IN RE: PETITION FOR SPECIAL HEARING AND VARIANCE E/S Satyr Hill Rd., 75' S of c/l Joppa Rd. (2023 E. Joppa Rd.) 9th Election District 6th Councilmanic District Star Enterprise, Petitioner	* * * * * * * * *	BEFORE THE DEPUTY ZONING COMMISSIONER OF BALTIMORE COUNTY CASE NO. 93-109-SPHA

* * * * * * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as a Petition for Special Hearing and a Petition for Zoning Variance. The Petitioner herein, Star Enterprise, operates a Texaco automotive service station at the above-referenced location and requests my approval of: (1) an amendment to the existing special exception granted in prior Case No. 3601-X to allow for a canopy on the premises, and, (2) certain variances relating to parking and signage, in accordance with Petitioner's Exhibit 1 which was submitted at the hearing.

Appearing at the public hearing on behalf of Star Enterprise was James G. Wagner, who is the company's real estate agent in this area. Also appearing was William P. Monk, a professional planner with William Monk, Inc., who prepared the Special Hearing and Variance Plat identified as Petitioner's Exhibit 1. The Petitioner was represented by Robert A. Hoffman, Esquire. There were no protestants present.

Testimony and evidence presented at the hearing indicated that the subject property consists of approximately .50 acres zoned BL-CCC and is located at the intersection of Joppa Road and Satyr Hill

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Road. The property comprising the service station is surrounded on two sides by the adjoining shopping center and is leased from the shopping center's owner, the Satyr Hill Limited Partnership. The subject property was the subject of prior Case No. 3601-X in 1955 in which the County granted a special exception to use the property as a service station. Since the special exception was granted in 1955, the property has been used continuously as a service station. The Petitioner filed the instant Petitions to permit a new canopy over the gasoline pumps located on the premises. Mr. Hoffman, Counsel for the Petitioner, proffered testimony for Mr. Wagner and Mr. Monk that the proposed canopy would be an improvement to the property by providing the service station's customers and employees with better lighting and protection from the elements.

Additional testimony by Mr. Monk indicated, that while preparing for the special hearing, it became evident to the Petitioner that in order to amend the existing special exception, certain parking and sign deficiencies under the Baltimore County Zoning Regulations ("B.C.Z.R.") needed to be addressed. Accordingly, the subject parking and sign variances were sought. Mr. Hoffman proffered testimony that there are no parking spaces within the service station's lease line and, thus, a parking variance for 0 spaces in lieu of the 9 spaces required pursuant to B.C.Z.R. 409.6.A.2 and 405.A.5 was necessary. The testimony further indicated that, as a practical matter, the shopping center's immediately adjacent parking lot provided spaces which were utilized by the service station when necessary. An additional variance was

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needed to permit a travel aisle of 3 feet to the special exception/lease line in the lieu of the required 22 feet. Testimony pointed out that in actuality, however, the aisle width to the nearest parking space is 12 feet, not 3 feet, since the lease line is abutted by the parking lot of the shopping center, as shown more particularly in Petitioner's Exhibit 1.

Regarding the signage variance, Mr. Monk testified that a practical difficulty arose due to the Texaco name and logos which would appear on the canopy and other signs customarily associated with service stations. Although the name and logos were incidental, § 413.2.F of the B.C.Z.R. requires that they count as "other business signs" which are limited to 100 square feet under the zoning regulations. Testimony indicated that the owners of the shopping center were supportive of the Petitioner's plans for a new canopy, but that they wanted to be assured that the increased signage would apply only to the Petitioner's service station and would not apply to the signage calculation for the adjacent shopping center.

Finally, there was testimony that because no new construction was planned, landscaping is not required under County regulation. However, in order to improve the site, the Petitioner proposes landscaping in accordance with that shown on Petitioner's Exhibit 1.

It is clear from the testimony that without the requested amendment to the existing special exception and variances, the Petitioner would be subjected to both a practical difficulty and an unreasonable hardship. Furthermore, I find that the variances would

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By

not be contrary to the spirit of the B.C.Z.R. or result in substantial detriment to the public health, safety and general welfare. Accordingly, I find that the Petitioner has met its burden to amend the existing special exception and to obtain variance relief pursuant to § 307.1 B.C Z.R. I further find that the proposed landscaping is entirely appropriate and in keeping with the spirit of the zoning regulations. Thus, all landscaping requirements shall be deemed to have been satisfied by the Petitioner's landscaping of the site in accordance with Petitioner's Exhibit 1.

Pursuant to the advertisement, posting of the property, and public hearing held on this Petition, and for the reasons given above, the requested amendment to the existing special exception and the variances should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County this 30th day of November, 1992, that the Petition for Special Hearing to allow the amendment to the existing special exception in order to construct a new canopy on the premises be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that the Petition for Zoning Variance from §§ 409.6.A.2 and 405.4.A.5 of the B.C.Z.R. to permit 0 parking spaces in lieu of the required 9 spaces be and is hereby GRANTEL; and,

IT IS FURTHER ORDERED that the Petition for Zoning Variance from § 409.4.C of the B.C.Z.R. to permit a travel aisle of 3 feet in lieu of the required 22 feet be and is hereby GRANTED; and,

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By

IT IS FURTHER ORDERED that the Petition for Zoning Variance from § 413.2.F of the B.C.Z.R. to permit 380 square feet of "other business signs" in lieu of the maximum permitted 100 square feet be and is hereby GRANTED, subject to the following restrictions:

(1) the landscape plan as submitted on Petitioner's Exhibit 1 shall be the approved landscape plan.

(2) the additional square footage of signage granted to the Petitioner pursuant to the sign variance herein shall not be applicable to any signage calculations for the adjacent shopping center.

Any appeal of this decision must be taken in accordance with § 26-132 of the Baltimore County Code.

TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

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Date 11/3/92
By

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning

Suite 113 Courthouse
400 Washington Avenue
Towson, MD 21204

(410) 887-4386

November 30, 1992

Robert A. Hoffman, Esquire
210 Allegheny Avenue
Towson, Maryland 21204

RE: PETITIONS FOR SPECIAL HEARING & ZONING VARIANCE
E/S Satyr Hill Road, 75' S of the c/l of Joppa Road
(2023 E. Joppa Road)
9th Election District - 6th Councilmanic District
Satyr Limited Partnership - Petitioners
Case No. 93-109-SPHA

Dear Mr. Hoffman:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petitions for Special Hearing and Zoning Variance have been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact Ms. Charlotte Radcliffe at 887-3351.

Very truly yours,

TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

cc: Mr. James G. Wagner
Star Enterprise
3800 Pickett Road, Fairfax, Va. 22031

Ms. Linda G. Schneider
334 Cranbrook Road, Cockeysville, Md. 21030

People's Counsel

File

ORDER RECEIVED FOR FILING
Date 11/3/92
By

115

Petition for Special Hearing

93-109-SPHA

to the Zoning Commissioner of Baltimore County

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special 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

to amend the approved special exception plan in Case No. 3601.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:
Star Enterprise
(Type or Print Name)
By: James G. Wagner, agent
Signature James G. Wagner
James G. Wagner, agent
Address 3800 Pickett Rd.
City and State Fairfax, VA 22031

Attorney for Petitioner:
John B. Howard
(Type or Print Name)
John B. Howard
Signature
210 Allegheny Avenue
Address
Towson, Maryland 21204
City and State
Attorney's Telephone No.: 494-6200

Legal Owner(s):
Satyr Limited Partnership
(Type or Print Name)
By: Linda G. Schneider
Signature Linda G. Schneider, General Partner
(Type or Print Name)
Signature
Address Phone No.
City and State
Name, address and phone number of legal owner, contract purchaser or representative to be contacted
John B. Howard
Name 210 Allegheny Avenue
Towson Maryland 21204 494 6200
Address Phone No.

OFFICE USE ONLY
ESTIMATED LENGTH OF HEARING -1/2HR. +1HR.
AVAILABLE FOR HEARING
MON./TUES./WED. - NEXT TWO MONTHS
ALL OTHER
REVIEWED BY: DATE 9/21/92

ORDER RECEIVED FOR FILING
Date 11/3/92
By

115

Petition for Variance

93-109-SPHA

to the Zoning Commissioner of Baltimore County

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 409.6(2) and ~~409.4.C~~ 405.4.A.5 to permit 0 parking spaces in lieu of the required 9 spaces; §413.2.f to permit 380 s.f. of "other business signs" in lieu of the maximum permitted 100 s.f; and §409.4.C to permit a travel aisle of 3 ft. in lieu of the of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty)
required 22 ft. to the special exception/lease line. Actual aisle width to nearest parking space is 12 ft.

To be determined at hearing.

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:
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(Type or Print Name)
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Signature James G. Wagner
James G. Wagner, agent
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City and State Fairfax, VA 22031

Attorney for Petitioner:
John B. Howard
(Type or Print Name)
John B. Howard
Signature
210 Allegheny Avenue
Address
Towson, Maryland 21204
City and State
Attorney's Telephone No.: 494-6200

Legal Owner(s):
Satyr Limited Partnership
(Type or Print Name)
By: Linda G. Schneider
Signature Linda G. Schneider, General Partner
(Type or Print Name)
Signature
John B. Howard 494 6200
Address Phone No.
210 Allegheny Avenue
Towson, Maryland 21204
City and State
Name, address and phone number of legal owner, contract purchaser or representative to be contacted
Name
Address Phone No.

OFFICE USE ONLY
ESTIMATED LENGTH OF HEARING -1/2HR. +1HR.
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REVIEWED BY: DATE 9/21/92

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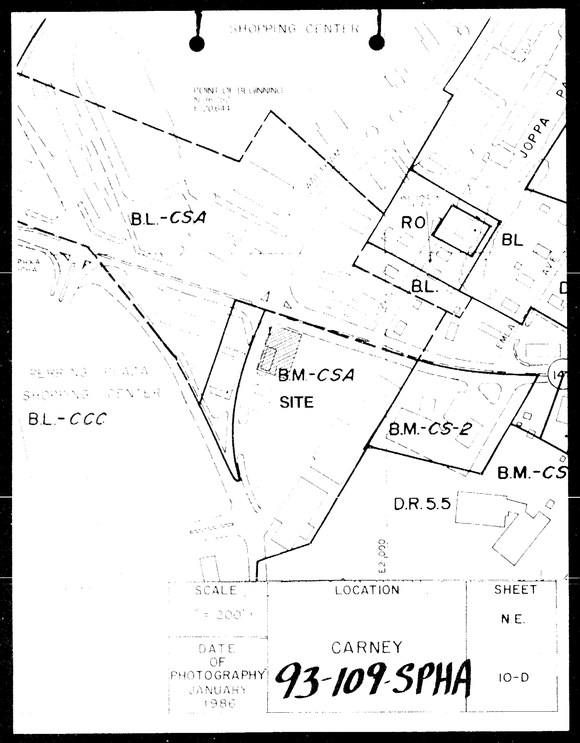
By

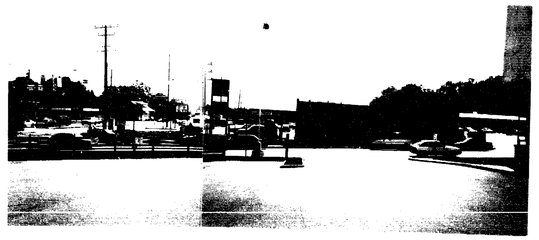


WILLIAM MONK, INC.

LAND USE PLANNING • ENVIRONMENTAL PLANNING • ZONING

VIEW OF SITE LOOKING EAST

PETITIONER'S EXHIBIT



WILLIAM MONK, INC.

LAND USE PLANNING • ENVIRONMENTAL PLANNING • ZONING

EXISTING LANDSCAPING AREA

WILLIAM MONK, INC.

LAND USE PLANNING • ENVIRONMENTAL PLANNING • ZONING

EXISTING LANDSCAPING

WILLIAM MONK, INC.
Courthouse Commons
222 Bosley Avenue, Suite B-7
Towson, Maryland 21204-4300

WILLIAM MONK, INC.

LAND USE PLANNING • ENVIRONMENTAL PLANNING • ZONING

VIEW OF SITE LOOKING NORTH

WILLIAM MONK, INC.
Courthouse Commons
222 Bosley Avenue, Suite B-7
Towson, Maryland 21204-4300

WILLIAM MONK, INC.

LAND USE PLANNING • ENVIRONMENTAL PLANNING • ZONING

JOPPA ROAD

LOOKING WEST

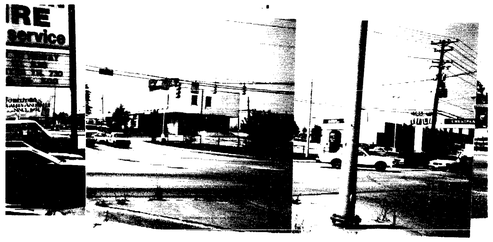
LOOKING EAST

WILLIAM MONK, INC.
Courthouse Commons
222 Bosley Avenue, Suite B-7
Towson, Maryland 21204-4300

WILLIAM MONK, INC.

LAND USE PLANNING • ENVIRONMENTAL PLANNING • ZONING

VIEW OF SITE LOOKING SOUTH



WILLIAM MONK, INC.
Courthouse Commons
222 Bosley Avenue, Suite B-7
Towson, Maryland 21204-4300

WILLIAM MONK, INC.

LAND USE PLANNING • ENVIRONMENTAL PLANNING • ZONING

EXISTING FREESTANDING SIGN

EXISTING READER BOARD

NOTES:

1) **ZONING:**
EXISTING - BL-CCC
PROPOSED - (NO CHANGE)

2) **LOT AREA:** 21746 S.F. (GROSS); 0.50 AC. +/-
13526 S.F. (NET); 0.31 AC.+/-

3) **EXISTING USE:** TEXACO SERVICE STATION

4) **PROPOSED USE:** TEXACO SERVICE STATION WITH NEW CANOPY, MULTIPLE PUMP DISPENSERS, AND NEW IN-GROUND TANKS.

5) **BUILDING SETBACKS:** NO CHANGE IS PROPOSED TO THE BUILDING. THE SITE IS A LEASE LOT/PAD ON A SHOPPING CENTER.

	REQUIRED	PROVIDED
FRONT -	35'	81'+/-
INTERIOR SIDE -	N/A	N/A
REAR -	N/A	N/A
STREET CORNER SIDE -	N/A	6'

6) **BUILDING AREA:** SERVICE STATION - 1,500 S.F.

7) ALL EXISTING IMPROVEMENTS TO REMAIN AS IS. NO EXPANSION OF BUILDING AREA IS PROPOSED.

8) **PARKING:**
REQUIRED - SERVICE STATION: 3 SPACES/BAY = 9 SPACES
PROVIDED - 0 (See Note #11)

9) **UTILITIES:**
SEWER - PUBLIC
WATER - PUBLIC

10) **SPECIAL HEARING:** TO AMEND THE APPROVED SPECIAL EXCEPTION PLAN (CASE # 3601-X)

11) **VARIANCE:**
- SECTION 409.6(2) & 405 A 5: TO PERMIT 0 PARKING SPACES IN LIEU OF THE REQUIRED 9 SPACES. (3 SERVICE BAYS @ 3/BAY) (SEE NOTE # 8)
- SECTION 413.2 f: TO PERMIT 380 S.F. OF "OTHER BUSINESS SIGNS" IN LIEU OF THE MAXIMUM PERMITTED 100 S.F. (SEE NOTE # 26)
- SECTION 409.4 C: TO PERMIT A TRAVEL AISLE OF 3' IN LIEU OF THE REQUIRED 22' TO THE SPECIAL EXCEPTION/LEASE LINE. ACTUAL AISLE WIDTH TO NEAREST PARKING SPACE IS 12'.

12) **ELECTION DISTRICT:** 9

13) **COUNCILMANIC DISTRICT:** 6

14) **CENSUS TRACT:** 4919

15) **WATERSHED:** 4

16) **SUBWATERSHED:** 10

17) **DEVO REFERENCE:** 2808/554

18) **PROPERTY ACCOUNT NO.:** 09-2200003254

19) **TAX MAP #:** 0, **GRID** 14, **PARCEL** 646

20) **HEIGHT OF BUILDING:** 1 STORY (EXISTING BLDG & PROPOSED CANOPY)

21) **FLOOR AREA RATIO:** (AREA SUBJECT TO SPECIAL HEARING APPLICATION)
MAXIMUM PERMITTED - 4.0
PROPOSED - 0.07

22) **NO CRITICAL AREAS,** ARCHEOLOGICAL SITES, EXISTING HISTORIC BUILDINGS OR ENDANGERED SPECIES HABITATS ON SITE.

23) ~~ALL EXISTING FUEL TANKS TO BE REPLACED.~~

24) ALL OUTDOOR LIGHTING WILL BE DIRECTED AWAY FROM THE ADJACENT RESIDENTIAL HOUSES, WERE APPLICABLE.

25) HANDICAP RAMPS TO BE PROVIDED WHERE NECESSARY.

26) **SIGNS:** (SEE NOTE # 11)
FREESTANDING ("OTHER BUSINESS") SIGNS PER 413.2 (f) OF BCZR.

		PER SIDE	TOTAL
A.	EXISTING TEXACO POLE SIGN WITH CHANGEABLE PRICE SIGN	70 S.F.	140 S.F.
B.	EXISTING READER BOARD	24 S.F.	48 S.F.
C.	PROPOSED SPREADER BARS (2)	48 S.F.	
		96 S.F. PER SIGN	192 S.F.
	TOTAL AREA		380 S.F.
	ALLOWABLE AREA		100 S.F.

WALL-MOUNTED (CANOPY) SIGNS PER 413.2 (a) OF BCZR

		AREA
A.	PROPOSED CANOPY SIGNS FACING WALTHAM WOODS ROAD	44 S.F.
	ALLOWABLE AREA (4 X 61'-10")	247 S.F.
B.	PROPOSED CANOPY SIGNS FACING JOPPA ROAD EAST	44 S.F.
	ALLOWABLE AREA (4 X 32'-0")	128 S.F.

ALL SIGNAGE CALCULATED FOR AND APPLIES ONLY TO AREA SUBJECT TO THE SPECIAL EXCEPTION.

27) **ZONING HISTORY:**

(CASE # 2324)	9/14/52 -RECLASSIFICATION FROM "A" RESIDENTIAL ZONE TO "F" LIGHT INDUSTRIAL ZONE.
(CASE # 3601-X)	8/15/55 -SPECIAL EXCEPTION FOR A GAS STATION GRANTED - PROPERTY HAS BEEN USED CONTINUOUSLY FOR SERVICE STATION.
(CASE # 76-210 A)	PARKING VARIANCE FOR SHOPPING CENTER - GAS STATION WAS OUTPARCEL AND NOT A PART OF THIS APPLICATION
(CASE # 76-242A)	(FOOD STORE - OFF SITE ON PAD OF SHOPPING CENTER)

28) **GASOLINE SERVICE STATION REQUIREMENTS:**

A. AREA REQUIREMENTS:
2 DISPENSER ISLANDS WITH 4 DISPENSERS, CAPABLE OF SERVING 8 CARS AT ONE TIME.
TOTAL SERVICING SPACES = 8
TOTAL SERVICING BAYS = 3
TOTAL SPACES AND BAYS = 11

TOTAL AREA REQUIRED = 11 X 1,500 S.F. = 16,500 (USE 15,000 S.F. MIN.)

TOTAL WAITING SPACES = 8

B. ANCILLARY USES: NONE

C. TOTAL AREA OF TRACT = 21,746 S.F. OR .5 AC.

D. ACCESS POINTS:
NUMBER OF DRIVEWAYS ON MAJOR STREET = 2
REQUIRED SITE WIDTH = 2 X 65' = 130
ACTUAL SITE WIDTH = 244'

E. LANDSCAPING:
REQUIRED (5% OF SITE) = 1,087 S.F. (GROSS)
PROVIDED = 3,293 S.F.

F. LANDSCAPING BUFFERS:
AS SHOWN ON PLAN. NO ADDITIONAL LANDSCAPING IS REQUIRED PER SECTION V.A.2. OF THE BALTIMORE COUNTY LANDSCAPE MANUAL DUE TO THE FACT THAT THERE IS NO INCREASE IN FLOOR AREA.

G. AMENITY OPEN SPACE: N/A (SEE # 28 "E")

H. AREA DISTURBED BY NEW CONSTRUCTION = 3,500 S.F. +/-

I. LIGHTS: EXISTING TO REMAIN.

PLANTING NOTES:

1. All plant materials shall be nursery grown and shall conform to American Association of Nurserymen, Inc. Standards.
2. All planting procedures and specifications shall conform to "Landscape Specifications Guidelines for Baltimore-Washington Metro Area" latest edition.
3. Contractor shall guarantee all plant materials for a period of one year after installation is complete and approved.
4. Contractor shall be responsible for any damage to utilities and may make adjustments in spacing and location of plant materials to avoid conflicts with utilities.
5. When specified plants are not available as determined by the contractor, substitutions may be made as directed by the landscape architect.

SEE SHEET 2 OF 2 FOR OVERALL LAYOUT OF SHOPPING CENTER

LANDSCAPE ARCHITECT'S AND OWNER'S CERTIFICATE AND SATISFACTION FORM

I certify that I have reviewed this Final Landscape Plan that I am aware of the requirements presented in the Baltimore County Landscape Manual, and I agree to comply with these regulations and all applicable policy guidelines and ordinances. I agree to certify that implementation of the approved Final Landscape Plan upon completion of the landscape installation. Further, that I will notify the Department of Public Works, Bureau of Public Services, County Office Building, Room 111, Towson, MD 21204.

Signature of Landscape Architect — Date

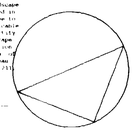
Owner's signature — Date

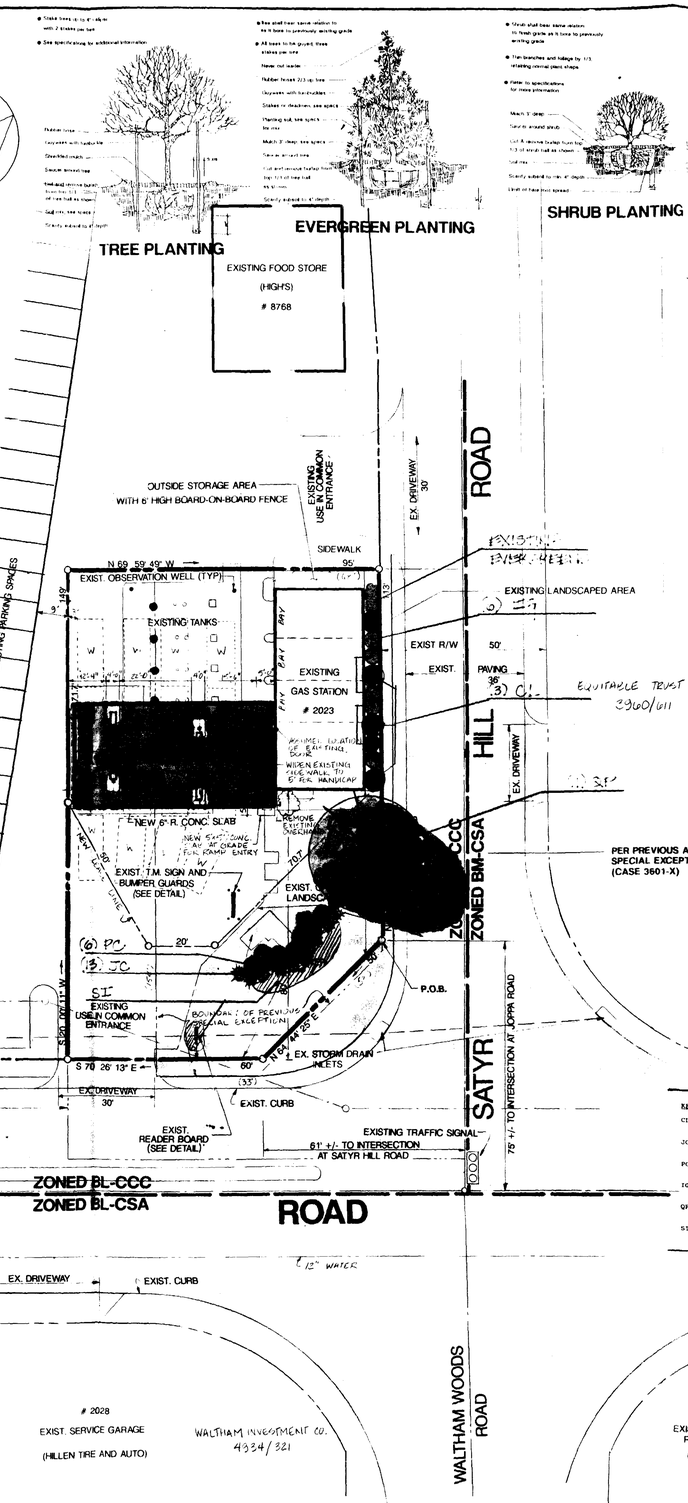
(Print) Owner's Name — Date No.

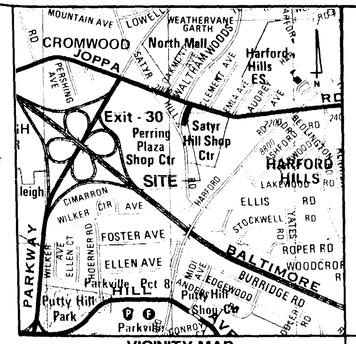
(Print) Mailing address — City — State — Zip

KAREN FERGUSON 494 8931

222 BOSLEY AVE STE B7 TOWSON MD 21204







VICINITY MAP
SCALE 1" 1000

APPLICANT:
STAR ENTERPRISE
3800 PICKETT ROAD
FAIRFAX, VIRGINIA 22031

DATE	08/24/92
DATE REV.	10/26/92
DATE REV.	
DATE REV.	
DATE REV.	

PROPOSED CANOPY SIGNS
(SCALE: 1" = 10')

FACING JOPPA ROAD EAST — 32'-0" — TEXACO — Star Of The American Road — 16'-2"

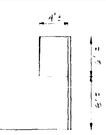
FACING WALTHAM WOODS ROAD — 15'-0" — TEXACO — 61'-10"

EXISTING TEXACO POLE SIGN
(SCALE: 1" 10')

PETITIONER'S EXHIBIT 1

PLANT LIST

KEY	QTY	BOTANICAL NAME/COMMON NAME	SIZE	REMARKS
CL	4	X CUPRESSOCYPARIS LEYLANDII/ LEYLAND CYPRESS	4-5' HT	CONT.
JC	13	JUNIPERUS CHINENSIS 'PLUMOSA'/ PLUMOSA JUNIPER	18-24"	CONT.
PC	7	PYRACANTHA COCCINEA 'LALANDEI'/ FIRETHORN	5 GAL.	CONT.
IG	6	ILEX GLABRA 'COMPACTA'/ COMPACT INKBERRY	24-30"	CONT.
QP	1	QUERCUS PHELLOS/ WILLOW OAK	2-2.5" CAL.	B&B
SI		(SEASONAL INTEREST PLANTING BED TO INCLUDE MIX OF ANNUALS AND PERENNIALS)		



EXISTING READER BOARD
(SCALE: 1" 10')

STATE OF MARYLAND — KAREN M. G. FERGUSON

PLAT TO ACCOMPANY SPECIAL HEARING AND VARIANCE APPLICATION / FINAL LANDSCAPE PLAN

2023 EAST JOPPA ROAD
BALTIMORE COUNTY, MARYLAND

WILLIAM MONK, INC
PLANNING • LANDSCAPE DESIGN
ENVIRONMENTAL RESOURCE MANAGEMENT
COURTHOUSE COMMONS
222 BOSLEY AVENUE SUITE B 7
TOWSON, MARYLAND 21204
(410) 494-8931

SHEET 1 OF 2

DESCRIPTION OF
5.254 ACRES OF LAND
SATYR HILL SHOPPING CENTER
9TH ELECTION DISTRICT
BALTIMORE COUNTY, MARYLAND

BEGINNING FOR THE SAME in the southerly right of way line of Joppa Road having a right of way width of 80.00 feet, said point being southeasterly 70 feet plus or minus from the intersection of Joppa Road and Satyr Hill cut-off; thence departing said point so fixed and binding on said southerly right of way with meridian reference to Maryland State Grid North

(1) South 70 degrees 26 minutes 13 seconds East 394.05 feet; thence,

(2) southeasterly 46.20 feet along an arc of a curve to the left having a radius of 1,081.74 feet with a chord bearing and distance of South 71 degrees 39 minutes 41 seconds East 46.20 feet; thence departing said southerly right of way line and binding on the westerly line of a lease agreement to Shell Oil Company as recorded among the Land Records of Baltimore County, Maryland in Liber 2994 at Folio 72 and the lands now or formerly of Carl G. Francis and Elizabeth W. Francis, his wife, as recorded among the Land Records of said County and State in Liber 657 at Folio 86 and Liber 626 at Folio 536,

(3) South 31 degrees 21 minutes 00 seconds West 554.06 feet; thence,

(4) South 67 degrees 15 minutes 33 seconds West 146.82 feet to intersect with the easterly right of way line of Satyr Hill Road; thence binding on said easterly right of way line

(5) northwesterly 90.97 feet along an arc of a curve to the left having a radius of 475.00 feet with a chord bearing and distance of North 11 degrees 54 minutes 12 seconds West 90.93 feet; thence,

(6) North 31 degrees 28 minutes 52 seconds East 5.85 feet; thence,

(7) North 25 degrees 16 minutes 50 seconds West 117.21 feet; thence,

(8) northeasterly 316.14 feet along an arc of a curve to the right having a radius of 400.00 feet; with a chord bearing and distance of North 02 degrees 38 minutes 20 seconds West 307.98 feet; thence,

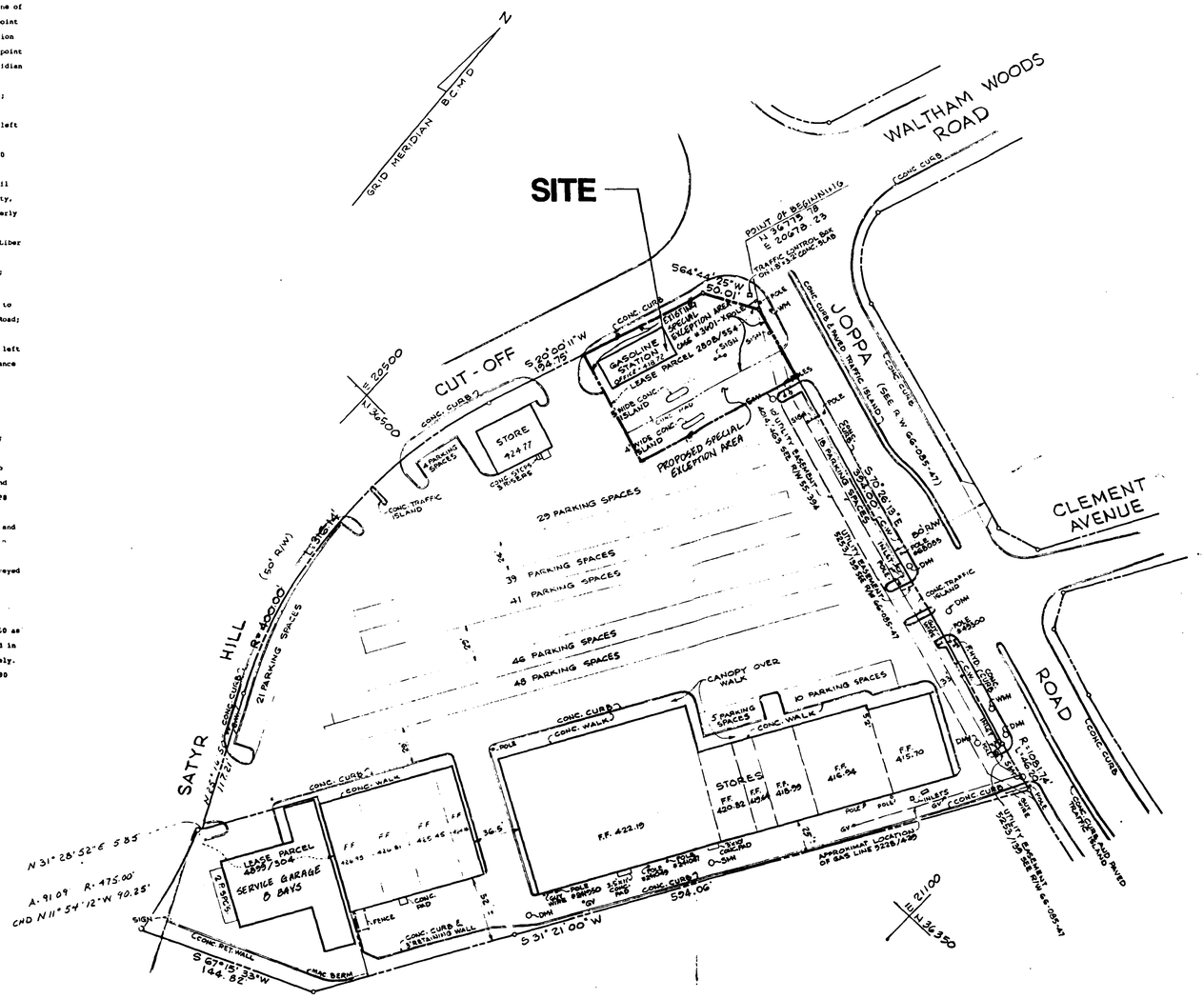
(9) North 20 degrees 00 minutes 11 seconds East 155.79 feet and

(10) North 64 degrees 44 minutes 25 seconds East 50.01 feet to the point and place of beginning.

CONTAINING 5.254 acres of land, more or less as now surveyed by Kidde Consultants, Inc., Registered Professional Land Surveyors.

BEING the residue of the lands conveyed to Satyr Hill Corporation by deeds dated June 15, 1955 and November 10, 1950 as recorded among the Land Records of Baltimore County, Maryland in Liber 2716 at Folio 56 and Liber 3780 at Folio 277 respectively.

GJT/pek KCI Job Order No. 01-89160A February 2, 1990
Work Order No. 54147



PLAN
SCALE: 1" = 50'

VICINITY MAP
SCALE: 1" = 2000'
TAX MAP 71 PARCELS 646 & 940

CERTIFICATION FOR SURVEYS

To the Estate of Jerome J. Gebhart, Maryland National Bank and Ticor Title Insurance, I hereby certify to the best of my professional knowledge, information and belief, that the survey prepared by me entitled "Certification Plat, Satyr Hill Shopping Center" dated January 31, 1990 was actually made upon the ground pursuant to the intent of the recorded instruments of record and that it and the information, courses and distances shown thereon are correct; that the title lines and lines of actual possession are the same; that the size, location and type of buildings and improvements are as shown and all are within the boundary lines and applicable set-back lines of the property; that there are no visible violations of zoning ordinances, restrictions or other rules and regulations with reference to the location of said buildings and improvements, except as noted; that there are no easements affecting this property appearing from a careful physical inspection of the same, other than those shown and depicted thereon; that there are no visible encroachments affecting this property except as noted; that all utility services required for the operation of the premises either enter the premises through adjoining public streets, or the survey shows the point of entry and location of any utilities which pass through or are located on adjoining private land; that any utility transformer located on the premises is depicted hereon; that the survey shows the location of all storm drainage systems for the collection and disposal surface drainage; that any discharge into streams, rivers or other conveyance system is shown on the survey.

I hereby certify, that I have reviewed the Flood Insurance Rate Map 240010 0270B effective March 2, 1981 for the subject property and find it is an area designated Zone C - area of minimal flooding.

The current zoning of the property is BL-CCC as based upon sheet N.E. 10-D dated January, 1986.

This survey is made in accordance with the "Minimum Standard Detail Requirements for Land Title Surveys" jointly established and adopted by American Land Title Association and American Congress on Surveying and Mapping in 1962.

The undersigned has received and reviewed a copy of the title report prepared by Ticor Title Insurance/American Title Guarantee Corporation Commitment Number BC-7651, effective [illegible] 3, 1990, and of each instrument listed thereon; the location of the referenced easements have been shown hereon to the extent that they can be shown as based upon the above referenced title report.

1. Subject to terms and provisions as contained in a Lease dated October 30, 1967 and recorded as aforesaid in Liber No. 4899, Folio 304 by Satyr Hill Corporation, as shown hereon.
2. Subject to terms and provisions as contained in an Agreement dated October 1, 1971 and recorded as aforesaid in Liber No. 5228, Folio 429 to The Baltimore Gas and Electric Company, as shown hereon.
3. Subject to terms and provisions as contained in a Deed dated August 25, 1937 and recorded as aforesaid in Liber No. 905, Folio 375 to the State Roads Commission, as shown hereon as part of new right of way which is now incorporated in the right-of-way of Joppa Road as now laid out.
4. Subject to terms and provisions as contained in an Agreement dated February 16, 1996 and recorded as aforesaid in Liber 2885, Folio 560 to The Baltimore Gas and Electric Company, as shown hereon as to poles along Joppa and Satyr Hill Roads.
5. Subject to terms and provisions as contained in a Deed dated April 25, 1962 and recorded as aforesaid in Liber No. 4014, Folio 463 by and between Satyr Hill Corporation, Texaco, Inc., and The Equitable Trust Company, as shown hereon.
6. Subject to terms and provisions as contained in an Agreement dated November 25, 1955 and recorded as aforesaid in Liber No. 2844, Folio 315 to The Baltimore Gas and Electric Company, as shown hereon as to poles along Joppa and Satyr Hill Roads.
7. Subject to terms and provisions as contained in a Deed and Agreement dated February 8, 1972 and recorded as aforesaid in Liber No. 5253, Folio 139 by and between Satyr Hill Corporation, The Equitable Trust Company and Baltimore County, Maryland, as shown hereon.

Gary J. Thumm 2-FEB-90
Gary J. Thumm, Jr. Date
Registered Property Line Surveyor
No. 21

PETITIONER'S EXHIBIT 3

PLAT TO ACCOMPANY SPECIAL HEARING AND VARIANCE APPLICATION

2023 EAST JOPPA ROAD
BALTIMORE COUNTY, MARYLAND

DATE: AUGUST 24, 1992

SHEET 2 OF 2

	DATE	REVISIONS
Drafting		
Check	2-2-90	Revised Surveyor's Certification
Design		
Check		

KIDDE CONSULTANTS, INC.
ENGINEERS • PLANNERS • SURVEYORS
1020 CROMWELL BRIDGE ROAD, BALTIMORE, MARYLAND 21204, 301-321-5500

CERTIFICATION PLAT
SATYR HILL SHOPPING CENTER
9TH ELECTION DISTRICT BALTIMORE COUNTY, MARYLAND

DATE	JOB NUMBER
JAN. 31, 1990	01-89160A
SCALE 1" = 50'	

ZONING DESCRIPTION
SATYR HILL TEXACO
2023 EAST JOPPA ROAD
9TH ELECTION DISTRICT
BALTIMORE COUNTY, MARYLAND

BEGINNING FOR THE SAME AT A POINT ON THE EAST SIDE OF SATYR HILL ROAD, 50 FEET WIDE, A DISTANCE OF 75 FEET, MORE OR LESS, SOUTH OF THE CENTERLINE OF JOPPA ROAD, 80 FEET WIDE, THENCE RUNNING THE FOLLOWING COURSES AND DISTANCES:

NORTH 64 DEGREES 44 MINUTES 25 SECONDS EAST 50 FEET

SOUTH 70 DEGREES 26 MINUTES 13 SECONDS EAST 60 FEET

SOUTH 20 DEGREES 00 MINUTES 11 SECONDS WEST 149 FEET

NORTH 69 DEGREES 59 MINUTES 49 SECONDS WEST 95 FEET

NORTH 20 DEGREES 00 MINUTES 11 SECONDS EAST 113 FEET TO THE POINT OF BEGINNING.

CONTAINING 13,526 SQUARE FEET, MORE OR LESS.

93-109-SPHA

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

93-109-SPHA

District 9th — Date of Posting 10/2/92
Posted for: Special Hearing & Variance
Petitioner: Satyr Limited Partnership & Star Enterprise
Location of property: 2023 (E/S) Satyr Hill Rd, 75' S/Joppa Rd
Location of Signs: Facing Joppa Rd, on property of Petitioner
Remarks:
Posted by: [signature] Signature — Date of return: 10/23/92
Number of Signs: 2

Case: #93-109-SPHA
(Item 115)
E/S Satyr Hill Road, 75' S of c/l Joppa Road
2023 E. Joppa Road
Satyr Hill Shopping Center - Texaco Station
9th Election District
6th Councilmanic
Legal Owner(s):
Satyr Limited Partnership
Contract Purchaser(s):
Star Enerprise
Hearing: Thursday, November 12, 1992 at 10:00 a.m. in Rm. 118, Old Courthouse

Special Hearing to amend the approved special exception plan in case #3601-X. **Variance** to permit zero parking spaces in lieu of the required 9 spaces; to permit 380 square feet of "other business signs" in lieu of the maximum permitted 100 square feet; and to permit a travel aisle of 3 feet in lieu of the required 22 feet to the special exception/lease line.

CERTIFICATE OF PUBLICATION

TOWSON, MD., 10/16, 1992

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 Oct. 15, 1992.

THE JEFFERSONIAN,

S. Zeke Orlov
Publisher

Baltimore County
Zoning Administration & Development Management
111 West Chesapeake Avenue
Towson, Maryland 21204

receipt

Date — Number

9/29/92 — H93000115

PUBLIC HEARING FEES	QTY	PRICE
020 -ZONING VARIANCE (OTHER)	1 X	$250.00
080 -SPECIAL HEARING (OTHER)	1 X	$250.00
	TOTAL:	$500.00

LAST NAME OF OWNER: SATYR LTD PRTNRSH

04A04#0105MICHRC $500.00
BA C011:09AM09-29-92
Please Make Checks Payable To: Baltimore County

Cashier Validation

93-109-SPHA

receipt

Date — Number

Please Make Checks Payable To: Baltimore County

Cashier Validation

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

111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

DATE: 11/22/92

Star Enterprise
3600 Pleasant Road
Fairfax, VA 22031

RE:
CASE NUMBER: 93-109-SPHA (Item 115)
E/S Satyr Hill Road, 75' S of c/l Joppa Road
2023 E. Joppa Road
Satyr Hill Shopping Center - Texaco Station
9th Election District - 6th Councilmanic
Legal Owner(s): Satyr Limited Partnership
Contract Purchaser(s): Star Enterprise
HEARING: THURSDAY, NOVEMBER 12, 1992 at 10:00 a.m. in Rm. 118, Old Courthouse

Dear Petitioner(s):

Please be advised that $ 112.25 is due for advertising and posting of the above captioned property and hearing date.

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

Please forward your check via return mail to the Zoning Office, County Office Building, 111 W. Chesapeake Avenue, Room 109, Towson, Maryland 21204. Please the case number on the check and make same payable to Baltimore County, Maryland. In order to avoid delay in the issuance of proper "Zoning" order, your prompt attention to this matter is suggested.

ARNOLD JABLON
DIRECTOR

cc: John B. Howard, Esq.

Printed on Recycled Paper

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

111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

OCT. 08 1992

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, 111 W. Chesapeake Avenue in Towson, Maryland 21204
or
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 93-109-SPHA (Item 115)
E/S Satyr Hill Road, 75' S of c/l Joppa Road
2023 E. Joppa Road
Satyr Hill Shopping Center - Texaco Station
9th Election District - 6th Councilmanic
Legal Owner(s): Satyr Limited Partnership
Contract Purchaser(s): Star Enerprise
HEARING: THURSDAY, NOVEMBER 12, 1992 at 10:00 a.m. in Rm. 118, Old Courthouse

Special Hearing to amend the approved special exception plan in case #3601-X. Variance to permit zero parking spaces in lieu of the required 9 spaces; to permit 380 square feet of "other business signs" in lieu of the maximum permitted 100 square feet; and to permit a travel aisle of 3 feet in lieu of the required 22 feet to the special exception/lease line.

Lawrence E. Schmidt
Zoning Commissioner of
Baltimore County

cc: Star Enterprise
John B. Howard, Esq.

NOTE: HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.

Printed on Recycled Paper

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

111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

October 30, 1992

John B. Howard, Esquire
210 Allegheny Avenue
Towson, MD 21204

RE: Item No. 115, Case No. 93-109-SPHA
Petitioner: Satyr Limited Partnership, et al
Petition for Variance & Special Hearing

Dear Mr. Howard:

The Zoning Plans Advisory Committee (ZAC) has reviewed the plans submitted with the above referenced petition. The attached comments from each reviewing agency are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties, i.e. Zoning Commissioner, attorney and/or the petitioner, are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case.

Enclosed are all comments submitted thus far from the members of ZAC that offer or request information on your petition. If additional comments are received from other members of ZAC, 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.

The following comments are related only to the filing of future zoning petitions and are aimed at expediting the petition filing process with this office.

1) The Director of Zoning Administration and Development Management has instituted a system whereby seasoned zoning attorneys who feel that they are capable of filing petitions that comply with all aspects of the zoning regulations and petitions filing requirements can file their petitions with this office without the necessity of a preliminary review by Zoning personnel.

Printed on Recycled Paper

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

111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

Your petition has been received and accepted for filing this 29th day of September, 1992.

ARNOLD JABLON
DIRECTOR

Received By:
W. Carl Richards, Jr.
Chairman,
Zoning Plans Advisory Committee

Petitioner: Satyr Limited Partnership, et al

Petitioner's Attorney: John B. Howard

Printed on Recycled Paper

Pat

Rec'd 10/21/92

SHA **Maryland Department of Transportation**
State Highway Administration

O. James Lighthizer
Secretary
Hal Kassoff
Administrator

Ms. Julie Winiarski
Zoning Administration and
Development Management
County Office Building
Room 109
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: Baltimore County
Item No.: + 115 (JLL)

Dear Ms. Winiarski:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not effected by any State Highway Administration projects.

Please contact David Ramsey at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

David Ramsey 10/8/92

John Contestabile, Chief
Engineering Access Permits
Division

RECEIVED
OCT 9 1992
ZONING OFFICE

My telephone number is _____

Teletypewriter for Impaired Hearing or Speech
383-7555 Baltimore Metro - 565-0451 D.C. Metro - 1-800-492-5062 Statewide Toll Free
707 North Calvert St., Baltimore, Maryland 21203-0717

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Zoning Administration &
Development Management

DATE: October 23, 1992

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

SUBJECT: 2023 East Joppa Road

INFORMATION:
Item Number: 115

Petitioner: Satyr Limited Partnership

Property Size: 0.31 acres

Zoning: BL-CCC

Requested Action: Variance, Special Hearing

Hearing Date: / /

SUMMARY OF RECOMMENDATIONS:
The petitioner is seeking a variance to permit 0 parking spaces in lieu of the required 9 spaces; to permit 380 sq. ft. of "other business signs" in lieu of the maximum 100 sq. ft. and to a travel aisle of 3 feet in lieu of the required 22 feet to the special exception/lease line. The petitioner is also requesting a special exception to amend the approved special exception plan in case no. 360lx.

The Office of Planning and Zoning recommends **APPROVAL** of the petitioner's request and also recommend the following condition be satisfied.

Landscaping on this site is minimal. The site has a large area reserved for grass and landscaping that could easily accommodate additional planting material. Our office would like to see additional planting in this area.

The Office of Planning and Zoning recommends that a landscape plan be submitted to the Deputy Director of Planning and Zoning and the County Landscape Architect for approval before the issuance of any building permits.

Prepared by: Lawrence Morsey

Division Chief: Eric McDaniel

EMcD/FM:rdn

115.ZAC/ZAC1

~~Bureau of Traffic Engineering~~
Development Review Committee Response Form
Authorized signature Renee J. Family Date 10/18/92

10/19/92

Project Name / File Number	Waiver Number	Zoning Issue	Meeting Date
✓ Satyr Limited Partnership			
DED DEPRM RP STP TE		N/C	10-13-92
Wiseburg United Methodist Church			
DED DEPRM RP STP TE	116	W/C	
✓ First United Pentecostal Church			
DED DEPRM RP STP TE	117	N/C	
✓ Florence Wise Bruehl			
DED DEPRM RP STP TE	119	N/C	
✓ Brian Scott and John E. Sibrea			
DED DEPRM RP STP TE	120	N/C	

COUNT 5

Stonegate at Patapsco (Azreal Property)
90476
ZON DED TE (Waiting for developer to submit plans first) 6-1-92

COUNT 1

Sudbrook Associates
STP TE 106 9-28-92

COUNT 1
FINAL TOTALS
COUNT 7

Rec'd 10/21/92

* * * END OF REPORT * * *

Baltimore County Government
Fire Department

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

OCTOBER 15, 1992

(410) 887-4500

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204

RE: Property Owner: SATYR LIMITED PARTNERSHIP

Location: #2023 EAST JOPPA ROAD

Item No.: + 115 (JLL) Zoning Agenda: OCTOBER 13, 1992

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.

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

REVIEWER: Capt. Jerry Pepper
Planning Group
Special Inspection Division

JP/KEK

Rec'd 10/31/92

Department of Recreation and Parks
Development Review Committee Response Form
Authorized signature _____ Date 10/19/92

Project Name / File Number	Waiver Number	Zoning Issue	Meeting Date
✓ Satyr Limited Partnership			
DED DEPRM RP STP TE	115	No Comment	10-13-92
✓ Wiseburg United Methodist Church			
DED DEPRM RP STP TE	116	No Comment	
✓ First United Pentecostal Church			
DED DEPRM RP STP TE	117	No Comment	
✓ Florence Wise Bruehl			
DED DEPRM RP STP TE	119	No Comment	
✓ Brian Scott and John E. Sibrea			
DED DEPRM RP STP TE	120	No Comment	

COUNT 5

FINAL TOTALS
COUNT 5

* * * END OF REPORT * * *

Rec'd 10/21/92

93-109-SPHA 11-12-92

~~Department of Environmental~~ Protection & Resource Management
Development Review Committee Response Form
Authorized signature _____ Date 11-24-92

11/23/92

Project Name / File Number	Waiver Number	Zoning Issue	Meeting Date
✓ Satyr Limited Partnership			
DEPRM	115		10-13-92 NO COMMENTS
✓ Wiseburg United Methodist Church			
DEPRM	116		NO COMMENTS

COUNT 2

Cheryl Cronin			
DEPRM RP	122		10-19-92 WRITTEN COMMENTS
John Henry and Elaine Eleanor Baker			
DEPRM RP	127		IN PROCESS
Lewis Brooks Ramsey			
DEPRM RP	128		IN PROCESS

COUNT 3

Perry Hall Square Partnership			
DEPRM RP	131		10-26-92 IN PROCESS
Colleen M Kelly and Gary L. Pitts			
DEPRM RP	132		IN PROCESS

COUNT 2

✓ Charles L. and Maureen Lamoreaux			
DED DEPRM RP STP TE	148		11-16-92 NO COMMENTS
Stephen F. and Christopher S. Jencks			
DEPRM RP STP TE	154		NO COMMENTS
✓ John and Caole Villanova			
DED DEPRM RP STP TE	156		NO COMMENTS

V. GENERAL STANDARDS

A. **Compliance With The Manual Standards**

1. All public development, including streets and parking areas and private developments shall comply with the standards in this manual unless specifically exempted in paragraph B below.

2. In commercial, office and industrial zones, a proposed increase in floor area equal to 50% or more of the existing floor area shall require that the entire site conform to the manual. Increases in the floor area of less than 50% shall require that the portion of the site impacted by the proposed floor area conform to the standards in this manual.

3. Residential/office development (RO Zone, Class "A" and Class "B" buildings) shall comply with the standards for commercial, office and industrial development.

4. Mobile home parks, regardless of the zoning classification in which they are located, shall comply with the standards for residential development.

B. **Exemptions**

1. Resource Conservation Zones 2, 3, and 4 (RC-2, RC-3, and RC-4).

2. Residential subdivisions of three lots or less.

C. **Standards and Specifications**

1. Nomenclature

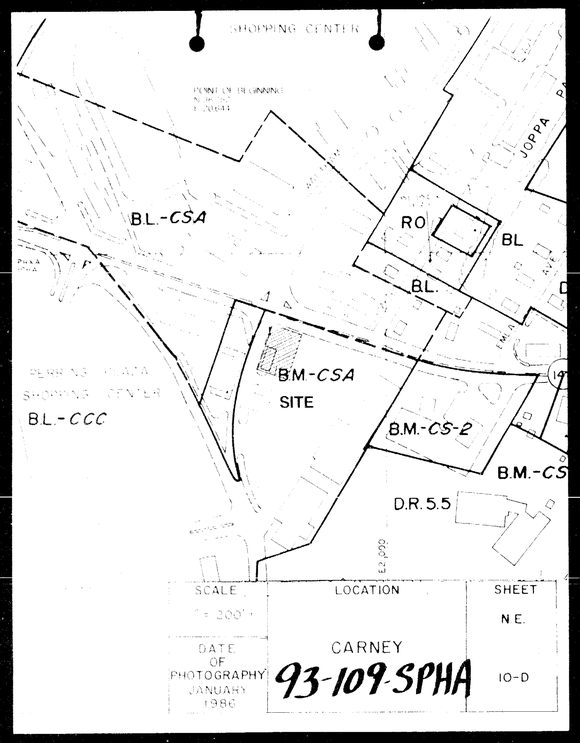
All plants shall be identified in accordance with Hortus Third, by L. H. Bailey, 1975.

2. Nursery Stock

All nursery stock shall conform to American Association of Nurserymen, Inc. standards as described in "American Standards for Nursery Stock," publication ANSI Z60.1-1980, latest edition.

Petitioners
~~PROTESTANT~~(S) SIGN-IN SHEET

NAME	ADDRESS
Rob Hoffman	210 Allegheny Ave
Jim Wagner	4855 Carlingwood Dr Fairfax, VA
Bill Monk	222 Bosley Ave
Linda Schneider	334 Cranbrook Rd, Cockeysville 21030

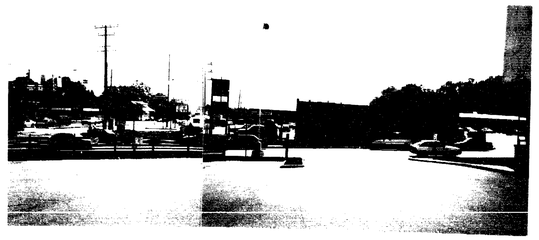


WILLIAM MONK, INC.

LAND USE PLANNING • ENVIRONMENTAL PLANNING • ZONING

VIEW OF SITE LOOKING EAST

PETITIONER'S EXHIBIT



WILLIAM MONK, INC.

LAND USE PLANNING • ENVIRONMENTAL PLANNING • ZONING

EXISTING LANDSCAPING AREA

WILLIAM MONK, INC.

LAND USE PLANNING • ENVIRONMENTAL PLANNING • ZONING

EXISTING LANDSCAPING

WILLIAM MONK, INC.
Courthouse Commons
222 Bosley Avenue, Suite B-7
Towson, Maryland 21204-4300

WILLIAM MONK, INC.

LAND USE PLANNING • ENVIRONMENTAL PLANNING • ZONING

VIEW OF SITE LOOKING NORTH

WILLIAM MONK, INC.
Courthouse Commons
222 Bosley Avenue, Suite B-7
Towson, Maryland 21204-4300

WILLIAM MONK, INC.

LAND USE PLANNING • ENVIRONMENTAL PLANNING • ZONING

JOPPA ROAD

LOOKING WEST

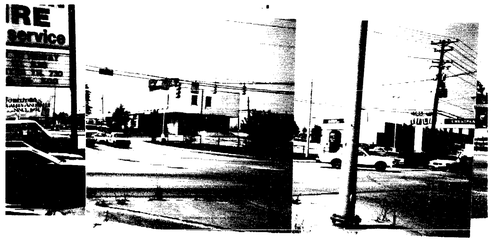
LOOKING EAST

WILLIAM MONK, INC.
Courthouse Commons
222 Bosley Avenue, Suite B-7
Towson, Maryland 21204-4300

WILLIAM MONK, INC.

LAND USE PLANNING • ENVIRONMENTAL PLANNING • ZONING

VIEW OF SITE LOOKING SOUTH



WILLIAM MONK, INC.
Courthouse Commons
222 Bosley Avenue, Suite B-7
Towson, Maryland 21204-4300

WILLIAM MONK, INC.

LAND USE PLANNING • ENVIRONMENTAL PLANNING • ZONING

EXISTING FREESTANDING SIGN

EXISTING READER BOARD

NOTES:

1) **ZONING:**
EXISTING - BL-CCC
PROPOSED - (NO CHANGE)

2) **LOT AREA:** 21746 S.F. (GROSS); 0.50 AC. +/-
13526 S.F. (NET); 0.31 AC.+/-

3) **EXISTING USE:** TEXACO SERVICE STATION

4) **PROPOSED USE:** TEXACO SERVICE STATION WITH NEW CANOPY, MULTIPLE PUMP DISPENSERS, AND NEW IN-GROUND TANKS.

5) **BUILDING SETBACKS:** NO CHANGE IS PROPOSED TO THE BUILDING. THE SITE IS A LEASE LOT/PAD ON A SHOPPING CENTER.

	REQUIRED	PROVIDED
FRONT -	35'	81'+/-
INTERIOR SIDE -	N/A	N/A
REAR -	N/A	N/A
STREET CORNER SIDE -	N/A	6'

6) **BUILDING AREA:** SERVICE STATION - 1,500 S.F.

7) ALL EXISTING IMPROVEMENTS TO REMAIN AS IS. NO EXPANSION OF BUILDING AREA IS PROPOSED.

8) **PARKING:**
REQUIRED - SERVICE STATION: 3 SPACES/BAY = 9 SPACES
PROVIDED - 0 (See Note #11)

9) **UTILITIES:**
SEWER - PUBLIC
WATER - PUBLIC

10) **SPECIAL HEARING:** TO AMEND THE APPROVED SPECIAL EXCEPTION PLAN (CASE # 3601-X)

11) **VARIANCE:**
- SECTION 409.6(2) & 405 A 5: TO PERMIT 0 PARKING SPACES IN LIEU OF THE REQUIRED 9 SPACES. (3 SERVICE BAYS @ 3/BAY) (SEE NOTE # 8)
- SECTION 413.2 f: TO PERMIT 380 S.F. OF "OTHER BUSINESS SIGNS" IN LIEU OF THE MAXIMUM PERMITTED 100 S.F. (SEE NOTE # 26)
- SECTION 409.4 C: TO PERMIT A TRAVEL AISLE OF 3' IN LIEU OF THE REQUIRED 22' TO THE SPECIAL EXCEPTION/LEASE LINE. ACTUAL AISLE WIDTH TO NEAREST PARKING SPACE IS 12'.

12) **ELECTION DISTRICT:** 9

13) **COUNCILMANIC DISTRICT:** 6

14) **CENSUS TRACT:** 4919

15) **WATERSHED:** 4

16) **SUBWATERSHED:** 10

17) **DEVO REFERENCE:** 2808/554

18) **PROPERTY ACCOUNT NO.:** 09-2200003254

19) **TAX MAP #:** 0, **GRID** 14, **PARCEL** 646

20) **HEIGHT OF BUILDING:** 1 STORY (EXISTING BLDG & PROPOSED CANOPY)

21) **FLOOR AREA RATIO:** (AREA SUBJECT TO SPECIAL HEARING APPLICATION)
MAXIMUM PERMITTED - 4.0
PROPOSED - 0.07

22) **NO CRITICAL AREAS,** ARCHEOLOGICAL SITES, EXISTING HISTORIC BUILDINGS OR ENDANGERED SPECIES HABITATS ON SITE.

23) ~~ALL EXISTING FUEL TANKS TO BE REPLACED.~~

24) ALL OUTDOOR LIGHTING WILL BE DIRECTED AWAY FROM THE ADJACENT RESIDENTIAL HOUSES, WERE APPLICABLE.

25) HANDICAP RAMPS TO BE PROVIDED WHERE NECESSARY.

26) **SIGNS:** (SEE NOTE # 11)
FREESTANDING ("OTHER BUSINESS") SIGNS PER 413.2 (f) OF BCZR.

		PER SIDE	TOTAL
A.	EXISTING TEXACO POLE SIGN WITH CHANGEABLE PRICE SIGN	70 S.F.	140 S.F.
B.	EXISTING READER BOARD	24 S.F.	48 S.F.
C.	PROPOSED SPREADER BARS (2)	48 S.F.	
		96 S.F. PER SIGN	192 S.F.
	TOTAL AREA		380 S.F.
	ALLOWABLE AREA		100 S.F.

WALL-MOUNTED (CANOPY) SIGNS PER 413.2 (a) OF BCZR

		AREA
A.	PROPOSED CANOPY SIGNS FACING WALTHAM WOODS ROAD	44 S.F.
	ALLOWABLE AREA (4 X 61'-10")	247 S.F.
B.	PROPOSED CANOPY SIGNS FACING JOPPA ROAD EAST	44 S.F.
	ALLOWABLE AREA (4 X 32'-0")	128 S.F.

ALL SIGNAGE CALCULATED FOR AND APPLIES ONLY TO AREA SUBJECT TO THE SPECIAL EXCEPTION.

27) **ZONING HISTORY:**

(CASE # 2324)	9/14/52 -RECLASSIFICATION FROM "A" RESIDENTIAL ZONE TO "F" LIGHT INDUSTRIAL ZONE.
(CASE # 3601-X)	8/15/55 -SPECIAL EXCEPTION FOR A GAS STATION GRANTED - PROPERTY HAS BEEN USED CONTINUOUSLY FOR SERVICE STATION.
(CASE # 76-210 A)	PARKING VARIANCE FOR SHOPPING CENTER - GAS STATION WAS OUTPARCEL AND NOT A PART OF THIS APPLICATION
(CASE # 76-242A)	(FOOD STORE - OFF SITE ON PAD OF SHOPPING CENTER)

28) **GASOLINE SERVICE STATION REQUIREMENTS:**

A. AREA REQUIREMENTS:
2 DISPENSER ISLANDS WITH 4 DISPENSERS, CAPABLE OF SERVING 8 CARS AT ONE TIME.
TOTAL SERVICING SPACES = 8
TOTAL SERVICING BAYS = 3
TOTAL SPACES AND BAYS = 11

TOTAL AREA REQUIRED = 11 X 1,500 S.F. = 16,500 (USE 15,000 S.F. MIN.)

TOTAL WAITING SPACES = 8

B. ANCILLARY USES: NONE

C. TOTAL AREA OF TRACT = 21,746 S.F. OR .5 AC.

D. ACCESS POINTS:
NUMBER OF DRIVEWAYS ON MAJOR STREET = 2
REQUIRED SITE WIDTH = 2 X 65' = 130
ACTUAL SITE WIDTH = 244'

E. LANDSCAPING:
REQUIRED (5% OF SITE) = 1,087 S.F. (GROSS)
PROVIDED = 3,293 S.F.

F. LANDSCAPING BUFFERS:
AS SHOWN ON PLAN. NO ADDITIONAL LANDSCAPING IS REQUIRED PER SECTION V.A.2. OF THE BALTIMORE COUNTY LANDSCAPE MANUAL DUE TO THE FACT THAT THERE IS NO INCREASE IN FLOOR AREA.

G. AMENITY OPEN SPACE: N/A (SEE # 28 "E")

H. AREA DISTURBED BY NEW CONSTRUCTION = 3,500 S.F. +/-

I. LIGHTS: EXISTING TO REMAIN.

PLANTING NOTES:

1. All plant materials shall be nursery grown and shall conform to American Association of Nurserymen, Inc. Standards.
2. All planting procedures and specifications shall conform to "Landscape Specifications Guidelines for Baltimore-Washington Metro Area" latest edition.
3. Contractor shall guarantee all plant materials for a period of one year after installation is complete and approved.
4. Contractor shall be responsible for any damage to utilities and may make adjustments in spacing and location of plant materials to avoid conflicts with utilities.
5. When specified plants are not available as determined by the contractor, substitutions may be made as directed by the landscape architect.

SEE SHEET 2 OF 2 FOR OVERALL LAYOUT OF SHOPPING CENTER

LANDSCAPE ARCHITECT'S AND OWNER'S CERTIFICATE AND SATISFACTION FORM

I certify that I have reviewed this Final Landscape Plan that I am aware of the requirements presented in the Baltimore County Landscape Manual, and I agree to comply with these regulations and all applicable policy guidelines and ordinances. I agree to certify that implementation of the approved Final Landscape Plan upon completion of the landscape installation. Further, that I will notify the Department of Public Works, Bureau of Public Services, County Office Building, Room 111, Towson, MD 21204.

Signature of Landscape Architect — Date

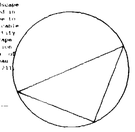
Owner's signature — Date

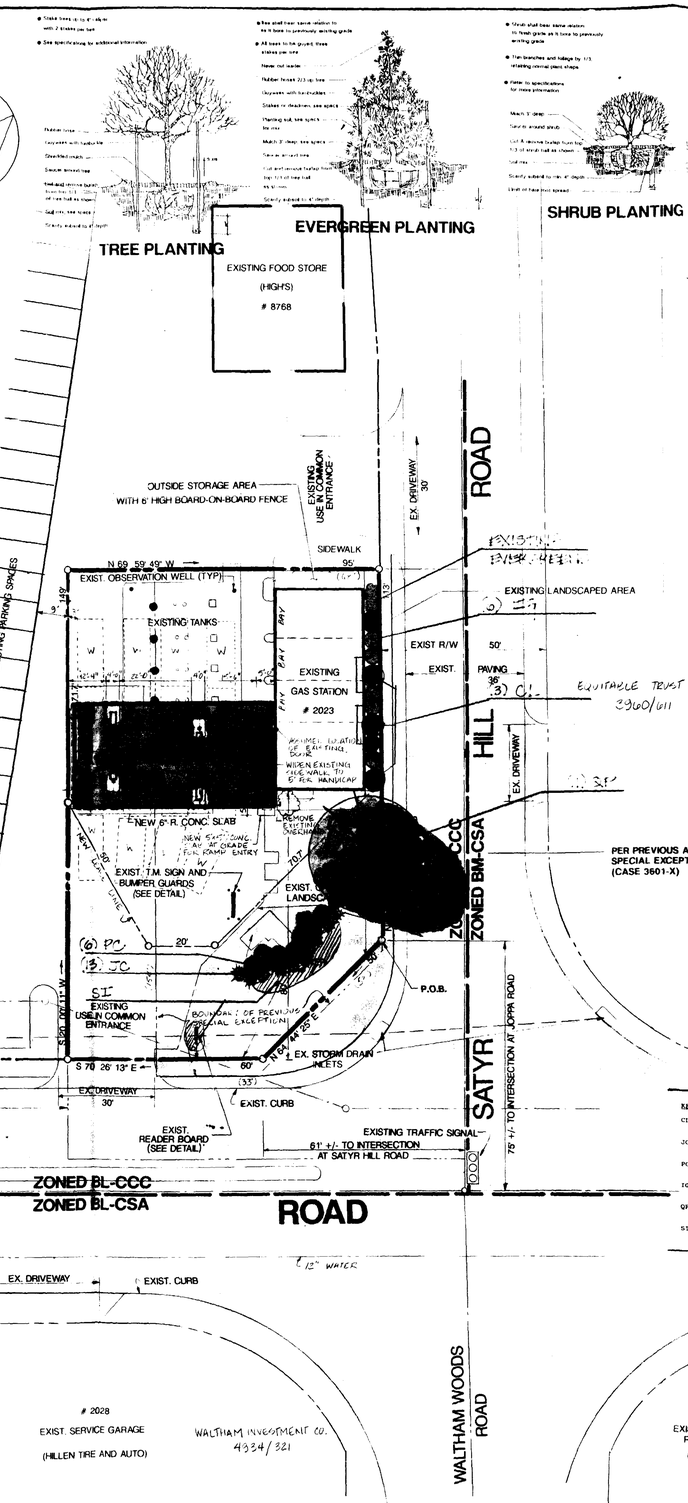
(Print) Owner's Name — Date No.

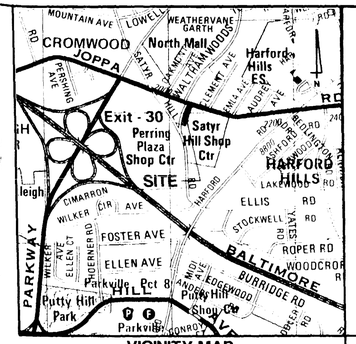
(Print) Mailing address — City — State — Zip

KAREN FERGUSON 494 8931

222 BOSLEY AVE STE B7 TOWSON MD 21204







VICINITY MAP
SCALE 1" 1000

APPLICANT:
STAR ENTERPRISE
3800 PICKETT ROAD
FAIRFAX, VIRGINIA 22031

DATE	08/24/92
DATE REV.	10/26/92
DATE REV.	
DATE REV.	
DATE REV.	

PROPOSED CANOPY SIGNS
(SCALE: 1" = 10')

FACING JOPPA ROAD EAST — 32'-0" — TEXACO — Star Of The American Road — 16'-2"

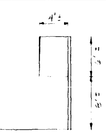
FACING WALTHAM WOODS ROAD — 15'-0" — TEXACO — 61'-10"

EXISTING TEXACO POLE SIGN
(SCALE: 1" 10')

PETITIONER'S EXHIBIT 1

PLANT LIST

KEY	QTY	BOTANICAL NAME/COMMON NAME	SIZE	REMARKS
CL	4	X CUPRESSOCYPARIS LEYLANDII/ LEYLAND CYPRESS	4-5' HT	CONT.
JC	13	JUNIPERUS CHINENSIS 'PLUMOSA'/ PLUMOSA JUNIPER	18-24"	CONT.
PC	7	PYRACANTHA COCCINEA 'LALANDEI'/ FIRETHORN	5 GAL.	CONT.
IG	6	ILEX GLABRA 'COMPACTA'/ COMPACT INKBERRY	24-30"	CONT.
QP	1	QUERCUS PHELLOS/ WILLOW OAK	2-2.5" CAL.	B&B
SI		(SEASONAL INTEREST PLANTING BED TO INCLUDE MIX OF ANNUALS AND PERENNIALS)		



EXISTING READER BOARD
(SCALE: 1" 10')

STATE OF MARYLAND — KAREN M. G. FERGUSON

PLAT TO ACCOMPANY SPECIAL HEARING AND VARIANCE APPLICATION / FINAL LANDSCAPE PLAN

2023 EAST JOPPA ROAD
BALTIMORE COUNTY, MARYLAND

WILLIAM MONK, INC
PLANNING • LANDSCAPE DESIGN
ENVIRONMENTAL RESOURCE MANAGEMENT
COURTHOUSE COMMONS
222 BOSLEY AVENUE SUITE B 7
TOWSON, MARYLAND 21204
(410) 494-8931

SHEET 1 OF 2

DESCRIPTION OF
5.254 ACRES OF LAND
SATYR HILL SHOPPING CENTER
9TH ELECTION DISTRICT
BALTIMORE COUNTY, MARYLAND

BEGINNING FOR THE SAME in the southerly right of way line of Joppa Road having a right of way width of 80.00 feet, said point being southeasterly 70 feet plus or minus from the intersection of Joppa Road and Satyr Hill cut-off; thence departing said point so fixed and binding on said southerly right of way with meridian reference to Maryland State Grid North

(1) South 70 degrees 26 minutes 13 seconds East 394.05 feet; thence,

(2) southeasterly 46.20 feet along an arc of a curve to the left having a radius of 1,081.74 feet with a chord bearing and distance of South 71 degrees 39 minutes 41 seconds East 46.20 feet; thence departing said southerly right of way line and binding on the westerly line of a lease agreement to Shell Oil Company as recorded among the Land Records of Baltimore County, Maryland in Liber 2994 at Folio 72 and the lands now or formerly of Carl G. Francis and Elizabeth W. Francis, his wife, as recorded among the Land Records of said County and State in Liber 657 at Folio 86 and Liber 626 at Folio 536,

(3) South 31 degrees 21 minutes 00 seconds West 554.06 feet; thence,

(4) South 67 degrees 15 minutes 33 seconds West 146.82 feet to intersect with the easterly right of way line of Satyr Hill Road; thence binding on said easterly right of way line

(5) northwesterly 90.97 feet along an arc of a curve to the left having a radius of 475.00 feet with a chord bearing and distance of North 11 degrees 54 minutes 12 seconds West 90.93 feet; thence,

(6) North 31 degrees 28 minutes 52 seconds East 5.85 feet; thence,

(7) North 25 degrees 16 minutes 50 seconds West 117.21 feet; thence,

(8) northeasterly 316.14 feet along an arc of a curve to the right having a radius of 400.00 feet; with a chord bearing and distance of North 02 degrees 38 minutes 20 seconds West 307.98 feet; thence,

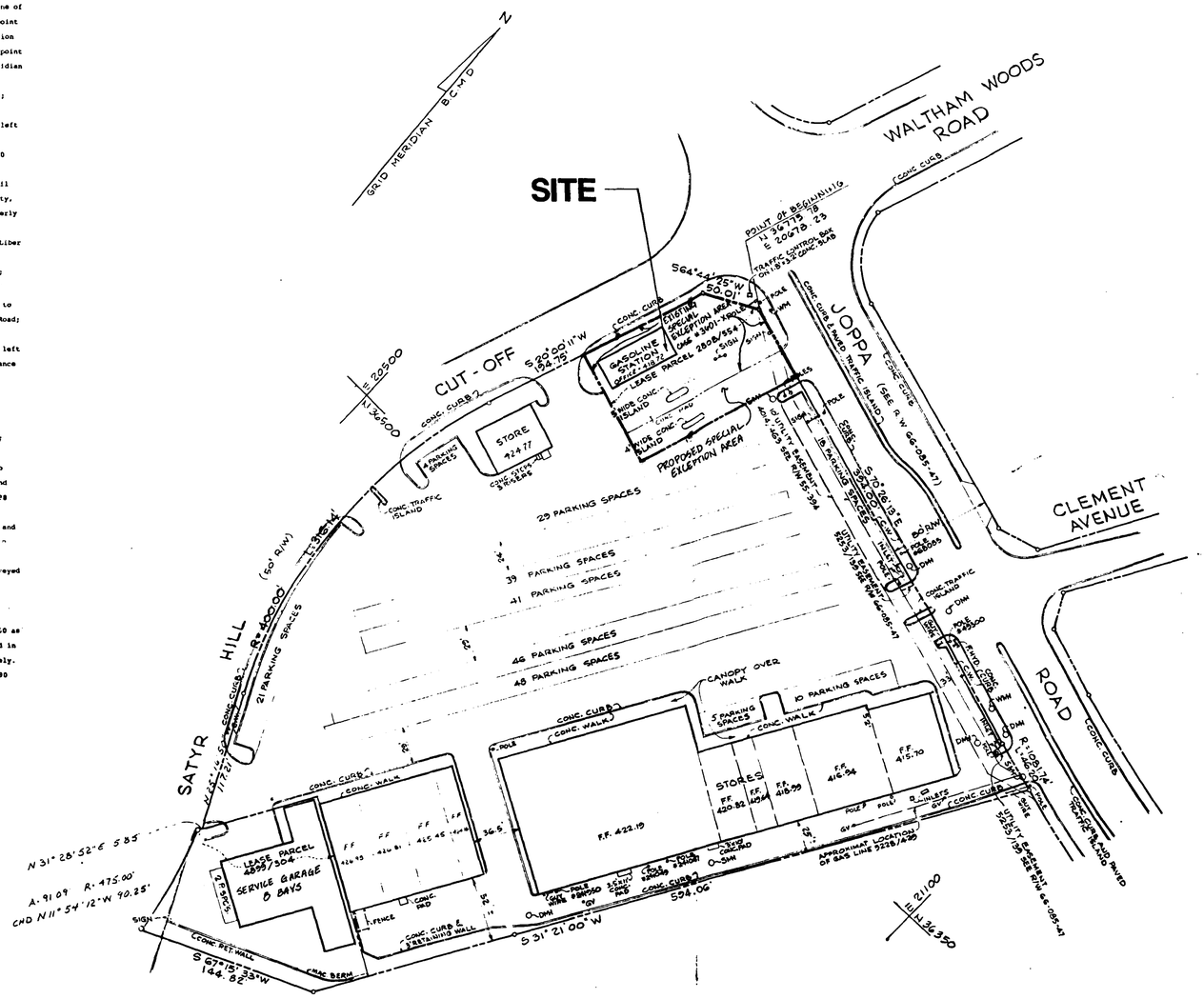
(9) North 20 degrees 00 minutes 11 seconds East 155.79 feet and

(10) North 64 degrees 44 minutes 25 seconds East 50.01 feet to the point and place of beginning.

CONTAINING 5.254 acres of land, more or less as now surveyed by Kidde Consultants, Inc., Registered Professional Land Surveyors.

BEING the residue of the lands conveyed to Satyr Hill Corporation by deeds dated June 15, 1955 and November 10, 1950 as recorded among the Land Records of Baltimore County, Maryland in Liber 2716 at Folio 56 and Liber 3780 at Folio 277 respectively.

GJT/pek KCI Job Order No. 01-89160A February 2, 1990
Work Order No. 54147



PLAN
SCALE: 1" = 50'

VICINITY MAP
SCALE: 1" = 2000'
TAX MAP 71 PARCELS 646 & 940

CERTIFICATION FOR SURVEYS

To the Estate of Jerome J. Gebhart, Maryland National Bank and Ticor Title Insurance, I hereby certify to the best of my professional knowledge, information and belief, that the survey prepared by me entitled "Certification Plat, Satyr Hill Shopping Center" dated January 31, 1990 was actually made upon the ground pursuant to the intent of the recorded instruments of record and that it and the information, courses and distances shown thereon are correct; that the title lines and lines of actual possession are the same; that the size, location and type of buildings and improvements are as shown and all are within the boundary lines and applicable set-back lines of the property; that there are no visible violations of zoning ordinances, restrictions or other rules and regulations with reference to the location of said buildings and improvements, except as noted; that there are no easements affecting this property appearing from a careful physical inspection of the same, other than those shown and depicted thereon; that there are no visible encroachments affecting this property except as noted; that all utility services required for the operation of the premises either enter the premises through adjoining public streets, or the survey shows the point of entry and location of any utilities which pass through or are located on adjoining private land; that any utility transformer located on the premises is depicted hereon; that the survey shows the location of all storm drainage systems for the collection and disposal surface drainage; that any discharge into streams, rivers or other conveyance system is shown on the survey.

I hereby certify, that I have reviewed the Flood Insurance Rate Map 240010 0270B effective March 2, 1981 for the subject property and find it is an area designated Zone C - area of minimal flooding.

The current zoning of the property is BL-CCC as based upon sheet N.E. 10-D dated January, 1986.

This survey is made in accordance with the "Minimum Standard Detail Requirements for Land Title Surveys" jointly established and adopted by American Land Title Association and American Congress on Surveying and Mapping in 1962.

The undersigned has received and reviewed a copy of the title report prepared by Ticor Title Insurance/American Title Guarantee Corporation Commitment Number BC-7651, effective [illegible] 3, 1990, and of each instrument listed thereon; the location of the referenced easements have been shown hereon to the extent that they can be shown as based upon the above referenced title report.

1. Subject to terms and provisions as contained in a Lease dated October 30, 1967 and recorded as aforesaid in Liber No. 4899, Folio 304 by Satyr Hill Corporation, as shown hereon.
2. Subject to terms and provisions as contained in an Agreement dated October 1, 1971 and recorded as aforesaid in Liber No. 5228, Folio 429 to The Baltimore Gas and Electric Company, as shown hereon.
3. Subject to terms and provisions as contained in a Deed dated August 25, 1937 and recorded as aforesaid in Liber No. 905, Folio 375 to the State Roads Commission, as shown hereon as part of new right of way which is now incorporated in the right-of-way of Joppa Road as now laid out.
4. Subject to terms and provisions as contained in an Agreement dated February 16, 1996 and recorded as aforesaid in Liber 2885, Folio 560 to The Baltimore Gas and Electric Company, as shown hereon as to poles along Joppa and Satyr Hill Roads.
5. Subject to terms and provisions as contained in a Deed dated April 25, 1962 and recorded as aforesaid in Liber No. 4014, Folio 463 by and between Satyr Hill Corporation, Texaco, Inc., and The Equitable Trust Company, as shown hereon.
6. Subject to terms and provisions as contained in an Agreement dated November 25, 1955 and recorded as aforesaid in Liber No. 2844, Folio 315 to The Baltimore Gas and Electric Company, as shown hereon as to poles along Joppa and Satyr Hill Roads.
7. Subject to terms and provisions as contained in a Deed and Agreement dated February 8, 1972 and recorded as aforesaid in Liber No. 5253, Folio 139 by and between Satyr Hill Corporation, The Equitable Trust Company and Baltimore County, Maryland, as shown hereon.

Gary J. Thumm 2-FEB-90
Gary J. Thumm, Jr. Date
Registered Property Line Surveyor
No. 21

PETITIONER'S EXHIBIT 3

PLAT TO ACCOMPANY SPECIAL HEARING AND VARIANCE APPLICATION

2023 EAST JOPPA ROAD
BALTIMORE COUNTY, MARYLAND

DATE: AUGUST 24, 1992

SHEET 2 OF 2

	DATE	REVISIONS
Drafting		
Check	2-2-90	Revised Surveyor's Certification
Design		
Check		

KIDDE CONSULTANTS, INC.
ENGINEERS • PLANNERS • SURVEYORS
1020 CROMWELL BRIDGE ROAD, BALTIMORE, MARYLAND 21204, 301-321-5500

CERTIFICATION PLAT
SATYR HILL SHOPPING CENTER
9TH ELECTION DISTRICT BALTIMORE COUNTY, MARYLAND

DATE	JOB NUMBER
JAN. 31, 1990	01-89160A
SCALE 1" = 50'	

IN RE: PETITION FOR SPECIAL HEARING AND VARIANCE E/S Satyr Hill Rd., 75' S of c/l Joppa Rd. (2023 E. Joppa Rd.) 9th Election District 6th Councilmanic District Star Enterprise, Petitioner	* * * * * * * * *	BEFORE THE DEPUTY ZONING COMMISSIONER OF BALTIMORE COUNTY CASE NO. 93-109-SPHA

* * * * * * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as a Petition for Special Hearing and a Petition for Zoning Variance. The Petitioner herein, Star Enterprise, operates a Texaco automotive service station at the above-referenced location and requests my approval of: (1) an amendment to the existing special exception granted in prior Case No. 3601-X to allow for a canopy on the premises, and, (2) certain variances relating to parking and signage, in accordance with Petitioner's Exhibit 1 which was submitted at the hearing.

Appearing at the public hearing on behalf of Star Enterprise was James G. Wagner, who is the company's real estate agent in this area. Also appearing was William P. Monk, a professional planner with William Monk, Inc., who prepared the Special Hearing and Variance Plat identified as Petitioner's Exhibit 1. The Petitioner was represented by Robert A. Hoffman, Esquire. There were no protestants present.

Testimony and evidence presented at the hearing indicated that the subject property consists of approximately .50 acres zoned BL-CCC and is located at the intersection of Joppa Road and Satyr Hill

ORDER RECEIVED FOR FILING
Date 11/3/92
By

Road. The property comprising the service station is surrounded on two sides by the adjoining shopping center and is leased from the shopping center's owner, the Satyr Hill Limited Partnership. The subject property was the subject of prior Case No. 3601-X in 1955 in which the County granted a special exception to use the property as a service station. Since the special exception was granted in 1955, the property has been used continuously as a service station. The Petitioner filed the instant Petitions to permit a new canopy over the gasoline pumps located on the premises. Mr. Hoffman, Counsel for the Petitioner, proffered testimony for Mr. Wagner and Mr. Monk that the proposed canopy would be an improvement to the property by providing the service station's customers and employees with better lighting and protection from the elements.

Additional testimony by Mr. Monk indicated, that while preparing for the special hearing, it became evident to the Petitioner that in order to amend the existing special exception, certain parking and sign deficiencies under the Baltimore County Zoning Regulations ("B.C.Z.R.") needed to be addressed. Accordingly, the subject parking and sign variances were sought. Mr. Hoffman proffered testimony that there are no parking spaces within the service station's lease line and, thus, a parking variance for 0 spaces in lieu of the 9 spaces required pursuant to B.C.Z.R. 409.6.A.2 and 405.A.5 was necessary. The testimony further indicated that, as a practical matter, the shopping center's immediately adjacent parking lot provided spaces which were utilized by the service station when necessary. An additional variance was

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Date 11/3/92
By

needed to permit a travel aisle of 3 feet to the special exception/lease line in the lieu of the required 22 feet. Testimony pointed out that in actuality, however, the aisle width to the nearest parking space is 12 feet, not 3 feet, since the lease line is abutted by the parking lot of the shopping center, as shown more particularly in Petitioner's Exhibit 1.

Regarding the signage variance, Mr. Monk testified that a practical difficulty arose due to the Texaco name and logos which would appear on the canopy and other signs customarily associated with service stations. Although the name and logos were incidental, § 413.2.F of the B.C.Z.R. requires that they count as "other business signs" which are limited to 100 square feet under the zoning regulations. Testimony indicated that the owners of the shopping center were supportive of the Petitioner's plans for a new canopy, but that they wanted to be assured that the increased signage would apply only to the Petitioner's service station and would not apply to the signage calculation for the adjacent shopping center.

Finally, there was testimony that because no new construction was planned, landscaping is not required under County regulation. However, in order to improve the site, the Petitioner proposes landscaping in accordance with that shown on Petitioner's Exhibit 1.

It is clear from the testimony that without the requested amendment to the existing special exception and variances, the Petitioner would be subjected to both a practical difficulty and an unreasonable hardship. Furthermore, I find that the variances would

ORDER RECEIVED FOR FILING
Date 11/3/92
By

not be contrary to the spirit of the B.C.Z.R. or result in substantial detriment to the public health, safety and general welfare. Accordingly, I find that the Petitioner has met its burden to amend the existing special exception and to obtain variance relief pursuant to § 307.1 B.C Z.R. I further find that the proposed landscaping is entirely appropriate and in keeping with the spirit of the zoning regulations. Thus, all landscaping requirements shall be deemed to have been satisfied by the Petitioner's landscaping of the site in accordance with Petitioner's Exhibit 1.

Pursuant to the advertisement, posting of the property, and public hearing held on this Petition, and for the reasons given above, the requested amendment to the existing special exception and the variances should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County this 30th day of November, 1992, that the Petition for Special Hearing to allow the amendment to the existing special exception in order to construct a new canopy on the premises be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that the Petition for Zoning Variance from §§ 409.6.A.2 and 405.4.A.5 of the B.C.Z.R. to permit 0 parking spaces in lieu of the required 9 spaces be and is hereby GRANTEL; and,

IT IS FURTHER ORDERED that the Petition for Zoning Variance from § 409.4.C of the B.C.Z.R. to permit a travel aisle of 3 feet in lieu of the required 22 feet be and is hereby GRANTED; and,

ORDER RECEIVED FOR FILING
Date 11/3/92
By

IT IS FURTHER ORDERED that the Petition for Zoning Variance from § 413.2.F of the B.C.Z.R. to permit 380 square feet of "other business signs" in lieu of the maximum permitted 100 square feet be and is hereby GRANTED, subject to the following restrictions:

(1) the landscape plan as submitted on Petitioner's Exhibit 1 shall be the approved landscape plan.

(2) the additional square footage of signage granted to the Petitioner pursuant to the sign variance herein shall not be applicable to any signage calculations for the adjacent shopping center.

Any appeal of this decision must be taken in accordance with § 26-132 of the Baltimore County Code.

TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

ORDER RECEIVED FOR FILING
Date 11/3/92
By

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning

Suite 113 Courthouse
400 Washington Avenue
Towson, MD 21204

(410) 887-4386

November 30, 1992

Robert A. Hoffman, Esquire
210 Allegheny Avenue
Towson, Maryland 21204

RE: PETITIONS FOR SPECIAL HEARING & ZONING VARIANCE
E/S Satyr Hill Road, 75' S of the c/l of Joppa Road
(2023 E. Joppa Road)
9th Election District - 6th Councilmanic District
Satyr Limited Partnership - Petitioners
Case No. 93-109-SPHA

Dear Mr. Hoffman:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petitions for Special Hearing and Zoning Variance have been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact Ms. Charlotte Radcliffe at 887-3351.

Very truly yours,

TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

cc: Mr. James G. Wagner
Star Enterprise
3800 Pickett Road, Fairfax, Va. 22031

Ms. Linda G. Schneider
334 Cranbrook Road, Cockeysville, Md. 21030

People's Counsel

File

ORDER RECEIVED FOR FILING
Date 11/3/92
By

115

Petition for Special Hearing

93-109-SPHA

to the Zoning Commissioner of Baltimore County

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special 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

to amend the approved special exception plan in Case No. 3601.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:
Star Enterprise
(Type or Print Name)
By: James G. Wagner, agent
Signature James G. Wagner
James G. Wagner, agent
Address 3800 Pickett Rd.
City and State Fairfax, VA 22031

Attorney for Petitioner:
John B. Howard
(Type or Print Name)
John B. Howard
Signature
210 Allegheny Avenue
Address
Towson, Maryland 21204
City and State
Attorney's Telephone No.: 494-6200

Legal Owner(s):
Satyr Limited Partnership
(Type or Print Name)
By: Linda G. Schneider
Signature Linda G. Schneider, General Partner
(Type or Print Name)
Signature
Address Phone No.
City and State
Name, address and phone number of legal owner, contract purchaser or representative to be contacted
John B. Howard
Name 210 Allegheny Avenue
Towson Maryland 21204 494 6200
Address Phone No.

OFFICE USE ONLY
ESTIMATED LENGTH OF HEARING -1/2HR. +1HR.
AVAILABLE FOR HEARING
MON./TUES./WED. - NEXT TWO MONTHS
ALL OTHER
REVIEWED BY: DATE 9/21/92

ORDER RECEIVED FOR FILING
Date 11/3/92
By

115

Petition for Variance

93-109-SPHA

to the Zoning Commissioner of Baltimore County

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 409.6(2) and ~~409.4.C~~ 405.4.A.5 to permit 0 parking spaces in lieu of the required 9 spaces; §413.2.f to permit 380 s.f. of "other business signs" in lieu of the maximum permitted 100 s.f; and §409.4.C to permit a travel aisle of 3 ft. in lieu of the of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty)
required 22 ft. to the special exception/lease line. Actual aisle width to nearest parking space is 12 ft.

To be determined at hearing.

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:
Star Enterprise
(Type or Print Name)
By: James G. Wagner, agent
Signature James G. Wagner
James G. Wagner, agent
Address 3800 Pickett Rd.
City and State Fairfax, VA 22031

Attorney for Petitioner:
John B. Howard
(Type or Print Name)
John B. Howard
Signature
210 Allegheny Avenue
Address
Towson, Maryland 21204
City and State
Attorney's Telephone No.: 494-6200

Legal Owner(s):
Satyr Limited Partnership
(Type or Print Name)
By: Linda G. Schneider
Signature Linda G. Schneider, General Partner
(Type or Print Name)
Signature
John B. Howard 494 6200
Address Phone No.
210 Allegheny Avenue
Towson, Maryland 21204
City and State
Name, address and phone number of legal owner, contract purchaser or representative to be contacted
Name
Address Phone No.

OFFICE USE ONLY
ESTIMATED LENGTH OF HEARING -1/2HR. +1HR.
AVAILABLE FOR HEARING
MON./TUES./WED. - NEXT TWO MONTHS
ALL OTHER
REVIEWED BY: DATE 9/21/92

ORDER RECEIVED FOR FILING
Date 11/3/92
By

ZONING DESCRIPTION
SATYR HILL TEXACO
2023 EAST JOPPA ROAD
9TH ELECTION DISTRICT
BALTIMORE COUNTY, MARYLAND

BEGINNING FOR THE SAME AT A POINT ON THE EAST SIDE OF SATYR HILL ROAD, 50 FEET WIDE, A DISTANCE OF 75 FEET, MORE OR LESS, SOUTH OF THE CENTERLINE OF JOPPA ROAD, 80 FEET WIDE, THENCE RUNNING THE FOLLOWING COURSES AND DISTANCES:

NORTH 64 DEGREES 44 MINUTES 25 SECONDS EAST 50 FEET

SOUTH 70 DEGREES 26 MINUTES 13 SECONDS EAST 60 FEET

SOUTH 20 DEGREES 00 MINUTES 11 SECONDS WEST 149 FEET

NORTH 69 DEGREES 59 MINUTES 49 SECONDS WEST 95 FEET

NORTH 20 DEGREES 00 MINUTES 11 SECONDS EAST 113 FEET TO THE POINT OF BEGINNING.

CONTAINING 13,526 SQUARE FEET, MORE OR LESS.

93-109-SPHA

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

93-109-SPHA

District 9th — Date of Posting 10/2/92
Posted for: Special Hearing & Variance
Petitioner: Satyr Limited Partnership & Star Enterprise
Location of property: 2023 (E/S) Satyr Hill Rd, 75' S/Joppa Rd
Location of Signs: Facing Joppa Rd, on property of Petitioner
Remarks:
Posted by: [signature] Signature — Date of return: 10/23/92
Number of Signs: 2

Case: #93-109-SPHA
(Item 115)
E/S Satyr Hill Road, 75' S of c/l Joppa Road
2023 E. Joppa Road
Satyr Hill Shopping Center - Texaco Station
9th Election District
6th Councilmanic
Legal Owner(s):
Satyr Limited Partnership
Contract Purchaser(s):
Star Enerprise
Hearing: Thursday, November 12, 1992 at 10:00 a.m. in Rm. 118, Old Courthouse

Special Hearing to amend the approved special exception plan in case #3601-X. **Variance** to permit zero parking spaces in lieu of the required 9 spaces; to permit 380 square feet of "other business signs" in lieu of the maximum permitted 100 square feet; and to permit a travel aisle of 3 feet in lieu of the required 22 feet to the special exception/lease line.

CERTIFICATE OF PUBLICATION

TOWSON, MD., 10/16, 1992

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 Oct. 15, 1992.

THE JEFFERSONIAN,

S. Zeke Orlov
Publisher

Baltimore County
Zoning Administration & Development Management
111 West Chesapeake Avenue
Towson, Maryland 21204

receipt

Date — Number

9/29/92 — H93000115

PUBLIC HEARING FEES	QTY	PRICE
020 -ZONING VARIANCE (OTHER)	1 X	$250.00
080 -SPECIAL HEARING (OTHER)	1 X	$250.00
	TOTAL:	$500.00

LAST NAME OF OWNER: SATYR LTD PRTNRSH

04A04#0105MICHRC $500.00
BA C011:09AM09-29-92
Please Make Checks Payable To: Baltimore County

Cashier Validation

93-109-SPHA

receipt

Date — Number

Please Make Checks Payable To: Baltimore County

Cashier Validation

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

111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

DATE: 11/22/92

Star Enterprise
3600 Pleasant Road
Fairfax, VA 22031

RE:
CASE NUMBER: 93-109-SPHA (Item 115)
E/S Satyr Hill Road, 75' S of c/l Joppa Road
2023 E. Joppa Road
Satyr Hill Shopping Center - Texaco Station
9th Election District - 6th Councilmanic
Legal Owner(s): Satyr Limited Partnership
Contract Purchaser(s): Star Enterprise
HEARING: THURSDAY, NOVEMBER 12, 1992 at 10:00 a.m. in Rm. 118, Old Courthouse

Dear Petitioner(s):

Please be advised that $ 112.25 is due for advertising and posting of the above captioned property and hearing date.

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

Please forward your check via return mail to the Zoning Office, County Office Building, 111 W. Chesapeake Avenue, Room 109, Towson, Maryland 21204. Please the case number on the check and make same payable to Baltimore County, Maryland. In order to avoid delay in the issuance of proper "Zoning" order, your prompt attention to this matter is suggested.

ARNOLD JABLON
DIRECTOR

cc: John B. Howard, Esq.

Printed on Recycled Paper

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

111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

OCT. 08 1992

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, 111 W. Chesapeake Avenue in Towson, Maryland 21204
or
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 93-109-SPHA (Item 115)
E/S Satyr Hill Road, 75' S of c/l Joppa Road
2023 E. Joppa Road
Satyr Hill Shopping Center - Texaco Station
9th Election District - 6th Councilmanic
Legal Owner(s): Satyr Limited Partnership
Contract Purchaser(s): Star Enerprise
HEARING: THURSDAY, NOVEMBER 12, 1992 at 10:00 a.m. in Rm. 118, Old Courthouse

Special Hearing to amend the approved special exception plan in case #3601-X. Variance to permit zero parking spaces in lieu of the required 9 spaces; to permit 380 square feet of "other business signs" in lieu of the maximum permitted 100 square feet; and to permit a travel aisle of 3 feet in lieu of the required 22 feet to the special exception/lease line.

Lawrence E. Schmidt
Zoning Commissioner of
Baltimore County

cc: Star Enterprise
John B. Howard, Esq.

NOTE: HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.

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

111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

October 30, 1992

John B. Howard, Esquire
210 Allegheny Avenue
Towson, MD 21204

RE: Item No. 115, Case No. 93-109-SPHA
Petitioner: Satyr Limited Partnership, et al
Petition for Variance & Special Hearing

Dear Mr. Howard:

The Zoning Plans Advisory Committee (ZAC) has reviewed the plans submitted with the above referenced petition. The attached comments from each reviewing agency are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties, i.e. Zoning Commissioner, attorney and/or the petitioner, are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case.

Enclosed are all comments submitted thus far from the members of ZAC that offer or request information on your petition. If additional comments are received from other members of ZAC, 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.

The following comments are related only to the filing of future zoning petitions and are aimed at expediting the petition filing process with this office.

1) The Director of Zoning Administration and Development Management has instituted a system whereby seasoned zoning attorneys who feel that they are capable of filing petitions that comply with all aspects of the zoning regulations and petitions filing requirements can file their petitions with this office without the necessity of a preliminary review by Zoning personnel.

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

111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

Your petition has been received and accepted for filing this 29th day of September, 1992.

ARNOLD JABLON
DIRECTOR

Received By:
W. Carl Richards, Jr.
Chairman,
Zoning Plans Advisory Committee

Petitioner: Satyr Limited Partnership, et al

Petitioner's Attorney: John B. Howard

Printed on Recycled Paper

Pat

Rec'd 10/21/92

SHA **Maryland Department of Transportation**
State Highway Administration

O. James Lighthizer
Secretary
Hal Kassoff
Administrator

Ms. Julie Winiarski
Zoning Administration and
Development Management
County Office Building
Room 109
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: Baltimore County
Item No.: + 115 (JLL)

Dear Ms. Winiarski:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not effected by any State Highway Administration projects.

Please contact David Ramsey at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

David Ramsey 10/8/92

John Contestabile, Chief
Engineering Access Permits
Division

RECEIVED
OCT 9 1992
ZONING OFFICE

My telephone number is _____

Teletypewriter for Impaired Hearing or Speech
383-7555 Baltimore Metro - 565-0451 D.C. Metro - 1-800-492-5062 Statewide Toll Free
707 North Calvert St., Baltimore, Maryland 21203-0717

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Zoning Administration &
Development Management

DATE: October 23, 1992

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

SUBJECT: 2023 East Joppa Road

INFORMATION:
Item Number: 115

Petitioner: Satyr Limited Partnership

Property Size: 0.31 acres

Zoning: BL-CCC

Requested Action: Variance, Special Hearing

Hearing Date: / /

SUMMARY OF RECOMMENDATIONS:
The petitioner is seeking a variance to permit 0 parking spaces in lieu of the required 9 spaces; to permit 380 sq. ft. of "other business signs" in lieu of the maximum 100 sq. ft. and to a travel aisle of 3 feet in lieu of the required 22 feet to the special exception/lease line. The petitioner is also requesting a special exception to amend the approved special exception plan in case no. 360lx.

The Office of Planning and Zoning recommends **APPROVAL** of the petitioner's request and also recommend the following condition be satisfied.

Landscaping on this site is minimal. The site has a large area reserved for grass and landscaping that could easily accommodate additional planting material. Our office would like to see additional planting in this area.

The Office of Planning and Zoning recommends that a landscape plan be submitted to the Deputy Director of Planning and Zoning and the County Landscape Architect for approval before the issuance of any building permits.

Prepared by: Lawrence Morsey

Division Chief: Eric McDaniel

EMcD/FM:rdn

115.ZAC/ZAC1

~~Bureau of Traffic Engineering~~
Development Review Committee Response Form
Authorized signature Renee J. Family Date 10/18/92

10/19/92

Project Name / File Number	Waiver Number	Zoning Issue	Meeting Date
✓ Satyr Limited Partnership			
DED DEPRM RP STP TE		N/C	10-13-92
Wiseburg United Methodist Church			
DED DEPRM RP STP TE	116	W/C	
✓ First United Pentecostal Church			
DED DEPRM RP STP TE	117	N/C	
✓ Florence Wise Bruehl			
DED DEPRM RP STP TE	119	N/C	
✓ Brian Scott and John E. Sibrea			
DED DEPRM RP STP TE	120	N/C	

COUNT 5

Stonegate at Patapsco (Azreal Property)
90476
ZON DED TE (Waiting for developer to submit plans first) 6-1-92

COUNT 1

Sudbrook Associates
STP TE 106 9-28-92

COUNT 1
FINAL TOTALS
COUNT 7

Rec'd 10/21/92

* * * END OF REPORT * * *

Baltimore County Government
Fire Department

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

OCTOBER 15, 1992

(410) 887-4500

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204

RE: Property Owner: SATYR LIMITED PARTNERSHIP

Location: #2023 EAST JOPPA ROAD

Item No.: + 115 (JLL) Zoning Agenda: OCTOBER 13, 1992

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.

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

REVIEWER: Capt. Jerry Pepper
Planning Group
Special Inspection Division

JP/KEK

Rec'd 10/31/92

Department of Recreation and Parks
Development Review Committee Response Form
Authorized signature _____ Date 10/19/92

Project Name / File Number	Waiver Number	Zoning Issue	Meeting Date
✓ Satyr Limited Partnership			
DED DEPRM RP STP TE	115	No Comment	10-13-92
✓ Wiseburg United Methodist Church			
DED DEPRM RP STP TE	116	No Comment	
✓ First United Pentecostal Church			
DED DEPRM RP STP TE	117	No Comment	
✓ Florence Wise Bruehl			
DED DEPRM RP STP TE	119	No Comment	
✓ Brian Scott and John E. Sibrea			
DED DEPRM RP STP TE	120	No Comment	

COUNT 5

FINAL TOTALS
COUNT 5

* * * END OF REPORT * * *

Rec'd 10/21/92

93-109-SPHA 11-12-92

~~Department of Environmental~~ Protection & Resource Management
Development Review Committee Response Form
Authorized signature _____ Date 11-24-92

11/23/92

Project Name / File Number	Waiver Number	Zoning Issue	Meeting Date
✓ Satyr Limited Partnership			
DEPRM	115		10-13-92 NO COMMENTS
✓ Wiseburg United Methodist Church			
DEPRM	116		NO COMMENTS

COUNT 2

Cheryl Cronin			
DEPRM RP	122		10-19-92 WRITTEN COMMENTS
John Henry and Elaine Eleanor Baker			
DEPRM RP	127		IN PROCESS
Lewis Brooks Ramsey			
DEPRM RP	128		IN PROCESS

COUNT 3

Perry Hall Square Partnership			
DEPRM RP	131		10-26-92 IN PROCESS
Colleen M Kelly and Gary L. Pitts			
DEPRM RP	132		IN PROCESS

COUNT 2

✓ Charles L. and Maureen Lamoreaux			
DED DEPRM RP STP TE	148		11-16-92 NO COMMENTS
Stephen F. and Christopher S. Jencks			
DEPRM RP STP TE	154		NO COMMENTS
✓ John and Caole Villanova			
DED DEPRM RP STP TE	156		NO COMMENTS

V. GENERAL STANDARDS

A. **Compliance With The Manual Standards**

1. All public development, including streets and parking areas and private developments shall comply with the standards in this manual unless specifically exempted in paragraph B below.

2. In commercial, office and industrial zones, a proposed increase in floor area equal to 50% or more of the existing floor area shall require that the entire site conform to the manual. Increases in the floor area of less than 50% shall require that the portion of the site impacted by the proposed floor area conform to the standards in this manual.

3. Residential/office development (RO Zone, Class "A" and Class "B" buildings) shall comply with the standards for commercial, office and industrial development.

4. Mobile home parks, regardless of the zoning classification in which they are located, shall comply with the standards for residential development.

B. **Exemptions**

1. Resource Conservation Zones 2, 3, and 4 (RC-2, RC-3, and RC-4).

2. Residential subdivisions of three lots or less.

C. **Standards and Specifications**

1. Nomenclature

All plants shall be identified in accordance with Hortus Third, by L. H. Bailey, 1975.

2. Nursery Stock

All nursery stock shall conform to American Association of Nurserymen, Inc. standards as described in "American Standards for Nursery Stock," publication ANSI Z60.1-1980, latest edition.

Petitioners
~~PROTESTANT~~(S) SIGN-IN SHEET

NAME	ADDRESS
Rob Hoffman	210 Allegheny Ave
Jim Wagner	4855 Carlingwood Dr Fairfax, VA
Bill Monk	222 Bosley Ave
Linda Schneider	334 Cranbrook Rd, Cockeysville 21030