttresses this clear and unequivocal reading, i.e., the size of any sign is computed by determining its surface area, including the entire face or faces. An ordinance should be construed "so that no word, clause, sentence, or phrase shall be rendered surplusage, meaningless or nugatory." Supervisor v.

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JAN 29 1986

Southgate Harbor, 279 Md. 586 (1977). If all multiple-faced business signs were to be considered as one, the language of Section 413.2.e would be meaningless, or at the very least, superfluous.

The language of Section 413.2 is clear and unambiguous; therefore, the long-standing and customary application of the policy which considers all multiple-faced business signs as one should be disregarded for the strongest and most urgent of reasons, i.e., the policy conflicts with the plain meaning of the statute. Smith v. Higinbothom, 187 Md. 115. If the two sides of the multiple-faced business sign exceed the permitted size delineated by law after computation, a variance shall be required.

Not all of the requested signage will be permitted since no evidence was presented to support the burden of proof required by Section 307, i.e., that a practical difficulty would exist if not granted. Therefore, after weighing the testimony and evidence presented, only two free-standing identification signs, 24'4" high from grade, 120.64 square feet per face for a total of 482.46 square feet and one sign attached to the canopy column spreader bar identifying the diesel dispenser, 33.8 square feet per side for a total of 67.6 square feet, will be allowed for a total of 550.16 square feet of signage permitted under Section 413.2.f.

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 and variances, as limited and described above, should be granted.

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 31st day of July, 1985, that the Petition for Special Exception for a food store with less than 5,000 square feet of retail sales area in combination

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BY [illegible]
ADMINISTRATIVE ASSISTANT

with a service station and conversion to a gas and go operation and, additionally, variances to permit a rear yard setback of 5 feet instead of the required 30 feet, a setback of 34 feet instead of the required 35 feet to the street right of way, a site area of 16,356 square feet instead of the required 19,316 square feet, and the signage described above be and are hereby GRANTED, from and after the date of this Order, subject, however, to the following restrictions which are conditions precedent to the relief herein granted:

1. The Petitioner may apply for its building permit and be granted same upon receipt of this Order; however, Petitioner is 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, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.

2. Two canopy facia signs will be permitted to identify Exxon, but they must be reduced from 38.8 square feet each to 13 square feet each.

3. Four canopy column signs, each 7.27 square feet, will be permitted as long as the total comports to the size requirements of Section 413.2.b.

Zoning Commissioner of
Baltimore County

AJ/srl

cc: F. Vernon Boozer, Esquire
Mrs. Mary Ginn
People's Counsel

ORDER RECEIVED FOR FILING
DATE July 31, 1985
BY [illegible]

PETITION FOR SPECIAL EXCEPTION AND VARIANCE

9th Election District

LOCATION: Southeast corner of Loch Raven Boulevard and Joppa Road (1701 East Joppa Road)

DATE AND TIME: Monday, July 15, 1985 at 10:00 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 to use the property for a food store with less than 5,000 square feet of retail sales area in combination with its present use as a service station, as permitted under Baltimore County Zoning Regulations 405.4.D.8, and to allow the conversion from a service station to a gas and go; additionally, Petition for Variance from Section 238.2 to allow a rear yard setback of 5 feet in lieu of the required 30 feet; Section 405.4A.2a to allow a setback of 34 feet from the street right-of-way in lieu of the required 35 feet; Section 405.4.A1 and D.8 to allow a site area of 16,356 sq.ft. in lieu of the required 19,316 sq.ft.; Section 413.2.f to allow 6 free-standing business signs with a total square footage of 820.56 (counting all sides) in lieu of the permitted 3 signs with a permitted square footage of 100 square feet.

Being the property of EXXON CORPORATION, as shown on plat plan filed with the Zoning Office.

In the event that these Petitions are 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

STV/LYON ASSOCIATES.
ENGINEERS, ARCHITECTS & PLANNERS.
21 GOVERNOR'S COURT
BALTIMORE, MD 21207-2722
301/944-9112

ZONING DESCRIPTION
NO. 1701 EAST JOPPA ROAD AT LOCH RAVEN BOULEVARD
NINTH ELECTION DISTRICT, BALTIMORE COUNTY, MARYLAND

BEGINNING FOR THE SAME at a point along the eastern side of Loch Raven Boulevard at the southeastern intersection of Joppa Raod, thence running,

1. North 77°22'30" East 7.90 feet to the beginning of a site flare, thence by a curve to the right having,
2. A radius of 51.00 feet, an arc length of 72.10 feet, said curve being subtended by a chord bearing North 28°00'19" East 66.24 feet to a point along the southeast side of Joppa Road, thence along same,
3. North 68°30'20" East 75.76 feet, thence leaving the southeast side of Jappa Road and running,
4. South 22°49'15" East 127.84 feet thence,
5. South 68°54'45" West 66.00 feet thence,
6. North 22°49'15" West 4.92 feet thence,
7. South 72°25'45" West 84.05 feet to a point on the east side of Loch Raven Boulevard, thence along same, by a curve to the left having,
8. A radius of 2,123.48 feet, an arc length of 76.00 feet, said curve being subtended by a chord bearing North 11°35'44" West 76.00 feet to the point of beginning . . . containging 0.375 acre of land or 16,356 square feet, more or less

Mark A. Riddle

STV/LYON ASSOCIATES, INC.
Mark A. Riddle
Md. Reg. P.L.S. No. 244

February 6, 1985

STATE OF MARYLAND
MARK ALAN RIDDLE
No. 244 REGISTERED
PROPERTY LINE SURVEYOR

STV ENGINEERS, Engineers, Architects, Planners, Construction Managers. Professional Member Firms: STV/Baltimore Transportation Associates; STV/Lyon Associates; STV/Management Consultants Group; STV/H. D. Nottingham & Associates; STV/Sanders & Thomas; STV/Santatric; STV/Seelye Stevenson Value & Knecht

RE: PETITION FOR SPECIAL EXCEPTION : BEFORE THE ZONING COMMISSIONER
PETITION FOR VARIANCES
SE Corner of Loch Raven Blvd. : OF BALTIMORE COUNTY
and Joppa Rd. (1701 E. Joppa
Rd.), 9th District :

EXXON CORPORATION, Petitioner : Case No. 86-19-XA

: : : : : : :

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 21st day of June, 1985, a copy of the foregoing Entry of Appearance was mailed to F. Vernon Boozer, Esquire, 614 Bosley Ave., Towson, MD 21204, Attorney for Petitioner.

Peter Max Zimmerman
Peter Max Zimmerman

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

ARNOLD JABLON
ZONING COMMISSIONER

July 11, 1985

F. Vernon Boozer, Esquire
614 Bosley Avenue
Towson, Maryland 21204

RE: Petition for Special Exception & Variance
SE corner of Loch Raven Blvd. & Joppa Road
(1701 East Joppa Road) - 9th District
Exxon Corporation - Petitioner
Case No. 86-19- XA

Dear Mr. Boozer,

This is to advise you that $106.70 is due for advertising and posting of the above property. This fee must be paid before an Order is issued.

This fee must be paid and the zoning sign and post returned on the day of the hearing. Do not remove sign until day of the hearing.

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

Sincerely,

Arnold Jablon
ARNOLD JABLON
Zoning Commissioner

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

86-19-XA

District: 9th Date of Posting: 6/27/85
Posted for: Special Exception & Variance
Petitioner: Exxon Corporation
Location of property: SE/cor. Loch Raven Blvd. & Joppa Rd.
1701 E Joppa Rd
Location of Signs: @ facing Loch Raven & @ facing Joppa, both approx. 6' fr. roadway, on property of petitioner
Remarks: Attach to owners light poles, permission given by station mgr.
Posted by [illegible] (Signature) Date of return: 6/28/85
Number of Signs: 2

PETITION FOR SPECIAL EXCEPTION AND VARIANCE
9th Election District

LOCATION: Southeast corner of Loch Raven Boulevard and Joppa Road (1701 East Joppa Road)
DATE AND TIME: Monday, July 15, 1985 at 10:00 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 to use the property for a food store with less than 5,000 square feet of retail sales area in combination with its present use as a service station, as permitted under Baltimore County Zoning Regulations 405.4.D.8, and to allow the conversion from a service station to a gas and go; additionally, Petition for Variance from Section 238.2 to allow a rear yard setback of 5 feet in lieu of the required 30 feet; Section 405.4A.2a to allow a setback of 34 feet from the street right-of-way in lieu of the required 35 feet; Section 405.4.A1 and D.8 to allow a site area of 16,356 sq. ft. in lieu of the required 19,316 sq. ft.; Section 413.2.f to allow 6 free-standing business signs with a total square footage of 820.56 (counting all sides) in lieu of the permitted 3 signs with a permitted square footage of 100 square feet.
Being the property of Exxon Corporation, as shown on plat plan filed with the Zoning Office.
In the event that these Petitions are 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
65834-L73132 6/26

CERTIFICATE OF PUBLICATION

86-19-XA

Towson, Md. 7/9 1985

THIS IS TO CERTIFY, that the annexed advertisement was published in the TOWSON TIMES, a weekly newspaper distributed in Towson, Baltimore County, Md., once a week for 1 consecutive weeks, the first publication appearing on the 26th day of June 1985

The TOWSON TIMES
[illegible]

Cost of Advertisement: $63.70

PETITION FOR SPECIAL EXCEPTION AND VARIANCE
9th Election District

LOCATION: Southeast corner of Loch Raven Boulevard and Joppa Road (1701 East Joppa Road)
DATE AND TIME: Monday, July 15, 1985 at 10:00 a.m.
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Being the property of Exxon Corporation, as shown on plat plan filed with the Zoning Office.
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By Order Of
ARNOLD JABLON,
Zoning Commissioner
of Baltimore County
June 27.

CERTIFICATE OF PUBLICATION

86-19-XA

TOWSON, MD., June 27, 19 85

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 June 27, 19 85

THE JEFFERSONIAN,
[illegible]
Publisher

Cost of Advertising
33.00

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT
No. 007372

DATE 7-17-85 ACCOUNT R-01-615-000
AMOUNT $ 106.70
RECEIVED FROM: F Vernon Boozer Esq
FOR: Advertising & Posting [illegible]
B B02[illegible] 86-19-XA
VALIDATION OR SIGNATURE OF CASHIER

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT
No. 005266

DATE [illegible] ACCOUNT R-01-615-000
AMOUNT $ [illegible]
RECEIVED FROM: Vernon Boozer
FOR: [illegible]
B [illegible]
VALIDATION OR SIGNATURE OF CASHIER

JAN 29 1986

F. Vernon Boozer, Esquire
614 Bosley Avenue
Towson, Maryland 21204

June 12, 1985

NOTICE OF HEARING

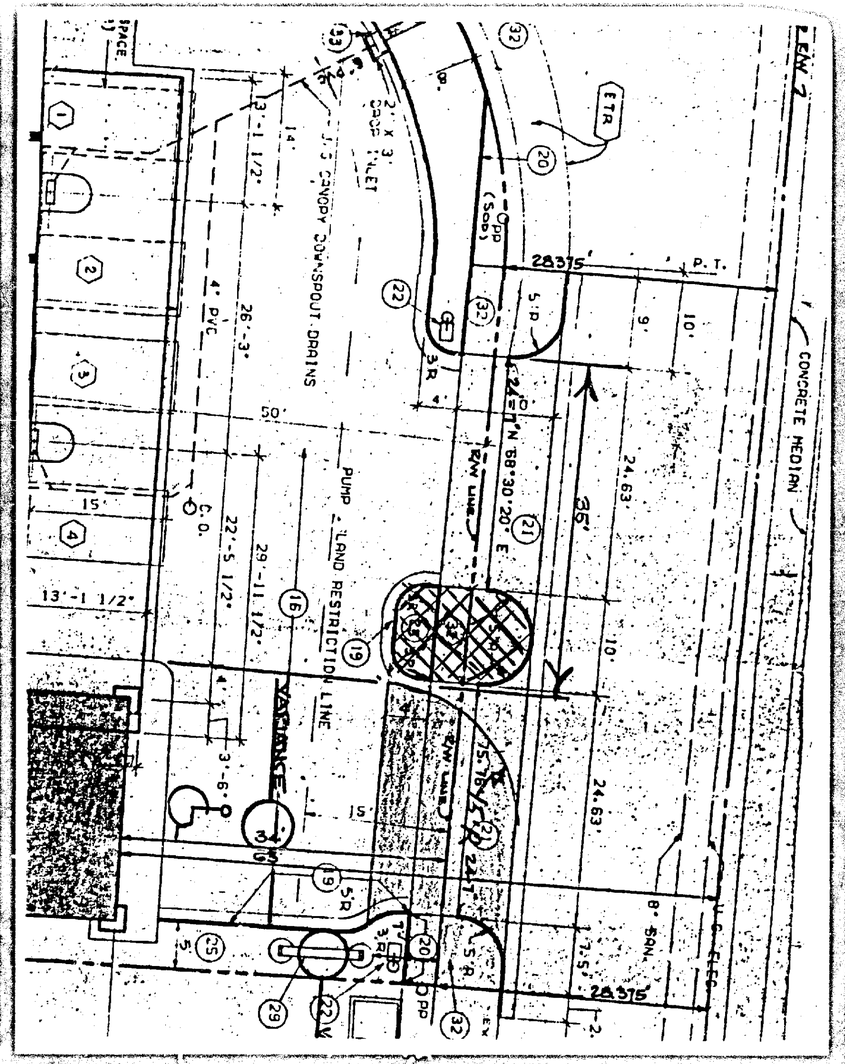
RE: PETITIONS FOR SPECIAL EXCEPTION, VARIANCE
SE corner of Loch Raven Blvd. & Joppa Road
(1701 East Joppa Road) - 9th District
Exxon Corporation - Petitioner
Case No. 86-19-XA

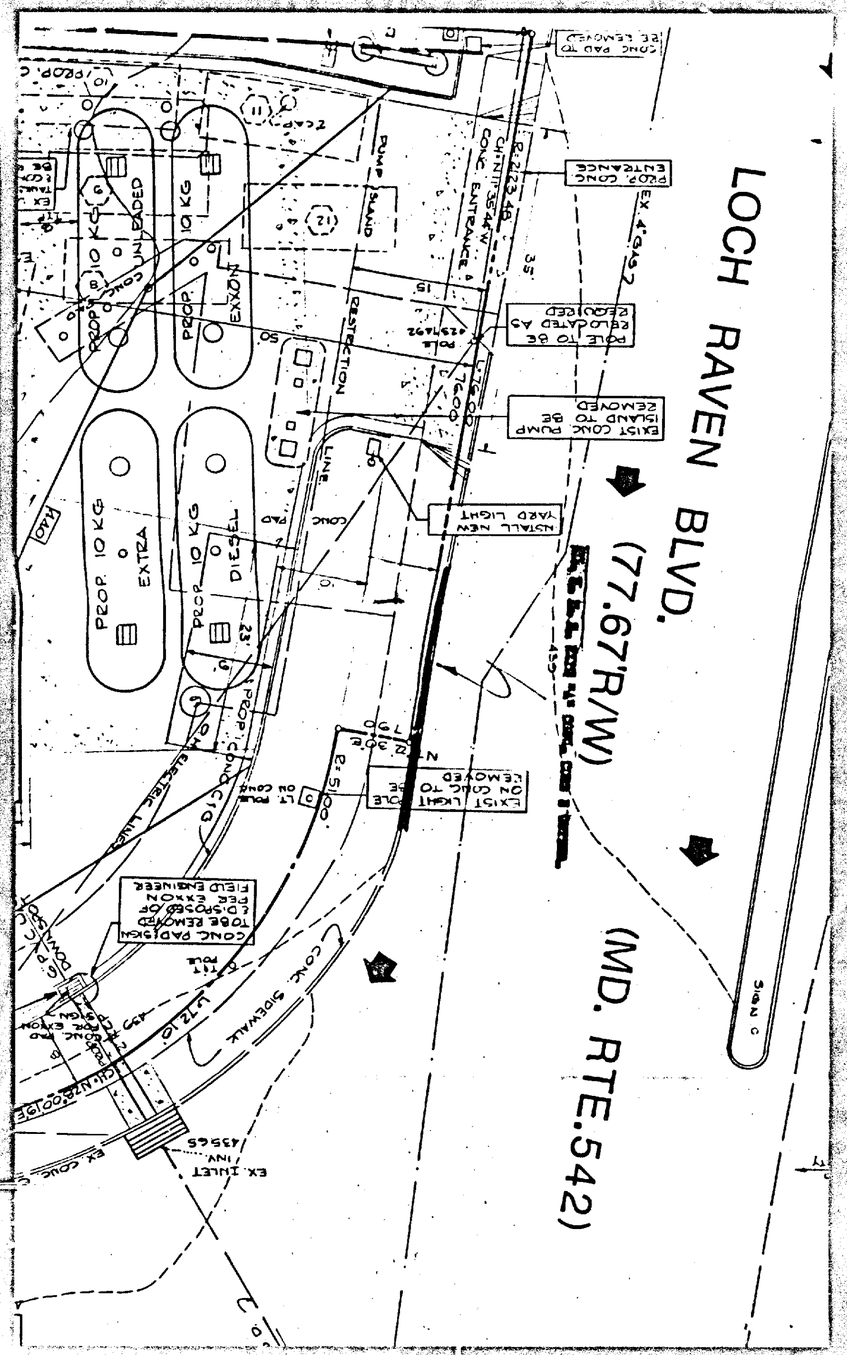
TIME: 10:00 a.m.

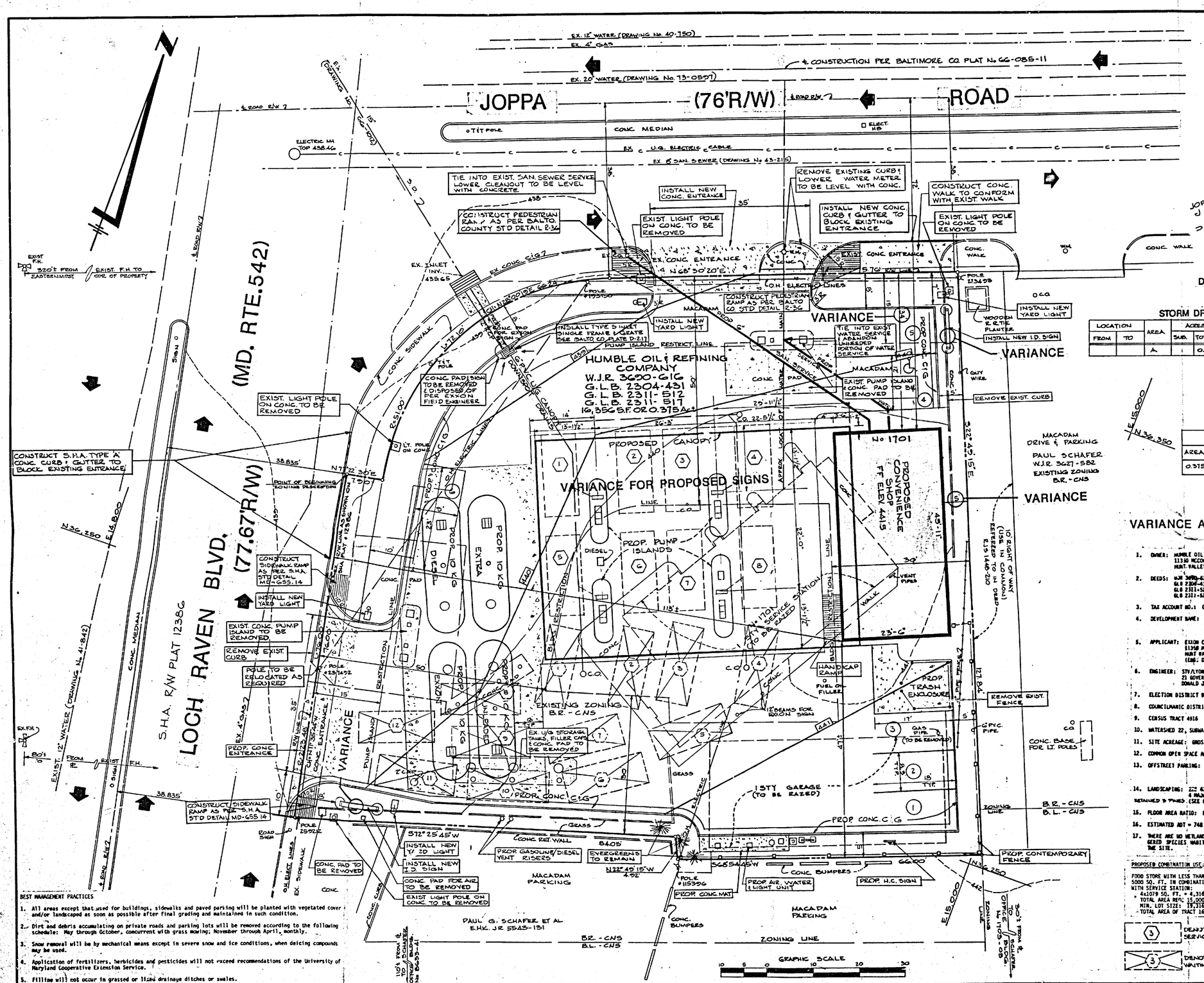
DATE: Monday, July 15, 1985

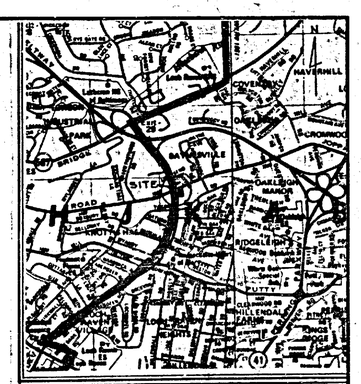
PLACE: Room 106, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland

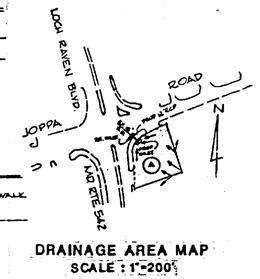
Zoning Commissioner
of Baltimore County











STORM DRAIN FLOW TABULATION FORM

LOCATION FROM	LOCATION TO	AREA	ACRES SUB.	ACRES TOTAL	COEFF. 'C'	CA	Σ CA	TIME CONC.-MIN. INLET	TIME CONC.-MIN. DRAIN	TIME CONC.-MIN. TOTAL	INTEN. 'I'	Q=C.I.A. C.F.S.	PIPE Nº SIZE	PIPE Nº SLOPE	PIPE Nº VEL.	PIPE Nº LGTH	REMARKS
		A		0.40	.95	0.38		5.0	-	5.0	8.0	3.04					10 YR. FREQUENCY

SOIL SURVEY DATA

AREA	SYM.	TYPE	(BLDG (1STY) W/O BSMT.	STREETS & PARKING LOT	HYDRO. CL.
0.375	GlB	GLENELG-URBAN LAND COMPLEX 0-8%	SLIGHT	MODERATE	B

VARIANCE AND C.R.G. NOTES

1. OWNER: HUMBLE OIL & REFINING CO. (NOW EXXON)
   11350 MCCORMICK ROAD
   HUNT VALLEY, MARYLAND 21031
2. DEEDS: W.J.R. 3600-616
   G.L.B. 2304-431
   G.L.B. 2311-512
   G.L.B. 2311-517
3. TAX ACCOUNT NO.: 0905570126
4. DEVELOPMENT NAME: EXXON COMPANY, USA
   S.E. CORNER OF LOCH RAVEN BLVD. & JOPPA ROAD
   NO. 1701 JOPPA RD., BALTIMORE, MD. 21234
5. APPLICANT: EXXON CO. USA
   11350 MCCORMICK ROAD
   HUNT VALLEY, MARYLAND 21031
   (ENG. DEPT. PHONE 628-6652)
6. ENGINEER: STV/LYON ASSOCIATES, INC., ATTN: THOMAS W. BOWEN
   21 GOVERNOR'S COURT, BALTIMORE, MARYLAND 21207
   DONALD J. WISE, P.E. (PHONE 944-8112)
7. ELECTION DISTRICT 9
8. COUNCILMANIC DISTRICT 9
9. CENSUS TRACT 4916
10. WATERSHED 22, SUBWATERSHED 50
11. SITE ACREAGE: GROSS 0.376 AC ±, NET 0.375 AC ±, OR 16,356 SF ±
12. COMMON OPEN SPACE AND DENSITY CALCULATIONS REQUIREMENTS: NONE
13. OFFSTREET PARKING: RETAIL STORE (1,079 SF ÷ 200) = 6 SPACES REQUIRED, 6 SPACES PROVIDED (INCLUDING 1 HANDICAP)
14. LANDSCAPING: 222.63 ÷ 40 = 6.7 OR 6 MAJOR TREES REQUIRED
    4 MAJOR TREES AND 9 MINOR TREES PROVIDED
    RETAINED 9 TREES (SEE PLANTING PLAN)
15. FLOOR AREA RATIO: PERMITTED RATIO = 2.0, SITE RATIO = 0.07
16. ESTIMATED ADT = 748
17. THERE ARE NO WETLANDS, CRITICAL AREAS, ARCHEOLOGICAL SITES, ENDANGERED SPECIES, HABITATS, OR HAZARDOUS WASTE MATERIAL SITES WITHIN THE SITE.
18. EXISTING USE: FULL SERVICE STATION
    PROPOSED USE: CONVENIENCE STORE AND GAS & GO
19. THERE ARE NO EXISTING OR PROPOSED SEPTIC AND/OR WELL AREAS.
20. THERE ARE NO HISTORIC BUILDINGS ON SITE.
21. STORMWATER MANAGEMENT WAIVER HAS BEEN GRANTED.
22. ANCILLARY USES: MINOR ACCESSORY USES
    NO ADDITIONAL SQUARE FOOTAGE REQUIRED
23. AREA DISTURBED BY NEW CONSTRUCTION: 16,356 SF ±
24. ACCESS POINTS: 1 DRIVEWAY ON JOPPA ROAD: 38' WIDE
    1 DRIVEWAY ON LOCH RAVEN BOULEVARD: 38' WIDE
25. LIGHTING: 4 SUPER HALIDE, 400 W
    1 METAL HALIDE, 250 W

ZONING:

EXISTING ZONING: BR-CNS
PROPOSED ZONING: NO CHANGE BUT WITH A SPECIAL EXCEPTION TO ALLOW A FOOD STORE WITH < 5,000 SQ. FT. IN CONJUNCTION WITH ITS PRESENT USE AS A SERVICE STATION AS PERMITTED UNDER BCZR 405.C.0.8, AND TO ALLOW THE CONVERSION FROM A SERVICE STATION TO A GAS AND GO.

THE FOLLOWING VARIANCE PETITIONS HAVE BEEN REQUESTED:

SEC. 238.2 - TO ALLOW A 5' REAR SETBACK IN LIEU OF 30' REQUIRED.

SEC. 405.4.A.1 AND 9.B - TO ALLOW A FOOD STORE WITH LESS THAN 5,000 SQ. FT. WHERE THE TOTAL AREA IS 16,356 SQ. FT. IN LIEU OF THE REQUIRED 19,316 SQ. FT.

SEC. 405.A.2.a - TO ALLOW A 34' SIDE SETBACK FROM THE STREET RIGHT-OF-WAY IN LIEU OF THE REQUIRED 36'.

SEC. 413.2.f - TO ALLOW 10 BUSINESS SIGNS WITH AN AREA OF 656.88 SQ. FT. IN LIEU OF 3 BUSINESS SIGNS WITH AN AREA OF 100 SQ. FT.

REASONS FOR REQUEST:

1. THE PRESENT STATION IS IN NEED OF MAJOR RENOVATIONS AND THESE VARIANCES WOULD ALLOW A USE THAT IS MORE COST EFFECTIVE AND OF SERVICE TO THE PUBLIC.
2. THE DESIRED USE CONSTITUTES THE BEST USE FOR THE PROPERTY.
3. THE SIGN VARIANCE IS NECESSARY FOR COMPLIANCE WITH STATE AND FEDERAL LAWS REGARDING PRICING AND ADVERTISING.

PROPOSED COMBINATION USE:
FOOD STORE WITH LESS THAN 5000 SQ. FT. IN COMBINATION WITH SERVICE STATION:
4x1079 SQ. FT. = 4,316 SQ. FT.
TOTAL AREA REQ'D: 15,000 SQ. FT.
MIN. LOT SIZE: 19,316 SQ. FT.
TOTAL AREA OF TRACT 16,356 SQ. FT.

AREA REQUIREMENTS
2 DISPENSER ISLANDS W/4 (GASO)
MULTI PRODUCT DISPENSER & 1 DIESEL DISPENSER SERVING 8 CARS @ ONE TIME
TOTAL SERVICING SPACES - 8
TOTAL SPACES A.B
SITE AREA REQ'D - 15,000 SQ. FT.

LANDSCAPING
CONSISTS OF GRASS & SMALL SHRUBS
AREA A = 408 SQ. FT.
AREA B = 1320 SQ. FT.
TOTAL = 1728 SQ. FT. = 10.68 OF TRACT
5% OF TRACT = 818 SQ. FT. MIN. REQ'D.

(3) DENOTES SERVICING SPACE
(3) DENOTES WAITING SPACE

VARIANCE AND C.R.G. PLAN

BEST MANAGEMENT PRACTICES

1. All areas except that used for buildings, sidewalks and paved parking will be planted with vegetated cover and/or landscaped as soon as possible after final grading and maintained in such condition.
2. Dirt and debris accumulating on private roads and parking lots will be removed according to the following schedule: May through October, concurrent with grass mowing; November through April, monthly.
3. Snow removal will be by mechanical means except in severe snow and ice conditions, when deicing compounds may be used.
4. Application of fertilizers, herbicides and pesticides will not exceed recommendations of the University of Maryland Cooperative Extension Service.
5. Fillins will not occur in grassed or lined drainage ditches or swales.

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

REVISIONS

NO.	DATE	DESCRIPTION
1	6/21/85	COMBINE CRG & VARIANCE INTO ONE PLAT; MAKE REVISIONS AS PER C.R.G. COMMENTS AS DESCRIBED NEXT BLOCK.

1) S.H.A COMMENTS - ELIMINATION OF ONE ENTRANCE AT LOCH RAVEN BLVD.
2) ZONING COMMENTS - PARKING SPACES LAYOUT REVISED - ELEVATION & S.F. OF EACH NOTED
3) ENVIRONMENTAL SUPPORT SERVICES COMMENTS - NOTED ADDED
4) P & Z COMMENTS - REVISED LANDSCAPE CALCULATIONS.
5) DEVELOPED ENGINEERING DIVISION - DRAINAGE STUDY ADDED.

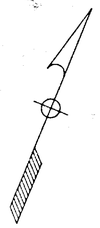
PLAN PREPARATION

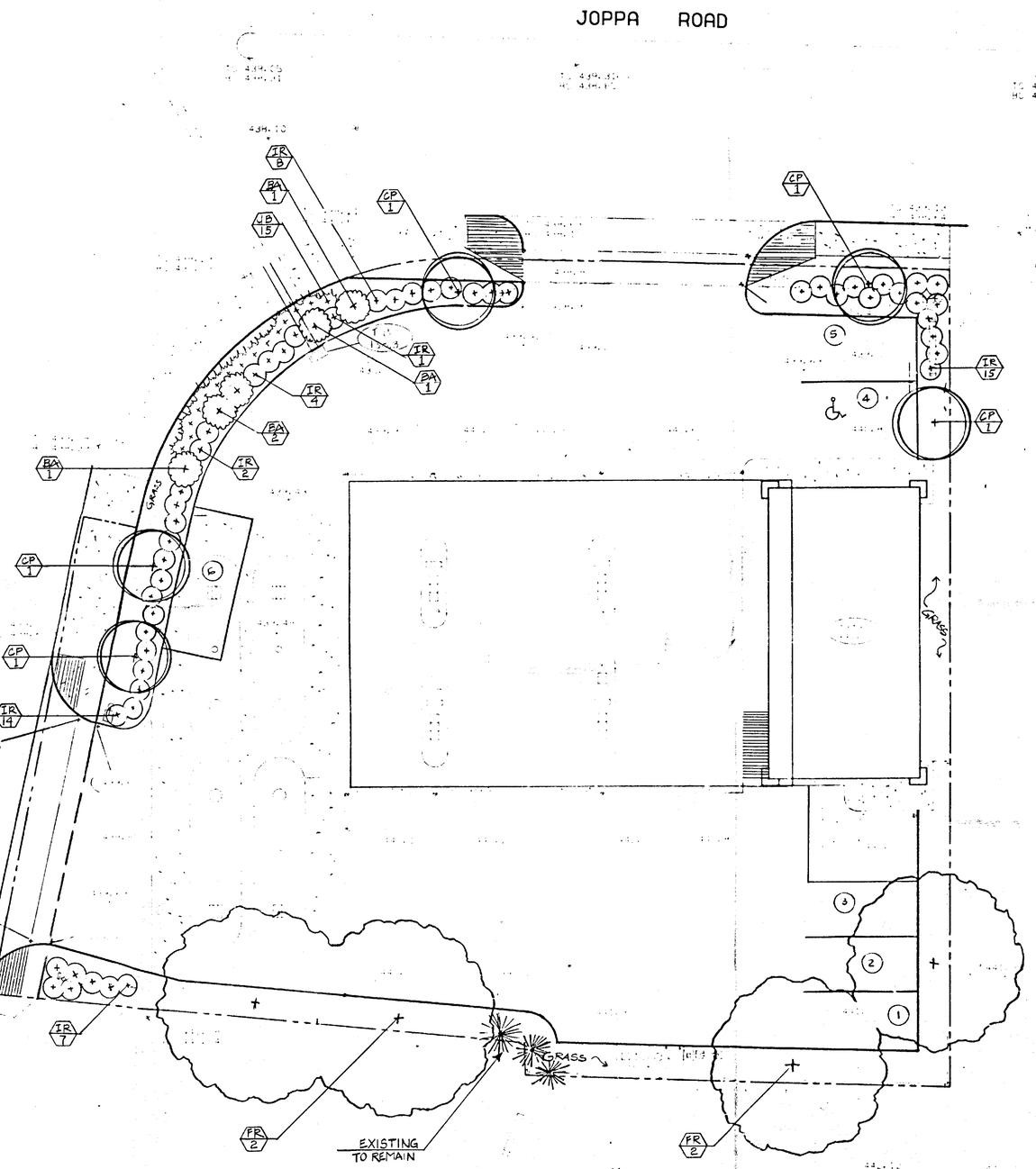
DRAWN BY: E. J. MUTI	DATE: MARCH 19, 1985
DESIGNED BY: E. J. MUTI	SCALE: 1" = 10'
CHECKED BY: T. CATTERAL	

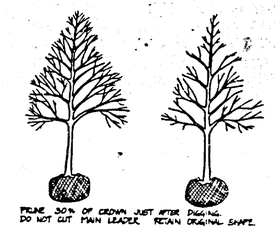
EXXON CONVENIENCE STORE
WITH GAS & GO FACILITIES
S.E. COR. LOCH RAVEN BLVD. & JOPPA RD.
ELECT. DIST. 9 BALTIMORE CO. MD.

DRAWING NO. 7518-53-027

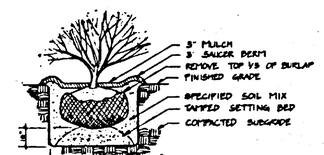
SHEET NO. 1 of 3



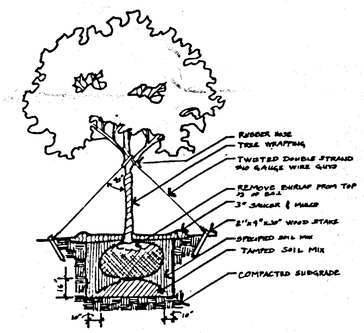




PRUNING

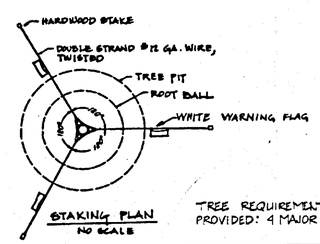


SHRUB PLANTING



TREE PLANTING

NO SCALE



STAKING PLAN

NO SCALE

PLANT MATERIALS

A. Scope
1. The Landscape Contractor shall furnish and plant all plants shown on the Plans according to Specifications.

B. Standards
1. All plant material will conform to the current issue of the American Standard for Nursery Stock published by the American Association of Nurserymen.
2. Plant material must be selected from nurseries that have been inspected by the State or Federal Agencies.
3. Balled and Burlapped
a. Balled and burlapped plants shall be dug with firm natural balls of earth.
b. Ball sizes shall be in accordance with A.A.N. Specifications.
4. Container grown stock shall have been grown in a container long enough for the root system to have developed sufficiently to hold its soil together.
5. All plant material shall be nursery grown unless otherwise specified. Pruning shall be done before planting or during the planting operation. See pruning detail.
6. All plant material in transit shall be covered with a burlap or similar cover to keep from drying out.
7. Anti-desiccants shall be applied on all material dug while in foliage.

C. Inspection
1. Plants may be subject to inspection and approval by the Owner or Owner's representative at the place of growth for conformity to Specification requirements as to quality, size and variety. This will be at the Owner's expense.
2. Plants damaged in handling or transportation may be rejected by the Owner or Owner's representative.
3. State or Federal Nursery Inspection Certificates shall be furnished to the Landscape Architect upon request.

D. Substitutions
1. No substitutions will be made except by written consent of the Landscape Architect. If a plant is found not to be suitable or available, the Landscape Contractor is to notify the Landscape Architect before planting.

I. PLANTING PROCEDURES

A. Trees, Shrubs & Ground Covers
1. Planting procedures shall be as noted in "Landscape Specification Guidelines for the Baltimore-Washington Metropolitan Areas", Jan. 1980, Pg. 8-14.

B. Seeding
1. Grass and Crownvetch seeding shall be accomplished as outlined in "Landscape Specification Guidelines for the Baltimore-Washington Metropolitan Areas", Jan. 1980, Pg. 34-38.
2. Areas to be seeded shall have subsoil adequately prepared and topsoil added, both in accordance with the one as mentioned "Guidelines", Pgs. 23-26.
3. Seed shall meet standards outlined in the above mentioned "Guidelines".
4. Hot seeding is the preferred method.

II. ACCESSORY MATERIALS

A. Soil
1. Topsoil
a. Topsoil shall be a sandy loam and uniform in composition.
b. Topsoil shall be free of stones, lumps, plants, roots and other debris over 1½ inches in diameter.
c. Topsoil shall contain no toxic substances harmful to plant growth.
d. Topsoil shall have a PH range of 5.0 to 7.0 and organic matter shall be a minimum of 1.0%.
2. Backfill Mixture
a. Backfill mixture shall be 2/3 existing soil mixed with 1/3 organic material.
b. Organic matter used in backfill mix shall be peat, composted bark, leaf mold or other material approved by the Landscape Architect.
3. Soil Mixes for Planters (Mix thoroughly to a 1:1:1 ratio)
a. 1/3 Cubic yard topsoil.
b. 1/3 Cubic yard coarse sand - filter or concrete.
c. 1/3 Cubic yard potting grade pine bark, or approved equal.
d. 10-6-4 As specified is to be incorporated during planting operation at a rate of 3 pounds per 100 square feet of bed area.

B. Fertilizer
1. Fertilizer shall be a complete fertilizer with a minimum analysis of 10% nitrogen, 6% Phosphorus and 4% Potassium.
2. Fertilizer is to be added depending on the size of the plant and the manufacturer's recommendation.
a. Trees
Use 2-3 lbs. per inch of trunk diameter.
b. Shrubs
Use 1 lbs. per foot of height or spread or 3-5 pounds per 100 square feet of bed area.
c. Ground Cover, vines, and herbaceous plants
Use 3 lbs. per 100 square feet of bed area.

C. Mulch
1. Material: shall be pine bark or approved equal.
2. Material shall be mulching grade, uniform in size and free of foreign matter.

D. Gravel
1. Gravel used for bottom of planters shall be 8 - 12" washed river gravel.

E. Soil Separator
1. A fiber soil separator approved by the Landscape Architect shall be used to prevent infiltration of soil into drainage aggregate or gravel and to allow free passage of water.

F. Substitutions
1. When requested by the Owner or Owner's representative, samples of all materials other than plants shall be submitted for approval.

G. Bed Edging
1. 5" x 1/8" Polyethylene, tubular top, anchor hook bottom, staked, as per manufacturer's Specifications.

V. WARRANTY
A. Landscape Contractor shall warrant all plant materials for a full one year period as outlined on pages 19 and 20. "Landscape Specification Guidelines for Baltimore-Washington Metropolitan Areas", Jan. 1980.

VI. MAINTENANCE
A. Landscape Contractor shall supply one full year maintenance on all plant materials as outlined on pages 21 and 22 of the above mentioned "Guidelines".

SPECIFICATIONS

TREE REQUIREMENTS: 22'x63' R.O.W. ÷ 40 = 5.7 or 6 MAJOR TREES
PROVIDED: 4 MAJOR TREES & 5 MINOR TREES. RETAINED 3 PINES

PLANT SCHEDULE

SYM	BOTANIC / COMMON NAME	NO.	SIZE	SPACING	COND.
FR	FRAXINUS AMERICANA 'ROSEHILL' / ROSEHILL ASH	4	2-2½"Cal		B&B
CP	CRATAEGUS PHAENOPYRUM / WASHINGTON HAWTHORN TREE	5	5-6'		B&B
BA	BERBERIS THUNBERGI 'ATROPURPUREA'/RED JAPANESE BARBERRY	5	2-2½'H		B&B
IR	ILEX CORNUTA 'ROTUNDA' / DWARF CHINESE HOLLY	52	2-24"SP	3' O.C.	B&B
JB	JUNIPERUS SABINA 'BUFFALO'/ BUFFALO SAVIN JUNIPER	19	18-24"SP.	2'-6" O.C.	B&B

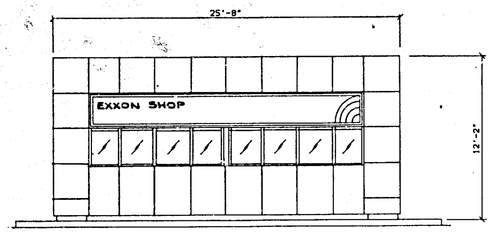
DATE	REVISIONS	BY	CHK
12-13-84	GENERAL REVISIONS	TK	
6-19-85	PLANT SUBSTITUTION & NO.	MBT	
6-21-85	ADDED 1 TREE (PER C.R.G. COMMENT)	MBT	

EXXON COMPANY, U.S.A.
A DIVISION OF EXXON CORPORATION
Marketing Department
Real Estate & Engineering

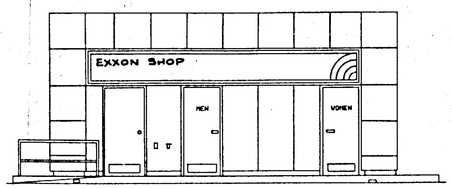
DATE 2-18-85
DRAWN BY M.T.
CHK BY M.M.
SCALE 1"=10'

PLANTING PLAN
JOPPA RD. & LOCH RAVEN BLVD.
BALTIMORE CO., MD.

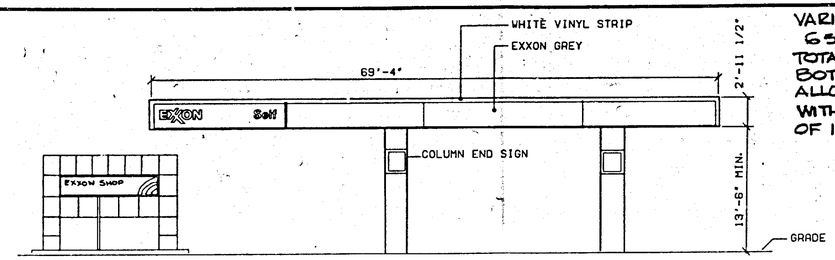
PROJECT NO.
DISC NO. 443-444
RAS NO. 2-5084
DWG. NO. 2 OF 3



FRONT ELEVATION



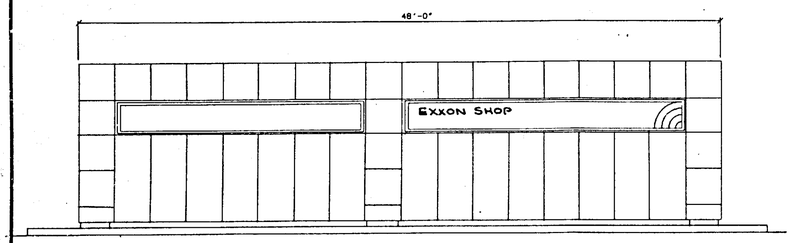
REAR ELEVATION



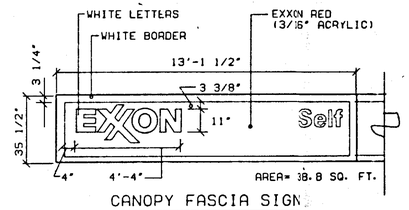
CANOPY FRONT ELEVATION

NTS

VARIANCE NOTE:
6 SIGNS (FREESTAND)
TOTAL S.F. 651.56 (COUNTING BOTH SIDES) IN LIEU OF THE ALLOWED 3 SIGNS (FREESTAND) WITH TOTAL S.F. PERMITTED OF 100 (COUNTING BOTH SIDES)

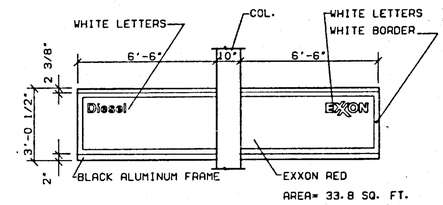


LEFT ELEVATION



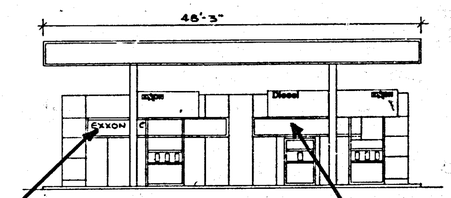
CANOPY FASCIA SIGN

NTS



CANOPY SPREADER BAR

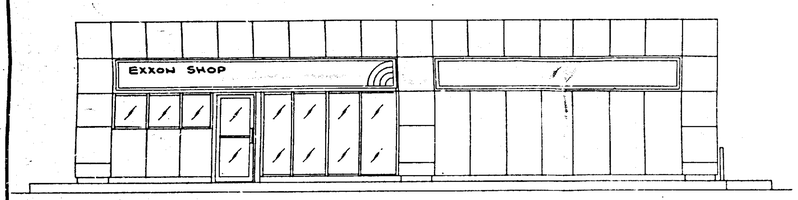
NTS



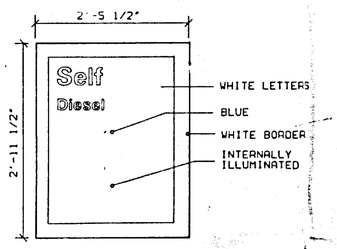
CANOPY END ELEVATION

NTS

1 SIGN - (2 SIDES @ 33.8 SF/SIDE) = 67.60 SF
3 SIGN (6 SIDES @ 16.9 SF/SIDE) = 101.40 SF
2 I.D. SIGN (4 SIDES @ 120.64/SIDE) = 482.56 SF
TOTAL 651.56 S.F.
(FRAMES OF SIGNS NOT INCLUDED)

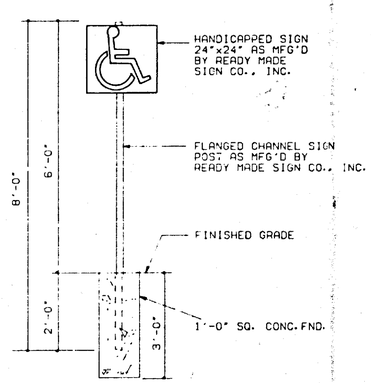


RIGHT ELEVATION



COLUMN END SIGN

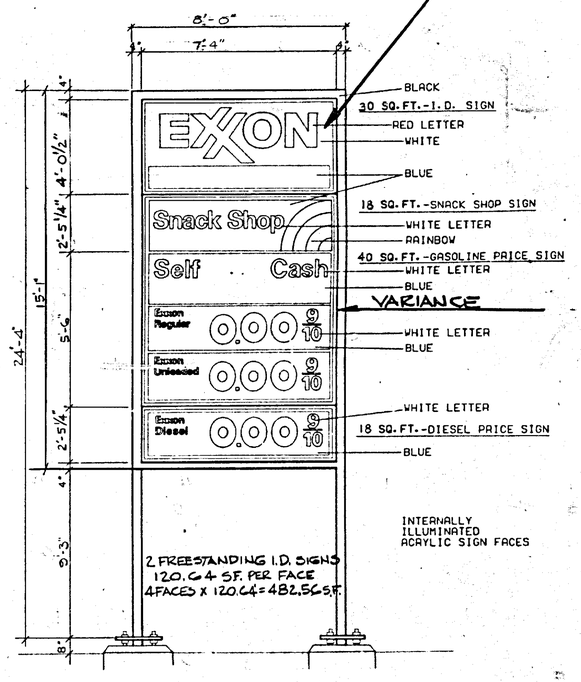
NTS AREA= 7.27 SQ. FT.



HANDICAPPED PARKING SIGN DETAIL

(FURNISHED & INSTALLED BY GC)

NTS



ZONING NOTES

ZONING STATUS	ACCESS POINTS
EXISTING ZONING: BR-CNS	1 DRIVEWAYS ON JOPPA ROAD WIDTH 35'
PROPOSED ZONING: NO CHANGE	
EXISTING DISTRICT: CS2	1 DRIVEWAY ON LOCH RAVEN BLVD. WIDTH 35'
PROPOSED DISTRICT: NO CHANGE	

AREA REQUIREMENTS

2 DISPENSER ISLANDS W/ 4 (QASO) MULTI-PRODUCT DISPENSERS & 1 DIESEL DISPENSER SERVING 8 CARS = ONE TIME.

TOTAL SERVICING SPACES- 8

TOTAL SPACES - 8

SITE AREA REQ'D - 15,000 SQ. FT.

ANCILLARY USES

MINOR ACCESSORY USES - NO ADDITIONAL SQUARE FOOTAGE REQUIRED

LANDSCAPING

CONSISTS OF GRASS & SMALL SHRUBS

AREA A= 408 SQ. FT.

AREA B= 1320 SQ. FT.

TOTAL= 1728 SQ. FT. = 10.6% OF TRACT

5% OF TRACT = 818 SQ. FT. MIN. REQ'D

PARKING

CONV. STORE

PARKING SPACES REQUIRED- 6

PARKING SPACES PROVIDED- 6

LIGHTING

4 SUPER HALIDE 400 W

1 METAL HALIDE 250 W

PROPOSED COMBINATION USE:

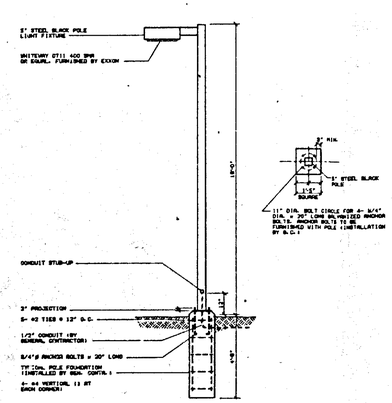
FOOD STORE WITH LESS THAN 5000 SQ. FT. IN COMBINATION WITH SERVICE STATION:

4 x 1079 SQ. FT. = 4316 SQ. FT.

TOTAL AREA REQUIRED: 15,000 SQ. FT.

MINIMUM LOT SIZE: 19,316 SQ. FT.

TOTAL AREA OF TRACT: 16,356 SQ. FT.



YARD LIGHT DETAIL

NTS

DATE	REVISIONS	BY	CHK
12-7-84	REVISED SIGN SQ. FT. AREA	R.M.	
12/11/84	REVISED ZONING NOTES	T.K	
6/21/85	REVISED VARIANCE NOTES	E.J.M.	

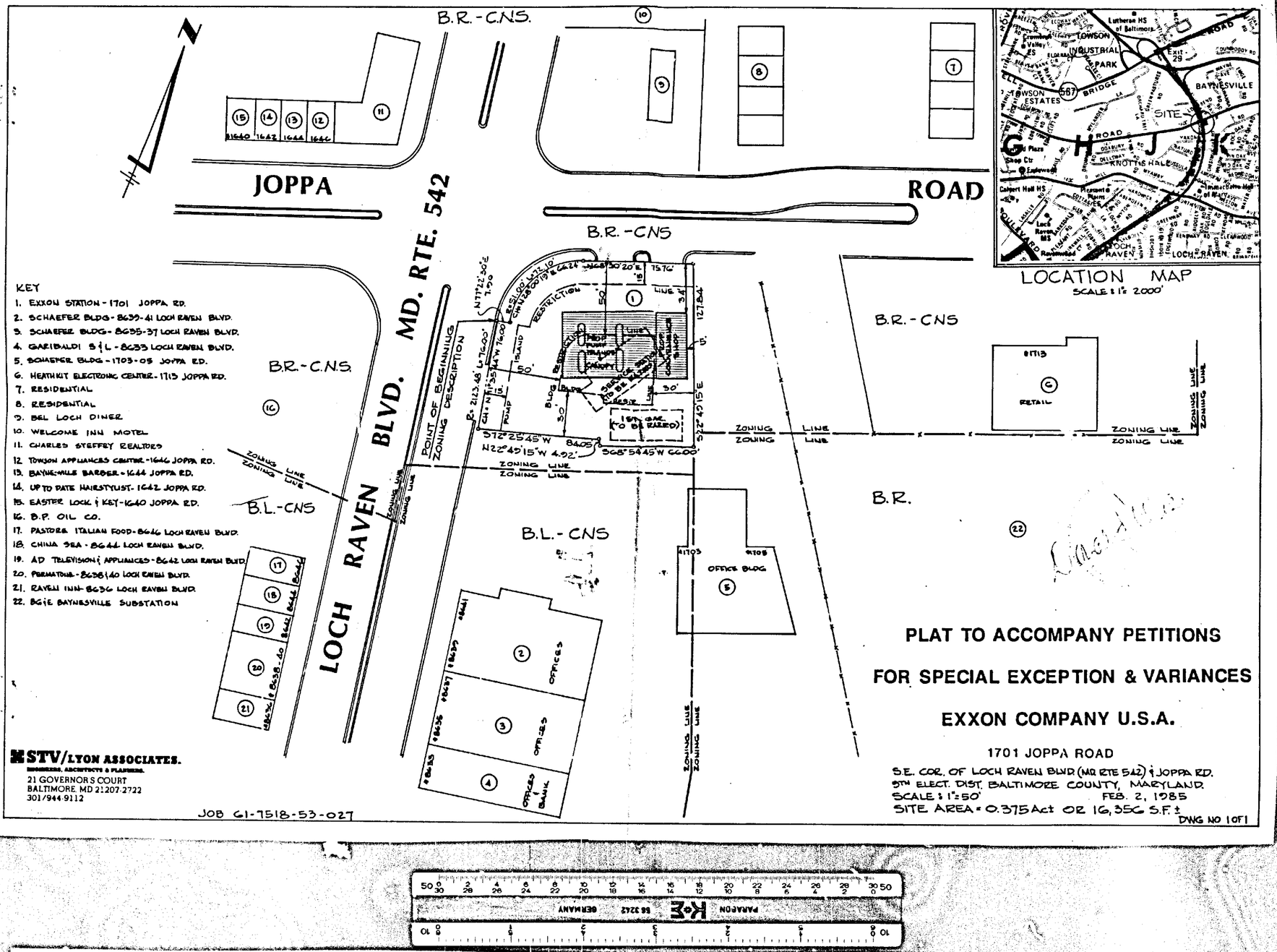
EXXON COMPANY, U.S.A. — A DIVISION OF EXXON CORPORATION
Marketing Department — Real Estate & Engineering

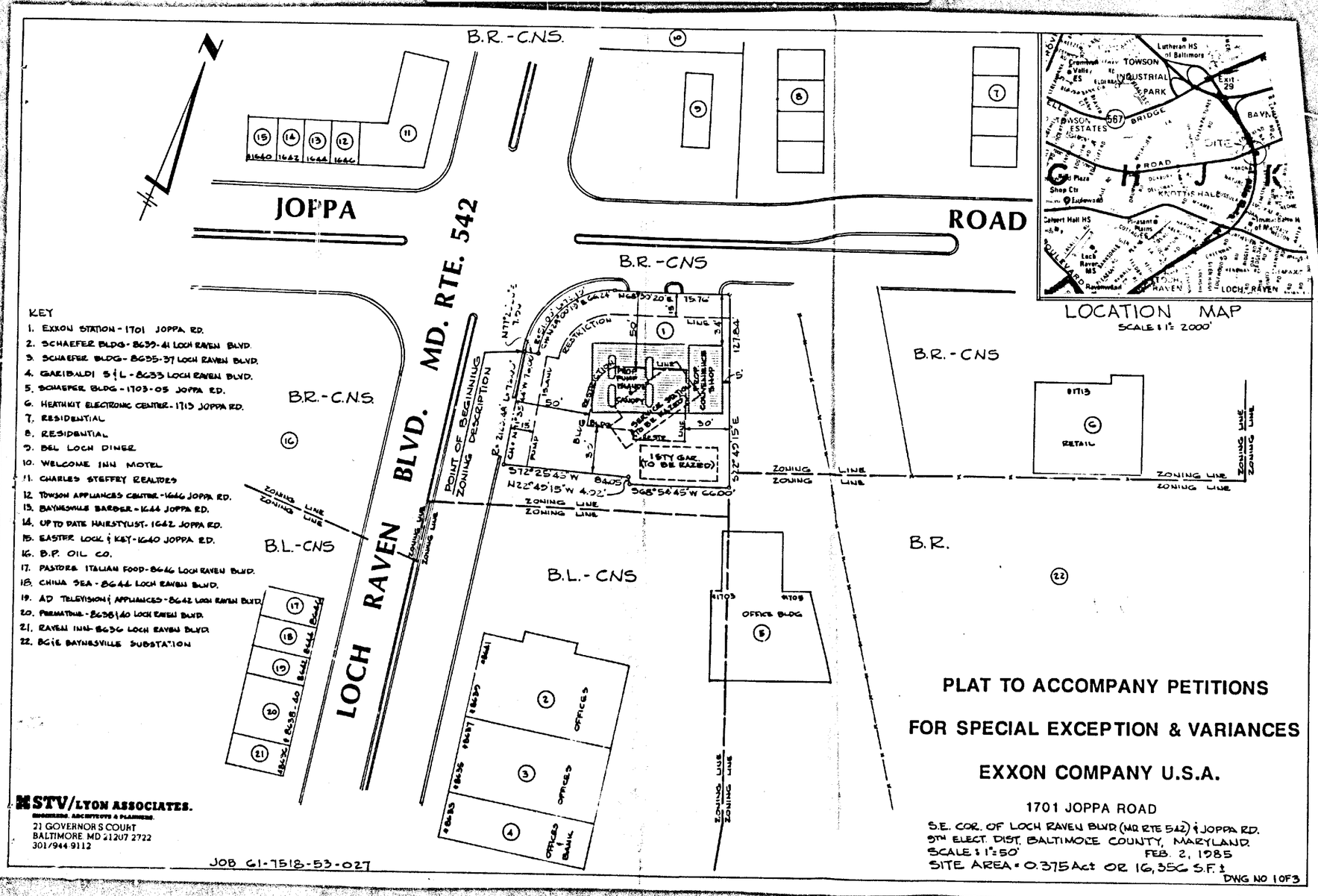
11-02-84

DRAWN BY C.F.
CHK BY AL ALM
SCALE AS NOTED

DETAILS & ZONING NOTES
JOPPA RD. & LOCH RAVEN BLVD.
BALTIMORE, CO., MD.

PROJECT NO.
DISC NO. 443-444
RAS NO. 2-5064
DWG. NO. 3 OF 3


B.R.-C.N.S.
JOPPA
ROAD
B.R.-CNS
LOCH RAVEN BLVD. MD. RTE. 542
POINT OF BEGINNING ZONING DESCRIPTION
B.R.-C.N.S.
B.L.-CNS
B.L.-CNS
B.R.-CNS
B.R.
ZONING LINE
RETAIL
OFFICE BLDG
OFFICES
OFFICES & BANK
LOCATION MAP
SCALE: 1" = 2000'
KEY
1. EXXON STATION - 1701 JOPPA RD.
2. SCHAEFER BLDG - 8639-41 LOCH RAVEN BLVD.
3. SCHAEFER BLDG - 8635-37 LOCH RAVEN BLVD.
4. GARIBALDI S & L - 8633 LOCH RAVEN BLVD.
5. SCHAEFER BLDG - 1703-05 JOPPA RD.
6. HEATHKIT ELECTRONIC CENTER - 1713 JOPPA RD.
7. RESIDENTIAL
8. RESIDENTIAL
9. BEL LOCH DINER
10. WELCOME INN MOTEL
11. CHARLES STEFFEY REALTORS
12. TOWSON APPLIANCES CENTRE - 1646 JOPPA RD.
13. BAYNESVILLE BARBER - 1644 JOPPA RD.
14. UP TO DATE HAIRSTYLIST - 1642 JOPPA RD.
15. EASTER LOCK & KEY - 1640 JOPPA RD.
16. B.P. OIL CO.
17. PASTORE ITALIAN FOOD - 8646 LOCH RAVEN BLVD.
18. CHINA SEA - 8644 LOCH RAVEN BLVD.
19. AD TELEVISION & APPLIANCES - 8642 LOCH RAVEN BLVD.
20. PREMATONE - 8638 & 40 LOCH RAVEN BLVD.
21. RAVEN INN - 8636 LOCH RAVEN BLVD.
22. BGE BAYNESVILLE SUBSTATION
PLAT TO ACCOMPANY PETITIONS
FOR SPECIAL EXCEPTION & VARIANCES
EXXON COMPANY U.S.A.
1701 JOPPA ROAD
S.E. COR. OF LOCH RAVEN BLVD (MD RTE 542) & JOPPA RD.
9TH ELECT. DIST. BALTIMORE COUNTY, MARYLAND
SCALE: 1" = 50'
FEB. 2, 1985
SITE AREA = 0.375 Act OR 16,356 S.F. ±
DWG NO 1 OF 1
STV/LYON ASSOCIATES.
ENGINEERS, ARCHITECTS & PLANNERS.
21 GOVERNOR'S COURT
BALTIMORE, MD 21207-2722
301/944-9112
JOB 61-7518-53-027


B.R.-C.N.S.
JOPPA
ROAD
B.R.-CNS
LOCH RAVEN BLVD. MD. RTE. 542
POINT OF BEGINNING ZONING DESCRIPTION
B.R.-C.N.S.
B.L.-CNS
B.L.-CNS
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SCALE: 1" = 50'
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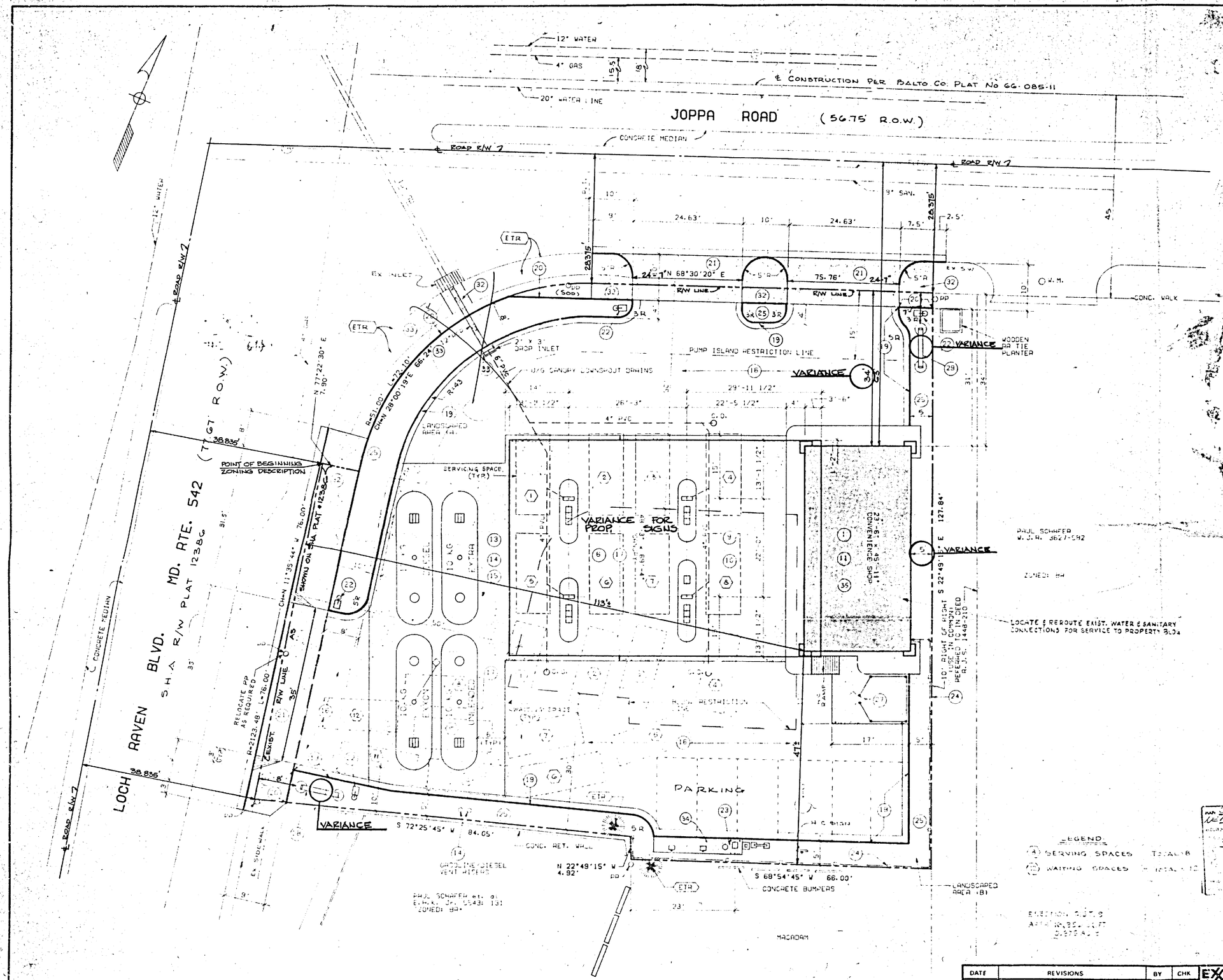
SITE AREA = 0.375 Act OR 16,356 S.F. ±
DWG NO 1 OF 3
STV/LYON ASSOCIATES.
ENGINEERS, ARCHITECTS & PLANNERS.
21 GOVERNOR'S COURT
BALTIMORE, MD 21207-2722
301/944-9112
JOB 61-7518-53-027



ZONING NOTES

ZONING STATUS
EXISTING ZONING: BR-CNS
PROPOSED ZONING: NO CHANGE
EXISTING DISTRICT: C52
PROPOSED DISTRICT: NO CHANGE

AREA REQUIREMENTS
2 DISPENSER ISLANDS W/4 (GASO)
MULTI-PRODUCT DISPENSER & 1
DIESEL DISPENSER SERVING
8 CARS @ ONE TIME
TOTAL SERVICING SPACES - 8
TOTAL SPACES - 8
SITE AREA REQ'D - 15,000 SQ. FT.

ANCILLARY USES
MINOR ACCESSORY USES
NO ADDITIONAL SQUARE
FOOTAGE REQUIRED

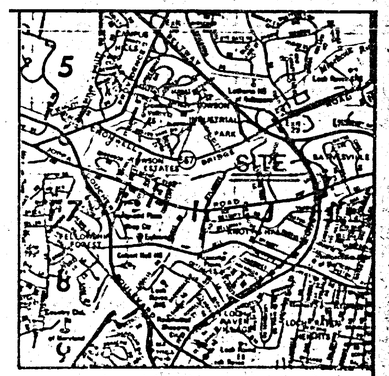
LIGHTING
4 SUPER HALIDE 400W
1 METAL HALIDE 250W

PROPOSED COMBINATION USE:
FOOD STORE WITH LESS THAN
5000 SQ. FT. IN COMBINATION
WITH SERVICE STATION:
4x 1079 SQ.FT = 4,316 SQ. FT.
TOTAL AREA REQ. 15,000 SQ. FT.
MIN. LOT SIZE: 19,316 SQ. FT.
TOTAL AREA OF TRACT 16,356 SQ. FT.

ACCESS POINTS
2 DRIVEWAYS ON JOPPA ROAD
WIDTH 24'-7" - 1 - 24'-7"
1 DRIVEWAY ON LOCH RAVEN BLVD.
WIDTH 35'

LANDSCAPING
CONSISTS OF GRASS & SMALL SHRUBS
AREA A = 408 SQ. FT.
AREA B = 1320 SQ. FT.
TOTAL = 1728 SQ. FT = 10.6% OF TRACT
5% OF TRACT = 818 SQ. FT. MIN. REQ'D.

PARKING
CONVENIENCE STORE
PARKING SPACES REQUIRED - 6
PARKING SPACES PROVIDED - 6



Location Map
Scale 1" = 2000'

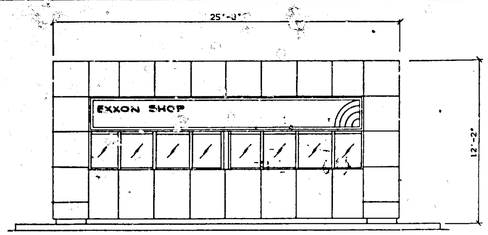
DATE	REVISIONS	BY	CHK
11-5-84	ADDITIONAL INFORMATION ADDED		
11-16-84	GENERAL REVISIONS	B.M.	

EXXON COMPANY, U.S.A.
A DIVISION OF EXXON CORPORATION
Marketing Department — Real Estate & Engineering

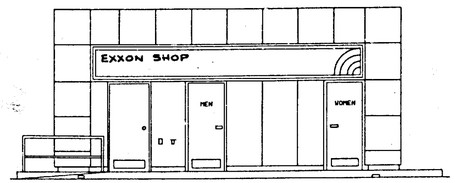
DATE 11-01-84
DRAWN BY C.F.
CHK BY —
SCALE 1"=10'

SITE PLAN
JOPPA RD. & LOCH RAVEN BLVD.
BALTIMORE, CO., MD.

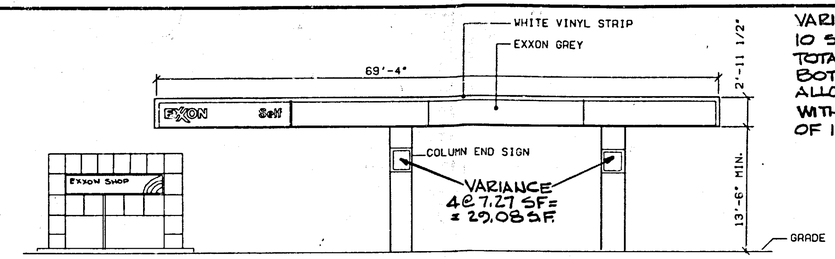
PROJECT NO.
DISC NO. 443-144
RAS NO. 72-5084
DWG. NO. 2 OF 3



FRONT ELEVATION



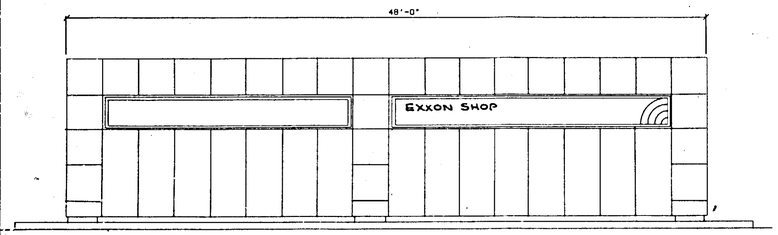
REAR ELEVATION



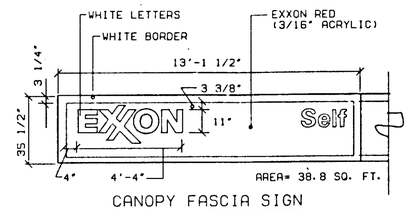
CANOPY FRONT ELEVATION

NTS

VARIANCE NOTE:
10 SIGNS (FREESTAND)
TOTAL S.F. 655.88 (COUNTING BOTH SIDES) IN LIEU OF THE ALLOWED 3 SIGNS (FREESTAND) WITH TOTAL S.F. PERMITTED OF 100 (COUNTING BOTH SIDES)

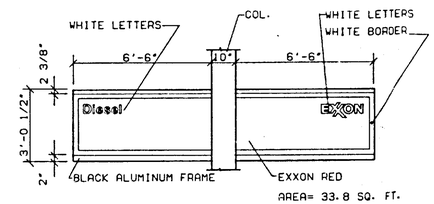


LEFT ELEVATION



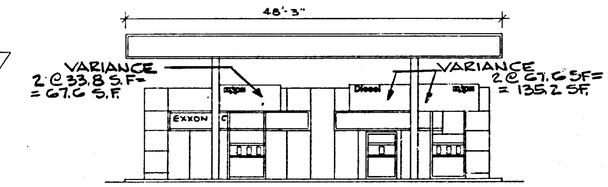
CANOPY FASCIA SIGN

NTS



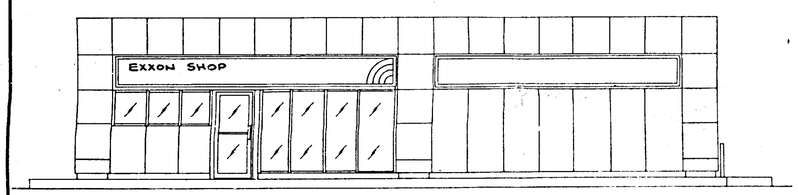
CANOPY SPREADER BAR

NTS

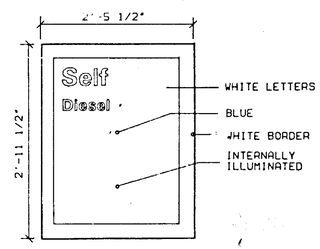


CANOPY END ELEVATION

NTS

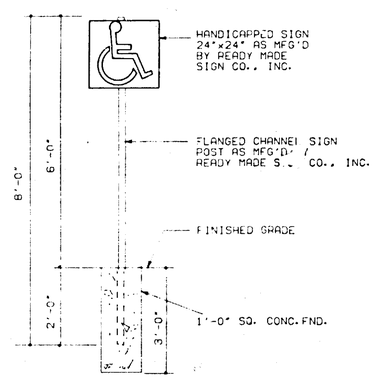


RIGHT ELEVATION



COLUMN END SIGN

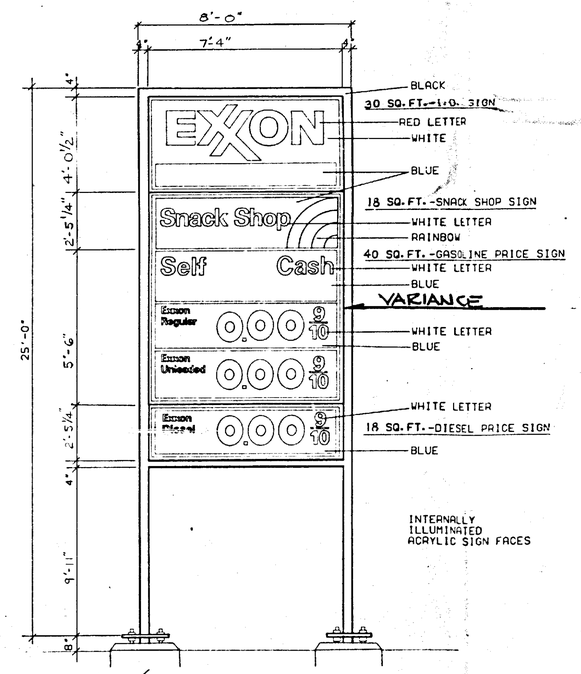
NTS AREA= 7.27 SQ. FT.



HANDICAPPED PARKING
SIGN DETAIL

(FURNISHED & INSTALLED BY GC)

NTS



2 { 30 SQ. FT. I.D. SIGN
18 SQ. FT. SNACK SHOP SIGN
40 SQ. FT. GASOLINE PRICE SIGN
18 SQ. FT. DIESEL PRICE SIGN

NTS

ZONING NOTES

ZONING STATUS

EXISTING ZONING: BR-CNS

PROPOSED ZONING: NO CHANGE

EXISTING DISTRICT: CS2

PROPOSED DISTRICT: NO CHANGE

AREA REQUIREMENTS

2 DISPENSER ISLANDS W/ 4 (GASO) MULTI-PRODUCT DISPENSERS & 1 DIESEL DISPENSER SERVING 8 CARS @ ONE TIME.

TOTAL SERVICING SPACES- 8

TOTAL SPACES - 8

SITE AREA REQ'D - 15,000 SQ. FT.

ANCILLARY USES

MINOR ACCESSORY USES - NO ADDITIONAL SQUARE FOOTAGE REQUIRED.

PROPOSED COMBINATION USE:

FOOD STORE WITH LESS THAN 5000 SQ. FT. IN COMBINATION WITH SERVICE STATION:
4 X 1079 SQ. FT. = 4316 SQ. FT.
TOTAL AREA REQUIRED: 15,000 SQ. FT.
MINIMUM LOT SIZE: 19,316 SQ. FT.
TOTAL AREA OF TRACT: 16,356 SQ. FT.

ACCESS POINTS

2 DRIVEWAYS ON JOPPA ROAD
WIDTH 24'-7"-1-24'-7"

1 DRIVEWAY ON LOCH RAVEN BLVD.
WIDTH 35'

LANDSCAPING

CONSISTS OF GRASS & SMALL SHRUBS

AREA A= 408 SQ. FT.

AREA B= 1320 SQ. FT.

TOTAL= 1728 SQ. FT. = 10.6% OF TRACT

5% OF TRACT = 818 SQ. FT. MIN. REQ'D

PARKING

CONV. STORE

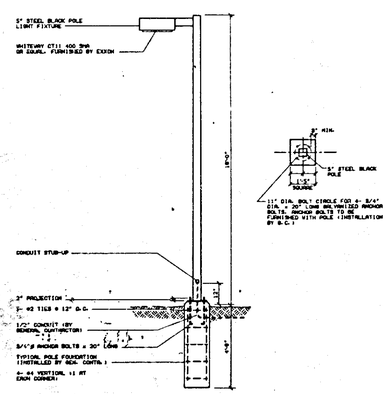
PARKING SPACES REQUIRED- 6

PARKING SPACES PROVIDED- 6

LIGHTING

4 SUPER HALIDE 400 W

1 METAL HALIDE 250 W



YARD LIGHT DETAIL

NTS

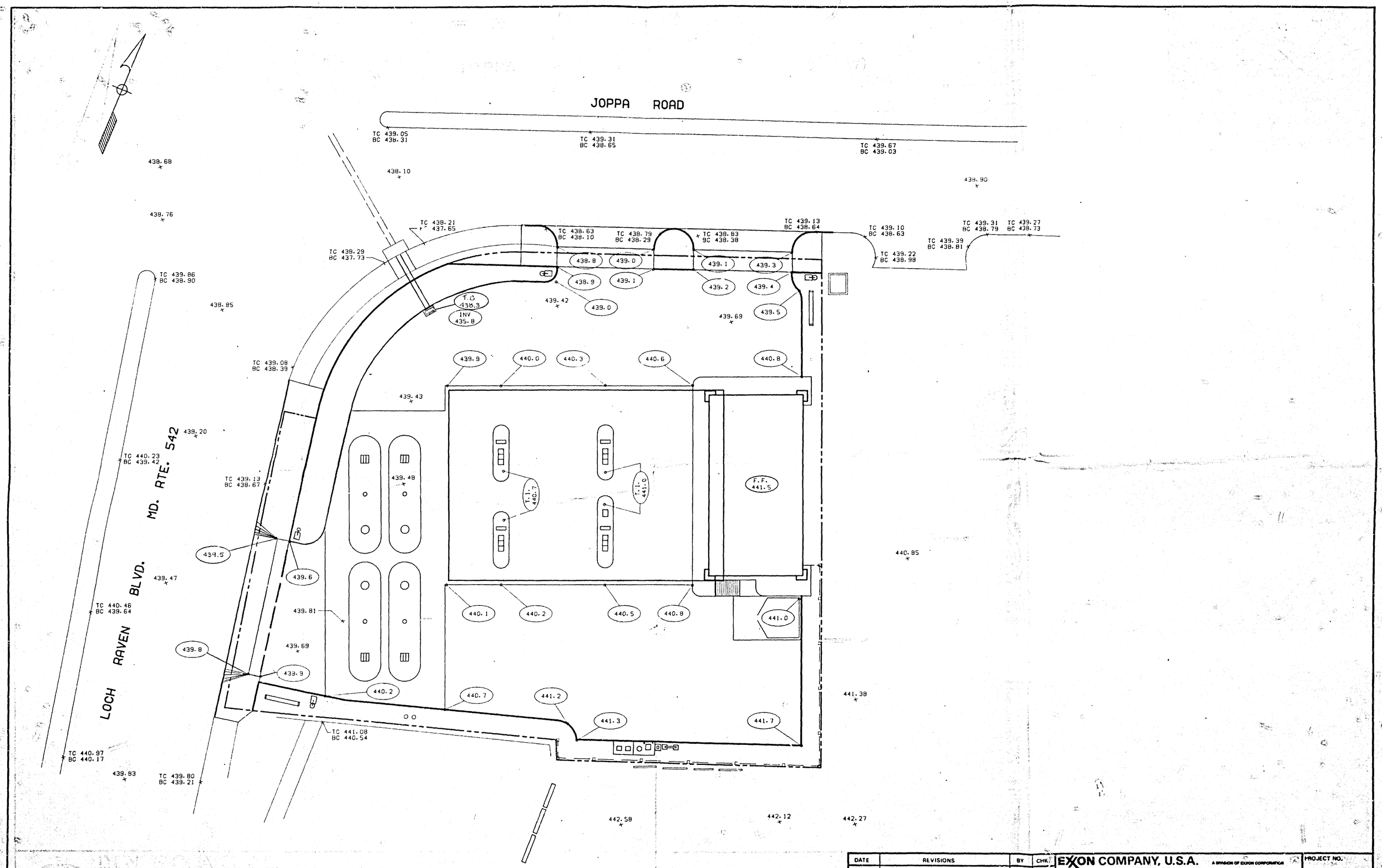
DATE	REVISIONS	BY	CHK.
12-7-84	REVISED SIGN SQ. FT. AREA	R.M.	
12/11/84	REVISED ZONING NOTES	T.K.	

EXXON COMPANY, U.S.A.
Marketing Department
A DIVISION OF EXXON CORPORATION
Real Estate & Engineering

DATE 11-02-84
DRAWN BY C.F.
CHK BY MCM
SCALE AS NOTED

DETAILS & ZONING NOTES
JOPPA RD. & LOCH RAVEN BLVD.
BALTIMORE, CO., MD.

PROJECT NO.
DISC NO. 443-444
RAS NO. 2-5064
DWG. NO. 3 OF 3



DATE	REVISIONS	BY	CHK.
12-13-84	GENERAL REVISIONS	T.K.	

EXXON COMPANY, U.S.A. A DIVISION OF EXXON CORPORATION
Marketing Department — Real Estate & Engineering

DATE 11-01-84
DRAWN BY C. F.
CHK HLH
SCA 1"=10'

GRADING PLAN
JOPPA RD. & LOCH RAVEN BLVD.
BALTIMORE, CO., MD.

PROJECT NO.
DISC NO. 443-444
RAS NO. 2-5064
DWG. NO. 2 OF 4

Pursuant to the advertisement, posting of property, and public hearing on the Petition and it appearing that by reason of the requirements of Section 502.1 of the Baltimore County Zoning Regulations

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

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this _____ day of _____, 19____, that the herein Petition for Variance(s) to permit

DEPARTMENT OF TRAFFIC ENGINEERING
BALTIMORE COUNTY, MARYLAND

TO : Mr. James A. Markle DATE: _____

FROM : C. Richard Moore

SUBJECT: C.R.G. Comments

PROJECT NAME: Exxon Convenience Store C.R.G. PLAN: X

PROJECT NUMBER & DISTRICT: _____ DEVELOPMENT PLAN: _____

LOCATION: Joppa Rd & Loch Raven Blvd. RECORD PLAT: _____

Attached is a sketch of recommended changes made in the Zoning comments.

D M Jones

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO Sy Benson Date May 15, 1985

FROM Charles K. Weiss

SUBJECT Exxon Convenience Store
1701 Joppa Road @ Loch Raven Blvd.
CRG 5/29/85

Baltimore County does not provide commercial refuse collection.

The trash enclosure is acceptable only if the proposed island adjacent to Loch Raven Blvd. are relocated to provide proper access to the container.

CKW/KRA/rab

CPS-008

Project #85123
Exxon Convenience Store
Page 3
May 27, 1985

WATER AND SANITARY SEWER COMMENTS: (Cont'd)

This property is subject to Water and/or Sewer System Connection Charges based on the size of water meters utilized in accordance with current County Policy.

The total Water and/or Sanitary Sewer System Connection Charge is determined, and payable, upon application for the Plumbing Permit. This Charge is in addition to the normal front foot assessment and permit charges.

Water mains outside of public rights-of-way serving a proposed site improvement are considered private and shall be the Developer's full responsibility for construction and maintenance.

The Developer is entirely responsible for the construction, and the cost of the construction and maintenance, of his onsite private sanitary sewerage, which must conform with the Baltimore County Plumbing Code.

Fire hydrant spacing and location are subject to review and approval by the Fire Protection Section of the Fire Department.

Permission to connect additional sanitary fixtures to the existing public sanitary sewer may be obtained from the Department of Permits and Licenses.

EDWARD A. MCDONOUGH, P.E., Chief
Developers Engineering Division

EAM:REC:ss

cc: File

Planning

Maryland Department of Transportation
State Highway Administration

William K. Hellmann, Secretary
Hal Kassoff, Administrator

May 22, 1985

Mr. J. Markle, Chief
Bureau of Public Services
County Office Building
Towson, Maryland 21204

Re: CRG Meeting of 5-29-85
Exxon Convenience Store
E/S Loch Raven Blvd.
Route 542 @ Joppa Road

Dear Mr. Markle:

On review of the submittal of 3-19-85, the State Highway Administration finds the plan generally acceptable.

However, the plan should be revised or red lined to show the elimination of the north entrance of Loch Raven Blvd. by construction of State Highway Administration Type "A" concrete curb and gutter.

It is requested that all Baltimore County Building Permits be held until State Highway Administration Access Permits is applied for.

Very truly yours,

Charles Lee, Chief
Bureau of Engineering
Access Permits

By: George Wittman

CL:GW:maw

Attachment

cc: Mr. J. Ogle

My telephone number is (301) 659-130
Teletypewriter for Impaired Hearing or Speech
383-7555 Baltimore Metro — 565-0451 D.C. Metro — 1-800-492-5062 Statewide Toll Free
P.O. Box 717 / 707 North Calvert St., Baltimore, Maryland 21203 - 0717

BALTIMORE COUNTY, MARYLAND

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

DATE: May 28, 1985

PROJECT NAME: Exxon Convenience Store
COUNCIL & ELECTION DISTRICT IX-458

PLAN XXXXXXXXXXXXX
PLAN EXTENSION _____
REVISED PLAN _____
PLAT _____

Location: 1701 Joppa Road at Loch Raven Boulevard.

The plan shows an existing gas station with a proposed convenience store and gas and go.

The landscape calculations are incomplete. Calculations must include 1 additional tree for the parking spaces shown.

Further study is necessary to determine the appropriate number of entrances.

Susan Carrell

BALTIMORE COUNTY, MARYLAND

SUBJECT: COUNTY REVIEW GROUP COMMENTS DATE: May 28, 1985

FROM: ZONING OFFICE

PROJECT NAME: EXXON CONVENIENCE STORE PLAN: ✓

LOCATION: 1701 Joppa Rd. @ Loch Raven Blvd. DEVELOPMENT PLAN: _____

DISTRICT: 9th Election District PLAT: _____

1. Zoning hearings for a Special Exception, Special Hearing, area, setback and sign variances have been filed for under Item #268, 3/12/85.
2. The sign variance requests, and the parking and on-site circulation may have to be revised. The large number of waiting spaces and servicing spaces impedes access to the parking spaces. Show servicing and waiting spaces in notes.
3. Show ex. signs if the same poles are used and any proposed signs for the site - on the plan - show elevation and square footage of each proposed sign.

W. CARL RICHARDS, JR.
Zoning Associate

WCR:bg

JAN 29 1988

5-28-85
Date

COUNTY REVIEW GROUP
COMMENTS ON PROPOSED SUBDIVISION PLANS
BALTIMORE COUNTY DEPARTMENT OF HEALTH

EXXON CONVENIENCE STORE - BAYNESVILLE
Subdivision Name, Section and/or Plat

EXXON CO.-USA — STV/Lyn Assoc
Developer and/or Engineer

Herring Run	1	0.37	Public	Public
Watershed	No. of Lots or Units	Total Acreage	Water	Sewer

COMMENTS ARE AS FOLLOWS:

___ Soil percolation tests are required; a minimum of two test are required within a designated 10,000 square foot sewage disposal reserve area. For further information regarding these requirements, contact this office at 494-2762.

___ Soil percolation test have been conducted. Revised plans, ___ must be submitted prior to approval of plat, ___ are not required and the plat can be approved as submitted. Contact this office for more complete information, 494-2762.

✓ Public sewers ✓, public water ✓, must be utilized and/or extended to serve the property.

✓ A Hydrogeological Study and Environmental Effects Report for this subdivision, ___ must be submitted, ___ are not required, ___ is incomplete and must be revised, ✓ has/have been reviewed and approved.

___ A Water Appropriation Permit Application, ___ must be submitted, ___ has been submitted. NOTE: Greater than 33 lots necessitates a public hearing with Water Resources Administration as part of the permit process.

✓ It is recommended the plan, ___ be approved as submitted, ✓ be approved as submitted subject to the following conditions noted: as the attached memo dated 5-28-85

___ It is recommended this plan not be approved at this time. See revisions and/or comments.

REVISIONS AND/OR COMMENTS:

SS 783R

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Mr. Brooks Stafford, Director, Environmental Support Services — Date: May 28, 1985

FROM: Stephanie A. Taylor, Waste and Water Quality Management

SUBJECT: ENVIRONMENTAL EFFECTS REPORT — Exxon Convenience Store - Baynesville (Name)

CRG MEETING: May 29, 1985 (Date) ___ (Time)

PLAN REVIEW NOTES

1. Exxon Convenience Store and gas station on 0.375 acres. (Describe Site)
2. Public water and Public sewer is proposed.
3. No streams on site. (Describe streams on-site)
5. No wetland soils. (Describe wetland soils on-site)
6. Storm Water Management ___ required.
7. ___ proposed impervious area.

RESPONSES

___ The Environmental Effects Report is not approved. In order to receive approval, the following checked items/conditions must be met.

✓ The Environmental Effects report is approved, subject to the following checked items/conditions.

A. ___ No development is allowed in ___ (soil/name & symbol)

B. ___ A revised site plan indicating no development in ___ must be submitted.

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

JUNE 12, 1985

Re: Zoning Advisory Meeting of MARCH 26, 1985
Item # 268
Property Owner: EXXON CORPORATION
Location: S/E CORNER LOCH RAVEN BLVD. + JOPPA 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.
(X)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; therfore 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 on ___
( )Landscaping: Must comply with Baltimore County Landscape Manual.
( )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 ___
( )The property is located in a traffic area controlled by a "D" 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.
(X)Additional comments:
PLAN APPROVED BY C.R.G. 5/29/85

Eugene A. Bober
Chief, Current Planning and Development

cc: James Hoswell

BALTIMORE COUNTY
DEPARTMENT OF PUBLIC WORKS
TOWSON, MARYLAND 21204

HARRY J. PISTEL, P. E.
DIRECTOR

April 26, 1985

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

Re: Item #268 (1984-1985)
Property Owner: Exxon Corporation
S/E cor. Loch Raven Blvd. & Joppa Rd.
Acres: 0.375
District: 9th

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:

As no public facilities are involved, this office has no comments.

Very truly yours,

JAMES A. MARKLE, P.E., Chief
Bureau of Public Services

JAM:EAM:ROP:ss

cc: File

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

TED ZALESKI, JR.
DIRECTOR

April 11, 1985

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

Dear Mr. Jablon:

Comments on Item # 268 Zoning Advisory Committee Meeting are as follows:

Property Owner: Exxon Corporation
Location: SE/Cor. Loch Raven Blvd. and Joppa Road
Existing Zoning: B.R. -CNS
Proposed Zoning: Variance to permit a rear yard setback of 5' in lieu of the required 30', etc.

Acres: 0.375
District: 9th.

The items checked below are applicable:

A. All structures shall conform to the Baltimore County Building Code 1981/Council Bill 4-82 State of Maryland Code for the Handicapped and Aged; and other applicable Codes.
B. A building/ & 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 line, 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 services of a Registered in Maryland Architect or Engineer certify to this office, that, the structure for which a proposed change in use is proposed can comply with the height/area requirements of Table 505 and the required construction classification of Table 401.
I. Comments - Canopy construction and location 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. Burnham, Chief
Plans Review

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

PAUL H. REINCKE
CHIEF

April 4, 1985

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: Exxon Corporation

Location: SE/Cor. Loch Raven Blvd. and Joppa Road

Item No.: 268 *Zoning Agenda:* Meeting of 3/26/85

Gentlemen:

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

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

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

( ) 3. *The vehicle dead end condition shown at ___ EXCEEDS the maximum allowed by the Fire Department.*

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

(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.*

REVIEWER: Lt. Jerry Kelly 4-5-85 *Noted and Approved:* Roy W. Kemmerer
Planning Group *Fire Prevention Bureau*
Special Inspection Division

* 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 while said liquids are being dispensed, according to NFPA 30, 1984, Section 7-6.4.3 and Section 7-6.4.4

/mb

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

STEPHEN E. COLLINS
DIRECTOR

April 8, 1985

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

Item No. 268 -ZAC- Meeting of March 26, 1985
Property Owner: Exxon Corporation
Location: SE/Cor. Loch Raven Boulevard and Joppa Road
Existing Zoning: B.R.-CNS
Proposed Zoning: SEE C.R.G. COMMENTS OF MARCH 26, 1985

Acres: 0.375
District: 9th

Dear Mr. Jablon:

Attached are some recommended changes to the site plan.

Michael S. Flanigan
Traffic Engineering Associate II

MSF/ccm

Att.

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Zoning Commissioner — Date: July 2, 1985

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

SUBJECT: Zoning Petition No. 86-19-XA

The plan was approved by the CRG on May 29, 1985.

Norman E. Gerber, Director
Office of Planning and Zoning

NEG:JGH:slm

JAN 29 1986

IN RE: PETITION SPECIAL EXCEPTION AND VARIANCES
SE/corner of Loch Raven Boulevard and Joppa Road (1701 East Joppa Road) - 9th Election District

Exxon Corporation,

Petitioner

BEFORE THE
ZONING COMMISSIONER
OF BALTIMORE COUNTY

Case No. 86-19-XA

* * * * * * * * * * * *

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 and to convert from a full service station to a gas and go operation and, additionally, variances to permit a rear yard setback of 5 feet instead of the required 30 feet, a setback of 34 feet instead of the required 35 feet to the street right of way, a site area of 16,356 square feet instead of the required 19,316 square feet, and six free-standing business signs with a total of 820.56 square feet instead of the permitted three signs with a total of 100 square feet.

The Petitioner, by Mose Dunning, its Project Engineer, and Stewart A. Bain, its Senior Real Estate Marketing Representative, appeared and was represented by Counsel. Also appearing on behalf of the Petitioner was Richard Bonett, the owner and operator of the station. Mary Ginn, representing the Association of Baltimore County Community Councils, appeared as a Protestant.

Testimony indicated that the subject property, zoned B.R.-C.N.S. and located on the corner of Loch Raven Boulevard and Joppa Road, is presently improved with a three-bay service station. A marketing and demographic study was completed which found that a convenience store in combination with a gas and go operation would be preferred over a full service station at this location due to

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the availability of service bays within 1½ miles of the site and the lack of a small convenience store. The location of apartment complexes and rowhouses within walking distance mitigate toward the proposed convenience store. A full service station operation would engulf the entire lot because of its small size. Presently, only one of the three bays is used for occasional lubrication and oil changes.

The Petitioner proposes to raze the existing building and gas islands and replace them with the smallest prefabricated building available, i.e., 23½' x 46', and four gas islands parallel to each other in two rows, each with a multi-dispenser. One island would also have a diesel dispenser. The islands would be covered with a canopy attached to the building for protection from inclement weather.

The proposed use was approved by the County Review Group (CRG) on March 29, 1985. Testimony indicated that the conditions delineated in Section 502.1, Baltimore County Zoning Regulations (BCZR), will be satisified. However, a variance from Sections 405.4.A.1 and 405.4.D.8 to permit a site area of 16,356 square feet instead of the required 19,316 square feet is also needed. Mr. Bain and Mr. Dunning testified that without this variance, the proposed use would not be possible. As for the rear yard setback of 5 feet, Mr. Dunning pointed out that there is a private ten-foot right of way behind the property which is seldom used. All of the testimony indicated that the variances, if granted, would be within the spirit and intent of the BCZR, that there would be a practical difficulty if denied, and that there would be no adverse impact on the health, safety, and welfare of the community.

The Petitioner also requests a variance for other business signs to contain 820.56 square feet instead of the 100 square feet allowed. The Petitioner proposes to have two multiple-faced, free-standing signs totaling 482.56 square

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feet to be placed at the southwest boundary line and the northeast boundary line. They would contain Exxon's identification, a sign for the convenience store, and gasoline price signs which are required by federal and State law. Eight canopy spreader bar signs are also requested, which would be placed over the dispensers and be attached to the columns supporting the canopy. Of these, four would identify Exxon and contain 16.9 square feet. Four signs would also be placed on the opposite side of the columns and contain 16.9 square feet per side for a total of 135.2 square feet. The Petitioner also requests one sign identifying the diesel pump, containing 33.8 square feet per side for a total of 67.6 square feet. In addition, two signs on the canopy facia containing 38.8 square feet each and four column end signs containing 7.27 square feet each are requested. These signs are not included in the computation of "other business signs" as determined by the BCZR. The signs on the canopy facia, on the columns, and attached to the store itself are permitted pursuant to the computation determined by Section 413.2.b, BCZR, i.e., a sign affixed parallel to any part of a building shall not exceed in square feet four times the length of the front building wall.

Mrs. Ginn opposes only the requested variance for the signs and maintains that the Petitioner is asking for too much and has no rational support for the request.

The Petitioner seeks relief from Section 405.4.D.8, pursuant to Section 502.1; from Sections 238.2, 405.4.A.2.a, and 405.4.A.1 and D.8; and from Section 413.2.f, pursuant to Section 307, BCZR.

It has been a long-standing policy of the Zoning Commissioner to require the conversion from a full service station to a gas and go operation to be considered as part of the special exception when a food store or other combination use is also proposed.

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It is clear that the BCZR permits the use requested by the Petitioner in a B.R. Zone by special exception. It is equally clear that the proposed use would not be detrimental to the primary uses in the vicinity. Therefore, it must be determined whether the conditions as delineated in Section 502.1 are satisfied by the Petitioner.

After reviewing all of the testimony and evidence presented, it appears that the special exception 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 adversely affect the public interest. The facts and circumstances 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.

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;

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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 requirement from which the Petitioner seeks relief 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.

For many years, a Zoning Office policy permitted both sides of a multiple-faced business sign to be computed as one for the purpose of determining the size permitted. Section 413.2.f, BCZR, permits other business signs if limited to a total area of 100 square feet. If a business sign such as the multiple-faced, free-standing sign proposed here was computed to be 98 square feet on each side, past policy would have counted only one side and permitted such a sign as a matter of right. If both sides were counted for a total of 196 square feet, a variance would be required.

This interpretation does not comport to either the language or the intent of the BCZR. By their inherent nature, policies facilitate and improve the implementation of procedures, but they are equally subject to alteration, modification, or revision in accordance with the authority under which they are

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initially adopted. They may be used to interpret and/or to construe the law but cannot supplant or contradict the law. Official administrative interpretations of statutes in the form of policy that have long-continued and unvaried application should not be disregarded except for the strongest reason. Hofmeister v. Frank Realty Co., 373 A.2d 273, 281 (1977). As long as the rules and regulations adopted by the administrative official are reasonable and consistent with the statute, they should be applied. Parber's Inc. v. Comptroller of the Treasury of the State of Maryland, 266 Md. 44 (1972).

There is a strong presumption of the correctness of original zones and of comprehensive zoning. Howard County v. Dorsey, 438 A.2d 1339 (1982). There is a presumption of validity that must be accepted. Johnson & Wales College v. DiPiete, 448 A.2d 1271 (R.I., 1982). When interpreting the zoning regulations, the restrictive language contained must be strictly construed so as to allow the landowner the least restrictive use of his property. Mayor of Balto. v. Byrd, 62 A.2d 588 (1948); Lake Adventure, Inc. v. Zoning Hearing Bd. of Dingham Township, 440 A.2d 1284 (Pa. Cmwlth., 1982). When the language of a zoning regulation is clear and certain, there is nothing left for interpretation and the ordinance must be interpreted literally. Mongony v. Bevilacqua, 432 A.2d 661 (R.I., 1981). Section 413.2, BCZR, is clear and unambiguous.

The meaning of the plainest words in a statute may be controlled by the context. A statute should be so construed that all its parts harmonize with each other and render them consistent with its general object and scope. Pittman v. Housing Authority, 25 A.2d 466.

The basic principles of statutory construction were comprehensively set out by the Court of Appeals in State v. Fabritz, 276 Md. 416 (1975), cert. denied, 425 U.S. 942 (1976):

> The cardinal rule in the construction of statutes is to effectuate the real and actual intention of the Legislature.

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Purifoy v. Merc. Safe Dep. & Trust, 273 Md. 58, 327 A.2d 483 (1974); Scoville Serv., Inc. v. Comptroller, 269 Md. 390, 306 A.2d 534 (1973); Height v. State, 225 Md. 251, 170 A.2d 212 (1961). Equally well settled is the principle that statutes are to be construed reasonably with reference to the purpose to be accomplished, Walker v. Montgomery County, 244 Md. 98, 223 A.2d 181 (1966), and in light of the evils or mischief sought to be remedied, Mitchell v. State, 115 Md. 360, 80 A.2d 1020 (1911); in other words, every statutory enactment must be 'considered in its entirety, and in the context of the purpose underlying [it] enactment.' Giant of Md. v. State's Attorney, 267 Md. 501 at 509, 298 A.2d 427, at 432 (1973). Of course, a statute should be construed according to the ordinary and natural import of its language, since it is the language of the statute which constitutes the primary source for determining the legislative intent. Grosvenor v. Supervisor of Assess., 271 Md. 232, 315 A.2d 758 (1974); Height v. State, supra. Where there is no ambiguity or obscurity in the language of a statue, there is usually no need to look elsewhere to ascertain the intention of the Legislature. Purifoy v. Merc.-Safe Deposit & Trust, supra. Thus, where statutory language is plain and free from ambiguity and expresses a definite and sensible meaning, courts are not at liberty to disregard the natural import of words with a view towards making the statute express an intention which is different from its plain meaning. Gatewood v. State, 244 Md. 609, 224 A.2d 677 (1966). On the other hand, as stated in Maguire v. State, 192 Md. 615, 623, 65 A.2d 299, 302 (1949), '[a]dherence to the meaning of words does not require or permit isolation of words from their context'***[since] the meaning of the plainest words in a statute may be controlled by the context . . . . ' ' In construing statutes, therefore, results that are unreasonable, illogical or inconsistent with common sense should be avoided whenever possible consistent with the statutory language, with the real legislative intention prevailing over the intention indicated by the literal meaning. B. F. Saul Co. v. West End Park, 250 Md. 707, 246 A.2d 591 (1968); Sanza v. Md. Board of Censors, 245 Md. 319, 226 A.2d 317 (1967); Height v. State, supra.

In applying these principles to the BCZR, particularly Section 413.2, the conclusion is inescapable that under the plain wording of Section 413.2, the policy as described above is in conflict and therefore wrong.

The intent of the BCZR must be determined as being construed as a whole. See Smith v. Miller, 249 Md. 390. Thus, the specific language delineating the use regulations in Section 413, BCZR, must be construed in light of all of the provisions concerning signs so that the several parts of those regulations are

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given their intended effect. Moreover, the relationship between those various provisions regulating signs must be reconciled as a whole. See Smith, supra; Bowie Vol. Fire Depart. & Rescue Squad, Inc. v. Bd. of County Commissioners, 255 Md. 381; Anderson, American Law of Zoning, Section 16.08.

"Zoning regulations are in derogation of common law rights and they cannot be construed to include or to exclude by implication that which is not clearly within their express terms." Yokely, Zoning Law & Practice, Sections 1-4 and 25-8; Aspen Hill Venture v. Montgomery County, 265 Md. 303 (1972). Landay v. MacWilliams, 173 Md. 460 (1938) a/k/a Landay v. Bd. of Zoning Appeals. Zoning regulations must be strictly construed and cannot be extended by implication to prohibit uses not clearly within their scope. Gino's of Maryland, Inc. v. Baltimore, 250 Md. 621 (1968); McQuillin, Municipal Corp., Section 25.72.

Only Section 413.2.e., BCZR, permits a multiple-faced sign to be considered as one and that is limited to an identification sign for a shopping center or other integrated group of stores or commercial buildings. The introductory language of Section 413.2 does not provide the right to treat all business signs alike. The language is not all inclusive nor all permissive. It provides a preamble to the section's intent and conditions any permission to place a business sign of a particular size in only those business or industrial zones permitted in subsequent subsections. If all of the subparagraphs of Section 413.2 are read and their intent interpreted as a whole, any such interpretation must conclude that the Baltimore County Council intended each face of a sign to be counted, except for shopping center identification signs. Section 413.5.a, BCZR, buttresses this clear and unequivocal reading, i.e., the size of any sign is computed by determining its surface area, including the entire face or faces. An ordinance should be construed "so that no word, clause, sentence, or phrase shall be rendered surplusage, meaningless or nugatory." Supervisor v.

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