

**BALTIMORE COUNTY, MARYLAND**  
Board of Appeals of Baltimore County  
*Interoffice Correspondence*

DATE: June 18, 2002

TO: Arnold Jablon, Director  
Permits & Development Management  
Attn.: David Duvall

FROM: Theresa R. Shelton   
Board of Appeals

SUBJECT: **CLOSED APPEAL CASE FILES**

The following cases have been finalized and the Board of Appeals is closing the copy of the appeal case files and returning the file and exhibits (if applicable) attached herewith.

| <b><u>BOARD OF<br/>APPEALS<br/>CASE NUMBER</u></b> | <b><u>PDM FILE NUMBER</u></b> | <b><u>NAME</u></b>                              | <b><u>LOCATION</u></b>                                                                   |
|----------------------------------------------------|-------------------------------|-------------------------------------------------|------------------------------------------------------------------------------------------|
| CBA-92-202                                         | <i>B-92-255-15</i>            | MICHAEL E.L.<br>HERRMAN                         | 407 ARMSTRONG ROA                                                                        |
| CBA-92-177                                         | <i>CRG DECISION</i>           | DANIEL MILLS<br>SUBDIVISION                     | E/S PLEASANT HILL<br>ROAD 1500' S OF I-795                                               |
| CBA-91-174                                         | <i>TAX NO.: 21-00-004831</i>  | WILLIAM R. KARLL                                | NE/S NORTH POINT<br>ROAD, CHESAPEAKE &<br>WILLOW AVENUES,<br>LOTS 4,5,15,16,17 AND<br>21 |
| CBA-91-166                                         | <i>PERMIT #B037106</i>        | STEEL TOWN RULES                                | 2401 OLD NOTH POINT<br>ROAD                                                              |
| CBA-91-164                                         | <i>UNKNOWN</i>                | NEW FORGE<br>BUSINESS PARK                      | NEW FORGE BUSINESS<br>PARK                                                               |
| 91-324-SPHXA                                       | <i>91-324-SPHXA</i>           | TOWSON TOWN<br>CENTER ASSOC.                    | 831 DULANEY VALLEY<br>ROAD                                                               |
| 91-66-SPH                                          | <i>91-66-SPH</i>              | NEWLIFE GROUP, INC                              | SE PAWNEE ROAD, E O<br>BALLARD AVENUE<br>(VILLAGE OF PAWNEE,<br>SECTION III)             |
| 88-107-SPHA                                        | <i>88-107-SPHA</i>            | CHARLES N.<br>ANDERSON, JR.                     | 2434 HOLLY NECK<br>ROAD                                                                  |
| CBA-92-201                                         | <i>PERMIT NO.: B149140</i>    | ORVILLE JONES<br>(HIGH'S OF<br>BALTIMORE, INC.) | 13523 LONG GREEN<br>PIKE                                                                 |
| CBA-93-111                                         | <i>PERMIT NO.: B138722</i>    | ORVILLE JONES<br>(HIGH'S OF<br>BALTIMORE, INC.) | 13523 LONG GREEN<br>PIKE                                                                 |

Attachment: SUBJECT FILE(S) ATTACHED

IN THE MATTER OF THE  
THE APPLICATION OF  
TOWSON TOWN CENTER ASSOC.  
LEGAL OWNER; MOBIL OIL CORP.  
-PETITIONERS E/S YORK ROAD,  
350' S OF C/L OF FAIRMOUNT AVE  
(831 DULANEY VALLEY ROAD)

9th ELECTION DISTRICT  
4th COUNCILMANIC DISTRICT

\* BEFORE THE  
\* COUNTY BOARD OF APPEALS  
\* OF  
\* BALTIMORE COUNTY  
\* CASE NO. CBA-91-324-SPHXA

\* \* \* \* \*

**ORDER OF DISMISSAL**

This matter having come before this Board on appeal dated July 16, 1991 from an Order of the Zoning Commissioner in which the subject relief was granted with restrictions;

**WHEREAS**, the Board has been reviewing its docket with reference to inactive cases with the intent to dismiss and close as many of these cases as possible; and

**WHEREAS**, the subject matter has been held on the Board's docket since May 20, 1993, and no further action has occurred since that date;

**IT IS THEREFORE ORDERED** this 18th day of April, 2002 by the County Board of Appeals of Baltimore County that the above-referenced appeal in Case No. 91-324-SPHXA be and the same is hereby **DISMISSED FOR LACK OF PROSECUTION.**

**COUNTY BOARD OF APPEALS  
OF BALTIMORE COUNTY**



Charles L. Marks, Chairman



# County Board of Appeals of Baltimore County

OLD COURTHOUSE, ROOM 49  
400 WASHINGTON AVENUE  
TOWSON, MARYLAND 21204  
410-887-3180  
FAX: 410-887-3182

April 18, 2002

Karen L. Plumer, Esquire  
Woodmere I, Suite 400  
9881 Broken Land Parkway  
Columbia, MD 21046

RE: *In the Matter of: Towson Town Center Assoc. /Mobil Oil Corp.*  
**Case No. 91-324-SPHXA** /Order of Dismissal

Dear Ms. Plumer:

Enclosed please find a copy of the Order of Dismissal issued this date by the County Board of Appeals of Baltimore County in the subject matter.

Very truly yours,

*Kathleen C. Bianco* /hs  
Kathleen C. Bianco  
Administrator

Enclosure

c: Wayne Finely /Towson Town Center Assoc.  
Karen M. Mack c/o Lester Carter /Mobil Oil Corp.  
David Wang  
Janette McCarthy  
Wes Guckert /The Traffic Group  
Office of People's Counsel  
Pat Keller, Director /Planning  
Lawrence E. Schmidt, Zoning Commissioner  
Arnold Jablon, Director /PDM





**NOTE TO FILE:**

4/08/2002 – Order of Dismissal to be issued; dismissed for lack of prosecution. File to be closed after period of 30 days from issuance of Order of Dismissal.



Baltimore County  
Department of Permits and  
Development Management

Development Processing  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204  
pdmlandacq@co.ba.md.us

October 14, 1998

Mr. Rollie Feuchtenberger  
Chicago Title Insurance Company  
1129 20<sup>th</sup> Street, N.W.  
Suite 300  
Washington, DC 20036

Dear Mr. Feuchtenberger:

RE: Zoning Verification, Towson Town Center, Lot 4, 831 Dulaney Valley Road  
(SM65/27), Zoning Case Numbers 91-324-SPHXA & 93-466-SPH, 9<sup>th</sup> Election  
District

The current zoning of the above lot is B.M.-C.T. (Business, Major – Commercial,  
town-center core). The current uses are allowed as a matter of right (see enclosed  
regulations).

The current area, width, depth, and height of the existing structures, its floor space  
and the setbacks from property lines have all been approved by the County Review  
Group (CRG), the Development Review Committee (DRC) and the hearing officer for  
Baltimore County.

Lot 4 has been the subject of two zoning variance cases (91-324-SPHXA and 93-  
466-SPH) for use, parking, and signage. The decisions of these hearings were  
rendered moot by Baltimore County Council Bill #172-1993, which allowed the uses and  
site conditions as they currently exist, to stand as a matter of right (Section 405 of the  
Baltimore County Zoning Regulations on fuel service stations).

There are currently no outstanding zoning violations against this property.  
Therefore, to the best of our knowledge, this property is in compliance with the  
Baltimore County Zoning Regulations.

I trust that the information set forth in this letter is sufficiently detailed and  
responsive to the request. If you need further information or have any questions, please  
do not hesitate to contact me at 410-887-3391.

Very truly yours,

A handwritten signature in black ink, appearing to read "John R. Alexander".  
John R. Alexander  
Planner II, Planner II

Come visit the County's Website at [www.co.ba.md.us](http://www.co.ba.md.us)



Printed with Soybean Ink  
on Recycled Paper

1/13/92 - Following parties notified of hearing set for March 12, 1992 at 10:00 a.m.:

Wayne Finley - Towson Town Center Assoc.  
Karen M. Mack - Mobil Oil Corp.  
Karen L. Plumer, Esquire  
Mr. David Wang  
Ms. Janette McCarthy  
Mr. Wes Guckert  
People's Counsel for Baltimore County  
P. David Fields  
Pat Keller  
Public Services  
Lawrence E. Schmidt  
Timothy M. Kotroco  
James E. Dyer  
W. Carl Richards, Jr.  
Docket Clerk - Zoning  
Arnold Jablon

-----  
2/20/92 -PP requested by Counsel for Petitioners/Appellants until after 10/15/92 - due to possibility of passage of legislation referencing this matter.

-----  
2/20/92 - Above parties notified of POSTPONEMENT AND REASSIGNMENT to October 22, 1992 at 10:00 a.m. at the request of Counsel for Petitioner/Appellant.

-----  
9/01/92 -PP requested by Towson Town Center Assn -requesting date after May 15, 1993.

9/10/92 -Postponement granted; notices sent. To be reset to date after 5/15/93 and parties to be notified when new date is scheduled.

-----  
10/7/92 - Above parties notified of hearing set for May 20, 1993 at 10:00 a.m.

-----  
5/19/93 -T/C from R. Levan, Esquire, Counsel for Petitioner , indicating that he would be requesting a continuance of this matter; meeting tonight in Towson regarding legislation which could render the need for hearing moot. Thought he had requested continuance upon receipt of this Notice of Assignment; unable to locate same; never received by Board, nor in his file.

Matter to be continued on record 5/20/93; contacted Board; only J. Lipowitz to be here to grant continuance.

-----  
5/20/93 -Postponed on the record per above request by Petitioner; Karen Plummer appeared on behalf of Mobile Oil to make request; granted by Board (C.D.B.); to be reset upon request.

LEVAN, SCHIMEL, BELMAN & ABRAMSON, P.A.

WOODMERE I, SUITE 400  
9881 BROKEN LAND PARKWAY  
COLUMBIA, MARYLAND 21046

ROBERT H. LEVAN  
DIRECT DIAL: (301) 312-6717

WASHINGTON (301) 596-2200  
BALTIMORE (301) 381-6000  
FAX (301) 381-6430

LAUREL LAKES EXECUTIVE PARK  
8325 CHERRY LANE  
LAUREL, MARYLAND 20707  
WASHINGTON (301) 953-1886  
BALTIMORE (301) 792-7843

August 31, 1992

William T. Hackett, Chairman  
County Board of Appeals of Baltimore County  
Old Court House, Room 49  
400 Washington Avenue  
Towson, Maryland 21204

RE: Case No. 91-324-SPHX  
Towson Town Center Associates  
Mobil Oil Corporation - Lessee  
E/S York Road, 350' S of C/L  
Fairmount Avenue (831 Dulaney Valley Road)  
9th Election District  
4th Councilmanic District

RECEIVED  
COUNTY BOARD OF APPEALS  
92 SEP -1 AM 11:28

Dear Chairman Hackett:

In February 1992 the County Board of Appeals of Baltimore County granted Towson Town Center Associates' and Mobil Oil Corporation's request for a continuance of the referenced matter and rescheduled the matter for October 22, 1992. The continuance was requested at that time because the Baltimore County Office of Planning and Zoning was going to propose a zoning text amendment that would negate the necessity for a determination of the Board in this matter.

The legislative process was expected to begin in March, 1992; however, to date legislation has not been introduced. There have been several meetings of the advisory committee examining the complex issues involved in the proposed revisions to the existing regulations; however, the legislation has not been drafted. The Office of Planning and Zoning now expects that the legislation will be introduced in October and acted upon in the Spring of 1993. Therefore, pursuant to Rule 2(b) of the County Board of Appeals' Rules of Practice and Procedure, Towson Town Center Associates and Mobil Oil Corporation hereby request a continuance of their appeal of the Zoning Commissioner's decision in the referenced matter. In order to allow sufficient time for the legislation to take its course, the Appellants hereby request that the appeal be continued to a date certain after May 15, 1993.

G.PP reg. to be  
reset after 5/15/93.

William T. Hackett, Chairman  
August 31, 1992  
Page 2

Thank you for your attention to this matter and serious consideration of our request.

Very truly yours,



Robert H. Levan

RHL/PCN  
30lt3249.pcn  
261.65

cc: Lester Carter  
Hillorie Richman

COUNTY BOARD OF APPEALS OF BALTIMORE COUNTY

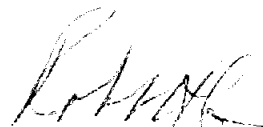
Old Courthouse  
Room 49  
400 Washington Avenue  
Towson, Maryland 21204

Towson Town Center Associates  
Mobil Oil Corporation - Lessee  
E/S York Road, 350' S of C/L  
Fairmont Ave., (831 Dulaney Valley Road)  
9th Election District  
4th Councilmanic District

Case Number: 91-324-SPHXA

CERTIFICATE OF SERVICE

I hereby certify that on the \_\_\_\_ day of August, 1992, a copy of the foregoing request for continuance of Towson Town Center Associates' and Mobil Oil Corporation's appeal was mailed, postage prepaid, first class, to Wayne Finley, Towson Town Center Associates, c/o Ernest W. Kahn, Inc., 706 C Fairmont Avenue, Towson, Maryland 21204; Lester Carter, Mobil Oil Corporation 6954 Mayfair Terrace, Laurel, Maryland 20707, Mr. David Wang, Frederick Ward Associates, Inc., 5 South Main Street, Bel Air, Maryland 21014; Ms. Janette McCarthy, Mobil Oil Corporation, 1191 Freedom Drive, Suite 790, Reston, Virginia 22090; Mr. Wes Guckert, The Traffic Group, Inc., Suite 400, 40 West Chesapeake Avenue, Towson, Maryland 212204; and People's Counsel for Baltimore County, Room 47, 400 Washington Avenue, Towson, Maryland 21204.

  
\_\_\_\_\_  
Robert H. Levan

30tx3288.pcn  
261.65

LEVAN, SCHIMEL, BELMAN & ABRAMSON, P.A.

WOODMERE I, SUITE 400  
9881 BROKEN LAND PARKWAY  
COLUMBIA, MARYLAND 21046

KAREN L. PLUMER  
DIRECT DIAL: (301) 312-6733

WASHINGTON (301) 596-2200  
BALTIMORE (301) 381-6000  
FAX (301) 381-6430

LAUREL LAKES EXECUTIVE PARK  
8325 CHERRY LANE  
LAUREL, MARYLAND 20707  
WASHINGTON (301) 953-1886  
BALTIMORE (301) 792-7843

February 20, 1992

William T. Hackett, Chairman  
County Board of Appeals of Baltimore County  
Old Court House, Room 49  
400 Washington Avenue  
Towson, Maryland 21204

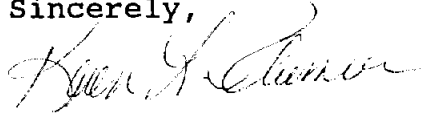
Re: Case No. 91-324-SPHX  
Towson Town Center Associates  
Mobil Oil Corporation - Lessee  
E/S York Road, 350' S of C/L  
Fairmount Avenue (831 Dulaney Valley Road)  
9th Election District  
4th Councilmanic District

Dear Chairman Hackett:

Pursuant to Rule 2(b) of the County Board of Appeals Rules of Practice and Procedure, Towson Town Center Associates and Mobil Oil Corporation hereby request a continuance of their appeal of the Zoning Commissioners' decision in the referenced matter. The Baltimore County Office of Planning and Zoning is considering a zoning text amendment which would negate the necessity for a determination of the referenced matter. Staff is currently drafting the legislation which it expects may begin the legislative process in March, 1992. The referenced matter is currently scheduled for hearing before the Board of Appeals on March 12, 1992. In order to allow sufficient time for the legislation to take its course, the Appellants hereby request that the appeal be continued to a date certain after October 15, 1992.

Please advise me at your earliest convenience whether this request is granted, for the hearing date is quickly approaching.

Sincerely,



Karen L. Plumer

KLP/lam  
301t1328.lam  
261-65

COUNTY BOARD OF APPEALS OF BALTIMORE COUNTY

Old Courthouse  
Room 49  
400 Washington Avenue  
Towson, Maryland 21204

Towson Town Center Associates  
Mobil Oil Corporation - Lessee  
E/S York Road, 350' S of C/L  
Fairmont Ave., (831 Dulaney Valley  
Road) 9th Election District;  
4th Councilmanic District

Case Number: 91-324-SPHXA

CERTIFICATE OF SERVICE

I hereby certify that on the 28<sup>th</sup> day of February, 1992, a copy of the foregoing request for continuance of Towson Town Center Associates' and Mobil Oil Corporation's appeal was mailed, postage prepaid, first class, to Wayne Finley, Towson Town Center Associates, c/o Ernest W. Hahn, Inc., 706 C Fairmont Avenue, Towson, Maryland 21204; Karen Mack, c/o Lester Carter, Mobil Oil Corporation, 217 Weymouth Street, Upper Marlboro, Maryland 20772, Mr. David Wang, Frederick Ward Associates, Inc., 5 South Main Street, Bel Air, Maryland 21014; Ms. Janette McCarthy, Mobil Oil Corporation, 1191 Freedom Drive, Suite 790, Reston, Virginia 22090; Mr. Wes Guckert, The Traffic Group, Inc., Suite 600, 40 West Chesapeake Avenue, Towson, Maryland 21204; and People's Counsel for Baltimore County, Room 47, 400 Washington Avenue, Towson, Maryland 21204.

  
\_\_\_\_\_  
Karen L. Plumer

30pl1339.lam  
261-65

LEVAN, SCHIMEL, BELMAN & ABRAMSON, P.A.

WOODMERE I, SUITE 400  
9881 BROKEN LAND PARKWAY  
COLUMBIA, MARYLAND 21046

KAREN L. PLUMER  
DIRECT DIAL: (301) 312-6733

WASHINGTON (301) 596-2200  
BALTIMORE (301) 381-6000  
FAX (301) 381-6430

LAUREL LAKES EXECUTIVE PARK  
8325 CHERRY LANE  
LAUREL, MARYLAND 20707  
WASHINGTON (301) 953-1886  
BALTIMORE (301) 792-7843

February 19, 1992

William T. Hackett, Chairman  
County Board of Appeals of Baltimore County  
Old Court House, Room 49  
400 Washington Avenue  
Towson, Maryland 21204

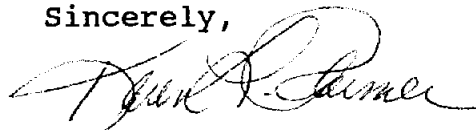
Re: Case No. 91-324-SPHX  
Towson Town Center Associates  
Mobil Oil Corporation - Lessee  
E/S York Road, 350' S of C/L  
Fairmount Avenue (831 Dulaney Valley Road)  
9th Election District  
4th Councilmanic District

Dear Chairman Hackett:

Pursuant to Rule 2(b) of the County Board of Appeals Rules of Practice and Procedure, Towson Town Center Associates and Mobil Oil Corporation hereby request a continuance of their appeal of the Zoning Commissioners' decision in the referenced matter. The Baltimore County Office of Planning and Zoning is considering a zoning text amendment which would negate the necessity for a termination of the referenced matter. Staff is currently drafting the legislation which it expects may begin the legislative process in March, 1992. The referenced matter is currently scheduled for hearing before the Board of Appeals on March 12, 1992. In order to allow sufficient time for the legislation to take its course, the Appellants hereby request that the appeal be continued to a date certain after October 15, 1992.

Please advise me at your earliest convenience whether this request is granted, for the hearing date is quickly approaching.

Sincerely,



Karen L. Plumer

KLP/lam  
301t1328.lam  
261-65

LEVAN, SCHIMEL, BELMAN & ABRAMSON, P.A.

WOODMERE I, SUITE 400  
9881 BROKEN LAND PARKWAY  
COLUMBIA, MARYLAND 21046

KAREN L. PLUMER  
DIRECT DIAL: (301) 312-6733

WASHINGTON (301) 596-2200  
BALTIMORE (301) 381-6000  
FAX (301) 381-6430

LAUREL LAKES EXECUTIVE PARK  
8325 CHERRY LANE  
LAUREL, MARYLAND 20707  
WASHINGTON (301) 953-1886  
BALTIMORE (301) 792-7843

February 12, 1992

County Board of Appeals  
of Baltimore County  
Old Court House, Room 49  
400 Washington Avenue  
Towson, Maryland 21204

Re: Towson Town center Associates  
Mobil Oil Corporation - Lessee  
E/S York Road, 350' S of C/L  
Fairmont Ave., (831 Dulaney Valley Road)  
9th Election District  
4th Councilmanic District  
Case No. 91-324-SPHXA

Dear Sir or Madam:

Enclosed is the original Affidavit of Service to be filed in the referenced matter. Also enclosed is a copy of the Affidavit of Service to be date stamped and returned to this office in the enclosed envelope.

Thank you for your consideration.

Sincerely,

*Karen L. Plumer/lam*  
Karen L. Plumer

KLP/lam  
Enclosures  
30lt1305.lam  
261-65

52 FEB 15 1992

COUNTY BOARD OF APPEALS OF BALTIMORE COUNTY

Old Courthouse  
Room 49  
400 Washington Avenue  
Towson, Maryland 21204

Towson Town Center Associates  
Mobil Oil Corporation - Lessee  
E/S York Road, 350' S of C/L  
Fairmont Ave., (831 Dulaney Valley  
Road) 9th Election District;  
4th Councilmanic District

Case Number: 91-324-SPHXA

AFFIDAVIT OF SERVICE

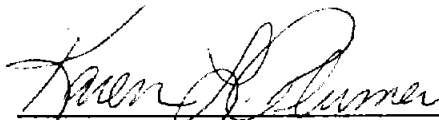
I am over eighteen (18) years of age and am competent to testify as to the matters stated herein:

1. I have personal knowledge of the matters set forth herein.

2. On this 11th day of February, 1992, I served a Subpoena in the above captioned matter by delivering the original thereof to Jeffrey W. Long at the Office of Planning, 401 Bosley Ave., Suite 406, Towson, Maryland 21204 at approximately 11:00 a.m.

3. A copy of the Subpoena served is attached hereto.

I DO SOLEMNLY DECLARE AND AFFIRM, under the penalties of perjury, that the contents of the foregoing Affidavit of Service are true and correct.

  
\_\_\_\_\_  
Karen L. Plumer

261.65  
76tx138.gsw

92 FEB 13 11 00 AM

LEVAN, SCHIMEL, BELMAN & ABRAMSON, P.A.

WOODMERE I, SUITE 400  
9881 BROKEN LAND PARKWAY  
COLUMBIA, MARYLAND 21046

KAREN L. PLUMER  
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8325 CHERRY LANE  
LAUREL, MARYLAND 20707  
WASHINGTON (301) 953-1886  
BALTIMORE (301) 792-7843

February 7, 1992

County Board of Appeals of Baltimore County  
Old Courthouse, Room 49  
400 Washington Avenue  
Towson, Maryland 21204

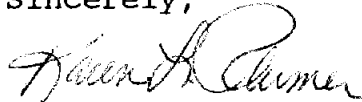
Re: Case No. 91-324-SPHXA  
Towson Town Center Associates/  
Mobil Oil Corporation - Lessee

Dear Sir or Madam:

Enclosed please find the original and two copies of a subpoena to be issued in the referenced matter. I will be in Towson on March 11, 1992 and would like to pick up the subpoena at that time for service by private process server.

Thank you for your assistance in this matter. If you have any questions, please call me.

Sincerely,



Karen L. Plumer

KLP/lam  
Enclosure  
301t1281.lam  
261-65

Baltimore County Government  
Office of Zoning Administration  
and Development Management  
Office of Planning & Zoning



111 West Chesapeake Avenue  
Towson, MD 21204

887-3353

August 21, 1991

Baltimore County Board of Appeals  
County Office Building, Room 315  
Towson, Maryland 21204

RE: Petition for Special Hearing, Special Exception and Variance  
E/S York Road, 350 ft. S of c/l of Fairmount Avenue  
(831 Dulaney Valley Road)  
9th Election District, 4th Councilmanic District  
Legal Owner: Towson Town Center Associates  
Lessee: Mobil Oil Corp.  
Petitioners  
Case No. 91-324-SPHXA

Dear Board:

Please be advised that an appeal (Special Hearing and Special Exception portions only) of the above-referenced case was filed in this office on July 16, 1991 by Karen A. Plumer, on behalf of the Petitioners.. All materials relative to the case are being forwarded herewith.

Please notify all parties to the case of the date and time of the appeal hearing when it has been scheduled. If you have any questions concerning this matter, please do not hesitate to contact this office.

Very truly yours,

A handwritten signature in black ink that reads "J. Robert Haines". The signature is written in a cursive style.

J. ROBERT HAINES  
Zoning Commissioner

JRH:cer

Enclosures

cc: Wayne Finley - Towson Town Center Associates  
c/o Ernest W. Hahn, Inc. 706 C Fairmont Ave., Towson, MD 21204

Karen M. Mack - Mobil Oil Corporation  
341 Overlea Place, Abington, MD 21009

82:01 NW 22 NOV 16

RECEIVED  
OFFICE OF PLANNING & ZONING  
BALTIMORE COUNTY  
NOV 16 1991

Appeal Cover Letter - Case No. 91-324-SPHXA  
Legal Owner: TOWSON TOWN CENTER ASSOCIATES  
Lessee: MOBIL OIL CORP.  
Petitioners  
August 21, 1991  
Page 2

Karen L. Plumer, Esquire - Woodmere I, Suite 400  
9881 Broken Land Parkway, Columbia, MD 21046

David Wang, 5 S. Main Street, Belair, MD 21014

Janette McCarthy, 5046 Southern Star, Columbia, MD 21045

Wes Guckert - The Traffic Group  
Suite 600, 40 W. Chesapeake Avenue, Towson, MD 21204

People's Counsel of Baltimore County  
Rm. 304, County Office Bldg., Towson, Md. 21204

File

APPEAL

Petition for Special Hearing, Special Exception, and Variance  
E/S York Road, 350 ft. S of c/1 of Fairmount Avenue  
(831 Dulaney Valley Road)  
9th Election District - 4th Councilmanic District  
Legal Owner: Towson Town Center Associates  
Lessee: Mobil Oil Corp.  
Petitioners  
Case No. 91-324-SPHXA

✓ Petitions for Special Hearing, Special Exception, and Variance  
(Special Hearing and Special Exception portions appealed only)

✓ Description of Property

✓ Certificate of Posting

✓ Certificate of Publication

Entry of Appearance of People's Counsel (NONE SUBMITTED)

✓ Zoning Plans Advisory Committee Comments

✓ Director of Planning & Zoning Comments (Included with ZAC comments)

Petitioner's Exhibits: ✓ 1. Plan to accompany Petitions

✓ 2. Sign detail sheet for Mobil Oil Corp.

Unmarked Exhibit: ✓ Traffic Analysis

✓ Zoning Commissioner's Order dated June 17, 1991 (Granted with restrictions)

✓ Notice of Appeal received July 16, 1991 from Karen L. Plumer, Attorney on behalf of the Petitioners (Appealing Special Hearing and Special Exception portions only)

cc: Wayne Finley - Towson Town Center Associates  
c/o Ernest W. Hahn, Inc. 706 C Fairmont Ave., Towson, MD 21204

*c/o Lester Carter*  
Karen M. Mack - Mobil Oil Corporation, 217 Weymouth St.  
~~341 Overlea Place, Abington, MD 21009~~ *Upper Marlboro MD 20772*

\* Karen L. Plumer, Esquire - Woodmere I, Suite 400  
9881 Broken Land Parkway, Columbia, MD 21046

David Wang, 5 S. Main Street, Belair, MD 21014

Janette McCarthy, 5046 Southern Star, Columbia, MD 21045

Wes Guckert - The Traffic Group  
Suite 600, 40 W. Chesapeake Avenue, Towson, MD 21204

People's Counsel, Rm. 304, County Office Bldg, Towson, Md. 21204 *not per Shirley 1/23/92*

Request Notification: P. David Fields, Director of Planning & Zoning  
Patrick Keller, Office of Planning & Zoning  
J. Robert Haines, Zoning Commissioner  
Ann M. Nastarowicz, Deputy Zoning Commissioner  
James E. Dyer, Zoning Supervisor  
W. Carl Richards, Jr., Zoning Coordinator  
Docket Clerk  
Arnold Jablon, Chief Deputy County Attorney  
Public Services *JE*

LEVAN, SCHIMEL, RICHMAN, BELMAN, ABRAMSON & SCANLAN, P.A.

ATTORNEYS AT LAW

DAVID M. ABRAMSON  
EDWARD J. BAINES  
P. DENNIS BELMAN  
COURTNEY A. BLAIR  
BERNARD A. COOK  
DAVID B. EBERHARDT  
SAMUEL I. ISRAEL  
ELLEN I.S. KOPIOW  
ROBERT H. LEVAN  
THOMAS J. MALONEY  
CAROL B. O'KEEFE

WOODMERE I, SUITE 400  
9881 BROKEN LAND PARKWAY  
COLUMBIA, MARYLAND 21046  
WASHINGTON (301) 596-2200  
BALTIMORE (301) 381-6000  
FAX (301) 381-6430

LAUREL LAKES EXECUTIVE PARK  
8325 CHERRY LANE  
LAUREL, MARYLAND 20707  
WASHINGTON (301) 954-1886  
BALTIMORE (301) 792-7843

KAREN L. PLUMER  
J. PETER PUGLIA  
GERALD M. RICHMAN  
JILL R. ROBINSON  
ALFRED L. SCANLAN, JR.  
RONALD S. SCHIMEL  
DAVID R. SONNENBERG

OF COUNSEL

BRIAN E. FROSH  
RICHARD M. WEINTRAUB

DIRECT DIAL 301-312-6733

July 16, 1991

Mr. J. Robert Haines  
Zoning Commissioner of Baltimore County  
111 West Chesapeake Avenue  
Towson, Maryland 21204

Re: Case No. 91-324-SPHXA  
Petitions for Special Hearing,  
Special Exception and Variance  
E/S York Road, 350 ft. south of Fairmount Avenue,  
831 Dulaney Valley Road  
9th Election District  
4th Councilmanic District  
Legal Owner: Towson Town Center Associates  
Lessee: Mobil Oil Corporation, Petitioners

Dear Mr. Haines:

Towson Town Center Associates and Mobil Oil Corporation, owner and lessee, respectively, of 831 Dulaney Valley Road, Towson, Maryland, the property which is the subject of the referenced hearings, hereby appeal a portion of the Zoning Commissioner's June 17, 1991 Findings of Facts and Conclusions of Law in the referenced matter. Towson Town Center Associates and Mobil Oil Corporation ("Appellants") specifically appeal the following determinations of the Zoning Commissioner appearing on page 7 of the aforementioned Findings of Facts and Conclusions of Law:

". . .that Petition for Special Exception for permission to use the herein described property for a food store with less than 5,000 square feet of retail sales in combination with a gasoline service station pursuant to section 405.5.C of the Baltimore County Zoning Regulations (B.C.Z.R.), in accordance with Petitioner's Exhibit No. 1 is hereby DENIED; and

IT IS FURTHER ORDERED that, pursuant to the Petition for Special Hearing, an amendment to the special exception granted in case No. 66-263-X, is hereby DENIED; and, . . ."

Mr. J. Robert Haines  
July 16, 1991  
Page 2

The Appellants believe that the Zoning Commissioner is in error in finding that the subject site is an individual site rather than an integrated site located in a planned shopping center in a C.T. District. Given the location of the station, the evidence presented at the hearing and comments submitted by the Office of Planning, it is clear that this site is located in a planned shopping center and therefore is not an individual site. If the site is an integrated site in a planned shopping center and the uses are permitted in the zone and the district in which the property is located, then an amendment to the previous special exception (66-263-X) is all that is required for the combination use, not a special exception.

In the event that the Appeal is granted, Appellants request that the following paragraph be deleted from the Zoning Commissioner's June 17th, 1991 Findings of Facts and Conclusions of Law:

"IT IS FURTHER ORDERED that the Petitioners shall cease and desist the operation of the subject use, specifically, the food store with less than 5,000 sq. ft. of retail sales area in combination with the subject gasoline service station on January 1, 1994, should the Petitioners fail to acquire C.S.A. district zoning for the subject site on or before that time."

Attached hereto is a check in the amount of Three Hundred Twenty-Five Dollars (\$325.00) made payable to Baltimore County as the filing fee for an appeal in this matter.

If additional information is required, please advise me.

Respectfully submitted,

  
Karen L. Plumer

KLP/lad  
Enclosure  
30lt462.lad  
261-58

cc: People's Council



# County Board of Appeals of Baltimore County

OLD COURTHOUSE, ROOM 49  
400 WASHINGTON AVENUE  
TOWSON, MARYLAND 21204

Hearing Room -  
Room 48, Old Courthouse  
400 Washington Avenue

(410) 887-3180

October 7, 1992

## NOTICE OF ASSIGNMENT

NO POSTPONEMENTS WILL BE GRANTED WITHOUT GOOD AND SUFFICIENT REASONS. REQUESTS FOR POSTPONEMENTS MUST BE IN WRITING AND IN STRICT COMPLIANCE WITH RULE 2(b). NO POSTPONEMENTS WILL BE GRANTED WITHIN FIFTEEN (15) DAYS OF SCHEDULED HEARING DATE UNLESS IN FULL COMPLIANCE WITH RULE 2(c), COUNTY COUNCIL BILL NO. 59-79.

CASE NO. 91-324-SPHXA

TOWSON TOWN CENTER ASSOCIATES/  
MOBILE OIL CORP. - LESSEE  
E/s York Rd., 350' S of c/l  
Fairmount Avenue (831 Dulaney Valley  
Road), 9th Election District;  
4th Councilmanic District

SPH-food store in comb. w/service  
station;  
VAR-2 waiting spaces to extend beyond  
lease line; parking aisle; stacking;  
signs  
SE-to amend SE in 66-263-X  
6/17/91 - Z.C.'s Order DENYING  
SPH & SE, GRANTING Variances w/restr.

which was POSTPONED at the request of Counsel for Petitioner/  
Appellant to be reset to a date after May 15, 1993 has been

**ASSIGNED FOR: THURSDAY, MAY 20, 1993 AT 10:00 A.M.**

cc: Wayne Finley - Towson Town Center Assoc. - Petitioner  
Karen M. Mack - Mobil Oil Corp. - Lessee  
Karen L. Plumer, Esquire - Counsel for Petitioner  
Robert H. Levan, Esquire - " " "  
Mr. David Wang  
Ms. Janette McCarthy  
Mr. Wes Guckert  
P. David Fields  
Lawrence E. Schmidt  
Timothy M. Kotroco  
W. Carl Richards, Jr.  
Docket Clerk - Zoning  
Arnold Jablon, Director of Zoning  
Administration

LindaLee M. Kuszmaul  
Legal Secretary

*PP'd on road  
5-20-93; no date;  
to be set upon  
request.*





County Board of Appeals of Baltimore County

OLD COURTHOUSE, ROOM 49  
400 WASHINGTON AVENUE  
TOWSON, MARYLAND 21204

Hearing Room -  
Room 48, Old Courthouse  
400 Washington Avenue

(410) 887-3180

September 10, 1992

NOTICE OF POSTPONEMENT

NO POSTPONEMENTS WILL BE GRANTED WITHOUT GOOD AND SUFFICIENT REASONS. REQUESTS FOR POSTPONEMENTS MUST BE IN WRITING AND IN STRICT COMPLIANCE WITH RULE 2(b). NO POSTPONEMENTS WILL BE GRANTED WITHIN FIFTEEN (15) DAYS OF SCHEDULED HEARING DATE UNLESS IN FULL COMPLIANCE WITH RULE 2(c), COUNTY COUNCIL BILL NO. 59-79.

CASE NO. 91-324-SPHXA

TOWSON TOWN CENTER ASSOCIATES/  
MOBILE OIL CORP. - LESSEE  
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lease line; parking aisle; stacking;  
signs

SE-to amend SE in 66-263-X

6/17/91 - Z.C.'s Order DENYING

SPH & SE, GRANTING Variances w/restr.

which was scheduled for hearing on October 22, 1992 has been  
**POSTPONED** at the request of Counsel for Petitioner/Appellant and  
will be reset to a date after May 15, 1993

---

cc: Wayne Finley - Towson Town Center Assoc. - Petitioner  
Karen M. Mack - Mobil Oil Corp. - Lessee  
Karen L. Plumer, Esquire - Counsel for Petitioner  
Robert H. Levan, Esquire - " " "  
Mr. David Wang  
Ms. Janette McCarthy  
Mr. Wes Guckert  
P. David Fields  
Lawrence E. Schmidt  
Timothy M. Kotroco  
W. Carl Richards, Jr.  
Docket Clerk - Zoning  
Arnold Jablon, Director of Zoning  
Administration

LindaLee M. Kuszmaul  
Legal Secretary





County Board of Appeals of Baltimore County

~~COUNTY OFFICE BUILDING, ROOM 315~~

~~111 W. CHESAPEAKE AVENUE~~

TOWSON, MARYLAND 21204

~~OLD COURTHOUSE  
ROOM 40  
400 WASHINGTON AVE.~~

Hearing Room -

Room 48, Old Courthouse

400 Washington Avenue

(301) 887-3180

February 20, 1992

NOTICE OF POSTPONEMENT AND REASSIGNMENT

NO POSTPONEMENTS WILL BE GRANTED WITHOUT GOOD AND SUFFICIENT REASONS. REQUESTS FOR POSTPONEMENTS MUST BE IN WRITING AND IN STRICT COMPLIANCE WITH RULE 2(b). NO POSTPONEMENTS WILL BE GRANTED WITHIN FIFTEEN (15) DAYS OF SCHEDULED HEARING DATE UNLESS IN FULL COMPLIANCE WITH RULE 2(c), COUNTY COUNCIL BILL NO. 59-79.

CASE NO. 91-324-SPHXA

TOWSON TOWN CENTER ASSOCIATES/  
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signs  
SE-to amend SE in 66-263-X  
6/17/91 - Z.C.'s Order DENYING  
SPH & SE, GRANTING Variances w/restr.

which was scheduled for March 12, 1992 has been POSTPONED at the request of Counsel for Petitioner/Appellant and has been

REASSIGNED FOR: THURSDAY, OCTOBER 22, 1992 AT 10:00 a.m.

cc: Wayne Finley - Towson Town Center Assoc. - Petitioner  
Karen M. Mack - Mobil Oil Corp. - Lessee  
Karen L. Plumer, Esquire - Counsel for Petitioner  
Mr. David Wang  
Ms. Janette McCarthy  
Mr. Wes Guckert  
P. David Fields  
~~Public Services~~ out per Paula 3/3/92  
Lawrence E. Schmidt  
Timothy M. Kotroco  
W. Carl Richards, Jr.  
Docket Clerk - Zoning  
Arnold Jablon, Director of Zoning  
Administration

LindaLee M. Kuszmaul  
Legal Secretary



County Board of Appeals of Baltimore County

~~COUNTY OFFICE BUILDING, ROOM 315~~

~~111 W. CHESAPEAKE AVENUE~~

TOWSON, MARYLAND 21204

OLD COURTHOUSE

ROOM 40

400 WASHINGTON AVE.

FEB 24 1992

Hearing Room -

Room 48, Old Courthouse

400 Washington Avenue

(301) 887-3180

February 20, 1992

NOTICE OF POSTPONEMENT AND REASSIGNMENT

NO POSTPONEMENTS WILL BE GRANTED WITHOUT GOOD AND SUFFICIENT REASONS. REQUESTS FOR POSTPONEMENTS MUST BE IN WRITING AND IN STRICT COMPLIANCE WITH RULE 2(b). NO POSTPONEMENTS WILL BE GRANTED WITHIN FIFTEEN (15) DAYS OF SCHEDULED HEARING DATE UNLESS IN FULL COMPLIANCE WITH RULE 2(c), COUNTY COUNCIL BILL NO. 59-79.

CASE NO. 91-324-SPHXA

TOWSON TOWN CENTER ASSOCIATES/

MOBILE OIL CORP. - LESSEE

E/s York Rd., 350' S of c/l

Fairmount Avenue (831 Dulaney Valley Road), 9th Election District;

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SPH-food store in comb. w/service station;

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REASSIGNED FOR: THURSDAY, OCTOBER 22, 1992 AT 10:00 a.m.

cc: Wayne Finley - Towson Town Center Assoc. - Petitioner

Karen M. Mack - Mobil Oil Corp. - Lessee

Karen L. Plumer, Esquire - Counsel for Petitioner

Mr. David Wang

Ms. Janette McCarthy

Mr. Wes Guckert

P. David Fields

✓ Public Services

Lawrence E. Schmidt

Timothy M. Kotroco

W. Carl Richards, Jr.

Docket Clerk - Zoning

Arnold Jablon, Director of Zoning

Administration

Linda L. M. Kuszmaul  
Legal Secretary

*Yes - no*



# County Board of Appeals of Baltimore County

~~COUNTY OFFICE BUILDING, ROOM 315~~

~~111 W. CHESAPEAKE AVENUE~~

TOWSON, MARYLAND 21204

OLD COURTHOUSE

ROOM 49

400 WASHINGTON AVE.

Haring Room -

Room 48, Old Courthouse

400 Washington Avenue

(301) 887-3180

January 13, 1992

## NOTICE OF ASSIGNMENT

NO POSTPONEMENTS WILL BE GRANTED WITHOUT GOOD AND SUFFICIENT REASONS. REQUESTS FOR POSTPONEMENTS MUST BE IN WRITING AND IN STRICT COMPLIANCE WITH RULE 2(b). NO POSTPONEMENTS WILL BE GRANTED WITHIN FIFTEEN (15) DAYS OF SCHEDULED HEARING DATE UNLESS IN FULL COMPLIANCE WITH RULE 2(c), COUNTY COUNCIL BILL NO. 59-79.

CASE NO. 91-324-SPHXA

TOWSON TOWN CENTER ASSOCIATES/  
MOBILE OIL CORP. - LESSEE

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SE-to amend SE in 66-263-X

6/17/91 - Z.C.'s Order DENYING

SPH & SE, GRANTING Variances w/restr.

*rep. of  
Counsel for  
Petitioner*  
*2/20/92-  
PP'd to  
10/12/92 @  
10 am*  
ASSIGNED FOR:

THURSDAY, MARCH 12, 1992 AT 10:00 a.m.

cc: Wayne Finley - Towson Town Center Assoc. - Petitioner

Karen M. Mack - Mobil Oil Corp. - Lessee

Karen L. Plumer, Esquire - Counsel for Petitioner

Mr. David Wang

Ms. Janette McCarthy

Mr. Wes Guckert

~~People's Counsel for Baltimore County~~

P. David Fields

Pat Keller

Public Services

Lawrence E. Schmidt

Timothy M. Kotroco

James E. Dyer

W. Carl Richards, Jr.

Docket Clerk - Zoning

Arnold Jablon, Director of Zoning

Administration

*out per Shirley Hess  
1/23/92*  
LindaLee M. Kuszmaul

Legal Secretary



County Board of Appeals of Baltimore County

~~COUNTY OFFICE BUILDING, ROOM 315~~

~~111 W. CHESAPEAKE AVENUE~~

TOWSON, MARYLAND 21204

OLD COURTHOUSE  
ROOM 48

400 WASHINGTON AVE.

Hearing Room -

Room 48, Old Courthouse (301) 887-3180

400 Washington Avenue January 13, 1992

NOTICE OF ASSIGNMENT

NO POSTPONEMENTS WILL BE GRANTED WITHOUT GOOD AND SUFFICIENT REASONS. REQUESTS FOR POSTPONEMENTS MUST BE IN WRITING AND IN STRICT COMPLIANCE WITH RULE 2(b). NO POSTPONEMENTS WILL BE GRANTED WITHIN FIFTEEN (15) DAYS OF SCHEDULED HEARING DATE UNLESS IN FULL COMPLIANCE WITH RULE 2(c), COUNTY COUNCIL BILL NO. 59-79.

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6/17/91 - Z.C.'s Order DENYING

SPH & SE, GRANTING Variances w/restr.

ASSIGNED FOR:

THURSDAY, MARCH 12, 1992 AT 10:00 a.m.

cc: Wayne Finley - Towson Town Center Assoc. - Petitioner  
Karen M. Mack - Mobil Oil Corp. - Lessee  
Karen L. Plumer, Esquire - Counsel for Petitioner  
Mr. David Wang  
Ms. Janette McCarthy  
Mr. Wes Guckert  
✓ People's Counsel for Baltimore County  
P. David Fields  
Pat Keller  
Public Services  
Lawrence E. Schmidt  
Timothy M. Kotroco  
James E. Dyer  
W. Carl Richards, Jr.  
Docket Clerk - Zoning  
Arnold Jablon, Director of Zoning  
Administration

LindaLee M. Kuszmaul  
Legal Secretary

*P.C. not involved.*  
*Shirley*  
*Hess*



# County Board of Appeals of Baltimore County

~~COUNTY OFFICE BUILDING, ROOM 315~~

~~111 W. CHESAPEAKE AVENUE~~

TOWSON, MARYLAND 21204

OLD COURTHOUSE

ROOM 49

400 WASHINGTON AVE.

Hearing Room -

Room 48, Old Courthouse

400 Washington Avenue

(301) 887-3180

January 13, 1992

## NOTICE OF ASSIGNMENT

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CASE NO. 91-324-SPHXA

TOWSON TOWN CENTER ASSOCIATES/  
MOBILE OIL CORP. - LESSEE  
E/s York Rd., 350' S of c/l  
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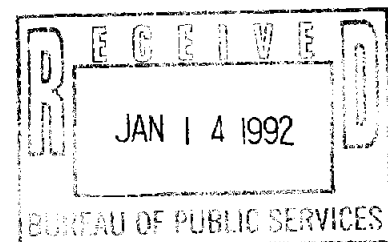
6/17/91 - Z.C.'s Order DENYING

SPH & SE, GRANTING Variances w/restr.

ASSIGNED FOR:

THURSDAY, MARCH 12, 1992 AT 10:00 a.m.

cc: Wayne Finley - Towson Town Center Assoc. - Petitioner  
Karen M. Mack - Mobil Oil Corp. - Lessee  
Karen L. Plumer, Esquire - Counsel for Petitioner  
Mr. David Wang  
Ms. Janette McCarthy  
Mr. Wes Guckert  
People's Counsel for Baltimore County  
P. David Fields  
Pat Keller  
✓Public Services  
Lawrence E. Schmidt  
Timothy M. Kotroco  
James E. Dyer  
W. Carl Richards, Jr.  
Docket Clerk - Zoning  
Arnold Jablon, Director of Zoning  
Administration



LindaLee M. Kuszmaul  
Legal Secretary

*yes* ✓ *no* —

# COUNTY BOARD OF APPEALS OF BALTIMORE COUNTY

Old Courthouse  
Room 49  
400 Washington Avenue  
Towson, Maryland 21204

Towson Town Center Associates  
Mobil Oil Corporation - Lessee  
E/S York Road, 350' S of C/1  
Fairmount Ave., (831 Dulaney Valley Road)  
9th Electric District; 4th Councilmanic District

Case Number 91-324-SPHXA

## SUBPOENA

STATE OF MARYLAND, BALTIMORE COUNTY TO WIT:

TO: Jeffrey W. Long  
Office of Planning  
401 Bosley Avenue, Suite 406  
Towson, Maryland 21204

YOU ARE HEREBY COMMANDED TO: ( X ) Personally appear; ( ) Produce documents and/or objects only; ( ) Personally appear and produce documents or objects;

at Board of Appeals, Room 48, Old Courthouse, 400 Washington Avenue, Towson, MD 21204  
(Place where attendance is required)  
on Thursday the 12 day of March, 1992, at 10:00 a.m.

YOU ARE COMMANDED TO produce the following documents or objects:

Subpoena requested by (x ) Appellant; ( ) Defendant; and any questions should be referred to: Karen L. Plumer, Esquire 9881 Broken Land Parkway, Suite 400, Columbia, MD 21046  
(Name of Party or Attorney, Address and Phone Number)

Date Issued \_\_\_\_\_

BOARD OF APPEALS

Signature & Seal

### NOTICE:

- (1) YOU ARE LIABLE TO BODY ATTACHMENT AND FINE FOR FAILURE TO OBEY THIS SUBPOENA.
- (2) This subpoena shall remain in effect until you are granted leave to depart by the Court or by an officer acting on behalf of the Court.
- (3) If this subpoena is for attendance at a deposition and the party served is an organization, notice is hereby given that the organization must designate a person to testify pursuant to Rule 2-412(d).

## SHERIFF'S RETURN

- ( ) - Served and copy delivered on date indicated below.  
( ) - Unserved; by reason of \_\_\_\_\_

Date \_\_\_\_\_

Fee \$ \_\_\_\_\_

SHERIFF

# FILE COPY

October 25, 1991

Arold Ripperger, Esquire  
P.O. Box 38189  
Baltimore, MD 21231-8189

Re: Case No. 91-324-SPHXA  
Towson Town Center

Dear Mr. Ripperger:

On September 20, this office provided you with a copy of the subject file in response to your telephone request.

To date, we have not yet received your check in the amount of \$34.00 for payment of same. Enclosed for your convenience is a copy of the invoice which was included with the above-referenced copies.

Your prompt attention to this matter would be most appreciated.

Very truly yours,

Kathleen C. Weidenhammer  
Administrative Assistant

Enclosure



County Board of Appeals of Baltimore County

COUNTY OFFICE BUILDING, ROOM 315  
111 W. CHESAPEAKE AVENUE  
TOWSON, MARYLAND 21204  
(301) 887-3180

**FILE COPY**

September 20, 1991

Arold Ripperger, Esquire  
P.O. Box 38189  
Baltimore, Maryland 21231-8189

**FILE COPY**

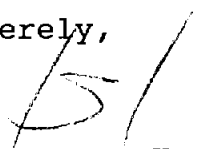
Re: Case No. 91-324-SPHXA (Towson Town Center)

Dear Mr. Ripperger:

Enclosed please find a copy of the subject case file as you requested. Copies of plats are also included. Attached is a bill for the total cost involved.

If I can be of any further assistance to you, please do not hesitate to contact me.

Sincerely,

  
LindaLee M. Kuszmaul  
Legal Secretary

Enclosures

September 20, 1991

BILLED TO:

Arold Ripperger, Esquire  
P.O. Box 38189  
Baltimore, MD 21231-8189

Cost of copying file re: Case No. 91-324-SPHXA . . \$34.00

(Towson Town Center)

MAKE CHECK PAYABLE TO:

Baltimore County, Maryland

REMIT TO:

County Board of Appeals  
Room 315, County Office Building  
111 W. Chesapeake Avenue  
Towson, Maryland 21204

**CERTIFICATE OF POSTING**  
**ZONING DEPARTMENT OF BALTIMORE COUNTY**  
Towson, Maryland

91-234-SPHXA

District: 9th Date of Posting: 8/23/91  
Posted for: Appeal  
Petitioner: Towson Town Ctr. Assoc.  
Location of property: E/S Dulaney Valley Rd. 350' S/Fairmont Ave.  
831 Dulaney Valley Rd.  
Location of Signs: Facing Dulaney Valley Rd., approx. W. Fr. med way  
on property of Petitioner  
Remarks: \_\_\_\_\_  
Posted by: [Signature] Date of return: 9/30/91  
Number of Signs: 1



*The  
Traffic  
Group*

*Traffic Analysis*

*for*

MOBIL OIL STATION

TOWSONTOWN CENTER

831 DULANEY VALLEY ROAD

*Towson, Maryland*

Prepared for

MOBIL OIL CORPORATION

March 6, 1991

E/s York Rd., 350' S of c/l Fairmount Ave.  
(831 Dulaney Valley Rd.)

#91-324-SPHXA TOWSON TOWN CTR. ASSOC.

9th District      Appealed: 7/16/91

LEVAN, SCHIMEL, BELMAN & ABRAMSON, P.A.

WOODMERE I, SUITE 400  
9881 BROKEN LAND PARKWAY  
COLUMBIA, MARYLAND 21046

KAREN L. PLUMER  
DIRECT DIAL: (301) 312-6733

WASHINGTON (301) 596-2200  
BALTIMORE (301) 381-6000  
FAX (301) 381-6430

LAUREL LAKES EXECUTIVE PARK  
8325 CHERRY LANE  
LAUREL, MARYLAND 20707  
WASHINGTON (301) 953-1886  
BALTIMORE (301) 792-7843

February 20, 1992

William T. Hackett, Chairman  
County Board of Appeals of Baltimore County  
Old Court House, Room 49  
400 Washington Avenue  
Towson, Maryland 21204

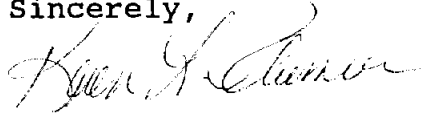
Re: Case No. 91-324-SPHX  
Towson Town Center Associates  
Mobil Oil Corporation - Lessee  
E/S York Road, 350' S of C/L  
Fairmount Avenue (831 Dulaney Valley Road)  
9th Election District  
4th Councilmanic District

Dear Chairman Hackett:

Pursuant to Rule 2(b) of the County Board of Appeals Rules of Practice and Procedure, Towson Town Center Associates and Mobil Oil Corporation hereby request a continuance of their appeal of the Zoning Commissioners' decision in the referenced matter. The Baltimore County Office of Planning and Zoning is considering a zoning text amendment which would negate the necessity for a determination of the referenced matter. Staff is currently drafting the legislation which it expects may begin the legislative process in March, 1992. The referenced matter is currently scheduled for hearing before the Board of Appeals on March 12, 1992. In order to allow sufficient time for the legislation to take its course, the Appellants hereby request that the appeal be continued to a date certain after October 15, 1992.

Please advise me at your earliest convenience whether this request is granted, for the hearing date is quickly approaching.

Sincerely,



Karen L. Plumer

KLP/lam  
301t1328.lam  
261-65

5-22-92  
3-22-92  
3-22-92

COUNTY BOARD OF APPEALS OF BALTIMORE COUNTY

Old Courthouse  
Room 49  
400 Washington Avenue  
Towson, Maryland 21204

Towson Town Center Associates  
Mobil Oil Corporation - Lessee  
E/S York Road, 350' S of C/L  
Fairmont Ave., (831 Dulaney Valley  
Road) 9th Election District;  
4th Councilmanic District

Case Number: 91-324-SPHXA

CERTIFICATE OF SERVICE

I hereby certify that on the 28<sup>th</sup> day of February, 1992, a copy of the foregoing request for continuance of Towson Town Center Associates' and Mobil Oil Corporation's appeal was mailed, postage prepaid, first class, to Wayne Finley, Towson Town Center Associates, c/o Ernest W. Hahn, Inc., 706 C Fairmont Avenue, Towson, Maryland 21204; Karen Mack, c/o Lester Carter, Mobil Oil Corporation, 217 Weymouth Street, Upper Marlboro, Maryland 20772, Mr. David Wang, Frederick Ward Associates, Inc., 5 South Main Street, Bel Air, Maryland 21014; Ms. Janette McCarthy, Mobil Oil Corporation, 1191 Freedom Drive, Suite 790, Reston, Virginia 22090; Mr. Wes Guckert, The Traffic Group, Inc., Suite 600, 40 West Chesapeake Avenue, Towson, Maryland 21204; and People's Counsel for Baltimore County, Room 47, 400 Washington Avenue, Towson, Maryland 21204.

  
\_\_\_\_\_  
Karen L. Plumer

30pl1339.lam  
261-65

LEVAN, SCHIMEL, BELMAN & ABRAMSON, P.A.

WOODMERE I, SUITE 400  
9881 BROKEN LAND PARKWAY  
COLUMBIA, MARYLAND 21046

KAREN L. PLUMER  
DIRECT DIAL: (301) 312-6733

WASHINGTON (301) 596-2200  
BALTIMORE (301) 381-6000  
FAX (301) 381-6430

LAUREL LAKES EXECUTIVE PARK  
8325 CHERRY LANE  
LAUREL, MARYLAND 20707  
WASHINGTON (301) 953-1886  
BALTIMORE (301) 792-7843

February 19, 1992

William T. Hackett, Chairman  
County Board of Appeals of Baltimore County  
Old Court House, Room 49  
400 Washington Avenue  
Towson, Maryland 21204

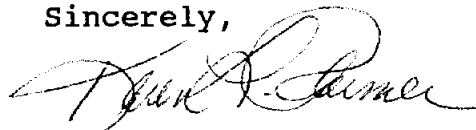
Re: Case No. 91-324-SPHX  
Towson Town Center Associates  
Mobil Oil Corporation - Lessee  
E/S York Road, 350' S of C/L  
Fairmount Avenue (831 Dulaney Valley Road)  
9th Election District  
4th Councilmanic District

Dear Chairman Hackett:

Pursuant to Rule 2(b) of the County Board of Appeals Rules of Practice and Procedure, Towson Town Center Associates and Mobil Oil Corporation hereby request a continuance of their appeal of the Zoning Commissioners' decision in the referenced matter. The Baltimore County Office of Planning and Zoning is considering a zoning text amendment which would negate the necessity for a termination of the referenced matter. Staff is currently drafting the legislation which it expects may begin the legislative process in March, 1992. The referenced matter is currently scheduled for hearing before the Board of Appeals on March 12, 1992. In order to allow sufficient time for the legislation to take its course, the Appellants hereby request that the appeal be continued to a date certain after October 15, 1992.

Please advise me at your earliest convenience whether this request is granted, for the hearing date is quickly approaching.

Sincerely,



Karen L. Plumer

KLP/lam  
301t1328.lam  
261-65

LEVAN, SCHIMEL, BELMAN & ABRAMSON, P.A.

WOODMERE I, SUITE 400  
9881 BROKEN LAND PARKWAY  
COLUMBIA, MARYLAND 21046

KAREN L. PLUMER  
DIRECT DIAL: (301) 312-6733

WASHINGTON (301) 596-2200  
BALTIMORE (301) 381-6000  
FAX (301) 381-6430

LAUREL LAKES EXECUTIVE PARK  
8325 CHERRY LANE  
LAUREL, MARYLAND 20707  
WASHINGTON (301) 953-1886  
BALTIMORE (301) 792-7843

February 12, 1992

County Board of Appeals  
of Baltimore County  
Old Court House, Room 49  
400 Washington Avenue  
Towson, Maryland 21204

Re: Towson Town center Associates  
Mobil Oil Corporation - Lessee  
E/S York Road, 350' S of C/L  
Fairmont Ave., (831 Dulaney Valley Road)  
9th Election District  
4th Councilmanic District  
Case No. 91-324-SPHXA

Dear Sir or Madam:

Enclosed is the original Affidavit of Service to be filed in the referenced matter. Also enclosed is a copy of the Affidavit of Service to be date stamped and returned to this office in the enclosed envelope.

Thank you for your consideration.

Sincerely,

*Karen L. Plumer/lam*  
Karen L. Plumer

KLP/lam  
Enclosures  
30lt1305.lam  
261-65

*1-14-92 4:00 PM  
2/13/92  
400*

02 FEB 19 1992

COUNTY BOARD OF APPEALS OF BALTIMORE COUNTY

Old Courthouse  
Room 49  
400 Washington Avenue  
Towson, Maryland 21204

Towson Town Center Associates  
Mobil Oil Corporation - Lessee  
E/S York Road, 350' S of C/L  
Fairmont Ave., (831 Dulaney Valley  
Road) 9th Election District;  
4th Councilmanic District

Case Number: 91-324-SPHXA

AFFIDAVIT OF SERVICE

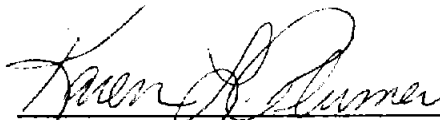
I am over eighteen (18) years of age and am competent to testify as to the matters stated herein:

1. I have personal knowledge of the matters set forth herein.

2. On this 11th day of February, 1992, I served a Subpoena in the above captioned matter by delivering the original thereof to Jeffrey W. Long at the Office of Planning, 401 Bosley Ave., Suite 406, Towson, Maryland 21204 at approximately 11:00 a.m.

3. A copy of the Subpoena served is attached hereto.

I DO SOLEMNLY DECLARE AND AFFIRM, under the penalties of perjury, that the contents of the foregoing Affidavit of Service are true and correct.

  
\_\_\_\_\_  
Karen L. Plumer

261.65  
76tx138.gsw

92 FEB 13 11 00 AM

# COUNTY BOARD OF APPEALS OF BALTIMORE COUNTY

Old Courthouse  
Room 49  
400 Washington Avenue  
Towson, Maryland 21204

Towson Town Center Associates  
Mobil Oil Corporation - Lessee  
E/S York Road, 350' S of C/1  
Fairmount Ave., (831 Dulaney Valley Road)  
9th Electric District; 4th Councilmanic District

Case Number 91-324-SPHXA

## SUBPOENA

STATE OF MARYLAND, BALTIMORE COUNTY TO WIT:

TO: Jeffrey W. Long  
Office of Planning  
401 Bosley Avenue, Suite 406  
Towson, Maryland 21204

YOU ARE HEREBY COMMANDED TO: ( X ) Personally appear; ( ) Produce documents and/or objects only; ( ) Personally appear and produce documents or objects;

at Board of Appeals, Room 48, Old Courthouse, 400 Washington Avenue, Towson, MD 21204  
(Place where attendance is required)  
on Thursday the 12 day of March, 1992, at 10:00 a.m.

YOU ARE COMMANDED TO produce the following documents or objects:

Subpoena requested by (x ) Appellant; ( ) Defendant; and any questions should be referred to: Karen L. Plumer, Esquire 9881 Broken Land Parkway, Suite 400, Columbia, MD 21046  
(Name of Party or Attorney, Address and Phone Number)

Date Issued \_\_\_\_\_

BOARD OF APPEALS

Signature & Seal

### NOTICE:

- (1) YOU ARE LIABLE TO BODY ATTACHMENT AND FINE FOR FAILURE TO OBEY THIS SUBPOENA.
- (2) This subpoena shall remain in effect until you are granted leave to depart by the Court or by an officer acting on behalf of the Court.
- (3) If this subpoena is for attendance at a deposition and the party served is an organization, notice is hereby given that the organization must designate a person to testify pursuant to Rule 2-412(d).

## SHERIFF'S RETURN

- ( ) - Served and copy delivered on date indicated below.  
( ) - Unserved; by reason of \_\_\_\_\_

Date \_\_\_\_\_

Fee \$ \_\_\_\_\_

SHERIFF

LEVAN, SCHIMEL, BELMAN & ABRAMSON, P.A.

WOODMERE I, SUITE 400  
9881 BROKEN LAND PARKWAY  
COLUMBIA, MARYLAND 21046

KAREN L. PLUMER  
DIRECT DIAL: (301) 312-6733

WASHINGTON (301) 596-2200  
BALTIMORE (301) 381-6000  
FAX (301) 381-6430

LAUREL LAKES EXECUTIVE PARK  
8325 CHERRY LANE  
LAUREL, MARYLAND 20707  
WASHINGTON (301) 953-1886  
BALTIMORE (301) 792-7843

February 7, 1992

County Board of Appeals of Baltimore County  
Old Courthouse, Room 49  
400 Washington Avenue  
Towson, Maryland 21204

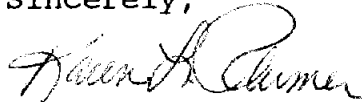
Re: Case No. 91-324-SPHXA  
Towson Town Center Associates/  
Mobil Oil Corporation - Lessee

Dear Sir or Madam:

Enclosed please find the original and two copies of a subpoena to be issued in the referenced matter. I will be in Towson on March 11, 1992 and would like to pick up the subpoena at that time for service by private process server.

Thank you for your assistance in this matter. If you have any questions, please call me.

Sincerely,



Karen L. Plumer

KLP/lam  
Enclosure  
301t1281.lam  
261-65



# County Board of Appeals of Baltimore County

OLD COURTHOUSE, ROOM 49  
400 WASHINGTON AVENUE  
TOWSON, MARYLAND 21204

Hearing Room -  
Room 48, Old Courthouse  
400 Washington Avenue

(410) 887-3180

October 7, 1992

## NOTICE OF ASSIGNMENT

NO POSTPONEMENTS WILL BE GRANTED WITHOUT GOOD AND SUFFICIENT REASONS. REQUESTS FOR POSTPONEMENTS MUST BE IN WRITING AND IN STRICT COMPLIANCE WITH RULE 2(b). NO POSTPONEMENTS WILL BE GRANTED WITHIN FIFTEEN (15) DAYS OF SCHEDULED HEARING DATE UNLESS IN FULL COMPLIANCE WITH RULE 2(c), COUNTY COUNCIL BILL NO. 59-79.

CASE NO. 91-324-SPHXA

TOWSON TOWN CENTER ASSOCIATES/  
MOBILE OIL CORP. - LESSEE  
E/s York Rd., 350' S of c/l  
Fairmount Avenue (831 Dulaney Valley  
Road), 9th Election District;  
4th Councilmanic District

SPH-food store in comb. w/service  
station;  
VAR-2 waiting spaces to extend beyond  
lease line; parking aisle; stacking;  
signs  
SE-to amend SE in 66-263-X  
6/17/91 - Z.C.'s Order DENYING  
SPH & SE, GRANTING Variances w/restr.

which was POSTPONED at the request of Counsel for Petitioner/  
Appellant to be reset to a date after May 15, 1993 has been

**ASSIGNED FOR:** THURSDAY, MAY 20, 1993 AT 10:00 A.M.

cc: Wayne Finley - Towson Town Center Assoc. - Petitioner  
Karen M. Mack - Mobil Oil Corp. - Lessee  
Karen L. Plumer, Esquire - Counsel for Petitioner  
Robert H. Levan, Esquire - " " "  
Mr. David Wang  
Ms. Janette McCarthy  
Mr. Wes Guckert  
P. David Fields  
Lawrence E. Schmidt  
Timothy M. Kotroco  
W. Carl Richards, Jr.  
Docket Clerk - Zoning  
Arnold Jablon, Director of Zoning  
Administration

LindaLee M. Kuszmaul  
Legal Secretary

*PP'd on road  
5-20-93; no date;  
to be set upon  
request.*





County Board of Appeals of Baltimore County

OLD COURTHOUSE, ROOM 49  
400 WASHINGTON AVENUE  
TOWSON, MARYLAND 21204

Hearing Room -  
Room 48, Old Courthouse  
400 Washington Avenue

(410) 887-3180

September 10, 1992

NOTICE OF POSTPONEMENT

NO POSTPONEMENTS WILL BE GRANTED WITHOUT GOOD AND SUFFICIENT REASONS. REQUESTS FOR POSTPONEMENTS MUST BE IN WRITING AND IN STRICT COMPLIANCE WITH RULE 2(b). NO POSTPONEMENTS WILL BE GRANTED WITHIN FIFTEEN (15) DAYS OF SCHEDULED HEARING DATE UNLESS IN FULL COMPLIANCE WITH RULE 2(c), COUNTY COUNCIL BILL NO. 59-79.

CASE NO. 91-324-SPHXA

TOWSON TOWN CENTER ASSOCIATES/  
MOBILE OIL CORP. - LESSEE  
E/s York Rd., 350' S of c/l  
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lease line; parking aisle; stacking;  
signs

SE-to amend SE in 66-263-X

6/17/91 - Z.C.'s Order DENYING

SPH & SE, GRANTING Variances w/restr.

which was scheduled for hearing on October 22, 1992 has been  
**POSTPONED** at the request of Counsel for Petitioner/Appellant and  
will be reset to a date after May 15, 1993

---

cc: Wayne Finley - Towson Town Center Assoc. - Petitioner  
Karen M. Mack - Mobil Oil Corp. - Lessee  
Karen L. Plumer, Esquire - Counsel for Petitioner  
Robert H. Levan, Esquire - " " "  
Mr. David Wang  
Ms. Janette McCarthy  
Mr. Wes Guckert  
P. David Fields  
Lawrence E. Schmidt  
Timothy M. Kotroco  
W. Carl Richards, Jr.  
Docket Clerk - Zoning  
Arnold Jablon, Director of Zoning  
Administration

LindaLee M. Kuszmaul  
Legal Secretary





County Board of Appeals of Baltimore County

~~COUNTY OFFICE BUILDING, ROOM 315~~

~~111 W. CHESAPEAKE AVENUE~~

TOWSON, MARYLAND 21204

~~OLD COURTHOUSE  
ROOM 40  
400 WASHINGTON AVE.~~

Hearing Room -

Room 48, Old Courthouse

400 Washington Avenue

(301) 887-3180

February 20, 1992

NOTICE OF POSTPONEMENT AND REASSIGNMENT

NO POSTPONEMENTS WILL BE GRANTED WITHOUT GOOD AND SUFFICIENT REASONS. REQUESTS FOR POSTPONEMENTS MUST BE IN WRITING AND IN STRICT COMPLIANCE WITH RULE 2(b). NO POSTPONEMENTS WILL BE GRANTED WITHIN FIFTEEN (15) DAYS OF SCHEDULED HEARING DATE UNLESS IN FULL COMPLIANCE WITH RULE 2(c), COUNTY COUNCIL BILL NO. 59-79.

CASE NO. 91-324-SPHXA

TOWSON TOWN CENTER ASSOCIATES/  
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signs  
SE-to amend SE in 66-263-X  
6/17/91 - Z.C.'s Order DENYING  
SPH & SE, GRANTING Variances w/restr.

which was scheduled for March 12, 1992 has been POSTPONED at the request of Counsel for Petitioner/Appellant and has been

REASSIGNED FOR: THURSDAY, OCTOBER 22, 1992 AT 10:00 a.m.

cc: Wayne Finley - Towson Town Center Assoc. - Petitioner  
Karen M. Mack - Mobil Oil Corp. - Lessee  
Karen L. Plumer, Esquire - Counsel for Petitioner  
Mr. David Wang  
Ms. Janette McCarthy  
Mr. Wes Guckert  
P. David Fields  
~~Public Services~~ out per Paula 3/3/92  
Lawrence E. Schmidt  
Timothy M. Kotroco  
W. Carl Richards, Jr.  
Docket Clerk - Zoning  
Arnold Jablon, Director of Zoning  
Administration

LindaLee M. Kuszmaul  
Legal Secretary



County Board of Appeals of Baltimore County

~~COUNTY OFFICE BUILDING, ROOM 315~~

~~111 W. CHESAPEAKE AVENUE~~

TOWSON, MARYLAND 21204

OLD COURTHOUSE

ROOM 40

400 WASHINGTON AVE.

FEB 24 1992

Hearing Room -

Room 48, Old Courthouse

400 Washington Avenue

(301) 887-3180

February 20, 1992

NOTICE OF POSTPONEMENT AND REASSIGNMENT

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CASE NO. 91-324-SPHXA

TOWSON TOWN CENTER ASSOCIATES/

MOBILE OIL CORP. - LESSEE

E/s York Rd., 350' S of c/l

Fairmount Avenue (831 Dulaney Valley Road), 9th Election District;

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SPH-food store in comb. w/service station;

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6/17/91 - Z.C.'s Order DENYING

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cc: Wayne Finley - Towson Town Center Assoc. - Petitioner  
Karen M. Mack - Mobil Oil Corp. - Lessee  
Karen L. Plumer, Esquire - Counsel for Petitioner  
Mr. David Wang  
Ms. Janette McCarthy  
Mr. Wes Guckert  
P. David Fields  
✓ Public Services  
Lawrence E. Schmidt  
Timothy M. Kotroco  
W. Carl Richards, Jr.  
Docket Clerk - Zoning  
Arnold Jablon, Director of Zoning  
Administration

Linda L. M. Kuszmaul  
Legal Secretary

*Yes - or no*



# County Board of Appeals of Baltimore County

~~COUNTY OFFICE BUILDING, ROOM 315~~

~~111 W. CHESAPEAKE AVENUE~~

TOWSON, MARYLAND 21204

OLD COURTHOUSE

ROOM 49

400 WASHINGTON AVE.

Haring Room -

Room 48, Old Courthouse

400 Washington Avenue

(301) 887-3180

January 13, 1992

## NOTICE OF ASSIGNMENT

NO POSTPONEMENTS WILL BE GRANTED WITHOUT GOOD AND SUFFICIENT REASONS. REQUESTS FOR POSTPONEMENTS MUST BE IN WRITING AND IN STRICT COMPLIANCE WITH RULE 2(b). NO POSTPONEMENTS WILL BE GRANTED WITHIN FIFTEEN (15) DAYS OF SCHEDULED HEARING DATE UNLESS IN FULL COMPLIANCE WITH RULE 2(c), COUNTY COUNCIL BILL NO. 59-79.

CASE NO. 91-324-SPHXA

TOWSON TOWN CENTER ASSOCIATES/  
MOBILE OIL CORP. - LESSEE

E/s York Rd., 350' S of c/l

Fairmount Avenue (831 Dulaney Valley  
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lease line; parking aisle; stacking;  
signs

SE-to amend SE in 66-263-X

6/17/91 - Z.C.'s Order DENYING

SPH & SE, GRANTING Variances w/restr.

*rep. of  
Counsel for  
Petitioner*  
*2/20/92  
PP'd to  
10/12/92 @  
10 am*  
ASSIGNED FOR:

THURSDAY, MARCH 12, 1992 AT 10:00 a.m.

cc: Wayne Finley - Towson Town Center Assoc. - Petitioner

Karen M. Mack - Mobil Oil Corp. - Lessee

Karen L. Plumer, Esquire - Counsel for Petitioner

Mr. David Wang

Ms. Janette McCarthy

Mr. Wes Guckert

~~People's Counsel for Baltimore County~~

P. David Fields

Pat Keller

Public Services

Lawrence E. Schmidt

Timothy M. Kotroco

James E. Dyer

W. Carl Richards, Jr.

Docket Clerk - Zoning

Arnold Jablon, Director of Zoning

Administration

*out per Shirley Hess  
1/23/92*  
LindaLee M. Kuszmaul

Legal Secretary



County Board of Appeals of Baltimore County

~~COUNTY OFFICE BUILDING, ROOM 315~~

~~111 W. CHESAPEAKE AVENUE~~

TOWSON, MARYLAND 21204

OLD COURTHOUSE  
ROOM 48

400 WASHINGTON AVE.

Hearing Room -

Room 48, Old Courthouse (301) 887-3180

400 Washington Avenue January 13, 1992

NOTICE OF ASSIGNMENT

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CASE NO. 91-324-SPHXA

TOWSON TOWN CENTER ASSOCIATES/  
MOBILE OIL CORP. - LESSEE  
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6/17/91 - Z.C.'s Order DENYING

SPH & SE, GRANTING Variances w/restr.

ASSIGNED FOR:

THURSDAY, MARCH 12, 1992 AT 10:00 a.m.

cc: Wayne Finley - Towson Town Center Assoc. - Petitioner  
Karen M. Mack - Mobil Oil Corp. - Lessee  
Karen L. Plumer, Esquire - Counsel for Petitioner  
Mr. David Wang  
Ms. Janette McCarthy  
Mr. Wes Guckert  
✓ People's Counsel for Baltimore County  
P. David Fields  
Pat Keller  
Public Services  
Lawrence E. Schmidt  
Timothy M. Kotroco  
James E. Dyer  
W. Carl Richards, Jr.  
Docket Clerk - Zoning  
Arnold Jablon, Director of Zoning  
Administration

LindaLee M. Kuszmaul  
Legal Secretary

RECEIVED  
MARCH 15 1992  
sh  
noted

P.C. not involved.  
Shirley  
Hess



# County Board of Appeals of Baltimore County

~~COUNTY OFFICE BUILDING, ROOM 315~~

~~111 W. CHESAPEAKE AVENUE~~

TOWSON, MARYLAND 21204

OLD COURTHOUSE

ROOM 49

400 WASHINGTON AVE.

Hearing Room -

Room 48, Old Courthouse

400 Washington Avenue

(301) 887-3180

January 13, 1992

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CASE NO. 91-324-SPHXA

TOWSON TOWN CENTER ASSOCIATES/  
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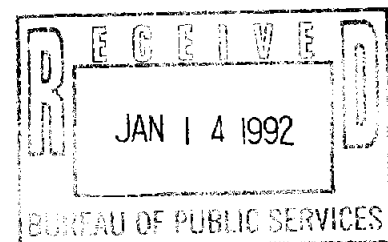
6/17/91 - Z.C.'s Order DENYING

SPH & SE, GRANTING Variances w/restr.

### ASSIGNED FOR:

THURSDAY, MARCH 12, 1992 AT 10:00 a.m.

cc: Wayne Finley - Towson Town Center Assoc. - Petitioner  
Karen M. Mack - Mobil Oil Corp. - Lessee  
Karen L. Plumer, Esquire - Counsel for Petitioner  
Mr. David Wang  
Ms. Janette McCarthy  
Mr. Wes Guckert  
People's Counsel for Baltimore County  
P. David Fields  
Pat Keller  
✓Public Services  
Lawrence E. Schmidt  
Timothy M. Kotroco  
James E. Dyer  
W. Carl Richards, Jr.  
Docket Clerk - Zoning  
Arnold Jablon, Director of Zoning  
Administration



LindaLee M. Kuszmaul  
Legal Secretary

*yes* ✓ *no* —

# FILE COPY

October 25, 1991

Arold Ripperger, Esquire  
P.O. Box 38189  
Baltimore, MD 21231-8189

Re: Case No. 91-324-SPHXA  
Towson Town Center

Dear Mr. Ripperger:

On September 20, this office provided you with a copy of the subject file in response to your telephone request.

To date, we have not yet received your check in the amount of \$34.00 for payment of same. Enclosed for your convenience is a copy of the invoice which was included with the above-referenced copies.

Your prompt attention to this matter would be most appreciated.

Very truly yours,

Kathleen C. Weidenhammer  
Administrative Assistant

Enclosure



County Board of Appeals of Baltimore County

COUNTY OFFICE BUILDING, ROOM 315  
111 W. CHESAPEAKE AVENUE  
TOWSON, MARYLAND 21204  
(301) 887-3180

**FILE COPY**

September 20, 1991

Arold Ripperger, Esquire  
P.O. Box 38189  
Baltimore, Maryland 21231-8189

**FILE COPY**

Re: Case No. 91-324-SPHXA (Towson Town Center)

Dear Mr. Ripperger:

Enclosed please find a copy of the subject case file as you requested. Copies of plats are also included. Attached is a bill for the total cost involved.

If I can be of any further assistance to you, please do not hesitate to contact me.

Sincerely,

A handwritten signature in dark ink, appearing to be "LindaLee M. Kuszmaul", written over a large, stylized number "51".

LindaLee M. Kuszmaul  
Legal Secretary

Enclosures

September 20, 1991

BILLED TO:

Arold Ripperger, Esquire  
P.O. Box 38189  
Baltimore, MD 21231-8189

Cost of copying file re: Case No. 91-324-SPHXA . . \$34.00

(Towson Town Center)

MAKE CHECK PAYABLE TO:

Baltimore County, Maryland

REMIT TO:

County Board of Appeals  
Room 315, County Office Building  
111 W. Chesapeake Avenue  
Towson, Maryland 21204

**CERTIFICATE OF POSTING**  
**ZONING DEPARTMENT OF BALTIMORE COUNTY**  
Towson, Maryland

91-234-SPHXA

District: 9th Date of Posting: 8/23/91  
Posted for: Appeal  
Petitioner: Towson Town Ctr. Assoc.  
Location of property: E/S Dulaney Valley Rd. 350' S/Fairmont Ave.  
831 Dulaney Valley Rd.  
Location of Signs: Facing Dulaney Valley Rd., approx. W. Fr. med way  
on property of Petitioner  
Remarks: \_\_\_\_\_  
Posted by: [Signature] Date of return: 9/30/91  
Number of Signs: 1

IN RE: \*  
TOWSON TOWN CENTER ASSOCIATES \* Case No. 91-324-SPH  
(Mobil Oil Corporation)  
831 Dulaney Valley Road) \*

MEMORANDUM IN SUPPORT OF INTEGRATION

Towson Town Center Associates and Mobil Oil Corporation ("Mobil") by and through undersigned counsel hereby submit this Memorandum in Support of Integration as requested by the Zoning Commissioner at the April 17, 1991 hearing on this matter.

I. BACKGROUND

In 1966 Towson Plaza, Inc., the owner of the Towson Plaza Shopping Center, filed a Petition for Special Exception ("Petition") with the Office of Planning and Zoning for Baltimore County, Maryland ("Office of Planning") for a filling station on a portion of its property consisting of .505 acres of land zoned B-M. Along with the Petition, Towson Plaza, Inc. submitted an as-built parking plan for Towson Plaza Shopping Center depicting the location of the filling station. The plan depicted the general service building for the filling station in the same manner as the stores in the Center. The Zoning Commissioner of Baltimore County (the "Zoning Commissioner"), finding that the Petition complied with all requirements of the Baltimore County Zoning Regulations (the "Zoning Regulations"), granted the Petition on June 3, 1966 (S.E. 66-263-X). At the time the Petition was granted, \$502.1 of

the Zoning Regulations was the only section of the regulations which applied to the approval of the Petition.

In 1967 the County Council of Baltimore County, Maryland adopted Bill No. 40 which divided Baltimore County into districts and established regulations for the development of automobile service stations. Bill No. 40, an emergency bill, was enacted on May 8, 1967 and became effective on the date of enactment. Since S.E. 66-263-X was already approved, the new provisions for development of automobile service stations did not affect its approval. However, Towson Plaza Shopping Center, including the area approved for the filling station, was assigned the C.T. District (Commercial-Town Center).

Cities Service Oil Company ("CITGO") entered into a Lease with Towson Plaza, Inc. on July 19, 1967 for the .505 acres for which S.E. 66-263-X was approved. Subsequent to the execution of the Lease, CITGO applied for building permits. Once the permits were issued by Baltimore County CITGO constructed a filling station on the subject property in accordance with its "Florida Design," that is, rather than having solid walls across the front and north sides of the general service building CITGO installed metal bars in the middle of these walls to permit fresh air to circulate throughout the station. In 1968 the station had three service bays, three pump islands and vending machines. Automotive accessories were also sold on site.

In 1981 Mobil took over CITGO's lease and installed new, modern fueling equipment and diesel pumps at the station.

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Additionally, recognizing that the "Florida Design" of the CITGO general service building was not appropriate for this area given the winter weather, Mobil removed the metal bars and installed a glass panel with doors for ingress and egress to the building. In the newly enclosed area, Mobil installed a Mobil Mart which seemed to be consistent with the existing operations (i.e. retail sale of automotive items and snacks). These were the only changes made to the station.

In December, 1990 Mobil sought permits to modernize and replace the station's existing pump islands, fueling equipment and canopies. Mobil was advised by the Office of Planning, however, that building permits would not be issued for the site because Mobil does not have approval for a food store of less than 5,000 square feet in combination with the gasoline station. The Office of Planning, upon review of Mobil's site plan, further advised Mobil that not only did it need a special exception for a combination use but also a special hearing to amend the site plan approved in 66-263-X and applicable variances. Therefore, Mobil filed the petitions which are the subject of this case.

II. INDIVIDUAL VERSUS INTEGRATED

The Zoning Regulations contain specific provisions which address the development of automobile service stations, including their locations. They enumerate where a gasoline station is permitted as of right and where a gasoline station is permitted by special exception. Further, they distinguish between gasoline

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stations located on individual sites and those located on integrated sites. There are different development criteria for each type of site. Therefore, to determine which standards apply to a given site, one must determine whether the site which is the subject of their proposal is an individual or integrated site.

Since "individual site" and "integrated site" are not defined in §101 of the Zoning Regulations, to determine whether a site is an individual or integrated site, one must look to §405.4 of the Zoning Regulations which addresses standards for individual sites. An individual site is defined therein as:

"Any service station not located in a planned shopping center, drive-in cluster, or industrial park, shall be considered as being situated on an individual site, unless it is located in a parking garage."

This language was adopted after 66-263-X was approved and there is no indication, either in the Zoning Regulations or Bill No. 40, that all sites approved prior to the enactment of Bill No. 40 are considered individual sites.

First, any service station not located in a planned shopping center, drive-in cluster or industrial park is an individual site.

A planned shopping center is defined as:

"An integral retail shopping development for which an overall plan has been approved by the Office of Planning and Zoning and which:

- a) is under common ownership and control
- b) has a site of at least three acres in net area
- c) has vehicular access to physically separate buildings on the site by means of interior service drives or ways, and
- d) has no more than two points of vehicular access from the site to public streets as follows:

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1. A planned shopping center may have one additional vehicular access point to a public street for each 250 feet of street frontage thereon in excess of 500 feet; and
2. A planned shopping center may have a greater number of vehicular access points than as defined above in an overall plan for such center has been approved by the Office of Planning and Zoning before the adoption of this definition, provided that the number of vehicular access points is not further increased after the adoption of this definition.

Upon review of this definition it is clear that the subject property is located in a planned shopping center. Towson Town Center is an integrated retail shopping development for which an overall plan was approved by the Office of Planning and Zoning and which has been periodically updated and revised. Additionally, Petitioner's proposal meets the other elements of the definition of planned shopping center.

1. Towson Town Center Associates owns and controls Towson Town Center including the site on which the Mobil station is located. Mobil merely leases the property from Towson Town Center Associates. The parcel is not subdivided from the remainder of the shopping center, but is delineated by a lease line only. All improvements to the station must be reviewed and approved by Towson Town Center Associates prior to commencement of the work. Along the same lines, if improvements are planned for the Center which may impact the station, such as extension of curbs or tree plantings, neither Mobil nor the dealer have any control over the improvements.

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For example, Towson Town Center Associates recently submitted a landscape plan for the entire shopping center including the subject site to Baltimore County for review and approval. Neither Mobil nor the dealer were consulted regarding this plan. Pat Keller of the Office of Planning submitted comments to the Commissioner dated April 23, 1991 which state, "In addition, since this property falls within the Greater Towson Town Center site, a previously approved landscape plan for that center would preclude the need for an additional plan for applicant's parcel." Mr. Keller's comment is indicative of an official view regarding the site, and supports our position that the site is part of Towson Town Center.

2. The entire shopping center is in excess of the three acres required.

3. There is vehicular access to physically separate buildings on site, including the Mobil station, by means of interior service drives or ways. Access to the station was planned as part of the original proposal for the entire center. As a matter of fact, the physical configuration of the site is conducive to the side pump island serving shopping center customers only.

4. Access from the site to public streets is in accordance with the regulations. The site plan has been submitted for review to several county agencies and committees, none of which had any adverse comments regarding access.

It is clear that the site meets the criteria for a planned shopping center and that the owners have treated the service

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station as part of the comprehensive planning of the shopping center. The building's orientation to Dulaney Valley Road is not sufficient reason to overcome the natural assumption that the site is part of the center. The Office of Planning assumed that the site was integrated when it deleted Mobil's area variance from its proposal because the area of the site was to be calculated according to Section 405.5(A)(1)(c). The only other option would have been to orient the building toward the shopping center, thereby having the rear of the building face Dulaney Valley Road. This orientation was, and is, undesirable since the station has repair bays and the cars awaiting repair and the ones in the midst of repair would then face Dulaney Valley Road at the main entrance to the shopping center. This situation would not be aesthetically pleasing.

Since the subject site is part of a constructed planned shopping center development it is not an individual site, and the automobile service station should be permitted by special exception because it is located in the B.M. Zone and in the C.T. District. Since the station is part of an integral planned development, §405.5 of the Zoning Regulations applies to the review of the Petitioner's requests.

III. FOOD STORES IN COMBINATION WITH AUTOMOBILE SERVICE STATIONS ARE PERMITTED IN PLANNED SHOPPING CENTERS LOCATED IN AN INTEGRAL PLANNED DEVELOPMENT

The Mobil station currently operates pursuant to S.E. 66-263-X which authorizes gasoline sales and automobile repair facilities at

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this site. Mobil installed a Mobil Mart on the subject site in 1981 without amending its site plan and obtaining the variances which were required. Since a food store is permitted in the B.M. Zone and the C.T. District and since §405.5 of the Zoning Regulations does not require a special exception for the combination use of a food store and gasoline station, Mobil only needs to amend its approved site plan and obtain the applicable variances. The Office of Planning advised Mobil, however, that all gasoline service stations with combination uses require a special exception. The Office of Planning cited §405.4(D), in support of their position even though it advised Mobil that its station is located on an integrated site. Section 405.5 which governs integrated sites does not address combination uses.

Zoning Ordinances may be subject to construction in order to ascertain their meaning and effect, and such construction is governed by the general rules applicable to the construction of statutes. 23 M.L.E. Zoning and Planning §12 (1962). It is presumed that the legislature was aware of the words it used and that it intended to use those words. *Jones v. Gordy*, 169 Md. 173, 180 A. 272 (1935). Construction of a statute is necessary only where the statute is ambiguous and of doubtful meaning, for if there is no ambiguity there is no need for construction. *Falcone v. Palmer Ford, Inc.*, 242 Md. 487, 219 A.2d 808 (1966). To ascertain the legislative intention, a statute should be construed as a whole and all parts thereof considered together. *Pennsylvania Nat. Mut. Cas. Ins. Co. v. Gantleman*, 288 Md. 151, 416 A.2d 734

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(1980). Further, "where a statute specifically provides for certain exclusions, others should not be lightly read therein by implication; if the legislature intends other exclusions it is so easy to add them to already named ones." State Insurance Commissioner v. Nationwide Mutual Insurance Co., 241 Md. 108, 215 A.2d 749 (1966). Department of Motor Vehicles v. Grayhound Lines, 247 Md. 662, 234 A.2d 255 (1967).

As to the issues confronting the Commissioner, Section 405.4 and 405.5 of the Zoning Regulations are not ambiguous and therefore should not be further construed. A review of the legislative history and the regulations reveals a definite intent of the County Council to control the development of automobile service stations due to a concern about the proliferation of gasoline stations, the maintenance and abandonment of the stations, undesirable strip development containing stations and the regulation of uses ancillary to the station. §405.1 Baltimore County Zoning Regulations. One of the stated purposes of the regulations is to permit the location of automotive service stations only in accordance with comprehensive planning goals, especially relating service stations to neighborhood, community or town centers.

Automobile service stations are permitted as of right under extremely limited circumstances. There is only one situation where an individual site is permitted as of right - in the C.S.A. District. The standards for individual sites are clearly set forth in §405.4 of the Zoning Regulations including what uses are permitted in combination by special exception. The clear intent of

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the Zoning Regulations is to regulate individual sites. Integrated sites are not as strictly regulated. For example, combination uses are not restricted. If the Council intended to restrict combination uses in integrated planned developments it would specifically prohibit them or limit them as in the preceding section. Where §405.5 of the Zoning Regulations contains frequent references to §405.4, there is no reference in §405.5 to provisions governing combination uses in §405.4 and no prohibition in §405.5 of combination uses. The County Council clearly limited its focus on combination uses to individual sites. This indicates that the Council considered combination uses and opted to limit them on individual sites and not limit them on integrated sites.

The Council, in the same legislation, did not address the issue regarding integrated sites. One cannot read into this provision what is not stated and conclude that combination uses are not permitted. "Integrated planned development" in the C.T. District, by definition, implies that there will be a mix of uses of a retail nature on one site. Since a Mobil Mart is a food store, it is an appropriate retail combination with the gasoline station, especially since it is an acceptable use in and of itself in the Zone and District.

#### IV. CONCLUSION

The subject site is located in a constructed planned shopping center and is therefore an integrated site according to the Zoning Regulations. As such, §405.5 of the Zoning Regulations applies and

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the Mobil Mart is permitted so long as the approved special exception site plan is amended and the appropriate variances are obtained.

Respectfully submitted,

LEVAN, SCHINKEL, RICHMAN, BELMAN,  
ARRANSON & SCANLAN, P.A.

*Karen L. Plumer*  
Karen L. Plumer  
Woodmere I, Suite 400  
9881 Broken Land Parkway  
Columbia, Maryland 21046  
(301) 381-6000  
Attorney for Petitioner

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IN RE: PETITIONS FOR SPECIAL HEARING • BEFORE THE  
SPECIAL EXCEPTION & VARIANCE • ZONING COMMISSIONER  
E/S York Road, 350 ft. S of •  
c/1 of Fairmount Avenue • OF BALTIMORE COUNTY  
831 Dulany Valley Road •  
9th Election District •  
4th Councilmanic District • CASE # 91-324-SPHXA  
Legal Owner: •  
Townson Town Center Associates •  
Lessee: Mobil Oil Corp. •  
Petitioners •

#### FINDINGS OF FACTS AND CONCLUSIONS OF LAW

The Petitioners herein request, pursuant to the Petition for Special Exception permission to use the herein described property for a food store with less than 5,000 sq. ft. of retail sales area in combination with a gasoline service station pursuant to Section 405.5.C. of the Baltimore County Zoning Regulations (B.C.Z.R.) and, pursuant to the Petition for Zoning Variance, a variance from section 409.10 to permit two waiting spaces located near the east property line to extend over the lease line for the subject property by 4-1/2 ft.; a variance from section 409.4(C) to permit an interior parking aisle of 5 to 8 ft. between the waiting spaces and the parking spaces rather than the required 22 ft.; a variance from section 405.5(A)(3) to permit the stacking and circulation reflected on the proposed site plan; a variance from section 413.2 to allow a total signage area of 294.1 sq. ft. instead of the permitted 100 sq. ft. and to allow thirteen free-standing signs instead of three; and, pursuant to the Petition for Special Hearing, an amendment to the special exception granted in case No. 66-263-X, as more particularly described on Petitioners' Exhibit No. 1.

The Petitioners were represented by Karen L. Plumer, Esquire. Appearing on behalf of the Petitioners were Charles Edwards, Manager of the sub-

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By *Ch. Edwards*

ject service station, Karen Mack, Senior Real Estate Representative for Petitioners, David Wang, Professional Engineer and Wes Guckert, Traffic Consultant. There were no Protestants.

Testimony indicated that the subject property known as 831 Dulany Valley Road, consists of .60 acres +/-, zoned B.M.-C.T. and is currently improved with the subject automobile service station.

In 1966, pursuant to zoning case No. 66-263-X, Townson Plaza, Inc., the owner of Townson Plaza Shopping Center, was granted a special exception for a filling station on the subject site. With the filing of the Petition, Townson Plaza, Inc., submitted a parking plan for the Townson Plaza Shopping Center depicting the location of the filling station. The plan depicted the general service building for the filling station in the same manner as the stores in the Center.

In 1967 the County Council of Baltimore County, Maryland adopted Bill No. 40 which divided Baltimore County into districts and established regulations for the development of automobile service stations. Bill No. 40, an emergency bill, was enacted on May 8, 1967 and became effective on the date of enactment. Since special exception case No. 66-263-X was already approved, the new provisions for development of automobile service stations did not affect its approval. However, Townson Plaza Shopping Center, including the area approved for the filling station, was assigned the C.T. District (Commercial-Town Center).

Cities Service Oil Company ("CITGO") entered into a Lease with Townson Plaza, Inc. on July 19, 1967 for the .505 acres for which S.E. 66-263-X was approved. Subsequent to the execution of the Lease, CITGO applied for building permits. Once the permits were issued by Baltimore County, CITGO constructed a filling station on the subject property in accordance with its

"Florida Design", that is, rather than having solid walls across the front and north sides of the general service building CITGO installed metal bars in the middle of these walls to permit fresh air to circulate throughout the station. In 1968, the station had three service bays, three pump islands and vending machines. Automotive accessories were also sold on site.

In 1981, Mobil took over CITGO's lease and installed new, modern fueling equipment and diesel pumps at the station. Additionally, recognizing that the "Florida Design" of the CITGO general service building was not appropriate for this area given the winter weather, Mobil removed the metal bars and installed a glass panel with doors for ingress and egress to the building. In the newly enclosed area, Mobil installed a Mobil Mart which included the retail sale of automotive items and snacks. The testimony indicated that these were the only changes made to the station.

In December, 1990 Mobil sought permits to modernize and replace the station's existing pump islands, fueling equipment and canopies. Mobil was advised by the Office of Planning and Zoning, however, that building permits would not be issued for the site because Mobil does not have approval for a food store of less than 5,000 sq. ft. in combination with the gasoline station. The Office of Planning and Zoning, upon review of Mobil's site plan, further advised Mobil that not only did it need a special exception for a combination use but also a special hearing to amend the site plan approved in 66-263-X and applicable variances. Therefore, Mobil filed the petitions which are the subject of this case.

Clearly, the requested use (food store of less than 5,000 sq. ft. in combination with a gasoline station) is not permitted in the C.T. district. Therefore, the subject food store in combination with the automobile service station use is a nonconforming use and as such, is governed by the require-

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By *Ch. Edwards*

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ments of Sections 104 and 405.8.A of the B.C.Z.R. The Petitioners essentially contend that Section 405.8.A permits the requested expansion or reconstruction of the subject gas station and any ancillary uses listed in Section 405.4.C. Section 405.8.A states in part that:

"Notwithstanding other provisions of these zoning regulations to the contrary, any automotive-service station which legally existed on December 31, 1967, and which has not lost its permitted status by reason of the termination of a special exception applying thereto shall be governed by the provisions of the following paragraph:"

A. Subject to the provisions of paragraph C, below, the main structure of any such automotive-service station may be expanded or reconstructed and any ancillary uses listed in paragraph 405.4.C may be added to all such expansion, reconstruction, or addition of uses: is either confined to the limits of the site as it existed on December 31, 1967 or to an expanded site as approved under Paragraph B . . . ."

Clearly, the food mart that is currently located on the subject site is not one of the permitted ancillary uses considered under Section 405.C. Section 405.4.D clearly defines those uses that are permitted as "uses in combination with service stations". Part 8 of said section addresses food stores with less than 5,000 square feet of retail sales area. Clearly, such uses were not contemplated as ancillary uses under Section 405.4.C. Upon a careful review of the aforementioned sections, the inescapable conclusion is that under the plain wording of said sections, the proposed food mart is a "use in combination" and principal use (See definition of Accessory Use in Section 101, B.C.Z.R.) and, therefore, not a permitted ancillary use under Section 405.4.C.

The Petitioner argues that the subject food store in combination with the automobile service station is a use permitted in a planned shopping center located in an integral planned development pursuant to Section

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405.5.C. However, as mentioned above, the subject use is clearly not an "ancillary use" as that term is used in the B.C.Z.R., and Section 405.5 clearly does not permit uses in combination in conjunction with an integrated planned development. Further, a reading of Section 405.2.A.1, clearly, demonstrates that the B.C.Z.R. does not permit automotive service stations on individual sites in the C.T. districts. Section 405.2.A.1 reads in pertinent, as follows:

"Locations in which automotive-service stations are permitted as of right and by special exception:

A. Where permitted as of right. Notwithstanding other sections of these regulations, an automotive-service station shall be permitted without a special exception if the site of such use is located, alternatively:

1. In a constructed or partially constructed permitted planned shopping center, provided: that no part of the site of the service station lies within a C.T. district. . . ."

In view of the above, the Petitions for Special Exception and Special Hearing must be denied.

The property was originally developed as a service station in 1966. In 1981, a food store was added to the service station, which created a use in combination, which has continued until present. There has been no evidence of any detriment to the health, safety or general welfare of this community. Unfortunately, with the current status of the regulations, the only way the Petitioner may legally operate the subject use on this site is to redistrict the C.T. district to a C.S.A. district through the next rezoning and redistricting process. In view of the specific facts and circumstances of this case, the Petitioner will be permitted to continue the subject use until January 1, 1994. However, at such time, if the subject site is still zoned C.T., the Petitioner must cease and desist the use in combination with

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By *Ch. Edwards*

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the food store at that time. However, the automotive service station would be permitted to continue.

The Petitioner has also requested the aforementioned variance relief.

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. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the Petitioner must meet the following:

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

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

It is clear from the testimony that if the 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 good.

After due consideration of the testimony and evidence presented, it is clear that a practical difficulty or unreasonable hardship would result if the variances were not granted. It has been established that the requirements 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.

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Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the variance relief requested should be granted.

IT IS THEREFORE ORDERED by the Zoning Commissioner for Baltimore County, this 17<sup>th</sup> day of June, 1991 that Petition for Special Exception for permission to use the herein described property for a food store with less than 5,000 sq. ft. of retail sales in combination with a gasoline service station pursuant to Section 405.5.C. of the Baltimore County Zoning Regulations (B.C.Z.R.), in accordance with Petitioners' Exhibit No. 1, is hereby DENIED; and,

IT IS FURTHER ORDERED that, pursuant to the Petition for Special Hearing, an amendment to the special exception granted in case No. 66-263-X, is hereby DENIED; and,

IT IS FURTHER ORDERED that the Order in case No. 66-263-X is and will remain in effect, except as modified herein; and,

IT IS FURTHER ORDERED that, pursuant to the Petition for Zoning Variance, a variance from section 409.10 to permit two waiting spaces located near the east property line to extend over the lease line for the subject property by 4-1/2 ft. is hereby GRANTED; and,

IT IS FURTHER ORDERED that a variance from section 409.4(C) to permit an interior parking aisle of 5 to 8 ft. between the waiting spaces and the parking spaces rather than the required 22 ft. is hereby GRANTED; and,

IT IS FURTHER ORDERED that a variance from section 405.5(A)(3) to permit the stacking and circulation reflected on the proposed site plan is hereby GRANTED; and,

IT IS FURTHER ORDERED that a variance from section 413.2 to allow a total signage area of 294.1 sq. ft. instead of the permitted 100 sq. ft. and

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to allow thirteen free-standing signs instead of three, in accordance with Petitioners' Exhibit No. 1, is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted herein:

1. The Petitioners may apply for its building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at its 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.

IT IS FURTHER ORDERED that the Petitioners shall cease and desist the operation of the subject use, specifically, the food store with less than 5,000 sq. ft. of retail sales area in combination with the subject gasoline service station on January 1, 1994 should the Petitioners fail to acquire C.S.A. district zoning for the subject site on or before that time.

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

JRH:mmm  
cc: Peoples Counsel

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111 West Chesapeake Avenue  
Towson, MD 21204

887-3353

June 14, 1991

Karen L. Plumer  
Attorney at Law  
Woodmere I, Suite 400  
9881 Broken Land Parkway  
Columbia, Maryland 21046

RE: Case No. 91-324-SPHXA  
Petitions for Special Hearing, Special Exception and Zoning Variance  
Towson Town Center Associates, Legal Owner  
Mobil Oil Corp., Lessee, Petitioners

Dear Ms. Plumer:

Enclosed please find the decision rendered in the above captioned case. The Petitions for Special Hearing, Special Exception and Zoning Variance have been granted, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3391.

Very truly yours,

J. Robert Haines  
J. Robert Haines  
Zoning Commissioner

JRH:mmm  
cc: Peoples Counsel  
cc: Mr. Charles Edwards  
cc: Mr. David Wang  
cc: Mr. Wes Guckert  
cc: Ms. Karen Mack

## PETITION FOR SPECIAL HEARING

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY: 91-324-SPHXA

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 amended plan for Special Exception No. 66-263-X.

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

I, or we, agree to pay expenses of the 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 Lessee:**  
Mobil Oil Corporation  
(Type or Print Name)  
Karen L. Plumer  
Signature Karen L. Plumer  
8330 Boone Boulevard, Suite 520  
Vienna, Virginia 22182  
City and State

**Legal Owner(s):**  
Towson Town Center Associates  
(Type or Print Name)  
Wayne Finley  
Signature Wayne Finley  
Vice President, Development Division  
(Type or Print Name)  
Signature

**Attorney for Petitioner:**  
c/o Ernest W. Hahn, Inc.  
706 C Fairmont Avenue  
Towson, MD 21204 301-494-8772  
City and State

Name, address and phone number of legal owner, contract purchaser or representative to be contacted  
Karen L. Plumer  
Name  
Columbia, MD 21046  
City and State

(See Atty. for Petitioner) 381-6000  
Address Phone No.

ORDERED By The Zoning Commissioner of Baltimore County, this 15 day of June, 1991, 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 104, County Office Building in Towson, Baltimore County, on the 17 day of June, 1991, at 9:30 o'clock A.M.

J. Robert Haines  
Zoning Commissioner of Baltimore County

## PETITION FOR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY: 91-324-SPHXA

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 a gasoline service station pursuant to Section 405.5C of the Baltimore County Zoning Regulations.

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 Lessee:**  
Mobil Oil Corporation  
(Type or Print Name)  
Karen L. Plumer  
Signature Karen L. Plumer  
8330 Boone Boulevard, Suite 520  
Vienna, Virginia 22182  
City and State

**Legal Owner(s):**  
Towson Town Center Associates  
(Type or Print Name)  
Wayne Finley  
Signature Wayne Finley  
Vice President, Development Division  
(Type or Print Name)  
Signature

**Attorney for Petitioner:**  
c/o Ernest W. Hahn, Inc.  
706 C Fairmont Avenue  
Towson, MD 21204 301-494-8772  
City and State

Name, address and phone number of legal owner, contract purchaser or representative to be contacted  
Karen L. Plumer  
Name  
Columbia, MD 21046  
City and State

(See Atty. for Petitioner) 381-6000  
Address Phone No.

ORDERED By The Zoning Commissioner of Baltimore County, this 15 day of June, 1991, 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 104, County Office Building in Towson, Baltimore County, on the 17 day of June, 1991, at 9:30 o'clock A.M.

J. Robert Haines  
Zoning Commissioner of Baltimore County

B.C.G.-5b.1

(over)

## PETITION FOR ZONING VARIANCE

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY: 91-324-SPHXA

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 See attached.

The undersigned, legal owner(s) of the property situate in Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (Indicate hardship or practical difficulty)

(See Attached)

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 Lessee:**  
Mobil Oil Corporation  
(Type or Print Name)  
Karen L. Plumer  
Signature Karen L. Plumer  
8330 Boone Boulevard, Suite 520  
Vienna, Virginia 22182  
City and State

**Legal Owner(s):**  
Towson Town Center Associates  
(Type or Print Name)  
Wayne Finley  
Signature Wayne Finley  
Vice President, Development Division  
(Type or Print Name)  
Signature

**Attorney for Petitioner:**  
Karen L. Plumer  
(Type or Print Name)  
Karen L. Plumer  
Signature Karen L. Plumer  
Woodmere I, Suite 400  
9881 Broken Land Parkway  
Columbia, MD 21046  
City and State

**Attorney for Petitioner:**  
c/o Ernest W. Hahn, Inc.  
706 C Fairmont Avenue  
Towson, MD 21204 301-494-8772  
City and State

Name, address and phone number of legal owner, contract purchaser or representative to be contacted  
Karen L. Plumer  
Name  
Columbia, MD 21046  
City and State

(See Atty. for Petitioner) 381-6000  
Address Phone No.

ORDERED By The Zoning Commissioner of Baltimore County, this 15 day of June, 1991, 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 104, County Office Building in Towson, Baltimore County, on the 17 day of June, 1991, at 9:30 o'clock A.M.

J. Robert Haines  
Zoning Commissioner of Baltimore County

(over)

## PETITION FOR ZONING VARIANCES

(Continued)

VARIANCES REQUESTED

1. A variance from §409.10 of the Baltimore County Zoning Regulations to permit two waiting spaces located near the east property line to extend over the lease line for the subject property by 4-1/2 feet.
2. A variance from §409.4(c) of the Baltimore County Zoning Regulations to permit an interior parking aisle of 5 to 8 feet between the waiting spaces and the parking spaces rather than the required 22 feet.
3. A variance from §405.5(A)(3) of the Baltimore County Zoning Regulations to permit the stacking and circulation reflected on the proposed site plan.
4. A variance from §413.2 of the Baltimore County Zoning Regulations to allow a total signage area of 294.1 square feet instead of the permitted 100 square feet, and to allow thirteen free-standing signs instead of three.

30TX054.LCD

## PRACTICAL DIFFICULTY

Applicant requests these variances because strict compliance with the above-referenced Baltimore County Zoning Regulations would result in practical difficulty to the Applicant. Due to the size of the site and the configuration of the previously approved improvements, i.e., the pump islands and general service buildings, the Applicant is physically unable to comply with the waiting space requirements, the circulation requirements and the aisle requirements of the Baltimore County Zoning Regulations. The sign variances are required to ensure the legibility of the signs to passing motorists and to appropriately advertise its products. It should be noted that the currently existing freestanding signage is 301 sq.ft.

30tx054.lcd  
3dtx 011591

91-324-SPHXA



LEVAN, SCHIMEL, RICHMAN, BELMAN, ABRAMSON & SCANLAN, P.A.

ATTORNEYS AT LAW

DAVID M. ABRAMSON  
EDWARD J. BAINES  
P. DENNIS BELMAN  
COURTNEY A. BLAIR  
BENJAMIN A. COPE  
DAVID R. EMBERTH  
SAMUEL L. HIRSH  
ELLEN L. KOPLOW  
ROBERT H. LEVAN  
THOMAS J. MALONEY  
RONALD E. MCCARTHY  
CAROL R. O'NEILL

WOODMERE I, SUITE 400  
9801 BROKEN LAND PARKWAY  
COLUMBIA, MARYLAND 21046  
WASHINGTON (301) 596-2200  
BALTIMORE (301) 581-6000  
FAX (301) 581-6430

LAUREL LAKES EXECUTIVE PARK  
5431 CHERRY LANE  
LAUREL, MARYLAND 20707  
WASHINGTON (202) 953-8888  
BALTIMORE (410) 793-7841

KAREN L. PLUMER  
J. PETER PUGLIA  
GERALD M. RICHMAN  
JILL S. ROBINSON  
ALFRED L. SCANLAN, JR.  
RONALD A. SCHIMEL  
DAVID R. SONNENBERG  
OF COUNSEL  
BRIAN E. FROSH  
RICHARD M. WEINTRAUB  
DIRECT DIAL 301-512-6733

April 26, 1991

Mr. J. Robert Haines, Zoning Commissioner  
Room 109  
111 West Chesapeake Avenue  
Towson, Maryland 21204

Re: Case No.: 91-324-SPHXA  
Item No.: 289  
Petitioner: Towson Town Center Associates

Dear Commissioner Haines:

Please find enclosed Petitioner's Memorandum in Support of  
Integration in the referenced matter.

Sincerely,

*Karen L. Plumer*  
Karen L. Plumer

KLP/lad  
Enclosure  
301t207.lad  
261-58

RECEIVED  
APR 29 1991  
ZONING OFFICE

LEVAN, SCHIMEL, RICHMAN, BELMAN, ABRAMSON & SCANLAN, P.A.

ATTORNEYS AT LAW

DAVID M. ABRAMSON  
EDWARD J. BAINES  
P. DENNIS BELMAN  
COURTNEY A. BLAIR  
BENJAMIN A. COPE  
DAVID R. EMBERTH  
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RONALD A. SCHIMEL  
DAVID R. SONNENBERG  
OF COUNSEL  
BRIAN E. FROSH  
RICHARD M. WEINTRAUB  
DIRECT DIAL 301-512-6733

July 16, 1991

Mr. J. Robert Haines  
Zoning Commissioner of Baltimore County  
111 West Chesapeake Avenue  
Towson, Maryland 21204

Re: Case No. 91-324-SPHXA  
Petitions for Special Hearing,  
Special Exception and Variance  
8/8 York Road, 350 ft. south of Fairmount Avenue,  
831 Dulany Valley Road  
9th Election District  
4th Councilmanic District  
Legal Owner: Towson Town Center Associates  
Lessee: Mobil Oil Corporation, Petitioners

Dear Mr. Haines:

Towson Town Center Associates and Mobil Oil Corporation, owner  
and lessee, respectively, of 831 Dulany Valley Road, Towson,  
Maryland, the property which is the subject of the referenced  
hearings, hereby appeal a portion of the Zoning Commissioner's  
June 17, 1991 Findings of Facts and Conclusions of Law in the  
referenced matter. Towson Town Center Associates and Mobil Oil  
Corporation ("Appellants") specifically appeal the following  
determinations of the Zoning Commissioner appearing on page 7 of  
the aforementioned Findings of Facts and Conclusions of Law:

"... that Petition for Special Exception for permission  
to use the herein described property for a food store  
with less than 5,000 square feet of retail sales in  
combination with a gasoline service station pursuant to  
section 405.5.C of the Baltimore County Zoning  
Regulations (B.C.Z.R.), in accordance with Petitioner's  
Exhibit No. 1 is hereby DENIED; and

IT IS FURTHER ORDERED that, pursuant to the Petition  
for Special Hearing, an amendment to the special  
exception granted in case No. 66-263-X, is hereby DENIED;  
and,..."

*CPB  
7/16/91  
Peg Johnson*

TPCC Towson Park Community Corporation  
P.O.Box 36542 Baltimore, Maryland 21286

J. Robert Haines  
Zoning Commissioner  
Baltimore County  
111 W. Chesapeake Avenue  
Towson, MD. 21204

April 9, 1991

Dear Mr. Haines,

I am writing in reference to the request for variance for the Mobil  
Station at Towson Town Center (Item #289 Case 91-324-SPHXA).

We would like to see a limit to the visual clutter in this general  
area and at this location specifically. We feel that nearly three  
(3) times the allowed signage area and more than four (4) times the  
number of allowed free standing signs is excessive and unnecessary.  
If permitted the only remedy for other merchants who would be  
forced to compete with this visual noise would be to petition for  
goal. Obviously this would not be in any one's best interest.

Therefore, it is our sincere belief that unless compelling reasons  
can be given (other than bigger is better) that at least the  
signage variances be denied.

Please keep our community informed of any additional information.  
Please keep our community's views in mind when making this  
decision.

Very truly yours,  
*Joseph L. Jenkins*  
Joseph L. Jenkins  
President  
Towson Park Community Corp.

The Greater Towson Council of Community Assoc

Stephen W. Loferty, President  
6002 Beverly Road  
Baltimore, Maryland 21239  
phone - (410) 377-4521 (C) 687-7878

April 15, 1991

The Honorable J. Robert Haines  
Zoning Commissioner, Baltimore County  
111 West Chesapeake Avenue  
Towson, Maryland 21204

Re: Special Hearing and Special Exception regarding Mobil  
Oil Corporation, 831 Dulany Valley Road, Towson,  
Maryland

Dear Commissioner Haines:

I am writing on behalf of The Greater Towson Council of  
Community Associations, Inc. ("GTCCA"), an umbrella organization  
of 27 community groups in the Towson area. I am writing to comment  
on the request for the variances by the Mobil Oil Corporation at  
the above-identified location.

Representatives of Mobil Oil Corporation contacted me in  
February, 1991, soliciting GTCCA's comments and thoughts regarding  
their request. Subsequently, counsel for Mobil Oil Corporation  
contacted me for our input and thoughts regarding their proposal.  
In turn, various members of GTCCA have reviewed the plans and  
variance requests. Site visits have also been made.

Although the applicant made offers and overtures to meet with  
us and discuss the presentation, we have been unable to take advan-  
tage of this offer. We commend Mobil Oil Corporation, however, for  
its efforts to involve the community in the process before the  
formal hearing.

As a result of our review, please be advised that GTCCA does  
not oppose the request for variances from Sections 409.10, 409.4(C)  
or 405.5(A)(3) of the Baltimore County Zoning Regulations. We  
believe that the current operation functions well on the site and  
that these variances should be granted.

However, we do have serious reservations regarding the request  
for variance from Section 413.2 to permit a total signage area of  
nearly three times the permitted square footage and for more than

RECEIVED  
APR 16 1991  
ZONING OFFICE

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

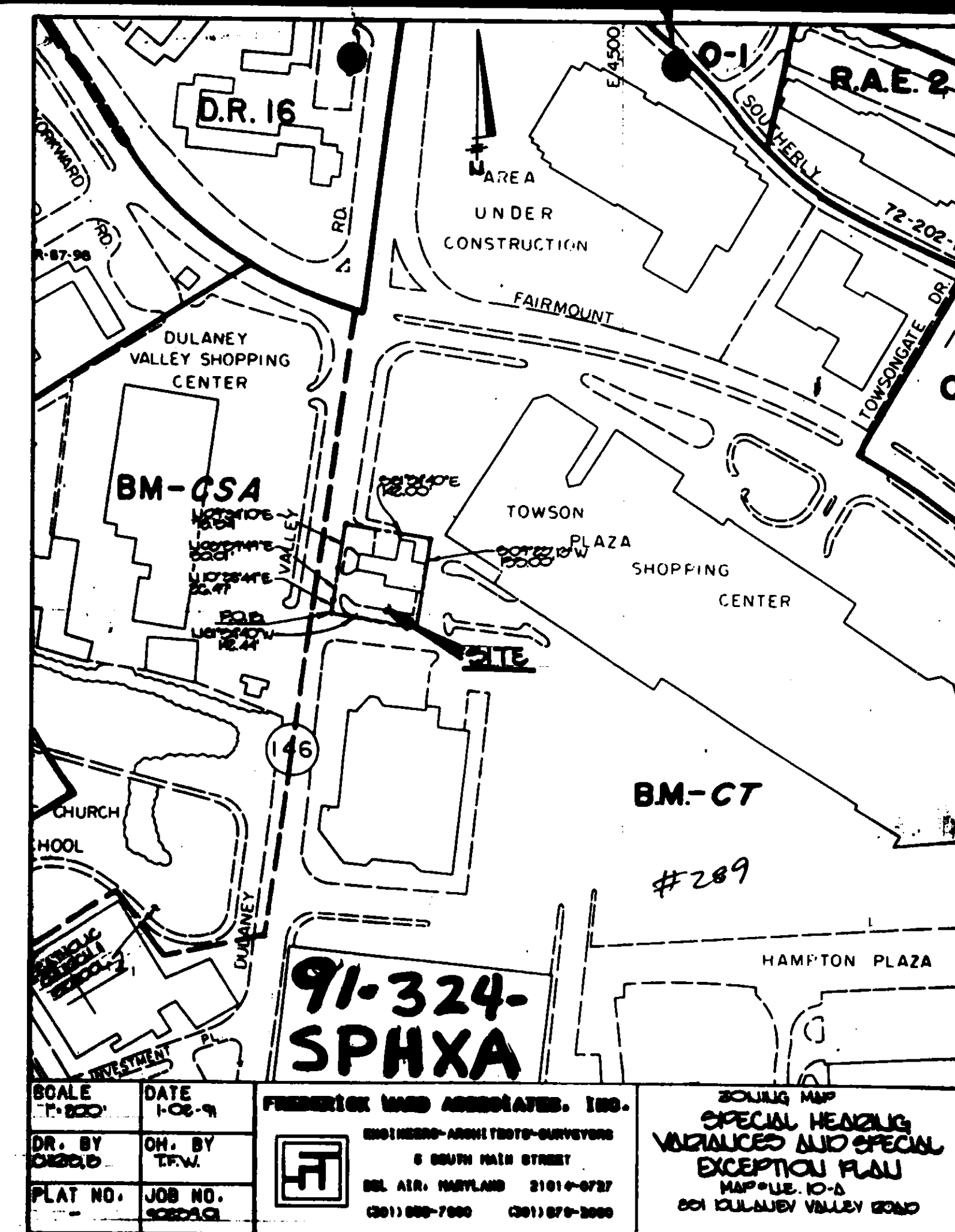
91-324  
SPHXA

NAME  
DAVID WANG

ADDRESS  
FREDERICK WARD ASSOCIATES, INC.  
55 MAIN ST., BALTIMORE, MD 21014

*Karen Mack*  
*Joseph L. Jenkins*  
*Ben Jenkins*  
*Wes Guckert*  
*Mark (and)*

341 Overlea Place; Abingdon, MD  
304 Southside Community Assoc.  
3140 Tanager Ln. Baltimore, MD 21245  
The Towson Council of Community Associations  
5076 680 4th Chesapeake Ave. Towson  
Towson Town Center 831 Dulany Valley Road



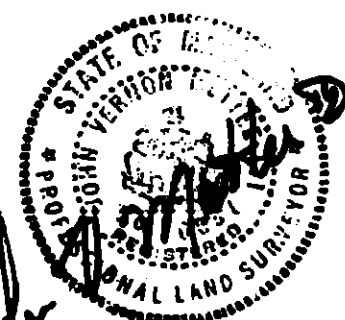
Frederick Ward Associates Inc. Engineers • Architects • Surveyors  
P.O. Box 310 • 5 South Main Street, Bel Air, Maryland 21014 • (301) 838-7900 • 878-2080

JANUARY 2, 1991

Description for Special Exception, 831 Dulaney Valley Road, 0.505 acre parcel of land surveyed for Mobil Oil Corporation, located and situated in Towson, Maryland, the Ninth Election District of Baltimore County, Maryland.

BEGINNING for the same at a point on the east right-of-way line of Dulaney Valley Road, as now surveyed, thence,

- 1) South 81°54'40" East 142.00 feet,
- 2) South 09°23'13" West 155.00 feet,
- 3) North 81°54'40" West 142.44 feet to a point on the right-of-way of Dulaney Valley Road,
- 4) North 10°32'44" East 26.47 feet,
- 5) North 08°59'49" East 50.01 feet,
- 6) North 09°34'10" East 78.54 feet to the point of beginning.



91-324-SPHXA

CERTIFICATE OF POSTING  
BALTIMORE COUNTY  
TOWSON, MARYLAND

91-324-SPHXA

Number: 91-324-SPHXA Date of Posting: 3/21/91  
Posted for: Special Exception, 831 Dulaney Valley Road, 0.505 acre parcel of land surveyed for Mobil Oil Corporation, located and situated in Towson, Maryland, the Ninth Election District of Baltimore County, Maryland.  
Location of property: 831 Dulaney Valley Road, Bel Air, Maryland 21014  
Location of Sign: 831 Dulaney Valley Road, Bel Air, Maryland 21014  
Number of Signs: 1  
Date of return: 3/21/91

CERTIFICATE OF PUBLICATION

TOWSON, MD. 3-24-1991

THIS IS TO CERTIFY, that the annexed advertisement was published in TOWSON TIMES, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 3-20-1991.

TOWSON TIMES,

S. Zake Olson  
Publisher

\$ 129.25

CERTIFICATE OF PUBLICATION

TOWSON, MD. 3-24-1991

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 3-20-1991.

THE JEFFERSONIAN,

S. Zake Olson  
Publisher

\$ 129.25

Baltimore County  
Zoning Commission  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204

Account: R-001-6180  
Number: 91-324-SPH

receipt

3/22/91

M9100842

REVISED PUBLIC HEARING FEES QTY PRICE  
110 - REVISIONS (ALL OTHERS) 1 X \$75.00  
TOTAL: \$75.00  
LAST NAME OF OWNER: MOBILE OIL CO.

Please Make Checks Payable To: Baltimore County, Maryland  
DA40480051MCHRC  
BA 002150P03-22-91 \$75.00

Baltimore County  
Zoning Commission  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204

Account: R-001-6180  
Number: 91-324-SPHXA

91-324-SPHXA

8/21/91 49205016

APPEAL FEES QTY PRICE  
120 - OF A SPECIAL EXC. ORDER 1 X \$175.00  
140 - OF ALL OTHER ORDERS 1 X \$125.00  
150 - POSTING SIGNS / ADVERTISING 1 X \$25.00  
TOTAL: \$325.00  
LAST NAME OF OWNER: MOBILE OIL CO.

DA40480064MCHRC \$325.00  
BA 002124P08-21-91  
Please Make Checks Payable To: Baltimore County

Baltimore County  
Zoning Commission  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204

Account: R-001-6180  
Number: 91-324

91-324

4/17/91 M9100850

PUBLIC HEARING FEES QTY PRICE  
160 - POSTING SIGNS / ADVERTISING 1 X \$204.25  
TOTAL: \$204.25  
LAST NAME OF OWNER: MOBILE OIL CO.

Please Make Checks Payable To: Baltimore County, Maryland  
DA40480051MCHRC \$204.25  
BA 002150P03-22-91

111 West Chesapeake Avenue  
Towson, MD 21204

887-3353

DATE: 4-5-91

Mobil Oil Corporation  
8330 Rome Boulevard, #520  
Vienna, Virginia 22182

ATTN: KAREN L. PLUMER

RE: Case Number: 91-324-SPHXA  
831 Dulaney Valley Road, 0.505 acre parcel of land surveyed for Mobil Oil Corporation, located and situated in Towson, Maryland, the Ninth Election District of Baltimore County, Maryland.  
Legal Owner(s): Towson Town Center Associates  
Lessee: Mobil Oil Corporation  
HEARING: WEDNESDAY, APRIL 17, 1991 at 9:30 a.m.

Dear Petitioner(s):

Please be advised that \$ 204.25 is due for advertising and posting of the above captioned property.

THIS FEE MUST BE PAID AND THE HEARING SIGN & POST SIGN(S) RETURNED ON THE DAY OF THE HEARING ON THE ORDER MAIL, NOT LATER. DO NOT REMOVE THE SIGN & POST SIGN(S) FROM THE PROPERTY UNTIL THE DAY OF THE HEARING.

Please make your check payable to Baltimore County, Maryland. Bring the check and the sign & post sign(s) to the Hearing Office, County Office Building, 111 W. Chesapeake Avenue, Room 113, Towson, Maryland fifteen (15) minutes before your hearing is scheduled to begin.

J. Robert Haines

J. ROBERT HAINES  
ZONING COMMISSIONER  
BALTIMORE COUNTY, MARYLAND

cc: Karen L. Plumer, Esq.

111 West Chesapeake Avenue  
Towson, MD 21204

887-3353

February 26, 1991

NOTICE OF HEARING

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 21204 as follows:

Case Number: 91-324-SPHXA  
831 Dulaney Valley Road, 0.505 acre parcel of land surveyed for Mobil Oil Corporation, located and situated in Towson, Maryland, the Ninth Election District of Baltimore County, Maryland.  
Legal Owner(s): Towson Town Center Associates  
Lessee: Mobil Oil Corporation  
HEARING: WEDNESDAY, APRIL 17, 1991 at 9:30 a.m.

Special Exception: A food store with less than 5,000 sq. ft. of retail sales area in combination with a gasoline service station.  
Variance to permit two waiting spaces located near the east property line to extend over the lease line for the subject property by 4-1/2 ft.; to permit an additional parking space of 5 to 8 ft. between the waiting spaces and the parking space rather than the required 20 ft.; to permit the shading and circulation reflected on the proposed site plan; and to allow a total signage area of 254 sq. ft. instead of the permitted 180 sq. ft., and to allow thirteen free-standing signs instead of three.  
Special Hearing: An amended plan for Special Exception No. 66-263-1.

J. Robert Haines

J. ROBERT HAINES  
Zoning Commissioner of  
Baltimore County

cc: Towson Town Center Associates, c/o Ernest W. Hahn, Inc.  
Mobil Oil Corporation  
Karen L. Plumer

111 West Chesapeake Avenue  
Towson, MD 21204

April 2, 1991

887-3353

Karen L. Plumer, Esquire  
Woodmere I, Suite 400  
9681 Broken Land Parkway  
Columbia, MD 21046

RE: Item No. 289, Case No. 91-324-SPHXA  
Petitioner: Towson Town Center, et al  
Petition for Zoning Variance and  
Special Exception and Special Hearing

Dear Ms. Plumer:

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

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

IT WOULD BE APPRECIATED IF YOU WOULD RETURN YOUR WRITTEN COMMENTS TO MY OFFICE, ATTENTION JULIE WINKELSKI. IF YOU HAVE ANY QUESTIONS REGARDING THIS, PLEASE CONTACT HER AT 867-3391.

Very truly yours,

J. Robert Haines  
Chairman  
Zoning Plans Advisory Committee

JED:jw

Enclosures

cc: Mr. Wayne Finley  
Towson Town Center Associates  
c/o Ernest W. Hahn, Inc.  
706 G. Fairmount Avenue  
Towson, MD 21204

111 West Chesapeake Avenue  
Towson, MD 21204

887-3353

Your petition has been received and accepted for filing this 13th day of February, 1991.

J. Robert Haines  
J. ROBERT HAINES  
ZONING COMMISSIONER

Received By:

J. Robert Haines  
Chairman  
Zoning Plans Advisory Committee

Petitioner: Towson Town Center Associates, et al

Petitioner's Attorney: Karen L. Plumer



**Maryland Department of Transportation  
State Highway Administration**

O. James Lighthizer  
Secretary  
Hal Kassoff  
Administrator

February 11, 1991

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

Re: Baltimore County  
Mobil Oil Corporation  
Zoning Meeting of 2-12-91  
E/S Dulaney Valley Road  
(MD 146) 350' South of  
Fairmount Avenue  
(Item #289)

Dear Mr. Haines:

We have reviewed the submittal for a food store, with less than 5,000 square feet of retail sales area, in combination with a gasoline service station and have the following comment.

The plan must be revised to show a proposed 80' right-of-way (40' measured from the centerline) of Dulaney Valley Road.

It is requested this revision be made prior to a hearing date being set.

If we can be of further assistance, please contact Larry Brocato of this office at (301) 333-1350.

Very truly yours,

*John Contestabile*  
John Contestabile, Chief  
Engineering Access Permits  
Division

LB:maw

cc: Mobil Oil Corporation  
Mr. J. Ogle

**RECEIVED**  
FEB 15 1991

**ZONING OFFICE**

My telephone number is 333-1350 (Fax #333-1041)  
Teleprinter for Impaired Hearing or Speech  
303-7566 Baltimore Metro - 800-6451 D.C. Metro - 1-800-482-5963 Statewide Toll Free  
707 North Calvert St., Baltimore, Maryland 21205-0717

**BALTIMORE COUNTY, MARYLAND**

**INTER-OFFICE CORRESPONDENCE**

TO: J. Robert Haines  
Zoning Commissioner

DATE: March 1, 1991

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

SUBJECT: Towson Town Center Associates, Inc., Item No. 289

In reference to the petitioner's request for a Special Exception, Special Hearing, and Variance, staff offers the following comments:

CRG approval is required for this project.

Since the applicant's property is improved, the Special Exception and Variances from Section 409.10, 409.4(C) and 405.5(A)(3) of the Baltimore County Zoning Regulations are not of particular concern to this office.

However, the Variance from Section 413.2 to permit signs totalling 294.1 sq. ft. in lieu of the permitted 100 sq. ft.; and to permit 13 freestanding signs instead of 3 would detract from the overall design in the upscale development of Towson Town Center. The sign package for the station should be scaled down to address both the number and area of the signs. This could be accomplished by a consolidation of price, leasing and other general signs.

A landscape plan should be submitted to the deputy director of the Office of Planning and Zoning prior to the issuance of any permits. Said plan shall address the issue of coordination between the landscape plan for this site and the plan for the Towson Town Center.

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3211.

PK/JL/cmm

ITEM289/ZAC1

Baltimore County Government  
Department of Public Works  
Bureau of Traffic Engineering

401 Bosley Avenue Suite 405  
Towson, MD 21204

887-3554  
Fax 887-5784

February 15, 1991

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

Dear Mr. Haines:

The Bureau of Traffic Engineering has no comments for items number 289, 291, 293, 295, 298, 303, 304, 306, 308 and 309.

Very truly yours,

*Michael S. Flanigan*  
Michael S. Flanigan  
Traffic Engineer Associate II

MSF/lvd

**received**  
3/1/91

Baltimore County Government  
Fire Department

700 East Joppa Road Suite 901  
Towson, MD 21204-5500

(301) 887-4500

FEBRUARY 6, 1991

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

RE: Property Owner: TOWSON TOWN CENTER ASSOCIATES

Location: #831 DULANEY VALLEY ROAD

Item No.: 289 Zoning Agenda: FEBRUARY 12, 1991

Gentlemen:

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

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", 1988 edition prior to occupancy.

REVIEWER: *John L. Lewis* Noted and Approved *John L. Lewis*  
Planning Group Fire Prevention Bureau  
Special Inspection Division

JP/KER

**received**  
3/1/91

**BALTIMORE COUNTY, MARYLAND  
INTER-OFFICE CORRESPONDENCE**

TO: Zoning Advisory Committee DATE: February 8, 1991  
FROM: Robert W. Bowling, P.E.

RE: Zoning Advisory Committee Meeting  
for February 12, 1991

The Developers Engineering Division has reviewed the subject zoning items and we have no comments for Items 291, 293, 303, 304, 306, 308 and 309.

For Item 295, the previous County Review Group Comments are still applicable. The Developer is cautioned that no permanent type construction is allowed over a County utility easement.

For Item 289, this site is subject to comments by the Maryland State Highway Administration.

For Item 298, the previous County Review Group comments are still applicable.

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

RWB:s



**Maryland Department of Transportation  
State Highway Administration**

O. James Lighthizer  
Secretary  
Hal Kassoff  
Administrator

April 15, 1991

Mr. Timothy White  
Frederick Ward Associates Inc.  
5 South Main Street  
P.O. Box 727  
Bel Air, Maryland 21014

RE: Baltimore County  
Mobil Oil Corporation  
Zoning meeting February 12, 1991  
E/S Dulaney Valley Road  
MD 146  
350' south of Fairmount Avenue  
Item # 289

Dear Mr. White:

We have reviewed the submittal of April 10th, which we received on April 14th, and offer the following:

The plan must be revised to show the proposed right-of-way line 5' behind the curbline on Dulaney Valley Road. As it is shown, there is currently part of the roadway on private property.

If you have any questions, please contact Larry Brocato (333-1350).

Very truly yours,

*John Contestabile*  
John Contestabile, Chief  
Engineering Access Permits  
Division

LB:ms

cc: Mr. J. Robert Haines  
Mr. J. Ogle

**received**  
4/17/91

My telephone number is 333-1350

Teleprinter for Impaired Hearing or Speech  
303-7566 Baltimore Metro - 800-6451 D.C. Metro - 1-800-482-5963 Statewide Toll Free  
707 North Calvert St., Baltimore, Maryland 21205-0717

Baltimore County Government  
Zoning Commissioner  
Office of Planning and Zoning

ZONING FILE  
COPY

111 West Chesapeake Avenue  
Towson, MD 21204

887-3553

April 1, 1991

Karen L. Plummer, Esq.  
Woodhams I, Suite 400  
9881 Broken Land Parkway  
Columbia, Md. 21046

RE: Zoning Public Hearing  
91-324-SFH  
831 Dulaney Valley Road  
9th Election District

Dear Ms. Plummer:

Reference is made to the ongoing correspondence and discussion concerning the above referenced zoning public hearing. This site is an existing service station location originally approved by special exception public hearing #66-263-X on 6/3/66.

According to your information, a "Mobile Mart" food store use in combination has existed on this site without the required zoning hearings for more than ten years. Due to an oversight, a special exception, special hearing and variances for a use in combination was suggested by this office to bring the site into compliance with current zoning regulations to allow for this use. Since the filing for public hearings, this service station use has been determined to be non-conforming in a C.T. District and requires a rezoning of the site prior to the public zoning hearings to allow for a use in combination. Though this office attempts to be as accurate as possible, the assistance received at the time of filing zoning petitions is not to be construed as definitive. See Appendix E, Rule 2.8.3 of the Baltimore County Zoning Regulations (BCZR) concerning final wording of the petitioner's request.

Though each of the petition requests are incorrect to a greater or lesser degree due to the previously referenced oversight, this office suggests that the petitioner should proceed with the upcoming zoning hearing and at that time be prepared to discuss the following suggestions as one way to correct the situation since zoning approvals are now being sought for site improvements such as canopy and pump island additions which are not related to the use in combination food site.

1) How the proposed improvements comply with Section 405.8 which requires that all improvements "should be done in such a manner that the station would be improved so as to be more in keeping with the purposes of

To: Karen L. Plummer, Esq. -2- April 1, 1991

subsection 405.4" (Individual site Standards) of the Baltimore County Zoning Regulations (BCZR). One site plan should be available for a hearing exhibit which shows compliance with these regulations.

2) The time frame for a future reclassification of the property to an appropriate district which will permit the service station use either as-of-right or by special exception under the current zoning regulations and when any appropriate public zoning hearings would be requested to allow the use in combination food store on this site.

If you have any questions, please do not hesitate to call me at 887-3391.

Very truly yours,

*James E. Dyer*  
JAMES E. DYER  
Zoning Supervisor  
By *John L. Lewis*  
John L. Lewis  
Planner

JLL:jet  
cc: Towson Town Center Associates  
Zoning Case #91-324SFHXA  
File

APR 17, 1991 91-324-SPHXA

BALTIMORE COUNTY, MARYLAND  
INTER-OFFICE CORRESPONDENCE

TO: J. Robert Haines  
Zoning Commissioner

DATE: April 23, 1991

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

SUBJECT: Towson Town Center Associates, Inc., Item No. 289  
REVISED COMMENT

Please be advised that Mr. LeRoy Ogle of our Current Planning section has indicated that CRG would not be required for the subject property. In addition, since this property falls within the Greater Towson Town Center site, a previously approved landscape plan for that center would preclude the need for an individual plan for the applicant's parcel.

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3211.

PK/JL/cmm

ITEM289.REV/ZAC1

Baltimore County Government  
Office of Zoning Administration  
and Development Management  
Office of Planning and Zoning

111 West Chesapeake Avenue  
Towson, MD 21204

PH7-3353

August 21, 1991

Baltimore County Board of Appeals  
County Office Building, Room 315  
Towson, Maryland 21204

RE: Petition for Special Hearing, Special Exception and Variance  
E/S York Road, 350 ft. S of c/l of Fairmount Avenue  
(831 Dulany Valley Road)  
9th Election District, 4th Councilmanic District  
Legal Owner: Towson Town Center Associates  
Lessee: Mobil Oil Corp.  
Petitioners  
Case No. 91-324-SPHXA

Dear Board:

Please be advised that an appeal (Special Hearing and Special Exception portions only) of the above-referenced case was filed in this office on July 16, 1991 by Karen A. Plummer, on behalf of the Petitioners. All materials relative to the case are being forwarded herewith.

Please notify all parties to the case of the date and time of the appeal hearing when it has been scheduled. If you have any questions concerning this matter, please do not hesitate to contact this office.

Very truly yours,

J. Robert Haines  
Zoning Commissioner

JRH:ccr

Enclosures

cc: Wayne Finley - Towson Town Center Associates  
c/o Ernest W. Hahn, Inc. 706 C Fairmont Ave., Towson, MD 21204

Karen M. Mack - Mobil Oil Corporation  
341 Overlea Place, Abington, MD 21009

Appeal Cover Letter - Case No. 91-324-SPHXA  
Legal Owner: TOWSON TOWN CENTER ASSOCIATES  
Lessee: MOBIL OIL CORP.  
Petitioners  
August 21, 1991  
Page 2

Karen L. Plummer, Esquire - Woodmere I, Suite 400  
9881 Broken Land Parkway, Columbia, MD 21046

David Wang, 5 S. Main Street, Belair, MD 21014

Janette McCarthy, 5046 Southern Star, Columbia, MD 21045

Wes Guckert - The Traffic Group  
Suite 600, 40 W. Chesapeake Avenue, Towson, MD 21204

People's Counsel of Baltimore County  
Rm. 304, County Office Bldg., Towson, MD. 21204

FILE

APPEAL

Petition for Special Hearing, Special Exception, and Variance  
E/S York Road, 350 ft. S of c/l of Fairmount Avenue  
(831 Dulany Valley Road)  
9th Election District - 4th Councilmanic District  
Legal Owner: Towson Town Center Associates  
Lessee: Mobil Oil Corp.  
Petitioners  
Case No. 91-324-SPHXA

Petitions for Special Hearing, Special Exception, and Variance  
(Special Hearing and Special Exception portions appealed only)

Description of Property

Certificate of Posting

Certificate of Publication

Entry of Appearance of People's Counsel

Zoning Plans Advisory Committee Comments

Director of Planning & Zoning Comments (Included with ZAC comments)

Petitioner's Exhibits: 1. Plan to accompany Petitions

2. Sign detail sheet for Mobil Oil Corp.

Unmarked Exhibit: Traffic Analysis

Zoning Commissioner's Order dated June 17, 1991 (Granted with restrictions)

Notice of Appeal received July 16, 1991 from Karen L. Plummer, Attorney on behalf of the Petitioners, (Appealing Special Hearing and Special Exception portions only)

cc: Wayne Finley - Towson Town Center Associates  
c/o Ernest W. Hahn, Inc. 706 C Fairmont Ave., Towson, MD 21204

Karen M. Mack - Mobil Oil Corporation  
341 Overlea Place, Abington, MD 21009

Karen L. Plummer, Esquire - Woodmere I, Suite 400  
9881 Broken Land Parkway, Columbia, MD 21046

David Wang, 5 S. Main Street, Belair, MD 21014

Janette McCarthy, 5046 Southern Star, Columbia, MD 21045

Wes Guckert - The Traffic Group  
Suite 600, 40 W. Chesapeake Avenue, Towson, MD 21204

People's Counsel, Rm. 304, County Office Bldg., Towson, Md. 21204

Request Notification: P. David Fields, Director of Planning & Zoning  
Patrick Keller, Office of Planning & Zoning  
J. Robert Haines, Zoning Commissioner  
Ann M. Nastarowicz, Deputy Zoning Commissioner  
James E. Oyer, Zoning Supervisor  
W. Carl Richards, Jr., Zoning Coordinator  
Docket Clerk  
Arnold Jablon, Chief Deputy County Attorney  
Public Services

County Board of Appeals of Baltimore County

OLD COURTHOUSE, ROOM 49  
400 WASHINGTON AVENUE  
TOWSON, MARYLAND 21204  
(410) 887-3180

Hearing Room -  
Room 48, Old Courthouse  
400 Washington Avenue  
September 10, 1992

NOTICE OF POSTPONEMENT

NO POSTPONEMENTS WILL BE GRANTED WITHOUT GOOD AND SUFFICIENT REASONS. REQUESTS FOR POSTPONEMENTS MUST BE IN WRITING AND IN STRICT COMPLIANCE WITH RULE 2(b). NO POSTPONEMENTS WILL BE GRANTED WITHIN FIFTEEN (15) DAYS OF SCHEDULED HEARING DATE UNLESS IN FULL COMPLIANCE WITH RULE 2(c), COUNTY COUNCIL BILL NO. 59-79.

CASE NO. 91-324-SPHXA

TOWSON TOWN CENTER ASSOCIATES/  
MOBILE OIL CORP. - LESSEE  
E/S York Rd., 350' S of c/l  
Fairmount Avenue (831 Dulany Valley  
Road), 9th Election District;  
4th Councilmanic District

SPH-food store in comb. w/service  
station;  
VAR-2 waiting spaces to extend beyond  
lease line; parking aisle; stacking;  
signs  
SE-to amend SE in 66-263-X  
6/17/91 - E.C.'s Order DENYING  
SPH & SE, GRANTING Variances w/restr.

which was scheduled for hearing on October 22, 1992 has been POSTPONED at the request of Counsel for Petitioner/Appellant and will be reset to a date after May 15, 1993

cc: Wayne Finley - Towson Town Center Assoc. - Petitioner  
Karen M. Mack - Mobil Oil Corp. - Lessee  
Karen L. Plummer, Esquire - Counsel for Petitioner  
Robert H. Levan, Esquire -  
Mr. David Wang  
Mr. Janette McCarthy  
Mr. Wes Guckert  
P. David Fields  
Lawrence E. Schmidt  
Timothy M. Kotroco  
W. Carl Richards, Jr.  
Docket Clerk - Zoning  
Administration  
Arnold Jablon, Director of Zoning  
Administration

Linda Lee M. Kussmaul  
Legal Secretary

County Board of Appeals of Baltimore County

OLD COURTHOUSE, ROOM 49  
400 WASHINGTON AVENUE  
TOWSON, MARYLAND 21204  
(410) 887-3180

Hearing Room -  
Room 48, Old Courthouse  
400 Washington Avenue  
October 7, 1992

NOTICE OF ASSIGNMENT

NO POSTPONEMENTS WILL BE GRANTED WITHOUT GOOD AND SUFFICIENT REASONS. REQUESTS FOR POSTPONEMENTS MUST BE IN WRITING AND IN STRICT COMPLIANCE WITH RULE 2(b). NO POSTPONEMENTS WILL BE GRANTED WITHIN FIFTEEN (15) DAYS OF SCHEDULED HEARING DATE UNLESS IN FULL COMPLIANCE WITH RULE 2(c), COUNTY COUNCIL BILL NO. 59-79.

CASE NO. 91-324-SPHXA

TOWSON TOWN CENTER ASSOCIATES/  
MOBILE OIL CORP. - LESSEE  
E/S York Rd., 350' S of c/l  
Fairmount Avenue (831 Dulany Valley  
Road), 9th Election District;  
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SPH-food store in comb. w/service  
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signs  
SE-to amend SE in 66-263-X  
6/17/91 - E.C.'s Order DENYING  
SPH & SE, GRANTING Variances w/restr.

which was POSTPONED at the request of Counsel for Petitioner/Appellant to be reset to a date after May 15, 1993 has been

ASSIGNED FOR: THURSDAY, MAY 20, 1993 AT 10:00 A.M.

cc: Wayne Finley - Towson Town Center Assoc. - Petitioner  
Karen M. Mack - Mobil Oil Corp. - Lessee  
Karen L. Plummer, Esquire - Counsel for Petitioner  
Robert H. Levan, Esquire -  
Mr. David Wang  
Mr. Janette McCarthy  
Mr. Wes Guckert  
P. David Fields  
Lawrence E. Schmidt  
Timothy M. Kotroco  
W. Carl Richards, Jr.  
Docket Clerk - Zoning  
Administration  
Arnold Jablon, Director of Zoning  
Administration

RECEIVED  
OCT 8 1992

ZONING OFFICE

Linda Lee M. Kussmaul  
Legal Secretary

County Board of Appeals of Baltimore County

COUNTY OFFICE BUILDING, ROOM 415  
400 WASHINGTON AVENUE  
TOWSON, MARYLAND 21204  
(410) 887-3180

Hearing Room -  
Room 48, Old Courthouse  
400 Washington Avenue  
January 13, 1992

NOTICE OF ASSIGNMENT

NO POSTPONEMENTS WILL BE GRANTED WITHOUT GOOD AND SUFFICIENT REASONS. REQUESTS FOR POSTPONEMENTS MUST BE IN WRITING AND IN STRICT COMPLIANCE WITH RULE 2(b). NO POSTPONEMENTS WILL BE GRANTED WITHIN FIFTEEN (15) DAYS OF SCHEDULED HEARING DATE UNLESS IN FULL COMPLIANCE WITH RULE 2(c), COUNTY COUNCIL BILL NO. 59-79.

CASE NO. 91-324-SPHXA

TOWSON TOWN CENTER ASSOCIATES/  
MOBILE OIL CORP. - LESSEE  
E/S York Rd., 350' S of c/l  
Fairmount Avenue (831 Dulany Valley  
Road), 9th Election District;  
4th Councilmanic District

SPH-food store in comb. w/service  
station;  
VAR-2 waiting spaces to extend beyond  
lease line; parking aisle; stacking;  
signs  
SE-to amend SE in 66-263-X  
6/17/91 - E.C.'s Order DENYING  
SPH & SE, GRANTING Variances w/restr.

ASSIGNED FOR: THURSDAY, MARCH 12, 1992 AT 10:00 A.M.

cc: Wayne Finley - Towson Town Center Assoc. - Petitioner  
Karen M. Mack - Mobil Oil Corp. - Lessee  
Karen L. Plummer, Esquire - Counsel for Petitioner  
Mr. David Wang  
Mr. Janette McCarthy  
Mr. Wes Guckert  
People's Counsel for Baltimore County  
P. David Fields  
Pat Bailer  
Public Services  
Lawrence E. Schmidt  
Timothy M. Kotroco  
James E. Oyer  
W. Carl Richards, Jr.  
Docket Clerk - Zoning  
Administration  
Arnold Jablon, Director of Zoning  
Administration

Linda Lee M. Kussmaul  
Legal Secretary

County Board of Appeals of Baltimore County

COUNTY OFFICE BUILDING, ROOM 415  
400 WASHINGTON AVENUE  
TOWSON, MARYLAND 21204  
(410) 887-3180

Hearing Room -  
Room 48, Old Courthouse  
400 Washington Avenue  
February 20, 1992

NOTICE OF POSTPONEMENT AND REASSIGNMENT

NO POSTPONEMENTS WILL BE GRANTED WITHOUT GOOD AND SUFFICIENT REASONS. REQUESTS FOR POSTPONEMENTS MUST BE IN WRITING AND IN STRICT COMPLIANCE WITH RULE 2(b). NO POSTPONEMENTS WILL BE GRANTED WITHIN FIFTEEN (15) DAYS OF SCHEDULED HEARING DATE UNLESS IN FULL COMPLIANCE WITH RULE 2(c), COUNTY COUNCIL BILL NO. 59-79.

CASE NO. 91-324-SPHXA

TOWSON TOWN CENTER ASSOCIATES/  
MOBILE OIL CORP. - LESSEE  
E/S York Rd., 350' S of c/l  
Fairmount Avenue (831 Dulany Valley  
Road), 9th Election District;  
4th Councilmanic District

SPH-food store in comb. w/service  
station;  
VAR-2 waiting spaces to extend beyond  
lease line; parking aisle; stacking;  
signs  
SE-to amend SE in 66-263-X  
6/17/91 - E.C.'s Order DENYING  
SPH & SE, GRANTING Variances w/restr.

which was scheduled for March 12, 1992 has been POSTPONED at the request of Counsel for Petitioner/Appellant and has been

REASSIGNED FOR: THURSDAY, OCTOBER 22, 1992 AT 10:00 A.M.

cc: Wayne Finley - Towson Town Center Assoc. - Petitioner  
Karen M. Mack - Mobil Oil Corp. - Lessee  
Karen L. Plummer, Esquire - Counsel for Petitioner  
Mr. David Wang  
Mr. Janette McCarthy  
Mr. Wes Guckert  
P. David Fields  
Public Services  
Lawrence E. Schmidt  
Timothy M. Kotroco  
W. Carl Richards, Jr.  
Docket Clerk - Zoning  
Administration  
Arnold Jablon, Director of Zoning  
Administration

Linda Lee M. Kussmaul  
Legal Secretary

**EXHIBIT A - STATEMENT IN SUPPORT OF  
THE PETITION FOR SPECIAL EXCEPTION  
SPECIAL EXCEPTION AND VARIANCES**

**I. PROPERTY DATA**

**APPLICANT:** Mobil Oil Corporation  
8330 Roma Boulevard  
Vienna, Virginia 22180

**OWNER:** Towson Town Center Associates  
c/o Ernest W. Nahn, Inc.  
706 C Fairmont Avenue  
Towson, Maryland 21204

**CORRESPONDENT:** Karen L. Plumer  
Levan, Schimel, Richman, Belman,  
Abramson & Scanlan, P.A.  
Woodmere I, Suite 400  
9881 Broken Land Parkway  
Columbia, Maryland 21046

**LOCATION:** 831 Dulaney Valley Road  
Towson, Maryland

**AREA OF SITE:** Net Lot Area: 22,023 sq. ft.  
Gross Lot Area: 26,296 sq. ft.

**ZONING:** B-M Zone

**DISTRICT:** C-T District

**EXISTING USE:** Gasoline station with three  
repair bays and a Mobil Mart

**PROPOSED USE:** Gasoline station with three  
repair bays and a Mobil Mart

**II. NATURE OF REQUEST**

The Applicant, Mobil Oil Corporation ("Mobil"), seeks to amend the approved site plan for its station located at 831 Dulaney Valley Road in Towson, which was previously approved in Special Exception No. 66-263-X ("S.E. 66-263-X") for a gasoline service station with three repair bays. In 1966, Towson Town Center

Associates applied for a special exception for a gasoline station with three repair bays on the subject site. The gasoline station was approved as part of the planned shopping center for Towson Town Center in S.E. 66-263-X. Mobil later decided to install a Mobil Mart at the subject site in a portion of the general service building which was not used for repair facilities. Since Mobil did not undertake any new construction, it did not file for a special hearing to amend the site plan or a special exception for the combination use, for it was not aware that these approvals were required. Currently located on the site is a gasoline service station with repair bays and a Mobil Mart. Mobil desires to legalize the Mobil-Mart via a special exception to use the subject property for a food store with less than 5,000 square feet of retail sales area in combination with a gasoline service station.

**III. PETITIONS FOR SPECIAL HEARING AND SPECIAL EXCEPTION**

In November, 1990, Mobil sought permits to upgrade its fueling equipment and replace the existing canopies at the subject site. At that time Mobil was advised that it needed a special exception and special hearing for the Mobil Mart. The Mobil Mart is a small retail area, consisting of approximately 702 square feet, located within the general service building of the Mobil station where customers may purchase various prepackaged impulse items such as sodas, cupcakes, candy and potato chips. There is no food preparation on site. Mobil does not propose any alterations to the Mobil Mart.

Mobil does, however, intend to upgrade its existing facilities by modernizing its pump islands, pump equipment and canopies. Mobil desires to redesign the pump islands and to replace the existing gasoline pumps with multi-product dispensers (MPD's). Mobil proposes six MPD's which will offer a total of twelve fueling positions. Finally, Mobil proposes to replace the existing 26'26" x 53' canopy with a 24'4" x 55' canopy, and replace the existing 26'6" x 34' canopy with a 24'4" x 24'4" canopy.

Mobil's proposed improvements, and the existing improvements for which approvals were not originally obtained, meet the requirements of §§ 405.3, 405.5 and 502.1 of the Baltimore County Zoning Regulations. A gasoline station is known to be a traffic interceptor rather than a traffic generator. Since the gasoline station is an approved use and the Mobil Mart caters to Mobil's gasoline customers rather than attracting customers of its own, the proposed ancillary use will not create a traffic hazard, nor will it create excessive traffic congestion due to its location. The Mobil Mart does not generate traffic. The use does not adversely affect the general welfare of the neighborhood. The Mobil Mart is consistent with other commercial development in the area. Mobil would urge the Board to adopt the findings in S.E. 66-263-X and determine that the proposed ancillary use does not alter these findings.

**IV. VARIANCES**

In addition to its Petitions for Special Hearing and Special Exception, Mobil also seeks the following variances from the Baltimore County Zoning Regulations pertaining to stacking spaces for fueling positions, interior driveway widths, and signage.

A. A variance from §405.5(A)(3) of the Baltimore County Zoning Regulations to allow the stacking and circulation reflected on the proposed site plan.

B. A variance from §409.10 of the Baltimore County Zoning Regulations to allow two waiting spaces positioned near the east property line to extend over the applicant's lease line by four feet. One waiting space is required for each fueling servicing position and there are four fueling servicing positions located on the north side of the building and, therefore, four stacking spaces are required, two on each side of the island. Due to the location of the side pump island, the two waiting spaces closest to the rear property line extend over the lease line, yet they do not extend beyond the curb line into the shopping center. Mobil cannot extend its lease line.

C. A variance from §409.4(c) of the Baltimore County Zoning Regulations to permit an interior parking aisle of five to eight feet between the waiting spaces and the parking spaces located at the entrance to the site rather than twenty feet as required by the Regulations.

D. A variance from §413.2 of the Baltimore County Zoning Regulations to allow a total signage area of 294.1 square feet

instead of the permitted 100 square feet, and to allow 13 free standing signs instead of 3.

Strict compliance with the above-referenced Baltimore County Zoning Regulations would result in practical difficulty to the applicant. Due to the size of the site and the configuration of the approved facilities, the Applicant is physically unable to comply with the waiting space requirement, the circulation requirement and the aisle requirements. The sign variances are required to ensure the legibility of the signs to passing motorists and to appropriately advertise its products.

**V. CONCLUSION**

The Applicant hereby requests that the food store in combination with the gasoline service station be approved for the subject site and that the approved special exception site plan for this site be amended to reflect the proposed improvements as shown on the proposed plan. Neither the Mobil Mart nor the proposed improvements will have a negative impact on the health, safety or welfare of the public.

Respectfully submitted,  
*Karen L. Plumer*  
Karen L. Plumer

30tx052.lcd  
64tk 022091  
261-58

91-324-SPHXA

289

**STATEMENT OF COMPLIANCE  
WITH SECTION 405.5(B) OF THE BALTIMORE  
COUNTY ZONING REGULATIONS**

91-324-SPHXA

- General Design.** The existing service station located on the subject property was approved in Special Exception No. 66-263 X as part of the planned shopping center. The Applicant does not propose to alter the existing building, the color scheme or the general layout of the site. The pump islands, although they will be replaced, will be located in generally the same location as they are now.
- Landscaping and Screening.** The landscaping proposed by Mobil is that which was recently approved by Baltimore County for the Towson Town Center Shopping Center.
- The Applicant does not propose to erect portable "A" or "sandwich board" signs.**
- Lighting.** The lighting proposed by Mobil does not reflect onto adjoining properties. The lighting proposed is contained and focused on specific areas of the facility so as to provide sight assistance to its customers rather than to emanate light throughout the site.
- The site will be maintained at all times in a clean and orderly condition.**

30tx053.lcd  
2kmb 011091

**LEVAN, SCHIMEL, RICHMAN, BELMAN, ABRAMSON & SCANLAN, P.A.**  
ATTORNEYS AT LAW

MICHAEL J. ABRAMSON  
DAVID M. ABRAMSON  
SPENCER J. BARNES  
F. DENNIS BELMAN  
COURTNEY A. BLAIR  
BERNARD A. COOK  
EDWARD A. COOK  
EDUARDO R. DE SAN MATEO  
DAVID R. HENNEBERRY  
MICHAEL C. MARSHALL  
SAMUEL L. SHALE  
TOM JAMES  
ELLEN LA REPOLOW

LAUREL LAKES EXECUTIVE PARK  
8325 CHERRY LANE  
LAUREL, MARYLAND 20707  
WASHINGTON (301) 955-1886  
BALTIMORE (301) 792-7843  
FAX (301) 955-5895

ROBERT H. LEVAN  
ROBERTA B. MCCARTHY  
CAROL A. O'KEEFE  
KAREN L. PLUMER  
ALFRED L. SCANLAN, JR.  
DAVID R. SONNENBERG  
OF COUNSEL:  
BRIAN E. FROSH  
RICHARD M. WEINTRAUB

January 16, 1991

91-324-SPHXA

Mr. John Lewis  
Baltimore County Zoning Office  
Development Control  
111 West Chesapeake Avenue  
Room 113  
Towson, Maryland 21204

RE: Mobil Oil Corporation

Dear Mr. Lewis:

Please find enclosed the Petitions for Special Exception, Special Hearing and Variances for the Mobil Oil Station located on Dulaney Valley Road in Towson. Additionally enclosed is the filing fee for this matter.

Thank you for your assistance in this matter.

Sincerely,  
*Karen L. Plumer*  
Karen L. Plumer

**LEVAN, SCHIMEL, RICHMAN, BELMAN, ABRAMSON & SCANLAN, P.A.**  
ATTORNEYS AT LAW

DAVID M. ABRAMSON  
EDWARD J. BARNES  
F. DENNIS BELMAN  
COURTNEY A. BLAIR  
BERNARD A. COOK  
EDWARD A. COOK  
EDUARDO R. DE SAN MATEO  
DAVID R. HENNEBERRY  
MICHAEL C. MARSHALL  
SAMUEL L. SHALE  
TOM JAMES  
ELLEN LA REPOLOW

WOODMERE I, SUITE 400  
9881 BROKEN LAND PARKWAY  
COLUMBIA, MARYLAND 21046  
WASHINGTON (301) 596-2200  
BALTIMORE (301) 381-6000  
FAX (301) 381-6430

KAREN L. PLUMER  
GERALD M. RICHMAN  
JILL S. ROBINSON  
ALFRED L. SCANLAN, JR.  
DAVID R. SONNENBERG  
OF COUNSEL:  
BRIAN E. FROSH  
RICHARD M. WEINTRAUB

DIRECT DIAL 301-381-7313

January 22, 1991

91-324-SPHXA

Mr. John Lewis  
Baltimore County Zoning Office  
Development Control  
111 West Chesapeake Avenue  
Room 113  
Towson, Maryland 21204

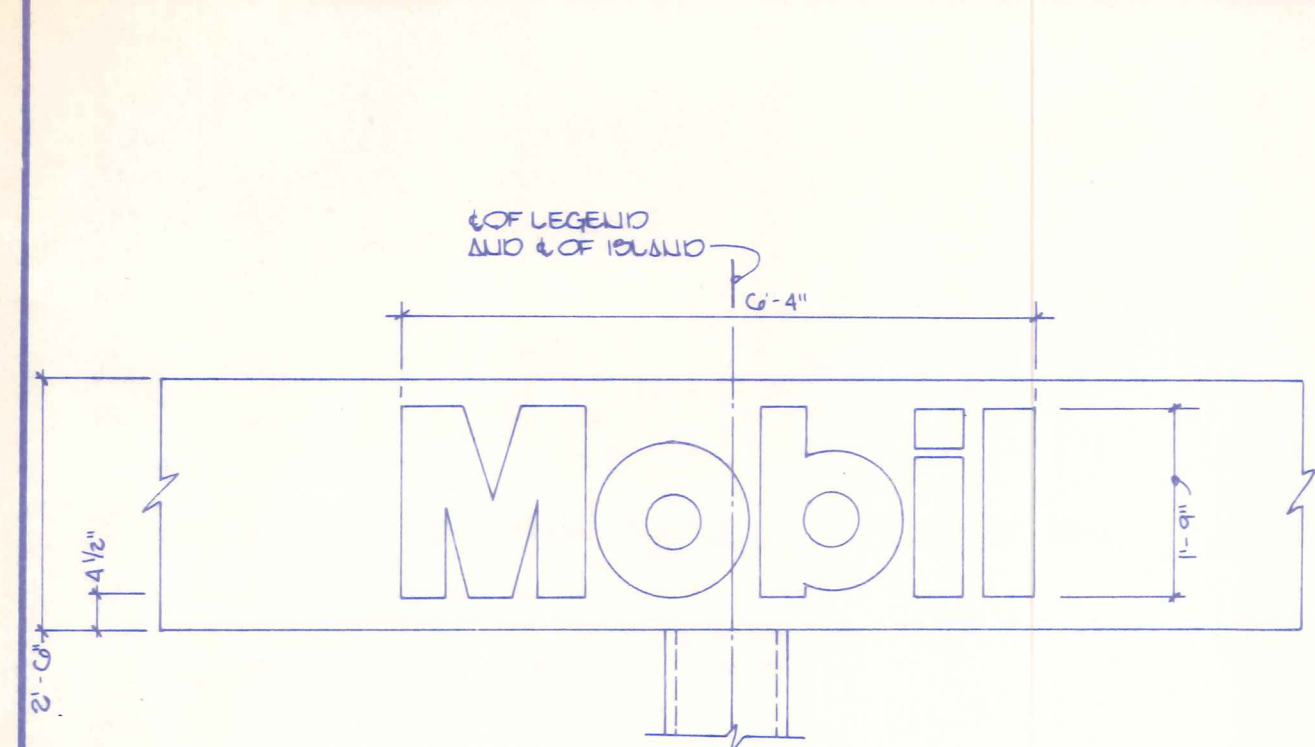
Re: Mobil Oil Corporation  
Dulaney Valley Road

Dear Mr. Lewis:

Please find enclosed for filing a Petition for Special Exception, Petition for Special Hearing and Petition for Variances in the referenced matter. Additionally enclosed are the filing fees and the official zoning map. If upon review of the enclosed you should have any questions, please call me.

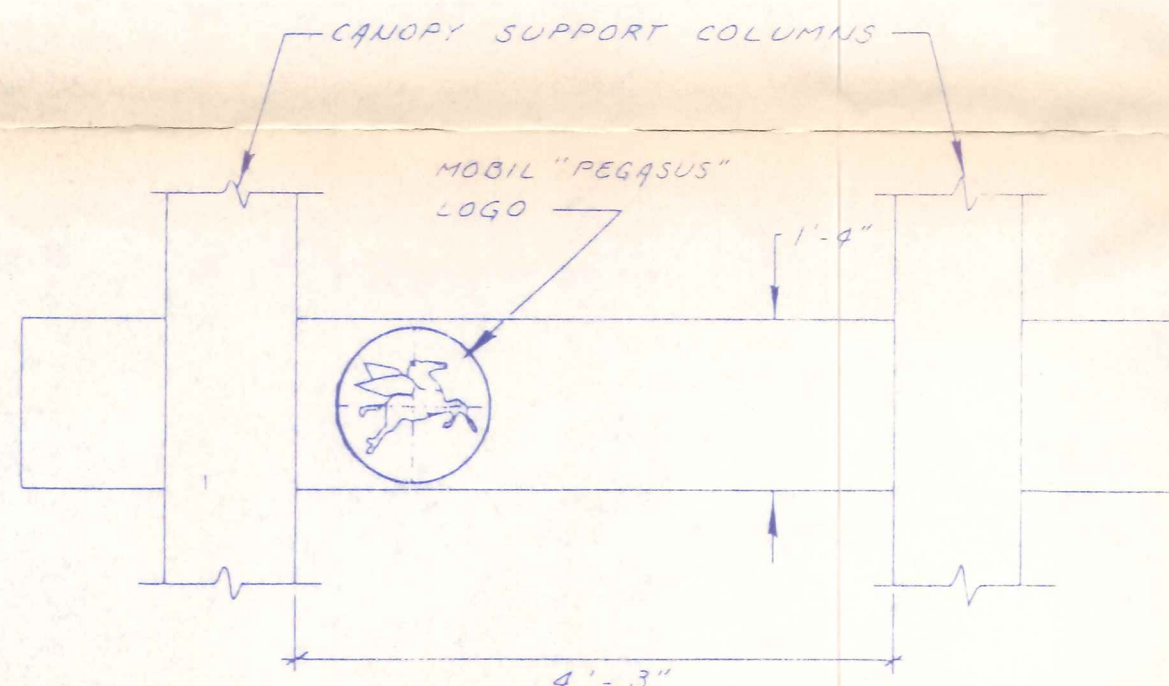
Sincerely,  
*Karen L. Plumer*  
Karen L. Plumer

KLP:dkk  
30LT1073.DTK  
261-58  
Enclosures



**BUILDING CANOPY FASCIA SIGN**

NOT TO SCALE  
SINGLE SIDED - NOT ILLUMINATED  
11.0 SF (PER SIDE) - TOTAL AREA 11.0 SF  
2 EACH - TO BE INSTALLED  
LENGTH OF BLDG. 16'-0"



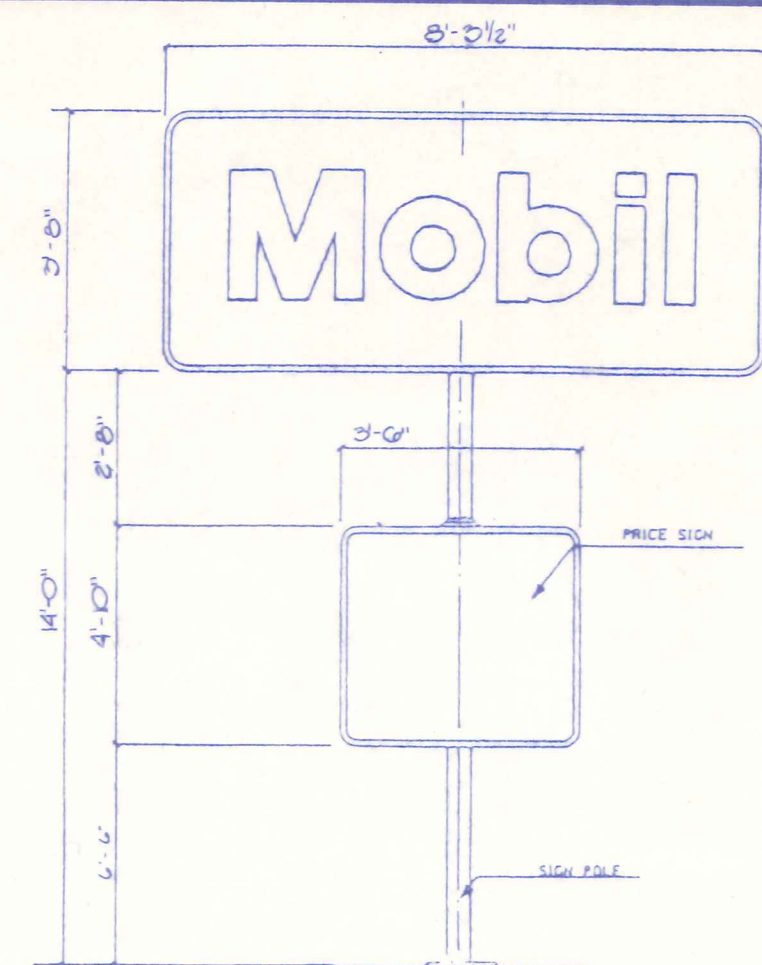
**FREE STANDING SPREADER BAR SIGN**

NOT TO SCALE  
DOUBLE SIDED - NOT ILLUMINATED  
6.0 SF (PER SIDE) - TOTAL AREA 12.0 SF  
3 EACH - TO BE INSTALLED



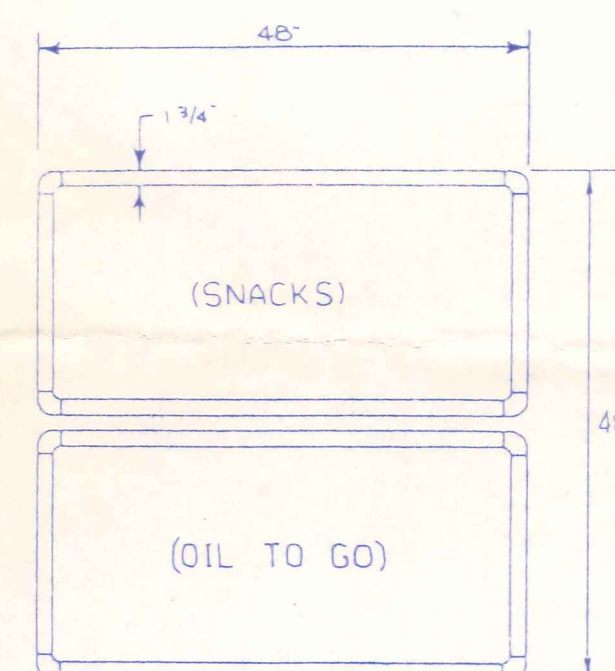
**BUILDING SIGN OVER SERVICE BAYS**

NOT TO SCALE  
SINGLE SIDED - NOT ILLUMINATED  
11.0 SF (PER SIDE) - TOTAL AREA 11.0 SF  
1 EACH - EXIST. TO REMAIN  
LENGTH OF BLDG. 11'-0"



**FREE STANDING MAJOR I.D. SIGN**

NOT TO SCALE  
DOUBLE SIDED - ILLUMINATED  
41.0 SF (PER SIDE) - TOTAL AREA 82.0 SF  
1 EACH - EXIST. TO REMAIN



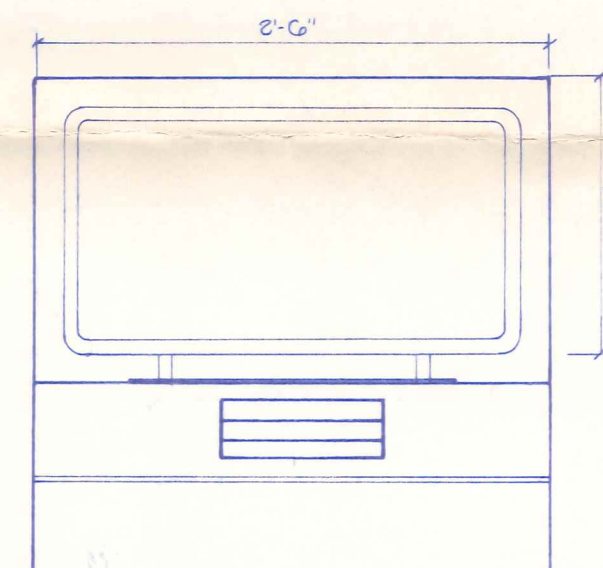
**BUILDING WALL SIGN**

NOT TO SCALE  
SINGLE SIDED - NOT ILLUMINATED  
16.0 SF (PER SIDE) - TOTAL AREA 16.0 SF  
1 EACH - EXIST. TO REMAIN  
LENGTH OF BLDG. 4'-0"



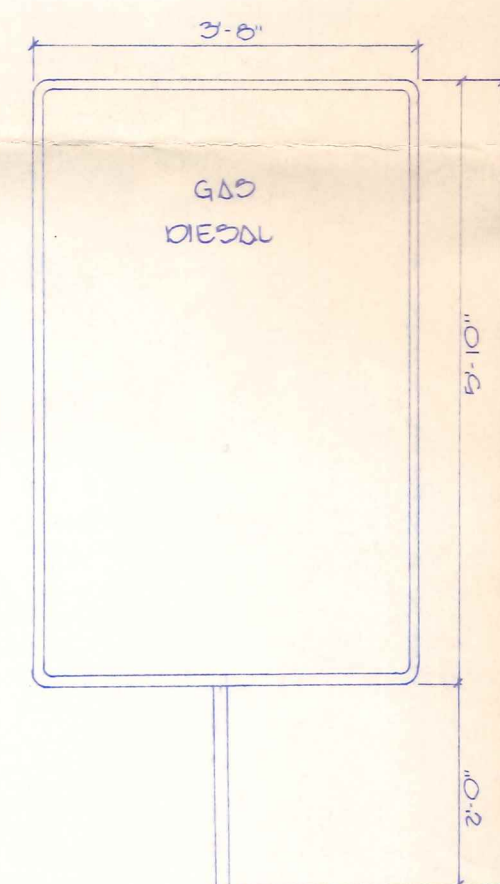
**BUILDING FASCIA PEGASUS DISC**

NOT TO SCALE  
SINGLE SIDED - NOT ILLUMINATED  
19.0 SF (PER SIDE) - TOTAL AREA 19.0 SF  
2 EACH - EXIST. TO REMAIN  
LENGTH OF BLDG. 8'-0"



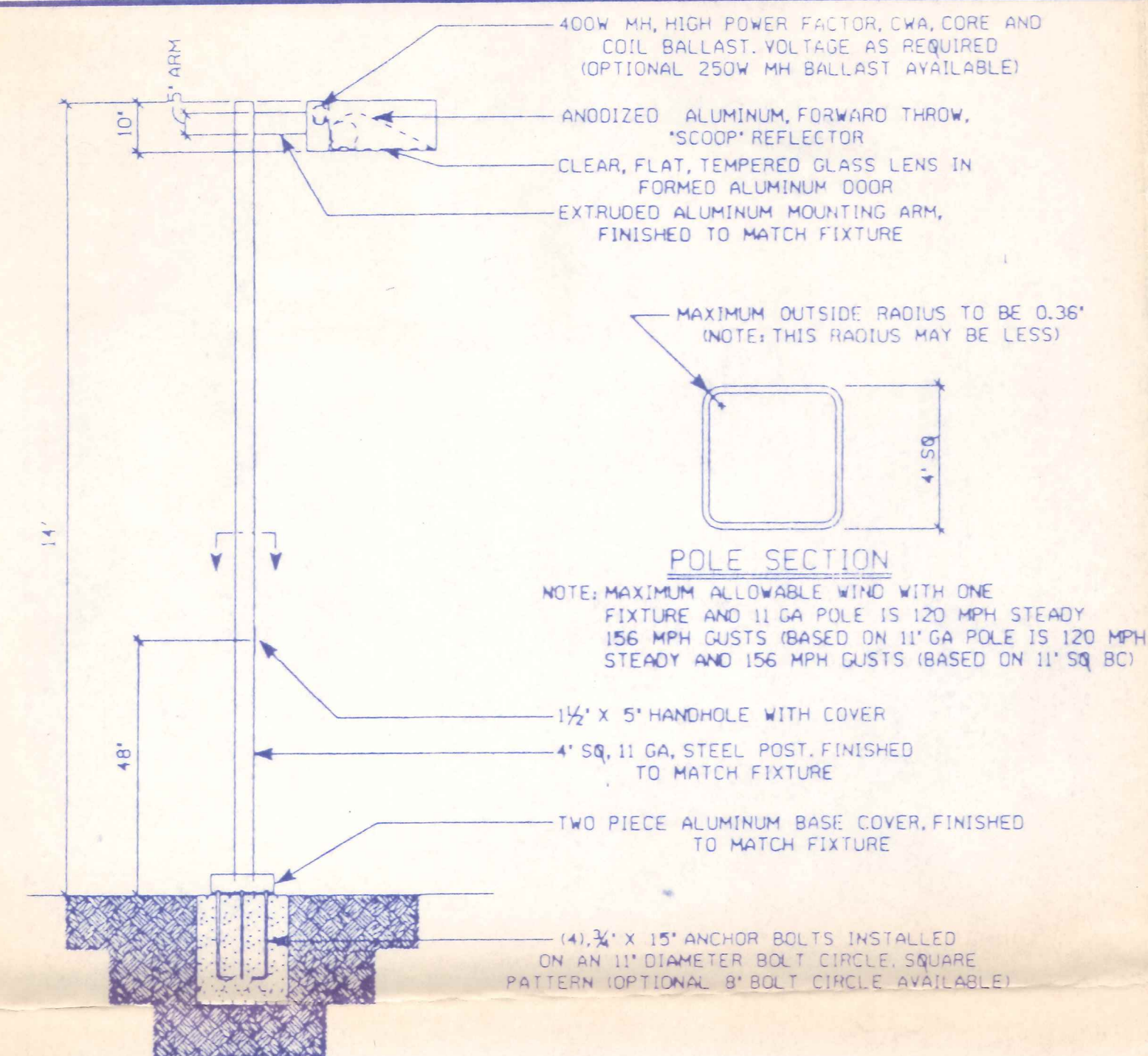
**FREE STANDING MPD SIGN**

NOT TO SCALE  
DOUBLE SIDED - NOT ILLUMINATED  
2.1 SF (PER SIDE) - TOTAL AREA 4.2 SF  
6 EACH - TO BE INSTALLED



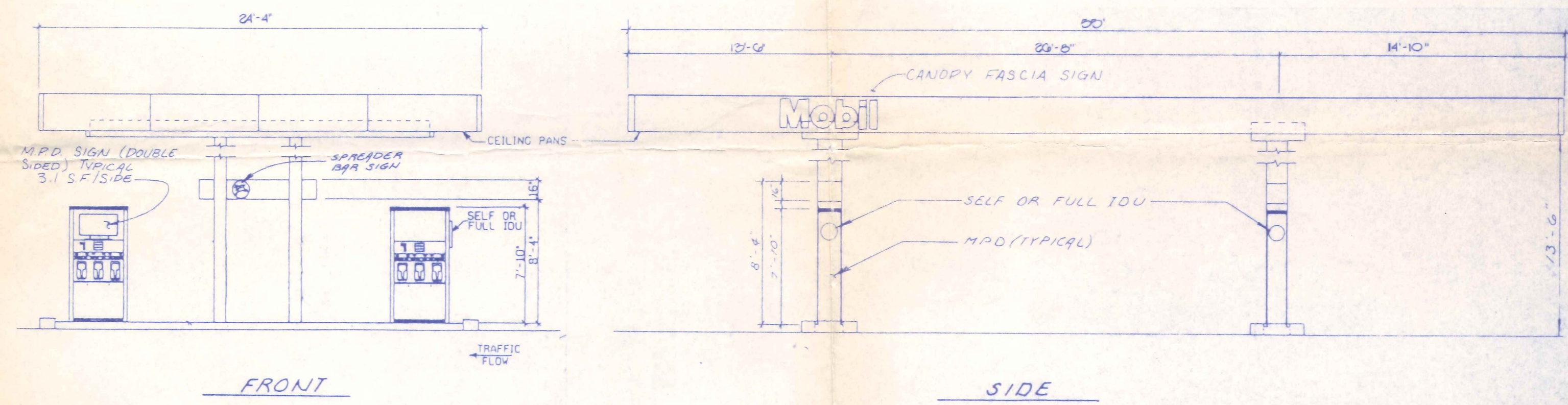
**FREE STANDING PRICE SIGN**

NOT TO SCALE  
DOUBLE SIDED - NOT ILLUMINATED  
2.40 SF (PER SIDE) - TOTAL AREA 4.80 SF  
2 EACH - EXIST. TO REMAIN



**STANDARD YARD LIGHT**

NO SCALE  
REPLACE EXISTING LIGHTS



**CANOPY ELEVATION DETAILS**

UTS

**SIGN INFORMATION**

**EXISTING SIGNAGE:**

**PRESTANDING SIGNS:**

EX. MAJOR I.D. SIGN (1) = 94.6 SF  
EX. MPD SIGNS (4) = 24.8 SF  
EX. PRICE SIGNS (3) = 128.4 SF

TOTAL AREA (5) = 247.8 SF

**BUILDING SIGNS:**

EX. PEGASUS DISC. (2) = 39.2 SF  
EX. BLDG WALL SIGN (1) = 16.0 SF  
EX. "MOBIL SERVICE" SIGN (1) = 11.0 SF

TOTAL AREA (4) = 66.2 SF

**PROPOSED SIGNAGE:**

**PRESTANDING SIGNS:**

EX. MAJOR I.D. (1) = 94.6 SF  
PROP. MPD SIGNS (6) = 37.2 SF  
PROP. SPREADER BARS (3) = 33.9 SF  
EX. PRICE SIGNS (3) = 128.4 SF

TOTAL AREA (13) = 294.10 SF

**BUILDING SIGNS:**

EXISTING PEGASUS SIGN (2) = 39.2 SF  
EX. BLDG WALL SIGN (1) = 16.0 SF  
EX. "MOBIL SERVICE" SIGN (1) = 11.0 SF  
PROP. CANOPY FASCIA (2) = 22.2 SF

TOTAL AREA (6) = 88.4 SF

**PETITIONER'S EXHIBIT 2**

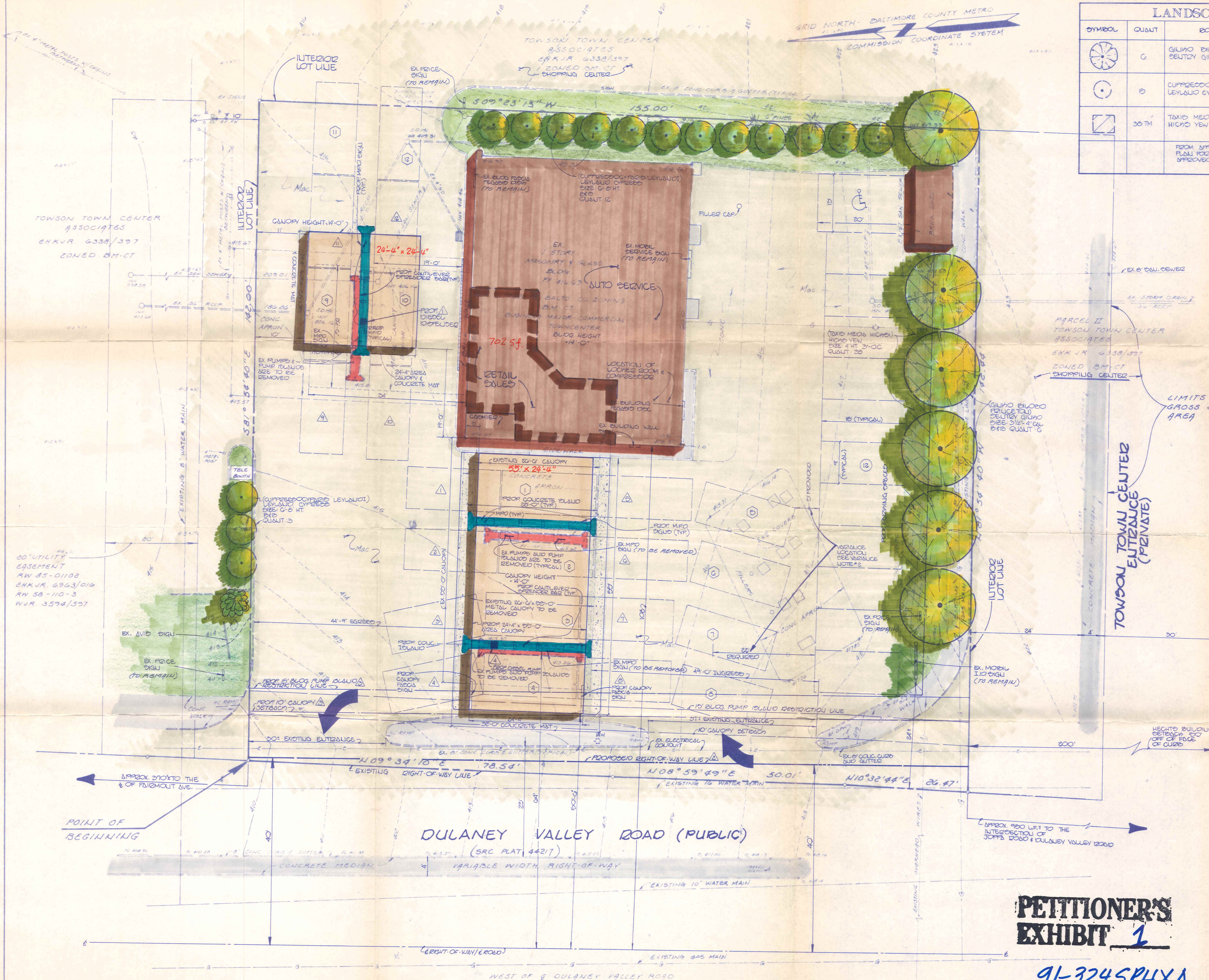
91-324 SPHXA

**SPECIAL HEARING  
VARIANCES AND SPECIAL EXCEPTION PLAN**

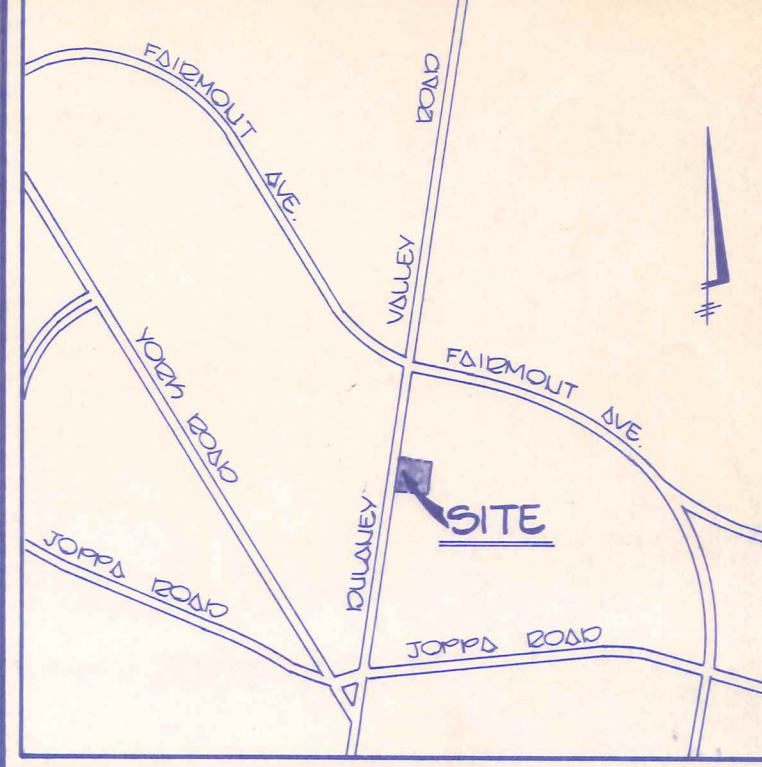


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|--------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|-----------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <div>OWNED</div> <div>TOWSON TOWN CENTER ASSOC.</div> <div>C/O ERNEST W. HAWN, INC.</div> <div>706 FAIRMOUNT AVENUE</div> <div>TOWSON, MD. 21204</div> | <div><div><div></div></div><div>FREDERICK WARD ASSOCIATES INC.</div><div>ENGINEERS * ARCHITECTS * SURVEYORS</div><div>5 SOUTH MAIN STREET PO BOX 828</div><div>BEL AIR, MARYLAND ELKTON, MARYLAND</div></div> | <div>REVISIONS</div> <table><tr><td></td><td></td><td></td></tr><tr><td></td><td></td><td></td></tr><tr><td></td><td></td><td></td></tr><tr><td></td><td></td><td></td></tr><tr><td></td><td></td><td></td></tr><tr><td></td><td></td><td></td></tr><tr><td></td><td></td><td></td></tr><tr><td></td><td></td><td></td></tr><tr><td></td><td></td><td></td></tr><tr><td></td><td></td><td></td></tr></table> |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  | <div>APPLICANT</div> <div><div>Mobil Oil Corporation</div><div>4370 FARMERS COURT</div><div>SUITE 2000</div><div>FALLS CHURCH, VIRGINIA 22030</div></div> | <div>SIGN DETAIL SHEET FOR</div> <div><div>Mobil Oil Corporation</div><div>831 DULANEY VALLEY ROAD</div><div>TOWSON, MD.</div></div> | <div>DATE</div> <div>12-20-90</div> <div>DRAWING NO.</div> <div></div> <div>SCALE</div> <div>AS NOTED</div> <div>DESIGNED BY</div> <div>TFW</div> <div>SHEET 2 OF 2</div> <div>DRAWN BY</div> <div>CH210B</div> <div>FWA JOB NO.</div> <div>90239.01</div> |
|                                                                                                                                                        |                                                                                                                                                                                                               |                                                                                                                                                                                                                                                                                                                                                                                                              |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |                                                                                                                                                           |                                                                                                                                      |                                                                                                                                                                                                                                                            |
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1991-0324-SPHXA



| LANDSCAPE PLANTINGS                                                              |       |                                       |                  |           |
|----------------------------------------------------------------------------------|-------|---------------------------------------|------------------|-----------|
| SYMBOL                                                                           | QUANT | BOTANICAL/COMMON NAME                 | SIZE             | REMARKS   |
|                                                                                  | 6     | GLIRICIDIA SEPIMUM PRINCETON SENTINEL | 3 1/2' - 4' COL. | 24' x 24' |
|                                                                                  | 10    | CUPRESSOCYPARISSUS LEYLANDII          | 6' - 8' HT.      | 24' x 24' |
|                                                                                  | 30 TM | TAXUS MEDIA HICKEY HICKEY YEW         | 4' HT.           | 24' x 24' |
| FROM APPROVED FINAL LANDSCAPING PLAN FOR TOWSON TOWN CENTER APPROVED ON 12/17/90 |       |                                       |                  |           |



**VICINITY MAP**  
SCALE: 1"=100'  
SITE: 26,276 S.F. (235,500)  
REQ'D: 25,308 S.F. 22,023

- SITE INFORMATION**
- Net Lot Size: 22,023 Sq. Ft.
  - Gross Site Area: 26,276 Sq. Ft. = 0.60 Ac.
  - Floor Area: 2820 Sq. Ft.
  - Floor Area Ratio: 0.106
  - Tax Account # 09-06-000-621
  - Election Dist.: 9th District
  - Precinct: 7th
  - Existing Use: Auto Repair, Gas W/Mobil Mart
  - Proposed Use: Auto Repair, Gasoline, W/Mobil Mart

- ZONING STATUS**
- PROPOSED ZONING - BM  
EXISTING DISTRICT - CT  
PROPOSED DISTRICT - CT  
PREVIOUS ZONING CASE #
- AREA REQUIREMENTS**
- 3 DISPENSER ISLANDS WITH 6 MULTI-DISPENSER PUMPS SERVING 12 CARS AT ONE TIME  
TOTAL SERVING BAYS - 12  
TOTAL BAYS AND SPACES - 15  
TOTAL AREA REQUIRED - 15 X 1500 S.F. = 22500 S.F.  
ANCILLARY USES -
- ACCESS POINTS**
- 2 DRIVEWAYS (EX.) ON DULANEY VALLEY ROAD  
1-1/2 FEET WIDE, 1-1/2 FEET WIDE
- LANDSCAPING**
- TO BE COMPLETED AS PER FINAL LANDSCAPE PLAN  
TOWSON TOWN CENTER APPROVED 12/27/90  
PROP. LANDSCAPING TOTAL = 2,776 SQ. FT. = 17% OF TRACT  
REQ'D LANDSCAPING TOTAL = 14 OF TRACT = 1,100 S.F.
- PARKING**
- SERVICE BAY - 2.5 SPACES/BAY = 7.5 SPACES  
RETAIL SPACE - 3 SPACES/1000 SF (CT DIST. ALLOWANCE) = 3 SPACES  
PARKING SPACES REQ'D = 14.5 = 14 SPACES  
PARKING SPACES PROVIDED = 12 SPACES (INCL. 1 HANDICAPPED SPACE)

**TOTAL SITE AREA**  
TOTAL SITE REQUIRED - 25,308 SF  
TOTAL SITE AREA PROVIDED - 26,276 SF

- VARIANCES REQUESTED**
- A VARIANCE FROM 409.10 OF THE BALTIMORE COUNTY ZONING REGULATIONS TO PERMIT TWO WAITING SPACES TO EXTEND OVER THE LEASE LINE FOR THE SUBJECT PROPERTY BY 4-1/2 FEET.
  - A VARIANCE FROM 409.10 OF THE BALTIMORE COUNTY ZONING REGULATIONS TO PERMIT TWO TIE-UP PARKING SPACES OF 5 TO 8 FEET BETWEEN THE WAITING SPACES AND THE PARKING SPACES RATHER THAN THE REQUIRED 22 FEET.
  - A VARIANCE FROM 409.10 (A)(3) OF THE BALTIMORE COUNTY ZONING REGULATIONS TO PERMIT TWO TIE-UP PARKING SPACES REFLECTED ON THE PROPOSED SITE PLAN.
  - A VARIANCE FROM 413.2 OF THE BALTIMORE COUNTY ZONING REGULATIONS TO ALLOW A TOTAL SIGNAGE AREA OF 241 SQUARE FEET INSTEAD OF THE PERMITTED 100 SQUARE FEET AND ALLOW 11 FREESTANDING SIGNS INSTEAD OF THREE (SEE CH. 1 OF 2).

**LATEST PERMIT**  
1. BUDG PERMIT #94040/G 000 DATED: 3-25-87

**\* ZONING HEADINGS, CIG, W/NOV 88**  
PETITION FOR ZONING, DECLASSIFICATION AND/OR SPECIAL EXCEPTION  
1. FILED APRIL 12, 1988 GROUTED: 6-2-1988 (G-282-X)

**NOTE:**  
1. THE SITE IS IN COMPLIANCE WITH ALL APPLICABLE REQUIREMENTS AS PER SECTION 409.1 BUL. 10-40  
2. NO OTHER SERVICE STATIONS ARE PRESENTLY LOCATED ON THE SHOPPING CENTER SITE.



**SPECIAL HEADING  
VARIANCES AND SPECIAL EXCEPTION PLAN**

| REVISIONS |                              |      |    | DATE BY CHK MF |  | Mobil Oil Corporation   |  |
|-----------|------------------------------|------|----|----------------|--|-------------------------|--|
| 1         | ADD 8' PROP DIESEL DISPENSER | 5/19 | CO | TW             |  | 40705 FAIRMOUNT COURT   |  |
| 2         | ADD PROP RIGHT-OF-WAY LINE   | 4/10 | CO | TW             |  | SUITE 2000              |  |
| 3         | ADD PROP DIESEL DISPENSER    | 4/11 | CO | TW             |  | FAIRFAX, VIRGINIA 22030 |  |
| 4         | ADD 8' PROP DIESEL DISPENSER | 4/16 | CO | GW             |  |                         |  |

|                         |                |    |
|-------------------------|----------------|----|
| 831 DULANEY VALLEY ROAD |                |    |
| SITE PLAN               |                |    |
| TOWSON, MD.             |                |    |
| DRAWN: CH210 ED         | DRAWING NUMBER | RG |
| CHECKED: TFW            | 9025901        |    |
| SCALE: 1"=10'           | SHEET NUMBER   |    |
| DATE: 12-10-90          | 1 OF 2         |    |

**PETITIONER'S  
EXHIBIT 1**

91-324SPHXA

|                                                                                                     |                                                                                                              |                                                                                                                             |
|-----------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------|
| APPLICANT<br>Mobil Oil Corporation<br>4705 FAIRMOUNT COURT<br>SUITE 2000<br>FAIRFAX, VIRGINIA 22030 | OWNER<br>TOWSON TOWN CENTER ASSOC.<br>C/O ERNEST W. HAWN, INC.<br>706 C FAIRMOUNT AVENUE<br>TOWSON, MD 21204 | FREDERICK WARD ASSOCIATES, INC.<br>ENGINEERS ARCHITECTS SURVEYORS<br>10 SOUTH MAIN STREET<br>BALTIMORE, MARYLAND 21201-2000 |
|-----------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------|



