



1. OWNER:
HJR-BENSON VENTURE LLC
2700 LOCH RAVEN BOULEVARD
BALTIMORE, MD. 21218

DEVELOPER:
GEORGE PANCHIGAR
3023 HAMMONDS FERRY ROAD
BALTIMORE, MD 21227

2. ADDRESS OF PROPERTY
3107 HAMMONDS FERRY ROAD

3. DEED REF: 11962/639

4. TAX ACCOUNT NO. 1600007067

5. AREA : NET: 36,535 SF. OR 0.838 AC
GROSS: 47,339 SF OR 1.09 AC

6. ELECTION DISTRICT 13
COUNCILMANIC DISTRICT 1

7. LOT AREA: AUTOMOTIVE FUEL SERVICE STATION = 15,000 SF
6 SERVICE BAYS X 1,300 SF PER BAY = 7,800 SF
TOTAL = 22,800 SF < 36,535 SF

8. REGIONAL PLANNING 3258

9. CENSUS TRACT 4303

10. WATERSHED PATAPSCO RIVER

11. ZONING: BL-AS
(PER 1"=200' ZONING MAP S.W. 6C)

12. EXISTING LAND USE:
IMPROVED WITH AUTOMOTIVE SERVICE STATION
INCLUDING SERVICE BAYS, FUEL PUMPS,
AIR HOSE AND PARKING.

13. TAX MAP: 109 P.392

14. PARKING REQUIRED:
6 SERVICE BAYS @ 3 PER BAY = 18 SPACES
7 EMPLOYEES @ 1 PER EMPLOYEE = 7 SPACES
1 VACUUM @ 1 PER EACH = 1 SPACE
TOTAL REQUIRED: 26 SPACES

15. PARKING PROVIDED: 26 SPACES

16. PREVIOUS ZONING CASES:
68-1717X TO REZONE FROM R-6 TO BL DISTRICT GRANTED
2/19/68
90-12-5PHXA TO PERMIT A FOOD STORE WITH LESS THAN
5,000 SF AND A SIGN VARIANCE OF 2915F IN LIEU OF THE
PERMITTED 100 SF GRANTED 8/22/89
*98-327-5PHXA TO CONVERT THE EXISTING SERVICE
STATION TO A CARRY-OUT RESTAURANT USE AND A
CAR WASH. GRANTED 6/1/98 *THESE IMPROVEMENTS
NOT CONSTRUCTED AND THE APPROVAL HAS EXPIRED.

17. OFFICE OF PLANNING REQUIREMENT:
DEVELOPER AGREES TO ALLOW INSTALLATION OF A
COMMUNITY SIGN IN THE ISLAND AT THE INTERSECTION
OF HAMMONDS FERRY AND HOLLINS FERRY ROADS IN
ACCORDANCE WITH THE ORDER OF 98-327-SPHXA.

18. EXISTING LIGHTS TO REMAIN. NO NEW LIGHTS ARE PROPOSED FOR THIS DEVELOPMENT.

19. LIMITED EXEMPTION APPROVED MAY 20, 2002 PER
DRC NO. 052002A, FOR AN A-2 EXEMPTION TO CONSTRUCT
ADDITION TO EXISTING BUILDING.

20. PREVIOUS PERMITS: B490344 TO CONSTRUCT ADDITION
TO EXISTING BUILDING FOR 3 ADDITIONAL SERVICE BAYS, JULY 2002
10/27/89, B032936 REMOVE & REPLACE PUMP DISPENSERS
10/26/89, B034704 REMOVE & REPLACE EXISTING LIGHTS
6/13/89, B019842 INTERIOR RENOVATIONS TO BUILDING.

21. FAR: 0.09

22. SITE WAS APPROVED FOR A MORE IN KEEPING IN JUNE, 2002 TO CONSTRUCT THE ADDITIONAL SERVICE BAYS.

23. PURPOSE OF PLAN: TO PERMIT INSTALLATION OF A 250 GAL. PROPANE TANK. SITE IS MORE IN KEEPING BECAUSE THE TANK DOES NOT EFFECT PARKING, FUELING OR LOT SIZE. LANDSCAPE BUFFERS WILL BE PROVIDED TO SCREEN THE TANK

730 W. Padonia Road, Suite 101
Cockeysville, Maryland 21030
Phone: 410-560-1502 Fax: 410-560-0827

3107 HAMMONDS FERRY ROAD
BALTIMORE COUNTY, MARYLAND

13TH ELECTION DISTRICT

COUNCILMANIC DISTRICT: 1

REVISIONS

DRAWN BY:

DESIGNED BY:

SCALE:

DATE:

JOB NO.:

SHEET NO.:

MICRO; THEN
TO CASE 90-12-SPHXA

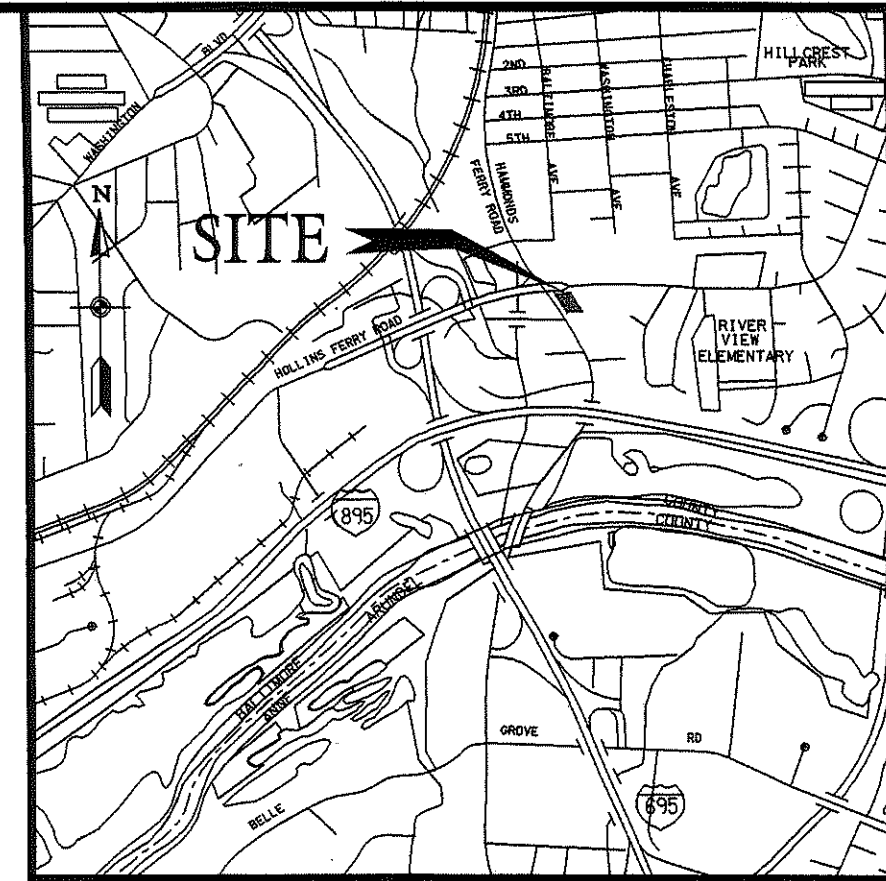
PURSUANT TO SECTION 405.6 A. BCZR THIS PLAN HAS BEEN
SOUND TO BE MORE IN KEEPING WITH THE REQUIREMENTS
FOR FUEL SERVICE STATIONS AS SET FORTH IN THE
BALTIMORE COUNTY ZONING REGULATIONS

Yvonne L. Latham 10/21/03
OFFICE OF PLANNING DAT

Robert V. Bowling 10/30/03

[Signature] * 11/05/03
ZONING REVIEW (PDM) DATE

* MUST COMPLY WITH NFPA 58. SEPARATE PERMIT REQUIRED FOR INSTALLATION OF PROPANE TANK



VICINITY MAP
1"=2000'

GENERAL NOTES:

- OWNER:
HJR-BENSON VENTURE LLC
2700 LOCH RAVEN BOULEVARD
BALTIMORE, MD. 21218
- DEVELOPER:
GEORGE PANCHIGAR
3023 HAMMONDS FERRY ROAD
BALTIMORE, MD 21227
- ADDRESS OF PROPERTY
3107 HAMMONDS FERRY ROAD
- DEED REF: 11962/639
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GROSS: 47,339 SF OR 1.09 AC
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COUNCILMANIC DISTRICT 1
- LOT AREA: AUTOMOTIVE FUEL SERVICE STATION = 15,000 SF
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- REGIONAL PLANNING 3258
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- ZONING: BL-AS
(PER 1"=200' ZONING MAP S.W. 6C)
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IMPROVED WITH AUTOMOTIVE SERVICE STATION
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2/19/68
90-12-SPHXA TO PERMIT A FOOD STORE WITH LESS THAN
5,000 SF AND A SIGN VARIANCE OF 2915F IN LIEU OF THE
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- FAR: 0.09
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2002 TO CONSTRUCT THE ADDITIONAL SERVICE BAYS.
- PURPOSE OF PLAN: TO PERMIT INSTALLATION OF A
250 GAL. PROPANE TANK. SITE IS MORE IN KEEPING BECAUSE
THE TANK DOES NOT EFFECT PARKING, FUELING OR LOT SIZE.
LANDSCAPE BUFFERS WILL BE PROVIDED FOR MORE THAN
THE MINIMUM REQUIREMENTS TO SCREEN THE TANK. ADDITIONAL
LANDSCAPE WILL BE PLANTED TO SCREEN THE TANK.

Richardson Engineering, LLC

730 W. Padonia Road, Suite 101
Cockeysville, Maryland 21030
Phone: 410-560-1502 Fax: 410-560-0827

MORE IN KEEPING PLAN MOBIL GAS STATION LANDSDOWNE 3107 HAMMONDS FERRY ROAD BALTIMORE COUNTY, MARYLAND

13TH ELECTION DISTRICT COUNCILMANIC DISTRICT: 1

REVISIONS	DRAWN BY:	DESIGNED BY:	SCALE:
	TLB	PCR	1" = 20'
	DATE:	JOB NO.:	SHEET NO.:
	07/18/2008	02012	1 OF 1

THIS PLAN
MICROFILM THEN TO FILE 90-12-SPHXA
PURSUANT TO SECTION 405 & A, BCZR THIS PLAN HAS BEEN
SOUND TO BE MORE IN KEEPING WITH THE REQUIREMENTS
FOR FUEL SERVICE STATIONS AS SET FORTH IN THE
BALTIMORE COUNTY ZONING REGULATIONS

<i>[Signature]</i> OFFICE OF PLANNING	7/30/03 DATE
<i>[Signature]</i> DEVELOPMENT PLANS REVIEW FOR DPW	8/1/03 DATE
<i>[Signature]</i> ZONING REVIEW (FDM)	8/12/03 DATE

* MUST COMPLY WITH NFPA 58
SEPARATE PERMIT REQUIRED FOR
INSTALLATION OF PROPANE TANK

PLANT LIST

TOTAL	BOTANICAL NAME	COMMON NAME	SIZE	ROOT
10	ILEX X CORNUTA "BURFORDII"	BURFORD HOLLY	30"-36"	CONT

IN RE: PETITIONS FOR SPECIAL HEARING, SPECIAL EXCEPTION & VARIANCES -
SE/Corner Hollins Ferry Road
and Hammonds Ferry Road
(3107 Hammonds Ferry Road)
13th Election District
1st Councilmanic District
Mobil Oil Corporation
Petitioner

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 90-12-SPHKA

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioner herein requests a special hearing to approve an amendment to the previously approved site plan in Case No. 68-171RX; a special exception to permit a food store with less than 5,000 sq.ft. as a use in combination with a gasoline station; and variances to permit a total signage area of 291 sq.ft. in lieu of the maximum permitted 100 sq.ft. and nine (9) freestanding signs in lieu of the maximum permitted three (3), all as more particularly described in Petitioner's Exhibits 3 and 4.

The Petitioner, by David S. Wang, Registered Professional Engineer with Frederick Ward Associates, appeared, testified and was represented by Bernard A. Cook, Esquire. Also appearing on behalf of the Petition were David M. Oberlander, Manager of the existing service station, and Tom Michael, also of Frederick Ward Associates. There were no Protestants.

Testimony indicated that the subject property, known as 3107 Hammonds Ferry Road, consists of .82 acres more or less zoned B.L.-C.N.S. and is the site of an existing Mobil service station. Petitioners are desirous of renovating and updating the existing building and wish to include provisions for a convenience food store facility consisting of approximately 328 sq.ft. Testimony indicated there will be no food prepared on-site, that only microwave and snack-type food will be available

for purchase. The testimony and evidence presented indicated the requirements of Section 502.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) will be met by this project and that there will be no adverse impact upon the health, safety or general welfare of the surrounding community. In response to the comments submitted by the Office of Planning concerning paving, Mr. Wang testified the existing paved areas are necessary to direct traffic flow through the site. Testimony regarding the requested sign variances indicated the signs proposed are necessary to be easily legible by passing motorists and to appropriately advertise the products available. Testimony indicated that as a result of the proposed canopy, the signage in the area surrounding the pump islands will be inadequate.

It is clear that the B.C.Z.R. permits the use proposed in a B.L.-C.N.S. zone by special exception. It is equally clear that the proposed use would not be detrimental to the primary uses in the vicinity. Therefore, it must be determined if the conditions as delineated in Section 502.1 are satisfied.

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 of the B.C.Z.R. 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 Exhibits 3 and 4 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).

- 2 -

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 be inconsistent with the spirit and intent of the B.C.Z.R.

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.

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to the Petitioner and his property. *McLean v. Solev*, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the Petitioner must meet the following:

- 1) whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;
- 2) whether the grant would do substantial injustice to applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give substantial relief; and
- 3) whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

With the exception of the requested "snap lock signs" referenced on Petitioner's Exhibit 4, it is the Zoning Commissioner's opinion that the proposed signage on the subject site is in conformance with the requirements delineated in the B.C.Z.R., and will have no negative impact on the health, safety or general welfare of the community. Further, it is the Zoning Commissioner's opinion that the snap lock signs are duplicitous and

inappropriate for the subject site and otherwise contrary to the spirit and intent of the B.C.Z.R.

Based upon the testimony and evidence presented, it is clear that if a variance is granted, such use as proposed would not be contrary to the spirit of the B.C.Z.R. and would not result in substantial detriment to the public health, safety, and general welfare. However, in the opinion of the Zoning Commissioner, the requested signage is excessive and unnecessary. Therefore, the relief requested in the Petition for Zoning Variance shall be granted, as hereinafter modified.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the relief requested in the Petitions for Special Hearing, Special Exception, and Zoning Variances, as hereinafter modified, should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 26 day of August, 1989 that the Petition for Special Hearing to approve an amendment to the previously approved site plan in Case No. 68-171RX be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that the Petition for Special Exception to permit a food store with less than 5,000 sq.ft., as shown and described on Petitioner's Exhibits 2, 3 and 4, as a use in combination with a gasoline station be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that variances to permit a total signage area of 205.4 sq.ft. in lieu of the maximum permitted 100 sq.ft. and seven (7) freestanding signs in lieu of the maximum permitted three (3), in accordance with Petitioner's Exhibits 2, 3 and 4, be and are hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted:

- 4 -

1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order, however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

2) Prior to the issuance of any building permits, Petitioners shall prepare and submit a new landscaping plan for approval by the Baltimore County Landscape Planner. A copy of the approved landscaping plan shall be submitted to the Zoning Commissioner's Office for inclusion in the case file.

3) The variances granted herein are limited to the signs as depicted in Petitioner's Exhibits 3 and 4, excepting that there shall be no light pole signage (snap lock signs).

4) When applying for a building permit, the site plan and landscaping plan filed must reference this case and set forth and address the restrictions of this Order.

J. Robert Haines
J. ROBERT HAINES
Zoning Commissioner
for Baltimore County

JRH:bjs

PETITIO. FOR ZONING VAI. ANCE

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY: 90-12-SPHKA

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing under Section 500.7 of the Baltimore County Zoning Regulations, to determine whether or not the Zoning Commissioner and/or Deputy Zoning Commissioner should approve an amendment to the existing site plan previously approved by Case No. 68-171RX

an amendment to the existing site plan previously approved by Case No. 68-171RX

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

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

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

Contract Purchaser: (Type or Print Name)
Signature
Address
City and State

Legal Owner(s):
MOBIL OIL CORPORATION
(Type or Print Name)
By: *T.M. Hinchman*
Signature T.M. Hinchman
(Type or Print Name)
Signature

Attorney for Petitioner:
Robert H. Levan, Esquire
Bernard A. Cook, Esquire
(Type or Print Name) LEVAN, SCHIMMEL, RICHMAN & BELMAN, P.A.
Address 8330 Boone Boulevard
Vienna, VA 22180-2693
City and State
Phone No. 1-800-227-0707 ext. 2850

Name, address and phone number of legal owner, contract purchaser or representative to be contacted
Bernard A. Cook, Esquire
8981 Broken Land Parkway
Woodmere I, Suite 400
Columbia, MD 21046
City and State
Phone No. 381-6000

Attorney's Telephone No.: 381-6000

ORDERED By The Zoning Commissioner of Baltimore County, this 17 day of May, 1989, 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 26 day of July, 1989, at 10:30 o'clock A.M.

J. Robert Haines
J. ROBERT HAINES
Zoning Commissioner of Baltimore County.

(over)

PETITION FOR SPECIAL HEARING

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY: 90-12-SPHKA

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Contract Purchaser: (Type or Print Name)
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Address
City and State

Legal Owner(s):
MOBIL OIL CORPORATION
(Type or Print Name)
By: *T.M. Hinchman*
Signature T.M. Hinchman
(Type or Print Name)
Signature

Attorney for Petitioner:
Robert H. Levan, Esquire
Bernard A. Cook, Esquire
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Name, address and phone number of legal owner, contract purchaser or representative to be contacted
Bernard A. Cook, Esquire
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Woodmere I, Suite 400
Columbia, MD 21046
City and State
Phone No. 381-6000

Attorney's Telephone No.: 381-6000

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J. Robert Haines
J. ROBERT HAINES
Zoning Commissioner of Baltimore County.

(over)

PETITION FOR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY: 90-12-SPHKA

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 as a use in combination with a gasoline station.

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

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

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

Contract Purchaser: (Type or Print Name)
Signature
Address
City and State

Legal Owner(s):
MOBIL OIL CORPORATION
(Type or Print Name)
By: *T.M. Hinchman*
Signature T.M. Hinchman
(Type or Print Name)
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Attorney for Petitioner:
Robert H. Levan, Esquire
Bernard A. Cook, Esquire
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8981 Broken Land Parkway
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Columbia, MD 21046
City and State
Phone No. 381-6000

Attorney's Telephone No.: 381-6000

ORDERED By The Zoning Commissioner of Baltimore County, this 17 day of May, 1989, 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 26 day of July, 1989, at 10:30 o'clock A.M.

J. Robert Haines
J. ROBERT HAINES
Zoning Commissioner of Baltimore County.

(over)



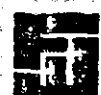
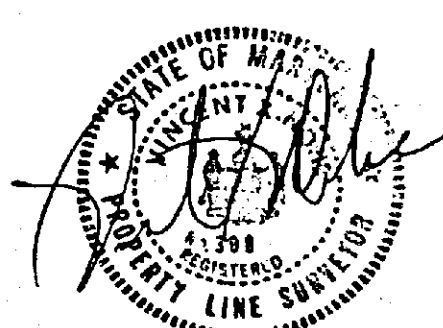
Frederick Ward Associates Inc. Engineers • Architects • Surveyors
P.O. Box 310 • 5 South Main Street, Bel Air, Maryland 21014 • (301) 838-7900 • 879-2090

March 17, 1989

Description for Special Exception, 3107 Hammonds Ferry Road, Thirteenth Election District, Baltimore County, Maryland.

BEGINNING on the south side of Hollins Ferry Road at the beginning of the land of Mobil Oil Corp., as conveyed in Liber CIG 5272, folio 467. Thence binding on Hollins Ferry Road,

- 1) North 81° 52' 49" East 144.15 feet. Thence leaving Hollins Ferry Road and binding on the outline of Mobil,
- 2) South 27° 23' 13" East 214.16 feet,
- 3) South 86° 27' 13" West 190.1 feet to the east side of Hammonds Ferry Road. Thence binding thereon,
- 4) North 26° 58' 26" West 56.04 feet to a point of curvature,
- 5) By a curve to the left of radius 865.47 feet an arc distance of 95.32 feet to a point of reverse curvature,
- 6) By a curve to the right of radius 32.00 feet an arc distance of 64.32 feet to the point of beginning.



Frederick Ward Associates Inc. Engineers • Architects • Surveyors
P.O. Box 727 • 5 South Main Street, Bel Air, Maryland 21014 • (301) 838-7900 • 879-2090

David S. Wang, RE.

Mr. Wang is a Registered Engineer in the State of Maryland and is the Vice President in-charge of Industrial and Commercial projects for Frederick Ward Associates. He holds a Bachelor of Science in Civil Engineering and a Masters of Science in Environmental Engineering.

He has over fifteen years of professional experience incorporating a variety of site designs for Industrial and Commercial Development Projects including shopping centers, office buildings, manufacturing facilities, gasoline service stations, retail and institutional facilities. His experience includes planning, design, preparation of plans and specifications; and permit coordination for site grading, storm drainage, stormwater management, site utilities, parking lots, and State Highway entrances and sediment control. In his capacity as Vice President, Mr. Wang has worked frequently with Planning and Zoning Officials, Building Inspections and Licenses, the State Highway Administration, Soil Conservation Service, and Departments of Public Works.

Typical clients for whom Mr. Wang has directed projects include Exxon Company, U.S.A.; the Mobil Oil Corporation, Trammell Crow, WAWA Stores Incorporated; and W.R. Grace.

Mr. Wang is also an experienced Environmental Engineer and has completed water and wastewater treatment plant study and design projects, and sewerage and water system design. His experience encompasses treatment plants, sludge drying beds, collection systems, distribution systems, and pump stations. He has also completed operation and maintenance manuals, sewer system evaluation studies, and 201 facilities plans.

**PETITIONER'S
EXHIBIT 1**

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 837-3353
J. Robert Haines
Zoning Commissioner

Date: 7/10/89

Mobil Oil Corporation
8330 Boone Boulevard
Vienna, VA 22180-2593

ATTN: T. M. HUNTERMAN

Re: Petitions for Special Hearing, Special Exception & Zoning Variance
CASE NUMBER: 90-12-SPHX
S.E.C. Hollins Ferry Road & Hammonds Ferry Road
3107 Hammonds Ferry Road
13th Election District - 1st Councilmanic
Petitioner(s): Mobil Oil Corporation
HEARING SCHEDULED: WEDNESDAY, JULY 26, 1989 at 10:30 a.m.

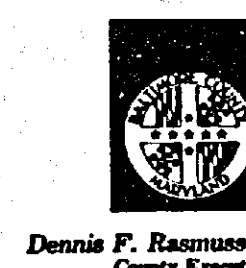
Dear Petitioner(s):

Please be advised that \$151.86 is due for advertising and posting of the above referenced property.

THIS FEE MUST BE PAID AND THE ZONING SIGN & POST SET(S) RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT BE ISSUED. DO NOT REMOVE THE SIGN AND POST SET(S) FROM THE PROPERTY UNTIL THE DATE OF THE HEARING.

Please make your check payable to Baltimore County, Maryland. Bring the check and the sign & post set(s) to the Zoning Office, County Office Building, 111 W. Chesapeake Avenue, Room 113, Towson, Maryland 21204.

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT
No. 068343
DATE: 7/26/89 ACCOUNT: 201-615-000
AMOUNT: \$ 151.86
RECEIVED FROM: Mobil Oil
FOR: P.A. for 7/26/89 hearing 90-12-SPHX
8 040*****1518618 5266F
VALIDATION OR SIGNATURE OF CARRIER



Dennis F. Rasmussen
County Executive

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

90-12-SPHX

District: 13th Date of Posting: July 9-1989
Posted for: Special Hearing, Special Exception & Zoning Variance
Petitioner: Mobil Oil Corporation
Location of Property: S.E.C. Hollins Ferry Road and Hammonds Ferry Road
3107 Hammonds Ferry Road
Location of Sign: South side of Hollins Ferry Road
Hammonds Ferry Road
Remarks:
Posted by: J. Robert Haines Date of return: July 7-89
Number of Signs: 3

CERTIFICATE OF PUBLICATION

TOWSON, MD., July 5, 1989

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on June 29, 1989.

ARBUSUTUS TIMES

THE JEFFERSONIAN.

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Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
494-3353
J. Robert Haines
Zoning Commissioner

June 14, 1989

NOTICE OF HEARING

Dennis F. Rasmussen
County Executive

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland as follows:

Petitions for Special Hearing, Special Exception & Zoning Variance
CASE NUMBER: 90-12-SPHX
S.E.C. Hollins Ferry Road & Hammonds Ferry Road
3107 Hammonds Ferry Road
13th Election District - 1st Councilmanic
Petitioner(s): Mobil Oil Corporation
HEARING SCHEDULED: WEDNESDAY, JULY 26, 1989 at 10:30 a.m.

Special Hearings To approve an amendment to the existing site plan previously approved by Case No. 88-171-RX.
Special Exception: A food store with less than 5,000 sq. ft. as a use in combination with a gasoline station.
Variances To allow a total signage area of 291 sq. ft. instead of the permitted 100 sq. ft. and to allow 9 free-standing signs instead of 3.

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

J. Robert Haines

J. ROBERT HAINES
Zoning Commissioner of
Baltimore County

cc: Mobil Oil Corporation
Bernard A. Cook, Esq.
File

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME ADDRESS
DAVID WANG - Frederick Ward Assoc. 5 S. Main St., Bel Air, Md.
DAVID N. DALLANDER 3107 HAMMONDS FERRY RD BAL AIR MD
Bernard A. Cook, Esq. 7811 Bal Air Land Parkway, Bel Air, Md.
Jan Michael - Frederick Ward Assoc 5 S. Main St. Bel Air, Md.

90-12-SPHX

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
17th day of May, 1989.

J. Robert Haines
ZONING COMMISSIONER

Petitioner: Mobil Oil Company
Petitioner's Attorney: Robert M. Lavan
Received by: James E. Dyer
Chairman, Zoning Plans
Advisory Committee

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: J. Robert Haines
Zoning Commissioner

DATE: June 23, 1989

FROM: Pat Keller, Deputy Director
Office of Planning and Zoning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS

Case No. 90-12-A
Item No. 464

Re: Kevin J. Townsley, et ux

The house and garage look to be attached on the site plan. If this is the case, no variance is required for the addition to the principal structure. If they are not intended to be attached, an additional variance would be required to allow an accessory structure in the side yard in lieu of the required rear yard. A larger scale plan or detail should be provided so that the plan may be sufficiently reviewed.

If garage is detached, this office has no objection to the requested variances. However, a restriction should be placed in the Order prohibiting any living quarters, kitchen or bathroom facilities in the garage and limiting the storage to being the personal property of occupants of the principal dwelling only.

A:72689.txt Pg.3

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: J. Robert Haines
Zoning Commissioner

DATE: July 21, 1989

FROM: Pat Keller, Deputy Director
Office of Planning and Zoning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS

Case No. 90-12-SPHX
Item No. 466

Re: Mobil Oil Corporation

The Petitioner requests a special exception for a food store with less than 5000 square feet as a use in combination with a gasoline station, a special hearing to amend a previously approved site plan, and a variance to allow 9 freestanding signs totalling 291 square feet in lieu of the permitted 3 signs totalling 100 square feet. In reference to this request, staff offers the following comment:

A waiver from CRG plan and CRG meeting process has been filed (W-89-192) and is scheduled for review and decision by the Planning Board on September 21, 1989.

The site should be redesigned to eliminate any unnecessary paving which presently exists.

Air and water service should be provided to the customers.

The requested 291 square feet of free standing signs is excessive, especially when combined with the permitted building facade and canopy signs. Therefore, this office recommends that the 63 square feet per side identification sign be reduced and/or the light pole signs be eliminated. Additionally, there is no hardship or practical difficulty which would result in the need for additional signage (logo) on the spreader bars.

A landscape plan must be submitted for approval prior to the issuance of any building permits. A note shall be included on the landscape plan indicating that any landscaping provided in the street right of way shall be maintained by the property owner.

A:72689.txt pg.4

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

July 19, 1989

Robert H. Levan, Esquire
9881 Broken Land Parkway
Woodmere I, Suite 400
Columbia, MD 21046

RE: Item No. 466, Case No. 90-12-SPHXA
Petitioner: Mobil Oil Company, et al
Petition for Special Exception
Special Hearing and Zoning Variance

Dear Mr. Levan:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development of plans that may have a bearing on the zoning Commission's planning may file a written report with the Zoning Commission with recommendations as to the suitability of the requested zoning.

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

IT WOULD BE APPRECIATED IF YOU WOULD RETURN YOUR WRITTEN COMMENTS TO MY OFFICE, ATTENTION JULIE WINIARSKI. IF YOU HAVE ANY QUESTIONS REGARDING THIS, PLEASE CONTACT HER AT 887-3391.

Very truly yours,

James E. Dyer
JAMES E. DYER
Chairman

Zoning Plans Advisory Committee

JED:jw

Enclosures

cc: T. M. Hinchman
Mobil Oil Corporation
8330 Boone Blvd
Vienna, VA 22180-2693

Baltimore County
Department of Public Works
Bureau of Traffic Engineering
County Office Building
Towson, Maryland 21204
(301) 887-3554

June 6, 1989

Mr. J. Robert Haines
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Dear Mr. Haines:

The Bureau of Traffic Engineering has no comments for item numbers 253, 313, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, and 486.

Very truly yours,

Michael S. Flanigan
Michael S. Flanigan
Traffic Engineer Assoc. II

MSF/LW

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

J. Robert Haines,
TO: Zoning Commissioner

Date: May 19, 1989

FROM: David Filbert

SUBJECT: ZONING ADVISORY ITEM COMMENTS CONCERNING

AIR QUALITY ASSESSMENT

Comments on Zoning Advisory Committee Meeting, Items #466 and #480 are as follows:

Class

Property Owner:
Location:

Existing Zoning:
Proposed Zoning:

Area:
District:

This office requires that the existing gasoline storage tanks be registered with this office, in accordance with Maryland Air Quality Regulation COMAR 26.11.02-03 A. In addition, the tanks must be equipped with Stage I vapor recovery to control the discharge of gasoline vapors during storage tank loading. Application and more information may be obtained from this office at 887-3775.

#480
Property Owner:

Location:

Existing Zoning:
Proposed Zoning:

Area:
District:

The proposed concrete batch plant owned by Daniel Schuster will be subject to several Air Quality Regulations. An approved Permit to Construct must be obtained prior to the installation of the batching equipment, as per COMAR 26.11.02.03 A.

CPS-008

Zoning Advisory Comments

-2-

Operation of the equipment and plant roads will be subject to regulations regarding the control of dust. COMAR 26.11.06.02 C requires that no visible emission be discharged from an installation. In addition, COMAR 26.11.06.03D requires that reasonable precautions be taken to control dust from plant roads and from material stockpiles.

It should be noted that Mr. Schuster currently operates a similar operation located at 52 New Plant Court in Owings Mills. The batch plant was the subject of a number of complaints by nearby businesses who complained about dust. Once the problem areas were found, Mr. Schuster was very cooperative to eliminate future complaints.

Based on the distances involved and the non-residential zoning on adjacent property, it would appear reasonable to expect that given current technology, the proposed installation would be able to operate within allowable noise levels.

David Filbert
David Filbert, Chief
Bureau of Air Quality Management

DF:mas

BALTIMORE COUNTY DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT

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

Zoning Item #466 Zoning Advisory Committee Meeting of May 14, 1989

Property Owner: Mobil Oil Corp. District: 13

Location: SE corner of Hollins Ferry & Hammond Ferry Rd.

Water Supply: MTA Sewage Disposal: MTA

COMMENTS ARE AS FOLLOWS:

- () Prior to approval of a Building Permit for construction, renovation and/or installation of equipment for any existing or proposed food service facility, complete plans and specifications must be submitted to the Plans Review Section, Bureau of Regional Community Services, for final review and approval.
- () Prior to new installation(s) of fuel burning equipment, the owner shall contact the Bureau of Air Quality Management, 887-3775, to obtain requirements for such installation(s) before work begins.
- () A permit to construct from the Bureau of Quality Management is required for such items as spray paint processes, underground gasoline storage tanks (5,000 gallons or more) and any other equipment or process which exhausts into the atmosphere.
- () A permit to construct from the Bureau of Air Quality Management is required for any charcoal generation which has a total cooking surface area of five (5) square feet or more.
- () Prior to approval of a Building Permit Application for renovations to existing or construction of new health care facilities, complete plans and specifications of the building, food service area and type of equipment to be used for the food service operation must be submitted to the Plans Review and Approval Section, Division of Engineering and Maintenance, State Department of Health and Mental Hygiene for review and approval.
- () Prior to any new construction or substantial alteration of public swimming pool, wading pool, bathhouse, saunas, whirlpools, hot tubs, water and sewerage facilities or other appliances pertaining to health and safety, two (2) copies of plans and specifications must be submitted to the Baltimore County Department of Environmental Protection and Resource Management for review and approval. For more complete information, contact the Water Quality Monitoring Section, Bureau of Regional Community Services, 687-4500 x 315.
- () Prior to approval for a nursery school, owner or applicant must comply with all Baltimore County regulations. For more complete information, contact the Division of Maternal and Child Health.
- () If lubrication work and oil changes are performed at this location, the method providing for the elimination of waste oil must be in accordance with the State Department of the Environment.
- () Prior to razing of existing structure(s), petitioner must contact the Division of Waste Management at 887-3745, regarding removal and/or disposal of potentially hazardous materials and solid wastes. Petitioner must contact the Bureau of Air Quality Management regarding removal of asbestos, 887-3775.
- () Any abandoned underground storage tanks containing gasoline, waste oil, solvents, etc., must have the contents removed by a licensed hauler and tank removed from the property or properly backfilled. Prior to removal or abandonment, owner must contact the Division of Waste Management at 887-3745.
- () Soil percolation tests, have been conducted, must be conducted.
- () The results are valid until _____.
- () Soil percolation test results have expired. Petitioner should contact the Division of Water and Sewer to determine whether additional tests are required.
- () Where water wells are to be used as a source of water supply, a well meeting the minimum Baltimore County Standards must be drilled.
- () In accordance with Section 13-117 of the Baltimore County Code, the water well yield test () shall be valid until _____.
- () is not acceptable and must be retested. This must be accomplished prior to conveyance of property and approval of Building Permit Applications.
- () Prior to occupancy approval, the potability of the water supply must be verified by collection of bacteriological and chemical water samples.
- () If submission of plans to the County Review Group is required, a Hydrogeological Study and an Environmental Effects Report must be submitted. For more information contact the Division of Environmental Management at 887-3989.
- () In order to subdivide this property, the owner or developer will be required to comply with the subdivision regulations of the State of Maryland and Baltimore County. If there are any questions regarding the subdivision process, please contact the Land Development Section at 887-2762.
- () Others _____

John A. Smith
JOHN A. SMITH
BUREAU OF WATER QUALITY AND RESOURCE MANAGEMENT

Baltimore County
Fire Department
Towson, Maryland 21204-2586
494-4500

Paul H. Reincke
Chief

J. Robert Haines
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, MD 21204

Re: Property Owner: Mobil Oil Corporation

Location: SE corner of Hollins Ferry and Hammond Ferry Road

Item No.: 466 Zoning Agenda: May 16, 1989

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 this property.

- () 1. Fire hydrants for the referenced property are required and shall be located at intervals of _____ feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.
- () 2. A second means of vehicle access is required for the site.
- () 3. The vehicle dead end condition shown at _____ EXCEEDS the maximum allowed by the Fire Department.
- () 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: *Paul H. Reincke* Noted and Approved: *Robert W. Bowling*
Planning Group Fire Prevention Bureau

NOTE: All self-service stations shall have 1 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 actually being dispensed. NFPA 30, 1987 ed., Sec. 7-8.4.3 and Sec 7-8.4.4

/s/

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Zoning Advisory Committee DATE: June 1, 1989

FROM: Robert W. Bowling, P.E.

RE: Zoning Advisory Committee Meeting for May 16, 1989

The Developers Engineering Division has reviewed the subject zoning items and we have no comments for Items #466, 468, 469, 470, 471, 472, 473, 474, 475, 476, 478, 480, 481, 482, 485, and 486.

For Item 253 the previous County Review Group Comments still apply.

For Item 313 contact the State Highway Administration for right-of-way requirements for Reisterstown Road.

For Item 467 contact the State Highway Administration for the necessary improvements for Reisterstown Road.

For Item 472 the previous County Review Group Comments for Festival at Woodholme still apply.

For Item 473 the building being in a reversible slope easement must be addressed prior to approval.

For Item 477 the previous County Review Group Comments still apply.

For Item 479 the previous County Review Group Comments still apply.

For Item 483 contact the State Highway Administration for right-of-way requirements on Park Heights Avenue.

For Item 484 the previous County Review Group Comments still apply.

Robert W. Bowling
ROBERT W. BOWLING, P.E., Chief
Developers Engineering Division

RWB:s

JUN 02 1989



Mobil Service

[illegible]

PROPOSED "SNACK SHOP" BUILDING FASCIA SIGN
NOT TO SCALE
(1- PROPOSED - 13.0 S.F.)
SINGLE SIDED

Express Lube

EXISTING "EXPRESS LUBE" BUILDING FASCIA SIGN
NOT TO SCALE
(1- EXISTING TO REMAIN - 10.0 SF. - SINGLE SIDED)

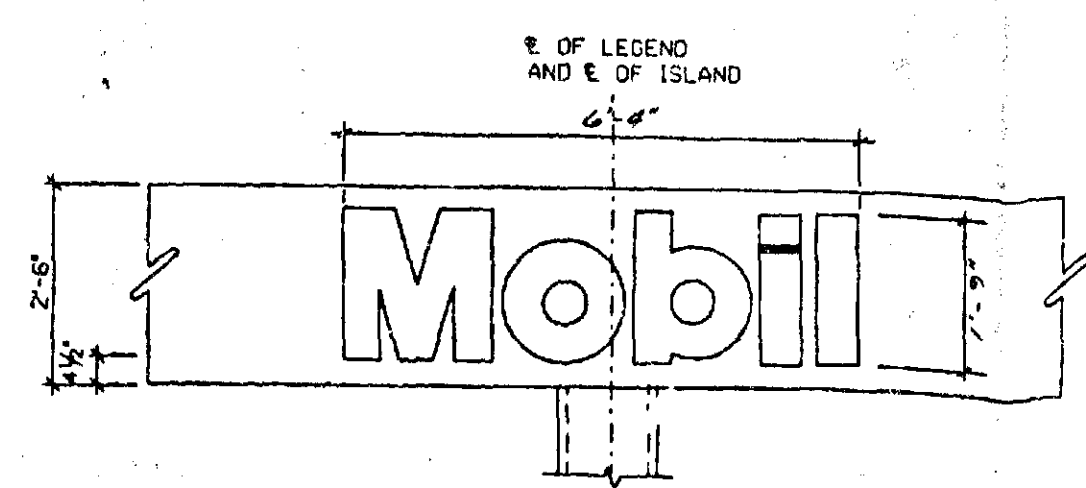


Diagram illustrating the structure of a mobile "reegus" (reegus) unit, showing its components and dimensions:

- SQUAD SUPPORT COLUMNS:** Two vertical rectangular columns flanking the central unit.
- MOBILE "REEGUS" 15' LOGO:** The central rectangular unit, featuring a circular logo with a stylized figure.
- Dimensions:** The height of the central unit is indicated as 1'-6".

[illegible]

ZONING STATUS

EXISTING ZONING : BL-CNB
EXISTING USE : SERVICE STATION
PROPOSED USE : FOOD STORE
(SPECIAL EXCEPTION)
PREVIOUS ZONING CASE : # 608-171 RX

2ND REQUIRED

2 DISPENSER ISLANDS WITH 2 MULTIPLE PRODUCT DISPENSERS PER ISLAND. EXISTING, CARS AT ONE TIME.

TOTAL SERVICE BAYS : 3
TOTAL SERVING SPACES : 0
TOTAL SPACES : 11

MINIMUM SITE AREA REQUIRED = 14,900 SQ. FT.
TOTAL AREA OF SITE = 35,763 SQ. FT. = .62 AC.
ADDITIONAL SITE AREA REQUIRED = 4 x (SKEENRUM FLOOR AREA) x
(1) x (312) = 1312 SF
TOTAL AREA REQUIRED = 17812 SF

SIGN INFORMATION

FREESTANDING SIGNS

MAJOR ID. (1) : 175.0 SF
SPEAKER BAR (2) : 48.0 SF
LIGHT POLE SIGN (1) : 185.0 SF
MAD. SIGNS (4) : 24.0 SF
TOTAL (9 SIGNS) : 291.0 SF

BUILDING SIGNS

CANOPY FASCIA (2) : 212.0 SF
PLACARD (2) (1) : 12.0 SF
RUSH HULL SIGN (1) : 40.0 SF
MOBILE SERVICE (1) : 14.0 SF
TOTAL (SIGNS) : 268.0 SF

USE IN COMINATION WITH SERVICE STATION

1. FOOD STORE (LESS THAN 5000 S.F.)

PARKING

PARKING SPACES REQUIRED:

- 3 PER SERVICE BAY = 2 SPACES
- 3 PER 1000 S.F. FLOOR AREA (CONFERENCE STORE) = 2 SPACES

PARKING SPACES PROVIDED:

- = 13 (INCLUDING 1 HANDICAPPED SPACE)

LANDSCAPE

KEY AREA MAP

AREA "A" = 6,975 SQ.FT.
AREA "B" = 62 SQ.FT.
AREA "C" = 1,702 SQ.FT.
AREA "D" = 347 SQ.FT.

LANDSCAPE AREA REQUIRED = 1,790 SQ. FT.
(5 % OF TOTAL TRACT)

PROVIDED - 7,000 SQ. FT.

**PETITIONER'S
EXHIBIT 4**

OWNER & PETITIONER
MOBIL OIL CORPORATION
10135 BALLS FORD ROAD
MANASSAS, VIRGINIA • 21401
PHONE: (703) 631-9253

LIBER: 5272
FOLIO: 467

CONSULTANT
FREDERICK WARD ASSOCIATES INC
5 SOUTH MAIN STREET
BEL AIR, MARYLAND • 21014