

IN RE: PETITIONS FOR SPECIAL HEARING, * BEFORE THE
 SPECIAL EXCEPTION & VARIANCE - *
 NW/S Mt. Carmel Rd. at Goff Rd. * DEPUTY ZONING COMMISSIONER
 (300 Mt. Carmel Road) *
 7th Election District * OF BALTIMORE COUNTY
 3rd Councilmanic District *
 Exxon Corporation * Case No. 95-252-SPHXA
 Petitioners *

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as Petitions for Special Hearing, Special Exception and Variance for that property known as 300 Mt. Carmel Road, located in the Hereford section of northern Baltimore County. The Petitions were filed by the owner of the property, Exxon Corporation, Inc., through its attorney, G. Scott Barhight, Esquire. Pursuant to the special hearing relief sought, the Petitioner seeks confirmation of the use of the subject property as a fuel service station and approval of the conversion of same from a full service gasoline station to a gas and go facility. In addition, the Petitioner seeks a special exception to permit a fuel service station use on the subject property, and variance relief from the Baltimore County Zoning Regulations (B.C.Z.R.) as follows: From Section 259.3.C.7(b) to permit an identification sign of 49.23 sq.ft. per side (98.46 sq.ft. total) in lieu of the permitted 25 sq.ft. per side (50 sq.ft. total); from Section 259.3.C.7(a) to permit four (4) stationary signs of 193.04 sq.ft. total (as amended) in lieu of the permitted 8 sq.ft.; and from Section 259.3.C.7(c) to permit said signs to be illuminated. The subject property and relief sought are more particularly described on the site plan submitted and marked into evidence as Petitioner's Exhibit 2.

ORDER RECEIVED FOR FILING

Date

By

MICROFILMED

Appearing at the hearing on behalf of the Petitions were Michael J. Specht, a representative of Exxon Company, U.S.A., Tim Whittie, Professional Engineer with Fred Ward and Associates, Inc., and G. Scott Barhight, Esquire, attorney for the Petitioner. There were no Protestants present.

It should be noted that the Petition as filed sought relief from Section 259.3.C.7(a) to permit four (4) stationary signs totalling 139.04 sq.ft. in lieu of the permitted one sign of 8 sq.ft. At the onset of the hearing, the Petitioner advised this Deputy Zoning Commissioner that due to a typographical error, the Petition needed to be amended to request four signs of 193.04 sq.ft. total. All County reviewing agencies as well as the Hereford Community Association were fully aware that the signage proposed totalled 193.04 sq.ft. The Petition was amended accordingly and the hearing proceeded.

Testimony and evidence offered revealed that the subject property consists of a gross area of 20,201 sq.ft. zoned B.M.-C.R., and is improved with a two-bay full service gas station. The Petitioner is desirous of converting the existing building to a gas and go facility, with additional multiple-product dispensers and an accessory Tiger-Mart convenience store in accordance with Petitioner's Exhibit 2. Testimony revealed that Exxon representatives have met with the Hereford Community Association on several occasions to address their concerns, twice during full meetings of the Association, and in discussions with Donald Pearce, the point person for their zoning committee. In addition, Exxon met with representatives of the Office of Planning and Zoning concerning the design of the proposed facility and subsequently amended its site plan to address all comments and issues raised by the various Baltimore County reviewing agencies. Testimony indicated that the use proposed and related improvements have

ORDER RECEIVED FOR FILING

Date

By

the full support of the Hereford Community Association as well as the Office of Planning and Zoning, and all other agencies of Baltimore County.

Furthermore, as is required by Section 405.3, the testimony and evidence demonstrated that there does not exist an abandoned fuel service station within a one-half mile radius of the subject site, or two abandoned service stations within a one mile radius of this site. Therefore, I find that the Petitioner has satisfied the additional requirement imposed upon it pursuant to Section 405.3 of the B.C.Z.R.

It is clear that the B.C.Z.R. permits the use proposed in a B.M.-C.R. zone by special exception. It is equally clear that the proposed use would not be detrimental to the primary uses in the vicinity. Therefore, it must be determined 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 adverse impact above and beyond that inherently associated with such a special exception use, irrespective of its location within the zone. Schultz v. Pritts, 432 A.2d 1319 (1981).

The proposed use will not be detrimental to the health, safety, or general welfare of the locality, nor tend to create congestion in roads, streets, or alleys therein, nor be inconsistent with the purposes

3/1/95
[Signature]

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 should be granted with certain restrictions as more fully described below.

The B.C.Z.R., specifically Section 307.1, establishes a two-step process for the granting of variances. That two-step process was addressed and identified by the Court of Special Appeals in the case of Cromwell v. Ward, No. 617, September Term, 1994. The opinion in that case, issued January 4, 1995 and authored by the Honorable J. Cathell, interpreted our regulations to require the applicant to establish the following:

First, the Applicant (Petitioner) must prove, and this Deputy Zoning Commissioner must find, that the "property whereon structures are to be placed (or uses conducted) is -- in and of itself-- unique and unusual in a manner different from the nature of surrounding properties such that the uniqueness and peculiarity of the subject property causes the zoning provision to impact disproportionately upon that property."

I find from the testimony and evidence presented in this case that the subject property is unique, unusual and different from properties which surround the subject site so as to cause this applicable zoning provision to impact disproportionately upon this particular parcel of land.

Having satisfied this "first step" the Applicant (Petitioner) must proceed to the "second step" of this variance process, which is to show that strict compliance with the zoning regulations for Baltimore County would result in practical difficulty or unreasonable hardship.

The practical difficulty or unreasonable hardship guidelines that have been imposed by the Baltimore County Zoning Regulations (B.C.Z.R.)

DATE RECEIVED FOR FILING
3/1/95
By _____
Date _____
By _____

have been thoroughly examined and discussed by the appellate courts of this State. In Loyola Federal Savings and Loan Association v. Buschman, 227 Md. 243, 176 A.2d 355 (1961), the Court of Appeals considered the identical regulation to Section 307.1 of the B.C.Z.R.

As the Court noted: "Section 307 of the Regulations uses the two terms (practical difficulty or unreasonable hardship) in the disjunctive." Loyola Federal, p. 358. Thus, by the use of the term "or", Section 307 offers the Petitioner an opportunity to obtain its variance upon satisfaction of either the undue hardship or practical difficulty standard.

The distinction between these standards was clarified by the Court of Special Appeals in Anderson v. Board of Appeals, Town of Chesapeake Beach, 22 Md. App. 28, 322 A.2d 220 (1974). Within that opinion, the Court held that the undue hardship standard applies to a petition for a use variance. The Court noted that a use variance, which permits a use on the property other than that specifically permitted in that particular district, requires the imposition of a higher standard. That is, to allow the change of use for a particular property requires the Petitioner to demonstrate real hardship, where the land cannot allow a reasonable return if used only in accordance with the use restrictions of the ordinance.

Compared with this heavy burden, the Court reviewed the practical difficulty standard applicable for area variances. The Court characterized area variances as having a much less drastic effect than use variances, in that they seek relief only from height, area, setback, or side property line restrictions and would not affect the property's use, per se. The Court envisioned the impact of area variances on the surrounding locale to be less than that generated by use variances, and thus, the lesser practical difficulty standard applies. The prongs of that standard

ORDER RECEIVED FOR FILING

Date

By

which must be satisfied by the Petition, as enunciated in Anderson, supra, are as follows:

- 1) whether compliance with the strict letter of restrictions governing area, setbacks, frontage, height, bulk or density would unreasonably prevent the owner from using the property for a permitted purpose or would render conformity with such restrictions unnecessarily burdensome;
- 2) whether a grant of the variance applied for would do substantial injustice to applicant as well as to other property owners in the district or whether a lesser relaxation than that applied for would give substantial relief to the owner of the property involved and be more consistent with justice to other property owners; 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, p. 39. See also McLean v. Soley, 270 Md. 208 (1973) at pps. 214-215.

I find from the testimony and evidence presented at the hearing before me that the Applicants have in fact proven the practical difficulty standards as set forth above and that the variance requested should be granted. I further find that the granting of this variance is in strict harmony with the spirit and intent of the B.C.Z.R. and that the granting of this relief is accomplished without injury to the public health, safety or general welfare.

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

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 1st day of March, 1995 that the Petition for Special Hearing seeking confirmation of the use of the subject property as a fuel service station and approval of the conversion of same from a full

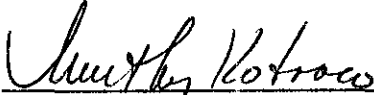
ORDER RECEIVED FOR FILING
Date 3/1/95
By [Signature]

service gasoline station to a gas and go facility, in accordance with Petitioner's Exhibit 2, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that the Petition for Special Exception to permit a fuel service station use on the subject property, in accordance with Petitioner's Exhibit 2, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that the Petition for Variance seeking relief from the Baltimore County Zoning Regulations (B.C.Z.R.) as follows: From Section 259.3.C.7(b) to permit an identification sign of 49.23 sq.ft. per side (98.46 sq.ft. total) in lieu of the permitted 25 sq.ft. per side (50 sq.ft. total); from Section 259.3.C.7(a) to permit four (4) stationary signs of 193.04 sq.ft. total (as amended) in lieu of the permitted 8 sq.ft. and from Section 259.3.C.7(c) to permit said signs to be illuminated, in accordance with Petitioner's Exhibit 2, be and is hereby GRANTED, subject to the following restriction:

- 1) The Petitioners may apply for their permits 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.


TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

ORDER RECEIVED FOR FILING

Date 3/1/95

By [Signature]

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning



Suite 112 Courthouse
400 Washington Avenue
Towson, MD 21204

(410) 887-4386

March 1, 1995

G. Scott Barhight, Esquire
210 W. Pennsylvania Avenue
Towson, Maryland 21204

RE: PETITIONS FOR SPECIAL HEARING, SPECIAL EXCEPTION AND VARIANCE
NW/S Mt. Carmel Rd. at Goff Rd.
(300 Mt. Carmel Road)
7th Election District - 3rd Councilmanic District
Exxon Corporation - Petitioners
Case No. 95-252-SPHXA

Dear Mr. Barhight:

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

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Zoning Administration and Development Management office at 887-3391.

Very truly yours,

A handwritten signature in cursive script, reading "Timothy M. Kotroco".

TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

cc: Mr. Michael J. Specht
Exxon Co. U.S.A., 6301 Ivy Lane, Suite 700, Greenbelt, Md. 20770

Mr. Timothy Whittie
Frederick Ward & Assoc., 5 S. Main Street, Bel Air, Md. 21014

People's Counsel

File



250



Petition for Special Hearing

95-252-SPTXA

to the Zoning Commissioner of Baltimore County

for the property located at 300 Mount Carmel Road
which is presently zoned BM-CR

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

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should ~~approve~~

Confirm the existing fuel service station use 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.

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

Contract Purchaser/Leasee:

(Type or Print Name)

Signature

Address

City

State

Zipcode

Legal Owner(s):

Exxon Corporation

(Type or Print Name)

Signature

Market Investment Specialist
Exxon Co. USA (A Division of Exxon
(Type or Print Name) Corporation)

Signature

Address

Phone No

City

State

Zipcode

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

G. Scott Barhight

Name

210 W. Pennsylvania Ave. 832-2000

Address

Phone No.

Towson, MD 21204

Address

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

unavailable for Hearing

the following dates _____ Next Two Months

ALL _____ OTHER _____

REVIEWED BY: _____ DATE _____

Attorney for Petitioner:

G. Scott Barhight

(Type or Print Name)

Signature

210 W. Pennsylvania Ave. 832-2000

Address

Phone No.

Towson

MD

21204

City

State

Zipcode

DROP OFF
No REVIEW
1-19-95
WCR



MICROFILMED

ORDER RECEIVED FOR FILING

Date

By

No Violation

No BODY IN
THIS OFFICE
HAS EVEN
LOOKED AT
THIS -

250

250



Petition for Special Exception

95-252-SPHXA
to the Zoning Commissioner of Baltimore County

for the property located at

300 Mount Carmel Road

which is presently zoned

BM-CR

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

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

a fuel service station.

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

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

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

Contract Purchaser/Lessee:

(Type or Print Name)

Signature

Address

City

State

Zipcode

Attorney for Petitioner:

G. Scott Barhight

(Type or Print Name)

Signature

210 W. Pennsylvania Ave. 832-2000

Address

Phone No.

Towson

MD

21204

City

State

Zipcode

Legal Owner(s):

Exxon Corporation

(Type or Print Name)

Signature

Market Investment Specialist
Exxon Co. USA (A Division of Exxon

(Type or Print Name)

Corporation)

Signature

Address

Phone No.

City

State

Zipcode

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

G. Scott Barhight

Name

210 W. Pennsylvania Ave. 832-2000

Address

Towson, MD 21204

Phone No.

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

unavailable for Hearing

the following dates _____ Next Two Months

ALL

OTHER

REVIEWED BY:

DATE

ORDER RECEIVED FOR FILING

Date

By

DROP-OFF
No REVIEW
1-19-95
WCR





Petition for Variance

to the Zoning Commissioner of Baltimore County

95-252-SPAXA

for the property located at

300 Mount Carmel Road

which is presently zoned

RM-CR

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

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

259.3.C.7.b to permit an identification sign of 49.23 sq. ft. per side in lieu of the permitted 25 sq. ft. per side; 259.3.C.7.a to permit four stationary identification signs of 139.04 sq. ft. in lieu of the permitted 8 sq. ft.; and 259.3.C.7.c to permit illuminated signs. 193.04 sq. ft. in lieu of the permitted 8 sq. ft.; and 259.3.C.7.c to permit 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 fully 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

Attorney for Petitioner:

G. Scott Barhight

(Type or Print Name)

Signature

210 W. Pennsylvania Ave. 832-2000

Address

Phone No.

Towson

MD

21204

State

Zipcode

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

Legal Owner(s):

Exxon Corporation

(Type or Print Name)

Signature

Market Investment Specialist

Exxon Co. USA (A Division of Exxon Corporation)

(Type or Print Name)

Signature

Address

Phone No.

City

State

Zipcode

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

G. Scott Barhight

Name

210 W. Pennsylvania Ave. 832-2000

Address

Towson, MD 21204

Phone No.

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

unavailable for hearing

the following dates _____ Next Two Months

ALL _____ OTHER _____

REVIEWED BY: _____ DATE _____

Printed with Soybean Ink
on Recycled Paper

1-19-95
WCR



ORDER RECEIVED FOR FILING

Date: 3/1/95
By: [Signature]



Frederick Ward Associates, Inc.

ENGINEERS · ARCHITECTS · SURVEYORS

250

75-252-SPHXA

January 6, 1995

BEGINNING at a point on the northerly side of Mt. Carmel Road which is of variable width at approximately 2180 feet west of the centerline of York Road, MD. Rte. 45. Thence the following courses and distances: by a curve to the right having radius 1809.86 feet and arc length of 125.62 feet, N. $26^{\circ}26'10''$ E. 73.50 feet, N. $33^{\circ}52'00''$ E. 91.91 feet, S. $58^{\circ}07'10''$ E. 128.03 feet, S. $31^{\circ}52'50''$ W. 146.64 feet to the place of beginning as recorded in Deed Liber 4621 folio 348.

CONTAINING 20201 square feet or 0.4637 acres of land. Also known as 300 Mt. Carmel Road and situated in the Seventh Election District.

John V. Matter III
1/6/95

MICROFILMED

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

93-252-SP1400

District: _____

Date of Posting: 2/6/95

Posted for: Special Hearing, Exception & Variances

Petitioner: Exxon Corp

Location of property: 300 Mt Carmel Rd, cor. of Goff Rd

Location of Signs: Facing road way on property being zoned

Remarks: _____

Posted by: M. H. H. H.

Signature

Date of return: 2/6/95

Number of Signs: 1

MICROFILMED

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: #95-252-SPXA
(Item 250)

300 Mt. Carmel Road
NE/S Mt. Carmel Road,
corner SE/S Goff Road
7th Election District
3rd Councilmanic
Legal Owner(s):

Exxon Corporation
Hearing: Wednesday

February 22, 1995 at
10:00 a.m. in Rm. 118, Old
Courthouse.

Special Hearing to confirm the existing fuel service station use and to convert from full service to gas and go. **Special Exception** for a fuel service station. **Variance** to permit an identification sign of 49.23 square feet per side in lieu of the permitted 25 square feet per side; to permit 4 stationary identification signs of 139.04 square feet in lieu of the permitted 8 square feet; and to permit illuminated signs.

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
2/042 February 2.

CERTIFICATE OF PUBLICATION

TOWSON, MD.,

Feb. 3, 1995

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on Feb. 2, 1995.

THE JEFFERSONIAN,

A. H. Harrison
LEGAL AD. TOWSON

~~Printed here~~



Department of Public Works
**Zoning Administration &
Development Management**
171 West Chesapeake Avenue
Towson, Maryland 21204

Date 1/19/95

receipt

95-252-SPT & A

Account: R-011-6150

Number 250 (WCR)

DROP-OFF — NO REVIEW

#020 - VARIANCE ----- \$250.00
#040 - SPECIAL HEARING - \$250.00
#050 - SPECIAL EXCEPT. - \$300.00
#070 - TOTAL COMBINATION ----- \$650.00
#080 - SIGN POSTING ----- 35.00
TOTAL FEES ----- \$685.00

Exxon Corporation
300 Mt. Carmel Road
Zoning: B.M.-C.R.
Acreage: 20,201 square feet
District: 7c3
Attorney: G. Scott Barhight

Check From: Whitford, Preston
& Taylor

RECEIVED
JAN 20 1995
BALTIMORE COUNTY

RECEIVED

RECEIVED

RECEIVED

Please Make Checks Payable To: Baltimore County

Cashier Validation

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No.

012417

DATE 1/31/96 ACCOUNT 0 001-6150

AMOUNT \$ 120.00 (JLL)

RECEIVED
FROM:

Commodari Development Consultants

FOR:

#710 - VERIFICATIONS (3)

9835 Liberty Road

8101 Belair Road

300 Mt. Carmel Road

03A9140060MICURC

BA 011:08AM01-31-96

\$120.00

VALIDATION OR SIGNATURE OF CASHIER

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

TO: PUTUXENT PUBLISHING COMPANY
February 1, 1995 Issue - Jeffersonian

Please forward billing to:

G. Scott Barhight, Esq.
210 W. Pennsylvania Avenue
Towson, Maryland 21204
410-832-2000

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: 95-252-SPHXA (Item 250)
300 Mt. Carmel Road
NE/S Mt. Carmel Road, corner SE/S Goff Road
7th Election District - 3rd Councilmanic
Legal Owner(s): Exxon Corporation
HEARING: WEDNESDAY, FEBRUARY 22, 1995 at 10:00 a.m. in Room 118, Old Courthouse

Special Hearing to confirm the existing fuel service station use and to convert from full service to gas and go.

Special Exception for a fuel service station.

Variance to permit an identification sign of 49.23 square feet per side in lieu of the permitted 25 square feet per side; to permit 4 stationary identification signs of 139.04 square feet in lieu of the permitted 8 square feet; and to permit illuminated signs.

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

(410) 887-3353

JANUARY 26, 1995

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: 95-252-SPHXA (Item 250)

300 Mt. Carmel Road

NE/S Mt. Carmel Road, corner SE/S Goff Road

7th Election District - 3rd Councilmanic

Legal Owner(s): Exxon Corporation

HEARING: WEDNESDAY, FEBRUARY 22, 1995 at 10:00 a.m. in Room 118, Old Courthouse

Special Hearing to confirm the existing fuel service station use and to convert from full service to gas and go.

Special Exception for a fuel service station.

Variance to permit an identification sign of 49.23 square feet per side in lieu of the permitted 25 square feet per side; to permit 4 stationary identification signs of 139.04 square feet in lieu of the permitted 8 square feet; and to permit illuminated signs.

A handwritten signature in black ink, appearing to read "Arnold Jablon".

Arnold Jablon
Director

cc: G. Scott Barhight, Esq., 210 W. Pennsylvania Avenue, Towson MD 21204

- 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.

W. Scott Barhight



Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

February 15, 1995

G. Scott Barhight, Esquire
210 W. Pennsylvania Avenue
Towson, Maryland 21204

RE: Item No.: 250
Case No.: 95-252-SPHXA
Petitioner: Exxon Corporation

Dear Mr. Barhight:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approving agencies, has reviewed the plans submitted with the above referenced petition. Said petition was accepted for processing by, the Office of Zoning Administration and Development Management (ZADM), Development Control Section on January 19, 1995.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties; i.e., zoning commissioner, attorney, petitioner, etc. are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Joyce Watson in the zoning office (887-3391).

Sincerely,

A handwritten signature in dark ink, reading "W. Carl Richards, Jr." in a cursive style.

W. Carl Richards, Jr.
Zoning Supervisor

WCR/jw
Attachment(s)

MICROFILMED



BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
INTER-OFFICE CORRESPONDENCE

TO: Mr. Arnold Jablon, Director February 9, 1995
Zoning Administration and
Development Management

FROM: J. Lawrence Pilson *JLP*
Development Coordinator, DEPRM

SUBJECT: Zoning Item #250 - Exxon Corp.
300 Mt. Carmel Road
Zoning Advisory Committee Meeting of January 30, 1995

The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item.

Ground Water Management

Site is currently improved with a full service gas station. Total site area is 20, 201 sq. ft.

Food preparation will not be allowed for the proposed "Tiger Mart" due to the severely limited area that is available on-site to make future sewage disposal system corrections.

Additionally, the facility shall be required to use low-consumption plumbing fixtures to reduce the risk of hydraulically overloading the existing on-site sewage disposal system.

A groundwater contamination case exists at this site. Active groundwater remediation was performed and may still be ongoing. As a result, water samples must be collected from the domestic well serving the building and analyzed for benzene, toluene, ethyl benzene, total xylene (BTEX) and methyl tert butyl ether (MTBE). The results must be submitted to this office for review prior to issuance of a use and occupancy permit.

Please direct any questions to Mr. Tom Ernst at 887-2762.

Development Coordination

Please provide this office with a well abandonment report for the abandoned well shown on plan so that we may determine whether the well has been properly abandoned.

JLP:TE:LS:sp

EXXON/DEPRM/TXTSBP

APPROVED

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Zoning Administration &
Development Management

FROM: Pat Keller, Director
Office of Planning and Zoning

DATE: February 7, 1995

SUBJECT: 300 Mount Carmel Rd.

INFORMATION:

Item Number: 250

Petitioner: Exxon Corporation

Property Size: .46 acres

Zoning: BM-CR

Requested Action: Special Hearing, Special Exception & Variance

Hearing Date: / /

SUMMARY OF RECOMMENDATIONS:

Section 26-282 (2) of the Baltimore County Development Regulations requires the Director of Planning to make compatibility recommendations to the Hearing Officer for development in CR Districts.

Accordingly, the Director of the Office of Planning and Zoning finds (1) the proposed fuel service station building is similar to existing buildings in the area in terms of height, bulk and general massing; major divisions or rhythms of the facade; proportion of openings, roof treatment, materials, colors, and texture of the structures; (2) the proposed sign is consistent with the goals of the Hereford Plan; and (3) the proposed site improvements meet the spirit and intent of the Baltimore County Zoning Regulations.

Therefore, the Office of Planning and Zoning recommends that the applicant's request be granted.

Prepared by: Jeffrey W. Long

Division Chief: Pat Keller

PK/JL

Baltimore County Government
Fire Department



700 East Joppa Road Suite 901
Towson, MD 21286-5500

(410) 887-4500

DATE: 02/07/95

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: SEE BELOW

LOCATION: DISTRIBUTION MEETING OF JAN.30, 1995.

Item No.: SEE BELOW

Zoning Agenda:

Gentlemen:

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

8. The Fire Marshal's Office has no comments at this time,
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 237,244,247,248,249,
250 AND 251.

REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File

Handwritten signature/initials



BALTIMORE COUNTY, MARYLAND
I N T E R O F F I C E C O R R E S P O N D E N C E

TO: Arnold Jablon, Director DATE: Feb. 6, 1995
Zoning Administration and Development Management

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

RE: Zoning Advisory Committee Meeting
for February 6, 1995
Item No. 250

The Developers Engineering Section has reviewed the subject zoning item. This site is subject to the previous landscape review comments.

RWB:sw

MICROFILMED

Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

February 27, 1995

G. Scott Barhight, Esquire
210 W. Pennsylvania Avenue
Towson, Maryland 21204

RE: Case No. 95-252-SPHXA
Petitioner: ~~Exxon~~ Corp.

Dear Mr. Barhight:

Enclosed are copies of comments received from SHA on February 23, 1995 for the above-referenced case.

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

Sincerely,

A handwritten signature in cursive script that reads "Joyce Watson".

Joyce Watson

/jw

Enclosure

RECEIVED





**Maryland Department of Transportation
State Highway Administration**

David L. Winstead
Secretary
Hal Kassoff
Administrator

February 23, 1995

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

Re: Baltimore County
MD 137
Exxon Company U.S.A.
Special Hearing
Special Exception and
Variance request
Item #+250 (WCR)
Mile Post 8.07

Dear Ms. Watson:

This letter is in response to your request for our review of the referenced item.

A review of the State Highway Administration's (SHA) current and long range planning documents reveals that MD 137 is not identified for roadway improvements in this area.

A field inspection of the property reveals the existing entrances and curb and gutter along the property frontage on MD 137 are in an acceptable condition.

Therefore, we have no objection to approval of the referenced special hearing, special exception and variance request subject to a hydraulic analysis for the proposed storm drain within SHA right-of-way being required prior to the issuance of building permits for this development.

Upon gaining final approval of the proposed storm drain connection through our Hydraulic Section, the developer must contact Mr. Joseph McMahon, District Utilities Engineer, at 410-321-3456 in order to obtain the permit necessary to construct the proposed storm drain connection.

Please contact Bob Small at 410-333-1350 if you have any questions.

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. Joyce Watson
Page Two
February 23, 1995

Thank you for the opportunity to review this plan.

Very truly yours,

A handwritten signature in dark ink, appearing to read 'RMB', is written over a horizontal line.

Ronald Burns, Chief
Engineering Access Permits
Division

BS/es

cc: Mr. Joseph McMahon w/att.

Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

January 30, 1995

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

95-252-X

RE: Preliminary Petition Review (Item #250)
Legal Owner: Exxon Corporation
300 Mt. Carmel Road
Limited Exemption #95-018-Z
7th 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 has revealed unaddressed zoning issues and/or incomplete information. The following comments 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.

1. The name of the agent signing for Exxon is illegible. His name and title must also be printed or typed under the signature line.
2. The point of beginning and street distance to intersection is not shown on the plan.



G. Scott Barhight, Esquire
January 30, 1995
Page 2

3. See the attached limited exemption comments for additional required revisions and an additional possible variance requirement.
4. Title the plan "Variance Plan" in addition to the Special Exception.

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
Planner II

JLL:scj

Enclosures

c: Zoning Commissioner
Susan Wimbley

RECEIVED

EXXON
300 Mt. Carmel Road
95-018-Z

Limited Exemption

Plan Date: 12/20/94

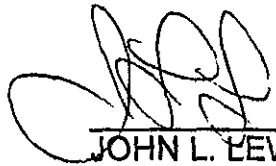
Comments Due: 2/10/95

Comments Date: 1/27/95

Comments Completed: 1/30/95

1. This plan is identical to the plan filed under zoning case #95-252-SPHXA. Zoning final approvals are subject to the outcome of the zoning public hearings and compliance with the (blue) commercial checklist requirements for building permit applications.
2. Zoning notes #2 and #3 for the 1,000 square feet store area on the plans as compared to the actual Tiger Mart dimensions of 27 feet x 53 feet (which equals 1,431 square feet) reveals a discrepancy which must be corrected in the calculations by using the correct 1,431 square feet dimensions.
3. Be aware that state regulations exempt fuel pricing signs required by state law for fuel service stations from local jurisdictional regulations.
4. Confirm with the Office of Planning and Zoning (OPZ) that the air/water station and free-standing sign locations in the landscape transition area comply with landscape manual requirements. Variance any noncompliance.

Any requests for further information from the Zoning Office must include a reference to the limited exemption file #95-018-Z and written correspondence or revised plans must be accompanied by a copy of these comments.



JOHN L. LEWIS
Planner II

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.

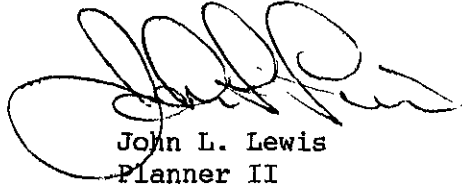
8101 Belair Road (95-34-SPHXA)-Due to the fact that one space for a vacuum unit was allowed (and shown at a particular location), that unit is permitted at that location or in one of the alternate locations proposed in our April 25th meeting (adjacent to the 3 parking spaces near Ridge Road). This will 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.



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

MICROFILMED

RE: PETITION FOR SPECIAL HEARING	*	BEFORE THE
PETITION FOR SPECIAL EXCEPTION		
PETITION FOR VARIANCE	*	ZONING COMMISSIONER
300 Mt. Carmel Road, NE/S Mt. Carmel Rd.,		
corner SE/S Goff Road, 7th Election	*	OF BALTIMORE COUNTY
District, 3rd Councilmanic		
	*	CASE NO. 95-252-SPHXA
Exxon Corporation		
Petitioners	*	
* * * * *		

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

Carole S. Demilio
CAROLE 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 16th day of February, 1995, a copy of the foregoing Entry of Appearance was mailed to G. Scott Barhight, Esquire, 210 W. Pennsylvania Avenue, Towson, MD 21204, attorney for Petitioners.

Peter Max Zimmerman
PETER MAX ZIMMERMAN

MICROFILM

RECEIVED FEB 21 1995



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,

A handwritten signature in black ink, appearing to read "John L. Lewis", is written over a circular stamp.

John L. Lewis
Planner II
Zoning Review

JLL:scj

Enclosure

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



75-34 8101 96-462
1/30/96
TO WORK
To: JLC
1/31/96 uan
at cashier

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.

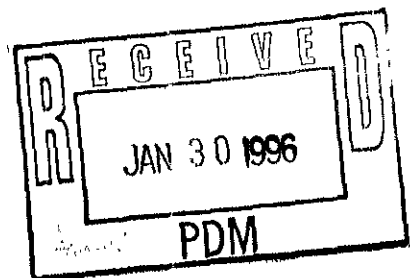
Exxon Company U.S.A. wishes to place vacuum stations at these locations for the benefit and convenience of their customers. I have discussed this matter with Mr. Douglas Swam, Permit Supervisor, and he indicated that a building permit is not required. However, Mr. Lewis stated that approval from your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



PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME

Timothy Whittie

MICHAEL J. SPECHT

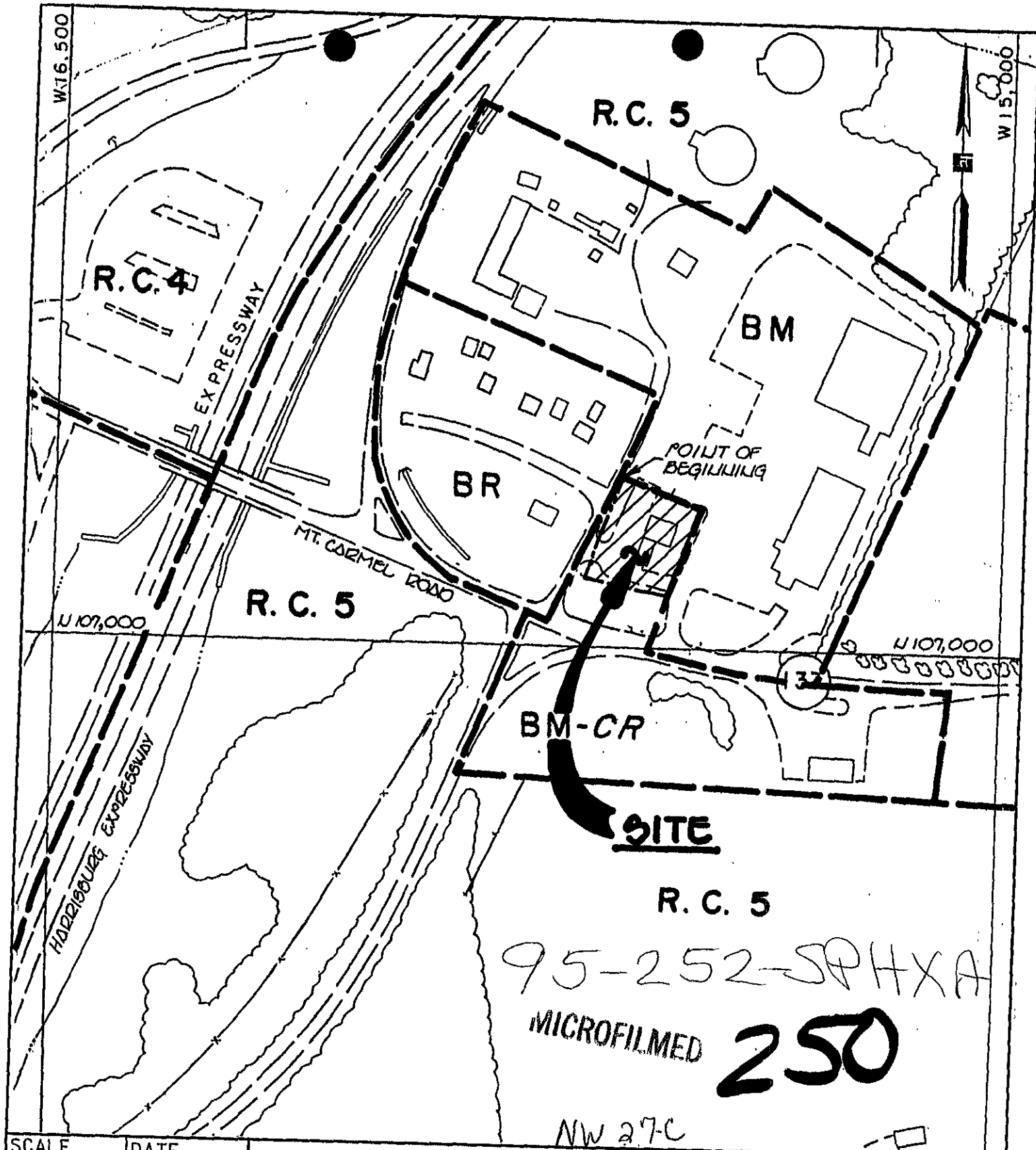
ADDRESS

FREDERICK WARD ASSOCIATES
5 South Main St., Bel Air, MD 21014

EXHIBIT CO., U.S.A.

6501 MY LANE, STE 700, GREENBELT MD 20770

RECEIVED
JAN 10 1991



SCALE 1"=200'	DATE 12/05/94
DR. BY CB	CH. BY TAG
PLAT NO.	JOB NO. 93389

FREDERICK WARD ASSOCIATES, INC.

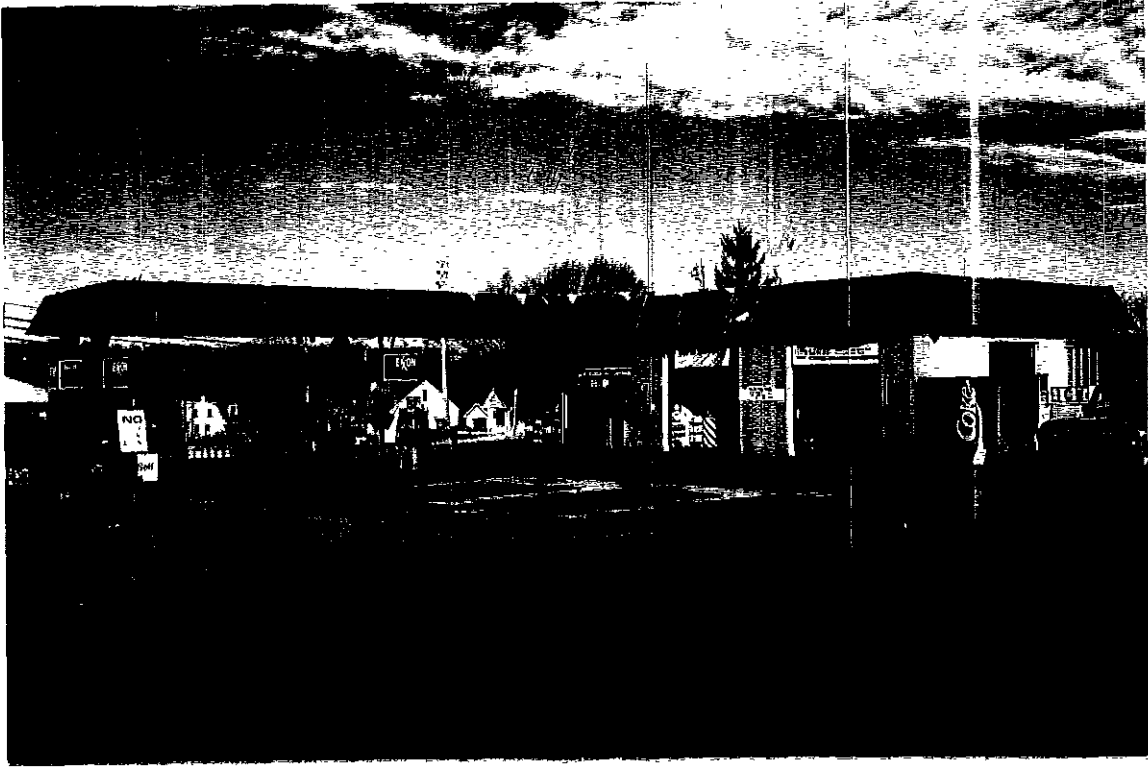


ENGINEERS-ARCHITECTS-SURVEYORS
5 SOUTH MAIN STREET
BEL AIR, MARYLAND 21014-0727
(410)838-7900 (410)879-2090

EXON
ZONING
MAP

LOCATION No. 2-7428
300 MOUNT CARMEL ROAD
PARKTON, MARYLAND 21120

PETITIONER'S EXHIBITS



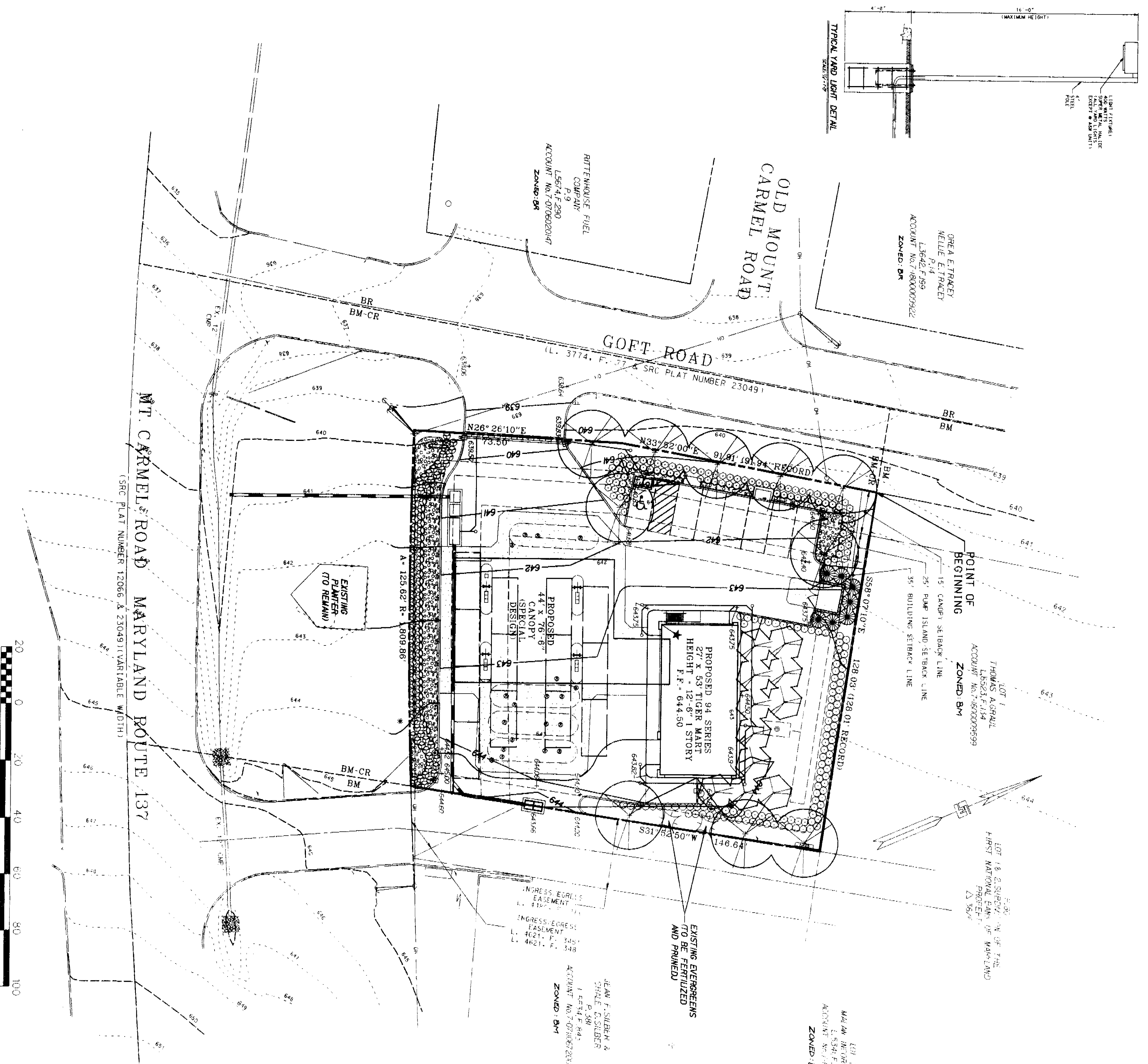
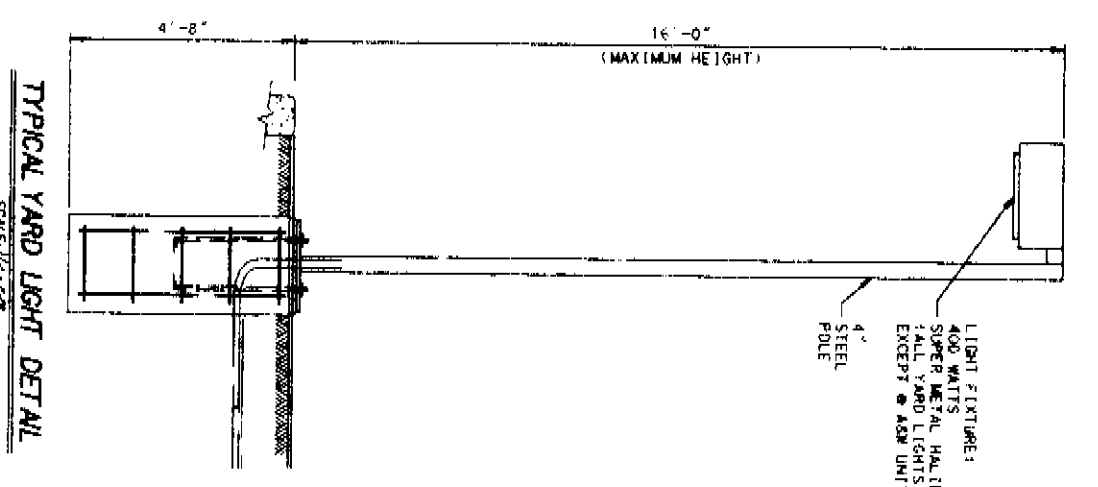
1A



1B



1C



OWNER/DEVELOPER/APPLICANT
EXON COMPANY, U.S.A.
6701 VINE LANE
GREENBELT, MARYLAND 20770
PHONE: (301)513-7511
ATTN: MR. MIKE OLAFSSON

FREDERICK WARD ASSOCIATES INC.
ENGINEERS ARCHITECTS SURVEYORS
5 SOUTH MAIN STREET
BETHESDA, MARYLAND 20814
PHONE: (301)291-2090

DATE	REVISIONS	BY	CHK.
12/20/1994	1		
01/11/1995	2		
03/14/1995	3		
04/11/1995	4		
05/11/1995	5		
06/11/1995	6		
07/11/1995	7		
08/11/1995	8		
09/11/1995	9		
10/11/1995	10		
11/11/1995	11		
12/11/1995	12		
01/11/1996	13		
02/11/1996	14		
03/11/1996	15		
04/11/1996	16		
05/11/1996	17		
06/11/1996	18		
07/11/1996	19		
08/11/1996	20		

DATE	REVISIONS	BY	CHK.
12/20/1994	1		
01/11/1995	2		
03/14/1995	3		
04/11/1995	4		
05/11/1995	5		
06/11/1995	6		
07/11/1995	7		
08/11/1995	8		
09/11/1995	9		
10/11/1995	10		
11/11/1995	11		
12/11/1995	12		
01/11/1996	13		
02/11/1996	14		
03/11/1996	15		
04/11/1996	16		
05/11/1996	17		
06/11/1996	18		
07/11/1996	19		
08/11/1996	20		

SPECIAL EXCEPTION PLAN

EXON COMPANY, U.S.A. A DIVISION OF EXON CORPORATION
13333 ROUTE 1
GREENBELT, MARYLAND 20770
PHONE: (301)513-7511
ATTN: MR. MIKE OLAFSSON

LANDSCAPE PLAN
780 MOUNT CARMEL ROAD
GREENBELT, MARYLAND 20770
PROJECT NO. 93389.00
DATE: 04/05/94

DESIGNED BY: FWA
CHECKED BY: FWA
DATE: 04/05/94

SCALE: 1" = 20'

DATE: 12/20/1994

DATE: 01/11/1995

DATE: 03/14/1995

DATE: 04/11/1995

DATE: 05/11/1995

DATE: 06/11/1995

DATE: 07/11/1995

DATE: 08/11/1995

DATE: 09/11/1995

DATE: 10/11/1995

DATE: 11/11/1995

DATE: 12/11/1995

DATE: 01/11/1996

DATE: 02/11/1996

DATE: 03/11/1996

DATE: 04/11/1996

DATE: 05/11/1996

DATE: 06/11/1996

DATE: 07/11/1996

DATE: 08/11/1996

DATE: 09/11/1996

DATE: 10/11/1996

DATE: 11/11/1996

DATE: 12/11/1996

DATE: 01/11/1997

DATE: 02/11/1997

DATE: 03/11/1997

DATE: 04/11/1997

DATE: 05/11/1997

DATE: 06/11/1997

DATE: 07/11/1997

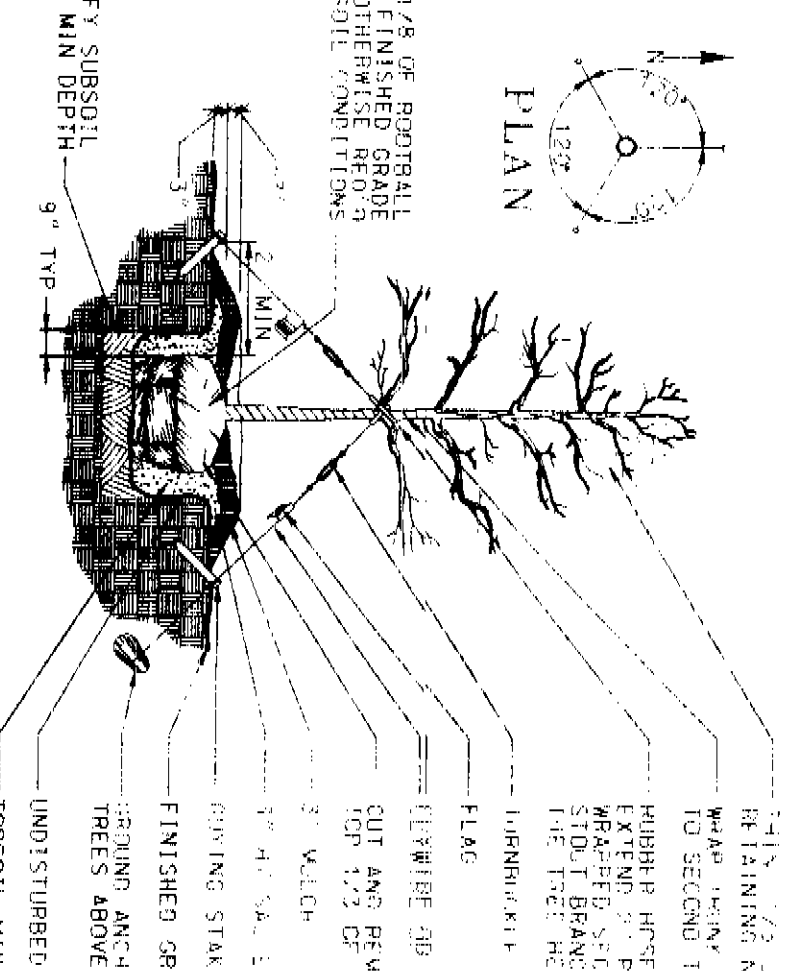
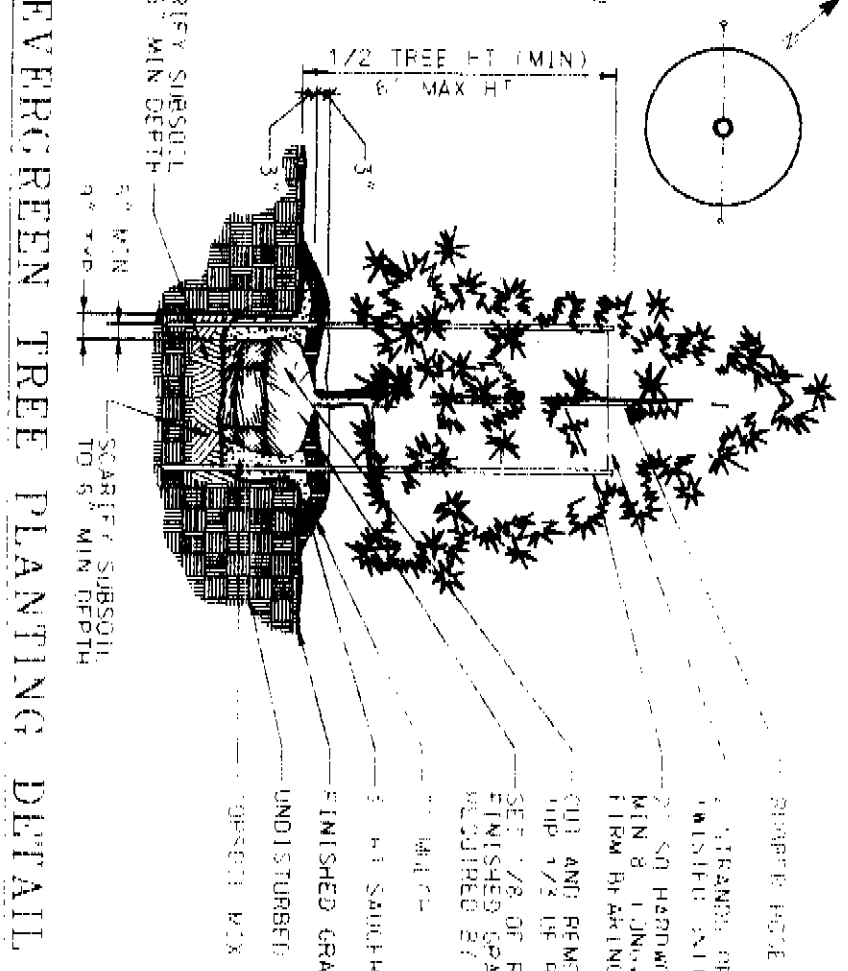
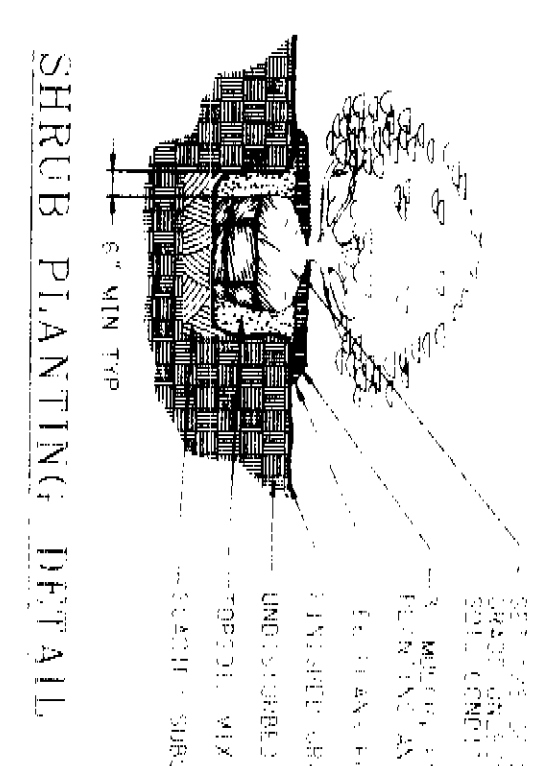
DATE: 08/11/1997

DATE: 09/11/1997

DATE: 10/11/1997

DATE: 11/11/1997

DATE: 12/11/1997



LANDSCAPE TABULATION

COMMERCIAL, OFFICE, INDUSTRIAL, HIGH-RISE RESIDENTIAL, AND PUBLIC DEVELOPMENTS

1. 142' LINEAR FEET OF INTERIOR ROAD / 20' = 7.1 P.U.

2. 290' LINEAR FEET OF ADJACENT ROAD / 40' = 7.3 P.U.

3. 180' LINEAR FEET OF ADJACENT ROAD / 40' = 4.5 P.U.

4. 180' LINEAR FEET OF ADJACENT ROAD / 40' = 4.5 P.U.

5. 180' LINEAR FEET OF ADJACENT ROAD / 40' = 4.5 P.U.

6. 180' LINEAR FEET OF ADJACENT ROAD / 40' = 4.5 P.U.

7. 180' LINEAR FEET OF ADJACENT ROAD / 40' = 4.5 P.U.

8. 180' LINEAR FEET OF ADJACENT ROAD / 40' = 4.5 P.U.

9. 180' LINEAR FEET OF ADJACENT ROAD / 40' = 4.5 P.U.

10. 180' LINEAR FEET OF ADJACENT ROAD / 40' = 4.5 P.U.

11. 180' LINEAR FEET OF ADJACENT ROAD / 40' = 4.5 P.U.

12. 180' LINEAR FEET OF ADJACENT ROAD / 40' = 4.5 P.U.

13. 180' LINEAR FEET OF ADJACENT ROAD / 40' = 4.5 P.U.

14. 180' LINEAR FEET OF ADJACENT ROAD / 40' = 4.5 P.U.

15. 180' LINEAR FEET OF ADJACENT ROAD / 40' = 4.5 P.U.

16. 180' LINEAR FEET OF ADJACENT ROAD / 40' = 4.5 P.U.

17. 180' LINEAR FEET OF ADJACENT ROAD / 40' = 4.5 P.U.

18. 180' LINEAR FEET OF ADJACENT ROAD / 40' = 4.5 P.U.

19. 180' LINEAR FEET OF ADJACENT ROAD / 40' = 4.5 P.U.

20. 180' LINEAR FEET OF ADJACENT ROAD / 40' = 4.5 P.U.

21. 180' LINEAR FEET OF ADJACENT ROAD / 40' = 4.5 P.U.

22. 180' LINEAR FEET OF ADJACENT ROAD / 40' = 4.5 P.U.

23. 180' LINEAR FEET OF ADJACENT ROAD / 40' = 4.5 P.U.

24. 180' LINEAR FEET OF ADJACENT ROAD / 40' = 4.5 P.U.

25. 180' LINEAR FEET OF ADJACENT ROAD / 40' = 4.5 P.U.

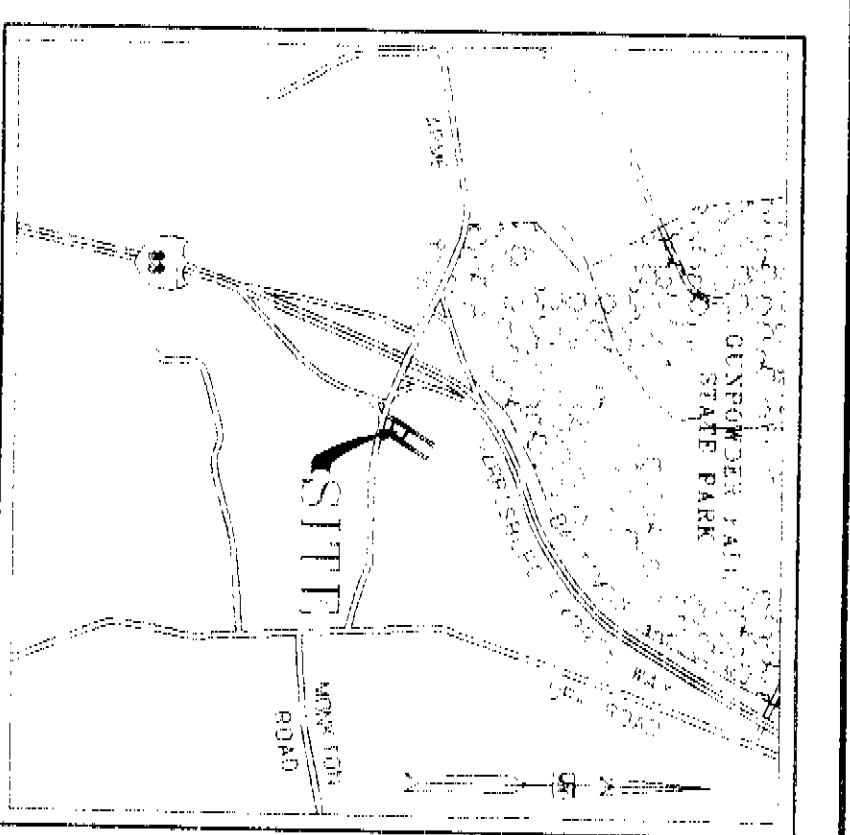
26. 180' LINEAR FEET OF ADJACENT ROAD / 40' = 4.5 P.U.

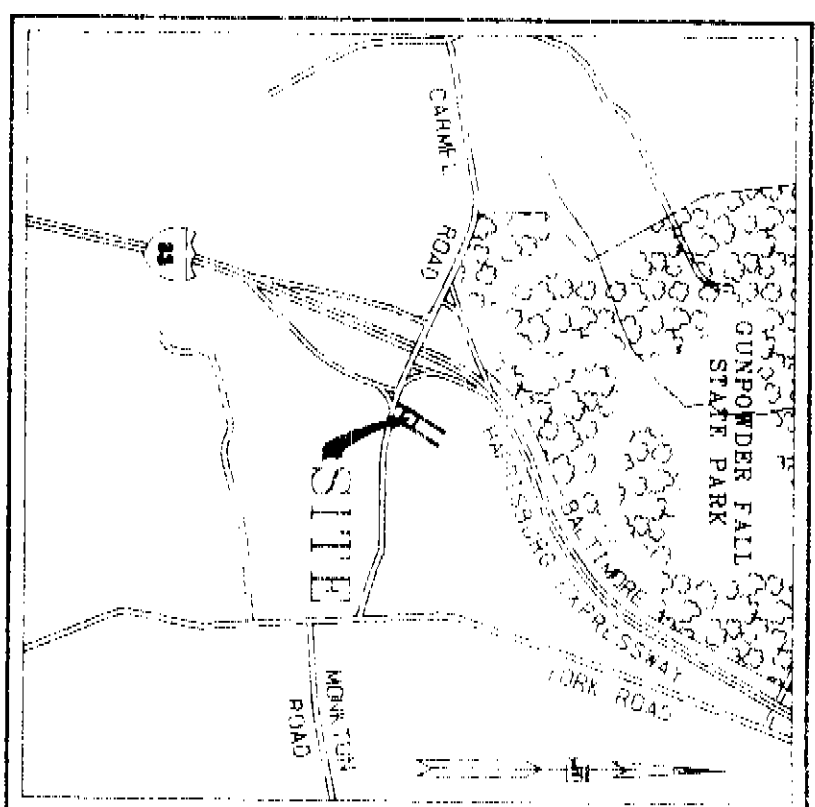
27. 180' LINEAR FEET OF ADJACENT ROAD / 40' = 4.5 P.U.

28. 180' LINEAR FEET OF ADJACENT ROAD / 40' = 4.5 P.U.

29. 180' LINEAR FEET OF ADJACENT ROAD / 40' = 4.5 P.U.

VICINITY MAP





VICINITY MAP

1. GROSS SITE AREA: 2,100 SQ. FT. (0.0483 ACRES)
2. NET SITE AREA: 20,200 SQ. FT. (0.4637 ACRES)
3. PARKING REQUIREMENT: 1 SPACE PER EMPLOYEE ON LARGEST SHIFT = 1
2 SPACES
3 SPACES PER 1,000 SQ. FT. GROSS FLOOR AREA

```

1 SPACE PER AIR = 1 X 1
- 1 SPACE

```

6. TAX ACCOUNT NO.: 0-00000000
7. ELECTION DISTRICT: 9
- TOTAL PARKING REQUIRED = 7.3 SPACES = 8
PROVIDED: 8 SPACES (INCLUDING 1 HANDICAP SPACE)
- E. CITY ADDRESS:

SARITON, MARY ANN 24125

- [illegible]

3. PLAMP ISLAND
A. TO POINT OF MAY - 1957

- | Case | Age | Sex | Duration of illness | Site of lesion | Pathological findings | Microscopic findings | Immunohistochemical findings | Diagnosis |
|------|-----|-----|---------------------|-------------------|--|--------------------------|------------------------------|---------------|
| 1 | 65 | M | 10 years | Left frontal lobe | Large, well-circumscribed, solid, grayish-white mass | Neurons and neurofibrils | Neurons and neurofibrils | Neuroblastoma |
| 2 | 65 | M | 10 years | Left frontal lobe | Large, well-circumscribed, solid, grayish-white mass | Neurons and neurofibrils | Neurons and neurofibrils | Neuroblastoma |
| 3 | 65 | M | 10 years | Left frontal lobe | Large, well-circumscribed, solid, grayish-white mass | Neurons and neurofibrils | Neurons and neurofibrils | Neuroblastoma |
| 4 | 65 | M | 10 years | Left frontal lobe | Large, well-circumscribed, solid, grayish-white mass | Neurons and neurofibrils | Neurons and neurofibrils | Neuroblastoma |
| 5 | 65 | M | 10 years | Left frontal lobe | Large, well-circumscribed, solid, grayish-white mass | Neurons and neurofibrils | Neurons and neurofibrils | Neuroblastoma |
| 6 | 65 | M | 10 years | Left frontal lobe | Large, well-circumscribed, solid, grayish-white mass | Neurons and neurofibrils | Neurons and neurofibrils | Neuroblastoma |
| 7 | 65 | M | 10 years | Left frontal lobe | Large, well-circumscribed, solid, grayish-white mass | Neurons and neurofibrils | Neurons and neurofibrils | Neuroblastoma |
| 8 | 65 | M | 10 years | Left frontal lobe | Large, well-circumscribed, solid, grayish-white mass | Neurons and neurofibrils | Neurons and neurofibrils | Neuroblastoma |
| 9 | 65 | M | 10 years | Left frontal lobe | Large, well-circumscribed, solid, grayish-white mass | Neurons and neurofibrils | Neurons and neurofibrils | Neuroblastoma |
| 10 | 65 | M | 10 years | Left frontal lobe | Large, well-circumscribed, solid, grayish-white mass | Neurons and neurofibrils | Neurons and neurofibrils | Neuroblastoma |

ZONING MAP:
NONE.

- #### 4. ANTICIPATED ZONING REQUESTS
1. SPECIAL REGARDING TO CONVEY FROM THE EXISTING ZONING TO AN ANTICIPATED EXISTING ZONING CATEGORY.

2. VARIANCES REQUIRES

21. THE SITE IS EXEMPT FROM THE SEVERE WEATHERING ACT.
22. RESTROOMS ARE PROVIDED FOR 10 STUDENTS PER SECTION
- A. VARIANCE TO SECTION 259.007(4) REGARDING REPLACEMENT OF THE EXISTING TO SIGN WITH SIGN WITH AN AREA OF 45.23 SQ. FT. EACH

B. VARIANCE TO SECTION 259.30(78) PERMITTING STATIONARY BUILDING IDENTIFICATION SIGNS (TOTAL OF 4,320 A CO. ET IN LITU OF ONE ST

- WARRANTY IN SECTION 259, 261/263 PERMITTING
181 50. FT.
BUILDING IDENTIFICATION SIGN NOT TO EXCEED
92.25' 10' 11" IN HEIGHT AND 10' 11" IN WIDTH.
FOLLOW LOCALITY MAPS AND ALL THE PROVISIONS.
ZONING NOTES:

IN A C.R. DISTRICT:
 PREVIOUS COASTGUARD: 11/11/11

- PERMIT # B165603, CONTROL # S1-928-18, WORK
ILLUMINATED SIGN, ILLUMINATED SIGN, ILLUMINATED
PROPERTY, INSTALL A NON ILLUMINATED PUMP STIONS
13 SQ.FT., INSTALL A NON ILLUMINATED SIGN ON

SIGN ON BUILDING 25 SQ. FT.

- [illegible]

SITE LOCATION:
FIGHTING SAND AND BEE ECT N/A ADJACENT HARBOR

1. CONVENTION CENTER - 4000 STATE ST. -
2. MAXIMUM PGF HEIGHT IS 16 FEET
ROADWAYS OF OUTSIDE OF AREA.

	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70	71	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90	91	92	93	94	95	96	97	98	99	100
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70	71	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90	91	92	93	94	95	96	97	98	99	100	

- 4-9-60 J & K AIR 5-0-2 R.
LANDSIDE TRANSLATION AREA WITH
COMPLY WITH SE
4-9-60 E 4-9-60 E 4-9-60 E

AN ELECTRONIC SEC. MONITORING SYSTEM WILL BE INSTALLED
MONITOR THE POL. LEADS FOR 2 WKS.

- # PITIONERS

2

- [illegible]

THE

- [illegible]

- Figure 1**

TRANSITION AREAS WITH COMP. V. N.

100

EXHIBIT 2

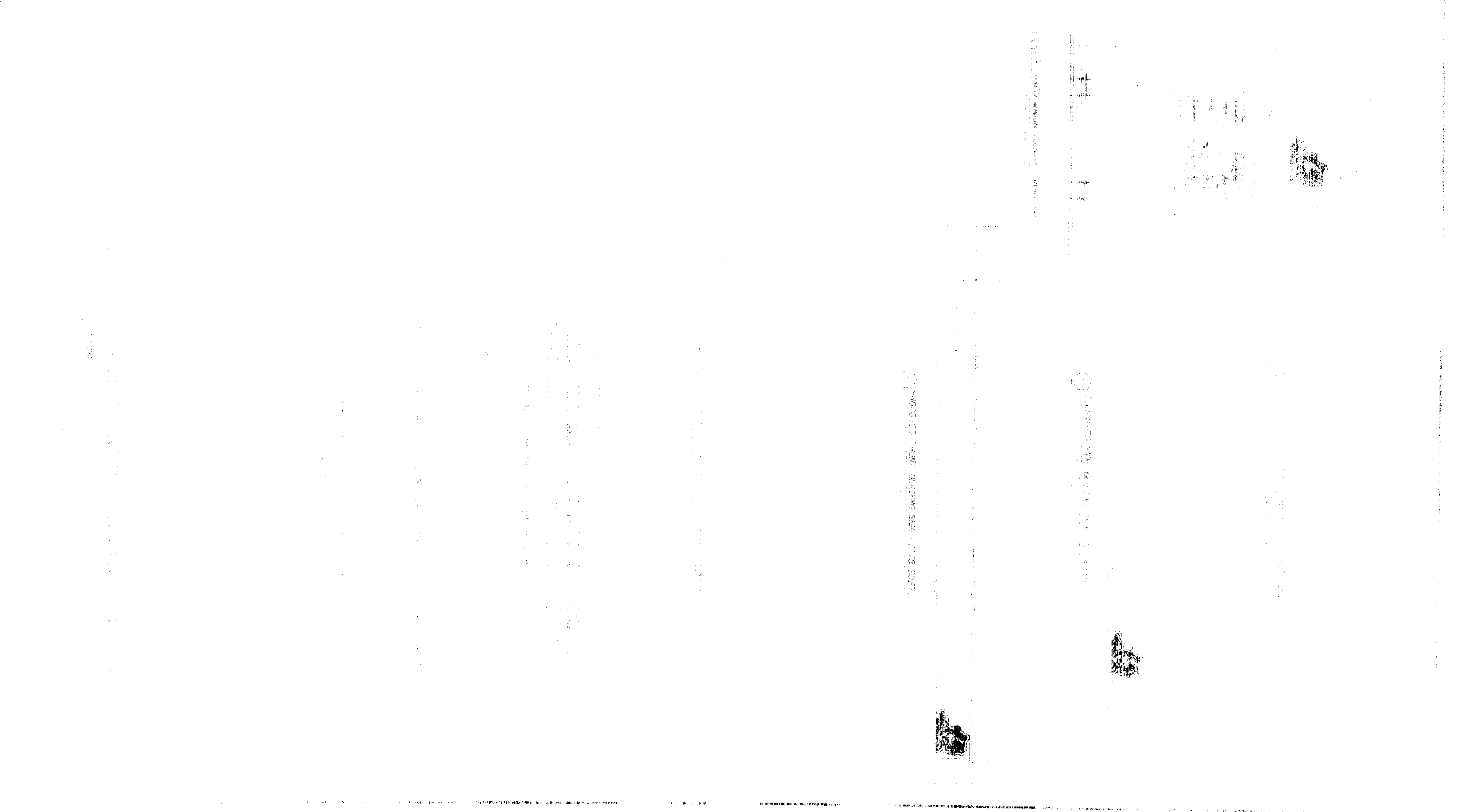
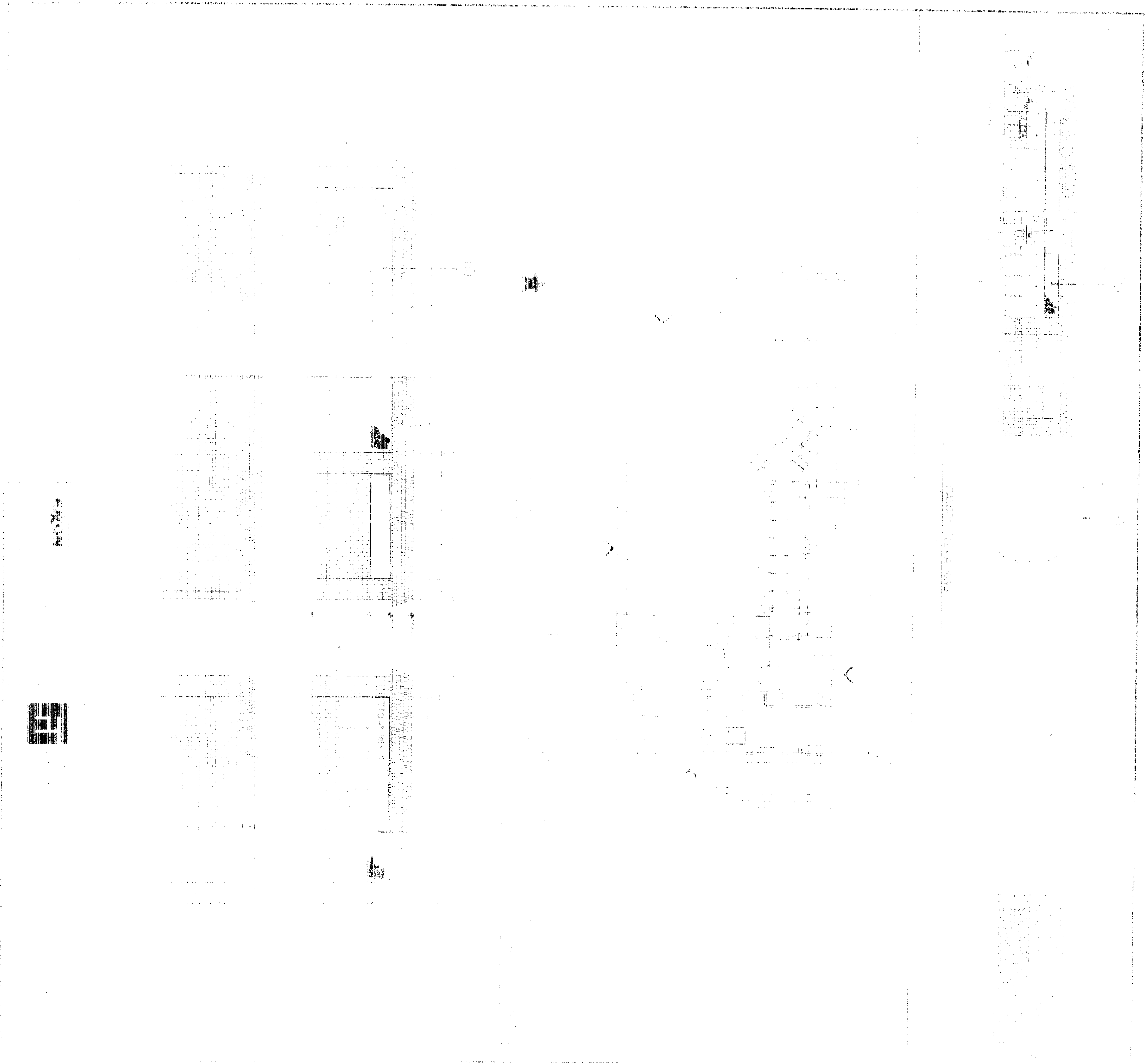
SPECIAL EXCEPTION AND VARIANCE PLAN

MICROFILMED

WYATT ASSOCIATES INC.
ARCHITECTS SURVEYORS

[illegible][illegible]

1000



ZONED BR

ZONED BR

ZONED BR

ZONED BR

ZONED BR

EXISTING
CREAN PIPE

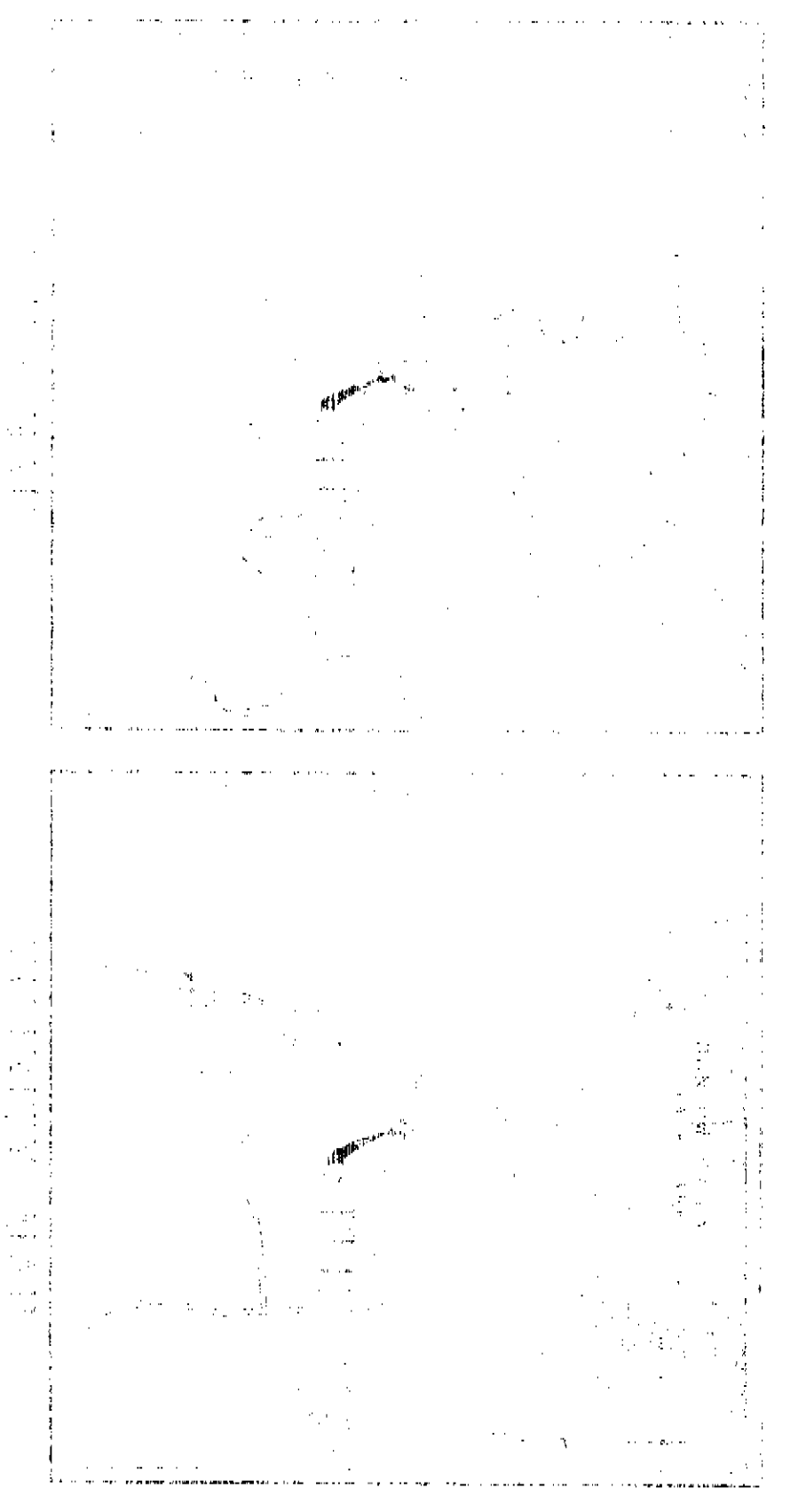
ADJUT OF
PREFORMING

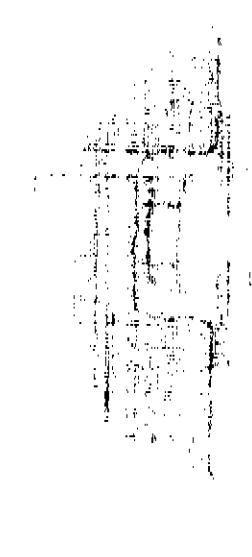
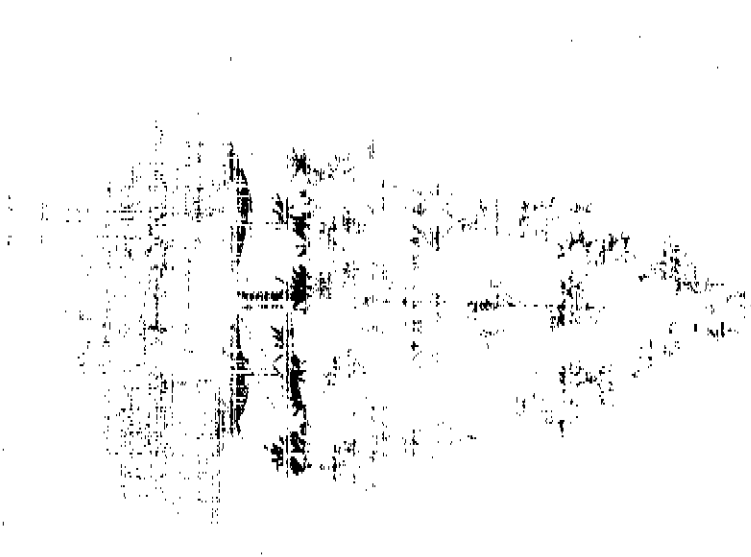
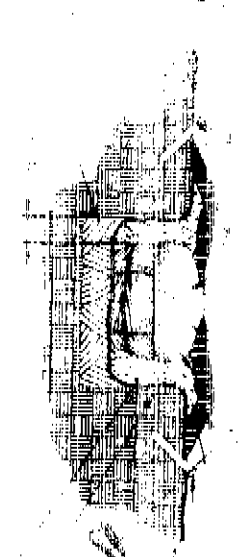
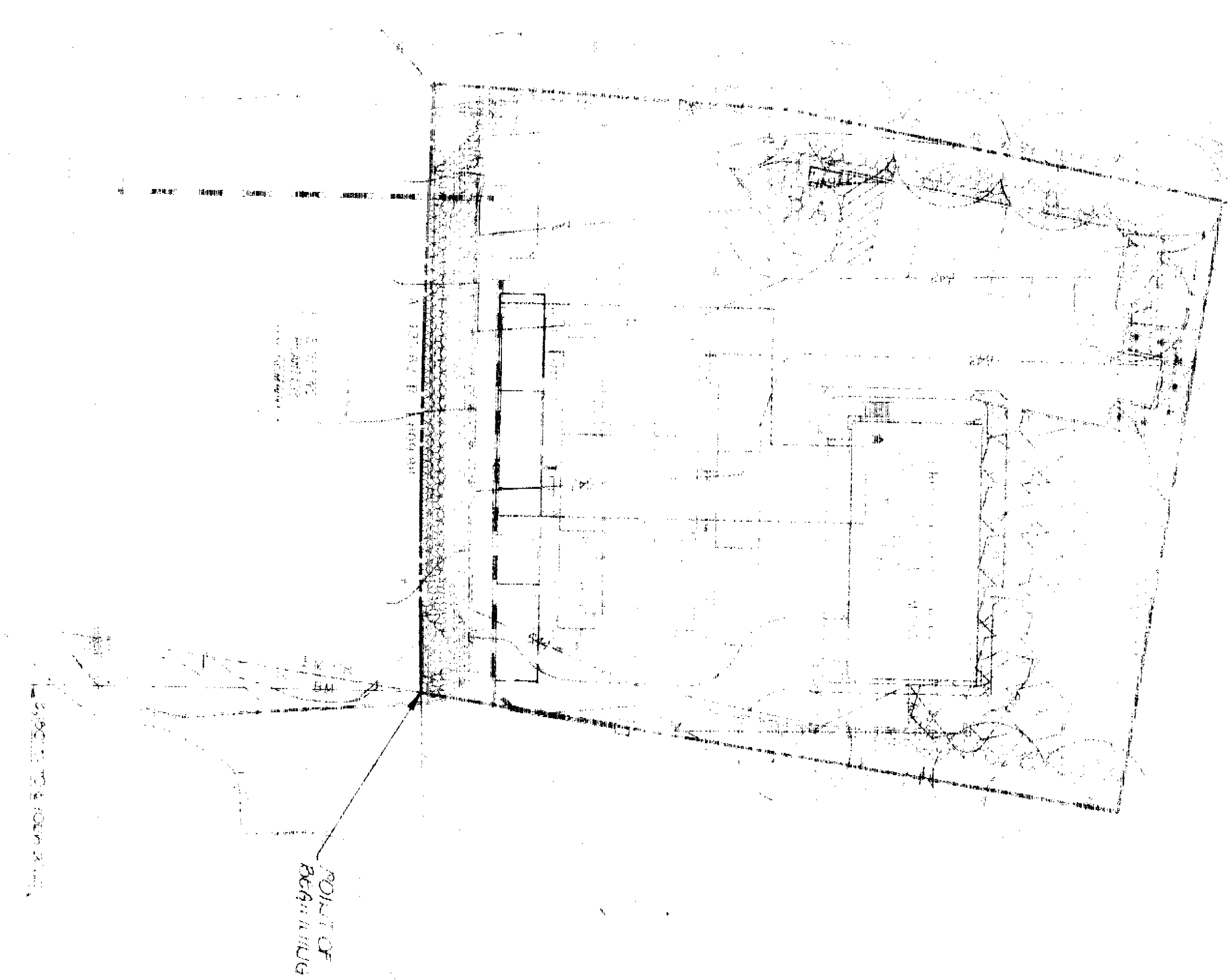
ND

EXISTING BUILT CONDITIONS

1. EXISTING BUILDING
2. EXISTING FOUNDATION
3. EXISTING ROOF
4. EXISTING INTERIOR FINISHES
5. EXISTING EXTERIOR FINISHES
6. EXISTING MECHANICAL SYSTEMS
7. EXISTING ELECTRICAL SYSTEMS
8. EXISTING PLOTTING PLANS

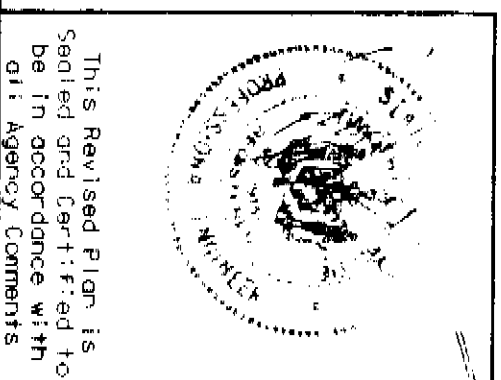
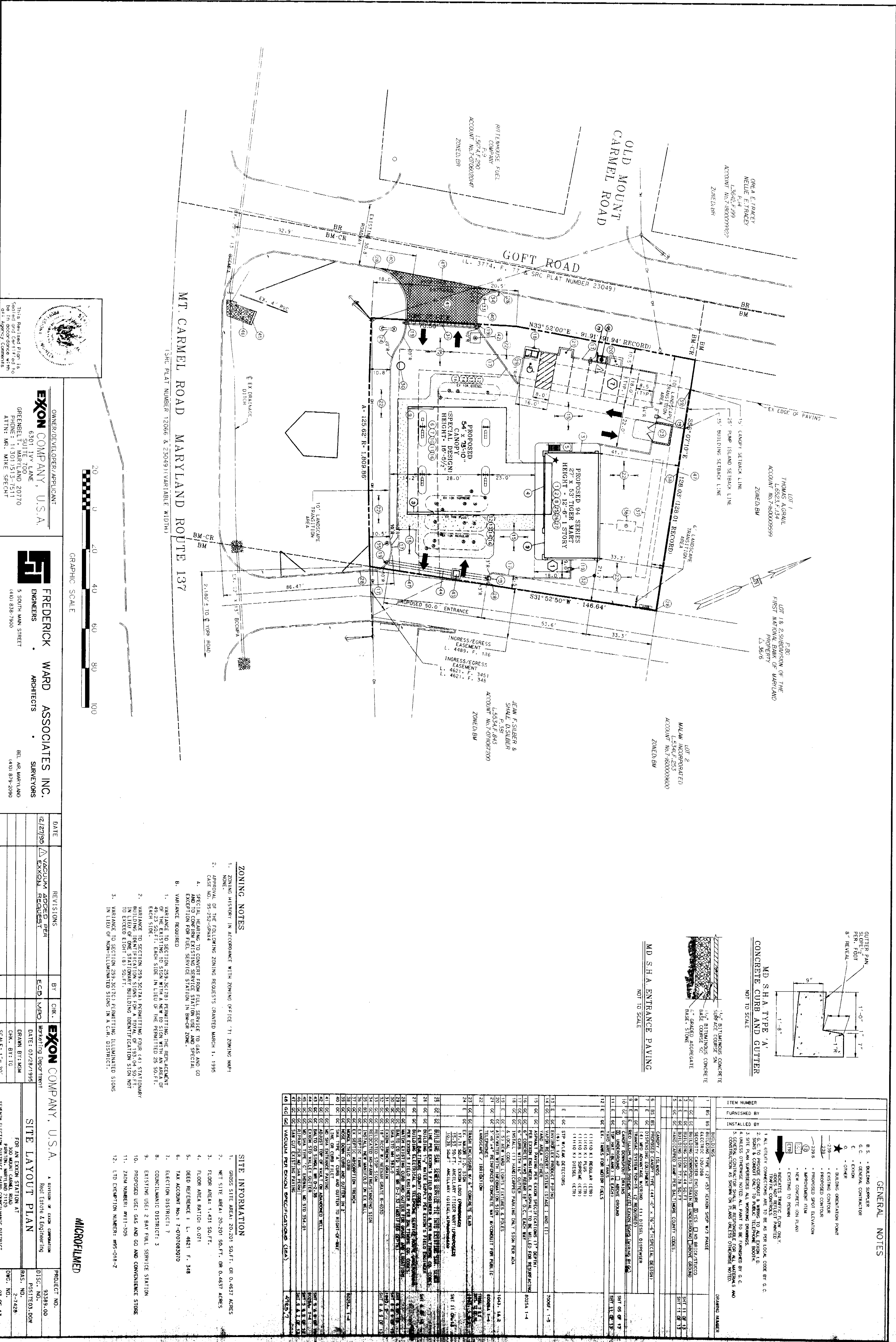
SECTION AND ELEVATION





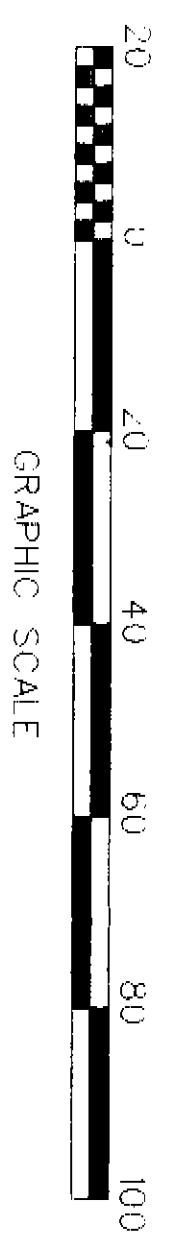
FROM





OWNER/DEVELOPER/APPLICANT
EXXON COMPANY, U.S.A.
6301 L.V. LANE
GREENBELT, MARYLAND 20770
PHONE: (1301) 513-7511
ATTN: MR. MIKE SPECHT

FREDERICK WARD ASSOCIATES INC.
ENGINEERS ARCHITECTS SURVEYORS
5 SOUTH MAIN STREET
BEL AIR, MARYLAND
(410) 838-7800
(410) 879-2090



MICROFILMED

- ZONING NOTES**
1. ZONING HISTORY IN ACCORDANCE WITH ZONING OFFICE '71 ZONING MAP: NONE.
 2. APPROVAL OF THE FOLLOWING ZONING REQUESTS GRANTED MARCH 1, 1995:
CASE NO. 95-252-SPHKA
A. SPECIAL HEARING TO CONVERT FROM FILL SERVICE TO GAS AND CO AND TO CONFIN EXISTING SERVICE STATION USE, AND SPECIAL EXEMPTION FOR FUEL SERVICE STATION IN BU-CR ZONE.
B. VARIANCE REQUIRED
1. VARIANCE TO SECTION 259.36(7)(B) PERMITTING THE REPLACEMENT OF THE EXISTING 10' STION WITH A NEW 10' STION WITH AN AREA OF 48.23 SQ. FT. EACH SIDE IN LIEU OF THE PERMITTED 25 SQ. FT. EACH SIDE.
2. VARIANCE TO SECTION 259.36(7)(A) PERMITTING THE REPLACEMENT OF THE EXISTING 10' STION WITH A NEW 10' STION WITH AN AREA OF 48.23 SQ. FT. EACH SIDE IN LIEU OF THE PERMITTED 25 SQ. FT. EACH SIDE.
3. VARIANCE TO SECTION 259.36(7)(C) PERMITTING ILLUMINATED SIGNS IN LIEU OF NON-ILLUMINATED SIGNS IN A C.R. DISTRICT.

- SITE INFORMATION**
1. GROSS SITE AREA: 20.201 SQ. FT. OR 0.4637 ACRES
 2. NET SITE AREA: 20.201 SQ. FT. OR 0.4637 ACRES
 3. FLOOR AREA: 1,451 SQ. FT.
 4. FLOOR AREA RATIO: 0.071
 5. DEED REFERENCE: L. 4621 F. 348
 6. TAX ACCOUNT NO.: 7-07083070
 7. ELECTION DISTRICT: 7
 8. COMMUNAL DISTRICT: 3
 9. EXISTING USE: 2 BAY FILL SERVICE STATION
 10. PROPOSED USE: GAS AND CO AND CONVENIENCE STORE
 11. ZONE NUMBER: BU-1-305
 12. LTD EXEMPTION NUMBER: #95-018-2

GENERAL NOTES	
B.S. - BERING SUPER	
G.C. - GENERAL CONTRACTOR	
E. - EXXON	
OTHER	
★ - BALING ORIENTATION POINT	
— - EXISTING CONTROLS	
— - PROPOSED SPOT ELEVATION	
— - IMPROVED FILL	
— - NEW CONCRETE (ON PLAN)	
— - EXISTING TO REMAIN	
— - INDICATES FUTURE FLOW ONLY	
— - TRAFFIC CONTROLS	
1. ALL UTILITY CONDUITS ARE TO BE AS PER LOCAL CODE BY G.C.	
2. G.C. TO PROVIDE SLOPE AND ELEVATION FOR ALL UTILITY CONDUITS	
3. SITE PLAN SUPERSEDES ALL WORKING DRAWINGS.	
4. UNLESS OTHERWISE NOTED, ALL PLANT TO BE FURNISHED BY G.C. CONSTRUCTION AS SHOWN ON PLAN UNLESS OTHERWISE NOTED.	
ITEM NUMBER	
FURNISHED BY	
INSTALLED BY	
1	B.S.
2	B.S.
3	B.S.
4	B.S.
5	B.S.
6	B.S.
7	B.S.
8	B.S.
9	B.S.
10	B.S.
11	B.S.
12	B.S.
13	B.S.
14	B.S.
15	B.S.
16	B.S.
17	B.S.
18	B.S.
19	B.S.
20	B.S.
21	B.S.
22	B.S.
23	B.S.
24	B.S.
25	B.S.
26	B.S.
27	B.S.
28	B.S.
29	B.S.
30	B.S.
31	B.S.
32	B.S.
33	B.S.
34	B.S.
35	B.S.
36	B.S.
37	B.S.
38	B.S.
39	B.S.
40	B.S.
41	B.S.
42	B.S.
43	B.S.
44	B.S.
45	B.S.
46	B.S.
47	B.S.
48	B.S.
49	B.S.
50	B.S.
51	B.S.
52	B.S.
53	B.S.
54	B.S.
55	B.S.
56	B.S.
57	B.S.
58	B.S.
59	B.S.
60	B.S.
61	B.S.
62	B.S.
63	B.S.
64	B.S.
65	B.S.
66	B.S.
67	B.S.
68	B.S.
69	B.S.
70	B.S.
71	B.S.
72	B.S.
73	B.S.
74	B.S.
75	B.S.
76	B.S.
77	B.S.
78	B.S.
79	B.S.
80	B.S.
81	B.S.
82	B.S.
83	B.S.
84	B.S.
85	B.S.
86	B.S.
87	B.S.
88	B.S.
89	B.S.
90	B.S.
91	B.S.
92	B.S.
93	B.S.
94	B.S.
95	B.S.
96	B.S.
97	B.S.
98	B.S.
99	B.S.
100	B.S.

IN RE: PETITIONS FOR SPECIAL HEARING, * BEFORE THE
SPECIAL EXCEPTION & VARIANCE *
NW/8 Mt. Carmel Rd. at Goff Rd. * DEPUTY ZONING COMMISSIONER
(300 Mt. Carmel Road) * OF BALTIMORE COUNTY
7th Election District
3rd Councilmanic District * Case No. 95-252-SPHXA
Exxon Corporation
Petitioners *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as Petitions for Special Hearing, Special Exception and Variance for that property known as 300 Mt. Carmel Road, located in the Hereford section of northern Baltimore County. The Petitions were filed by the owner of the property, Exxon Corporation, Inc., through its attorney, G. Scott Barhight, Esquire. Pursuant to the special hearing relief sought, the Petitioner seeks confirmation of the use of the subject property as a fuel service station and approval of the conversion of same from a full service gasoline station to a gas and go facility. In addition, the Petitioner seeks a special exception to permit a fuel service station use on the subject property, and variance relief from the Baltimore County Zoning Regulations (B.C.Z.R.) as follows: From Section 259.3.C.7(b) to permit an identification sign of 49.23 sq.ft. per side (98.46 sq.ft. total) in lieu of the permitted 25 sq.ft. per side (50 sq.ft. total); from Section 259.3.C.7(a) to permit four (4) stationary signs of 193.04 sq.ft. total (as amended) in lieu of the permitted 8 sq.ft.; and from Section 259.3.C.7(c) to permit said signs to be illuminated. The subject property and relief sought are more particularly described on the site plan submitted and marked into evidence as Petitioner's Exhibit 2.

ORDER RECEIVED FOR FILING
Date 3/1/95
By [Signature]

Appearing at the hearing on behalf of the Petitions were Michael J. Specht, a representative of Exxon Company, U.S.A., Tim Whittie, Professional Engineer with Fred Ward and Associates, Inc., and G. Scott Barhight, Esquire, attorney for the Petitioner. There were no Protestants present.

It should be noted that the Petition as filed sought relief from Section 259.3.C.7(a) to permit four (4) stationary signs totalling 139.04 sq.ft. in lieu of the permitted one sign of 8 sq.ft. At the onset of the hearing, the Petitioner advised this Deputy Zoning Commissioner that due to a typographical error, the Petition needed to be amended to request four signs of 193.04 sq.ft. total. All County reviewing agencies as well as the Hereford Community Association were fully aware that the signage proposed totalled 193.04 sq.ft. The Petition was amended accordingly and the hearing proceeded.

Testimony and evidence offered revealed that the subject property consists of a gross area of 20,201 sq.ft. zoned B.M.-C.R., and is improved with a two-bay full service gas station. The Petitioner is desirous of converting the existing building to a gas and go facility, with additional multiple-product dispensers and an accessory Tiger Mart convenience store in accordance with Petitioner's Exhibit 2. Testimony revealed that Exxon representatives have met with the Hereford Community Association on several occasions to address their concerns, twice during full meetings of the Association, and in discussions with Donald Pearce, the point person for their zoning committee. In addition, Exxon met with representatives of the Office of Planning and Zoning concerning the design of the proposed facility and subsequently amended its site plan to address all comments and issues raised by the various Baltimore County reviewing agencies. Testimony indicated that the use proposed and related improvements have

ORDER RECEIVED FOR FILING
Date 3/1/95
By [Signature]

- 2 -

the full support of the Hereford Community Association as well as the Office of Planning and Zoning, and all other agencies of Baltimore County.

Furthermore, as is required by Section 405.3, the testimony and evidence demonstrated that there does not exist an abandoned fuel service station within a one-half mile radius of the subject site, or two abandoned service stations within a one mile radius of this site. Therefore, I find that the Petitioner has satisfied the additional requirement imposed upon it pursuant to Section 405.3 of the B.C.Z.R.

It is clear that the B.C.Z.R. permits the use proposed in a B.M.-C.R. zone by special exception. It is equally clear that the proposed use would not be detrimental to the primary uses in the vicinity. Therefore, it must be determined 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 adverse impact above and beyond that inherently associated with such a special exception use, irrespective of its location within the zone. Schultz v. Pritts, 432 A.2d 1319 (1981).

The proposed use will not be detrimental to the health, safety, or general welfare of the locality, nor tend to create congestion in roads, streets, or alleys therein, nor be inconsistent with the purposes

ORDER RECEIVED FOR FILING
Date 3/1/95
By [Signature]

- 3 -

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 should be granted with certain restrictions as more fully described below.

The B.C.Z.R., specifically Section 307.1, establishes a two-step process for the granting of variances. That two-step process was addressed and identified by the Court of Special Appeals in the case of Cromwell v. Ward, No. 617, September Term, 1994. The opinion in that case, issued January 4, 1995 and authored by the Honorable J. Cathell, interpreted our regulations to require the applicant to establish the following:

First, the Applicant (Petitioner) must prove, and this Deputy Zoning Commissioner must find, that the "property whereon structures are to be placed (or uses conducted) is -- in and of itself -- unique and unusual in a manner different from the nature of surrounding properties such that the uniqueness and peculiarity of the subject property causes the zoning provision to impact disproportionately upon that property."

I find from the testimony and evidence presented in this case that the subject property is unique, unusual and different from properties which surround the subject site so as to cause this applicable zoning provision to impact disproportionately upon this particular parcel of land.

Having satisfied this "first step" the Applicant (Petitioner) must proceed to the "second step" of this variance process, which is to show that strict compliance with the zoning regulations for Baltimore County would result in practical difficulty or unreasonable hardship.

The practical difficulty or unreasonable hardship guidelines that have been imposed by the Baltimore County Zoning Regulations (B.C.Z.R.)

ORDER RECEIVED FOR FILING
Date 3/1/95
By [Signature]

- 4 -

have been thoroughly examined and discussed by the appellate courts of this State. In Loyola Federal Savings and Loan Association v. Buschman, 227 Md. 243, 176 A.2d 355 (1961), the Court of Appeals considered the identical regulation to Section 307.1 of the B.C.Z.R.

As the Court noted: "Section 307 of the Regulations uses the two terms (practical difficulty or unreasonable hardship) in the disjunctive." Loyola Federal, p. 358. Thus, by the use of the term "or", Section 307 offers the Petitioner an opportunity to obtain its variance upon satisfaction of either the undue hardship or practical difficulty standard.

The distinction between these standards was clarified by the Court of Special Appeals in Anderson v. Board of Appeals, Town of Chesapeake Beach, 22 Md. App. 28, 322 A.2d 220 (1974). Within that opinion, the Court held that the undue hardship standard applies to a petition for a use variance. The Court noted that a use variance, which permits a use on the property other than that specifically permitted in that particular district, requires the imposition of a higher standard. That is, to allow the change of use for a particular property requires the Petitioner to demonstrate real hardship, where the land cannot allow a reasonable return if used only in accordance with the use restrictions of the ordinance.

Compared with this heavy burden, the Court reviewed the practical difficulty standard applicable for area variances. The Court characterized area variances as having a much less drastic effect than use variances, in that they seek relief only from height, area, setback, or side property line restrictions and would not affect the property's use, per se. The Court envisioned the impact of area variances on the surrounding locale to be less than that generated by use variances, and thus, the lesser practical difficulty standard applies. The prongs of that standard

which must be satisfied by the Petition, as enunciated in Anderson, supra, are as follows:

- 1) whether compliance with the strict letter of restrictions governing area, setbacks, frontage, height, bulk or density would unreasonably prevent the owner from using the property for a permitted purpose or would render conformity with such restrictions unnecessarily burdensome;
- 2) whether a grant of the variance applied for would do substantial injustice to applicant as well as to other property owners in the district or whether a lesser relaxation than that applied for would give substantial relief to the owner of the property involved and be more consistent with justice to other property owners; 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, p. 39. See also McLean v. Soley, 270 Md. 208 (1973) at pps. 214-215.

I find from the testimony and evidence presented at the hearing before me that the Applicants have in fact proven the practical difficulty standards as set forth above and that the variance requested should be granted. I further find that the granting of this variance is in strict harmony with the spirit and intent of the B.C.Z.R. and that the granting of this relief is accomplished without injury to the public health, safety or general welfare.

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

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 1st day of March, 1995 that the Petition for Special Hearing seeking confirmation of the use of the subject property as a fuel service station and approval of the conversion of same from a full

ORDER RECEIVED FOR FILING
Date 3/1/95
By [Signature]

- 5 -

service gasoline station to a gas and go facility, in accordance with Petitioner's Exhibit 2, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that the Petition for Special Exception to permit a fuel service station use on the subject property, in accordance with Petitioner's Exhibit 2, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that the Petition for Variance seeking relief from the Baltimore County Zoning Regulations (B.C.Z.R.) as follows: From Section 259.3.C.7(b) to permit an identification sign of 49.23 sq.ft. per side (98.46 sq.ft. total) in lieu of the permitted 25 sq.ft. per side (50 sq.ft. total); from Section 259.3.C.7(a) to permit four (4) stationary signs of 193.04 sq.ft. total (as amended) in lieu of the permitted 8 sq.ft. and from Section 259.3.C.7(c) to permit said signs to be illuminated, in accordance with Petitioner's Exhibit 2, be and is hereby GRANTED, subject to the following restriction:

- 1) The Petitioners may apply for their permits 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.

Timothy M. Kotrocco
TIMOTHY M. KOTROCCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

ORDER RECEIVED FOR FILING
Date 3/1/95
By [Signature]

- 6 -

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning



Suite 112 Courthouse
400 Washington Avenue
Towson, MD 21204

March 1, 1995

(410) 887-4386

G. Scott Barhight, Esquire
210 W. Pennsylvania Avenue
Towson, Maryland 21204

RE: PETITIONS FOR SPECIAL HEARING, SPECIAL EXCEPTION AND VARIANCE
NW/8 Mt. Carmel Rd. at Goff Rd.
(300 Mt. Carmel Road)
7th Election District - 3rd Councilmanic District
Exxon Corporation - Petitioners
Case No. 95-252-SPHXA

Dear Mr. Barhight:

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

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Zoning Administration and Development Management office at 887-3391.

Very truly yours,

Timothy M. Kotrocco
TIMOTHY M. KOTROCCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

cc: Mr. Michael J. Specht
Exxon Co. U.S.A., 6301 Ivy Lane, Suite 700, Greenbelt, Md. 20770

Mr. Timothy Whittie
Frederick Ward & Assoc., 5 S. Main Street, Bel Air, Md. 21014

People's Counsel

File

250
Petition for Special Hearing
to the Zoning Commissioner of Baltimore County
for the property located at 300 Mount Carmel Road
which is presently zoned BM-CR

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 use the herein described property for

Confirm the existing fuel service station use 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.

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

Contract Purchaser/Lessee:
Name: Exxon Corporation
Address: 210 W. Pennsylvania Ave., 832-2000
Towson, MD 21204

Signature: Market Investment Specialist
Exxon Co. USA (A Division of Exxon Corporation)

City: Towson State: MD Zipcode: 21204

Attorney for Petitioner:
Name: G. Scott Barhight
Address: 210 W. Pennsylvania Ave., 832-2000
Towson, MD 21204

ESTIMATED LENGTH OF HEARING: 1-19-95 WCR

ORDER RECEIVED FOR FILING
Date: 1/19/95
By: [Signature]

250
95-252-SPHXA

250
Petition for Special Exception
to the Zoning Commissioner of Baltimore County
for the property located at 300 Mount Carmel Road
which is presently zoned BM-CR

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.

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.

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

Contract Purchaser/Lessee:
Name: Exxon Corporation
Address: 210 W. Pennsylvania Ave., 832-2000
Towson, MD 21204

Signature: Market Investment Specialist
Exxon Co. USA (A Division of Exxon Corporation)

City: Towson State: MD Zipcode: 21204

Attorney for Petitioner:
Name: G. Scott Barhight
Address: 210 W. Pennsylvania Ave., 832-2000
Towson, MD 21204

ESTIMATED LENGTH OF HEARING: 1-19-95 WCR

ORDER RECEIVED FOR FILING
Date: 1/19/95
By: [Signature]

250
95-252-SPHXA

250
Petition for Variance
to the Zoning Commissioner of Baltimore County
for the property located at 300 Mount Carmel Road
which is presently zoned BM-CR

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)

259.3.C.7.b to permit an identification sign of 49.23 sq. ft. per side in lieu of the permitted 25 sq. ft. per side; 259.3.C.7.a to permit four stationary identification signs of 139.04 sq. ft. in lieu of the permitted 8 sq. ft.; and 259.3.C.7.c to permit illuminated signs.

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.

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

Contract Purchaser/Lessee:
Name: Exxon Corporation
Address: 210 W. Pennsylvania Ave., 832-2000
Towson, MD 21204

Signature: Market Investment Specialist
Exxon Co. USA (A Division of Exxon Corporation)

City: Towson State: MD Zipcode: 21204

Attorney for Petitioner:
Name: G. Scott Barhight
Address: 210 W. Pennsylvania Ave., 832-2000
Towson, MD 21204

ESTIMATED LENGTH OF HEARING: 1-19-95 WCR

ORDER RECEIVED FOR FILING
Date: 1/19/95
By: [Signature]

250
95-252-SPHXA

Frederick Ward Associates, Inc.
ENGINEERS ARCHITECTS SURVIVORS
250
95-252-SPHXA

January 6, 1995

BEGINNING at a point on the northerly side of Mt. Carmel Road which is of variable width at approximately 2180 feet west of the centerline of York Road, MD. Rte. 45. Thence the following courses and distances: by a curve to the right having radius 1809.86 feet and arc length of 125.62 feet, N. 26°26'10" E. 73.50 feet, N. 33°52'00" E. 91.91 feet, S. 58°07'10" E. 128.03 feet, S. 31°52'50" W. 146.64 feet to the place of beginning as recorded in Deed Liber 4621 folio 348.

CONTAINING 20201 square feet or 0.4637 acres of land. Also known as 300 Mt. Carmel Road and situated in the Seventh Election District.

1/6/95

5 South Main Street P.O. Box 727 Bel Air, Maryland 21034 (410) 836-7900 (878-2090) Fax (410) 893-1243

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 7th
Date of Posting: 1/19/95

Posted for: Special Hearing, Special Exception, Variance

Petitioner: Exxon Corporation

Location of property: 300 Mt. Carmel Rd., Co. of Exxtr Co.

Location of Sign: Along road way on property being zoned

Remarks: [Handwritten notes]

Posted by: [Signature]

Number of Signs: 1

250
95-252-SPHXA

receipt
95-252-SPHXA

Account: R 01-6150
Number: 001-6150
DROP-OFF NO REVIEW

Date: 1/19/95

#020 - VARIANCE - \$250.00
#040 - SPECIAL HEARING - \$250.00
#050 - SPECIAL EXCEPTION - \$500.00
#070 - TOTAL COMBINATION - \$650.00
#080 - SIGN POSTING - \$35.00
TOTAL FEES - \$685.00

Exxon Corporation
300 Mt. Carmel Road
Zoning: BM-CR
Acreage: 20,201 square feet
District: 7c3
Attorney: G. Scott Barhight

Check From: Whiteford, Preston & Taylor

32-38000-47-0450
\$685.00

Please Make Checks Payable To: Baltimore County

Cashier Validation

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: 95-252-SPHXA (Item 250)
300 Mt. Carmel Road
NE/S Mt. Carmel Road, corner SE/S Goff Road
7th Election District - 3rd Councilmanic
Legal Owner(s): Exxon Corporation
HEARING: WEDNESDAY, FEBRUARY 22, 1995 at 10:00 a.m. in Room 118, Old Courthouse

Special Hearing to confirm the existing fuel service station use and to convert from full service to gas and go.

Special Exception for a fuel service station.

Variance to permit an identification sign of 49.23 square feet per side in lieu of the permitted 25 square feet per side; to permit 4 stationary identification signs of 139.04 square feet in lieu of the permitted 8 square feet; and to permit illuminated signs.

LAURENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARING SIGN & POST SIGN TO RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 867-3353.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 867-3351.

Baltimore County Government
Office of Zoning Administration and Development Management

111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

JANUARY 26, 1995

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: 95-252-SPHXA (Item 250)
300 Mt. Carmel Road
NE/S Mt. Carmel Road, corner SE/S Goff Road
7th Election District - 3rd Councilmanic
Legal Owner(s): Exxon Corporation
HEARING: WEDNESDAY, FEBRUARY 22, 1995 at 10:00 a.m. in Room 118, Old Courthouse

Special Hearing to confirm the existing fuel service station use and to convert from full service to gas and go.

Special Exception for a fuel service station.

Variance to permit an identification sign of 49.23 square feet per side in lieu of the permitted 25 square feet per side; to permit 4 stationary identification signs of 139.04 square feet in lieu of the permitted 8 square feet; and to permit illuminated signs.

Arnold Jablon
Director

cc: G. Scott Barhight, Esq., 210 W. Pennsylvania Avenue, Towson, MD 21204

NOTES: (1) HEARING SIGN & POST SIGN TO RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 867-3353.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 867-3351.

CERTIFICATE OF PUBLICATION

TOWSON, MD., Feb 3, 1995

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on Feb 2, 1995

THE JEFFERSONIAN,
LEGAL AD. TOWSON

NOTES: (1) Hearings are handicapped accessible; for special accommodations please call 867-3353.
(2) Offer information concerning the file and/or hearing, please call 867-3351.
2095 February 2

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 013457

DATE: 1/31/95 AMOUNT: 001-6150

AMOUNT \$ 120.00 (JLL)

RECEIVED FROM: Commodore Development Consultants

7710 - VERIFICATIONS (3)
9525 Liberty Road
8101 Belair Road
300 Mt. Carmel Road
TOWSON, MD 21204
\$120.00

LAURENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

LAURENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARING SIGN & POST SIGN TO RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 867-3353.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 867-3351.

Printed with Raytheon Ink on Recycled Paper

Baltimore County Government
Office of Zoning Administration
and Development Management

111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

February 15, 1995

G. Scott Barhight, Esquire
210 W. Pennsylvania Avenue
Towson, Maryland 21204

RE: Item No.: 250
Case No.: 95-252-SPHXA
Petitioner: Exxon Corporation

Dear Mr. Barhight:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approving agencies, has reviewed the plans submitted with the above referenced petition. Said petition was accepted for processing by the Office of Zoning Administration and Development Management (ZADM), Development Control Section on January 19, 1995.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties; i.e., zoning commissioner, attorney, petitioner, etc. are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Joyce Watson in the zoning office (887-3391).

Sincerely,

W. Carl Richards, Jr.
W. Carl Richards, Jr.
Zoning Supervisor

WCR/jw
Attachment(s)

Printed with Soybean Ink
on Recycled Paper

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
INTER-OFFICE CORRESPONDENCE

TO: Mr. Arnold Jablon, Director
Zoning Administration and
Development Management

February 9, 1995

FROM: J. Lawrence Pilson
Development Coordinator, DEPRM

SUBJECT: Zoning Item #250 - Exxon Corp.
300 Mt. Carmel Road
Zoning Advisory Committee Meeting of January 30, 1995

The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item.

Ground Water Management

Site is currently improved with a full service gas station. Total site area is 20, 201 sq. ft.

Food preparation will not be allowed for the proposed "Tiger Mart" due to the severely limited area that is available on-site to make future sewage disposal system corrections.

Additionally, the facility shall be required to use low-consumption plumbing fixtures to reduce the risk of hydraulically overloading the existing on-site sewage disposal system.

A groundwater contamination case exists at this site. Active groundwater remediation was performed and may still be ongoing. As a result, water samples must be collected from the domestic well serving the building and analyzed for benzene, toluene, ethyl benzene, total xylene (BTEX) and methyl tert butyl ether (MTBE). The results must be submitted to this office for review prior to issuance of a use and occupancy permit.

Please direct any questions to Mr. Tom Ernst at 887-2762.

Development Coordination

Please provide this office with a well abandonment report for the abandoned well shown on plan so that we may determine whether the well has been properly abandoned.

JLP:TE:LS:sp

EXXON/DEPRM/TXTSBB

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Zoning Administration &
Development Management

FROM: Pat Keller, Director
Office of Planning and Zoning

DATE: February 7, 1995

SUBJECT: 300 Mount Carmel Rd.

INFORMATION:

Item Number: 250

Petitioner: Exxon Corporation

Property Size: .46 acres

Zoning: BM-CR

Requested Action: Special Hearing, Special Exception & Variance

Hearing Date: / /

SUMMARY OF RECOMMENDATIONS:

Section 26-282 (2) of the Baltimore County Development Regulations requires the Director of Planning to make compatibility recommendations to the Hearing Officer for development in CR Districts.

Accordingly, the Director of the Office of Planning and Zoning finds (1) the proposed fuel service station building is similar to existing buildings in the area in terms of height, bulk and general massing; major divisions or rhythms of the facade; proportion of openings, roof treatment, materials, colors, and texture of the structures; (2) the proposed sign is consistent with the goals of the Hereford Plan; and (3) the proposed site improvements meet the spirit and intent of the Baltimore County Zoning Regulations.

Therefore, the Office of Planning and Zoning recommends that the applicant's request be granted.

Prepared by: Jeffrey M. Long

Division Chief: Gary Lewis

PK/JL

ITEM250/PZONE/TXTJWL

Pg. 1

Baltimore County Government
Fire Department

700 East Joppa Road Suite 901
Towson, MD 21286-5500

(410) 887-4500

DATE: 02/07/95

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: SEE BELOW

LOCATION: DISTRIBUTION MEETING OF JAN.30, 1995.

Item No.: SEE BELOW

Zoning Agenda:

Settlement:

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

G. The Fire Marshal's Office has no comments at this time. REFERENCE TO THE FOLLOWING ITEM NUMBERS: 237,244,247,248,249, 250 AND 251.

REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File

Printed on Recycled Paper

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Zoning Administration and Development Management

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

RE: Zoning Advisory Committee Meeting
for February 6, 1995
Item No. 250

The Developers Engineering Section has reviewed the subject zoning item. This site is subject to the previous landscape review comments.

RWB:sw

Baltimore County Government
Office of Zoning Administration
and Development Management

111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

February 27, 1995

G. Scott Barhight, Esquire
210 W. Pennsylvania Avenue
Towson, Maryland 21204

RE: Case No. 95-252-SPHXA
Petitioner: Exxon Corp.

Dear Mr. Barhight:

Enclosed are copies of comments received from SHA on February 23, 1995 for the above-referenced case.

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

Sincerely,

Joyce Watson
Joyce Watson

/jw

Enclosure

Printed with Soybean Ink
on Recycled Paper

SHA
Maryland Department of Transportation
State Highway Administration

David L. Winstead
Secretary
Hal Kassoff
Administrator

February 23, 1995

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

Re: Baltimore County
MD 137
Exxon Company U.S.A.
Special Hearing
Special Exception and
Variance request
Item # +250 (WCR)
Mile Post 8.07

Dear Ms. Watson:

This letter is in response to your request for our review of the referenced item.

A review of the State Highway Administration's (SHA) current and long range planning documents reveals that MD 137 is not identified for roadway improvements in this area.

A field inspection of the property reveals the existing entrances and curb and gutter along the property frontage on MD 137 are in an acceptable condition.

Therefore, we have no objection to approval of the referenced special hearing, special exception and variance request subject to a hydraulic analysis for the proposed storm drain within SHA right-of-way being required prior to the issuance of building permits for this development.

Upon gaining final approval of the proposed storm drain connection through our Hydraulic Section, the developer must contact Mr. Joseph McMahon, District Utilities Engineer, at 410-321-3456 in order to obtain the permit necessary to construct the proposed storm drain connection.

Please contact Bob Small at 410-333-1350 if you have any questions.

My telephone number is 410-333-1350 (Fax# 333-1041)
Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2256 Statewide Toll Free
Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

Ms. Joyce Watson
Page Two
February 23, 1995

Thank you for the opportunity to review this plan.

Very truly yours,

Ronald Burns, Chief
Engineering Access Permits
Division

BS/es

cc: Mr. Joseph McMahon w/att.

Baltimore County Government
Office of Zoning Administration
and Development Management

111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

January 30, 1995

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

RE: Preliminary Petition Review (Item #250)
Legal Owner: Exxon Corporation
300 Mt. Carmel Road
Limited Exemption #95-018-Z
7th 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 has revealed unaddressed zoning issues and/or incomplete information. The following comments 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.

1. The name of the agent signing for Exxon is illegible. His name and title must also be printed or typed under the signature line.
2. The point of beginning and street distance to intersection is not shown on the plan.

Printed with Soybean Ink
on Recycled Paper

G. Scott Barhight, Esquire
January 30, 1995
Page 2

3. See the attached limited exemption comments for additional required revisions and an additional possible variance requirement.

4. Title the plan "Variance Plan" in addition to the Special Exception.

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

c: Zoning Commissioner
Susan Wimbley

EXXON
300 Mt. Carmel Road
95-018-Z

Limited Exemption
Plan Date: 12/20/94
Comments Due: 2/10/95
Comments Date: 1/27/95
Comments Completed: 1/30/95

1. This plan is identical to the plan filed under zoning case #95-252-SPHXA. Zoning final approvals are subject to the outcome of the zoning public hearings and compliance with the (blue) commercial checklist requirements for building permit applications.
2. Zoning notes #2 and #3 for the 1,000 square foot store area on the plans as compared to the actual Tiger Mart dimensions of 27 feet x 53 feet (which equals 1,431 square feet) reveals a discrepancy which must be corrected in the calculations by using the correct 1,431 square feet dimensions.
3. Be aware that state regulations exempt fuel pricing signs required by state law for fuel service stations from local jurisdictional regulations.
4. Confirm with the Office of Planning and Zoning (OPZ) that the air/water station and free-standing sign locations in the landscape transition area comply with landscape manual requirements. Variance any noncompliance.

Any requests for further information from the Zoning Office must include a reference to the limited exemption file #95-018-Z and written correspondence or revised plans must be accompanied by a copy of these comments.

John L. Lewis
JOHN L. LEWIS
Planner II

JLL:scj

Printed with Soybean Ink
on Recycled Paper

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 OPC 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.

Printed with Soybean Ink
on Recycled Paper

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

RE: PETITION FOR SPECIAL HEARING
PETITION FOR SPECIAL EXCEPTION
PETITION FOR VARIANCE
300 Mt. Carmel Road, NE/S Mt. Carmel Rd.,
corner SE/S Goff Road, 7th Election
District, 3rd Councilmanic
Exxon Corporation
Petitioners

BEFORE THE
ZONING COMMISSIONER
OF BALTIMORE COUNTY
CASE NO. 95-252-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

Carole S. Demilio
CAROLE 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 14th day of February, 1995, a copy of the foregoing Entry of Appearance was mailed to G. Scott Barhight, Esquire, 210 W. Pennsylvania Avenue, Towson, MD 21204, attorney for Petitioners.

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

Printed with Soybean Ink
on Recycled Paper

Commodari Development Consultants & Assoc., Inc.
3410 Woodstock Avenue
Baltimore, Maryland 21213
(Pager) 410-291-2598 (Office) 410-235-6811
(FAX) 410-467-8928

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 Swam, 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.

RECEIVED
JAN 30 1996
PDM

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME

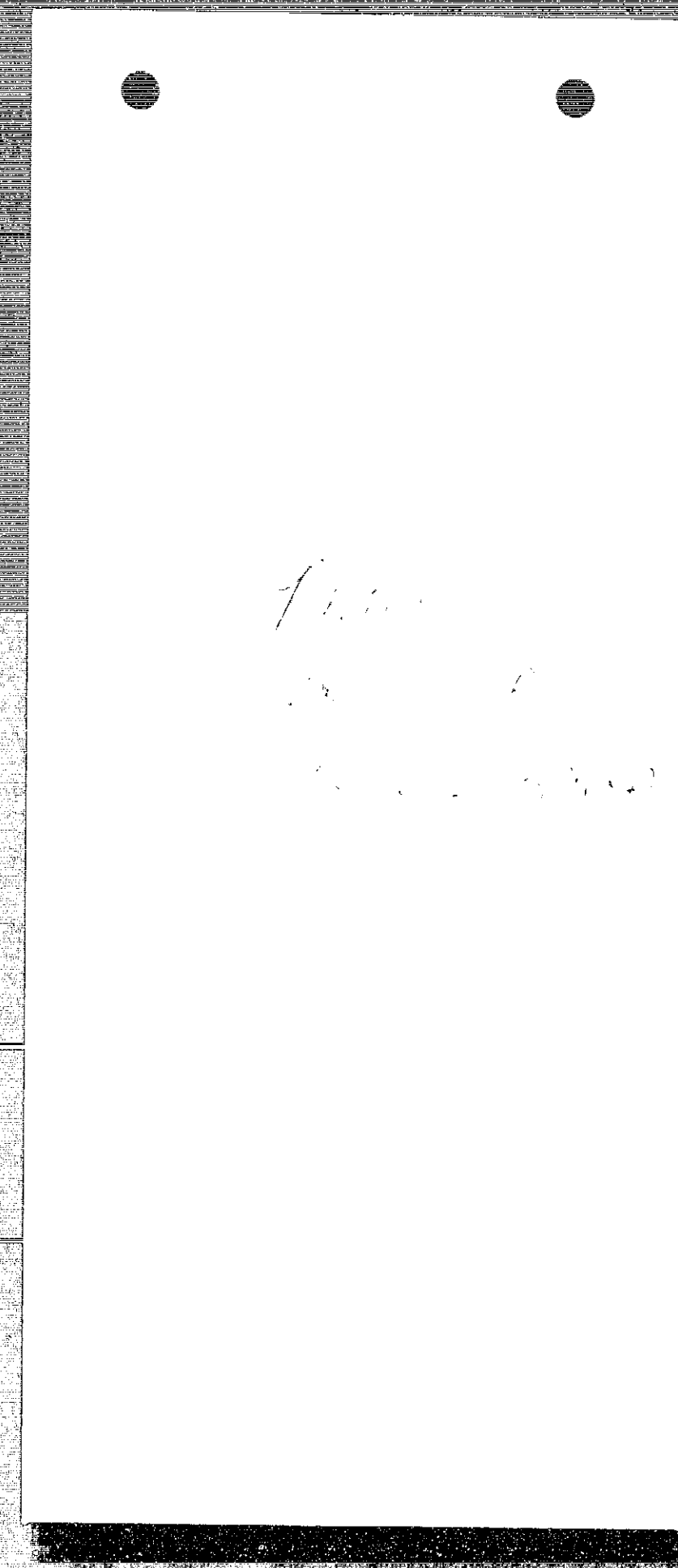
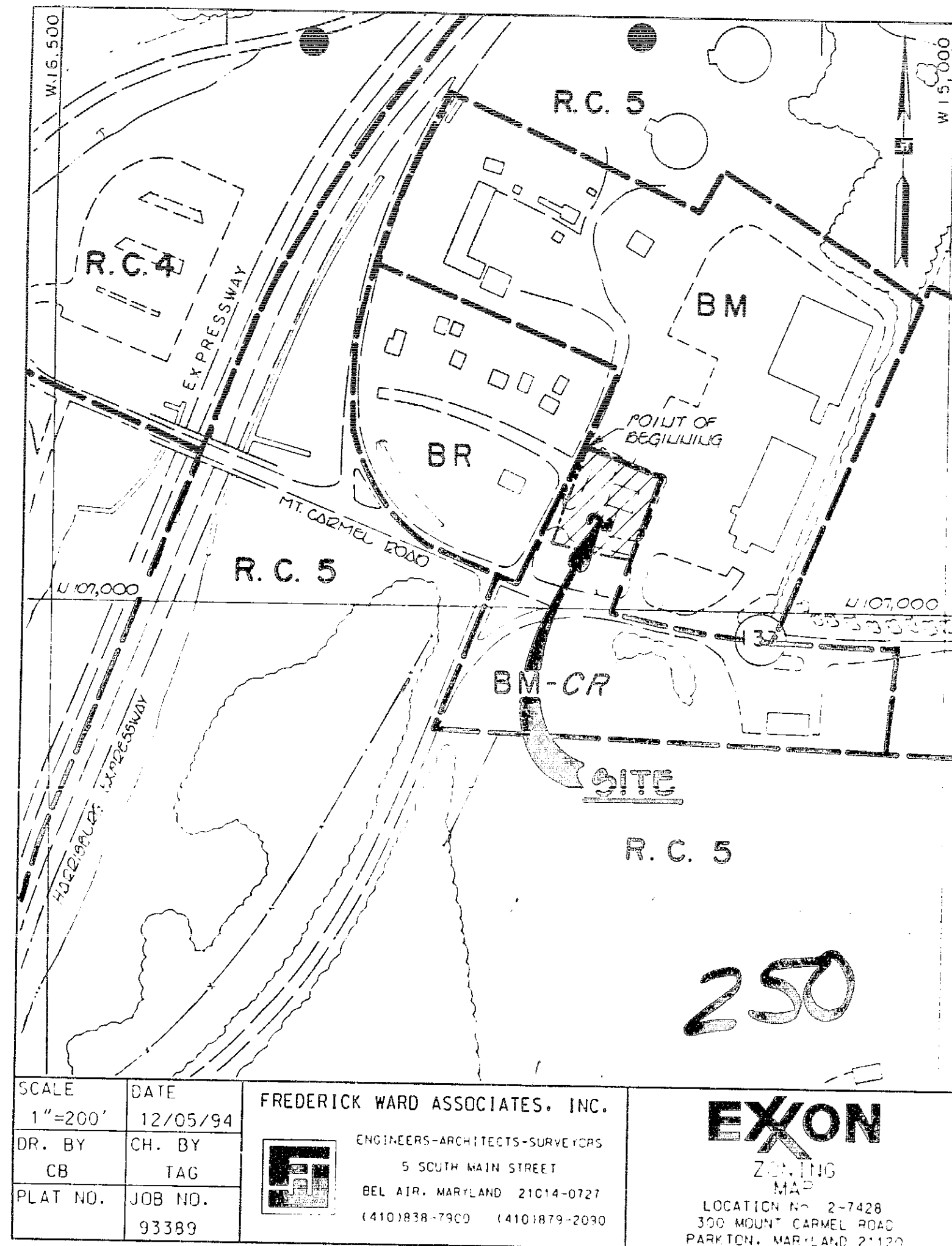
Timothy Whittie

MICHAEL J. SPECHT

ADDRESS

FREDERICK WARD ASSOCIATES
5 SOUTH MAIN ST., Bel Air MD21014

BRIDGE CO. 14500
6001 WYOMING AVE. STE 700 GREENBELT MD 20770



OLD MOUNT
CARMEL ROAD

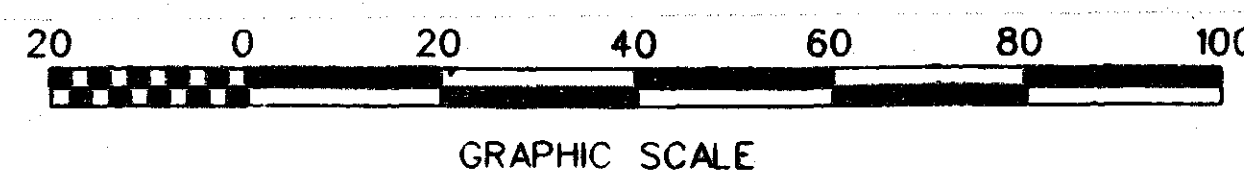
RITTENHOUSE FUEL
COMPANY
P.3
L.5674.F.290
ACCOUNT No. 7-0706020147
ZONED: BR

AREA E. TRACEY
NELLIE E. TRACEY
P.14
L.3642.F.199
ACCOUNT No. 7-1600009922
ZONED: BR

GOFT ROAD

MT. CARMEL ROAD MARYLAND ROUTE 137

(SRC PLAT NUMBER 12066 & 23049)(VARIABLE WIDTH)



This Revised Plan Is
Sealed and Certified to
be in accordance with
all Agency Comments

OWNER/DEVELOPER/APPLICANT
EXON COMPANY, U.S.A.
6301 IVY LANE
SUITE 700
GREENBELT, MARYLAND 20770
PHONE: (1301)513-7511
ATTN: MR. MIKE SPECHT



FREDERICK WARD ASSOCIATES INC.
ENGINEERS • ARCHITECTS • SURVEYORS
5 SOUTH MAIN STREET
(410) 838-7900
BEL. AP. MARYLAND
(410) 879-2080

DATE	REVISIONS	BY	CHK.
12/27/92	VACUUM ADDED PER EXON REQUEST	ECB	MPQ

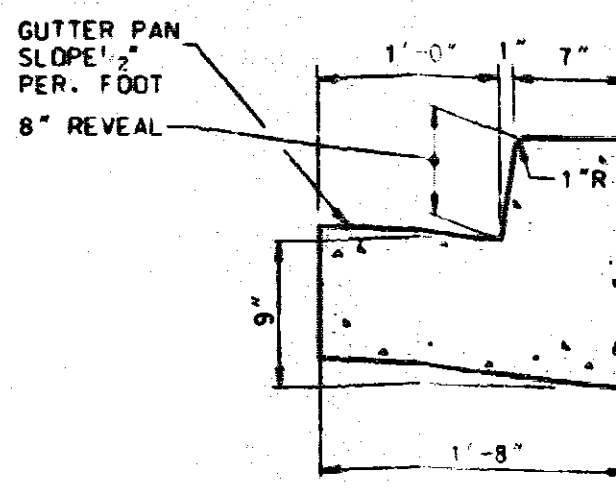
EXON COMPANY, U.S.A.

Marketing Department
DATE: 03/28/1993
DRAWN BY: MSN
CHK. BY: TC
SCALE: 1" = 20'

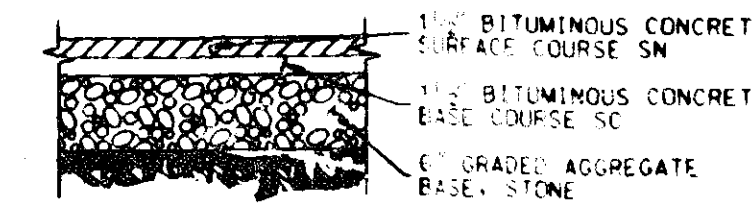
SITE LAYOUT PLAN

FOR AN EXON STATION AT
300 MOUNT CARMEL ROAD
PARKTON, MARYLAND 21220
SEVENTH ELECTION DISTRICT, THIRD CONGRESSIONAL DISTRICT

PROJECT NO.
03309-02
DISC. NO.
POSITIONS SHOWN
BAS. NO.
2-7429
DWG. NO.
82 OF 82



MD SHA TYPE 'A'
CONCRETE CURB AND GUTTER
NOT TO SCALE



MD SHA ENTRANCE PAVING
NOT TO SCALE

GENERAL NOTES

- B.S. - BUILDING SUPPLIER
 - G.C. - GENERAL CONTRACTOR
 - E. - EXON
 - O. - OTHER
 - ★ - BUILDING ORIENTATION POINT
 - 239--- - EXISTING CONTOUR
 - 239- - PROPOSED CONTOUR
 - 239.5- - PROPOSED SPOT ELEVATION
 - (12) - IMPROVEMENT ITEM
 - (2) - NEW CONCRETE (ON PLAN)
 - (ETR) - EXISTING TO REMAIN
 - - INDICATES TRAFFIC FLOW ONLY (DOES NOT REFLECT PAINTED TRAFFIC CONTROLS)
1. ALL UTILITY CONNECTIONS ARE TO BE AS PER LOCAL CODE BY G.C.
 2. G.C. TO PROVIDE CONDUIT & WIRING TO ALL EXON I.D. SIGNS & CONDUIT ONLY TO PUBLIC TELEPHONE BOOTH.
 3. SITE PLAN SUPERSEDES ALL WORKING DRAWINGS.
 4. UNLESS OTHERWISE NOTED, ALL PANY TO BE FURNISHED BY G.C.
 5. GENERAL CONTRACTOR SHALL BE RESPONSIBLE FOR ALL MATERIALS AND CONSTRUCTION AS SHOWN ON PLANS UNLESS OTHERWISE NOTED.

ITEM NUMBER	FURNISHED BY	INSTALLED BY	DRAWING NUMBER
1	BS	BS	BUILDING TYPE 127-55' EXON SHOP W/3 PHASE
2	GC	GC	ELECTRIC 120/208 SECURITY CASHIER ENCLOSURE (YES) (NO BRICK/STUCCO)
3	GC	GC	BUILDING DOWNSPOUTS DRAIN IN UNDERGROUND (ABOVE GROUND)
4	GC	GC	BUILDING SIGN 77.78 SO. FT.
5	GC	GC	HANDICAPPED RAMP PER BALTIMORE COUNTY CODES.
6	BS	BS	CANOPY / ISLANDS
7	E	GC	PROPOSED CANOPY TYPE (44'-0" x 76'-6" (SPECIAL DESIGN))
8	E	GC	DISPENSING EQUIPMENT (1) 100 ADVANTAGE W/CRIND (1) DIESEL DISPENSER
9	E	GC	TRANSC SYSTEM TOR-12 (2 REQUIRED)
10	GC	GC	BED INULUM FANGA SYSTEM W/ (2) EXON SIGNS (WIRING BY GC)
11	E	GC	CANOPY DOWNSPOUT DRAINS (1) UNDERGROUND (1) ABOVE GROUND
12	E	GC	TOP MAT (BLANK) (15 EACH)
13	E	GC	YARD AREA - TANKS
14	E	GC	EX. TANKS FOR MOTOR FUELS (1) 1110 K) REGULAR (ETR) (1) 1110 K) PLUS (ETR) (1) 1110 K) SUPREME (ETR) (1) 1110 K) DIESEL (ETR)
15	E	GC	STP W/LEAK DETECTORS (8) 1 1/2 HP
16	E	GC	ENVIROFLEX PRODUCT PIPING
17	GC	GC	VAPOR RECOVERY SYSTEM (STAGE I AND II)
18	GC	GC	YARD AREA - OTHER
19	GC	GC	ASPHALT PAVING PER EXON SPECIFICATIONS (7" DEPTH) PER EXON ENGINEER. EX ASPHALT TO BE MILLED FOR RESURFACING
20	GC	GC	CONCRETE W/3 REBAR 18" O.C. EACH WAY
21	GC	GC	6" CURB WITH 18" GUTTER
22	GC	GC	INSTALL (1) HANDICAPPED PARKING ONLY SIGN PER ADA & LOCAL CODE
23	E	GC	1.5" NEW YARD LIGHTS FIXTURES & POLES
24	E	GC	AIR/WATER WITH INFORMATION SIGN
25	GC	GC	3" x 6" x 4" REINFORCED CONCRETE MAT W/CONDUIT FOR PUBLIC TELEPHONES
26	GC	GC	LANDSCAPE / IRRIGATION
27	GC	GC	TRASH ENCLOSURE W/ 6" CONCRETE SLAB
28	E	GC	EX. MAJOR I.D. SIGN (1) 11.11 SO. FT. EXON LOGO (PROPOSED) (1) 15.93 SO. FT. ANCILLARY (TIGER MART) (PROPOSED) (1) 10.38 SO. FT. ANCILLARY (DIESEL) (PROPOSED)
29	GC	GC	BUILDING SAN. SEWER SERVICE TIE INTO EXISTING SAN. SEWER LINE PER EXON'S FIELD ENGINEER & PER BALTIMORE CO. CODES.
30	GC	GC	BUILDING 1 1/2" WATER SUPPLY PER EXON'S FIELD ENGINEER & PER BALTIMORE COUNTY CODES.
31	GC	GC	BUILDING ELECTRICAL & TELEPHONE SERVICE ROUTE UNDERGROUND PER EXON'S FIELD ENGINEER & PER BALTIMORE CO. CODES.
32	GC	GC	WATCH EXISTING CURB AND GUTTER FOR GRADE AND LOCATIONS.
33	GC	GC	BALTO CO STD TYPE BR D-2.32 (MODIFIED DEPTH)
34	GC	GC	MD SHA STD W/ 385.0
35	GC	GC	EXON TRUCK DRAIN
36	GC	GC	18" RCP W/ REINFORCING GRATE R-4050
37	GC	GC	RELOCATED STOP SIGN
38	GC	GC	RELOCATED NO-PARKING/STANDING SIGN
39	BS	GC	INSTALL NEW MANHOLE ON EX. WELL
40	GC	GC	EX SEPTIC TANK
41	GC	GC	EX SEPTIC TANK ABSORPTION TRENCH
42	GC	GC	MONOLITHIC CURB
43	GC	GC	NOSE DOWN CURB AND GUTTER IN 2'
44	GC	GC	MD SHA TYPE 'A' CURB AND GUTTER TO RIGHT-OF-WAY LINE ON CURB FILET
45	GC	GC	MD SHA ENTRANCE PAVING
46	GC	GC	ADJUST TOP OF VAULT ON ABANDONED WELL
47	GC	GC	BALTO CO SINGLE BR D-2.35
48	GC	GC	EXON STD VALLEY GUTTER
49	GC	GC	MD SHA TYPE 'C' ENDWALL MD STD 354.01
50	GC	GC	RIPRAP PER MD SHA PERMIT
51	GC	GC	SAN CUT EXISTING PAVING
52	GC	GC	VACUUM PER EXON SPECIFICATIONS (204)

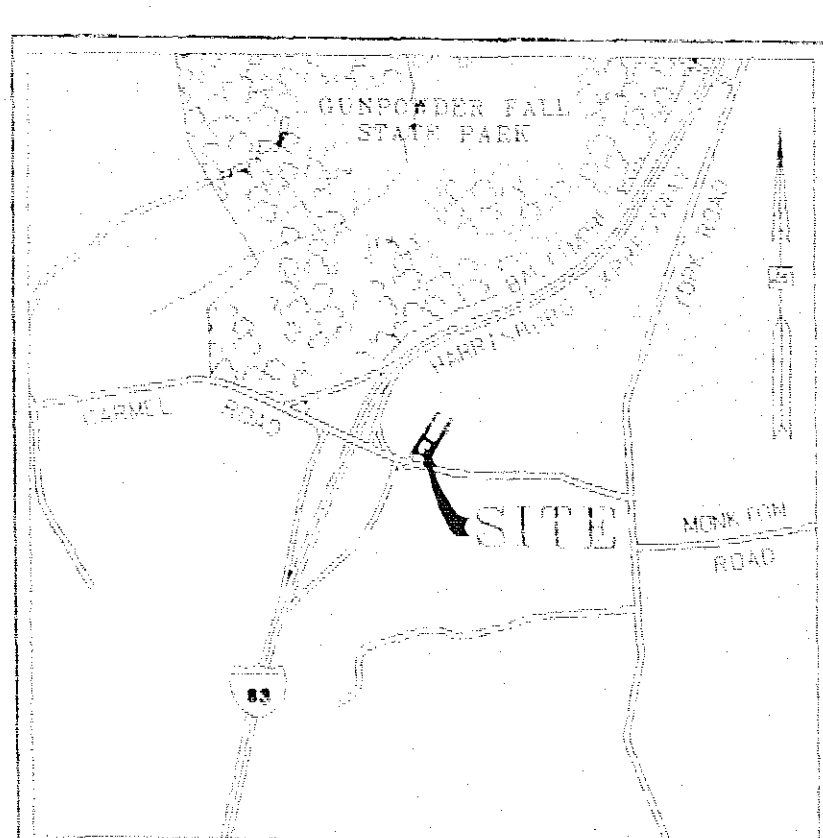
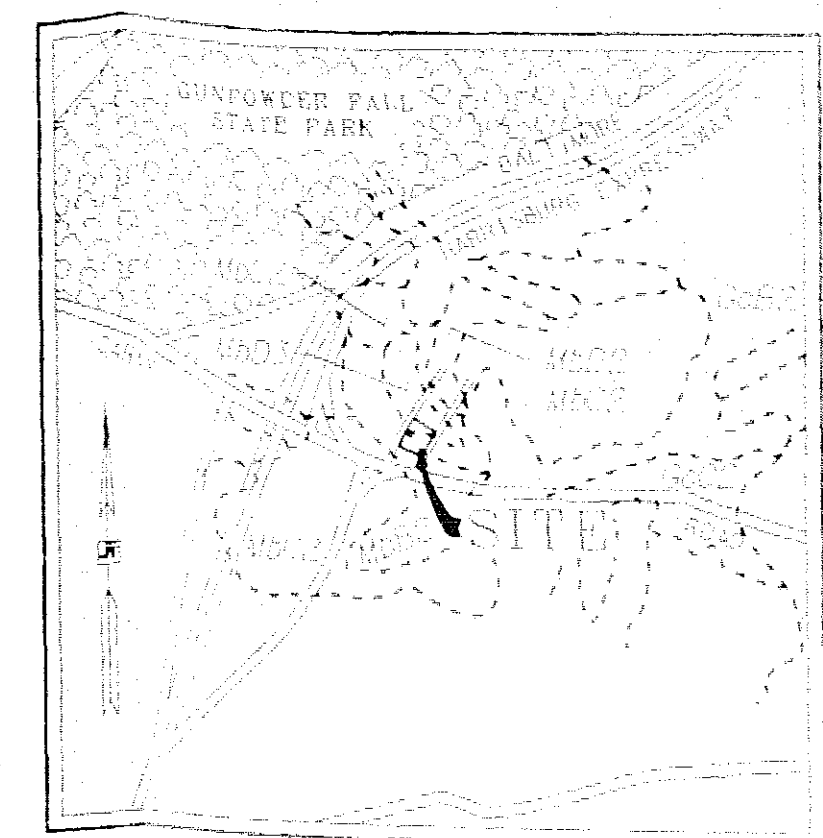
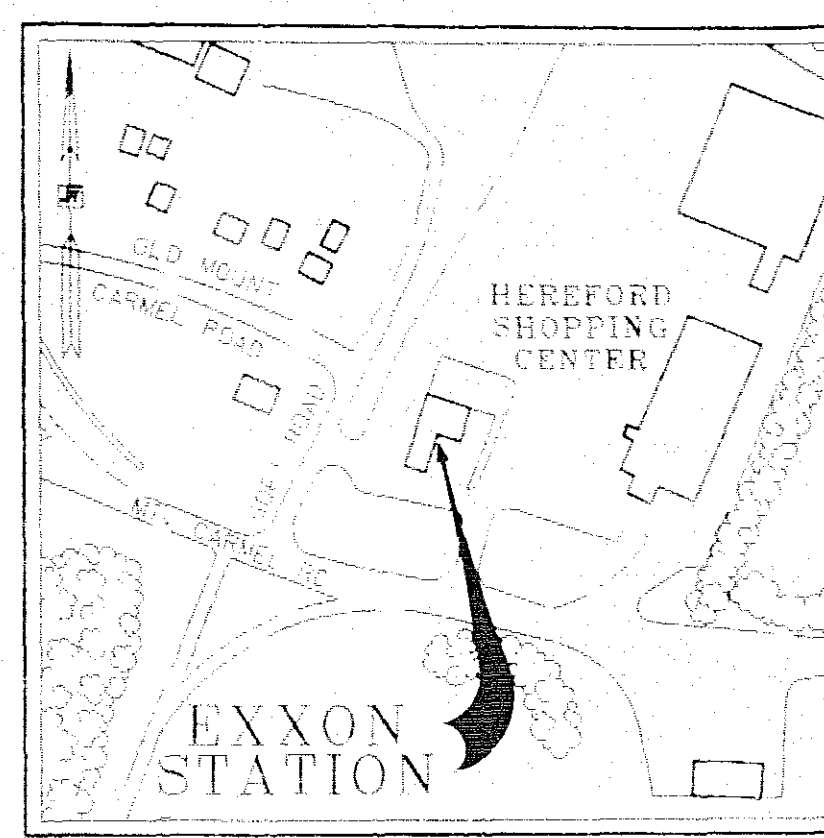
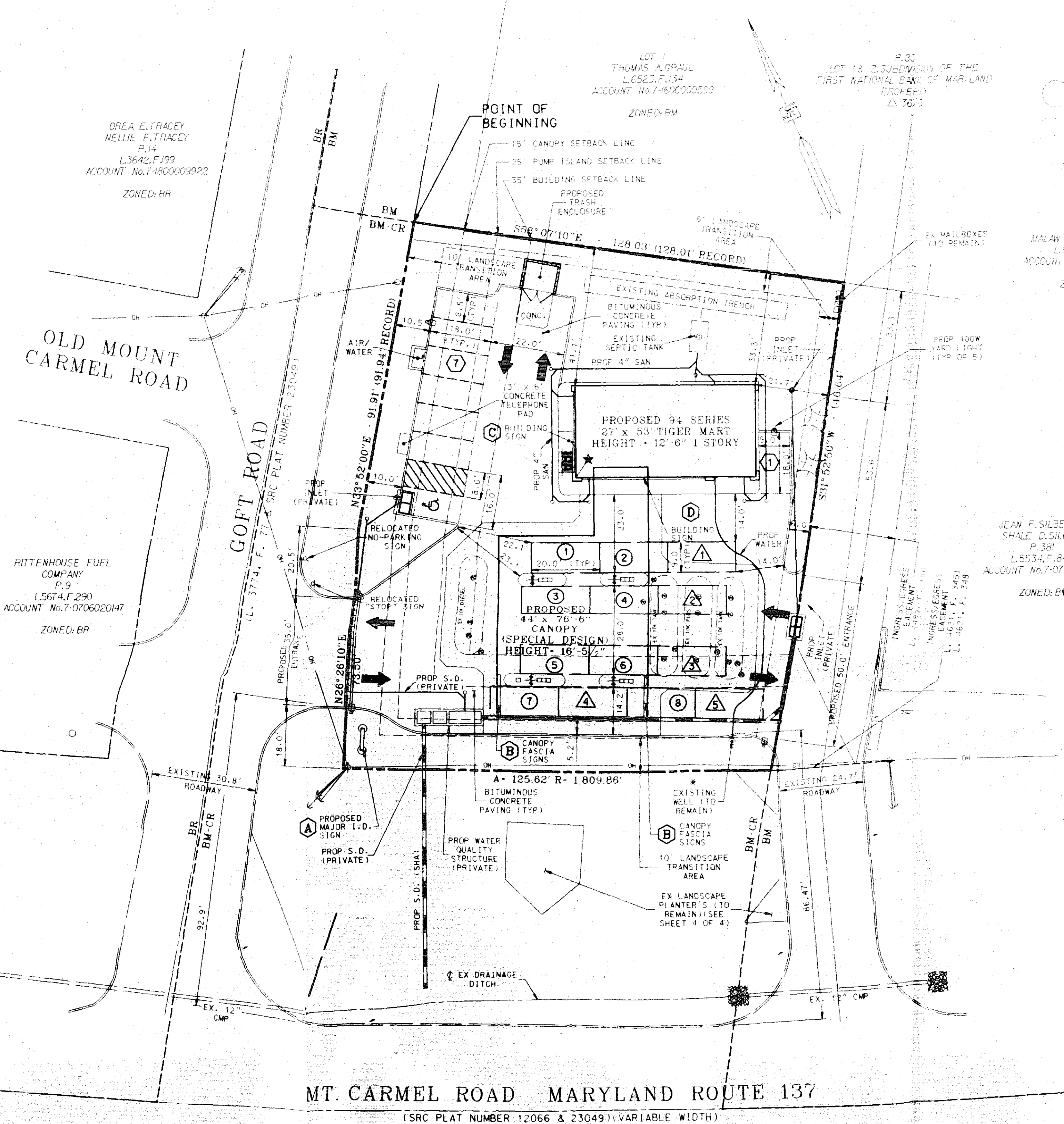
ZONING NOTES

1. ZONING HISTORY IN ACCORDANCE WITH ZONING OFFICE '71 ZONING MAP: NONE.
2. APPROVAL OF THE FOLLOWING ZONING REQUESTS GRANTED MARCH 1, 1995 CASE NO. 95-252-SPHX4
 - A. SPECIAL HEARING TO CONVERT FROM FULL SERVICE TO GAS AND GO AND TO CONFIRM EXISTING SERVICE STATION USE, AND SPECIAL EXCEPTION FOR FUEL SERVICE STATION IN RM-CR ZONE.
 - B. VARIANCE REQUIRED
 1. VARIANCE TO SECTION 259.3C(7B) PERMITTING THE REPLACEMENT OF THE EXISTING 10 SIGN WITH A NEW 10 SIGN WITH AN AREA OF 49.23 SO. FT. EACH SIDE IN LIEU OF THE PERMITTED 25 SO. FT. EACH SIDE.
 2. VARIANCE TO SECTION 259.3C(7A) PERMITTING FOUR (4) STATIONARY BUILDING IDENTIFICATION SIGNS FOR A TOTAL OF 193.04 SO. FT. IN LIEU OF ONE STATIONARY BUILDING IDENTIFICATION SIGN NOT TO EXCEED EIGHT (8) SO. FT.
 3. VARIANCE TO SECTION 259.3C(7C) PERMITTING ILLUMINATED SIGNS IN LIEU OF NON-ILLUMINATED SIGNS IN A C.R. DISTRICT.

SITE INFORMATION

1. GROSS SITE AREA: 20,201 SO. FT. OR 0.4637 ACRES
2. NET SITE AREA: 20,201 SO. FT. OR 0.4637 ACRES
3. FLOOR AREA: 1,431 SO. FT.
4. FLOOR AREA RATIO: 0.071
5. DEED REFERENCE: L. 4621 F. 348
6. TAX ACCOUNT NO.: 7-0707083070
7. ELECTION DISTRICT: 7
8. COUNCILMANIC DISTRICT: 3
9. EXISTING USE: 2 BAY FULL SERVICE STATION
10. PROPOSED USE: GAS AND GO AND CONVENIENCE STORE
11. ZADM NUMBER: #V11-305
12. LTO EXEMPTION NUMBER: #MS-018-2

95-252-SRHX A



SOILS INFORMATION

SOILS TYPE	DESCRIPTION
MANDOR LOAM: MND2	SANDY LOAM
MANDOR LOAM: MND3	SANDY LOAM
MANDOR LOAM: MND3	SANDY LOAM

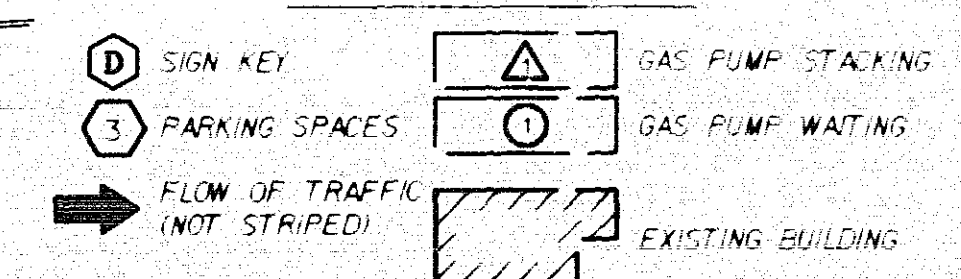
SITE INFORMATION

- GROSS SITE AREA: 20.20 ACRES OR 0.4637 ACRES
- NET SITE AREA: 20.20 ACRES OR 0.4637 ACRES
- FLOOR AREA: 1,431 SQ. FT.
- FLOOR AREA RATIO: 0.07
- TAX ACCOUNT NO.: 7-07060500
- ELECTION DISTRICT: 7
- COUNCILMANIC DISTRICT: 3
- EXISTING USE: 2-BAY FULL SERVICE STATION
- PROPOSED USE: GAS AND CONVENIENCE STORE
- CENSUS TRACT: 4070
- EXISTING IMPERVIOUS AREA: 15,643 SQ. FT.
- PROPOSED IMPERVIOUS AREA: 14,056 SQ. FT.
- PROPOSED LANDSCAPED AREA: 6,145 SQ. FT.
- THE SITE IS NOT WITHIN THE 100 YEAR FLOOD PLAIN
- THERE ARE NO WETLANDS WITHIN THE SITE BOUNDARIES.
- ESTIMATED AVERAGE DAILY TRIPS = 730
- A B9 LIMITED EXEMPTION HAS GRANTED FOR THE SITE ON NOVEMBER 21, 1994.
- THERE IS NO MASS TRANSIT SERVICE TO THE SITE.
- THE SITE IS NOT WITHIN A DESIGNATED AREA OF CRITICAL STATE CONCERN.
- THERE ARE NO ABANDONED FUEL SERVICE STATIONS WITHIN ONE MILE OF THE SITE.
- THE SITE IS EXEMPT FROM OPEN SPACE REQUIREMENTS.
- RESTROOMS ARE PROVIDED FOR CUSTOMERS PER SECTION 405.9.3.B OF THE B.C.Z.R.
- A STORMWATER MANAGEMENT QUANTITY WAIVER WILL BE APPLIED FOR.

ZONING NOTES

- A. ZONING STATUS**
- EXISTING ZONING: EW-2
 - PROPOSED ZONING: EW-2
- B. AREA REQUIREMENTS**
- 4 DISPENSER ISLANDS WITH THE 4 MULTI-PHASE DISPENSERS AND 1 DIESEL DISPENSER SERVING A TOTAL OF 8 CARS AT ONE TIME. SERVING SPACES REQUIRED: 8. SERVING SPACES PROVIDED: 8. SITE AREA REQUIRED: 1,500 SQ. FT./SPACE = 12,000 SQ. FT.
 - ANCILLARY USES: CONVENIENCE STORE: 4,000 SQ. FT. RETAIL AREA = 4,000 SQ. FT.
 - TOTAL SITE AREA REQUIRED: 12,000 SQ. FT. + 4,000 SQ. FT. = 16,000 SQ. FT. PROVIDED: 20,201 SQ. FT.
- C. ACCESS POINTS**
- EXISTING:
 - A. ONE (1) 35' x 47' ENTRANCE ONTO 60' ROAD
 - B. ONE (1) 61' x 47' ENTRANCE ONTO HEREFORD SHOPPING CENTER INGRESS/EGRESS EASEMENT
 - PROPOSED:
 - A. ONE (1) 35' ENTRANCE ONTO 80' ROAD
 - B. ONE (1) 47' ENTRANCE ONTO HEREFORD SHOPPING CENTER
- D. PARKING**
- REQUIRED: 1 SPACE PER EMPLOYEE ON LARGEST SHIFT = 1 x 2 = 2 SPACES
3 SPACES PER 1,000 SQ. FT. GROSS FLOOR AREA = 3 x 1,431 SQ. FT. = 4,293 SPACES
TOTAL PARKING REQUIRED = 2.3 SPACES = 8 SPACES PROVIDED: 8 SPACES (INCLUDING 1 HANDICAP SPACE)

LEGEND



SPECIAL EXCEPTION PLAN

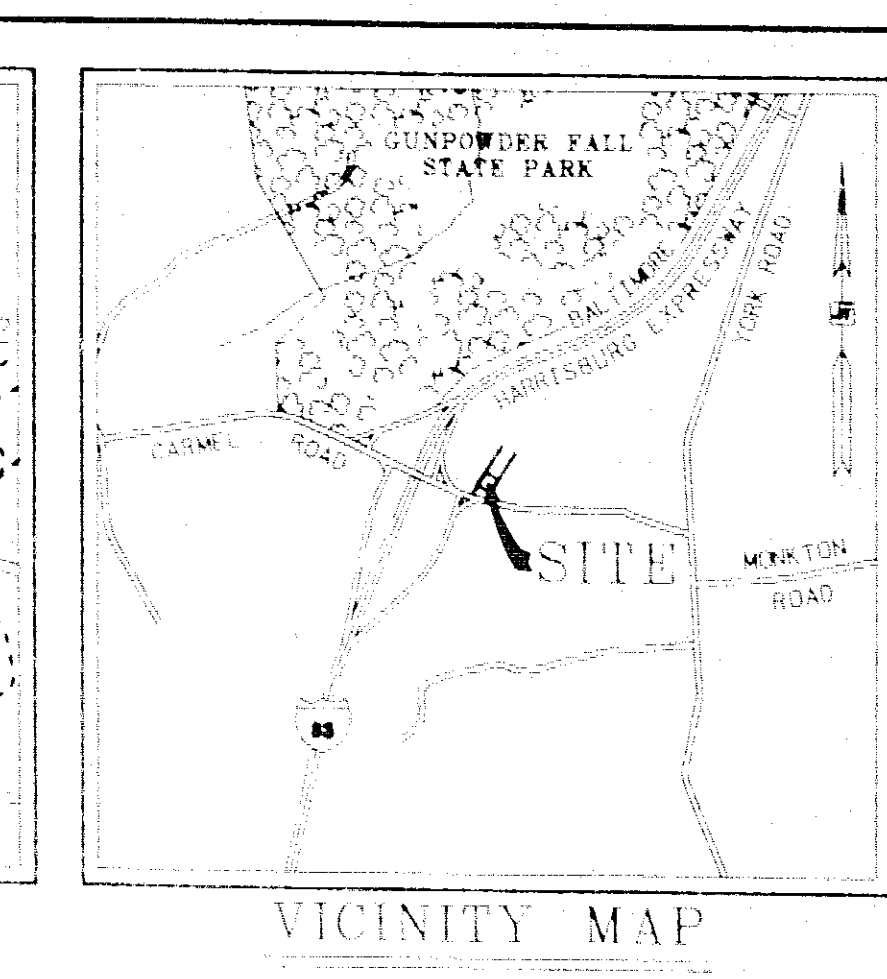
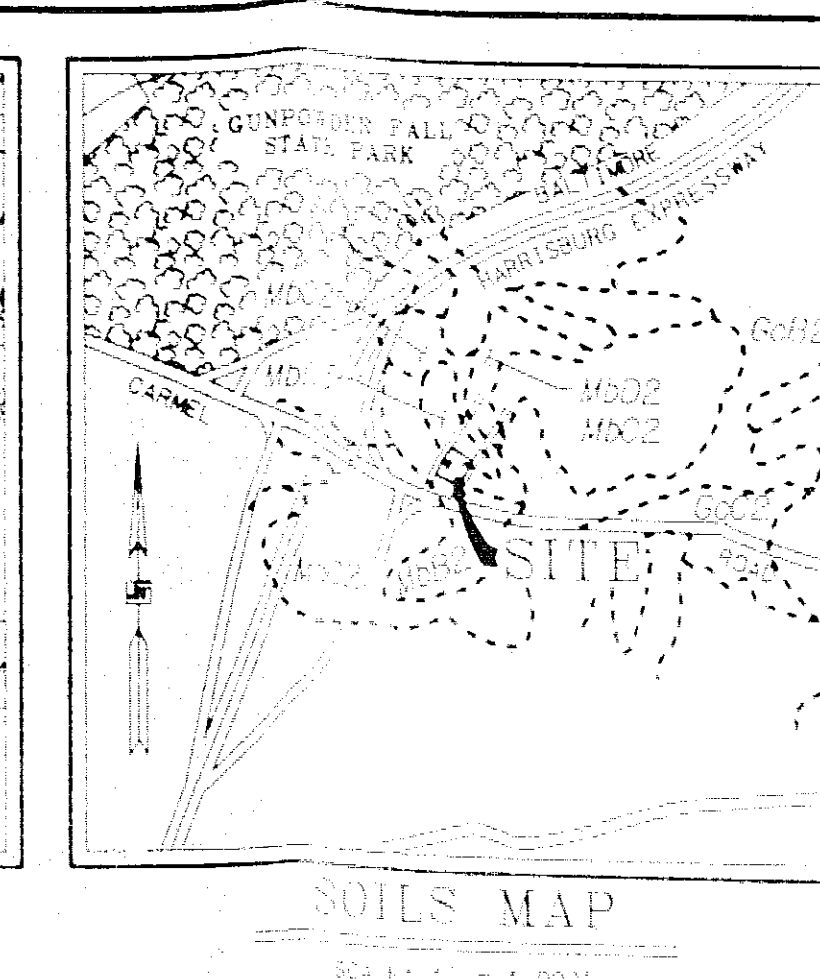
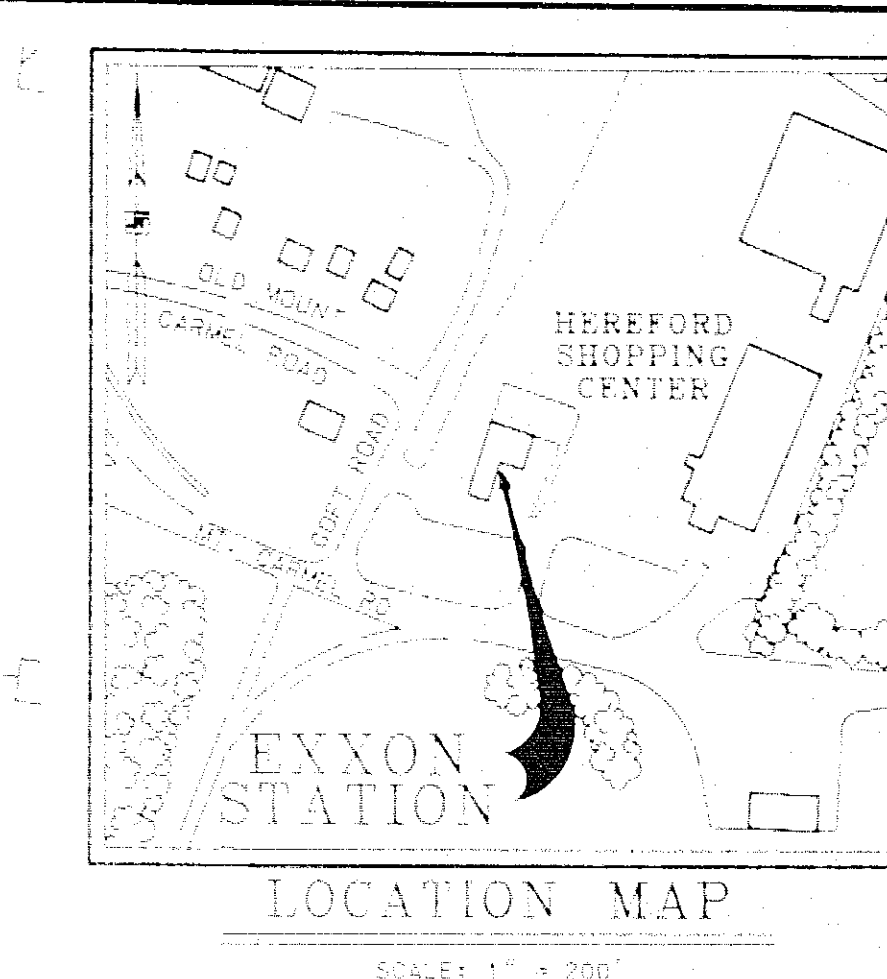
OWNER/DEVELOPER/APPLICANT EXXON COMPANY, U.S.A. 6301 IVY LANE SUITE 700 GREENBELT, MARYLAND 20770 PHONE: (1-301) 513-7511 ATTN: MR. MIKE OLAFSSON		FREDERICK WARD ASSOCIATES INC. ENGINEERS ARCHITECTS SURVEYORS 5 SOUTH MAIN STREET (410) 838-7900 BEL AIR, MARYLAND (410) 879-2090		DATE	REVISIONS	BY	CH.	EXXON COMPANY, U.S.A. A DIVISION OF EXXON CORPORATION Reg. Estate & Engineering DATE: 12/20/1994 DRAWN BY: CHK. BY: TAG SCALE: 1" = 20'		PROJECT NO. 93389.00 DISC. NO. RAS. NO. 2-7428 DWG. NO. 01 OF 04
--	--	--	--	------	-----------	----	-----	---	--	--

AREA ETHACEY
RELIE E. THANEY
P.D.
1.7649.1.331
ACCOUNT NO. 1-8000000000

OLD MOUNT
CARMEL ROAD

WATERHOUSE FUEL
COMPANY
P.D.
1.7649.1.331
ACCOUNT NO. 1-8000000000

MT. CARMEL ROAD MARYLAND ROUTE 137
(SRC PLAT NUMBER 12066 & 23049) (VARIABLE WIDTH)



SOILS INFORMATION

SOILS TYPE
MAJOR LOAM: WBS2
MAJOR LOAM: WBS2
MAJOR LOAM: WBS3
REFERENCE
SOIL SURVEY, BALTIMORE COUNTY, MARYLAND
UNITED STATES DEPARTMENT OF AGRICULTURE
SOIL CONSERVATION SERVICE, ISSUED MARCH, 1976, MAP, 9

SITE INFORMATION

1. GROSS SITE AREA: 20,201 SQ. FT. (0.4637 ACRES)
2. NET SITE AREA: 20,201 SQ. FT. (0.4637 ACRES)
3. FLOOR AREA: 1,431 SQ. FT.
4. FLOOR AREA RATIO: 0.071
5. TAX ACCOUNT NO.: 7-0707083070
6. ELECTION DISTRICT: 7
7. COUNCILMANIC DISTRICT: 3
8. EXISTING USE: 2 BAY FULL SERVICE STATION
9. PROPOSED USE: GAS AND GO AND CONVENIENCE STORE
10. CENSUS TRACT: 4070
11. EXISTING IMPERVIOUS AREA: 15,410 SQ. FT.
12. PROPOSED IMPERVIOUS AREA: 14,140 SQ. FT.
13. PROPOSED LANDSCAPED AREA: 6,140 SQ. FT.
14. THE SITE IS NOT WITHIN THE 100 YEAR FLOOD PLAIN
15. THERE ARE NO WETLANDS WITHIN THE SITE BOUNDARIES
16. ESTIMATED AVERAGE DAILY TRIPS: 730
17. A 89 LIMITED EXEMPTION WAS OBTAINED FOR THE SITE ON NOVEMBER 21, 1991.
18. THERE IS NO MASS TRANSIT SERVICE TO THE SITE.
19. THE SITE IS NOT WITHIN A DESIGNATED AREA OF CRITICAL STATE CONCERN.
20. THERE ARE NO ABANDONED FUEL SERVICE STATIONS WITHIN ONE MILE OF THE SITE.
21. THE SITE IS EXEMPT FROM OPEN SPACE REQUIREMENTS.
22. RESTROOMS ARE PROVIDED FOR CUSTOMERS PER SECTION 405.9.3.D.5.B OF THE B.C.Z.R.
23. A STORMWATER MANAGEMENT QUANTITY WAIVER WILL BE APPLIED FOR. WATER QUALITY MANAGEMENT WILL BE PROVIDED.

- A. TO RIGHT OF WAY = 35'
- B. TO PROPERTY LINE = 0'
- A. TO RIGHT OF WAY = 15'
- B. TO PROPERTY LINE = 0'
- A. TO RIGHT OF WAY = 25'
- B. TO PROPERTY LINE = 0'
- A. TO RIGHT OF WAY = 6'
- B. TO PROPERTY LINE = 6'
1. SPECIAL HEARING TO CONVERT FROM FULL SERVICE TO GAS AND GO AND TO CONFORM EXISTING SERVICE STATION USE TO ALTERNATIVE SPECIAL EXCEPTION FOR FUEL SERVICE STATION IN BM-CR ZONE.
2. VARIANCES REQUESTED:
 - A. VARIANCE TO SECTION 259.10(1)(A) PERMITTING THE REPLACEMENT OF THE EXISTING 10 SIGN WITH A NEW 10 SIGN WITH AN AREA OF 48.73 SQ. FT. EACH SIDE IN LIEU OF THE PERMITTED 25 SQ. FT. EACH SIDE.
 - B. VARIANCE TO SECTION 259.30(1)(B) PERMITTING FOUR (4) STATIONARY BUILDING IDENTIFICATION SIGNS FOR A TOTAL OF 194.04 SQ. FT. IN LIEU OF ONE STATIONARY BUILDING IDENTIFICATION SIGN NOT TO EXCEED EIGHT (8) SQ. FT.
 - C. VARIANCE TO SECTION 259.30(1)(C) PERMITTING ILLUMINATED SIGNS IN LIEU OF NON-ILLUMINATED SIGNS IN A C.R. DISTRICT.

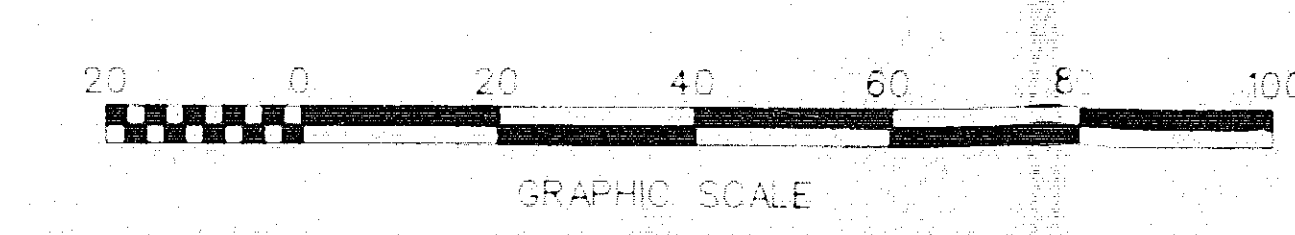
ZONING NOTES:

- A. ZONING STATUS:
 - 1. EXISTING ZONING: BM-CR
 - 2. PROPOSED ZONING: BM-CR
- B. AREA REQUIREMENTS:
 - 1. 4 DISPENSER ISLANDS WITH 16.4 MULTI-PRODUCT DISPENSERS AND DIESEL DISPENSER SERVING A TOTAL OF 8 CARS AT ONE TIME.
 - 2. SERVING SPACES REQUIRED: 8
 - 3. SERVING SPACES PROVIDED: 1
 - 4. SITE AREA REQUIRED: 8 SPACES x 1,500 SQ. FT./SPACE = 12,000 SQ. FT.
- C. ANCILLARY USES:
 - 1. RETAIL AREA CALCULATION = 1,431 SQ. FT. GROSS FLOOR AREA = 184 SQ. FT. REST ROOMS = 142 SQ. FT. UTILITY ROOM = 75 SQ. FT. OFFICE = 1,026 SQ. FT. RETAIL AREA = 4,104 SQ. FT.
 - 2. TOTAL SITE AREA REQUIRED: 12,000 SQ. FT. + 4,104 SQ. FT. = 16,104 SQ. FT. PROVIDED: 20,201 SQ. FT.
- D. ACCESS POINTS:
 - 1. EXISTING:
 - A. ONE (1) 35' +/- ENTRANCE TO OLD MOUNT CARMEL ROAD
 - B. ONE (1) 61' +/- ENTRANCE TO HEREFORD SHOPPING CENTER (INGRESS/EGRESS) (ASBESTOS)
 - 2. PROPOSED:
 - A. ONE (1) 35' ENTRANCE TO OLD MOUNT CARMEL ROAD
 - B. ONE (1) 47' ENTRANCE TO HEREFORD SHOPPING CENTER.

1. PREVIOUS COMMERCIAL PERMITS:
 - PERMIT # 8155063, CONTROL # S1-9394-12, WORK: INSTALL 194.6 SQ. FT. ILLUMINATED SIGN IN FRONT OF PROPERTY. INSTALL 8 NON ILLUMINATED PUMP SIGNS 10 SQ. FT. EACH. INSTALL 1 NON ILLUMINATED SIGN ON BUILDING 1 SQ. FT. INSTALL 1 NON ILLUMINATED SIGN ON BUILDING 4 SQ. FT. INSTALL 1 NON ILLUMINATED SIGN ON BUILDING 25 SQ. FT.
2. PERMIT # 8155066, WORK: ELECTRIC FOR ABOVE REFERENCED SIGN INSTALLATION.
3. PERMIT # 8081271, CONTROL # TAC-143-91, WORK: UPGRADE PIPING IN EXISTING (4) UNDERGROUND FUEL TANKS TO COMPLY WITH COMAR 26.10.01 & NFPA 30.
4. SITE LIGHTING:
 - 1. LIGHTING SHALL NOT REFLECT ONTO ADJACENT PROPERTIES, ROADWAYS, OR OUTSIDE LOT LINES.
 - 2. MAXIMUM POLE HEIGHT IS 16 FEET.
5. LANDSCAPING:
 - 1. LANDSCAPING IS TO BE COMPLETED PER BALTIMORE COUNTY LANDSCAPE MANUAL ADOPTED BY RESOLUTION 56-90, OCTOBER 1, 1990 AND ALL AMENDMENTS AND SECTION 413.4.B.3 & 4 OF THE B.C.Z.R.
 - 2. LANDSCAPE TRANSITION AREAS WILL COMPLY WITH SECTION 405.4.B & 419.2 OF THE B.C.Z.R. AS APPLICABLE.
6. MONITORING SYSTEM:
 - 1. AN ELECTRONIC FUEL MONITORING SYSTEM WILL BE INSTALLED TO MONITOR THE FUEL LINES FOR LEAKS.
 - 2. SIGNS AND MANEUVERING AREAS WILL BE PERMANENTLY MARKED ON SITE.

LEGEND

- (D) SIGN KEY
- (P) PARKING SPACES
- (F) FLOW OF TRAFFIC (NOT STRIPED)
- (G) GAS PUMP STACKING
- (G) GAS PUMP WAITING
- (B) EXISTING BUILDING



OWNER/DEVELOPER/APPLICANT EXXON COMPANY, U.S.A. 6301 IVY LANE SUITE 700 GREENBELT, MARYLAND 20770 PHONE: 1(301)513-7511 ATTN: MR. MIKE SPECHT		FREDERICK WARD ASSOCIATES INC. ENGINEERS ARCHITECTS SURVEYORS 5 SOUTH MAIN STREET 4101 838-7900 BETHESDA, MARYLAND 4101 879-2020		DATE	REVISIONS	BY	CHK.	PETITIONER'S EXHIBIT 2 SPECIAL EXCEPTION AND VARIANCE PLAN EXXON COMPANY, U.S.A. Planning Department DATE: 12/20/1994 DRAWN BY: BY: TAG SCALE: 1" = 20'		PROJECT NO. 93389.00 DISC. NO. RAS. NO. 2-7428 OWG. NO. 01 OF 04
--	--	---	--	------	-----------	----	------	---	--	--