

IN RE: PETITIONS FOR SPECIAL HEARING * BEFORE THE
AND VARIANCE – NW/S Pulaski Highway,
69' NE of the c/l of Ebenezer Road * ZONING COMMISSIONER
(10800 Pulaski Highway)
11th Election District * OF BALTIMORE COUNTY
5th Councilmanic District *
Case No. 00-103-SPHA
Sun Oil Company, n/k/a The Sun Company, Inc.
Petitioner *

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of Petitions for Special Hearing and Variance filed by the owner of the subject property, Sun Oil Company, n/k/a The Sun Company, Inc., by Edward O'Leary, Chief Engineer, through their attorney, Anthony J. DiPaula, Esquire. The Petitioner requests a special hearing to approve an amendment to the previously approved site plans in prior Cases Nos. 606, 4923, and 90-507-SPHXA, and variance relief from the Baltimore County Zoning Regulations (B.C.Z.R.) as follows: From Section 405.4.A.3.c(2) to permit five (5) stacking spaces in lieu of the required 12; from Section 405.4.A.2 to permit a fuel pump island setback from a street right-of-way line of 21 feet in lieu of the required 25 feet; from Section 405.4.A.2(b) and (c) to allow a landscape transition area setback from an adjacent public right-of-way of 0 feet in lieu of the required 10 feet; from Section 409.8.A.4 to permit parking spaces to be set back a distance of 0 feet in lieu of the required 10 feet from the right-of-way line; from Section 450.4.E to permit three (3) canopy signs of 195 sq.ft. in lieu of the permitted six (6) canopy signs of 25 sq.ft. each; and from Section 450.4.E to permit three (3) freestanding signs of 73.5 sq.ft., 20.2 sq.ft., and 7.3 sq.ft., respectively, in lieu of the permitted one (1) sign of 100 sq.ft. The subject property and relief sought are more particularly described on the site plan submitted which was accepted into evidence and marked as Petitioner's Exhibit 1.

Appearing at the requisite public hearing in support of the requests were Bud Emig and Gardner R. Reynolds, representatives of The Sun Oil Company, property owner; Ronald C. Black,

DATE OF PUBLIC HEARING
11/5/99
Date

Proprietor of the Sunoco service station which exists on the site; Thomas J. Hoff, Landscape Architect who prepared the site plan for this property; and, Anthony J. DiPaula, Esquire, attorney for the Petitioner. There were no Protestants or other interested persons present.

Testimony and evidence offered revealed that the subject property consists of a gross area of 0.62 acres, more or less, zoned B.R.-A.S and is the site of a Sunoco gasoline service station. The property is located on the northeast corner of the intersection of Pulaski Highway and Ebenezer Road, adjacent to the south side of Red Lion Road, in White Marsh. The property has been used as a gasoline service station/service garage for many years. Original approval was granted in 1946 for a gasoline service station in Case No. 606. Subsequent cases in the 1960s allowed for additional signs to be placed on the site. In Case No. 90-507-SPHXA, approval was granted to allow the conversion of the then existing full service station to a gas n' go operation. Presently, the site is improved with a three-bay service garage building, fuel pump islands, accessory macadam paved parking area, and two trailers. In addition, the building features a small snack shop and restrooms.

The Petitioner now comes before me seeking approval to upgrade the existing facility. Specifically, Mr. Black proposes constructing a small addition to the existing restroom facilities. At the hearing, Counsel for the Petitioner noted that Pulaski Highway is a high traffic area and that the subject Sunoco experiences a steady flow of customers. It was also noted that commuters and travelers on I-95 frequently exit that interstate to fuel at this station and use the public restrooms provided therein. In this regard, Mr. DiPaula noted that other service stations and restaurants in the vicinity do not allow non-patrons to use their restroom facilities. Consequently, this Sunoco station is frequently busy with motorists and travelers needing those services.

In addition to these improvements, the site is due for an overhaul of its signage. This has been necessitated largely due to a corporate initiative by the Sun Oil Company. This Zoning Commissioner is familiar with other Sunoco stations in the area which have recently applied for zoning approval to incorporate Sunoco's new sign package. Page 2 of the site plan submitted shows the sign package proposed. In fact, one of the variances requested, specifically, from

Section 450.4.E is required because of the new canopy signs proposed. These canopy signs feature a series of color stripes which are part of the sign package. This area of design when added to the lettering proposed requires a variance to the size limitations imposed by Section 450.4.E. The other variances that are being requested are largely for the purpose of legitimize existing conditions on the property. Relief is requested as to the location and number of parking spaces provided, the areas of landscaping, and required setbacks. All of these requests are more particularly shown on the site plan and justification for same was presented at the hearing.

Based upon the testimony and evidence presented, I am persuaded to grant the Petitions. In my judgment, the Proprietor of this station should be applauded for providing a service (open restroom) to the motoring public in this area. The small addition to accommodate a larger restroom facility is both warranted and appropriate. Additionally, it appears that the entire site is well maintained and clean. Moreover, variance relief to legitimize existing conditions is appropriate. There was no indication at the hearing that the property is operated in a dangerous or unsafe manner. For these reasons, the Petitions for Special Hearing and Variance shall be granted. I specifically find that the requirements of Sections 307 and 502.1 of the B.C.Z.R. are satisfied. The uniqueness of the property is derived from several factors. First, the site is quite wide, featuring a significant length of frontage along Pulaski Highway (Maryland Route 40). However, the property is very shallow in depth. A second unique characteristic of the site is the fact that same is surrounded on three sides by public roads. As noted above, the property abuts Pulaski Highway to the south, Ebenezer Road to the west, and Red Lion Road to the east.

In determining whether any restrictions should be imposed, it is to be noted that a Zoning Advisory Committee (ZAC) comment was received from the Office of Planning dated October 12, 1999. First, that comment suggested the removal of the two trailers that exist on the site. Testimony indicated that these trailers are attractively maintained and are necessary to the business operation. One is used as an office for the manager of the station, and the second for storage. In addition, utilities have been connected to one of the trailers. Based upon the testimony

CASE RECORDED FOR FILING
Date 11/15/99
By [Signature]

presented and the photographs submitted, I am persuaded to allow the trailers to remain on the property as ancillary structures necessary for the operation of this business.

Second, I will require that the Petitioner install some additional landscaping around the perimeter of the site. It is to be noted that much of the area appropriate for landscaping is located within the State Highway right-of-way for Pulaski Highway. The Petitioner indicated that it would attempt to secure State Highway Administration approval for landscaping in that area. Although the precise amount and manner of landscaping will not be designated herein, it seems appropriate that some low level landscaping be installed to provide aesthetic improvement to the property, without disrupting traffic or impeding the view from the subject site.

Third, the Petitioner did indicate agreement to buffer the existing dumpster with a brick wall or board-on-board fence as requested by the Office of Planning. Some type of screening of that nature will therefore be required.

Fourth, an examination of the photographs submitted shows a pole sign advertising the availability of Marlboro cigarettes and other products at the snack shop. That sign was not shown as part of the sign package depicted on Page 2 of the site plan. The Marlboro sign shall be removed; however, the smaller sign thereunder advertising snacks, sodas, and other items can remain.

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

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 15th day of November, 1999 that the Petition for Special Hearing to approve an amendment to the previously approved site plans in prior Cases Nos. 606, 4923, and 90-507-SPHXA, in accordance with Petitioner's Exhibit 1, 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 405.4.A.3.c(2) to permit five (5) stacking spaces in lieu of the required 12; from Section 405.4.A.2 to permit a fuel pump island setback from a street right-of-way line of 21 feet in lieu of the required 25 feet; from

CASES RECEIVED FOR FILING
Date 11/15/99
By [Signature]

Section 405.4.A.2(b) and (c) to allow a landscape transition area setback from an adjacent public right-of-way of 0 feet in lieu of the required 10 feet; from Section 409.8.A.4 to permit parking spaces to be set back a distance of 0 feet in lieu of the required 10 feet from the right-of-way line; from Section 450.4.E to permit three (3) canopy signs of 195 sq.ft. in lieu of the permitted six (6) canopy signs of 25 sq.ft. each; and from Section 450.4.E to permit three (3) freestanding signs of 73.5 sq.ft., 20.2 sq.ft., and 7.3 sq.ft., respectively, in lieu of the permitted one (1) sign of 100 sq.ft., in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until the 30-day appeal period from the date of this Order has expired. If an appeal is filed and this Order is reversed, the relief granted herein shall be rescinded.
- 2) The Petitioner install some additional landscaping around the perimeter of the site. As noted above, much of the area where landscaping could be installed is located within the right-of-way for Pulaski Highway. The Petitioner agreed to secure approval from the State Highway Administration to permit landscaping in that area.
- 3) The Petitioner shall buffer the existing dumpster with either a brick wall or board-on-board fence as requested by the Office of Planning. I will leave the discretion as to the type of screening to be provided to the Office of Planning.
- 4) The existing Marlboro sign shall be removed; however, the smaller sign thereunder which advertises snacks, sodas, and other items can remain.
- 5) When applying for any permits, the site plan and/or landscaping plan filed must reference this case and set forth and address the restrictions of this Order.


LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

ORDER RECEIVED FOR FILING

Date

By



Baltimore County
Zoning Commissioner

Suite 405, County Courts Bldg.
401 Bosley Avenue
Towson, Maryland 21204
410-887-4386
Fax: 410-887-3468

November 15, 1999

Anthony J. DiPaula, Esquire
Covahey & Boozer, P.A.
614 Bosley Avenue
Towson, Maryland 21204

RE: PETITIONS FOR SPECIAL HEARING & VARIANCE
NW/S Pulaski Highway, 69' NE of the c/l Ebenezer Road
(10800 Pulaski Highway)
11th Election District – 5th Councilmanic District
Sun Oil Company, n/k/a The Sun Company, Inc. - Petitioners
Case No. 00-103-SPHA

Dear Mr. DiPaula:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petitions for Special Hearing 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,

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

cc: Mr. Edward O'Leary, Chief Engineer, The Sun Company
4041 Market Street, Aston, PA 19014-3197
Mr. Ronald C. Black
3521 Northway Drive, Baltimore, Md. 21234
Mr. Thomas J. Hoff, 406 W. Pennsylvania Avenue, Towson, Md. 21204
Code Enforcement Division, DPDM; People's Counsel; Case File

Come visit the County's Website at www.co.ba.md.us





Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at 10800 PULASKI HIGHWAY

which is presently zoned BR-AS

This Petition shall be filed with the Department of Permits and 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 an amendment to the previously approved site plans in Cases #4923, #606, and #90-507SPHXA.

Property is to be posted and advertised as prescribed by the zoning regulations.

I, or we, agree to pay expenses of above Special Hearing, advertising, posting, etc. and further agree to and are to be bounded 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:

Name - Type or Print

Signature

Address

Telephone No.

City

State

Zip Code

Attorney For Petitioner:

Anthony J. DiPaula

Name - Type or Print

Signature

Govahey & Boozer, P.A.

Company

614 Bosley Avenue

410-828-9441

Address

Telephone No.

Towson,

MD

21204

City

State

Zip Code

Legal Owner(s):

Sun Oil Company, n/k/a

The Sun Company, Inc.

Name - Type or Print

By:

Signature Edward O'Leary
Edward O'Leary, Chief Engineer

Edward O'Leary

Name - Type or Print

Signature

4041 Market Street

Address

CALL 4774
Telephone No.

Aston,

PA

19014-3197

City

State

Zip Code

Representative to be Contacted:

Thomas J. Hoff

Name

406 W. Pennsylvania Ave.

410-296-3668

Address

Telephone No.

Towson,

MD

21204

City

State

Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING 1 hr.

UNAVAILABLE FOR HEARING —

Reviewed By SM

Date

9-8-99

Case No. 00-103 SPHQA

220 9/15/98

ORDER RECEIVED FOR FILING
9/15/99
11/15/99
11/15/99



Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 10800 Pulaski Highway
which is presently zoned BR-AS

This Petition shall be filed with the Department of Permits and 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)

See Attachment 1 attached hereto

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

The improvements are existing and cannot be made to conform to zoning requirements implemented since the original development. The property is irregularly shaped, long and narrow, bounded on three sides by roads.

Property is to be posted and advertised as prescribed by the zoning regulations.

I, or we, agree to pay expenses of above Variance, advertising, posting, etc. and further agree to and are to be bounded 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:

Name - Type or Print

Signature

Address

Telephone No.

City

State

Zip Code

Attorney For Petitioner:

Anthony J. DiPaula

Name - Type or Print

Signature

Covahey & Boozer, P.A.

Company

614 Bosley Avenue

410-828-9441

Address

Telephone No.

Towson,

MD

21204

City

State

Zip Code

Case No. 00-103-SPHAF

REV 9/15/98

Legal Owner(s):

Sun Oil Company, n/k/a The Sun Company, Inc.

Name - Type or Print

By: Edward J. O'Leary

Signature Edward O'Leary, Chief Engineer

Edward O'Leary

Name - Type or Print

Signature

4041 Market Street

Address

Telephone No.

Aston,

PA

19014-3197

City

State

Zip Code

Representative to be Contacted:

Thomas J. Hoff

Name

406 W. Pennsylvania Ave.

Address

Telephone No.

Towson,

MD

21204

City

State

Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING 1 hr

UNAVAILABLE FOR HEARING

Reviewed By SDA

Date 9-8-99

Attachment 1 to Petition for Variance

Re: 10800 Pulaski Highway

Variances:

(1) Section 405.4.A.3.c.(2) to allow a service station with five (5) stacking spaces in lieu of the required twelve (12) spaces.

(2) Section 405.4.A.2.a to allow a service station with a fuel pump island set back 21 ft. from the right-of-way line in lieu of the required 25 ft.

(3) Section 405.4.A.2.b and c to allow a service station with a landscape transition area of zero ft. wide adjacent to a public right-of-way in lieu of the required 10 ft.

(4) Section 409.8.A.4 to allow a service station with parking spaces set back zero ft. from the right-of-way line in lieu of the required 10 ft.

(5) Section 450.4.E to allow a service station with three (3) canopy signs of 195 sq. ft. each in lieu of the permitted six (6) canopy signs of 25 sq. ft. each.

(6) Section 450.4.E to allow a service station with three (3) freestanding signs with areas of 73.5 sq. ft., 20.2 sq. ft., and 7.3 sq. ft. in lieu of the permitted one (1) sign of 100 sq. ft.

amv0899083

00-103-SP47

THOMAS J. HOFF, INC.
Landscape Architect and Land Development Consultant
406 WEST PENNSYLVANIA AVENUE
TOWSON, MD. 21204
410-296-3668
FAX 410-296-5326

September 7, 1999

Description of the Sunoco Station, 10800 Pulaski Highway, to Accompany Petition for Special Hearing and Variances.

BEGINNING FOR THE SAME at a point on the northwest R/W line of Pulaski Highway, U.S. Route 40, 69' more or less northeast of the centerline of Ebenezer Road.

Thence leaving the Northwest side of Pulaski Highway,

- (1) by a curve to the right with a radius of 38.84 feet and a length of 122.02 feet, having a chord bearing of North 46 degrees 41 minutes 20 seconds West 77.69 feet to the southeast side of Red Lion Road;

thence binding on the southeast side of Red Lion Road,

- (2) North 43 degrees 11 minutes 54 seconds East 305.00 feet;

thence leaving the southeast side of Red Lion Road,

- (3) South 46 degrees 41 minutes 20 seconds East 86.04 feet to the northwest side of Pulaski Highway;

thence binding on the the northwest side of Pulaski Highway,

- (4) South 45 degrees 26 minutes 13 seconds West 100.86 feet;

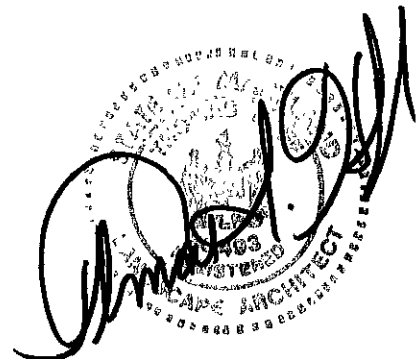
still binding on the northwest side of Pulaski Highway,

- (5) by a curve to the left with a radius of 5804.58 feet and a length of 204.26 feet, having a chord bearing of South 44 degrees 26 minutes 00 seconds West 204.25 feet,

to the point of beginning containing 0.62 acres (27,037 square feet) of land more or less.

Note:

This Description has been prepared for zoning purposes only.



507A - 00-103-SP47

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
SCCELLANEOUS RECEIPT

00-103-SP44D-
No. 072212

DATE 9-8-99

ACCOUNT R-001-6150

AMOUNT \$ 500.00

RECEIVED FROM:

CONRA GUGGENBUCH

FOR:

Comm. Spec. House & Advances -
to 10500 Pulaski Hwy.

DISTRIBUTION
WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

SDJ

PAID RECEIPT

PROCESSED 9/08/99 9/08/99 15:41:39
REQ. NO. 5 CASHIER REC. JRM DWMER 1
Receipt # 11921
CR NO. 07212

Receipt Tot 500.00
500.00 OK
Baltimore County, Maryland

CASHIER'S VALIDATION

CERTIFICATE OF POSTING

RE: CASE # 00-103-SPHA
PETITIONER/DEVELOPER:
(Sun Oil Co.)
DATE OF Hearing
(Oct. 28, 1999)

Baltimore County Department of
Permits and Development Management
County Office Building, Room 111
111 West Chesapeake Ave.
Towson, Maryland 21204

ATTENTION : MS. GWENDOLYN STEPHENS

LADIES AND GENTLEMEN:

This letter is to certify under the penalties of perjury that the necessary
sign(s) required by law were posted conspicuously on the property located at
10800 Pulaski Highway Baltimore, Maryland 21162__

The sign(s) were posted on _____ 10-13-99 _____
[Month, Day, Year]

Sincerely,


(Signature of Sign Poster & Date)

_____ Thomas P. Ogle, Sr. _____

_____ 325 Nicholson Road _____

_____ Baltimore, Maryland 21221 _____

_____ [410]-687-8405 _____
(Telephone Number)

NOTICE OF ZONING HEARINGS

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing in Towson, Maryland on the property identified herein as follows:

Case # 00-103-SPHA

10800 Pulesia Highway

NWIS Pulesia Highway, 69 +/- NE of centerline of

Edenizer Road

11th Election District - 5th Councilmanic District

Legal Owner: Sun Oil Company

Special Hearing: To approve an amendment to the previously approved site plans in Cases #4923, #606, and #90-507-SPHXA.

Variance: To allow a service station with five (5) stacking spaces in lieu of the required twelve (12) spaces; to allow a service station with a fuel pump island setback of 21 feet from the right-of-way line in lieu of the required 25 feet to allow a service station with a landscape transition area of zero feet wide adjacent to a public right-of-way in lieu of the required 10 feet to allow a service station with parking spaces setback zero feet from the right-of-way line in lieu of the required 10 feet; to allow a service station with three (3) canopy signs of 195 square feet each in lieu of the permitted six (6) canopy signs of 25 square feet each; to allow a service station with three (3) freestanding signs with area of 73.5 square feet, 20.2 square feet, and 7.3 square feet of the permitted one (1) sign of 100 square feet.

Hearing: Thursday, October 28, 1999 at 10:00 a.m. in Room 407, County Courts Building, 401 Besley Avenue.

LAWRENCE SCHMIDT

Zoning Commissioner for Baltimore County

NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Contact the Zoning Commissioner's Office at (410) 887-4386.

(2) For information concerning the File and/or Hearing, Contact the Zoning Review Office at (410) 887-3391.

JLU/10/08/99 Oct. 12

C345806

CERTIFICATE OF PUBLICATION

TOWSON, MD., 10/15/, 19 99

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 Tues 10/12/, 19 99.

THE JEFFERSONIAN,

J. Williams

LEGAL ADVERTISING

**DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW**

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The Baltimore County Zoning Regulations (BCZR) require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of the petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least fifteen (15) days before the hearing.

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements. The newspaper will bill the person listed below for the advertising. This advertising is due upon receipt and should be remitted directly to the newspaper.

OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.

For Newspaper Advertising:

Item Number or Case Number: 00-103 SPH#A.

Petitioner: SUN OIL Co.

Address or Location: 10800 PULASKI HWY.

PLEASE FORWARD ADVERTISING BILL TO:

Name: THOMAS J. HOFF

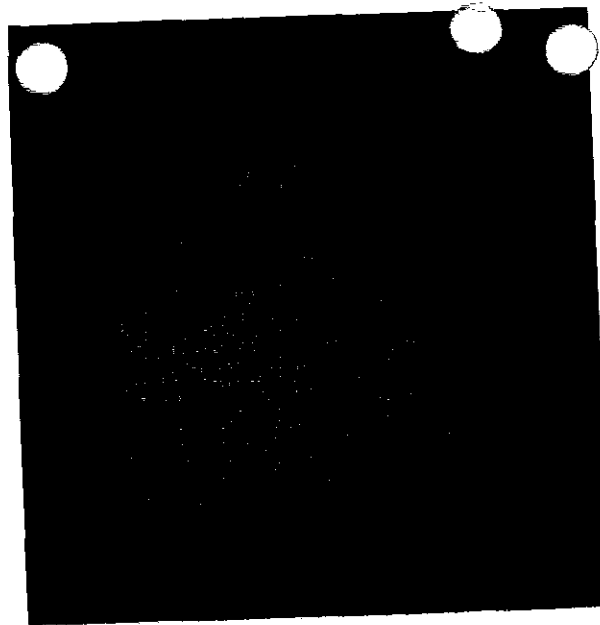
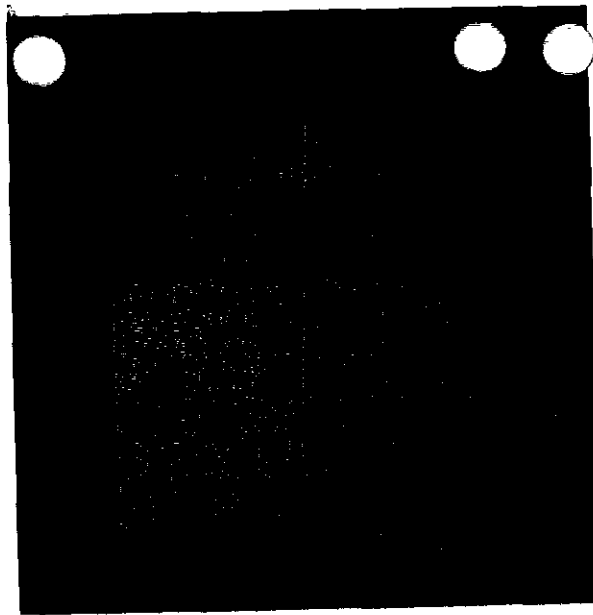
Address: 406 WEST PENNSYLVANIA AVE.

TOWSON, MD. 21204

Telephone Number: 410-296-3668

Revised 2/20/98 - SCJ

SPH 00-103-SPH#A



RE: PETITION FOR SPECIAL HEARING
PETITION FOR VARIANCE
10800 Pulaski Highway, NW/S Pulaski Hwy,
c/I Ebenczer Rd
11th Election District, 5th Councilmanic

Legal Owner: Sun Oil Company, n/k/a The Sun Co., Inc.
Petitioner(s)

* BEFORE THE
* ZONING COMMISSIONER
* FOR
* BALTIMORE COUNTY
* Case No. 00-103-SPHA

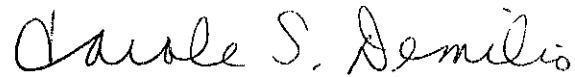
* * * * *

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.



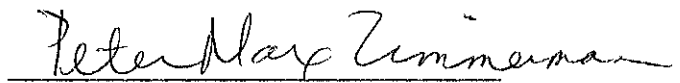
PETER MAX ZIMMERMAN
People's Counsel for Baltimore County



CAROLE S. DEMILIO
Deputy People's Counsel
Old Courthouse, Room 47
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 18th day of October, 1999 a copy of the foregoing Entry of Appearance was mailed to Anthony J. DiPaula, Esq., Covahey & Boozer, P.A., 614 Bosley Avenue, Towson, MD 21204, attorney for Petitioners.


PETER MAX ZIMMERMAN



Baltimore County
Department of Permits and
Development Management

Director's Office
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
410-887-3353
Fax: 410-887-5708

October 6, 1999

NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 00-103-SPHA

10800 Pulaski Highway

NW/S Pulaski Highway, 69' +/- NE of centerline of Ebenezer Road

11th Election District - 5th Councilmanic District

Legal Owner: Sun Oil Company

SPECIAL HEARING: To approve an amendment to the previously approved site plans in Cases #4923, #606, and #90-507-SPHA.

VARIANCE: To allow a service station with five (5) stacking spaces in lieu of the required twelve (12) spaces; to allow a service station with a fuel pump island setback of 21 feet from the right-of-way line in lieu of the required 25 feet; to allow a service station with a landscape transition area of zero feet wide adjacent to a public right-of-way in lieu of the required 10 feet; to allow a service station with parking spaces setback zero feet from the right-of-way line in lieu of the required 10 feet; to allow a service station with three (3) canopy signs of 195 square feet each in lieu of the permitted six (6) canopy signs of 25 square feet each; to allow a service station with three (3) freestanding signs with area of 73.5 square feet, 20.2 square feet, and 7.3 square feet of the permitted one (1) sign of 100 square feet.

A handwritten signature in cursive script, reading "Arnold Jablon".

Arnold Jablon
Director

cc: Mr. Thomas J. Hoff
Sun Oil Company
Anthony J. DiPaula, Esq.

- NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY OCTOBER 13, 1999..
- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CONTACT THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
- (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.





Baltimore County
Department of Permits and
Development Management

Director's Office
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
410-887-3353
Fax: 410-887-5708

October 7, 1999

NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 00-103-SPHA

10800 Pulaski Highway

NW/S Pulaski Highway, 69' +/- NE of centerline of Ebenezer Road

11th Election District - 5th Councilmanic District

Legal Owner: Sun Oil Company

SPECIAL HEARING: To approve an amendment to the previously approved site plans in Cases #4923, #606, and #90-507-SPHXA.

VARIANCE: To allow a service station with five (5) stacking spaces in lieu of the required twelve (12) spaces; to allow a service station with a fuel pump island setback of 21 feet from the right-of-way line in lieu of the required 25 feet; to allow a service station with a landscape transition area of zero feet wide adjacent to a public right-of-way in lieu of the required 10 feet; to allow a service station with parking spaces setback zero feet from the right-of-way line in lieu of the required 10 feet; to allow a service station with three (3) canopy signs of 195 square feet each in lieu of the permitted six (6) canopy signs of 25 square feet each; to allow a service station with three (3) freestanding signs with area of 73.5 square feet, 20.2 square feet, and 7.3 square feet of the permitted one (1) sign of 100 square feet.

HEARING: THURSDAY, OCTOBER 28, 1999 AT 10:00 A.M. IN ROOM 407 COUNTY COURTS BUILDING, 401 BOSLEY AVENUE.

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

Arnold Jablon
Director

cc: Mr. Thomas J. Hoff
Sun Oil Company
Anthony J. DiPaula, Esq.

- NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY OCTOBER 13, 1999..
- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CONTACT THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
- (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.



TO: PATUXENT PUBLISHING COMPANY
October 12, 1999 Issue - Jeffersonian

Please forward billing to:

Thomas J. Hoff
406 W. Pennsylvania Avenue
Towson, MD 21204

410-296-3668

NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 00-103-SPHA
10800 Pulaski Highway
NW/S Pulaski Highway, 69' +/- NE of centerline of Ebenezer Road
11th Election District - 5th Councilmanic District
Legal Owner: Sun Oil Company

SPECIAL HEARING: To approve an amendment to the previously approved site plans in Cases #4923, #606, and #90-507-SPHXA.

VARIANCE: To allow a service station with five (5) stacking spaces in lieu of the required twelve (12) spaces; to allow a service station with a fuel pump island setback of 21 feet from the right-of-way line in lieu of the required 25 feet; to allow a service station with a landscape transition area of zero feet wide adjacent to a public right-of-way in lieu of the required 10 feet; to allow a service station with parking spaces setback zero feet from the right-of-way line in lieu of the required 10 feet; to allow a service station with three (3) canopy signs of 195 square feet each in lieu of the permitted six (6) canopy signs of 25 square feet each; to allow a service station with three (3) freestanding signs with area of 73.5 square feet, 20.2 square feet, and 7.3 square feet of the permitted one (1) sign of 100 square feet.

HEARING: THURSDAY, OCTOBER 28, 1999 AT 10:00 A.M. IN ROOM 407 COUNTY COURTS BUILDING, 401 BOSLEY AVENUE.



Lawrence E. Schmidt

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

- NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CONTACT THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

10/28

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits and
Development Management

DATE: October 12, 1999

FROM: Arnold F. 'Pat' Keller, III, Director
Office of Planning

SUBJECT: 10800 Pulaski Highway

INFORMATION:

Item Number: 103

Petitioner: Sun Oil Company, n/k/a The Sun Company, Inc.

Zoning: BR-AS

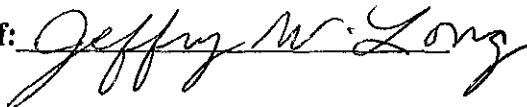
Requested Action: Variance

SUMMARY OF RECOMMENDATIONS:

The Office of Planning supports the applicant's request; however, we recommend attachment of the following conditions should the applicant's request be granted:

1. Remove the trailers located between Ebenezer Road and the garage building;
2. Augment the existing landscaping with additional bushes and street trees since the existing landscaping while well maintained, is somewhat minimal; and
3. Screen the existing dumpster with a brick wall, or board-on-board fencing.

Section Chief:



AFK/JL

BALTIMORE COUNTY, MARYLAND
Interoffice Correspondence

DATE: October 13, 1999

TO: Larry E. Schmidt
Zoning Commissioner

FROM: James H. Thompson - LW
Code Enforcement Supervisor

SUBJECT: ITEM NO.: 103
PETITIONER: Sun Oil Company

VIOLATION CASE NO.: 98-3699

LOCATION OF VIOLATION: NW/S Pulaski Highway, centerline Ebenezer Road
(10800 Pulaski Highway)

DEFENDANT(S): Sun Oil Company

Please be advised that the aforementioned petition is the subject of an active violation case. When the petition is scheduled for a public hearing, please notify the following person(s):

NAME

ADDRESS

Jim White

8910 Harford Road
Baltimore, MD 21234

After the public hearing is held, please send a copy of the Zoning Commissioner's Order to the Code Enforcement Supervisor, so that the appropriate action may be taken relative to the violation case.

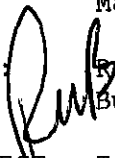
JHT/lw/lmh

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits & Development
Management

Date: October 19, 1999

FROM:  Robert W. Bowling, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
for October 18, 1999
Item Nos. 101, 102, 103, 104, 105,
108, 110, 111, 113, 114, 116, 117,
118, 119, 120, 121, 122, 123, 127,
128, and 129

The Bureau of Development Plans Review has reviewed the subject zoning items, and we have no comments.

RWB:HJO:jrb

cc: File

ZAC10189.NOC

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME

ADDRESS

ANTHONY J. DiPaola, Esq.

614 BASLEY AVE. -21204

THOMAS J. HOFF

400 W. PENNSYLVANIA AVE. 21204

BUD EMIG

436 CREAMERY WAY SUITE H, ERTON PA 19341

GARDNER R. REYNOLDS

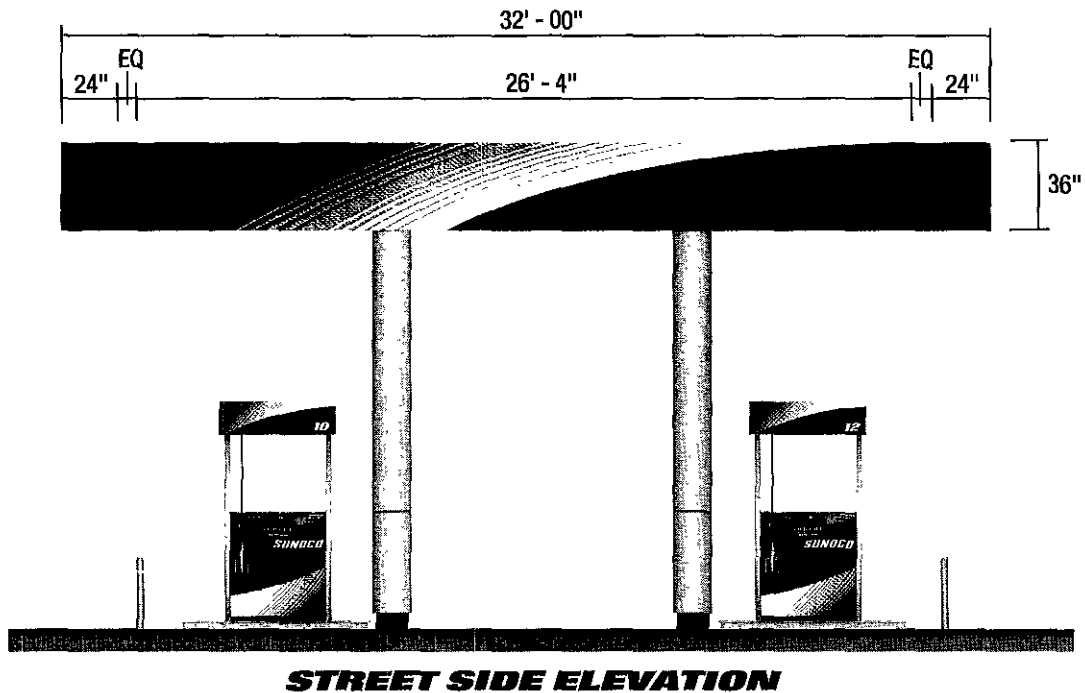
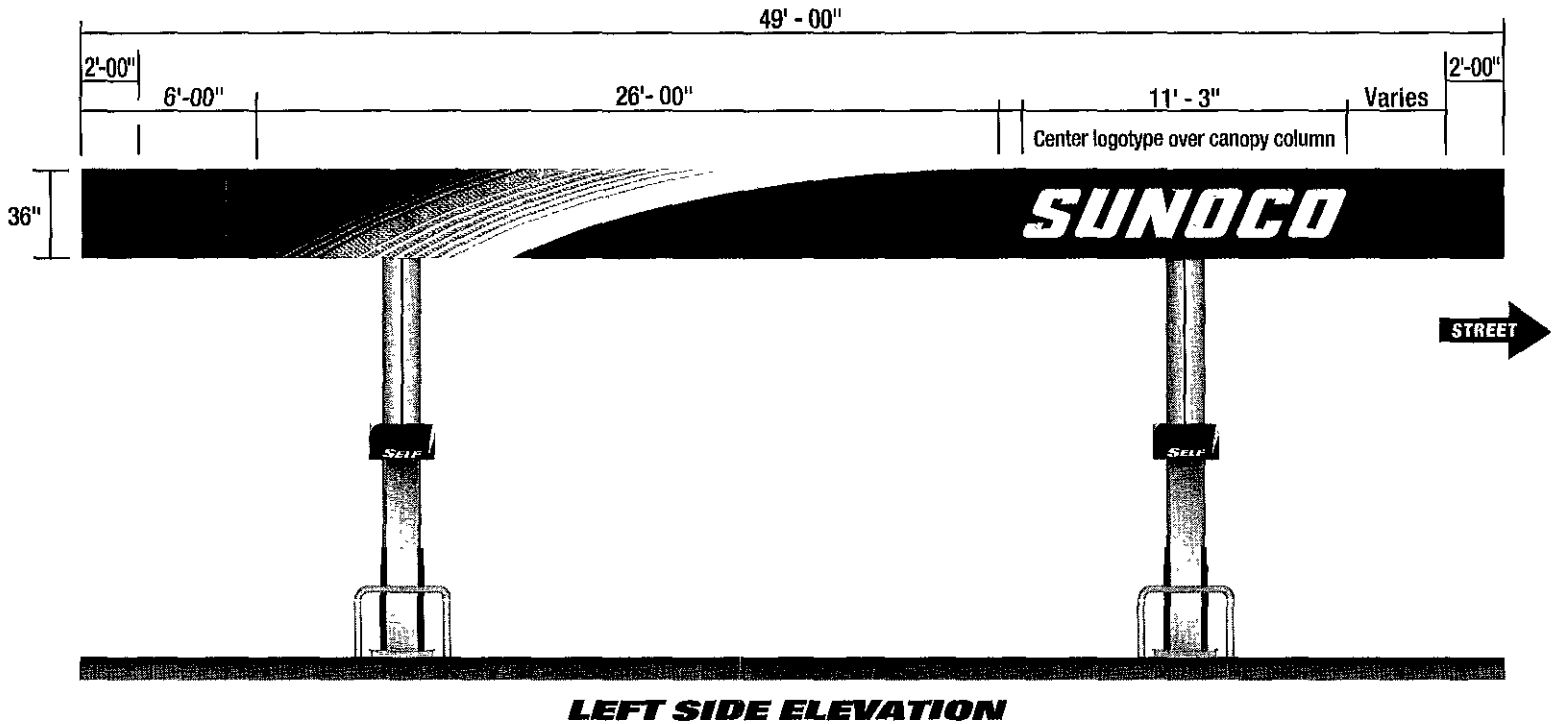
20-H HEARTHSTONE CT. ANNAPOLIS, MD 21403

Ronald C. Black

3521 NORTHWAY DR BALTO 21234

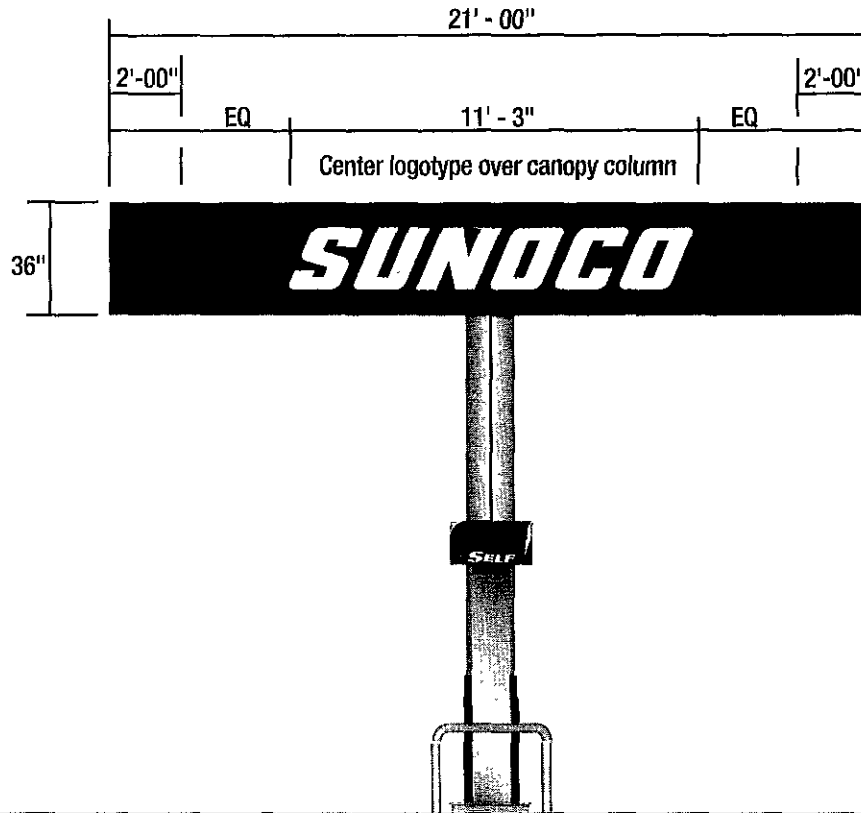


STAND ALONE - 32' x 49'

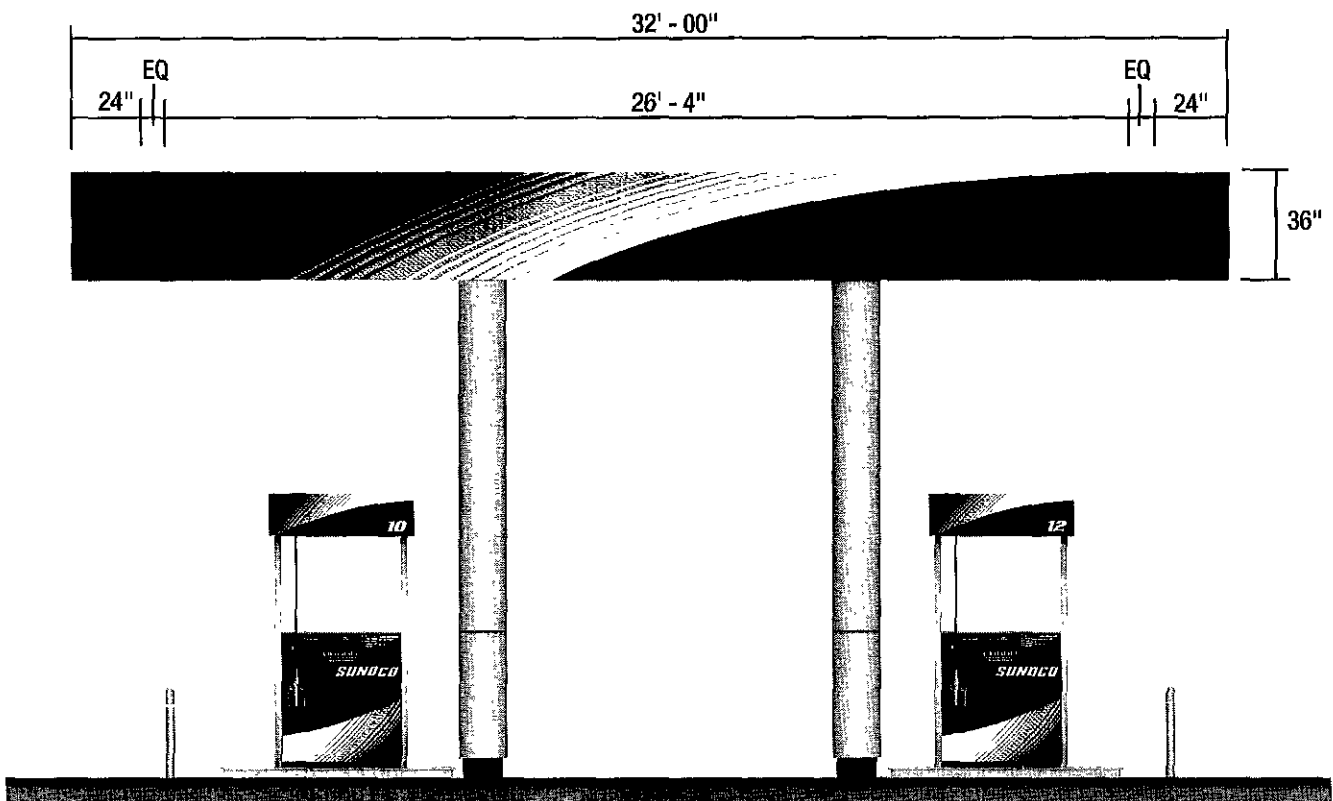


Renderings are for visual design purposes only. Graphics may vary by location.

STAND ALONE - 21' x 32'

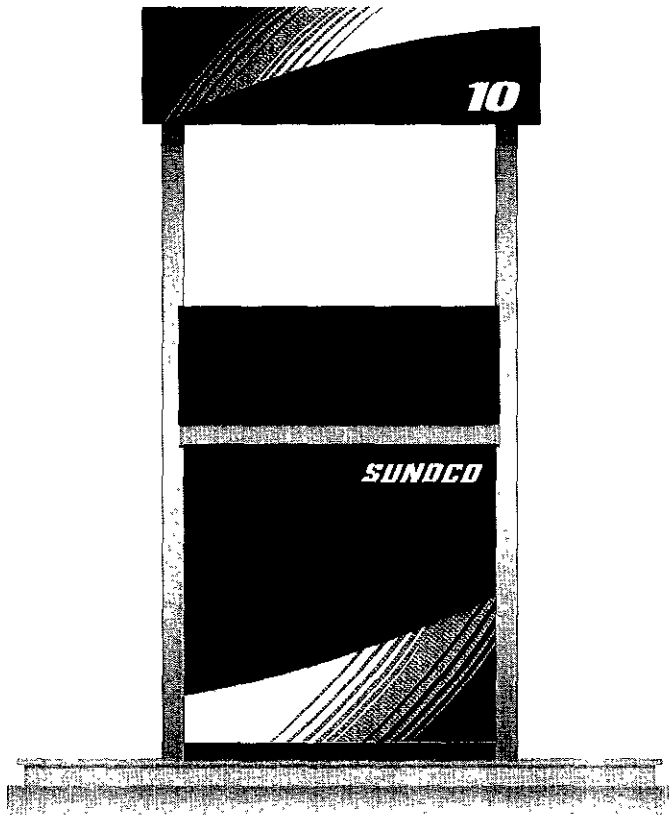


SIDE ELEVATION

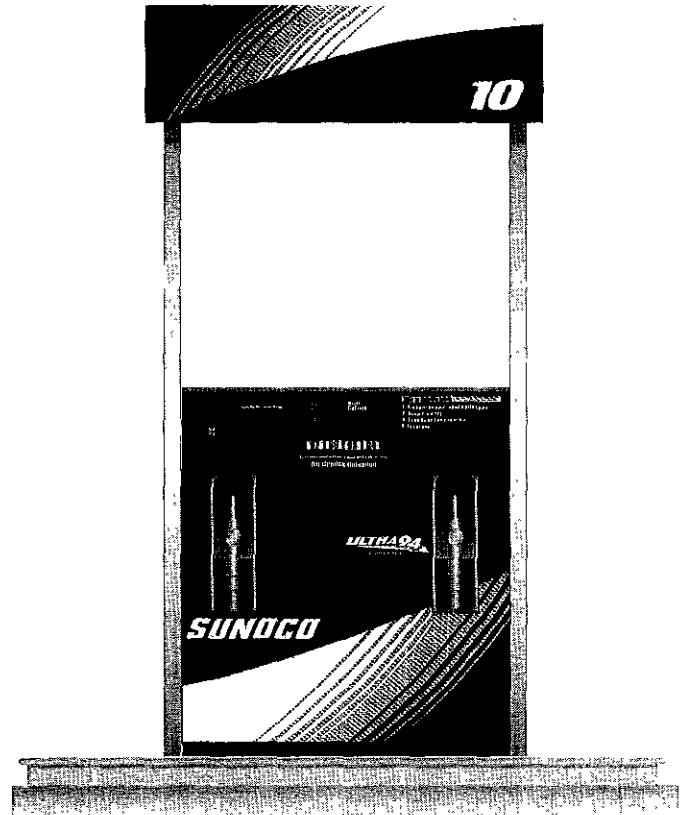


STREET SIDE ELEVATION

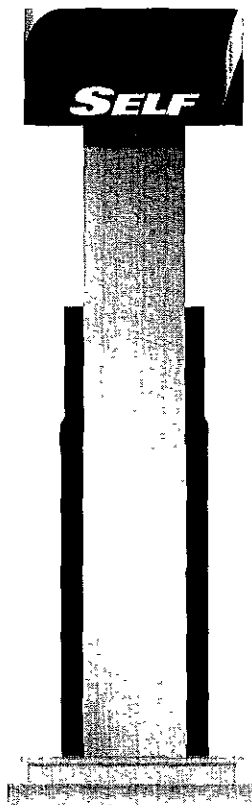
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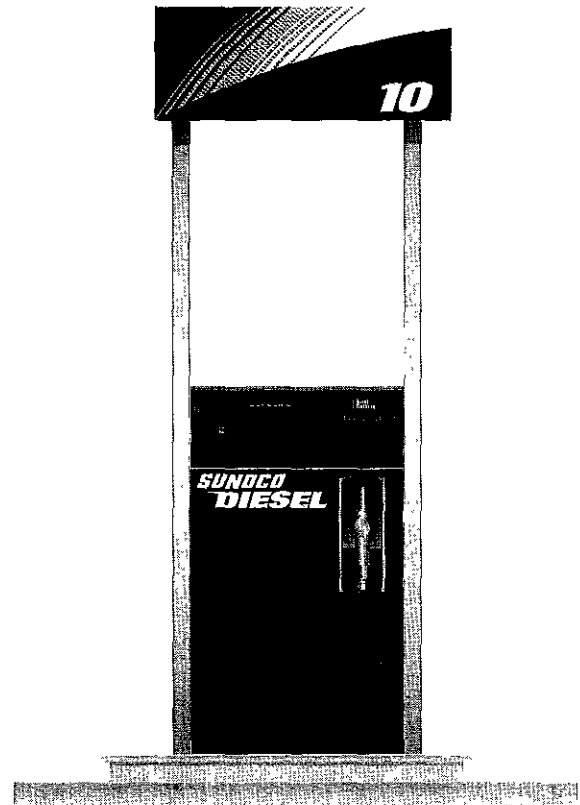
GILBARCO ADVANTAGE



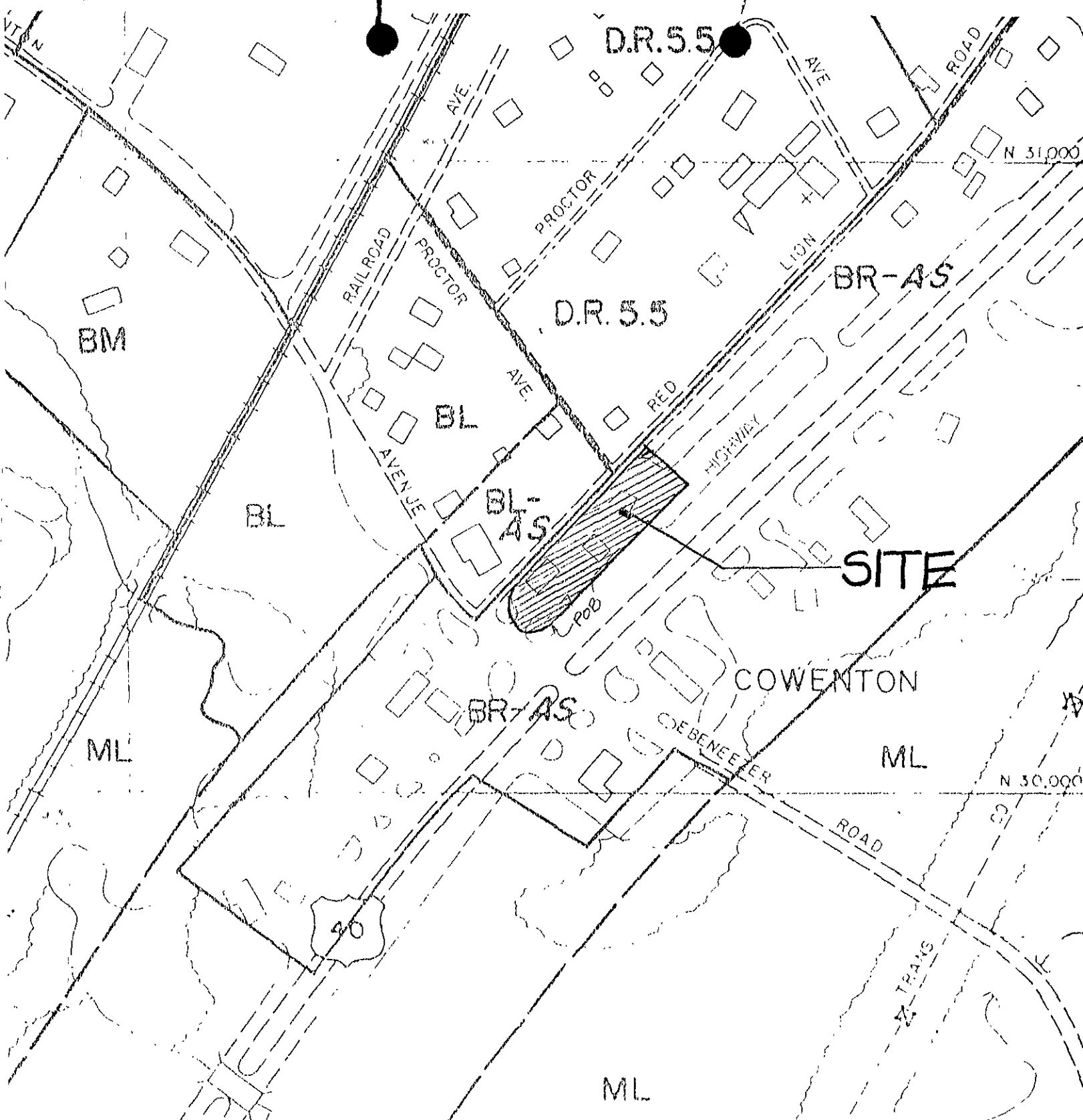
WAYNE/DRESSER 395



SIDE VIEW



WAYNE/DRESSER DIESEL



SCALE

1" = 200'

DATE
OF
PHOTOGRAPHY
JANUARY
1986

LOCATION

WHITE MARSH

COWENTON

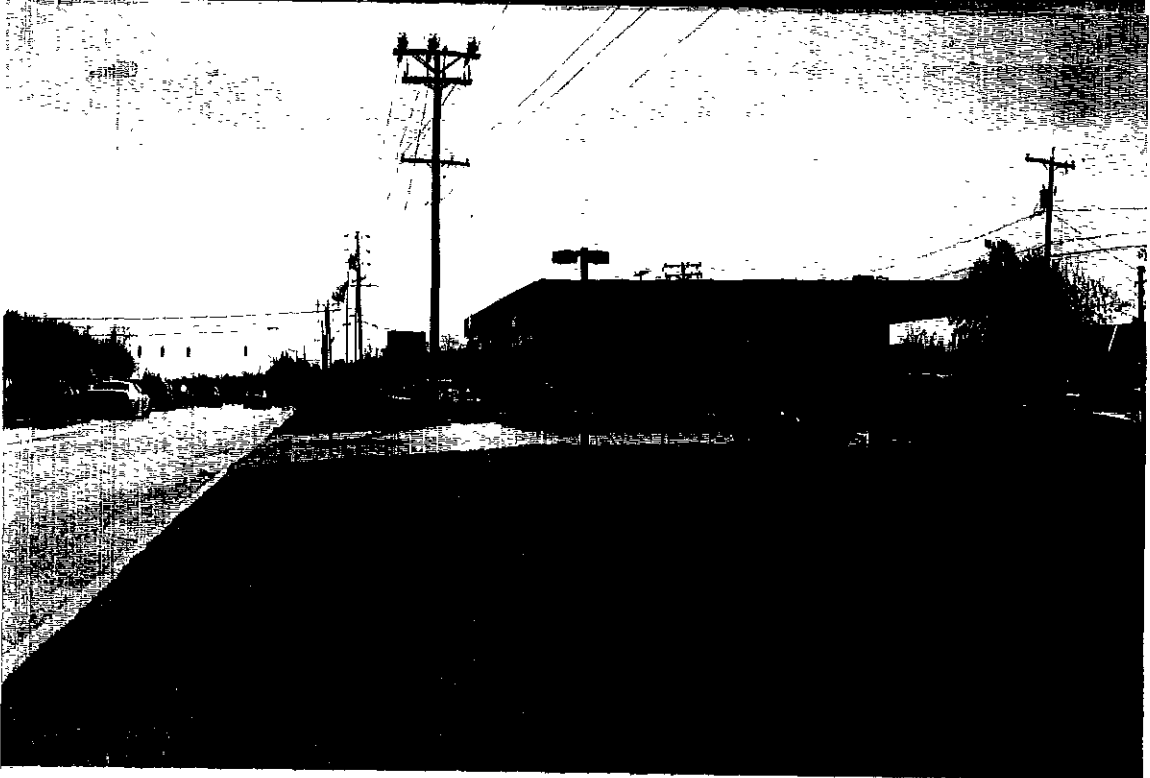
SHEET

N. E.

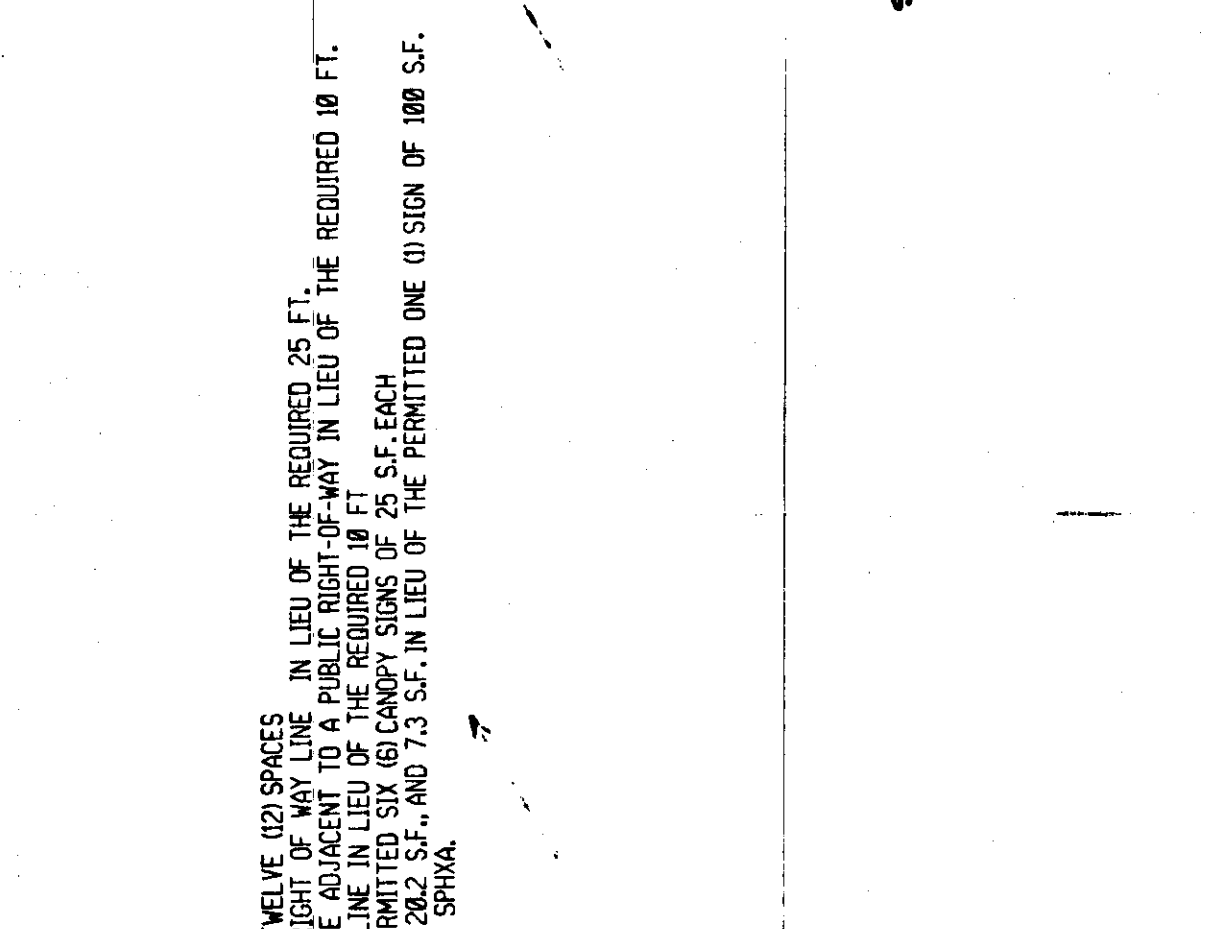
8-I

- 500A 00-103-SP4A

Petitioner's
exhibits
2A - 2D
photographs
00-103-SPNA







ZONING HISTORY:
CASE #4906 SPECIAL PERMIT FOR A GASOLINE SERVICE STATION, GRANTED 4/8/46
CASE #4923 SPECIAL EXCEPTION FOR AN ADVERTISING SIGN, GRANTED 2/23/68
CASE #67-28 VARIANCE TO PERMIT A SIGN OF 38.8' HIGH IN LIEU OF THE ALLOWED 25', PETITION WAS WITHDRAWN 7/22/66

PARKING CALCULATIONS:
1/EMPLOYEE ON LARGEST SHIFT
196 S.F. C-STORE @ 3/1000 S.F.
3 SERVICE BAYS @ 3/BAY
1 FOR SELF SERVICE AIR
TOTAL PARKING REQUIRED
TOTAL PARKING PROVIDED

TO PERMIT A FREESTANDING SIGN OF 128 S.F. TOTAL IN LIEU OF THE MAXIMUM PERMITTED 100 S.F. AND TO PERMIT ACCESS TO EISENHARTZ ROAD, IN ADDITION TO ACCESS SOLELY TO A CLASS I COMMERCIAL MOTORWAY WAS GRANTED, 11/5/90. PETITION FOR SPECIAL EXCEPTION TO APPROVE THE USE OF A PORTION OF THE PROPERTY FOR A FOOD STORE WITH LESS THAN 5,000 SQ. FT. AS A USE IN COMBINATION WITH THE PROPOSED GAS AND GO PURSUANT TO SECTION 485.40.8 WAS GRANTED, 11/5/90.

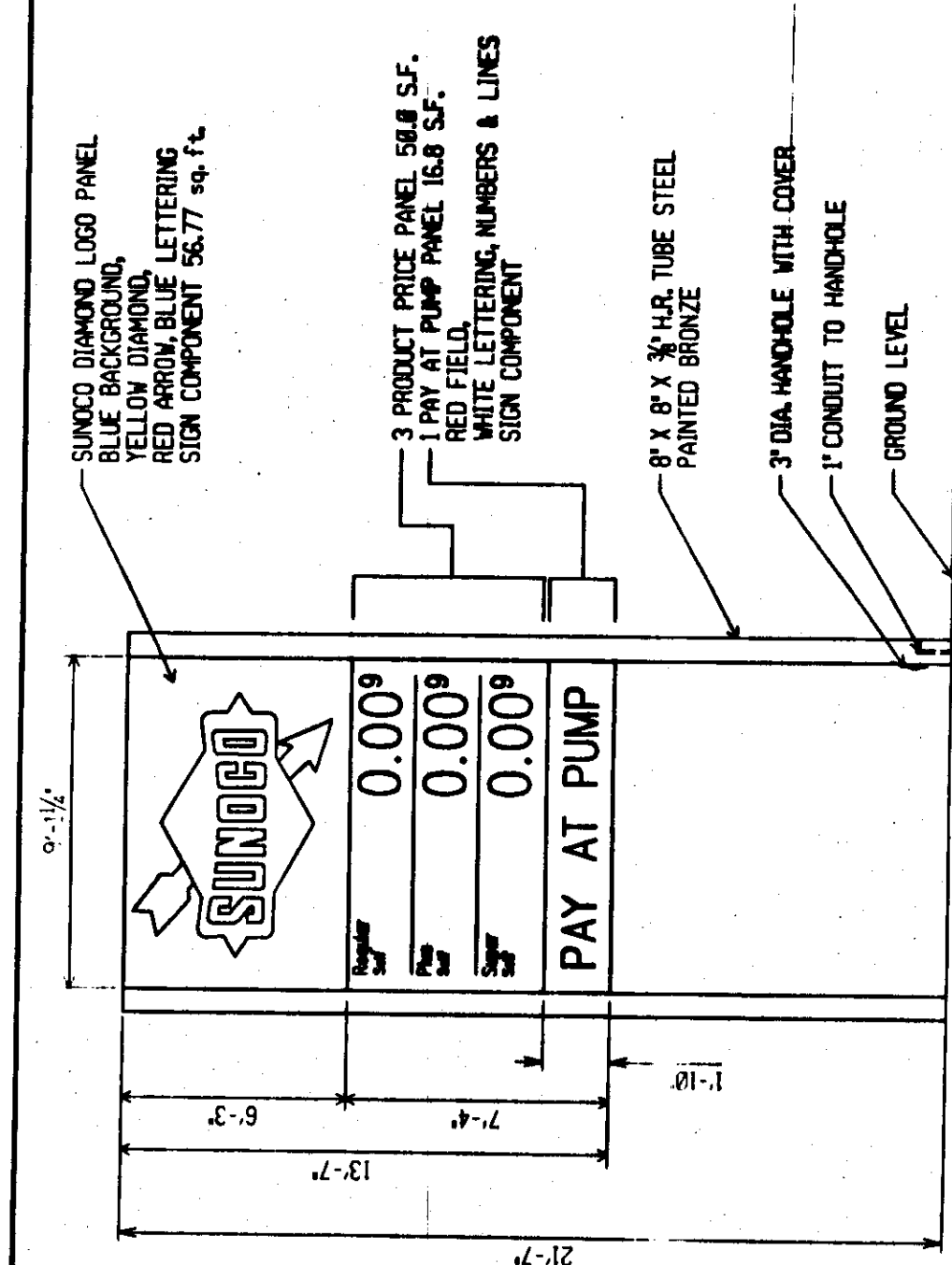
RED LION ROAD



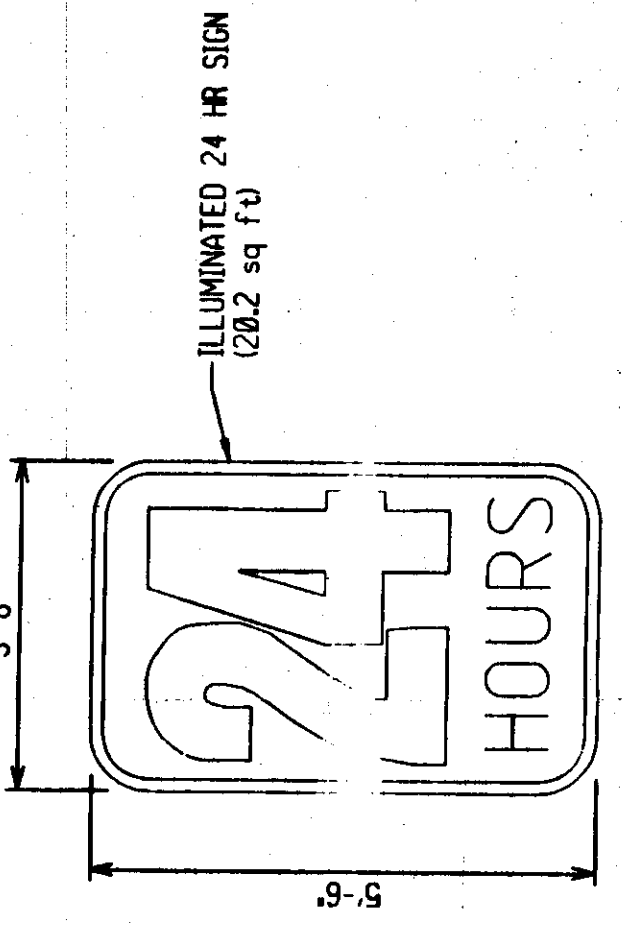
Ref-
No-

[illegible]

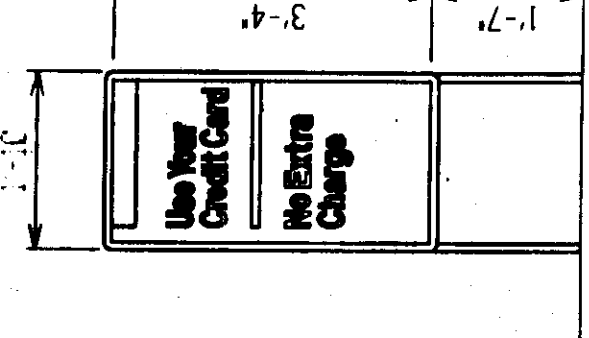
8008 00-103 SP457



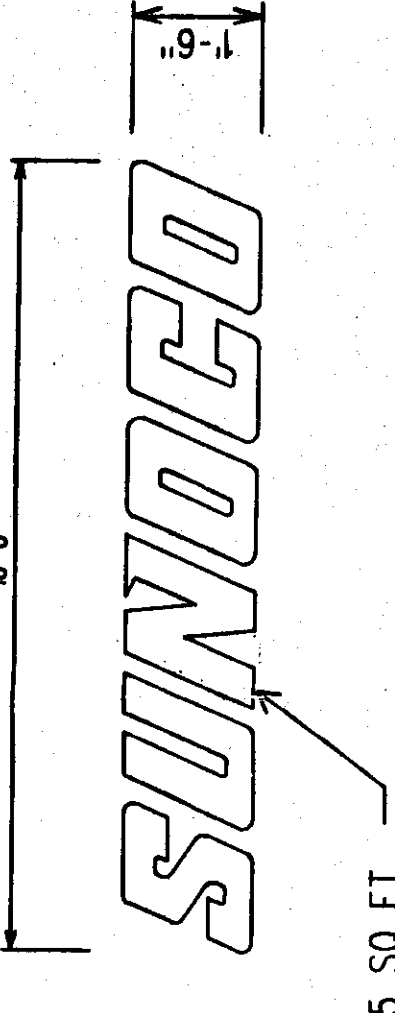
EXISTING SIGN 'W' GOALPOST I.D. SIGN
N.T.S.



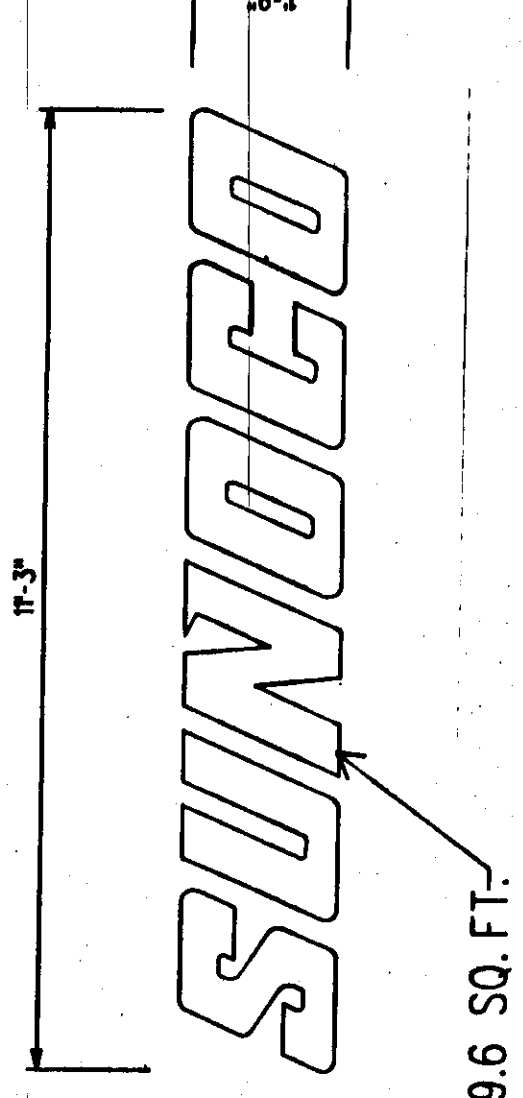
EXISTING BUILDING SIGN 'B'
N.T.S.



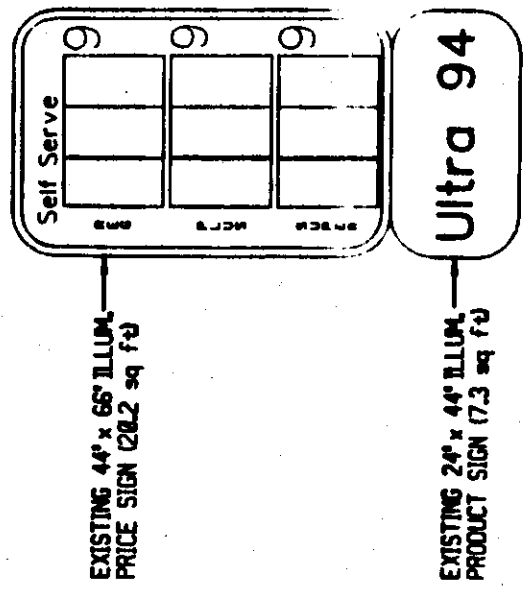
EXISTING SIGN 'C'
ISLAND MERCHANDISE SIGN
N.T.S.



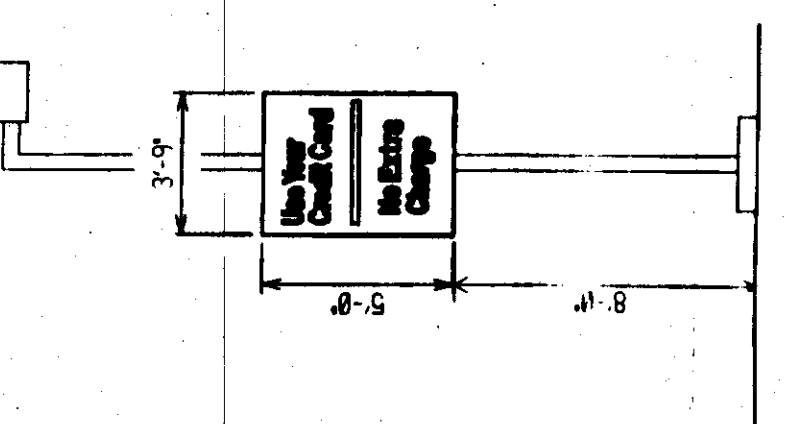
PROPOSED BUILDING SIGN 'H'
N.T.S.



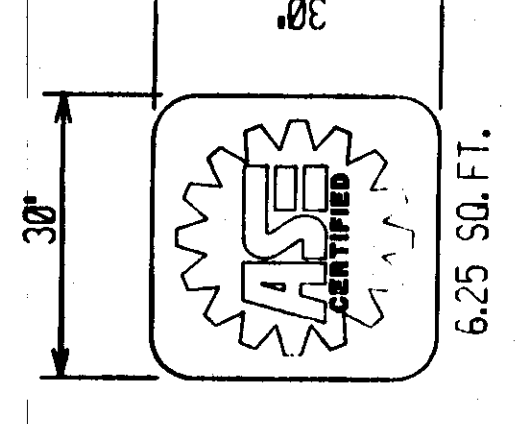
PROPOSED CANOPY SIGN 'C'
N.T.S.



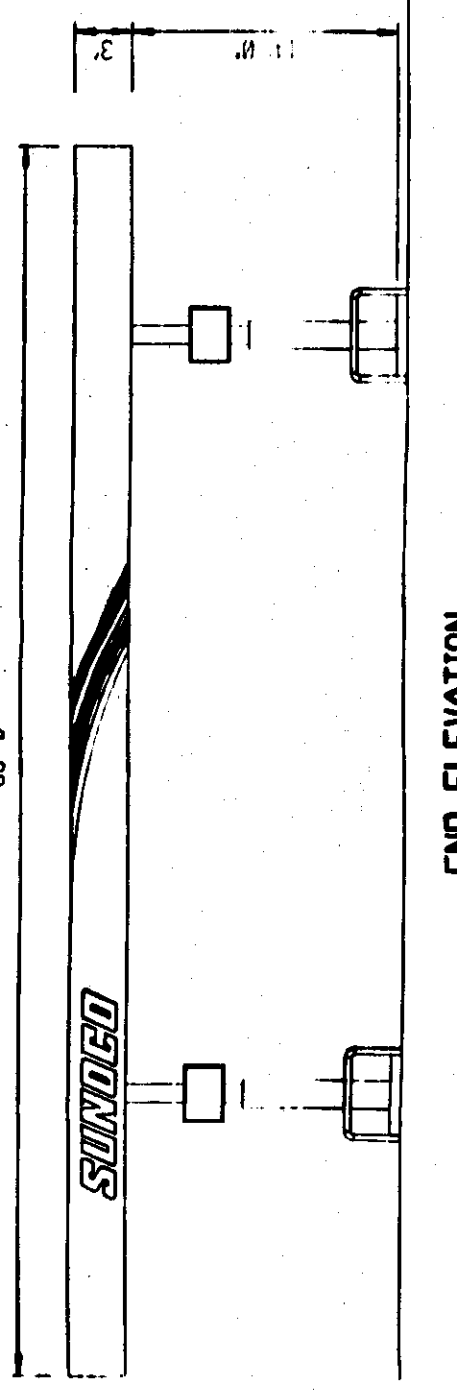
PROPOSED SIGN 'D'
PRODUCT POD ON 44" X 66" PRICE SIGN
N.T.S.



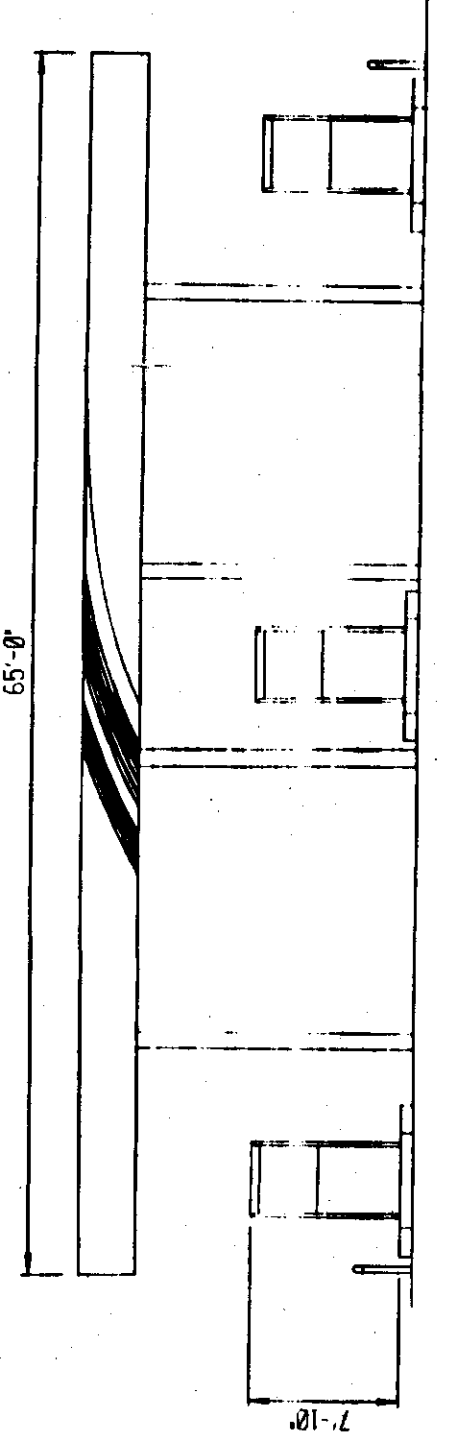
PROPOSED SIGN 'E'
19 S.F. PERIMETER POLE SIGN
N.T.S.



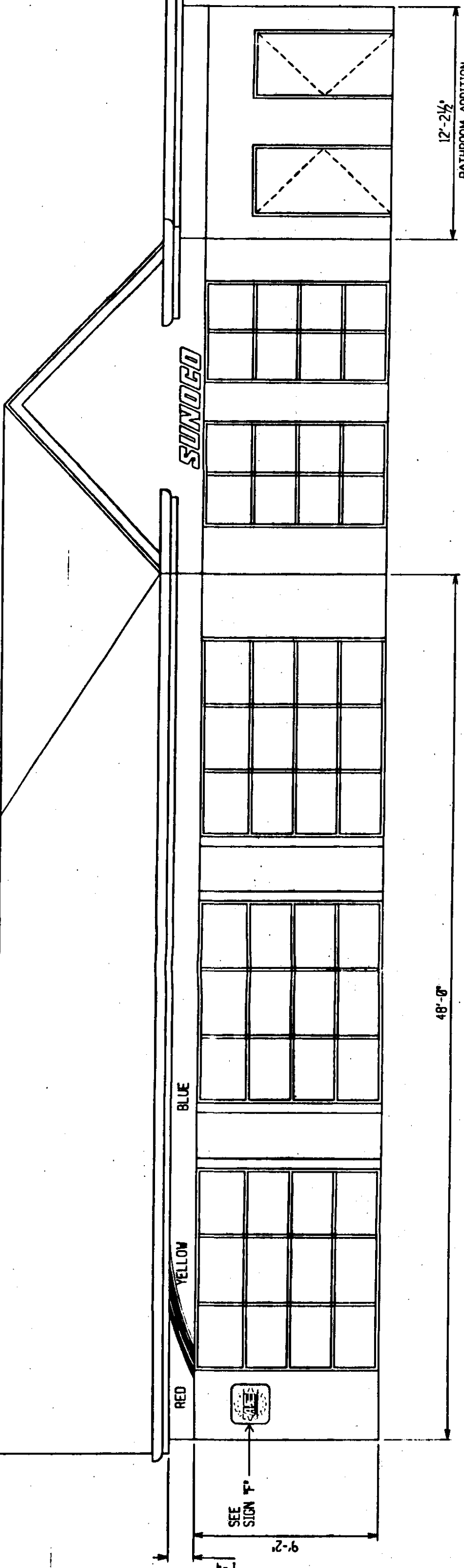
EXISTING SIGN 'F'
ASE LOGO
N.T.S.



END ELEVATION
N.T.S.



FRONT ELEVATION
N.T.S.



SIGNAGE CHART

EXISTING SIGNAGE	
1.0 SIGN 'W' ILLUM	73.5 S.F.
PERIMETER POLE 'E'	19 S.F.
ISLAND MERCHANDISE 'C'	4 S.F.
1 PRODUCT 'D' ILLUM	14 S.F.
2 PRODUCT 'D' ILLUM	28 S.F.
4 ASE WALL SIGN 'F' ILLUM	6.25 S.F.
SUB TOTAL	96.4 S.F.

PROPOSED SIGNAGE	
BUILDING LETTER LOGO 'H' ILLUM	15 S.F.
CANOPY LETTER LOGO 'C' ILLUM	19.6 S.F.
SUB TOTAL	34.6 S.F.
TOTAL SIGNAGE	131.0 S.F.

NOTES:
1. ALL SIGNAGE SHALL BE INSTALLED IN ACCORDANCE WITH THE LATEST EDITIONS OF THE SIGNAGE MANUALS PUBLISHED BY THE SIGNAGE INSTITUTE.
2. ALL SIGNAGE SHALL BE INSTALLED IN ACCORDANCE WITH THE LATEST EDITIONS OF THE SIGNAGE MANUALS PUBLISHED BY THE SIGNAGE INSTITUTE.

NO.	DATE	REVISIONS	DATE	BY	APP'D
COMPUENGINEERING					
SUN COMPANY, INC. (R&D) Marketing Engineering Department Philadelphia, PA					
LOCATION: RT 49 & EBERHART RD WINTERSVILLE, PA			PROJECT NO.		
SIGNAGE DETAILS					
PROJECT NO.	0003-4595	DATE	11-11-95	BY	M-1
0					