

Commodari Development Consultants & Assoc., Inc.
3410 Woodstock Avenue
Baltimore, Maryland 21213
(Pager) 410-291-2598 (Office) 410-235-6811
(FAX) 410-467-9928

August 9, 1996

To: John Lewis, Planner
From: Nicholas Commodari
Re: Proposed vacuum pad
9835 Liberty Road
Exxon

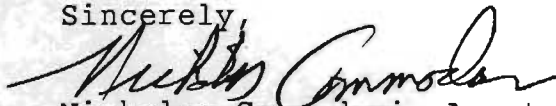
Dear John:

In accordance with our numerous conversations and your letter of April 26, (copy enclosed), I have obtained the necessary approvals as requested for the abovereferenced matter.

Included herein is the site plan with the original signatures for your review and final disposition.

I await your reply, and as always, thank you for your time and consideration in this matter.

Sincerely,


Nicholas Commodari, Agent

cc: William Ault, Exxon Company U.S.A.

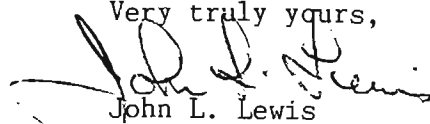
August 16, 1996

2nd Election District

Dear Mr. Commodari:

The revised plan for the above location has been approved by this office for Section 409.6 (BCZR) compliance on 8/16/96. The plan is being microfilmed and will be part of the permanent zoning record in case number 94-485-SPHXA. Please reference this approval on all future site plans.

Very truly yours,


John L. Lewis
Planner II, Zoning Review

**Speed
Letter**

In the interest of speed and economy, we are replying to your letter with marginal notes. If you need more information, do not hesitate to call or write. Thank you for your interest.



JLL:scj



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

April 26, 1996

Mr. Nicholas B. Commodari
Commodari Development Consultants & Assoc., Inc.
3410 Woodstock Avenue
Baltimore, MD 21213

RE: Revised Zoning Review of
Proposed Vacuum Units
300 Mt. Carmel Road (7th ED)
9835 Liberty Road (2nd ED)
8101 Belair Road (14th ED)

Dear Mr. Commodari:

Based on our prior telephone conversations and our subsequent meetings, the question of the above referenced sites proposed for new vacuum units has been resolved as follows:

300 Mt. Carmel Road (95-252-SPHXA)-With the addition of one legally dimensioned parking space, the vacuum unit can be approved.

9835 Liberty Road (94-485-SPHXA)-Subject to approval by the Directors of OPCC and DPW (or their representatives) under Section 405.6., this office will approve the addition of one vacuum station on the north side of the parking island, opposite the car wash stacking aisle.

8101 Belair Road (95-34-SPHXA)-Due to the fact that one space for a vacuum unit was allowed (and shown at a particular location), that unit is permitted at that location or in one of the alternate locations proposed in our April 25th meeting (adjacent to the 3 parking spaces near Ridge Road). This will not require Section 405.6 approval; however, if a second vacuum unit is desired, it will only be permitted at one of the two designated drying stations (adjacent to the car wash exit), subject to Section 405.6 approvals

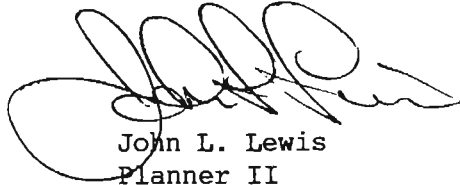
Post-it® Fax Note 7671

Date	5/17	# of pages	2	
To	DENNIS C.		From	NICK C.
Co./Dept.			Co.	

Mr. Nicholas B. Commodari
April 26, 1996
Page 2

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 887-3391 (FAX - 887-5708).

Very truly yours,



John L. Lewis
Planner II
Zoning Review

JLL: rye

c: 95-252-SPHXA
94-485-SPHXA
95-34-SPHXA

Commodari Development Consultants & Assoc., Inc.
3410 Woodstock Avenue
Baltimore, Maryland 21213
(Pager) 410-291-2598 (Office) 410-235-6811
(FAX) 410-467-9928

August 9, 1996

To: John Lewis, Planner
From: Nicholas Commodari
Re: Proposed vacuum pad
9835 Liberty Road
Exxon

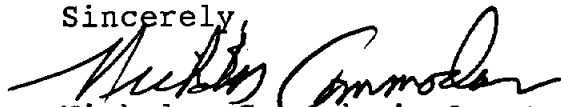
Dear John:

In accordance with our numerous conversations and your letter of April 26, (copy enclosed), I have obtained the necessary approvals as requested for the abovereferenced matter.

Included herein is the site plan with the original signatures for your review and final disposition.

I await your reply, and as always, thank you for your time and consideration in this matter.

Sincerely,


Nicholas Commodari, Agent

cc: William Ault, Exxon Company U.S.A.

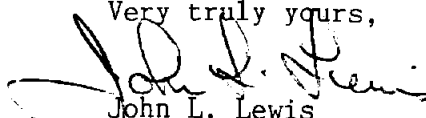
August 16, 1996

2nd Election District

Dear Mr. Commodari:

The revised plan for the above location has been approved by this office for Section 409.6 (BCZR) compliance on 8/16/96. The plan is being microfilmed and will be part of the permanent zoning record in case number 94-458-SPHXA. Please reference this approval on all future site plans.

Very truly yours,

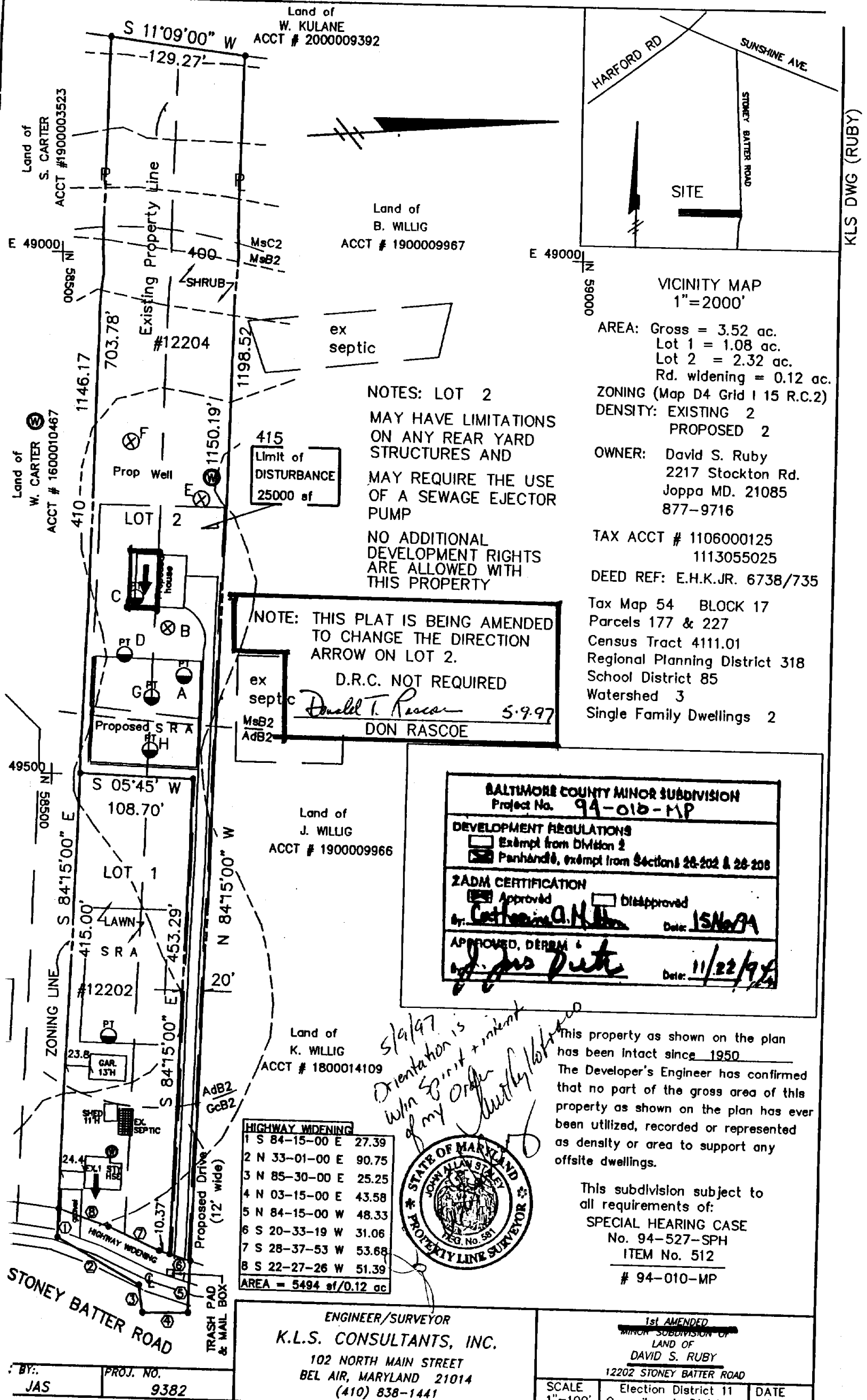

John L. Lewis
Planner II, Zoning Review

**Speed
Letter**

In the interest of speed and economy, we are replying to your letter with marginal notes. If you need more information, do not hesitate to call or write. Thank you for your interest.



JLL:scj



VICINITY MAP
1"=2000'

AREA: Gross = 3.52 ac.
Lot 1 = 1.08 ac.
Lot 2 = 2.32 ac.
Rd. widening = 0.12 ac.

ZONING (Map D4 Grid I 15 R.C.2)
DENSITY: EXISTING 2
PROPOSED 2

OWNER: David S. Ruby
2217 Stockton Rd.
Joppa MD. 21085
877-9716

TAX ACCT # 1106000125
1113055025

DEED REF: E.H.K.JR. 6738/735

Tax Map 54 BLOCK 17
Parcels 177 & 227
Census Tract 4111.01
Regional Planning District 318
School District 85
Watershed 3
Single Family Dwellings 2

NOTES: LOT 2
MAY HAVE LIMITATIONS
ON ANY REAR YARD
STRUCTURES AND
MAY REQUIRE THE USE
OF A SEWAGE EJECTOR
PUMP
NO ADDITIONAL
DEVELOPMENT RIGHTS
ARE ALLOWED WITH
THIS PROPERTY

NOTE: THIS PLAT IS BEING AMENDED
TO CHANGE THE DIRECTION
ARROW ON LOT 2.
D.R.C. NOT REQUIRED
Donald T. Rascoe 5.9.97
DON RASCOE

BALTIMORE COUNTY MINOR SUBDIVISION Project No. 94-010-MP	
DEVELOPMENT REGULATIONS ☐ Exempt from Division 2 ☒ Paraphrase, exempt from Sections 28-202 & 28-208	
ZADM CERTIFICATION ☒ Approved ☐ Disapproved <i>Catherine A. N...</i> Date: 11/22/94	
APPROVED, DEED <i>J. J. P...</i> Date: 11/22/94	

HIGHWAY WIDENING

1	S 84-15-00 E	27.39
2	N 33-01-00 E	90.75
3	N 85-30-00 E	25.25
4	N 03-15-00 E	43.58
5	N 84-15-00 W	48.33
6	S 20-33-19 W	31.06
7	S 28-37-53 W	53.68
8	S 22-27-26 W	51.39

AREA = 5494 sf/0.12 ac



This property as shown on the plan
has been intact since 1950
The Developer's Engineer has confirmed
that no part of the gross area of this
property as shown on the plan has ever
been utilized, recorded or represented
as density or area to support any
offsite dwellings.

This subdivision subject to
all requirements of:
SPECIAL HEARING CASE
No. 94-527-SPH
ITEM No. 512
94-010-MP

ENGINEER/SURVEYOR
K.L.S. CONSULTANTS, INC.
102 NORTH MAIN STREET
BEL AIR, MARYLAND 21014
(410) 838-1441

1st AMENDED
MINOR SUBDIVISION OF
LAND OF
DAVID S. RUBY
12202 STONEY BATTER ROAD
Election District 11
Councilmanic District 6
DATE 1/07/94

Commodari Development Consultants & Assoc., Inc.
3410 Woodstock Avenue
Baltimore, Maryland 21213
(Pager) 410-291-2598 (Office) 410-235-6811
(FAX) 410-467-9928

August 9, 1996

To: John Lewis, Planner
From: Nicholas Commodari
Re: Proposed vacuum pad
9835 Liberty Road
Exxon

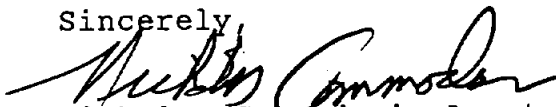
Dear John:

In accordance with our numerous conversations and your letter of April 26, (copy enclosed), I have obtained the necessary approvals as requested for the abovereferenced matter.

Included herein is the site plan with the original signatures for your review and final disposition.

I await your reply, and as always, thank you for your time and consideration in this matter.

Sincerely,


Nicholas Commodari, Agent

cc: William Ault, Exxon Company U.S.A.

August 16, 1996

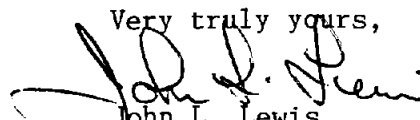
2nd Election District

**Speed
Letter**

Dear Mr. Commodari:

The revised plan for the above location has been approved by this office for Section 409.6 (BCZR) compliance on 8/16/96. The plan is being microfilmed and will be part of the permanent zoning record in case number 94-458-SPHXA. Please reference this approval on all future site plans.

Very truly yours,


John L. Lewis
Planner II, Zoning Review

In the interest of speed and economy, we are replying to your letter with integral notes. If you need more information, do not hesitate to call or write. Thank you for your interest.



JLL:scj



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

April 26, 1996

Mr. Nicholas B. Commodari
Commodari Development Consultants & Assoc., Inc.
3410 Woodstock Avenue
Baltimore, MD 21213

RE: Revised Zoning Review of
Proposed Vacuum Units
300 Mt. Carmel Road (7th ED)
9835 Liberty Road (2nd ED)
8101 Belair Road (14th ED)

Dear Mr. Commodari:

Based on our prior telephone conversations and our subsequent meetings, the question of the above referenced sites proposed for new vacuum units has been resolved as follows:

300 Mt. Carmel Road (95-252-SPHXA)-With the addition of one legally dimensioned parking space, the vacuum unit can be approved.

9835 Liberty Road (94-458-SPHXA)-Subject to approval by the Directors of OPCC and DPW (or their representatives) under Section 405.6., this office will approve the addition of one vacuum station on the north side of the parking island, opposite the car wash stacking aisle.

8101 Belair Road (95-34-SPHXA)-Due to the fact that one space for a vacuum unit was allowed (and shown at a particular location), that unit is permitted at that location or in one of the alternate locations proposed in our April 25th meeting (adjacent to the 3 parking spaces near Ridge Road). This will not require Section 405.6 approval; however, if a second vacuum unit is desired, it will only be permitted at one of the two designated drying stations (adjacent to the car wash exit), subject to Section 405.6 approvals

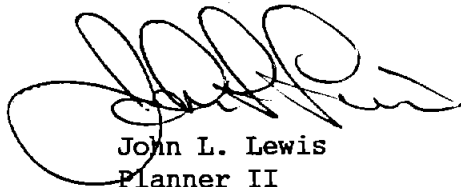
Post-It® Fax Note 7671

Date	5/17	# of pages	2	
To	DENNIS C.		From	NICK C.
Co	Client	Co	Co	Co

Mr. Nicholas B. Commodari
April 26, 1996
Page 2

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 887-3391 (FAX - 887-5708).

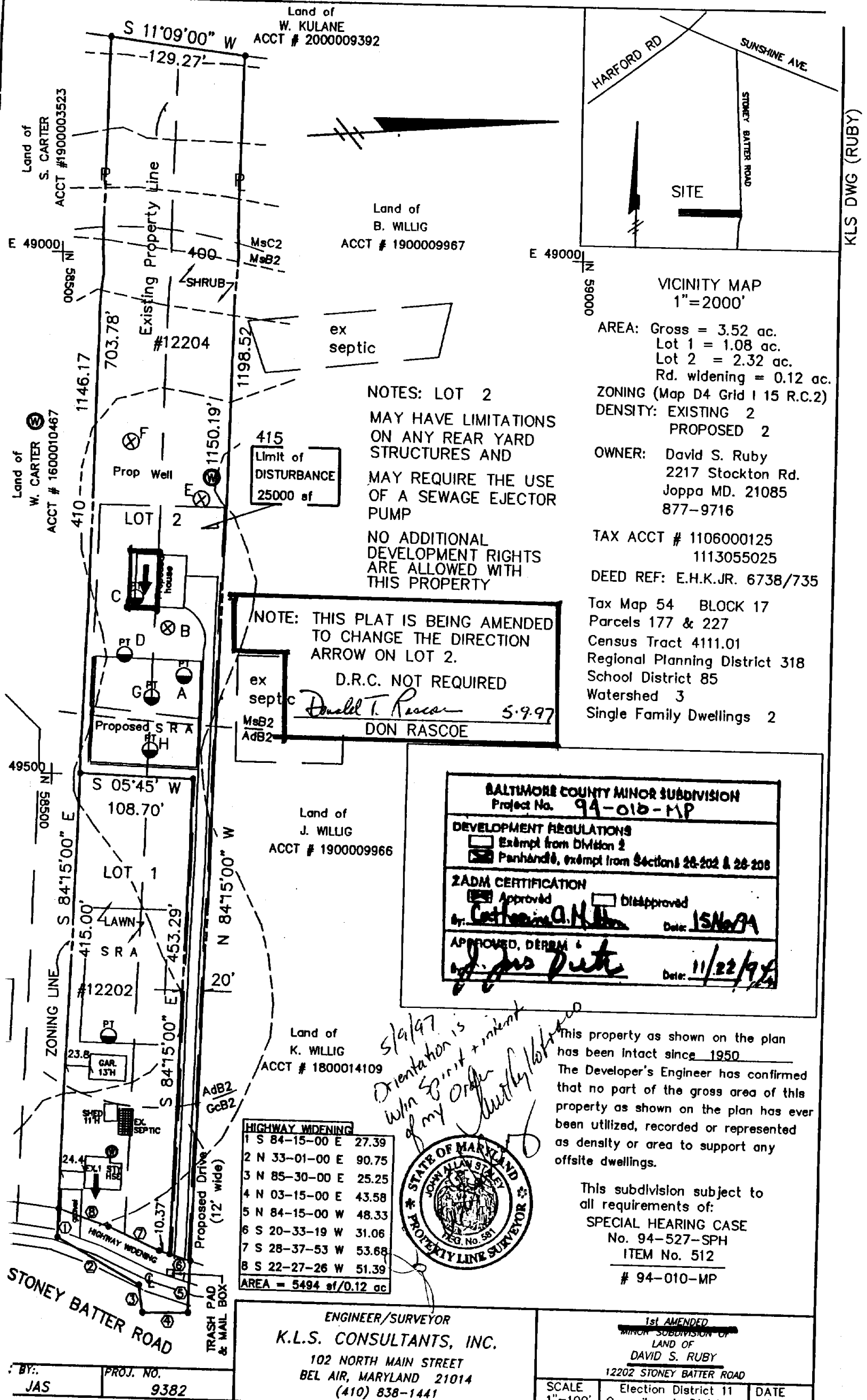
Very truly yours,

A handwritten signature in black ink, appearing to read 'John L. Lewis', is written over the typed name.

John L. Lewis
Planner II
Zoning Review

JLL: rye

c: 95-252-SPHXA
94-485-SPHXA
95-34-SPHXA



VICINITY MAP
1"=2000'

AREA: Gross = 3.52 ac.
Lot 1 = 1.08 ac.
Lot 2 = 2.32 ac.
Rd. widening = 0.12 ac.

ZONING (Map D4 Grid I 15 R.C.2)
DENSITY: EXISTING 2
PROPOSED 2

OWNER: David S. Ruby
2217 Stockton Rd.
Joppa MD. 21085
877-9716

TAX ACCT # 1106000125
1113055025

DEED REF: E.H.K.JR. 6738/735

Tax Map 54 BLOCK 17
Parcels 177 & 227
Census Tract 4111.01
Regional Planning District 318
School District 85
Watershed 3
Single Family Dwellings 2

NOTES: LOT 2
MAY HAVE LIMITATIONS
ON ANY REAR YARD
STRUCTURES AND
MAY REQUIRE THE USE
OF A SEWAGE EJECTOR
PUMP
NO ADDITIONAL
DEVELOPMENT RIGHTS
ARE ALLOWED WITH
THIS PROPERTY

NOTE: THIS PLAT IS BEING AMENDED
TO CHANGE THE DIRECTION
ARROW ON LOT 2.
D.R.C. NOT REQUIRED
Donald T. Rascoe 5.9.97
DON RASCOE

BALTIMORE COUNTY MINOR SUBDIVISION Project No. 94-010-MP	
DEVELOPMENT REGULATIONS ☐ Exempt from Division 2 ☒ Paraphrase, exempt from Sections 28-202 & 28-208	
ZADM CERTIFICATION ☒ Approved ☐ Disapproved <i>Catherine A. N...</i> Date: 11/22/94	
APPROVED, DEED <i>J. J. P...</i> Date: 11/22/94	

HIGHWAY WIDENING

1	S 84-15-00 E	27.39
2	N 33-01-00 E	90.75
3	N 85-30-00 E	25.25
4	N 03-15-00 E	43.58
5	N 84-15-00 W	48.33
6	S 20-33-19 W	31.06
7	S 28-37-53 W	53.68
8	S 22-27-26 W	51.39

AREA = 5494 sf/0.12 ac



This property as shown on the plan
has been intact since 1950
The Developer's Engineer has confirmed
that no part of the gross area of this
property as shown on the plan has ever
been utilized, recorded or represented
as density or area to support any
offsite dwellings.

This subdivision subject to
all requirements of:
SPECIAL HEARING CASE
No. 94-527-SPH
ITEM No. 512
94-010-MP

ENGINEER/SURVEYOR
K.L.S. CONSULTANTS, INC.
102 NORTH MAIN STREET
BEL AIR, MARYLAND 21014
(410) 838-1441

1st AMENDED
MINOR SUBDIVISION OF
LAND OF
DAVID S. RUBY
12202 STONEY BATTER ROAD
Election District 11
Councilmanic District 6
DATE 1/07/94

Commodari Development Consultants & Assoc., Inc.
3410 Woodstock Avenue
Baltimore, Maryland 21213
(Pager) 410-291-2598 (Office) 410-235-6811
(FAX) 410-467-9928

August 9, 1996

To: John Lewis, Planner
From: Nicholas Commodari
Re: Proposed vacuum pad
9835 Liberty Road
Exxon

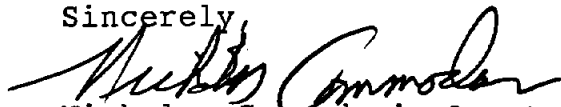
Dear John:

In accordance with our numerous conversations and your letter of April 26, (copy enclosed), I have obtained the necessary approvals as requested for the abovereferenced matter.

Included herein is the site plan with the original signatures for your review and final disposition.

I await your reply, and as always, thank you for your time and consideration in this matter.

Sincerely,


Nicholas Commodari, Agent

cc: William Ault, Exxon Company U.S.A.

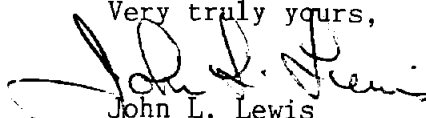
August 16, 1996

2nd Election District

Dear Mr. Commodari:

The revised plan for the above location has been approved by this office for Section 409.6 (BCZR) compliance on 8/16/96. The plan is being microfilmed and will be part of the permanent zoning record in case number 94-458-SPHXA. Please reference this approval on all future site plans.

Very truly yours,


John L. Lewis
Planner II, Zoning Review

**Speed
Letter**

In the interest of speed and economy, we are replying to your letter with marginal notations. If you need more information, do not hesitate to call or write. Thank you for your interest.



JLL:scj

Commodari Development Consultants & Assoc., Inc.
3410 Woodstock Avenue
Baltimore, Maryland 21213
(Pager) 410-291-2598 (Office) 410-235-6811
(FAX) 410-467-9928

August 9, 1996

To: John Lewis, Planner
From: Nicholas Commodari
Re: Proposed vacuum pad
9835 Liberty Road
Exxon

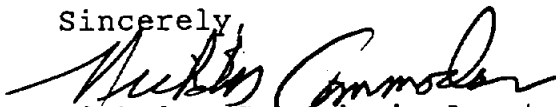
Dear John:

In accordance with our numerous conversations and your letter of April 26, (copy enclosed), I have obtained the necessary approvals as requested for the abovereferenced matter.

Included herein is the site plan with the original signatures for your review and final disposition.

I await your reply, and as always, thank you for your time and consideration in this matter.

Sincerely,


Nicholas Commodari, Agent

cc: William Ault, Exxon Company U.S.A.

August 16, 1996

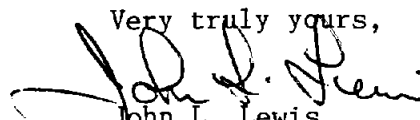
2nd Election District

**Speed
Letter**

Dear Mr. Commodari:

The revised plan for the above location has been approved by this office for Section 409.6 (BCZR) compliance on 8/16/96. The plan is being microfilmed and will be part of the permanent zoning record in case number 94-458-SPHXA. Please reference this approval on all future site plans.

Very truly yours,


John L. Lewis
Planner II, Zoning Review

In the interest of speed and economy, we are relying to your letter with integral notes. If you need more information, do not hesitate to call or write. Thank you for your interest.



JLL:scj



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

April 26, 1996

Mr. Nicholas B. Commodari
Commodari Development Consultants & Assoc., Inc.
3410 Woodstock Avenue
Baltimore, MD 21213

RE: Revised Zoning Review of
Proposed Vacuum Units
300 Mt. Carmel Road (7th ED)
9835 Liberty Road (2nd ED)
8101 Belair Road (14th ED)

Dear Mr. Commodari:

Based on our prior telephone conversations and our subsequent meetings, the question of the above referenced sites proposed for new vacuum units has been resolved as follows:

300 Mt. Carmel Road (95-252-SPHXA)-With the addition of one legally dimensioned parking space, the vacuum unit can be approved.

9835 Liberty Road (94-458-SPHXA)-Subject to approval by the Directors of OPCC and DPW (or their representatives) under Section 405.6., this office will approve the addition of one vacuum station on the north side of the parking island, opposite the car wash stacking aisle.

8101 Belair Road (95-34-SPHXA)-Due to the fact that one space for a vacuum unit was allowed (and shown at a particular location), that unit is permitted at that location or in one of the alternate locations proposed in our April 25th meeting (adjacent to the 3 parking spaces near Ridge Road). This will not require Section 405.6 approval; however, if a second vacuum unit is desired, it will only be permitted at one of the two designated drying stations (adjacent to the car wash exit), subject to Section 405.6 approvals

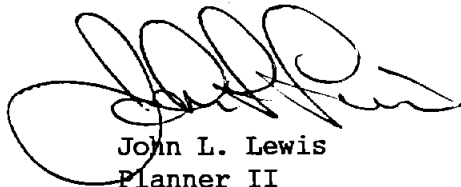
Post-It® Fax Note 7671

Date	5/17	# of pages	2	
To	DENNIS C.		From	NICK C.
Co	Client		Co	

Mr. Nicholas B. Commodari
April 26, 1996
Page 2

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 887-3391 (FAX - 887-5708).

Very truly yours,

A handwritten signature in black ink, appearing to read 'John L. Lewis', is written over the typed name.

John L. Lewis
Planner II
Zoning Review

JLL: rye

c: 95-252-SPHXA
94-485-SPHXA
95-34-SPHXA



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

April 26, 1996

Mr. Nicholas B. Commodari
Commodari Development Consultants & Assoc., Inc.
3410 Woodstock Avenue
Baltimore, MD 21213

RE: Revised Zoning Review of
Proposed Vacuum Units
300 Mt. Carmel Road (7th ED)
9835 Liberty Road (2nd ED)
8101 Belair Road (14th ED)

Dear Mr. Commodari:

Based on our prior telephone conversations and our subsequent meetings, the question of the above referenced sites proposed for new vacuum units has been resolved as follows:

300 Mt. Carmel Road (95-252-SPHXA)-With the addition of one legally dimensioned parking space, the vacuum unit can be approved.

9835 Liberty Road (94-485-SPHXA)-Subject to approval by the Directors of OPCC and DFW (or their representatives) under Section 405.6., this office will approve the addition of one vacuum station on the north side of the parking island, opposite the car wash stacking aisle.

8101 Belair Road (95-34-SPHXA)-Due to the fact that one space for a vacuum unit was allowed (and shown at a particular location), that unit is permitted at that location or in one of the alternate locations proposed in our April 25th meeting (adjacent to the 3 parking spaces near Ridge Road). This will not require Section 405.6 approval; however, if a second vacuum unit is desired, it will only be permitted at one of the two designated drying stations (adjacent to the car wash exit), subject to Section 405.6 approvals.

Mr. Nicholas B. Commodari
April 26, 1996
Page 2

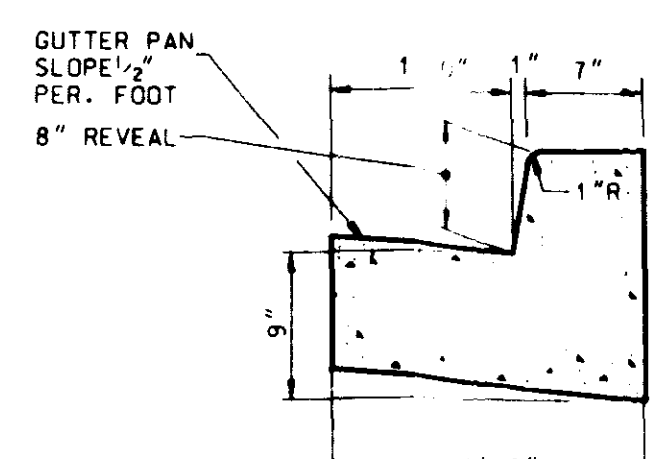
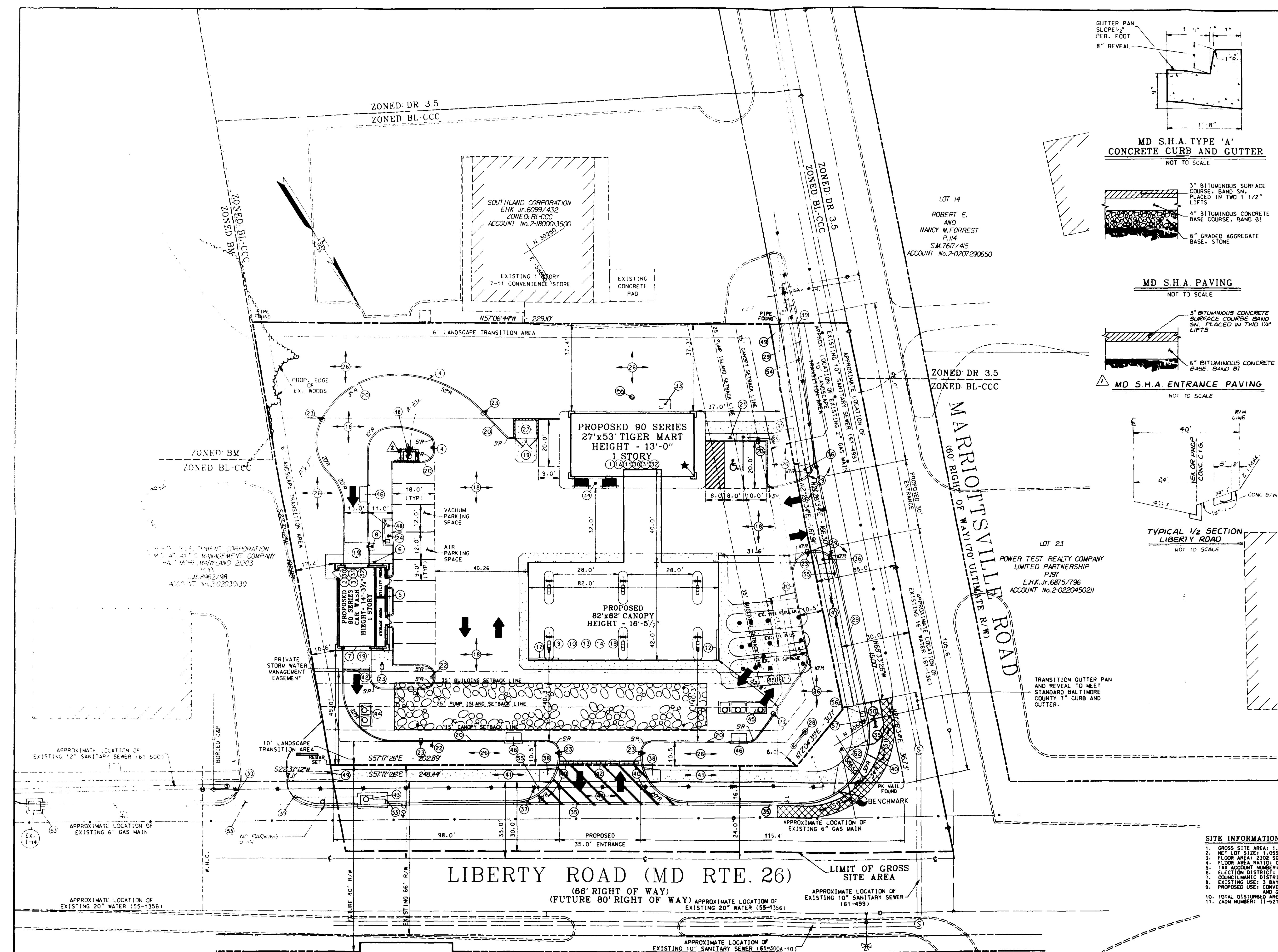
I trust that the information set forth in this letter is sufficiently detailed and responsive to the request. If you need further information or have any questions, please do not hesitate to contact me at 887-3391 (FAX - 887-5708).

Very truly yours,

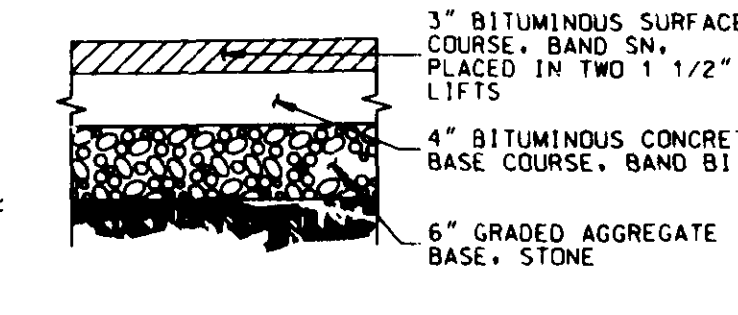
John L. Lewis
John L. Lewis
Planner II
Zoning Review

JLL: rye

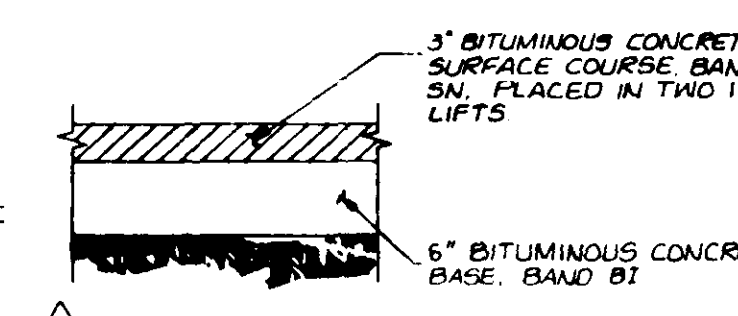
c: 95-252-SPHXA
94-485-SPHXA
95-34-SPHXA



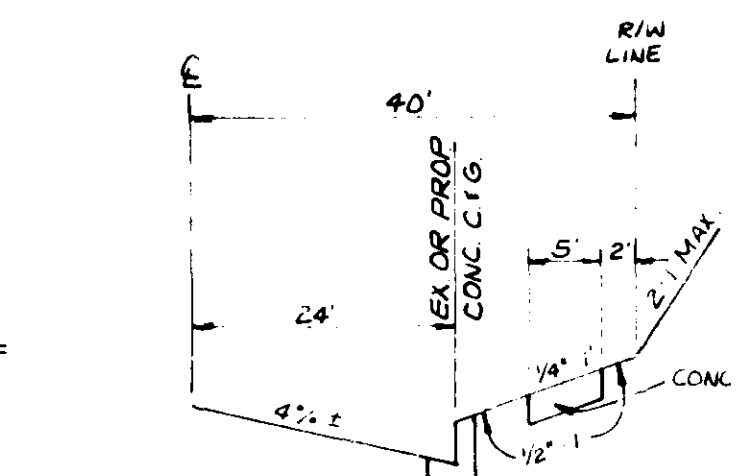
MD S.H.A. TYPE 'A'
CONCRETE CURB AND GUTTER
NOT TO SCALE



MD S.H.A. PAVING



MD S.H.A. ENTRANCE PAVING



TYPICAL 1/2 SECTION
LIBERTY ROAD
NOT TO SCALE

GENERAL NOTES	
B S	= BUILDING SUPPLIER
G C	= GENERAL CONTRACTOR
E	= EXXON
O	= OTHER
★	= BUILDING ORIENTATION POINT
②	= IMPROVEMENT ITEM
CON	= NEW CONCRETE (ON PLAN)
ETR	= EXISTING TO REMAIN
→	= INDICATES TRAFFIC FLOW ONLY (DOES NOT INDICATE PAINTED TRAFFIC CONTROLS)
▨	= MARYLAND SHA PAVING
▩	= MARYLAND SHA ENTRANCE
1 ALL UTILITY CONNECTIONS ARE TO BE AS PER LOCAL CODE BY G.C. 2 G.C. TO PROVIDE CONDUIT & WIRING TO ALL EXXON I.D. SIONS & CONDUIT ONLY TO EXXON SERVICE STATION. BOTH 3 SITE PLAN SUPERSEDES ALL WORKING DRAWINGS 4 UNLESS OTHERWISE NOTED, ALL PAINT TO BE AS PER G.C. 5 GENERAL CONTRACTOR SHALL BE RESPONSIBLE FOR ALL MATERIALS AND CONSTRUCTION AS SHOWN ON PLANS UNLESS OTHERWISE NOTED.	
ITEM NUMBER	DRAWING NUMBER
BUILDINGS 1 BS BS BUILDING TYPE 127'x53' EXXON SHOP W/3 PHASE ELECTRIC 120/208V 2 GC GC BUILDING DOWNSPOUTS DRAIN 0 UNDERGROUND ABOVE GROUND 3 GC GC CAR WASH 90 SERIES /3 PHASE ELECTRIC 120/208V 4 E GC CAR WASH EQUIPMENT W/ RECLAM. / W/O RECLAM. / 5 E GC CAR WASH "ENTER" SIGN 6 E GC BUILDING SIGN 7 E GC CAR WASH "INSTRUCTION" SIGN 8 E GC CAR WASH "BUILDING" SIGN "EXIT" ONLY 9 E GC COTN BOX FOR CAR WASH CANOPY / ISLANDS 10 BS BS BUILDING TYPE 182'-0" X 82'-0" (2) 11 GC GC DISPENSING EQUIPMENT (16) MPO ADVANTAGE W/CONC. 12 GC GC TRAMATIC SYSTEM TOR-15 (2) REQUIRED 13 BS BS CANOPY FACSLA W/ 12' EXXON SIGNS (WIRING BY G.C.) 14 E GC CANOPY DOWNSPOUT DRAINS 0 UNDERGROUND ABOVE GROUND 15 E GC SPREADER BARS (BLANK) YARD AREA - TANKS 16 E GC EXISTING TANKS FOR MOTOR FUELS (111112 K) REGULAR (111112 K) PLUS (111112 K) SUPPME 17 E GC STP W/LEAK DETECTORS 1 1/2 12" HP 18 E GC EXXON PRODUCT PIPING 19 GC GC VAPOR RECOVERY SYSTEM (STAGE I AND II) YARD AREA - OTHER 20 GC GC INSTALL PAVING PER EXXON SPECIFICATIONS (7" DEPTH) PER EXXON CONTRACT 21 GC GC 6" CONCRETE W/MS REBAR 18" O.C. EACH WAY 22 GC GC 12" CURB 18" O.C. GUTTER 23 GC GC INSTALL (11) HANDICAPPED PARKING ONLY SIGN PER ADA 4 LOCAL CODE 24 E GC "DO NOT ENTER" SIGNS 25 GC GC 15' X 9" NEW WARD LIGHTS (FEATURES & PLATES) 26 E GC AIR/WATER W/TH INFORMATION SIGN AND LIGHT 27 GC GC 12" X 18" REINFORCED CONCRETE WAT W/CONDUIT FOR PUBLIC TELEPHONES 28 GC GC LANDSCAPE / IRRIGATION 29 GC GC TRASH ENCLOSURE 30 GC GC 12" X 18" SIGN AT 31 GC GC 25.53 S.F. ANCILLARY (1767 MAT) (PROPOSED) 13.20 S.F. ANCILLARY (CAR WASH) (PROPOSED) 6.56 S.F. SFP/CASH (EXISTING) 32 GC GC 3" CONC. CURB AND GUTTER, 7" STANDARD, CONC. ENTRANCE, BALTIMORE COUNTY STANDARD PAVING 33 GC GC BUILDING SAN. SEWER SERVICE TIE INTO EXISTING SAN. SEWER LINE PER EXXON'S FIELD ENGINEER & PER BALTIMORE CO. CODES. 34 GC GC BUILDING 1/2" WATER SUPPLY PER EXXON'S FIELD ENGINEER & PER BALTIMORE COUNTY CODES. 35 GC GC BUILDING ELECTRICAL & TELEPHONE SERVICE ROUTE UNDERGROUND PER EXXON'S FIELD ENGINEER & PER BALTIMORE CO. CODES. 36 GC GC 4" X 8" W/4" REINFORCED CONCRETE WAT W/CONDUIT FOR ELECTRIC POWER IN ACCORDANCE TO BALTIMORE GAS & ELECTRIC 37 GC GC HANDICAPPED RAMP PER BALTIMORE COUNTY CODES. 38 GC GC SAW CUT EXP. PAVING PER SH-108 39 GC GC SIDEWALK RAMP PER BALTIMORE COUNTY STD. R-36 40 GC GC RELOCATE SHA ROUTE 26 SIGN 41 GC GC HCP RAMP PER MD SHA STANDARD 655.14 42 GC GC MATCH EXISTING CURB AND GUTTER FOR GRADE AND LOCATION 43 GC GC 8" CURB & GUTTER TO PROPERTY LINE OR CURB FULFILL PER SHA STANDARD DETAIL 44 GC GC PROPOSED CONCRETE 5' SIDEWALK PER BALTIMORE CO. STD'S 45 GC GC EXXON TRUCK AREA 46 GC GC 1/2" CONC. INLET PER COG INLET DETAIL 47 GC GC SPM RELEASE STRUCTURE 48 GC GC 0/10/10/10 SEPARATOR 49 GC GC INLET PER BALTIMORE COUNTY PLATE 0-2-32A 50 GC GC MD SHA ENTRANCE PAVING PER SHA PERMIT 51 GC GC MATCH EXISTING SIDEWALK FOR GRADE AND ELEVATION 52 GC GC SHA PAVING PER SHA PERMIT 53 GC GC 5' AREA TO BE RE-SURFACED AS DIRECTED BY ENGINEER IN FIELD 54 GC GC SIDEWALK RAMP PER SHA STANDARD 655.14 55 GC GC UTILITY REACH PER SHA 56 GC GC 34" DIAMETER RELOCATED UTILITY POLE WITH LIGHT 57 GC GC RELOCATED UTILITY POLE 58 GC GC 10" RELOCATED SIGNAL POLE 59 GC GC 10" RAMP WITH RELOCATED GROUND R. & 4050	
ZONING INFORMATION A. ZONING HISTORY: ACCORDING TO BALTO. CO. ZONING OFFICE 1977 ZONING MAP 1. HEARING 08-01-80 GRANTED ZONING RECLASSIFICATION FROM RA TO BL AND 2. HEARING 08-12-80 GRANTED ZONING RECLASSIFICATION FROM RA TO BL AND 3. HEARING 08-12-80 GRANTED ZONING RECLASSIFICATION FROM RA TO BL AND 4. HEARING 08-12-80 GRANTED ZONING RECLASSIFICATION FROM RA TO BL AND 5. HEARING 08-12-80 GRANTED ZONING RECLASSIFICATION FROM RA TO BL AND 6. HEARING 08-12-80 GRANTED ZONING RECLASSIFICATION FROM RA TO BL AND 7. HEARING 08-12-80 GRANTED ZONING RECLASSIFICATION FROM RA TO BL AND 8. HEARING 08-12-80 GRANTED ZONING RECLASSIFICATION FROM RA TO BL AND 9. HEARING 08-12-80 GRANTED ZONING RECLASSIFICATION FROM RA TO BL AND 10. HEARING 08-12-80 GRANTED ZONING RECLASSIFICATION FROM RA TO BL AND 11. HEARING 08-12-80 GRANTED ZONING RECLASSIFICATION FROM RA TO BL AND 12. HEARING 08-12-80 GRANTED ZONING RECLASSIFICATION FROM RA TO BL AND 13. HEARING 08-12-80 GRANTED ZONING RECLASSIFICATION FROM RA TO BL AND 14. HEARING 08-12-80 GRANTED ZONING RECLASSIFICATION FROM RA TO BL AND 15. HEARING 08-12-80 GRANTED ZONING RECLASSIFICATION FROM RA TO BL AND 16. HEARING 08-12-80 GRANTED ZONING RECLASSIFICATION FROM RA TO BL AND 17. HEARING 08-12-80 GRANTED ZONING RECLASSIFICATION FROM RA TO BL AND 18. HEARING 08-12-80 GRANTED ZONING RECLASSIFICATION FROM RA TO BL AND 19. HEARING 08-12-80 GRANTED ZONING RECLASSIFICATION FROM RA TO BL AND 20. HEARING 08-12-80 GRANTED ZONING RECLASSIFICATION FROM RA TO BL AND 21. HEARING 08-12-80 GRANTED ZONING RECLASSIFICATION FROM RA TO BL AND 22. HEARING 08-12-80 GRANTED ZONING RECLASSIFICATION FROM RA TO BL AND 23. HEARING 08-12-80 GRANTED ZONING RECLASSIFICATION FROM RA TO BL AND 24. HEARING 08-12-80 GRANTED ZONING RECLASSIFICATION FROM RA TO BL AND 25. HEARING 08-12-80 GRANTED ZONING RECLASSIFICATION FROM RA TO BL AND 26. HEARING 08-12-80 GRANTED ZONING RECLASSIFICATION FROM RA TO BL AND 27. HEARING 08-12-80 GRANTED ZONING RECLASSIFICATION FROM RA TO BL AND 28. HEARING 08-12-80 GRANTED ZONING RECLASSIFICATION FROM RA TO BL AND 29. HEARING 08-12-80 GRANTED ZONING RECLASSIFICATION FROM RA TO BL AND 30. HEARING 08-12-80 GRANTED ZONING RECLASSIFICATION FROM RA TO BL AND 31. HEARING 08-12-80 GRANTED ZONING RECLASSIFICATION FROM RA TO BL AND 32. HEARING 08-12-80 GRANTED ZONING RECLASSIFICATION FROM RA TO BL AND 33. HEARING 08-12-80 GRANTED ZONING RECLASSIFICATION FROM RA TO BL AND 34. HEARING 08-12-80 GRANTED ZONING RECLASSIFICATION FROM RA TO BL AND 35. HEARING 08-12-80 GRANTED ZONING RECLASSIFICATION FROM RA TO BL AND 36. HEARING 08-12-80 GRANTED ZONING RECLASSIFICATION FROM RA TO BL AND 37. HEARING 08-12-80 GRANTED ZONING RECLASSIFICATION FROM RA TO BL AND 38. HEARING 08-12-80 GRANTED ZONING RECLASSIFICATION FROM RA TO BL AND 39. HEARING 08-12-80 GRANTED ZONING RECLASSIFICATION FROM RA TO BL AND 40. HEARING 08-12-80 GRANTED ZONING RECLASSIFICATION FROM RA TO BL AND 41. HEARING 08-12-80 GRANTED ZONING RECLASSIFICATION FROM RA TO BL AND 42. HEARING 08-12-80 GRANTED ZONING RECLASSIFICATION FROM RA TO BL AND 43. HEARING 08-12-80 GRANTED ZONING RECLASSIFICATION FROM RA TO BL AND 44. HEARING 08-12-80 GRANTED ZONING RECLASSIFICATION FROM RA TO BL AND 45. HEARING 08-12-80 GRANTED ZONING RECLASSIFICATION FROM RA TO BL AND 46. HEARING 08-12-80 GRANTED ZONING RECLASSIFICATION FROM RA TO BL AND 47. HEARING 08-12-80 GRANTED ZONING RECLASSIFICATION FROM RA TO BL AND 48. HEARING 08-12-80 GRANTED ZONING RECLASSIFICATION FROM RA TO BL AND 49. HEARING 08-12-80 GRANTED ZONING RECLASSIFICATION FROM RA TO BL AND 50. HEARING 08-12-80 GRANTED ZONING RECLASSIFICATION FROM RA TO BL AND 51. HEARING 08-12-80 GRANTED ZONING RECLASSIFICATION FROM RA TO BL AND 52. HEARING 08-1	

PLEASE PRINT CLEARLY

BALTIMORE COUNTY REPRESENTATIVES
SIGN-IN SHEET

NAME	ADDRESS
R. FINE	2121 N. ...
LEO SCHLESIER	D.P. ...

State Highway Administration
Maryland Department of Transportation

Bob Small
Engineering Access Permits Division

707 N. Calvert Street, Baltimore, MD 21202
410-333-1350 • 800-876-4742

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME	ADDRESS
Tim Whittle	Frederick Ward Associates, Inc. 2329 Sherwood Road Havre de Grace, Maryland 21078 Phone (410) 273-7393
Mike Olafsson	370 GLENNAN PL. RANDOLPH, MD 21133

PLEASE PRINT CLEARLY

PROTESTANT(S) SIGN-IN SHEET

NAME	ADDRESS
Ethel M. Carter	9820 Clarks Rd
Harold R. Carter	9820 Clarks Rd
John F. Carter	3300 N. ...
Rita ...	...

PETITIONER'S EXHIBIT 2

TIMOTHY F. WHITTLE
2329 Sherwood Road
Havre de Grace, Maryland 21078
Phone (410) 273-7393

PROFESSIONAL LICENSES
Registered Professional Engineer with the State of Maryland, License No. 19155

EXPERIENCE
September 1989 to Present
Frederick Ward Associates, Inc., Bel Air, Maryland

February 1984 to September 1989
Windward Associates, Inc., Aberdeen, Maryland

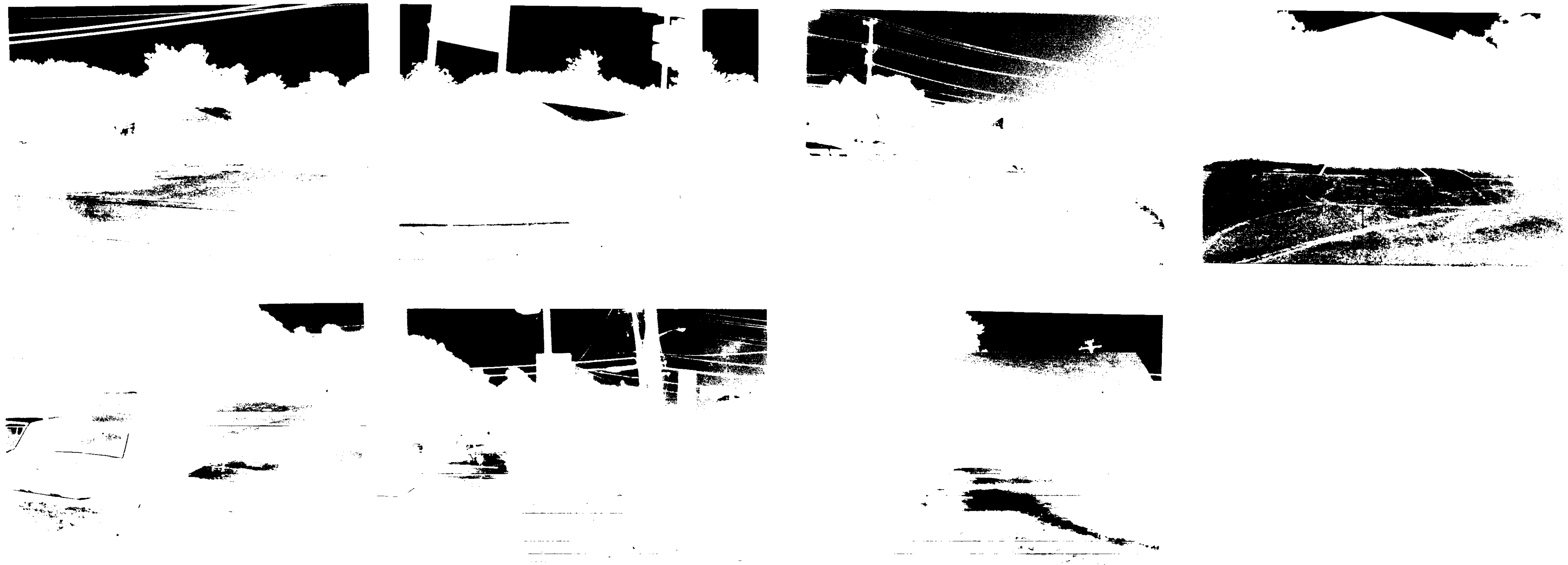
May 1983 to February 1984
Williams Construction Company, Baltimore, Maryland

EDUCATION
1978 to 1983
University of Maryland, College Park, Maryland
Received Bachelor of Science degree in Civil Engineering with a specialty in Hydrology/Hydraulics.

1974 to 1978
Baltimore Polytechnic Institute, Baltimore, Maryland
Received Advanced College Preparatory diploma

REFERENCES
Available upon request.

Petitioner's
Exhibits
3A - 3G
94-485-5A1A
4
II 521



Ms. Charlotte Minton
Page Three
June 20, 1994

Should you have any questions, or require additional information, please contact Bob Small at (410) 333-1350. Thank you for the opportunity to review this plan.

Very truly yours,

David Ramsey
David Ramsey, Acting Chief
Engineering Access Permits
Division

BS'es

cc: Mr. Timothy Whittie

111 West Chesapeake Avenue
Towson, MD 21204

Baltimore County Government
Office of Zoning Administration
and Development Management



(410) 887-3353

June 17, 1994

G. Scott Barhight, Esquire
4th Floor
210 West Pennsylvania Avenue
Towson, MD 21204

RE: Preliminary Petition Review (Item #495)
Development Plan Conference Comments
Legal Owner: Exxon Corporation
9835 Liberty Road
2nd Election District

Dear Mr. Barhight:

At the request of the attorney/petitioner, the above referenced petition was accepted for filing without a final filing review by the staff. The plan was accepted with the understanding that all zoning issues/filing requirements would be addressed. A subsequent review by the staff for both the drop-off petition and the development plan has revealed unaddressed zoning issues and/or incomplete information. The following comments are addressed to both, are indicated as such, are advisory, and do not necessarily identify all details and inherent technical zoning requirements necessary for a complete application. As with all petitions/plans filed in this office, it is the final responsibility of the petitioner to make a proper application, address any zoning conflicts and, if necessary, to file revised petition materials. All revisions (including those required by the hearing officer) must be accompanied by a check made out to Baltimore County, Maryland for the \$100.00 revision fee.

A. Zoning Petition Package:

1. No telephone number is provided for R.W. Hilchey.

G. Scott Barhight, Esquire
June 17, 1994
Page 2

2. The N21-degrees 26' 34" E. 166.1 ft. call on the zoning hearing description does not match the metes and bounds shown on the hearing or development plan.
3. There is some possible confusion concerning the variance request. Plan sheet #1, note B.3 indicates a lesser variance request than on the petition though the correct sign area information (as requested on the petition form) is shown on sheet #2. This must be clarified.

B. Zoning Development Plan:

1. Comments are attached.
2. Be aware that the zoning hearing and the development plans must agree.

If you need further information or have any questions, please do not hesitate to contact me at 887-3391.

Very truly yours,

John L. Lewis
John L. Lewis
Planner II

JLL:scj

Enclosures

cc: Zoning Commissioner

BAITIMORE COUNTY, MARYLAND

SUBJECT: DEVELOPMENT PLAN COMMENTS

DPC DATE: 6/22/94
10:30 a.m., Room 121
WFO DATE: 7/12/94
11:00 a.m., Room 119

FROM: ZADM - DEVELOPMENT CONTROL

PROJECT NAME: Exxon Company, U.S.A.
Liberty and Marriottsville Roads

PLAN DATE: 5/26/94

LOCATION: S/S Liberty Road and
E/S Marriottsville Road

REV.: REV.:

DISTRICT: 2c2
PROPOSAL: Existing Fuel Service Station
with Proposed Auxiliary
Convenience Store and
Use-in-Combination Car Wash
Requiring Special Hearing,
Special Exception, and Variances

REVISED PLAN KEY:
(X) COMPLIANCE WITH CURRENT CHECKED
(C) PLAN COMPLIANCE IS CIRCLED
(DA) BE ADVISED (NOT NECESSARY FOR CONCEPT
PLAN APPROVAL, BUT MUST BE ADDRESSED
PRIOR TO FINAL ZONING APPROVAL)
ADDITIONAL COMMENTS ADDED LAST BY PLAN DATE

FILED UNDER ZONING ITEM #495

The plan has been reviewed by the staff at this level of detail and has been found to be in general compliance with the Baltimore County Zoning Regulations for development plan approval. To avoid any possible delays in the development review and zoning approval process, when additional details are available or changed, this office should be contacted and it should be the responsibility of the owner, developer or developer's engineer to rectify any zoning conflicts well in advance of any expected final approvals. Only if necessary, will this office update or supplement this comment during the review of the building permit.

1. Zoning Actions: Provide the zoning item and case numbers under which any hearings have been requested.
2. Clearly show, dimension, and label the 10-foot landscape buffers required along the street right-of-ways.
3. Note that rest rooms are provided for customers per Section 465.4.D.3.D.5.B (BCZR).
4. See the accompanying zoning petition filing comments for further detailed information.

Final zoning approval is contingent first, upon all plan comments being addressed on the development plan; and secondly, upon the final resolution of all comments, the outcome of any requested zoning hearings and finally, the inclusion of the blue commercial checklist information being included on the building permit site plans.

John L. Lewis
John L. Lewis
Planner II

JLL:scj

RE: PETITION FOR SPECIAL HEARING
PETITION FOR SPECIAL EXCEPTION
PETITION FOR VARIANCE
9835 Liberty Road, S/S Liberty Road
and E/S Marriottsville Road, 2nd
Election Dist., 2nd Councilmanic
Petitioner(s): Exxon Company, USA
Petitioner

BEFORE THE
ZONING COMMISSIONER
FOR BALTIMORE COUNTY
CASE NO.: 94-485-SPHXA

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final order.

Peter Max Zimmerman
PETER MAX ZIMMERMAN
People's Counsel for Baltimore County
Charles S. Demilio
CHARLES S. DEMILIO
Deputy People's Counsel
Room 47, Courthouse
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 22nd day of June, 1994, a copy of the foregoing Entry of Appearance was mailed to G. Scott Barhight, Esq., 210 W. Pennsylvania Avenue, 4th Floor, Towson, MD 21204, attorney for Petitioner.

Peter Max Zimmerman
PETER MAX ZIMMERMAN



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

February 7, 1996

Nicholas B. Commodari
Commodari Development Consultants & Assoc., Inc.
3410 Woodstock Avenue
Baltimore, MD 21213

RE: Proposed Vacuum Units
300 Mt. Carmel Road (7th ED)
9835 Liberty Road (2nd ED)
8101 Belair Road (14th ED)

Dear Mr. Commodari:

Staff has reviewed the provided plans showing the proposed vacuum unit installation at the above referenced locations and has been able to determine the following.

The 300 Mt. Carmel Road and 9835 Liberty Road Exxon fuel service station locations can be approved for the vacuum unit installation at the locations shown on the approved plans. (Reference zoning cases 95-252-SPHXA and 94-485-SPHXA.)

The 8101 Belair Road site cannot be approved due to a deficiency in the required parking, which would be created by the proposed vacuum unit installation. (Reference zoning case 95-34-SPHXA.)

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,

John L. Lewis
John L. Lewis
Planner II
Zoning Review

JLL:scj

Enclosure

c: #95-252-SPHXA
#95-34-SPHXA
#94-485-SPHXA

Commodari Development Consultants & Assoc., Inc.
3410 Woodstock Avenue
Baltimore, Maryland 21213
(Pager) 410-291-2598 (Office) 410-235-6811
(Fax) 410-467-9928

January 22, 1996

Mr. Arnold Jablon, Director PDM
Baltimore County Office Building
111 W. Chesapeake Avenue Room 113
Towson, Maryland 21204

Re: Proposed vacuum stations
9835 Liberty Road
8101 Belair Road
300 Mount Carmel Road

Dear Mr. Jablon:

In accordance with my recent conversation with Mr. John Lewis, enclosed are site plans for the above referenced matter.

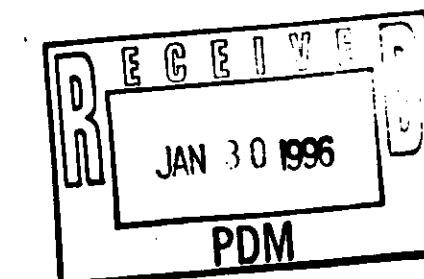
Exxon Company U.S.A. wishes to place vacuum stations at these locations for the benefit and convenience of their customers. I have discussed this matter with Mr. Douglas Swan, Permit Supervisor, and he indicated that a building permit is not required. However, Mr. Lewis stated that approval from your office would be necessary.

In view of the above, I included a check for \$120.00 for your review of these three sites and await your response.

Very truly,

Nicholas B. Commodari
Nicholas B. Commodari, Agent
Exxon Company U.S.A.

cc: Omar El Kordy, Exxon Company, U.S.A.



6-6-94
To: Gwen/Charlotte

Re: EXXON 10, 9835 Liberty Rd
ZADM II-521

Attached are one copy of a
Dev Plan and its file those
arrange an HOH. The
Project mgr is Don Tancore.

Back to Gloria with
dat(s) HOH _____
DPC _____

Note: Variance & Spec.
Ex. & Spec. Hearing
is also nec. here.

cc: Don Tancore



Frederick Ward Associates, Inc.
ENGINEERS ARCHITECTS SURVEYORS

ZONING DESCRIPTION

BEGINNING at a point on the south side of Liberty Road - Maryland Route 26 which is a 66-foot wide right-of-way and said beginning being in Marriottsville Road. Thence the following courses and distances: S 57°17'26" E 248.44 ft., S 22°37'12" W 199.99 ft., N 57°06'44" W 229.10 ft., N 21°26'34" E 166.30 ft., N 68°33'26" W 15.00 ft., N 21°26'34" E 36.73 ft. to the place of beginning as recorded in Deed Liber 4722, folio 237. Containing 1.055 acres of land. Also known as 9835 Liberty Road and located in the Second Election District.



Baltimore County Government
Office of Zoning Administration
and Development Management

Account: R 061 6150

Number: 485-1355

DROP-OFF — NO RETURN

Date: 6/7/94

94-485-SPHAA
recept

Exxon Corporation
9835 Liberty Road
District: 2c2

Check from Zoning Admin. Office

Attorney: G. Scott Barhight

Please Make Checks Payable To: Baltimore County

Cashier Validation

Date: 6/6/94

File No: 2951/2

Amount: 720.00

Detail petition for variance
special exception; hearing

Name of File: Exxon Corporation

AC No:

Client Of: GSB

Handled By: SR

485

TO: FUTURE PUBLISHING COMPANY
June 16, 1994 Issue - Jeffersonian

Please forward billing to:

G. Scott Barhight, Esq.
210 W. Pennsylvania Avenue - 4th Floor
Towson, Maryland 21204
832-2050

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: 94-485-SPHAA (Item)

9835 Liberty Road
S/S Liberty Road and E/S Marriottsville Road
2nd Election District - 2nd Councilmanic

Petitioner(s): Exxon Company, USA

HEARING: TUESDAY, JULY 12, 1994 at 11:00 a.m. Rm. 118 Old Courthouse.

Special Hearing to approve amendments to the previously approved plans in cases number 63-42-RX and 88-323-A and to convert from full service to gas and go.
Special Exception for a fuel service station use-in-combination with ancillary convenience store and car wash.
Variance to permit three (3) business signs of 201.1 square feet in lieu of the required 100 square feet.

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.

Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

JUNE 8, 1994

(410) 887-3353

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:

DEVELOPMENT PLAN HEARING

Project Name: Exxon Station at Liberty and Marriottsville Roads

Project Number: 11-521

Applicant: Exxon Company, USA

Location: S/S Liberty Road and E/S Marriottsville Road

9835 Liberty Road

Area: 1.355/

Engineer: Frederick Ward Associates, Inc.

Proposal: Existing fuel service station with proposed ancillary convenience store and use-in-combination car wash.

CASE NUMBER: 94-485-SPHAA (Item)

9835 Liberty Road

S/S Liberty Road and E/S Marriottsville Road

2nd Election District - 2nd Councilmanic

Petitioner(s): Exxon Company, USA

Special Hearing to approve amendments to the previously approved plans in cases number 63-42-RX and 88-323-A and to convert from full service to gas and go.
Special Exception for a fuel service station use-in-combination with ancillary convenience store and car wash.
Variance to permit three (3) business signs of 201.1 square feet in lieu of the required 100 square feet.

HEARING: TUESDAY, JULY 12, 1994 at 11:00 a.m. Rm. 118 Old Courthouse.

Carl J. Jablon

Arnold Jablon
Director

cc: Exxon Company, USA
G. Scott Barhight, Esq.

NOTES: (1) ZONING SIGN & POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.

Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

July 5, 1994

G. Scott Barhight, Esquire
Fourth Floor
210 West Pennsylvania Avenue
Towson, Maryland 21204

RE: Case No. 94-485-SPHAA, Item No. 485
Petitions for Special Hearing, Special Exception and Variance
Petitioner: Exxon Corporation

Dear Mr. Barhight:

The Zoning Plans Advisory Committee (ZAC) has reviewed the plans submitted with the above-referenced petition, which was accepted for filing on June 7, 1994 and scheduled for a hearing accordingly. Any attached comments from a 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.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the hearing file.

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.

BALTIMORE COUNTY, MARYLAND INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director DATE: June 27, 1994
Zoning Administration and Development Management

FROM: Robert W. Bowling, P.E., Chief
Developers Engineering Section

RE: Zoning Advisory Committee Meeting
for June 27, 1994
Item No. 485

The Developers Engineering Section has reviewed the subject zoning item. All improvements, entrances, drainage requirements and construction affecting the Liberty Road, State Route #26, right-of-way are subject to standards, specifications and approval of the Maryland State Highway Administration, in addition to those of Baltimore County.

RWB:ew



Maryland Department of Transportation
State Highway Administration

O. James Lighthizer
Secretary
Hal Kassoff
Administrator

June 20, 1994

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

Re: Baltimore County
MD 26
Exxon Station
Liberty Road and
Marriottsville Road
Special Hearing
Special Exception and
Variance request
Item # +485 (WCR)
Mile Post 3.52

Dear Ms. Minton:

In our previous review of the development plan for the reference development, we indicated the following:

A review of the State Highway Administration's (SHA) long range planning documents reveals that the 80' future right-of-way indicated on the plan is consistent with the SHA's proposed Deer Park Road to Off Road five (5) lane roadway improvement project. Therefore, we request the county, if possible, require the developer to dedicate the future right-of-way as a condition of plan approval.

In addition, although the existing entrances have been in existence for many years, due to the increase in traffic along MD 26 and in keeping with SHA's policy of limiting access onto state roadways, access should be limited to one 35' wide entrance to MD 26.

Our review of the current plan reveals that the 35' entrance indicated on the plan is consistent with our previous comments.

However, since there has been a change in the proposed storm water management release structure indicated on the plan, the SHA will require a hydraulic analysis for this proposed storm drain connection.

Therefore, we have no objection to approval of the plan, subject to the aforementioned conditions.

My telephone number is 410-333-1350 (Fax# 333-1041)

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

Ms. Charlotte Minton
Page Two
June 20, 1994

Entrance construction shall be subject to the terms and conditions of an access permit issued by this office, with the following submittals required:

- a. Eight (8) copies of the site plan showing the SHA requirements.
- b. Completed application.
- c. Performance bond, letter of credit, or certified check (include Federal ID number or social security number on certified checks only) in the amount of 150% of the actual entrance construction cost (to include the cost of relocating any affected utilities) and in an even thousand dollar increment. These must be made payable to the State of Maryland. (Please note that it takes 6-8 weeks for a certified check to be returned after project completion and SHA final inspection).
- d. An engineering fee check in the amount of \$50.00 for each point of access, made payable to the State of Maryland.
- e. A letter of authorization from the appropriate agency relative to the relocation of any utilities which may be necessitated by this construction. Or, a letter from the developer acknowledging and agreeing to the financial responsibility for relocating any affected utilities, provided the cost for the utility relocation is included in the surety submitted for the permit.

The surety for entrance construction must be received by this office prior to our approving any building permits for this development.

We have no objection to approval for the Special Hearing request to approve amendments to the previously approved plans in case numbers 63-42-RX and 88-323-A and to convert from full service to gas and go, special exception for a fuel service station use-in-combination with ancillary convenience store and car wash; variance to permit three (3) business signs of 201.1 square feet in lieu of the required 100 square feet, subject to our aforementioned comments to the development plan.

verse impact above and beyond that inherently associated with such a special exception use, irrespective of its location within the zone. Schultz v. Pritts, 432 A.2d 1319 (1981).

The proposed use will not be detrimental to the health, safety, or general welfare of the locality, nor tend to create congestion in roads, streets, or alleys therein, nor be inconsistent with the purposes of the property's zoning classification, nor in any other way be inconsistent with the spirit and intent of the B.C.Z.R.

After reviewing all of the testimony and evidence presented, it appears that the special hearing and special exception relief should be granted with certain restrictions as more fully described below.

As to the Petition for Variance, the Petitioners seek a variance to permit one (1) business sign of 176.86 sq.ft. in lieu of the maximum permitted 100 sq.ft. This sign is a freestanding sign which is proposed to be placed in the same location as the existing sign. The Petitioners propose to add to the existing sign, two additional space bar signs that will advertise the convenience store and car wash facilities. By virtue of adding the two additional bar signs to the existing sign, the total square footage of this sign will exceed that permitted by the B.C.Z.R., and thus a variance of 76.86 sq.ft. is necessary. I believe the Petitioners have made every effort to meet the requirements of the zoning regulations and still provide adequate signage whereby passing motorists will be able to identify the services offered at this site. Furthermore, the Petitioner has reduced the number of wall-mounted signs on this site to an amount far below that permitted by the zoning regulations. I believe the variance requested by the Petitioners is appropriate in this instance and should therefore be granted.

- 9 -

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).

After due consideration of the testimony and evidence presented, it is clear that practical difficulty or unreasonable hardship will result if the variance is not granted. It has been established that special circumstances or conditions exist that are peculiar to the land or structure which is the subject of this variance request and that the requirements from which the Petitioner seeks relief will unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the variance requested will not cause any injury to the public health, safety or general welfare and is in strict harmony with the spirit and intent of the B.C.Z.R.

Therefore, pursuant to the zoning and development plan regulations of Baltimore County as contained within the B.C.Z.R. and Subtitle 26 of the Baltimore County Code, the advertising of the property and public hearing held thereon, the development plan and Petitions for Special Hearing

- 10 -

ing, Special Exception and Variance shall be approved consistent with the comments contained herein and the restrictions set forth hereinafter.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner and Hearing Officer for Baltimore County this 26th day of July, 1994 that the development plan for Exxon Company, U.S.A., identified herein as Developer's Exhibit 1, be and is hereby APPROVED; and,

IT IS FURTHER ORDERED that the Petition for Special Hearing to approve an amendment to the previously approved site plans in Case Nos. 63-42-RX and 88-323-A to convert the use on the subject property from a full-service gasoline service station to a gas-n-go facility, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that the Petition for Special Exception to approve a fuel service station use in combination with an ancillary convenience store and car wash, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the restrictions set forth below; and,

IT IS FURTHER ORDERED that the Petition for Variance seeking relief from Section 413.2(f) of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit one (1) business sign of 176.86 sq.ft. in lieu of the maximum permitted 100 sq.ft., in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the relief granted herein shall be rescinded.
- 2) The Petitioners shall provide the landscaping as set forth on Page 4 of Developer's Exhibit 1; however, the two trees which are located on the extreme southwest corner of the subject site along Marriottsville Road, immediately adjacent to the 7-Eleven Store, shall be removed or placed elsewhere on the property. In

- 11 -

their place, the Petitioners shall plant appropriate shrubs which shall be limited in growth to a height of 3 feet so as to buffer this area from the adjoining property.

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

Any appeal of this decision must be taken in accordance with Section 26-209 of the Baltimore County Code.

TMK:bjs

Timothy M. Kotroco
TIMOTHY M. KOTROCO
Hearing Officer
for Baltimore County

- 12 -

ORDER RECEIVED FOR FILING
Date 7/26/94
By [Signature]

ORDER RECEIVED FOR FILING
Date 7/26/94
By [Signature]

ORDER RECEIVED FOR FILING
Date 7/26/94
By [Signature]

ORDER RECEIVED FOR FILING
Date 7/26/94
By [Signature]

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning

Suite 113, Courthouse
400 Washington Avenue
Towson, MD 21204

July 26, 1994

(410) 887-4386

G. Scott Barhight, Esquire
Christine McSherry, Esquire
210 W. Pennsylvania Avenue, 4th Floor
Towson, Maryland 21204

RE: DEVELOPMENT PLAN HEARING and PETITIONS FOR SPECIAL HEARING, SPECIAL EXCEPTION & VARIANCE
S/S Liberty Road, E/S of Marriottsville Road
(9835 Liberty Road)
2nd Election District - 2nd Councilmanic District
Exxon Corporation - Owner/Applicant
Case Nos. 11-521 & 94-485-SPHXA

Dear Mr. Barhight:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Development Plan has been approved and the Petitions for Special Hearing, Special Exception and Variance 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 the Zoning Administration and Development Management office at 887-3391.

Very truly yours,

Timothy M. Kotroco
TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

cc: Ms. Sandy Hill, c/o Southland Corporation
3300 N. Ridge Road, Ellicott City, Md. 21043

Mr. & Mrs. Harold R. Carter
9820 Clanford Road, Randallstown, Md. 21133

Ms. Paula Saltzman, LDC, 9920 Liberty Road, Randallstown, Md. 21133

Donald Rascoe, Project Manager - ZADM; People's Counsel; Case File

Petition for Special Hearing
to the Zoning Commissioner of Baltimore County
for the property located at 9835 Liberty Road
which is presently zoned BL-CCC

This Petition shall be filed with the Office of Zoning Administration & Development Management. The undersigned, legal owner(s) of the property situated 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 Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve

amendments to the previously approved plans in cases nos. 63-42-RX and 88-323A and to convert from full service to gas and go.

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

I, or we, agree to pay expenses of above Special 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.

Contract Purchaser/Lessor:

(Type or Print Name)

Signature

Address

City

State

Zipcode

We do solemnly declare and affirm, under the penalties of perjury, that we are the legal owner(s) of the property which is the subject of this Petition.
Legal Owner(s):
EXXON CORPORATION

(Type or Print Name)

Signature

Address

City

State

Zipcode

6301 IVY LANE, SUITE 700
GREENBELT, MD 20770

City Name, Address and phone number of representative to be contacted

G. Scott Barhight 832-2050

4th Floor
210 W. Pennsylvania Ave., Towson, MD 21204

Address Phone No. State Zipcode

Towson, MD 21204 832-2050

City Name, Address and phone number of representative to be contacted

G. Scott Barhight 832-2050

4th Floor
210 W. Pennsylvania Ave., Towson, MD 21204

Address Phone No. State Zipcode

Towson, MD 21204 832-2050

City Name, Address and phone number of representative to be contacted

G. Scott Barhight 832-2050

4th Floor
210 W. Pennsylvania Ave., Towson, MD 21204

Address Phone No. State Zipcode

Towson, MD 21204 832-2050

City Name, Address and phone number of representative to be contacted

G. Scott Barhight 832-2050

4th Floor
210 W. Pennsylvania Ave., Towson, MD 21204

Address Phone No. State Zipcode

Towson, MD 21204 832-2050

ORDER RECEIVED FOR FILING
Date 7/26/94
By [Signature]

Petition for Special Exception
to the Zoning Commissioner of Baltimore County
for the property located at 9835 Liberty Road
which is presently zoned BL-CCC

This Petition shall be filed with the Office of Zoning Administration & Development Management. The undersigned, legal owner(s) of the property situated 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 Regulations of Baltimore County, to use the herein described property for

a fuel service station use-in-combination with ancillary convenience store and car wash

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.

Contract Purchaser/Lessor:

(Type or Print Name)

Signature

Address

City

State

Zipcode

We do solemnly declare and affirm, under the penalties of perjury, that we are the legal owner(s) of the property which is the subject of this Petition.
Legal Owner(s):
EXXON CORPORATION

(Type or Print Name)

Signature

Address

City

State

Zipcode

6301 IVY LANE, SUITE 700
GREENBELT, MD 20770

City Name, Address and phone number of representative to be contacted

G. Scott Barhight 832-2050

4th Floor
210 W. Pennsylvania Ave., Towson, MD 21204

Address Phone No. State Zipcode

Towson, MD 21204 832-2050

City Name, Address and phone number of representative to be contacted

G. Scott Barhight 832-2050

4th Floor
210 W. Pennsylvania Ave., Towson, MD 21204

Address Phone No. State Zipcode

Towson, MD 21204 832-2050

City Name, Address and phone number of representative to be contacted

G. Scott Barhight 832-2050

4th Floor
210 W. Pennsylvania Ave., Towson, MD 21204

Address Phone No. State Zipcode

Towson, MD 21204 832-2050

City Name, Address and phone number of representative to be contacted

G. Scott Barhight 832-2050

4th Floor
210 W. Pennsylvania Ave., Towson, MD 21204

Address Phone No. State Zipcode

Towson, MD 21204 832-2050

ORDER RECEIVED FOR FILING
Date 7/26/94
By [Signature]

Petition for Variance
to the Zoning Commissioner of Baltimore County
for the property located at 9835 Liberty Road
which is presently zoned BL-CCC

This Petition shall be filed with the Office of Zoning Administration & Development Management. The undersigned, legal owner(s) of the property situated 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(s) of the Zoning Regulations of Baltimore County, to use the herein described property for

413.2.F to permit three (3) business signs of 201.1 square feet in lieu of the required 100 square feet

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (indicate hardship or practical difficulty)

to be presented at the 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.

Contract Purchaser/Lessor:

(Type or Print Name)

Signature

Address

City

State

Zipcode

We do solemnly declare and affirm, under the penalties of perjury, that we are the legal owner(s) of the property which is the subject of this Petition.
Legal Owner(s):
EXXON CORPORATION

(Type or Print Name)

Signature

Address

City

State

Zipcode

6301 IVY LANE, SUITE 700
GREENBELT, MD 20770

City Name, Address and phone number of representative to be contacted

G. Scott Barhight 832-2050

4th Floor
210 W. Pennsylvania Ave., Towson, MD 21204

Address Phone No. State Zipcode

Towson, MD 21204 832-2050

City Name, Address and phone number of representative to be contacted

G. Scott Barhight 832-2050

4th Floor
210 W. Pennsylvania Ave., Towson, MD 21204

Address Phone No. State Zipcode

Towson, MD 21204 832-2050

City Name, Address and phone number of representative to be contacted

G. Scott Barhight 832-2050

4th Floor
210 W. Pennsylvania Ave., Towson, MD 21204

Address Phone No. State Zipcode

Towson, MD 21204 832-2050

City Name, Address and phone number of representative to be contacted

G. Scott Barhight 832-2050

4th Floor
210 W. Pennsylvania Ave., Towson, MD 21204

Address Phone No. State Zipcode

Towson, MD 21204 832-2050

ORDER RECEIVED FOR FILING
Date 7/26/94
By [Signature]

IN RE: DEVELOPMENT PLAN HEARING and PETITIONS FOR SPECIAL HEARING, SPECIAL EXCEPTION & VARIANCE - S/S Liberty Road, E/S of Marriottsville Road (9835 Liberty Road) 2nd Election District 2nd Councilmanic District

* BEFORE THE DEPUTY ZONING COMMISSIONER OF BALTIMORE COUNTY Case No. II-521 & 94-485-SPHXA

Exxon Corporation - Owner/Applicant

This matter comes before this Deputy Zoning Commissioner/Hearing Officer for consideration of a Development Plan and Petitions for Special Hearing, Special Exception and Variance for the proposed development of the subject property by Exxon Company, U.S.A., Owners, as a combination convenience store, car wash, and gasoline service station, in accordance with the development plan prepared by Frederick Ward Associates, Inc. submitted into evidence as Developer's Exhibit 1, and the site plan submitted into evidence as Petitioner's Exhibit 1. Pursuant to the Petitions filed, the Owner/Developer seeks a special hearing to approve an amendment to the previously approved site plans in Case Nos. 63-42-RX and 88-323-A to convert the use on the subject property from a full-service gasoline service station to a gas-n-go facility, a special exception to approve a fuel service station use in combination with an ancillary convenience store and car wash, and a variance from Section 413.2(f) of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit three (3) business signs of 201.1 sq.ft. total in lieu of the maximum permitted 100 sq.ft. At the onset of the hearing in this matter, the Owner/Developer amended its Petition for Variance to request relief to permit one (1) business sign of 176.86 sq.ft. in lieu of the maximum permitted 100 sq.ft.

Appearing at the public hearing required for this project were Mr. Olafsson and David H. Hopwood on behalf of Exxon Company, U.S.A., Tim

ORDER RECEIVED FOR FILING
Date 7/26/94
By [Signature]

Whittie with Frederick Ward Associates, Inc., Francis O. H. Der, current Franchisee of the existing Exxon Service Station on the subject site, and G. Scott Barhight, Esquire and Christine McSherry, Esquire, attorneys for the Owner/Developer. Numerous representatives of the various Baltimore County agencies who reviewed the development plan and site plan attended the hearing. Several individuals appeared in opposition to the relief requested, namely Ethel and Harold Carter, Sandy Hill, who appeared on behalf of the Southland Corporation, Sharon Friedman, who appeared on behalf of 2nd District Councilman Melvin G. Mintz, and Paula Saltzman, a representative of the Liberty Communities Development Council (L.C.D.C.).

As to the history of this project, a concept plan conference for this development was conducted on March 14, 1994. As required, a community input meeting was held on April 27, 1994. Subsequently, a development plan was submitted and a conference thereon was conducted on June 22, 1994. Following the submission of that plan, comments were submitted by the appropriate agencies of Baltimore County and a development plan incorporating these comments was submitted at the hearing held before me on July 12, 1994.

Testimony revealed that the subject property consists of a gross area of 1.355 acres, zoned B.L.-C.C.C. and is located at the southeast corner of the intersection of Marriottsville Road with Liberty Road in the Randallstown area of northwestern Baltimore County. The property is presently improved with a three-bay Exxon gasoline service station with accessory gasoline pump islands as more particularly described on the four-page site plan submitted into evidence as Developer's Exhibit 1. The Owner/Developer is desirous of razing the existing building and replacing same with a one-story Tiger-mart Convenience Store, new gasoline pump islands,

ORDER RECEIVED FOR FILING
Date 7/26/94
By [Signature]

- 2 -

and an ancillary car wash. In order to proceed with the proposed renovations, the relief requested pursuant to the Petitions for Special Hearing, Special Exception and Variance is necessary in addition to development plan approval.

At the public hearing before me, I am required to determine what, if any, agency comments remain unresolved. As attorney for the Developer, G. Scott Barhight, Esquire, stated that he was not aware of any open issues or unresolved comments that needed to be addressed. Furthermore, none of the representatives from the various Baltimore County agencies in attendance raised any issues and indicated that the development plan submitted into evidence as Developer's Exhibit 1 satisfied the requirements of each of their respective agencies. The citizens in attendance were then asked if there were any issues which they wished to raise concerning the design of the proposed development and specifically, the Development Plan marked as Developer's Exhibit 1.

On behalf of the Southland Corporation, Ms. Sandy Hill raised an issue concerning the visibility of the 7-Eleven identification sign for the store located immediately adjacent to the subject property on Marriottsville Road. Ms. Hill is concerned that the proposed development as set forth on the plan might impede visibility of her 7-Eleven sign. In reviewing the landscape plan proposed for the subject site, it was noted that there are two trees proposed to be located on the extreme southwest corner of the subject site. Ms. Hill is concerned that these two trees might impede the visibility of the 7-Eleven sign situated immediately adjacent to that corner. In consideration of this fact, I find that these two trees could impede the visibility of this sign and will order that those two particular trees be relocated elsewhere on the site or eliminated.

ORDER RECEIVED FOR FILING
Date 7/26/94
By [Signature]

- 3 -

ed altogether. In their place, the Developer shall be required to provide appropriate landscaping which shall be limited in growth to a height of 3 feet. This will insure that the visibility of the 7-Eleven sign adjacent to this site will not be compromised.

There were no other issues or comments raised concerning the design of the proposed development. It then became necessary to take testimony concerning the relief requested within the Petitions for Special Hearing, Special Exception and Variance. Many of the concerns raised by the citizens in attendance related directly to those requests and not necessarily the design or layout of the proposed development.

On behalf of the Owner/Developer, Mr. Barhight called as his first witness, Mr. Michael Olafsson, a representative of Exxon Company, U.S.A. Mr. Olafsson is a market investment specialist employed by Exxon with the responsibility for overseeing the permit process for their various developments in this area. He testified concerning the desire of Exxon to upgrade the existing service station with a more modern facility including a convenience store and car wash. Mr. Olafsson testified that he is aware that a 7-Eleven convenience store is located immediately adjacent to this site and that this situation has occurred in other locations in his territory. He testified that the type of convenience items offered at the proposed store will not necessarily compete with and detract from that offered by the 7-Eleven store next door. Mr. Olafsson testified that when individuals purchase gasoline at their stations similar to the one proposed, they typically will pick up small items at the convenience store while paying for their gasoline. He stated that, as has been the proven track record at other locations, the two businesses can operate effectively even in this close proximity to one another.

ORDER RECEIVED FOR FILING
Date 7/26/94
By [Signature]

- 4 -

Mr. Olafsson further testified as to the proposed sign for the new development at the subject site. He testified that Exxon reduced the variance requested, as noted earlier, at the request of the Office of Planning and Zoning. However, the Office of Planning and Zoning stated that they would prefer a sign with a maximum face of 150 sq.ft. and asked that the Developer further reduce the size of the sign proposed for this site. Mr. Olafsson testified that although the freestanding sign proposed for this site, which will be placed in the same location as the existing sign, is somewhat larger than what is permitted by the zoning regulations, the size of all the other wall-mounted signs on the subject property are well below that permitted by the B.C.Z.R.

On cross-examination, Mr. Olafsson was questioned by Mrs. Carter concerning the Exxon station which is closed at Liberty Road and Old Court Road. Mr. Olafsson was not aware of the status of that particular station, but other testimony offered at the hearing revealed that the Old Court Exxon is proposed for development as a Checkers Restaurant.

On behalf of the Southland Corporation, Ms. Hill also questioned Mr. Olafsson concerning competition with the 7-Eleven store located on the adjacent property. She also questioned Mr. Olafsson as to the canopy over the gasoline pump and the visibility of her 7-Eleven Store. Mr. Olafsson testified that the new development proposed for this site will not detract from the visibility of the 7-Eleven store any more than the existing service station.

Mr. Tim Whittie with Frederick Ward Associates, Inc. appeared and testified on behalf of the Owner/Developer. At the onset of this hearing, Mr. Whittie familiarized everyone as to the proposed design and layout of this site in accordance with the development plan prepared by his firm.

ORDER RECEIVED FOR FILING
Date 7/26/94
By [Signature]

- 5 -

He also informed the citizens that Exxon proposes to widen Marriottsville Road for the purpose of providing a right turn lane onto Liberty Road at this location. He testified that this should improve the flow of traffic in and around this site. Furthermore, Mr. Whittie testified that the Petitioner is reducing the number of entrances in and out of this site from two each along Marriottsville Road and Liberty Road down to one on each side. He testified that this will improve traffic safety and provide for a better flow of traffic to and from this site. In his opinion, the proposed highway improvements at this location will be an improvement to the traffic situation in this area and not a detriment.

Mr. Whittie further testified that the relief requested satisfies the requirements of Section 502.1 and Section 307 of the B.C.Z.R. He testified that the proposed renovations to the site will be a traffic interceptor and not a traffic generator. That is, the proposed improvements will accommodate and service the traffic that already exists along Marriottsville and Liberty Roads and will not generate more traffic in this area. It was the conclusion of Mr. Whittie and Mr. Olafsson that the proposed renovations will not result in any increase in traffic. As stated by Mr. Whittie, the improvements made to this site, both the widening of Marriottsville Road and the decrease in number of entrances to the property, will in effect, improve the traffic flow in this area.

As stated previously, several citizens appeared in opposition to the Petitioner's request. Ms. Paula Saltzman, on behalf of the L.C.D.C. testified that her organization is opposed to the car wash which is proposed to be located on the property. She testified that a new car wash has been approved for Liberty Road, just down the street from this site. In addition, her organization is opposed to any variances being granted

ORDER RECEIVED FOR FILING
Date 7/26/94
By [Signature]

- 6 -

for the proposed freestanding sign at the northern corner of the subject site.

Mrs. Ethel Carter also appeared and testified in opposition to the relief requested. Mrs. Carter testified that this area does not need an additional convenience store inasmuch as the 7-Eleven Store is located immediately adjacent to this site. She also testified that there is no need for an additional car wash in this area. She testified that Liberty Road contains a multitude of gasoline service stations and fast food restaurants and that the use proposed at this site is not a necessity. Furthermore, she does not believe the proposed renovations to the site will be an upgrade to this area.

While the concerns raised by Mrs. Carter are legitimate, they are not necessarily applicable to the subject site. There already exists a gasoline service station on the property and Exxon merely wishes to upgrade the existing facility to a more modern establishment and provide additional services to their customers at this location. In addition to paying for gasoline purchases, a customer will now be able to purchase convenience items at the same time. The one-story convenience store proposed will replace the three-bay service garage which currently exists on the site. Furthermore, there will no longer be any type of service garage repair work being performed on the property, and as such, there will be no disabled vehicles stored on the property, which can be unsightly and detract from the appearance of an area. In addition, the noise generated by service garage activity will no longer exist. And finally, there will be no disposal of oil or grease, automobile tires and parts typically associated with service garage activity at this site. Therefore, the new Exxon

ORDER RECEIVED FOR FILING
Date 7/26/94
By [Signature]

- 7 -

facility will be cleaner and neater and will not detract or annoy the residents in the area.

As to the car wash proposed for this site, it is to be noted that this car wash will only handle one car at a time with a quick wash cycle. The stacking provided for this type of car wash satisfies the requirements imposed by the B.C.Z.R. and should not pose a problem for the community. Furthermore, it will provide an additional convenience to the customers who utilize this service station.

Finally, an issue was raised concerning the need for a convenience store at this location when a 7-Eleven exists immediately adjacent to this site. While it is possible that the Exxon convenience store will offer many of the same items offered at the 7-Eleven store, an increase in competition is not a valid reason for denying a special hearing/special exception request. I find that the relief requested in the Petitions for Special Hearing and Special Exception should be granted.

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

The Petitioner had the burden of adducing testimony and evidence which would show that the proposed use met the prescribed standards and requirements set forth in Section 502.1 of the B.C.Z.R. The Petitioner has shown that the proposed use would be conducted without real detriment to the neighborhood and would not adversely affect the public interest. The facts and circumstances do not show that the proposed use at the particular location described by Petitioner's Exhibit 1 would have any ad-

ORDER RECEIVED FOR FILING
Date 7/26/94
By [Signature]

- 8 -



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

April 26, 1996

Mr. Nicholas B. Commodari
Commodari Development Consultants & Assoc., Inc.
3410 Woodstock Avenue
Baltimore, MD 21213

RE: Revised Zoning Review of
Proposed Vacuum Units
300 Mt. Carmel Road (7th ED)
9835 Liberty Road (2nd ED)
8101 Belair Road (14th ED)

Dear Mr. Commodari:

Based on our prior telephone conversations and our subsequent meetings, the question of the above referenced sites proposed for new vacuum units has been resolved as follows:

300 Mt. Carmel Road (95-252-SPHXA)-With the addition of one legally dimensioned parking space, the vacuum unit can be approved.

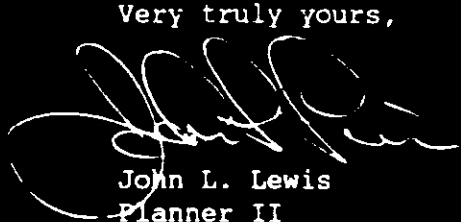
9835 Liberty Road (94-485-SPHXA)-Subject to approval by the Directors of OPCC and DFW (or their representatives) under Section 405.6., this office will approve the addition of one vacuum station on the north side of the parking island, opposite the car wash stacking aisle.

8101 Belair Road (95-34-SPHXA)-Due to the fact that one space for a vacuum unit was allowed (and shown at a particular location), that unit is permitted at that location or in one of the alternate locations proposed in our April 25th meeting (adjacent to the 3 parking spaces near Ridge Road). This will not require Section 405.6 approval; however, if a second vacuum unit is desired, it will only be permitted at one of the two designated drying stations (adjacent to the car wash exit), subject to Section 405.6 approvals.

Mr. Nicholas B. Commodari
April 26, 1996
Page 2

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 887-3391 (FAX - 887-5708).

Very truly yours,


John L. Lewis
Planner II
Zoning Review

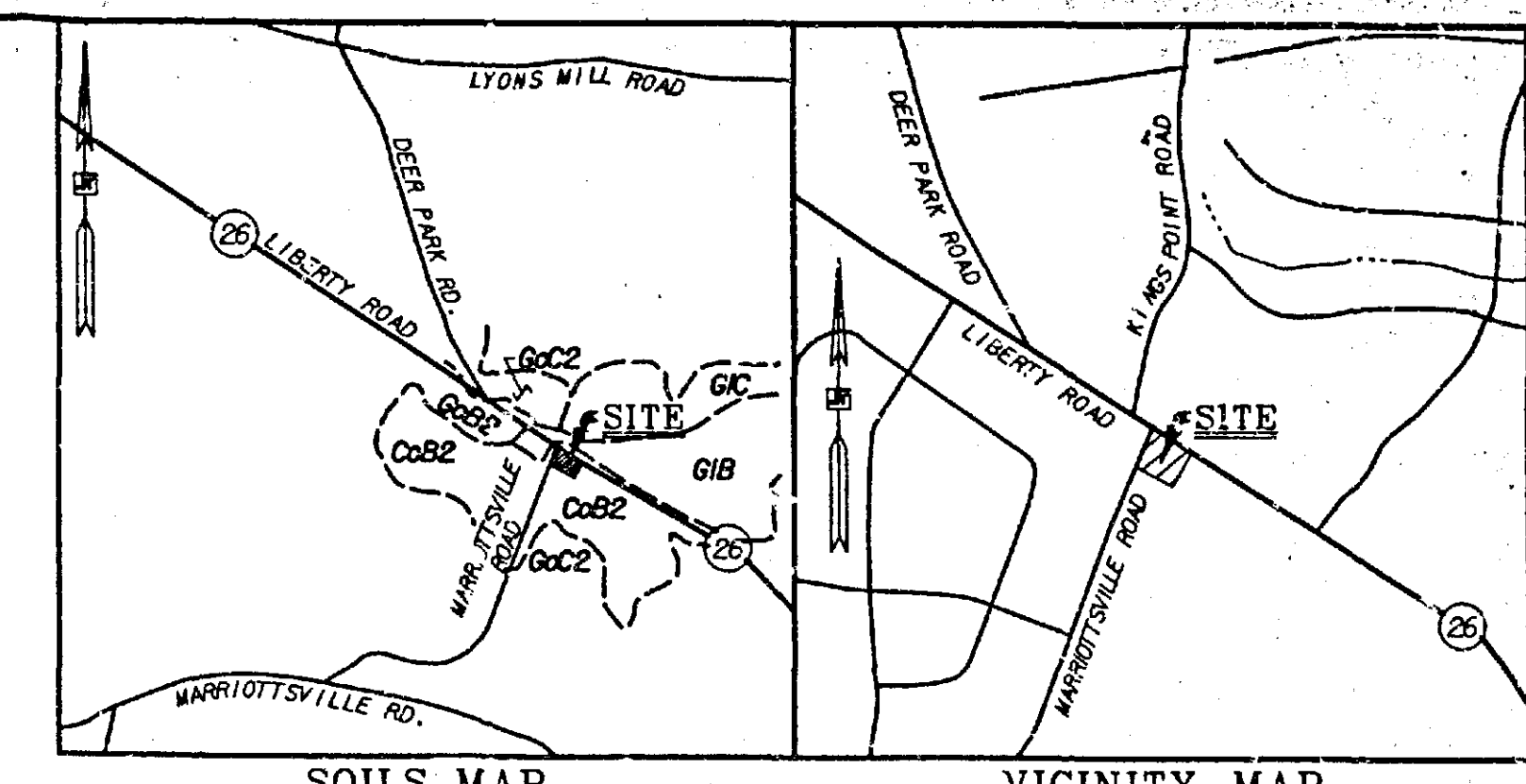
JLL: rye

c: 95-252-SPHXA
94-485-SPHXA
95-34-SPHXA

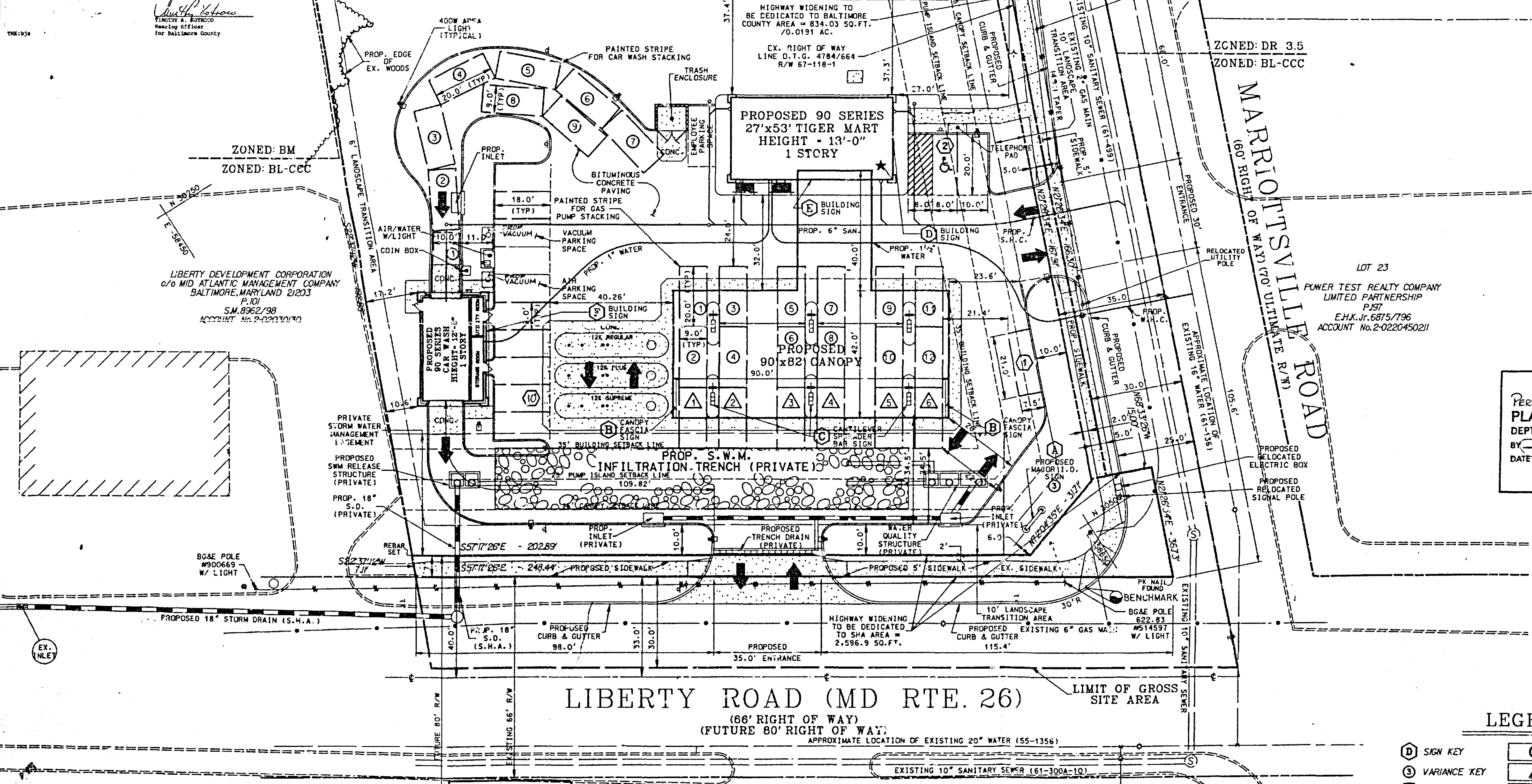
WHEREFORE, it is ORDERED by the Deputy Hearing Commissioner and Hearing Officer for Baltimore County that the Petition for Special Hearing be granted and the proposed plan for the development of the subject property be approved and the same be subject to the following conditions:

IT IS FURTHER ORDERED that the Petition for Special Hearing be granted and the proposed plan for the development of the subject property be approved and the same be subject to the following conditions:

IT IS FURTHER ORDERED that the Petition for Special Hearing be granted and the proposed plan for the development of the subject property be approved and the same be subject to the following conditions:



- SITE INFORMATION**
1. GROSS SITE AREA: 1.355 ACRES
 2. NET LOT SIZE: 1.055 ACRES
 3. FLOOR AREA RATIO: 0.035
 4. FLOOR AREA: 35,000 SQ. FT.
 5. TAX ACCOUNT NUMBER: 00080561
 6. ELECTION DISTRICT: SECOND
 7. FLOOD HAZARD ZONE: 100-YEAR FLOOD PLAIN
 8. EXISTING USE: CONVENIENCE STORE WITH CAR WASH
 9. PROPOSED USE: CONVENIENCE STORE WITH CAR WASH AND GASOLINE DISPENSERS
 10. JENSEN TRACT: 64
 11. EXISTING IMPERVIOUS AREA: 20,198 SQUARE FEET
 12. PROPOSED IMPERVIOUS AREA: 29,375 SQUARE FEET = 62%
 13. SITE IS NOT WITHIN THE 100-YEAR FLOOD PLAIN
 14. THERE ARE NO WETLANDS WITHIN THE SITE BOUNDARIES.
 15. ESTIMATED AVERAGE DAILY TRIPS = 730
 16. WATERSHED: 31
 17. SUB-DIVISION: 64
 18. THE PUBLIC HEARING REQUIRED BY SECTION 26-127 AND BY THE B.C.C.Z.A. WILL BE COMPLETED WITH THE PUBLIC HEARING HELD BY THE HEARING OFFICER ON THE DEVELOPMENT PLAN.
 19. THE SITE IS EXEMPT FROM OPEN SPACE REQUIREMENTS
 20. THERE ARE NO ABANDONED FUEL SERVICE STATIONS WITHIN A MILE OF THE SITE.
 21. TOTAL DISTURBED AREA = 1.04 ACRES.
 22. MASS TRANSIT SERVICE TERMINAL: 1 MILE EAST OF THE SITE.
 23. SERVICE LINES TO THAT POINT ARE THE MOST CRITICAL STATE CONCERN.
 24. THE SITE IS NOT A CRITICAL STATE CONCERN.
 25. THE SITE IS NOT A CRITICAL STATE CONCERN.
 26. THE SITE IS NOT A CRITICAL STATE CONCERN.
 27. THE SITE IS NOT A CRITICAL STATE CONCERN.
 28. THE SITE IS NOT A CRITICAL STATE CONCERN.
 29. THE SITE IS NOT A CRITICAL STATE CONCERN.
 30. THE SITE IS NOT A CRITICAL STATE CONCERN.
- ZONING NOTES**
- A. ZONING STATUS
1. EXISTING ZONING: BL-CC
 2. PROPOSED ZONING: BL-CC
- B. AREA REQUIREMENTS
1. 6 DISPENSER ISLANDS WITH 8 MULTI-PRODUCT DISPENSERS SERVING A TOTAL OF 12 CARS AT ONE TIME
 2. TOTAL CAR WASH SPACES REQUIRED: 12
 3. TOTAL CAR WASH SPACES PROVIDED: 12
 4. TOTAL CAR WASH SPACES PROVIDED: 12
 5. TOTAL CAR WASH SPACES PROVIDED: 12
 6. TOTAL CAR WASH SPACES PROVIDED: 12
 7. TOTAL CAR WASH SPACES PROVIDED: 12
 8. TOTAL CAR WASH SPACES PROVIDED: 12
 9. TOTAL CAR WASH SPACES PROVIDED: 12
 10. TOTAL CAR WASH SPACES PROVIDED: 12
- C. ACCESS POINTS
1. ONE (1) PROPOSED 30' ENTRANCE ONTARIO MARIOTTVILLE ROAD
 2. ONE (1) PROPOSED 35' ENTRANCE ENTRANCE ONTARIO MARIOTTVILLE ROAD
- D. PARKING
1. 3 SPACES PER 1000 SF FLOOR AREA OF C-STORIES
 2. 1 SPACE PER 1000 SF FLOOR AREA OF B-STORIES
 3. 1 SPACE PER 1000 SF FLOOR AREA OF A-STORIES
 4. 1 SPACE PER 1000 SF FLOOR AREA OF G-STORIES
 5. 1 SPACE PER 1000 SF FLOOR AREA OF F-STORIES
 6. 1 SPACE PER 1000 SF FLOOR AREA OF E-STORIES
 7. 1 SPACE PER 1000 SF FLOOR AREA OF D-STORIES
 8. 1 SPACE PER 1000 SF FLOOR AREA OF C-STORIES
 9. 1 SPACE PER 1000 SF FLOOR AREA OF B-STORIES
 10. 1 SPACE PER 1000 SF FLOOR AREA OF A-STORIES
- E. SITE ADDRESS
- EXXON COMPANY, U.S.A.
1100 LIBERTY ROAD
BALTIMORE, MARYLAND 21133



PERMIT TO SECT 409-6 BCCR PLANS APPROVED

DEPT. OF PERMITS & DEV. MGMT.

DATE: 8/16/96

88996 OK FAH
OK BY 8/16/96
OK EMCD 8/16/96

PLAN TO BE MICROFILMED AND PLACED IN CASE FILES OF ZONING CASE 34-458-SFHA

ALSO SEE LETTER FILE FOR 1926 2ND E.D.

485

LEGEND

- ① SIGN KEY
- ② VARIANCE KEY
- ③ PARKING SPACES
- ④ CAR WASH STACKING
- ⑤ GAS PUMP STACKING
- ⑥ GAS PUMP WAITING

OWNERS CERTIFICATIONS

I/WE HEREBY CERTIFY UNDER OATH THAT THERE ARE NO DELINQUENT ACCOUNTS FOR ANY OTHER DEVELOPMENTS WITH RESPECT TO ANY OF THE FOLLOWING: THE APPLICANT, A PERSON WITH A FINANCIAL INTEREST IN THE PROPOSED DEVELOPMENT, OR A PERSON WHO WILL PERFORM CONTRACTUAL SERVICES ON BEHALF OF THE PROPOSED DEVELOPMENT.

OWNER/DEVELOPER/APPLICANT

EXXON COMPANY, U.S.A.
6301 IVEY LANE
SUITE 700
GREENBELT, MARYLAND 20770
PHONE: (1301) 513-7511
ATTN: MR. MIKE OLAFSSON

FREDERICK WARD ASSOCIATES INC.

ENGINEERS ARCHITECTS SURVEYORS
5 SOUTH MAIN STREET
(410) 838-7900
REL. ARI, MARYLAND
(410) 678-2090

DATE 06/22/94

REVISIONS

NO.	DATE	REVISION
1	06/22/94	REVISED PER DEVELOPMENT PLAN CONFERENCE COMMENTS

BY CB

CHK. TAG

EXXON COMPANY, U.S.A.

Marketing Department
DATE: 05/26/1994
DRYNN BY: CS
CHK. EYSTAG
SCALE: 1" = 20'

SITE PLAN

FOR AN EXXON STATION AT
9835 LIBERTY ROAD
RANDALLSTOWN, MARYLAND 21133

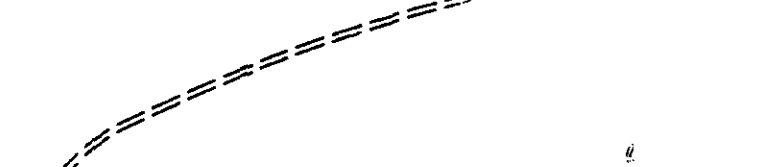
ZADM NUMBER 11-521

PROJECT NO. 92235-01

OTSC NO.

RAS NO. 2-5582

DWS NO. 01 OF 04



DATE	REVISIONS	BY	CHK.
11/16/95	MD SHA ENTRANCE PAVING	KON	TAG
12/12/95	ADDED VACUUM UNIT	CYF	WFO

EXCON CO.
 Marketing Department
 DATE: 09/15/1994
 DRAWN BY:
 CHK. BY: TAG
 SCALE: 1" = 20'

PLEASE PRINT CLEARLY

BALTIMORE COUNTY REPRESENTATIVES
SIGN-IN SHEET

NAME	ADDRESS
R. FINE	2121 N. ...
LEO SCHLESIER	D.P. ...

State Highway Administration
Maryland Department of Transportation

Bob Small
Engineering Access Permits Division

707 N. Calvert Street, Baltimore, MD 21202
410-333-1350 • 800-876-4742

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME	ADDRESS
Tim Whittle	Frederick Ward Associates, Inc. 2329 Sherwood Road Havre de Grace, Maryland 21078 Phone (410) 273-7393
Mike Olafsson	370 GLENNAN PL. RANDOLPH, MD 21133

PLEASE PRINT CLEARLY

PROTESTANT(S) SIGN-IN SHEET

NAME	ADDRESS
Ethel M. Carter	9820 Clarks Rd
Harold R. Carter	9820 Clarks Rd
John R. Carter	3300 N. ...
Rita ...	1250 ...

PETITIONER'S EXHIBIT 2

TIMOTHY F. WHITTLE
2329 Sherwood Road
Havre de Grace, Maryland 21078
Phone (410) 273-7393

PROFESSIONAL LICENSES
Registered Professional Engineer with the State of Maryland, License No. 19155

EXPERIENCE
September 1989 to Present
Frederick Ward Associates, Inc., Bel Air, Maryland

February 1984 to September 1989
Windward Associates, Inc., Aberdeen, Maryland

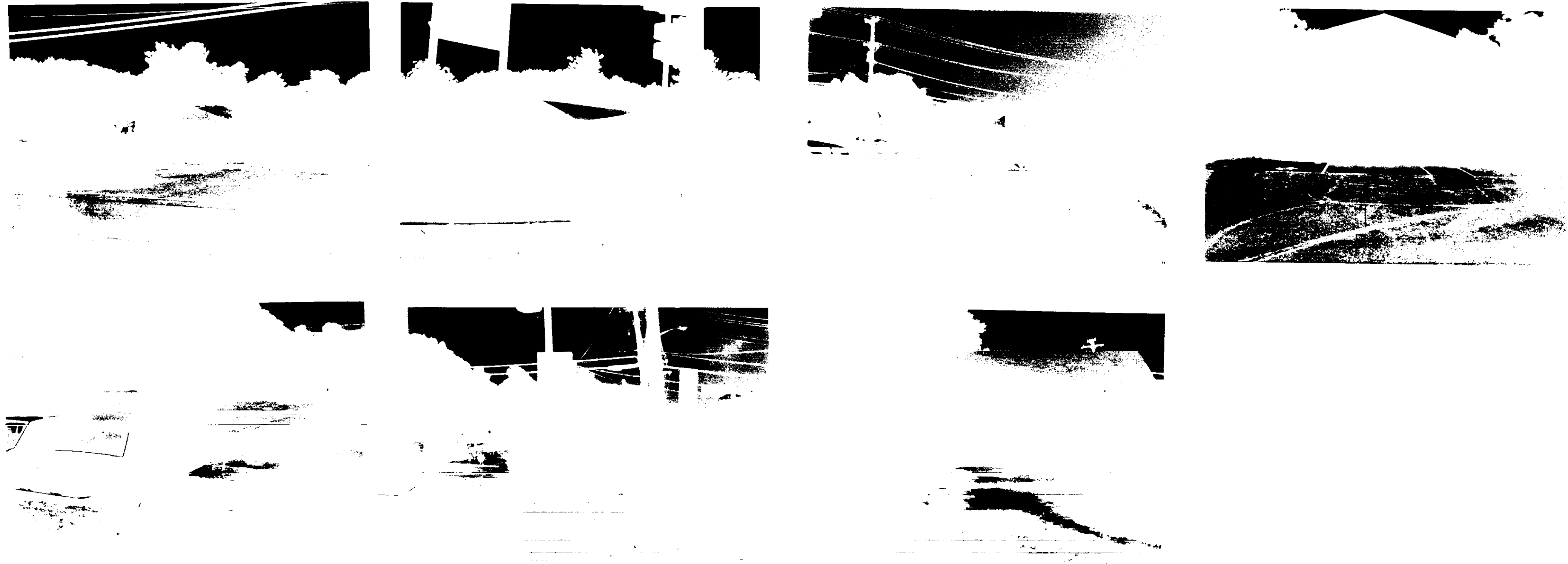
May 1983 to February 1984
Williams Construction Company, Baltimore, Maryland

EDUCATION
1978 to 1983
University of Maryland, College Park, Maryland
Received Bachelor of Science degree in Civil Engineering with a specialty in Hydrology/Hydraulics.

1974 to 1978
Baltimore Polytechnic Institute, Baltimore, Maryland
Received Advanced College Preparatory diploma

REFERENCES
Available upon request.

Petitioner's
Exhibits
3A - 3G
94-485-5A1A
4
II 521



Ms. Charlotte Minton
Page Three
June 20, 1994

Should you have any questions, or require additional information, please contact Bob Small at (410) 333-1350. Thank you for the opportunity to review this plan.

Very truly yours,

David Ramsey
David Ramsey, Acting Chief
Engineering Access Permits
Division

BS'es

cc: Mr. Timothy Whittie

111 West Chesapeake Avenue
Towson, MD 21204

Baltimore County Government
Office of Zoning Administration
and Development Management



(410) 887-3353

June 17, 1994

G. Scott Barhight, Esquire
4th Floor
210 West Pennsylvania Avenue
Towson, MD 21204

RE: Preliminary Petition Review (Item #495)
Development Plan Conference Comments
Legal Owner: Exxon Corporation
9835 Liberty Road
2nd Election District

Dear Mr. Barhight:

At the request of the attorney/petitioner, the above referenced petition was accepted for filing without a final filing review by the staff. The plan was accepted with the understanding that all zoning issues/filing requirements would be addressed. A subsequent review by the staff for both the drop-off petition and the development plan has revealed unaddressed zoning issues and/or incomplete information. The following comments are addressed to both, are indicated as such, are advisory, and do not necessarily identify all details and inherent technical zoning requirements necessary for a complete application. As with all petitions/plans filed in this office, it is the final responsibility of the petitioner to make a proper application, address any zoning conflicts and, if necessary, to file revised petition materials. All revisions (including those required by the hearing officer) must be accompanied by a check made out to Baltimore County, Maryland for the \$100.00 revision fee.

A. Zoning Petition Package:

1. No telephone number is provided for R.W. Hilchey.

G. Scott Barhight, Esquire
June 17, 1994
Page 2

2. The N21-degrees 26' 34" E. 166.1 ft. call on the zoning hearing description does not match the metes and bounds shown on the hearing or development plan.
3. There is some possible confusion concerning the variance request. Plan sheet #1, note B.3 indicates a lesser variance request than on the petition though the correct sign area information (as requested on the petition form) is shown on sheet #2. This must be clarified.

B. Zoning Development Plan:

1. Comments are attached.
2. Be aware that the zoning hearing and the development plans must agree.

If you need further information or have any questions, please do not hesitate to contact me at 887-3391.

Very truly yours,

John L. Lewis
John L. Lewis
Planner II

JLL:scj

Enclosures

cc: Zoning Commissioner

BAITIMORE COUNTY, MARYLAND

SUBJECT: DEVELOPMENT PLAN COMMENTS

DPC DATE: 6/22/94
10:30 a.m., Room 121
WFO DATE: 7/12/94
11:00 a.m., Room 119

FROM: ZADM - DEVELOPMENT CONTROL

PROJECT NAME: Exxon Company, U.S.A.
Liberty and Marriottsville Roads

PLAN DATE: 5/26/94

LOCATION: S/S Liberty Road and
E/S Marriottsville Road

REV.: REV.:

DISTRICT: 2c2
PROPOSAL: Existing Fuel Service Station
with Proposed Auxiliary
Convenience Store and
Use-in-Combination Car Wash
Requiring Special Hearing,
Special Exception, and Variances

REVISED PLAN KEY:
(X) COMPLIANCE WITH CURRENT CHECKED
(C) PLAN COMPLIANCE IS CIRCLED
(DA) BE ADVISED (NOT NECESSARY FOR CONCEPT
PLAN APPROVAL, BUT MUST BE ADDRESSED
PRIOR TO FINAL ZONING APPROVAL)
ADDITIONAL COMMENTS ADDED LAST BY PLAN DATE

FILED UNDER ZONING ITEM #495

The plan has been reviewed by the staff at this level of detail and has been found to be in general compliance with the Baltimore County Zoning Regulations for development plan approval. To avoid any possible delays in the development review and zoning approval process, when additional details are available or changed, this office should be contacted and it should be the responsibility of the owner, developer or developer's engineer to rectify any zoning conflicts well in advance of any expected final approvals. Only if necessary, will this office update or supplement this comment during the review of the building permit.

1. Zoning Actions: Provide the zoning item and case numbers under which any hearings have been requested.
2. Clearly show, dimension, and label the 10-foot landscape buffers required along the street right-of-ways.
3. Note that rest rooms are provided for customers per Section 465.4.D.3.D.5.B (BCZR).
4. See the accompanying zoning petition filing comments for further detailed information.

Final zoning approval is contingent first, upon all plan comments being addressed on the development plan; and secondly, upon the final resolution of all comments, the outcome of any requested zoning hearings and finally, the inclusion of the blue commercial checklist information being included on the building permit site plans.

John L. Lewis
John L. Lewis
Planner II

JLL:scj

RE: PETITION FOR SPECIAL HEARING
PETITION FOR SPECIAL EXCEPTION
PETITION FOR VARIANCE
9835 Liberty Road, S/S Liberty Road
and E/S Marriottsville Road, 2nd
Election Dist., 2nd Councilmanic
Petitioner(s): Exxon Company, USA
Petitioner
* * * * *

BEFORE THE
ZONING COMMISSIONER
FOR BALTIMORE COUNTY
CASE NO.: 94-485-SPHXA

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final order.

Peter Max Zimmerman
PETER MAX ZIMMERMAN
People's Counsel for Baltimore County
Charles S. Demilio
CHARLES S. DEMILIO
Deputy People's Counsel
Room 47, Courthouse
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 22nd day of June, 1994, a copy of the foregoing Entry of Appearance was mailed to G. Scott Barhight, Esq., 210 W. Pennsylvania Avenue, 4th Floor, Towson, MD 21204, attorney for Petitioner.

Peter Max Zimmerman
PETER MAX ZIMMERMAN



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

February 7, 1996

Nicholas B. Commodari
Commodari Development Consultants & Assoc., Inc.
3410 Woodstock Avenue
Baltimore, MD 21213

RE: Proposed Vacuum Units
300 Mt. Carmel Road (7th ED)
9835 Liberty Road (2nd ED)
8101 Belair Road (14th ED)

Dear Mr. Commodari:

Staff has reviewed the provided plans showing the proposed vacuum unit installation at the above referenced locations and has been able to determine the following.

The 300 Mt. Carmel Road and 9835 Liberty Road Exxon fuel service station locations can be approved for the vacuum unit installation at the locations shown on the approved plans. (Reference zoning cases 95-252-SPHXA and 94-485-SPHXA.)

The 8101 Belair Road site cannot be approved due to a deficiency in the required parking, which would be created by the proposed vacuum unit installation. (Reference zoning case 95-34-SPHXA.)

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,

John L. Lewis
John L. Lewis
Planner II
Zoning Review

JLL:scj

Enclosure

c: #95-252-SPHXA
#95-34-SPHXA
#94-485-SPHXA

Commodari Development Consultants & Assoc., Inc.
3410 Woodstock Avenue
Baltimore, Maryland 21213
(Pager) 410-291-2598 (Office) 410-235-6811
(Fax) 410-467-9928

January 22, 1996

Mr. Arnold Jablon, Director PDM
Baltimore County Office Building
111 W. Chesapeake Avenue Room 113
Towson, Maryland 21204

Re: Proposed vacuum stations
9835 Liberty Road
8101 Belair Road
300 Mount Carmel Road

Dear Mr. Jablon:

In accordance with my recent conversation with Mr. John Lewis, enclosed are site plans for the above referenced matter.

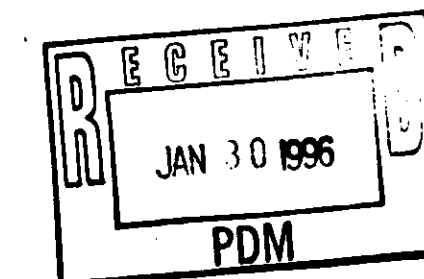
Exxon Company U.S.A. wishes to place vacuum stations at these locations for the benefit and convenience of their customers. I have discussed this matter with Mr. Douglas Swan, Permit Supervisor, and he indicated that a building permit is not required. However, Mr. Lewis stated that approval from your office would be necessary.

In view of the above, I included a check for \$120.00 for your review of these three sites and await your response.

Very truly,

Nicholas B. Commodari
Nicholas B. Commodari, Agent
Exxon Company U.S.A.

cc: Omar El Kordy, Exxon Company, U.S.A.



6-6-94
To: Gwen/Charlotte

Re: EXXON 10, 9835 Liberty Rd
ZADM II-521

Attached are one copy of a
Dev Plan and its file those
arrange an HOH. The
Project mgr is Don Tancore.

Back to Gloria with
dat(s) HOH _____
DPC _____

Note: Variance & Spec.
Ex. & Spec. Hearing
is also nec. here.

cc Don Tancore



Frederick Ward Associates, Inc.
ENGINEERS ARCHITECTS SURVEYORS

ZONING DESCRIPTION

BEGINNING at a point on the south side of Liberty Road - Maryland Route 26 which is a 66-foot wide right-of-way and said beginning being in Marriottsville Road. Thence the following courses and distances: S 57°17'26" E 248.44 ft., S 22°37'12" W 199.99 ft., N 57°06'44" W 229.10 ft., N 21°26'34" E 166.30 ft., N 68°33'26" W 15.00 ft., N 21°26'34" E 36.73 ft. to the place of beginning as recorded in Deed Liber 4722, folio 237. Containing 1.055 acres of land. Also known as 9835 Liberty Road and located in the Second Election District.



Baltimore County Government
Office of Zoning Administration
and Development Management

Account: R 061 6150

Number: 485-1355

DROP-OFF — NO RETURN

Date: 6/7/94

94-485-SPHAA
recept

Exxon Corporation
9835 Liberty Road
District: 2c2

Check from Zoning Admin. Office

Attorney: G. Scott Barhight

Please Make Checks Payable To: Baltimore County

Cashier Validation

Date: 6/6/94

File No: 2951/2

Amount: 720.00

Detail: petition for variance
special exception; hearing

Name of File: Exxon Corporation

AC No:

Client Of: GSB

Handled By: SR

485

TO: FUTURE PUBLISHING COMPANY
June 16, 1994 Issue - Jeffersonian

Please forward billing to:

G. Scott Barhight, Esq.
210 W. Pennsylvania Avenue - 4th Floor
Towson, Maryland 21204
832-2050

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: 94-485-SPHAA (Item)

9835 Liberty Road
S/S Liberty Road and E/S Marriottsville Road
2nd Election District - 2nd Councilmanic

Petitioner(s): Exxon Company, USA

HEARING: TUESDAY, JULY 12, 1994 at 11:00 a.m. Rm. 118 Old Courthouse.

Special Hearing to approve amendments to the previously approved plans in cases number 63-42-RX and 88-323-A and to convert from full service to gas and go.
Special Exception for a fuel service station use-in-combination with ancillary convenience store and car wash.
Variance to permit three (3) business signs of 201.1 square feet in lieu of the required 100 square feet.

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.

Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

JUNE 8, 1994

(410) 887-3353

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:

DEVELOPMENT PLAN HEARING

Project Name: Exxon Station at Liberty and Marriottsville Roads

Project Number: 11-521

Applicant: Exxon Company, USA

Location: S/S Liberty Road and E/S Marriottsville Road

9835 Liberty Road

Area: 1.355/

Engineer: Frederick Ward Associates, Inc.

Proposal: Existing fuel service station with proposed ancillary convenience store and use-in-combination car wash.

CASE NUMBER: 94-485-SPHAA (Item)

9835 Liberty Road

S/S Liberty Road and E/S Marriottsville Road

2nd Election District - 2nd Councilmanic

Petitioner(s): Exxon Company, USA

Special Hearing to approve amendments to the previously approved plans in cases number 63-42-RX and 88-323-A and to convert from full service to gas and go.
Special Exception for a fuel service station use-in-combination with ancillary convenience store and car wash.
Variance to permit three (3) business signs of 201.1 square feet in lieu of the required 100 square feet.

HEARING: TUESDAY, JULY 12, 1994 at 11:00 a.m. Rm. 118 Old Courthouse.

Carl J. Jablon

Arnold Jablon
Director

cc: Exxon Company, USA
G. Scott Barhight, Esq.

NOTES: (1) ZONING SIGN & POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.

Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

July 5, 1994

G. Scott Barhight, Esquire
Fourth Floor
210 West Pennsylvania Avenue
Towson, Maryland 21204

RE: Case No. 94-485-SPHAA, Item No. 485
Petitions for Special Hearing, Special Exception and Variance
Petitioner: Exxon Corporation

Dear Mr. Barhight:

The Zoning Plans Advisory Committee (ZAC) has reviewed the plans submitted with the above-referenced petition, which was accepted for filing on June 7, 1994 and scheduled for a hearing accordingly. Any attached comments from a 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.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the hearing file.

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.

BALTIMORE COUNTY, MARYLAND INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director DATE: June 27, 1994
Zoning Administration and Development Management

FROM: Robert W. Bowling, P.E., Chief
Developers Engineering Section

RE: Zoning Advisory Committee Meeting
for June 27, 1994
Item No. 485

The Developers Engineering Section has reviewed the subject zoning item. All improvements, entrances, drainage requirements and construction affecting the Liberty Road, State Route #26, right-of-way are subject to standards, specifications and approval of the Maryland State Highway Administration, in addition to those of Baltimore County.

RWB:ew



Maryland Department of Transportation
State Highway Administration

O. James Lighthizer
Secretary
Hal Kassoff
Administrator

June 20, 1994

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

Re: Baltimore County
MD 26
Exxon Station
Liberty Road and
Marriottsville Road
Special Hearing
Special Exception and
Variance request
Item # +485 (WCR)
Mile Post 3.52

Dear Ms. Minton:

In our previous review of the development plan for the reference development, we indicated the following:

A review of the State Highway Administration's (SHA) long range planning documents reveals that the 80' future right-of-way indicated on the plan is consistent with the SHA's proposed Deer Park Road to Off Road five (5) lane roadway improvement project. Therefore, we request the county, if possible, require the developer to dedicate the future right-of-way as a condition of plan approval.

In addition, although the existing entrances have been in existence for many years, due to the increase in traffic along MD 26 and in keeping with SHA's policy of limiting access onto state roadways, access should be limited to one 35' wide entrance to MD 26.

Our review of the current plan reveals that the 35' entrance indicated on the plan is consistent with our previous comments.

However, since there has been a change in the proposed storm water management release structure indicated on the plan, the SHA will require a hydraulic analysis for this proposed storm drain connection.

Therefore, we have no objection to approval of the plan, subject to the aforementioned conditions.

My telephone number is 410-333-1350 (Fax# 333-1041)

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

Ms. Charlotte Minton
Page Two
June 20, 1994

Entrance construction shall be subject to the terms and conditions of an access permit issued by this office, with the following submittals required:

- a. Eight (8) copies of the site plan showing the SHA requirements.
- b. Completed application.
- c. Performance bond, letter of credit, or certified check (include Federal ID number or social security number on certified checks only) in the amount of 150% of the actual entrance construction cost (to include the cost of relocating any affected utilities) and in an even thousand dollar increment. These must be made payable to the State of Maryland. (Please note that it takes 6-8 weeks for a certified check to be returned after project completion and SHA final inspection).
- d. An engineering fee check in the amount of \$50.00 for each point of access, made payable to the State of Maryland.
- e. A letter of authorization from the appropriate agency relative to the relocation of any utilities which may be necessitated by this construction. Or, a letter from the developer acknowledging and agreeing to the financial responsibility for relocating any affected utilities, provided the cost for the utility relocation is included in the surety submitted for the permit.

The surety for entrance construction must be received by this office prior to our approving any building permits for this development.

We have no objection to approval for the Special Hearing request to approve amendments to the previously approved plans in case numbers 63-42-RX and 88-323-A and to convert from full service to gas and go, special exception for a fuel service station use-in-combination with ancillary convenience store and car wash; variance to permit three (3) business signs of 201.1 square feet in lieu of the required 100 square feet, subject to our aforementioned comments to the development plan.

verse impact above and beyond that inherently associated with such a special exception use, irrespective of its location within the zone. Schultz v. Pruitt, 432 A.2d 1319 (1981).

The proposed use will not be detrimental to the health, safety, or general welfare of the locality, nor tend to create congestion in roads, streets, or alleys therein, nor be inconsistent with the purposes of the property's zoning classification, nor in any other way be inconsistent with the spirit and intent of the B.C.Z.R.

After reviewing all of the testimony and evidence presented, it appears that the special hearing and special exception relief should be granted with certain restrictions as more fully described below.

As to the Petition for Variance, the Petitioners seek a variance to permit one (1) business sign of 176.86 sq.ft. in lieu of the maximum permitted 100 sq.ft. This sign is a freestanding sign which is proposed to be placed in the same location as the existing sign. The Petitioners propose to add to the existing sign, two additional space bar signs that will advertise the convenience store and car wash facilities. By virtue of adding the two additional bar signs to the existing sign, the total square footage of this sign will exceed that permitted by the B.C.Z.R., and thus a variance of 76.86 sq.ft. is necessary. I believe the Petitioners have made every effort to meet the requirements of the zoning regulations and still provide adequate signage whereby passing motorists will be able to identify the services offered at this site. Furthermore, the Petitioner has reduced the number of wall-mounted signs on this site to an amount far below that permitted by the zoning regulations. I believe the variance requested by the Petitioners is appropriate in this instance and should therefore be granted.

- 9 -

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).

After due consideration of the testimony and evidence presented, it is clear that practical difficulty or unreasonable hardship will result if the variance is not granted. It has been established that special circumstances or conditions exist that are peculiar to the land or structure which is the subject of this variance request and that the requirements from which the Petitioner seeks relief will unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the variance requested will not cause any injury to the public health, safety or general welfare and is in strict harmony with the spirit and intent of the B.C.Z.R.

Therefore, pursuant to the zoning and development plan regulations of Baltimore County as contained within the B.C.Z.R. and Subtitle 26 of the Baltimore County Code, the advertising of the property and public hearing held thereon, the development plan and Petitions for Special Hearing

- 10 -

ing, Special Exception and Variance shall be approved consistent with the comments contained herein and the restrictions set forth hereinafter.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner and Hearing Officer for Baltimore County this 26th day of July, 1994 that the development plan for Exxon Company, U.S.A., identified herein as Developer's Exhibit 1, be and is hereby APPROVED; and,

IT IS FURTHER ORDERED that the Petition for Special Hearing to approve an amendment to the previously approved site plans in Case Nos. 63-42-RX and 88-323-A to convert the use on the subject property from a full-service gasoline service station to a gas-n-go facility, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that the Petition for Special Exception to approve a fuel service station use in combination with an ancillary convenience store and car wash, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the restrictions set forth below; and,

IT IS FURTHER ORDERED that the Petition for Variance seeking relief from Section 413.2(f) of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit one (1) business sign of 176.86 sq.ft. in lieu of the maximum permitted 100 sq.ft., in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the relief granted herein shall be rescinded.
- 2) The Petitioners shall provide the landscaping as set forth on Page 4 of Developer's Exhibit 1; however, the two trees which are located on the extreme southwest corner of the subject site along Marriottsville Road, immediately adjacent to the 7-Eleven Store, shall be removed or placed elsewhere on the property. In

- 11 -

their place, the Petitioners shall plant appropriate shrubs which shall be limited in growth to a height of 3 feet so as to buffer this area from the adjoining property.

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

Any appeal of this decision must be taken in accordance with Section 26-209 of the Baltimore County Code.

TMK:bjs

Timothy M. Kotroco
TIMOTHY M. KOTROCO
Hearing Officer
for Baltimore County

- 12 -

ORDER RECEIVED FOR FILING
Date 7/26/94
By [Signature]

ORDER RECEIVED FOR FILING
Date 7/26/94
By [Signature]

ORDER RECEIVED FOR FILING
Date 7/26/94
By [Signature]

ORDER RECEIVED FOR FILING
Date 7/26/94
By [Signature]

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning

Suite 113, Courthouse
400 Washington Avenue
Towson, MD 21204

July 26, 1994

(410) 887-4386

G. Scott Barhight, Esquire
Christine McSherry, Esquire
210 W. Pennsylvania Avenue, 4th Floor
Towson, Maryland 21204

RE: DEVELOPMENT PLAN HEARING and PETITIONS FOR SPECIAL HEARING, SPECIAL EXCEPTION & VARIANCE
S/S Liberty Road, E/S of Marriottsville Road
(9835 Liberty Road)
2nd Election District - 2nd Councilmanic District
Exxon Corporation - Owner/Applicant
Case Nos. 11-521 & 94-485-SPHXA

Dear Mr. Barhight:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Development Plan has been approved and the Petitions for Special Hearing, Special Exception and Variance 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 the Zoning Administration and Development Management office at 887-3391.

Very truly yours,

Timothy M. Kotroco
TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

cc: Ms. Sandy Hill, c/o Southland Corporation
3300 N. Ridge Road, Ellicott City, Md. 21043

Mr. & Mrs. Harold R. Carter
9820 Clanford Road, Randallstown, Md. 21133

Ms. Paula Saltzman, LDC, 9920 Liberty Road, Randallstown, Md. 21133

Donald Rascoe, Project Manager - ZADM; People's Counsel; Case File

Petition for Special Hearing
to the Zoning Commissioner of Baltimore County
for the property located at 9835 Liberty Road
which is presently zoned BL-CCC

This Petition shall be filed with the Office of Zoning Administration & Development Management. The undersigned, legal owner(s) of the property situated 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 Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve

amendments to the previously approved plans in cases nos. 63-42-RX and 88-323A and to convert from full service to gas and go.

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

I, or we, agree to pay expenses of above Special 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.

Contract Purchaser/Lessee:

(Type or Print Name)

Signature

Address

City

State

Zipcode

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.
Legal Owner(s): EXXON CORPORATION

(Type or Print Name)

Signature

Address

City

State

Zipcode

G. Scott Barhight
4th Floor
210 W. Pennsylvania Ave.
Towson, MD 21204
Phone No. 832-2050

ESTIMATED LENGTH OF HEARING
unavailable for hearing
the following date: Next Two Months

ALL OTHER DATE
REVIEWED BY: DATE

ORDER RECEIVED FOR FILING
Date 7/26/94
By [Signature]

Drop-Off
No REVIEW
6-7-94
WCR

Petition for Special Exception
to the Zoning Commissioner of Baltimore County
for the property located at 9835 Liberty Road
which is presently zoned BL-CCC

This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property situated 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 Regulations of Baltimore County, to use the herein described property for

a fuel service station use-in-combination with ancillary convenience store and car wash

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.

Contract Purchaser/Lessee:

(Type or Print Name)

Signature

Address

City

State

Zipcode

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.
Legal Owner(s): EXXON CORPORATION

(Type or Print Name)

Signature

Address

City

State

Zipcode

G. Scott Barhight
4th Floor
210 W. Pennsylvania Ave.
Towson, MD 21204
Phone No. 832-2050

ESTIMATED LENGTH OF HEARING
unavailable for hearing
the following date: Next Two Months

ALL OTHER DATE
REVIEWED BY: DATE

ORDER RECEIVED FOR FILING
Date 7/26/94
By [Signature]

Drop-Off
No REVIEW
6-7-94
WCR

Petition for Variance
to the Zoning Commissioner of Baltimore County
for the property located at 9835 Liberty Road
which is presently zoned BL-CCC

This Petition shall be filed with the Office of Zoning Administration & Development Management. The undersigned, legal owner(s) of the property situated 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(s)

413.2.F to permit three (3) business signs of 201.1 square feet in lieu of the required 100 square feet

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (indicate hardship or practical difficulty)

to be presented at the 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.

Contract Purchaser/Lessee:

(Type or Print Name)

Signature

Address

City

State

Zipcode

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.
Legal Owner(s): EXXON CORPORATION

(Type or Print Name)

Signature

Address

City

State

Zipcode

G. Scott Barhight
4th Floor
210 W. Pennsylvania Ave.
Towson, MD 21204
Phone No. 832-2050

ESTIMATED LENGTH OF HEARING
unavailable for hearing
the following date: Next Two Months

ALL OTHER DATE
REVIEWED BY: DATE

ORDER RECEIVED FOR FILING
Date 7/26/94
By [Signature]

Drop-Off
No REVIEW
6-7-94
WCR

IN RE: DEVELOPMENT PLAN HEARING and PETITIONS FOR SPECIAL HEARING, SPECIAL EXCEPTION & VARIANCE - S/S Liberty Road, E/S of Marriottsville Road (9835 Liberty Road) 2nd Election District 2nd Councilmanic District

* BEFORE THE DEPUTY ZONING COMMISSIONER OF BALTIMORE COUNTY Case No. II-521 & 94-485-SPHXA

Exxon Corporation - Owner/Applicant

This matter comes before this Deputy Zoning Commissioner/Hearing Officer for consideration of a Development Plan and Petitions for Special Hearing, Special Exception and Variance for the proposed development of the subject property by Exxon Company, U.S.A., Owners, as a combination convenience store, car wash, and gasoline service station, in accordance with the development plan prepared by Frederick Ward Associates, Inc. submitted into evidence as Developer's Exhibit 1, and the site plan submitted into evidence as Petitioner's Exhibit 1. Pursuant to the Petitions filed, the Owner/Developer seeks a special hearing to approve an amendment to the previously approved site plans in Case Nos. 63-42-RX and 88-323-A to convert the use on the subject property from a full-service gasoline service station to a gas-n-go facility, a special exception to approve a fuel service station use in combination with an ancillary convenience store and car wash, and a variance from Section 413.2(f) of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit three (3) business signs of 201.1 sq.ft. total in lieu of the maximum permitted 100 sq.ft. At the onset of the hearing in this matter, the Owner/Developer amended its Petition for Variance to request relief to permit one (1) business sign of 176.86 sq.ft. in lieu of the maximum permitted 100 sq.ft.

Appearing at the public hearing required for this project were Mr. Olafsson and David H. Hopwood on behalf of Exxon Company, U.S.A., Tim

ORDER RECEIVED FOR FILING
Date 7/26/94
By [Signature]

Whittie with Frederick Ward Associates, Inc., Francis O. H. Der, current Franchisee of the existing Exxon Service Station on the subject site, and G. Scott Barhight, Esquire and Christine McSherry, Esquire, attorneys for the Owner/Developer. Numerous representatives of the various Baltimore County agencies who reviewed the development plan and site plan attended the hearing. Several individuals appeared in opposition to the relief requested, namely Ethel and Harold Carter, Sandy Hill, who appeared on behalf of the Southland Corporation, Sharon Friedman, who appeared on behalf of 2nd District Councilman Melvin G. Mintz, and Paula Saltzman, a representative of the Liberty Communities Development Council (L.C.D.C.).

As to the history of this project, a concept plan conference for this development was conducted on March 14, 1994. As required, a community input meeting was held on April 27, 1994. Subsequently, a development plan was submitted and a conference thereon was conducted on June 22, 1994. Following the submission of that plan, comments were submitted by the appropriate agencies of Baltimore County and a development plan incorporating these comments was submitted at the hearing held before me on July 12, 1994.

Testimony revealed that the subject property consists of a gross area of 1.355 acres, zoned B.L.-C.C.C. and is located at the southeast corner of the intersection of Marriottsville Road with Liberty Road in the Randallstown area of northwestern Baltimore County. The property is presently improved with a three-bay Exxon gasoline service station with accessory gasoline pump islands as more particularly described on the four-page site plan submitted into evidence as Developer's Exhibit 1. The Owner/Developer is desirous of razing the existing building and replacing same with a one-story Tiger-mart Convenience Store, new gasoline pump islands,

ORDER RECEIVED FOR FILING
Date 7/26/94
By [Signature]

- 2 -

and an ancillary car wash. In order to proceed with the proposed renovations, the relief requested pursuant to the Petitions for Special Hearing, Special Exception and Variance is necessary in addition to development plan approval.

At the public hearing before me, I am required to determine what, if any, agency comments remain unresolved. As attorney for the Developer, G. Scott Barhight, Esquire, stated that he was not aware of any open issues or unresolved comments that needed to be addressed. Furthermore, none of the representatives from the various Baltimore County agencies in attendance raised any issues and indicated that the development plan submitted into evidence as Developer's Exhibit 1 satisfied the requirements of each of their respective agencies. The citizens in attendance were then asked if there were any issues which they wished to raise concerning the design of the proposed development and specifically, the Development Plan marked as Developer's Exhibit 1.

On behalf of the Southland Corporation, Ms. Sandy Hill raised an issue concerning the visibility of the 7-Eleven identification sign for the store located immediately adjacent to the subject property on Marriottsville Road. Ms. Hill is concerned that the proposed development as set forth on the plan might impede visibility of her 7-Eleven sign. In reviewing the landscape plan proposed for the subject site, it was noted that there are two trees proposed to be located on the extreme southwest corner of the subject site. Ms. Hill is concerned that these two trees might impede the visibility of the 7-Eleven sign situated immediately adjacent to that corner. In consideration of this fact, I find that these two trees could impede the visibility of this sign and will order that those two particular trees be relocated elsewhere on the site or eliminated.

ORDER RECEIVED FOR FILING
Date 7/26/94
By [Signature]

- 3 -

ed altogether. In their place, the Developer shall be required to provide appropriate landscaping which shall be limited in growth to a height of 3 feet. This will insure that the visibility of the 7-Eleven sign adjacent to this site will not be compromised.

There were no other issues or comments raised concerning the design of the proposed development. It then became necessary to take testimony concerning the relief requested within the Petitions for Special Hearing, Special Exception and Variance. Many of the concerns raised by the citizens in attendance related directly to those requests and not necessarily the design or layout of the proposed development.

On behalf of the Owner/Developer, Mr. Barhight called as his first witness, Mr. Michael Olafsson, a representative of Exxon Company, U.S.A. Mr. Olafsson is a market investment specialist employed by Exxon with the responsibility for overseeing the permit process for their various developments in this area. He testified concerning the desire of Exxon to upgrade the existing service station with a more modern facility including a convenience store and car wash. Mr. Olafsson testified that he is aware that a 7-Eleven convenience store is located immediately adjacent to this site and that this situation has occurred in other locations in his territory. He testified that the type of convenience items offered at the proposed store will not necessarily compete with and detract from that offered by the 7-Eleven store next door. Mr. Olafsson testified that when individuals purchase gasoline at their stations similar to the one proposed, they typically will pick up small items at the convenience store while paying for their gasoline. He stated that, as has been the proven track record at other locations, the two businesses can operate effectively even in this close proximity to one another.

ORDER RECEIVED FOR FILING
Date 7/26/94
By [Signature]

- 4 -

Mr. Olafsson further testified as to the proposed sign for the new development at the subject site. He testified that Exxon reduced the variance requested, as noted earlier, at the request of the Office of Planning and Zoning. However, the Office of Planning and Zoning stated that they would prefer a sign with a maximum face of 150 sq.ft. and asked that the Developer further reduce the size of the sign proposed for this site. Mr. Olafsson testified that although the freestanding sign proposed for this site, which will be placed in the same location as the existing sign, is somewhat larger than what is permitted by the zoning regulations, the size of all the other wall-mounted signs on the subject property are well below that permitted by the B.C.Z.R.

On cross-examination, Mr. Olafsson was questioned by Mrs. Carter concerning the Exxon station which is closed at Liberty Road and Old Court Road. Mr. Olafsson was not aware of the status of that particular station, but other testimony offered at the hearing revealed that the Old Court Exxon is proposed for development as a Checkers Restaurant.

On behalf of the Southland Corporation, Ms. Hill also questioned Mr. Olafsson concerning competition with the 7-Eleven store located on the adjacent property. She also questioned Mr. Olafsson as to the canopy over the gasoline pump and the visibility of her 7-Eleven Store. Mr. Olafsson testified that the new development proposed for this site will not detract from the visibility of the 7-Eleven store any more than the existing service station.

Mr. Tim Whittie with Frederick Ward Associates, Inc. appeared and testified on behalf of the Owner/Developer. At the onset of this hearing, Mr. Whittie familiarized everyone as to the proposed design and layout of this site in accordance with the development plan prepared by his firm.

ORDER RECEIVED FOR FILING
Date 7/26/94
By [Signature]

- 5 -

He also informed the citizens that Exxon proposes to widen Marriottsville Road for the purpose of providing a right turn lane onto Liberty Road at this location. He testified that this should improve the flow of traffic in and around this site. Furthermore, Mr. Whittie testified that the Petitioner is reducing the number of entrances in and out of this site from two each along Marriottsville Road and Liberty Road down to one on each side. He testified that this will improve traffic safety and provide for a better flow of traffic to and from this site. In his opinion, the proposed highway improvements at this location will be an improvement to the traffic situation in this area and not a detriment.

Mr. Whittie further testified that the relief requested satisfies the requirements of Section 502.1 and Section 307 of the B.C.Z.R. He testified that the proposed renovations to the site will be a traffic interceptor and not a traffic generator. That is, the proposed improvements will accommodate and service the traffic that already exists along Marriottsville and Liberty Roads and will not generate more traffic in this area. It was the conclusion of Mr. Whittie and Mr. Olafsson that the proposed renovations will not result in any increase in traffic. As stated by Mr. Whittie, the improvements made to this site, both the widening of Marriottsville Road and the decrease in number of entrances to the property, will in effect, improve the traffic flow in this area.

As stated previously, several citizens appeared in opposition to the Petitioner's request. Ms. Paula Saltzman, on behalf of the L.C.D.C. testified that her organization is opposed to the car wash which is proposed to be located on the property. She testified that a new car wash has been approved for Liberty Road, just down the street from this site. In addition, her organization is opposed to any variances being granted

ORDER RECEIVED FOR FILING
Date 7/26/94
By [Signature]

- 6 -

for the proposed freestanding sign at the northern corner of the subject site.

Mrs. Ethel Carter also appeared and testified in opposition to the relief requested. Mrs. Carter testified that this area does not need an additional convenience store inasmuch as the 7-Eleven Store is located immediately adjacent to this site. She also testified that there is no need for an additional car wash in this area. She testified that Liberty Road contains a multitude of gasoline service stations and fast food restaurants and that the use proposed at this site is not a necessity. Furthermore, she does not believe the proposed renovations to the site will be an upgrade to this area.

While the concerns raised by Mrs. Carter are legitimate, they are not necessarily applicable to the subject site. There already exists a gasoline service station on the property and Exxon merely wishes to upgrade the existing facility to a more modern establishment and provide additional services to their customers at this location. In addition to paying for gasoline purchases, a customer will now be able to purchase convenience items at the same time. The one-story convenience store proposed will replace the three-bay service garage which currently exists on the site. Furthermore, there will no longer be any type of service garage repair work being performed on the property, and as such, there will be no disabled vehicles stored on the property, which can be unsightly and detract from the appearance of an area. In addition, the noise generated by service garage activity will no longer exist. And finally, there will be no disposal of oil or grease, automobile tires and parts typically associated with service garage activity at this site. Therefore, the new Exxon

ORDER RECEIVED FOR FILING
Date 7/26/94
By [Signature]

- 7 -

facility will be cleaner and neater and will not detract or annoy the residents in the area.

As to the car wash proposed for this site, it is to be noted that this car wash will only handle one car at a time with a quick wash cycle. The stacking provided for this type of car wash satisfies the requirements imposed by the B.C.Z.R. and should not pose a problem for the community. Furthermore, it will provide an additional convenience to the customers who utilize this service station.

Finally, an issue was raised concerning the need for a convenience store at this location when a 7-Eleven exists immediately adjacent to this site. While it is possible that the Exxon convenience store will offer many of the same items offered at the 7-Eleven store, an increase in competition is not a valid reason for denying a special hearing/special exception request. I find that the relief requested in the Petitions for Special Hearing and Special Exception should be granted.

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

The Petitioner had the burden of adducing testimony and evidence which would show that the proposed use met the prescribed standards and requirements set forth in Section 502.1 of the B.C.Z.R. The Petitioner has shown that the proposed use would be conducted without real detriment to the neighborhood and would not adversely affect the public interest. The facts and circumstances do not show that the proposed use at the particular location described by Petitioner's Exhibit 1 would have any ad-

ORDER RECEIVED FOR FILING
Date 7/26/94
By [Signature]

- 8 -