IN THE MATTER OF
THE APPLICATION OF
7-ELEVEN, INC. -PETITIONER
FOR A ZONING RECLASSIFICATION
FROM B.L TO B.L-A.S. ON PROPERTY
LOCATED ON THE SW/S BOWLEYS
QUARTERS ROAD AND SW/S CARROLL
ISLAND ROAD
(204 BOWLEYS QUARTERS ROAD)
15TH ELECTION DISTRICT
5TH COUNCILMANIC DISTRICT

- * BEFORE THE
- * COUNTY BOARD OF APPEALS
- * OF
- * BALTIMORE COUNTY
- * CASE NO. R-01-439 Cycle I, 2001, Item #7

ORDER OF DISMISSALOF PETITION

This matter comes before this Board on a Petition for Reclassification filed by 7-Eleven, Inc. by its attorneys VENABLE, BAETJER & HOWARD, LLP, and Robert A. Hoffman, Esquire, for a zoning reclassification from B.L. to B.L.-A.S. for the property located on the southwest side Bowleys Quarters Road and southwest side Carroll Island Road in the Fifteenth Election District of Baltimore County; property known as 204 Bowleys Quarters Road; and

WHEREAS, the Board of Appeals is in receipt of a letter of withdrawal of Petition filed May 1, 2002 (a copy of which is attached hereto and made a part hereof) from Robert A. Hoffman Esquire, VENABLE, BAETJER & HOWARD, LLP, Counsel for Petitioner; and

WHEREAS, said Counsel, on behalf of Petitioner, requests that the Petition for Reclassification filed herein be withdrawn as of the above date,

IT IS HEREBY ORDERED this /3t/ day of May, 2002, by the County Board of Appeals of Baltimore County that said Petition be and the same is hereby WITHDRAWN AND DISMISSED.

COUNTY BOARD OF APPEALS OF BALTIMORE COUNTY

Charles L. Marks, Chairman

Lawrence M. Stahl

Richard K /Irish





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

FAX: 410-887-3182

Robert A. Hoffman, Esquire VENABLE, BAETJER & HOWARD, LLP 210 Allegheny Avenue Towson, MD 21204

RE: In the Matter of: 7-Eleven, Inc.
- Petitioner Case No. R-01-439

Dear Mr. Hoffman:

Enclosed please find a copy of the Order of Dismissal of Petition issued this date by the County Board of Appeals of Baltimore County in the subject matter in which the subject Petition for Reclassification has been withdrawn and dismissed.

Very truly yours,

Kathleen C. Bianco
Administrator

Enclosure

c:

David H. Karceski, Esquire

Edward E. Zimmerman, Sr. /7-Eleven, Inc.

Bohler Engineering, PC Robert J. Haines, Esquire /Board of Ed. /MS 1102-J

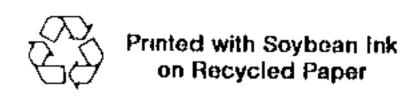
People's Counsel for Baltimore County

Pat Keller, Planning Director

Lawrence E. Schmidt /Zoning Commissioner

W. Carl Richards /PDM

Arnold Jablon, Director /PDM





Baltimore County:

Name - Type or Print

Robert A. Höffman

Name - Type or Print/

Signature

Address

City

Petition for Reclassification

to the Board of Appeals of Baltimore County

SOUTHWEST CORNER OF CARROLL ISLAND ROAD for the property located at AND BOWLEYS QUARTERS ROAD which is presently zoned/districted 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: (1) that the zoning/district status of the herein described property be reclassified. pursuant to the zoning law of Baltimore County from a $\frac{BL}{L}$ zone/district to a $\frac{BL-AS}{L}$ zone/district, for the reasons given in the attached and (2) for a Special Exception under the zoning regulations of Baltimore County, to use the herein described property for and (3) for the reasons given in the attached statement, a Variance from the following sections of the zoniga regulations of $\overline{\mathbb{Q}}$ Property is to be posted and advertised as prescribed by the zoning regulations. i, or we, agree to pay expenses of above petition(s), 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: Legal Owner(s): 7-ELEVEN, INC. (formerly THE SOUTHLAND CORPORATION) Name - Type or Print By: Signature Edward E. Zimmerman, Senior Real Estate Telephone No. Name Type or Print Representative dward 6.2 immerma. State Zip Code Signature 8605 Old Harford Road 410-663-6600 Attorney For Petitioner: Address Telephone No. Baltimore, MD 21234 Zip Code City State Representative to be Contacted: Robert A. Hoffman Venable, Baetjer and Howard, LLP Name 410-494-6200 210 Allegheny Avenue 210 Allegheny Avenue 410-494-6200 Telephone No. Telephone No. Address 21204 Towson, MD 21204

Zp Code

State

REV 9/18/98

Towson,

Signatúre

Company

Address

City

13-01-439

State

Zıp Code

City

MD



Petition for Reclassification

to the Board of Appeals of Baltimore County

	-	→				-
	SOUTHWEST	CORNER	OF	CARROLL	ISLAND	ROAD
for the property located at	AND BOWLEY	YS QUART	EER S	ROAD		

	which is prese	ently zoned/district	ted	· - · - · · · · · · · · · · · · · · · ·
This Petition shall be filed with the Depart owner(s) of the property situate in Baltimore (made a part hereof, hereby petition: (1) that	County and which i	is described in the des	scription and pla	t attached hereto and
pursuant to the zoning law of Baltimore Count reasons given in the attached and (2) for a Sp herein described property for	ty from aBL secial Exception u	zone/district to nder the zoning regul	a <u>BL-AS</u> ations of Baltimo	_zone/district, for the ore County, to use the
and (3) for the reasons given in the attached	statomont a Maria	nation the following	a accidence of the	
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Name Time of Driet			(Tormerry	
Name - Type or Print		Name - Type or Print		CORPORATION)
Supporture		By:		
Signature		Signature		
Address	elephone No.	Name - Type or Print	Repr	esentative
City	Zip Code	Signature		
Attorney For Petitioner:		8605 Old Harfo	ord Road	410-663-6600
Robert A. Hôffman		Address Baltimore,	MD	Telephone No. 21234
Name - Type or Print		City	Sta	e Zip Code
Signature Signature	· · <u></u>	Representative to	o be Contacte	<u>ed:</u>
Venable, Baetjer and Howard, LLP Company	······································	Robert A. Hoff	man	······································
210 Allegheny Avenue 410-494	-6200	210 Allegheny	Avenue	410-494-6200
	lephone No.	Address	•	Telephone No.
Towson, MD 2	1204	Towson,	MD	21204
City	Zip Code	City	Stat	e Zp Code



Petition for Reclassification

to the Board of Appeals of Baltimore County

204 BOWLEYS QUARTERS ROAD, SOUTHWEST CORNER OF CARROLL ISLAND ROAD for the property located at AND BOWLEYS QUARTERS ROAD

which is presently zoned/districted ^{BL}	
This Petition shall be filed with the Department of Permits and Development Management. The undersign owner(s) of the property situate in Baltimore County and which is described in the description and plat attached he made a part hereof, hereby petition: (1) that the zoning/district status of the herein described property be reclaim.	reto and
pursuant to the zoning law of Baltimore County from a $\frac{BL}{}$ zone/district to a $\frac{BL-AS}{}$ zone/district reasons given in the attached and (2) for a Special Exception under the zoning regulations of Baltimore County, to herein described property for	, for the use the

and (3) for the reasons given in the attached statement, a Variance from the following sections of the zoning regulations of Baltimore County:

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

I, or we, agree to pay expenses of above petition(s), 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.

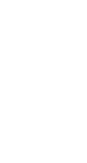
Contract Purchaser/L	essee:	
Name - Type or Print	''' - '- '' - '' - '' - '	··-···································
Signature	••····································	
Address		Telephone No.
City	State	Zip Code
Attorney For Petitione	<u>er:</u>	
Robert A. Hôffman		
Name - Type or Print		
Signature		
Venable, Baetjer an	nd Howard, L	LP
Company		·
210 Allegheny Avenu	ue 410-	494-6200
Address		Telephone No.
Towson, MI)	21204
City	State	Zip Code

R-01-439

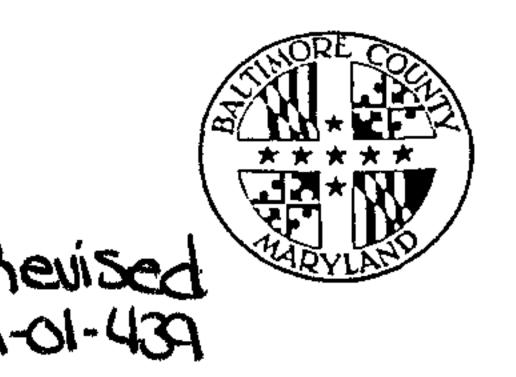
I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Legal Owner(s):

	-				
7-ELEVEN, INC	C. (forme	erly TH	E SOUT	CHL.	AND
Name - Type or Print		C	DRPORA	TT	ON)
By:					
Signature			<u> </u>		
Edward E. Zin	nmorman,	Senior	Rea1	Es	tate
Name - Type or Pripts		Represe	entati	Lve	
(durand 6	Zimm	erman			
Signature					
8605 Old Harf	ford Road	i 4	410-66	53-	6600
Address	· <u> </u>			Tele	hone No.
Baltimore,	MD			21	234
City		State			Zıp Code
Representative	to be Co	ntacted:			
Robert A. Hof	fman		<u></u>		
Name					
210 Allegheny	Avenue				-6200
Address			Te	elepi	one No.
Towson,	MD			21	204
City		State		7	ip Code



REVISED 4/24/01



Petition for Reclassification

to the Board of Appeals of Baltimore County 204 BOWLEYS QUARTERS ROAD, SOUTHWEST CORNER OF CARROLL ISLAND for the property located at ROAD AND BOWLEYS QUARTERS ROAD

		which is pre	esently zoned/districted BL		
owner(s) of the pro	perty situate in Baltim	ore County and whic	ts and Development Management. h is described in the description and particle status of the herein described	olat attached he	reto and
nerem described paid individual si	roperty for Special te in combination	Exception to pent of the Exception to	BL zone/district to a <u>BL-AS</u> under the zoning regulations of Baltiermit a fuel service stationing convenience store pursuanty Zoning Regulations.	on an	
and (3) for the reas Baltimore County:	sons given in the attac	hed statement, a Va	riance from the following sections of t	he zoning regul	ations c
		See attached	sheets.		
I, or we, agree to pa	sted and advertised a sy expenses of above p nd restrictions of Baltimo	petition(s), advertising,	zoning regulations. posting, etc. and further agree to and a suant to the zoning law for Baltimore Cou	are to be bounde inty.	ed by the
	-		I/We do solemnly declare and affirm, perjury, that I/we are the legal owner is the subject of this Petition.	· · · · · · · · · · · · · · · · · · ·	
Contract Purcha	ser/Lessee:		<u>Legal Owner(s):</u>		
Name - Type or Print	<u> </u>		SEE ATTACHED SIGNATURE Name - Type or Print	PAG ES	· · · · · ·
Signature			Signature		
Address		Telephone No.	Name - Type or Print	<u> </u>	
City	State	Zip Code	Signature	, <u>, , , , , , , , , , , , , , , , , , </u>	
Attorney For Per Robert A. Hoff			Address	Telep	hone No.
Name - Type or Print			City Representative to be Contac		Zip Code
Signature Venable, Baetj Company	er and Howard, L	LP	Robert A. Hoffman Name		
210 Allegheny Address	Avenue (4	10) 494-6200 Telephone No.	210 Allegheny Avenue	(410) 49	4-6200 one No.
Towson,	MD	21204	Address Towson, MD	2120	
City	State	Zip Code			ip Code

PETITION FOR VARIANCE

Variance from BCZR Section 450.4.5.E to permit service station canopy signs of 352.75 and 83 square feet (2 of each) in lieu of the permitted 25 square feet each.

SIGNATURE PAGE

204 Bowleys Quarters Road Southwest Corner of Carroll Island Road and Bowleys Quarters Road

LEGAL OWNERS:

7-ELEVEN, INC. (formerly THE SOUTHLAND CORPORATION) 8605 Old Harford Road Baltimore, Maryland 21234 (410) 663-6600

By: <u>chuard E. Zimmerman</u>,

Senior Real Estate Representative

SIGNATURE PAGE

204 Bowleys Quarters Road Southwest Corner of Carroll Island Road and Bowleys Quarters Road

LEGAL OWNERS:

Raymond D. Thorpe 311 Kennard Avenue Edgewood, Maryland 21040

By: Raymond D. Thorpe

Metes and Bounds Description Zoning Petition

Beginning at a point, said point lying on the Northwest corner of Parcel 246 as described in Liber 7082 Folio 335

Then running S 03° 18' 00" E, 44.52' to a point

Then running N 89° 44' 20" E, 35.09' to a point

Then running N 89° 44' 20" E, 127.48' to a point

Then running N 53° 14' 30" W, 120.12' to a point

Then running S 20° 18' 00" W, 35.00' to a point

Then running N 20° 18' 00" E, 165.00' to a point

Then running S 20° 18' 00" W, 50.00' to a point

Then running S 69° 42' 00" E, 42.10' to a point

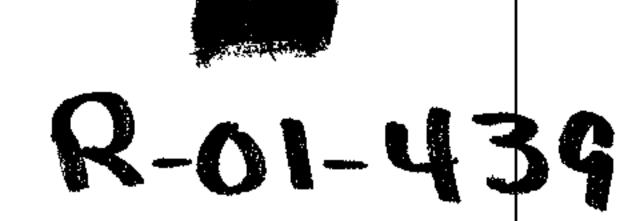
Then running S 20° 18' 00" W, 35.00' to a point

Then running S 37° 10' 29" E, 151.91' to a point

Then running S 89° 44' 20" E, 50.00' to a point

Then S 89° 44' 20" E, 35.07' to the point of beginning, encompassing a total of 0.33 acres more or less.





204 Bowley's Quarters Road Metes and Bounds Description Zoning Petition

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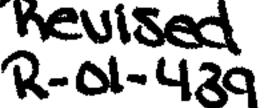
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Then S 89° 44' 20" E, 35.07' to the point of beginning, encompassing a total of 0.33 acres more or less.



2.01-439 Rev4/26/01





810 Gleneagles Court, Suite 300 Towson, MD 21286 410.821.7900 410.821.7987 fax md@bohlereng.com

October 18, 2001

ZONING DESCRIPTION OF THE LANDS OF LIBERTY SOUTH CORPORATION FIFTEENTH ELECTION DISTRICT, BALTIMORE COUNTY, MD "AREA OF ZONING RECLASSIFICATION"

BEGINNING AT A POINT ON THE NORTHWESTERN OF THE CORNER PROPERTY DESCRIBED LANDS OF LIBERTY SOUTH CORPORATION IN DEED LIBER 5086 AT FOLIO 320, SAID POINT BEING FURTHER LOCATED BY THE FOLLOWING COURSE AND DISTANCE FROM THE CENTERLINE INTERSECTION OF BOWLEYS QUARTERS ROAD AND CARROLL ISLAND AND CARROLL ISLAND ROAD.

- A. NORTH 78 DEGREES 01 MINUTES 49 SECONDS WEST 152.6 FEET TO A POINT, AND THENCE LEAVING THE POINT OF BEGINNING AND LEAVING CARROLL ISLAND ROAD, AND REFERRING SAID COURSES AND DISTANCES TO THE MARYLAND STATE GRID MERIDAN NAD NORTH VIZ;
- 1. SOUTH 11 DEGREES 58 MINUTES 11 SECONDS WEST 85.00 FEET TO A POINT;
- 2. SOUTH 45 DEGREES 30 MINUTES 18 SECONDS EAST 151.91 FEET TO A POINT; THENCE,
- NORTH 81 DEGREES 55 MINUTES 51 SECONDS EAST 85.05 FEET TO A POINT; THENCE,
- 4. SOUTH 11 DEGREES 37 MINUTES 49 SECONDS EAST 44.52 FEET TO A POINT; THENCE,
- 5. SOUTH 81 DEGREES 55 MINUTES 51 SECONDS WEST 162.55 FEET TE A POINT; THENCE,
- 6. NORTH 61 DEGREES 34 MINUTES 19 SECONDS WEST 120.12 FEET TO A POINT; THENCE, NORTH 11 DEGREES 58 MINUTES 11 SECONDS EAST 200.00 FEET TO A POINT; THENCE,
- 8. SOUTH 78 DEGREES 01 MINUTES 49 SECONDS EAST 42.10 FEET TO THE POINT OF BEGINNING

CONTAINING IN ALL 25,400 SQUARE FEET OR 0.583 ACRES OF LAND MORE OR LESS; BEING ALL THOSE LANDS LEASED BY SOUTHLAND CORPORATION, FROM THE LIBERTY SOUTH CORPORATION, BY DEED DATED APRIL 23, 1970, AND RECORDED AMONG THE LAND RECORD BOOKS OF BALTIMORE COUNTY, MARYLAND, IN DEED LIBER 5086 AT FOLIO 320; ALSO KNOWN AS 204 BOWLEY'S QUARTERS ROAD, 15TH ELECTION DISTRICT, BALTIMORE COUNTY, MARYLAND.

Prepared by:MPS Reviewed by:BMP



Other Office Locations:

■Watchung, NJ 908.668 8300

■ North Wales, PA 215.393.8300

■ Melville, NY 631 872 2000

■ Sterling, VA 703 709 9500 ■ Southboro, MA 508 480 9900

Albany, NY518 438 9900

■ Center Valley, PA 610.797 3000

DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT ZONING REVIEW

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The <u>Baltimore County Zoning Regulations</u> (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: $R - 01 - 439$ Petitioner: $7 - Elasen$
Address or Location: 204 Bowley's Quarters Rd
PLEASE FORWARD ADVERTISING BILL TO: Name: Amy C. Donte II Address: 210 Allegheny Ave. Towson, MD. 21201
Telephone Number: $410-494-(220)$

DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT ZONING REVIEW

<u>ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS</u>

The <u>Baltimore County Zoning Regulations</u> (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.

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

For Newspaper Advertising:
Item Number or Case Number: R-01-439
Petitioner: $7 - ELEVEN, INC.$
Address or Location: <u>Southwest converted Carroll Island Read and Bowleys</u> Quanters Road
PLEASE FORWARD ADVERTISING BILL TO:
Name:Amy Dontell
Address: 210 Alfoghenny Avenue
Tonson, Maryland 21204
Telephone Number:

Revised 2/20/98 - SCJ

#04

TO: PATUXENT PUBLISHING COMPANY

Thursday, September 27, 2001 Issue - Jeffersonian

Please forward billing to:

Amy Dontell 210 Allegheny Avenue Towson, MD 21204 410-494-6201

NOTICE OF ZONING RECLASSIFICATION HEARING

The County Board of Appeals of Baltimore County, by authority of the County Charter, Section 602.(e) and Section 603 and the County Code, Section 2-356(d), will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: R-01-439
204 Bowley's Quarters Road
SW/S Bowley's Quarters Road and SW/S Carroll Island Road
15th Election District — 5th Councilmanic District
Legal Owner: 7-Eleven, Inc.

Reclassification of property from B.L. to B.L.-A.S.

HEARING: Wednesday, October 17, 2001 at 10:00 a.m. in Room 48 of the Old

Courthouse, 400 Washington Avenue

Lawrence S. Wescott

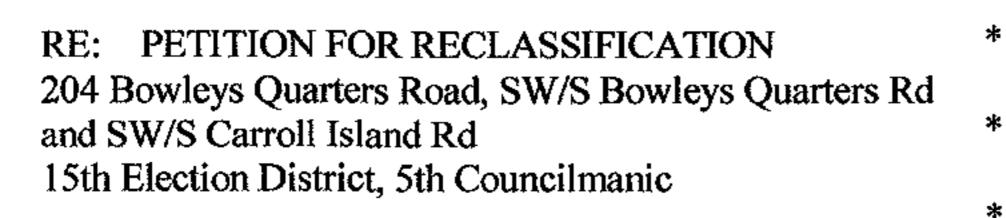
Chairman

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 410-887-3180.

(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 410-887-3180.

	BALTIMORE COUNTY, MARYLAN OFFICE OF BUDGET & FINANCE MISCELLANEOUS RECEIPT JLL R-01-439 No. 067		
	DATE 10/24 01 ACCOUNT 00 006 6150	5 521 JAMAN TERRETORTION	T (FLN
· ".	FOR: REV. RECLASS PET (100, 00) SPECIAL EXCETA (200, 00)	101, 006723 Secret for 750	
	DISTRIBUTION VARCIANCE (2.90,000) 7 (650,000 FOTAL) DISTRIBUTION		
	WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER	CASHIER'S VALIDATION	

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Legal Owner: 7-Eleven, Inc. Petitioner(s)

*

BEFORE THE

COUNTY BOARD OF APPEALS

FOR *

* **BALTIMORE COUNTY**

Case No. R-01-439

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. All parties should copy People's Counsel on all correspondence sent/ documentation filed in the case.

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 28th day of August, 2001 a copy of the foregoing Entry of Appearance was mailed to Robert A. Hoffman, Esq., Venable, Baetjer & Howard, 210 Allegheny Avenue, Towson, MD 21204, attorney for Petitioner(s).

> Peter Max Timmenan PETER MAX ZIMMERMAN



Office of the Fire Marshal 700 East Joppa Road Towson, Maryland 21286-5500 410-887-4880

December 19, 2001

Department of Permits and
Development Management (PDM)
County Office Building, Room 111
Mail Stop #1105
111 West Chesapeake Avenue
Towson, Maryland 21204

ATTENTION: Gwen Stephens

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF

Item No.: Revised R-01-439

Dear Ms. Stephens:

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.

4. The site shall be made to comply with all applicable parts of the Baltimore County Fire Prevention Code prior to occupancy or beginning of operation.

REVIEWER: LIEUTENANT JIM MEZICK, Fire Marshal's Office

PHONE 887-4881, MS-1102F

cc: File

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

DATE: October 25, 2001

TO: Arnold Jablon, Director

Department of Permits

& Development Management

Attn: Carl Richards

FROM

Kathleen C. Bianco

County Board of Appe

SUBJECT: Amendment to Petition for Reclassification and DOCUMENTED Site Plan /Case No.

R-01-439 /7-Eleven, Inc. -Petitioner

In accordance with the appropriate sections of the *Baltimore County Code*, the Amended Petition for Reclassification and accompanying Documented Site Plan in the subject matter were submitted to the County Board of Appeals on the record and at a public hearing this date. This amended petition, including the Amended (Documented) Site Plan and accompanying documentation, is herewith transmitted to your office for processing pursuant to § 2-356(m) of the Code.

This case will be heard before the Board on the merits of the request on December 13, 2001 at 10:00 a.m. A copy of the Notice of Assignment is attached reflecting this hearing date. Should you require any additional information regarding this matter, please contact this office.

Attachment

cc:

David Karceski, Esquire Robert A. Hoffman, Esquire People's Counsel for Baltimore County Pat Keller, Planning Director Jeffrey Long /Planning



INTEROFFICE CORRESPONDENCE

DATE: June 27, 2001

TO: Arnold Jablon, Director

Department of Permits & Development Mgmt.

ROM: Robert W. Bowling, Supervisor

Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
For The Zoning Reclassification Cycle I

April 2001 - October 2001

Item Nos. 2, 3, 7

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

RWB:HJO:jrb

cc: File

BALTIMORE COUNTY, MARYLAND

Board of Appeals of Baltimore County Interoffice Correspondence

DATE:

July 9, 2002

TO:

Arnold Jablon, Director

Permits & Development Management

Attn.: David Duvall

FROM:

Theresa R. Shelton

Board of Appeals

SUBJECT:

CLOSED APPEAL CASE FILES

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

BOARD OF APPEALS	PDM FILE NUMBER	NAME	LOCATION
CASE NUMBER			
R-01-439	R-01-439 Cycle I	7-ELEVEN	BOWLEYS QUARTER
R-01-455	R-01-455 Cycle I	MICHAEL JAMES LYNCH	SWEET AIR ROAD
CR-02-154-A	CR-02-154-A CYCLE II, 2001/2002 ITEM #2	BETTY KREUZBURG	8919 REISTERSTOWN ROAD
CBA-02-110	CIVIL CITATION 01-1870	WAL-MART REAL ESTATE	2399 NORTH POINT BLVD.
02-223	02-223	NANCY WEHR NIERMANN	1210 BERWICK ROAD
02-236-SPHXA	02-236-SPHXA	1 ST PREFERENCE MORTGAGE	9423 BELIAR ROAD
94-227-SPHA 94-228-SPHA	94-227-SPHA 94-228-SPHA	GEORGE SEARS	22 CLYDE AVENUE
01-96-SPH	01-96-SPH	LORRAINE AND DANIEL NARANGO	2635 MEREDITH ROAD
CBA-92-204	WESBURY SECTION 8 CRG DECISION	WESTBURY SECTION 8	TARRAGON ROAD NW OF CARAWAY ROAD
01-156-A	01-156-A	STEFANIA MALKOWSKI	401 ARMSTRONG ROA
01-469-A	01-469-A	ANGELA AND THOMAS NEIMILLER	19 WAGON WHEEL COURT

Attachment: SUBJECT FILE(S) ATTACHED



Maryland Department of Transportation State Highway Administration

Parris N. Glendening Governor John D. Porcari

Secretary
Parker F. Williams
Administrator

Date: 12.17.01

Mr. George Zahner
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Bal

Baltimore County

Item No. R-01-439

Dear. Mr. Zahner:

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

Should you have any questions regarding this matter, please contact Larry Gredlein at 410-545-5606 or by E-mail at (lgredlein@sha.state.md.us).

Very truly yours,

Kenneth A. McDonald Jr., Chief Engineering Access Permits Division R-01-439
10/24/01
TO: BOA THIS REVISED
APPLICATION IS OK TO FILE PER
ZONING-REVIEW (JOHN LEWIS RANNER II)

PLEASE RETURN ANNI CRAPE CARRES CATE

PLEASE PETURN ANY SPARE COPIES OF INFO AND PLANS TO ZONING REVIEW TO ALLOW US TO PROCESS THIS TO THE ZAC FOR COMMENTS,

Harry Comi



Office of the Fire Marshal 700 East Joppa Road Towson, Maryland 21286-5500 410-887-4880

December 19, 2001

Department of Permits and
Development Management (PDM)
County Office Building, Room 111
Mail Stop #1105
111 West Chesapeake Avenue
Towson, Maryland 21204

ATTENTION: Gwen Stephens

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF

Item No.: Revised R-01-439

Dear Ms. Stephens:

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.

4. The site shall be made to comply with all applicable parts of the Baltimore County Fire Prevention Code prior to occupancy or beginning of operation.

REVIEWER: LIEUTENANT JIM MEZICK, Fire Marshal's Office

PHONE 887-4881, MS-1102F

cc: File



210 Allegheny Avenue Post Office Box 5517 Towson, Maryland 21285-5517 (410) 494-6200, Fax (410) 821-0147 www.venable.com OFFICES IN

MARYLAND WASHINGTON, D.C. VIRGINIA

Robert A. Hoffman (410) 494-6262



March 1, 2001

HAND-DELIVERED

Lawrence S. Wescott, Chairman County Board of Appeals for Baltimore County Old Courthouse, Room 49 400 Washington Avenue Towson, Maryland 21204

Petition for Reclassification

Property: .333 acres of land located

at the southwest corner of Bowleys Quarters

Road and Carroll Island Road

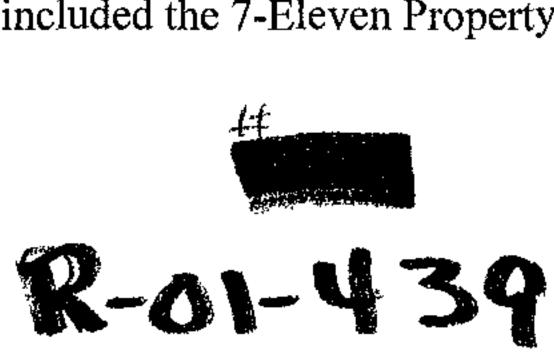
Owner: 7-Eleven, Inc. (formerly Southland Corporation)

Dear Mr. Wescott:

Re:

I am representing 7-Eleven, Inc. (formerly Southland Corporation), the owner with respect to the above-referenced zoning reclassification request for property located at the southwest corner of Bowleys Quarters Road and Carroll Island Road, as identified on the attached site plan entitled, "Undocumented Plan to Accompany Reclassification Petition," comprised of approximately .333 acres of land, currently zoned BL (the "7-Eleven Property"). It is requested that the "AS" designation be added to the 7-Eleven Property.

The purpose of this letter is to set forth the reasons why the requested reclassification should be granted. The 7-Eleven Property was zoned BL-CCC prior to the 1996 Comprehensive Zoning Map Process, which zoning would have permitted fuel service by special exception. During the 1996 CZMP, the zoning was changed to BL which does not permit such a use. We believe the 1996 rezoning which deleted the "CCC" designation on the 7-Eleven Property was a mistake in that the AS district which was placed on adjacent property is too small to utilize the automotive service uses permitted by the AS district. It leaves the fuel service designation on an area of land insufficient for that use. The AS designation should have included the 7-Eleven Property.





March 1, 2001 Page 2

This mistake impedes redevelopment of this corner where AS district uses are appropriate.

At the hearing before the County Board of Appeals, the Petitioner will present evidence demonstrating its entitlement to the requested reclassification and will present evidence regarding each of the factors outlined in Section 2-356(j)(2) of the Baltimore County Code to prove error.

For the reasons stated in this letter and for other reasons as may be presented at the hearing before the County Board of Appeals, it is respectfully submitted that the present zoning of BL for the 7-Eleven Property is in error and the AS designation should include the 7-Eleven Property.

Yours truly,

Robert A. Hoffman

Lobert A. Hoffman/Ah

RAH/sm Enclosure

TO1DOCS1/PAM01/#112845 v1





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MARYLAND WASHINGTON, D.C. VIRGINIA

(410) 494-6244 adontell@venable.com



April 25, 2001

W. Carl Richards, Jr.
Department of Permits and Development Management
Zoning Review Office
111 W. Cheaspeake Avenue
Towson, MAryland 21204

Re: 7-11

204 Bowley's Quarters Road

Dear Mr. Richards:

Enclosed please find a check for \$100.00 to cover the Revision Fee for the 7-11 located at 204 Bowley's Quarters Road. If there is anything I can do please do not hesitate to contact me.

Thank you for your continuing assistance with this matter.

Am. 4 To

Very truly yours,

Amy (Dontell Legal Assistant

Garrison View Road Owings Mills, Maryland 21117 October 12, 2001

Mr. Charles L. Marks, Chairman Board Of Appeals 400 Washington Avenue Room 49 Towson, Maryland 21204

RE: McDonalds Rezoning On Reisterstown Rte. 140

Dear Board Members:

My wife and I have lived in Sandlewood since 1978 and a lot of things have changed in the world in those more than 20 years and a lot have things have changed on Reisterstown Road.

A McDonalds in our neighborhood would be a nice change.

I have never written to this zoning board before, but when I read the article in the Owing Mills Times that said the girls' school that sold some of their land, just down the way, for an upscale car dealership was opposed to McDonalds, I had to write. Within eyesight we have a new HomeDepot, a Super Giant, and we are going to get a Sams Club and Walmart. Who is that fancy school kidding. The parents of the girls at that school do not live in our neighborhood.

I'm retired and I would like a McDonalds close to my home.

Yours Truly,

Riiggell M Hoffmar



County Board of Appeals of Baltimore County

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

FAX: 410-887-3182

Hearing Room - Room 48 Old Courthouse, 400 Washington Avenue

July 16, 2001 De July 16, 2001

'ed as to day of week only*

'merly Southland Comers Road

AMENDED NOTICE OF ASSIGNMENT /Amended as to day of week only*

CASE #: R-01-439 (Cycle I, Item #2, 2001)

IN THE MATTER OF: 7-Eleven, Inc. (formerly Southland Corp) Legal Owner – Petitioner 204 Bowleys Quarters Road 15th Election District, 5th Councilmanic District

Reclassification: From B.L. to B.L.-A.S. as shown on Plan to Accompany **Reclassification Petition**

There will be no testimony or evidence received by the Board on 10/17/01. The case will be NOTE:

opened on the record for the purpose of submitting an Amended Plan and Petition and

continued. A hearing on the merits of the reclassification request will then be held on 12/13/01.

ASSIGNED FOR: WEDNESDAY, OCTOBER 17, 2001 @ 10 a.m. /Open & Continue

* THURSDAY, DECEMBER 13, 2001 @ 10:00 a.m. /Hearing on Merits

NOTICE: This appeal is an evidentiary hearing; therefore, parties should consider the

advisability of retaining an attorney.

Please refer to the Board's Rules of Practice & Procedure, Appendix C, Baltimore County Code.

IMPORTANT: No postponements will be granted without sufficient reasons; said requests must be in writing and in compliance with Rule 2(b) of the Board's Rules. No postponements will be granted within 15 days of scheduled hearing date unless in full compliance with Rule 2(c).

If you have a disability requiring special accommodations, please contact this office at least one week prior to hearing date.

Kathleen C. Bianco /Administrator

Counsel for Petitioners c:

Petitioners

Bohler Engineering, PC

: Robert A. Hoffman, Esquire

: Edward E. Zimmerman, Sr. /7-Eleven, Inc.

Donald Krempel /Div of Physical Facilities /Board of Ed. /MS 1102-J (changed 7/09/01) People's Counsel for Baltimore County

Pat Keller, Planning Director

Lawrence E. Schmidt/Zoning Commissioner

W. Carl Richards /PDM Arnold Jablon, Director /PDM



County Board of Appeals of Baltimore County

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

FAX: 410-887-3182

410-887-3180

July 10, 2001

July 10, 2001

July 10, 2001

July 10, 2001

Hearing Room - Room 48 Old Courthouse, 400 Washington Avenue

NOTICE OF ASSIGNMENT

CASE #: R-01-439 (Cycle I, Item #2, 2001)

IN THE MATTER OF: 7-Eleven, Inc. (formerly Southland Corp) Legal Owner – Petitioner 204 Bowleys Quarters Road 15th Election District, 5th Councilmanic District

Reclassification: From B.L. to B.L.-A.S. as shown on Plan to Accompany **Reclassification Petition**

NOTE:

There will be no testimony or evidence received by the Board on 10/17/01. The case will be opened on the record for the purpose of submitting an Amended Plan and Petition and continued. A hearing on the merits of the reclassification request will then be held on 12/13/01.

ASSIGNED FOR:

WEDNESDAY, OCTOBER 17, 2001 @ 10 a.m. /Open & Continue *WEDNESDAY, DECEMBER 13, 2001 @ 10:00 a.m. /Hearing on Merits

NOTICE:

huraday This appeal is an evidentiary hearing; therefore, parties should consider the advisability of retaining an attorney.

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IMPORTANT: No postponements will be granted without sufficient reasons; said requests must be in writing and in compliance with Rule 2(b) of the Board's Rules No postponements will be granted within 15 days of scheduled hearing date unless in full compliance with Rule 2(c).

If you have a disability requiring special accommodations, please contact this office at least one week prior to hearing date.

Kathleen C. Bianco/Administrator

c:

Counsel for Petitioners

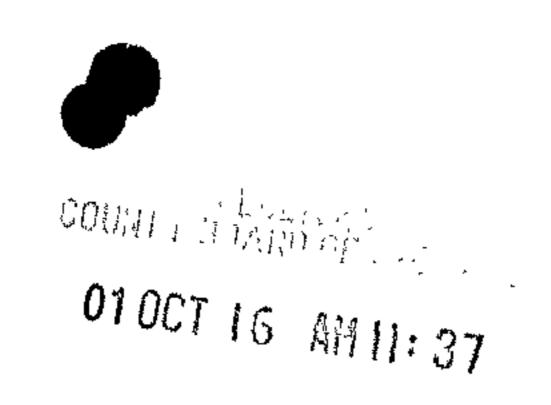
Petitioners

Bohler Engineering, PC

: Robert A. Hoffman, Esquire

: Edward E. Zimmerman, Sr. /7-Eleven, Inc.

Donald Krempel /Div of Physical Facilities /Board of Ed. /MS 1102-J (changed 7/09/01) People's Counsel for Baltimore County Pat Keller, Planning Director Lawrence E. Schmidt /Zoning Commissioner W. Carl Richards /PDM Arnold Jablon, Director /PDM



(31 Olive Lane)
P.O. Box 279
Owings Mills, MD 21117
(410) 363-1069

October 11, 2001

Kristen Howanski, Chairperson Baltimore County Board of Appeals 400 Washington Avenue Towson, Maryland 21204

Dear Ms. Howanski:

I am writing regarding the petition for zoning reclassification case number CR-01-436 which is the proposed McDonald's restaurant in the 9900 block of Reisterstown Road, Owings Mills. My husband and I have lived on Olive Lane (adjacent to the proposed site) for over 30 years and have witnessed many changes in the area. We do not feel that a restaurant, bar, or any business of this nature is a good use of this property.

There are several reasons why we oppose the zoning reclassification.

- Our primary concern is the increase in traffic a high volume type of business would create. It is difficult now to make a left hand turn out of Olive Lane because of traffic. Backups occur regularly because of the existing traffic lights and number of cars. This is especially bad when the Sweetheart Cup factory changes shifts and at rush hour.
- Another big concern is the foot traffic from Sandelwood Apartments. People living in the complex have been using Olive Lane as a shortcut for many years to go to the St. Thomas Shopping Center, cutting through private property along Olive Lane in many cases. Most of these people do not cross Reisterstown Road at a light, but "jaywalk" creating a dangerous situation, especially at night. We are afraid a McDonalds or similar business will create more foot traffic and more chances for hitting someone on the dark lane at night.
- Increased litter from a McDonalds or similar business will also surely be blown across the existing small business properties along Reisterstown Road. Olive Lane is frequently littered now, mostly by the people from Sandelwood who use it as a shortcut.
- Increased noise until late at night, obnoxious smells, rodents, and bright lights are also a concern to us.

There are several fast food restaurants within a mile on Reisterstown Road, including Taco Bell, Popeye's, Wendy's, Pizza Hut, Boston Chicken. There are several McDonalds in the area already, one 1.1 miles away on Mill Run Circle. Therefore we do not feel another restaurant is necessary.

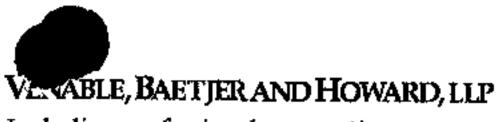
Our neighbor whose business fronts the Reisterstown Road lives in his house with small children. He operates a quiet, orderly, trash-free lock and key business. He and the person living behind him would most directly be affected by this zoning reclassification, but we are strongly opposed to changing the character of this block.

We hope that you will help us keep the existing zoning on this block.

Sincerely,

Carol H. Roeder

Carol H. Roeder



Including professional corporations

210 Allegheny Avenue Post Office Box 5517 Towson, Maryland 21285-5517 www.venable.com



(410) 494-6200, Fax (410) 821-0147

OFFICES IN

MARYLAND WASHINGTON, D.C. VIRGINIA

Writer's Direct Number: (410) 494-6285

dhkarceski@venable.com

 $C_{\lambda,\lambda}$

C

November 13, 2001

HAND-DELIVERED

Kathleen C. Bianco, Administrator County Board of Appeals for **Baltimore County** Old Courthouse, Room 49 400 Washington Avenue Towson, Maryland 21204

> Re: In the Matter of 7-Eleven, Inc.

204 Bowleys Quarters Road

Case No. R-01-439

Dear Ms. Bianco:

On October 25, 2001, we amended the Petition for Reclassification filed with the Board of Appeals in the above-referenced case to include Petitions for Variance and Special Exception. Because we are now seeking additional zoning relief, we would request that a second hearing date be scheduled before the Board in addition to the December 13, 2001, hearing date.

If you have any questions, please let me know.

Very truly yours,

DHK

TOIDOCS1/DHK01/#126499 v1



County Board of Appeals of Baltimore County

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

FAX: 410-887-3182

Hearing Room - Room 48 Old Courthouse, 400 Washington Avenue

October 17, 2001

NOTICE OF ASIGNMENT /Submittal of Amendment

CASE #: R-01-439 (Cycle I, Item #2, 2001)

2001
Corp. added
Torp. added IN THE MATTER OF: 7-Eleven, Inc. (formerly Southland Corp) Legal Owner - Petitioner 204 Bowleys Quarters Road 15th Election District, 5th Councilmanic District

Reclassification: From B.L. to B.L.-A.S. as shown on Plan to Accompany **Reclassification Petition**

This matter was opened on 10/17/Q1; Amendment to be submitted at public hearing on 10/25/01; NOTE:

Hearing on the merits to be held on \12/13/01. *

THURSDAY, OCTOBER 25, 2001 @ 9:45 a.m. /To submit Amendment ASSIGNED FOR:

* THURSDAY, DECEMBER 13, 2001 @ 10:00 a.m. /Hearing on Merits

NOTICE: This appeal is an evidentiary hearing; therefore, parties should consider the

advisability of retaining an attorney.

Please refer to the Board's Rules of Practice & Procedure, Appendix C, Baltimore County Code.

IMPORTANT: No postponements will be granted without sufficient reasons; said requests must be in writing and in compliance with Rule 2(b) of the Board's Rules. No postponements will be granted within 15 days of scheduled hearing date unless in full compliance with Rule 2(c).

If you have a disability requiring special accommodations, please contact this office at least one week prior to hearing date.

Kathleen C. Bianco / Administrator

Counsel for Petitioners c:

Petitioners

Bohler Engineering, PC

: Robert A. Hoffman, Esquire

: Edward E. Zimmerman, Sr. /7-Eleven, Inc.

Robert J. Haines, Esquire

/Board of Ed. /MS 1102-J (changed 8/14/01)

People's Counsel for Baltimore County

Pat Keller, Planning Director

Lawrence E. Schmidt /Zoning Commissioner

W. Carl Richards /PDM

Arnold Jablon, Director /PDM



401 Bosley Avenue - Ste 406 Towson, Maryland 21204 410-887-3211

Fax: 410-887-5862

E-mail: planning@co.ba.md.us

November 1, 2001

To: The Baltimore County Planning Board

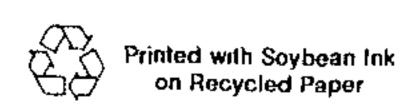
Re: Amendment to Petition for Reclassification/Case No CR-01-439/Raymond D. Thorpe and 7-ELEVEN, Inc., Legal Owners/204 Bowleys Quarters Road

Pursuant to the appropriate sections of the Baltimore County Code, the Petition for Reclassification and accompanying Documented Site Plan in the subject matter were submitted to the County Board of Appeals on the record at a public hearing.

Based upon a review of the documented site plan and the information provided as part of the filing of the subject request, staff supports the applicants' requested Petitions for Reclassification, Special Exception and Variance to permit an existing convenience store as a use in combination with a fuel service station pursuant to Section 405.4.E.a of the Baltimore County Zoning Regulations, and from Section 450.4.5. E to permit service station canopy signs of 352.75 and 83 square feet (2 of each) in lieu of the permitted 25 square feet. Office of Planning support, however, is conditioned upon the below listed design comments being addressed at the development stage of this project. In addition, given the scope of the requested canopy variance, it is recommended that the freestanding sign proposed for Carroll Island Road be eliminated.

DESIGN

- 1. Provide an accessible pathway from the building entrance to the public sidewalk.
- 2. The landscape transition areas along the south and west property boundaries should be defined with curbing.
- 3. A Schematic Landscape Plan should be submitted.
- 4. The proposed trash enclosure should be brick to match the building.
- 5. Eliminate sign E. Two freestanding signs appear excessive for this site, especially with the canopy and building signage. It appears that the area calculations for sign F are incorrect.
- 6. Place the following note on the plan: A plan will be submitted, with the locations and details of the proposed lighting and a computerized lighting design with point-by-point calculations that conforms with the *Illuminating Engineering Society of North America* (IESNA) standards, for review and approval by The Office of Planning in conjunction with the Final Landscape Plan. The IESNA recommends (IESNA RP-33-99, Section 18.2) average illuminance levels (see table below) for fuel service stations and recommends flat lenses be used for the canopy lights and low glare luminaires that do not cause light pollution or deliver



nuisance glare to adjacent properties.

Service Station or Gas Pump Area Average Illuminance Levels

Area Description	Average Illuminance on Described Area
	(footcandles)
Approach with Dark Surroundings	1.5
Driveway with Dark Surroundings	1.5
Pump Island Area with Dark Surroundings	5
Building Facades with Dark Surroundings	2
Service Areas with Dark Surroundings	2
Landscape Highlights with Dark Surroundings	1
Approach with Light Surroundings	2
Driveway with Light Surroundings	2
Pump Island Area with Light Surroundings	10
Building Facades with Light Surroundings	3
Service Areas with Light Surroundings	3
Landscape Highlights with Light Surroundings	2

Light trespass limitations at the public street right-of- way shall not exceed 0.80 footcandles.

Sincerely,

Arnold F. 'Pat' Keller, III

Director

AFK:JWL:kma

401 Bosley Avenue Towson, Maryland 21204 (410) 887-3495

Fax: (410) 887-5862

November 21, 2001

Lawrence S. Wescott, Chairman County Board of Appeals Court House Towson, MD 21204

Dear Mr. Wescott:

Enclosed herewith is the November 1, 2001 report by the Office of Planning regarding the amendment (documented site plan) to the zoning reclassification petition in case number CR-01-439 (Raymond D. Thorpe and 7-Eleven, Inc.).

After discussion in the County Planning Board's meeting on November 1, 2001, the report was unanimously adopted in the meeting on November 15, 2001 to constitute the Board's report and recommendations to the County Board of Appeals.

Sincerely,

Out Kelly

Arnold F. 'Pat' Keller, III

Secretary

AFK:TD:rlh

Enclosure

c: Peter Max Zimmerman, People's Counsel Robert A. Hoffman, Petitioner's Counsel 01 MOY 23 AN II: 07





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

FAX: 410-887-3182

49 E 04 *\frac{f}{f}}* regionalion Counsell 31/02

Hearing Room - Room 48
Old Courthouse, 400 Washington Avenue

November 19, 2001

NOTICE OF ASIGNMENT /Additional Hearing Day

CASE #: R-01-439 (Cycle I, Item #2, 2001)

IN THE MATTER OF: 7-Eleven, Inc. (formerly Southland Corp)
Legal Owner –Petitioner 204 Bowleys Quarters Road
15th Election District, 5th Councilmanic District

Reclassification: From B.L. to B.L.-A.S. as shown on Plan to Accompany Reclassification Petition

NOTE: An additional day for hearing (day #2) has been assigned at the request of Counsel for Petitioner; the following dates are now assigned for hearing on the merits (included 12/13/01 as originally asigned for day #1):

ASSIGNED FOR:

THURSDAY, DECEMBER 13, 2001 at 10:00 a.m. /Day #1; and THURSDAY, FEBRUARY 21, 2002 at 10:00 a.m. /Day #2'

NOTICE:

This appeal is an evidentiary hearing; therefore, parties should consider the advisability of retaining an attorney.

Please refer to the Board's Rules of Practice & Procedure, Appendix C, Baltimore County Code.

IMPORTANT: No postponements will be granted without sufficient reasons; said requests must be in writing and in compliance with Rule 2(b) of the Board's Rules. No postponements will be granted within 15 days of scheduled hearing date unless in full compliance with Rule 2(c).

If you have a disability requiring special accommodations, please contact this office at least one week prior to hearing date.

Kathleen C. Bianco /Administrator

c:

Counsel for Petitioners

Petitioners Bohler Engineering, PC

Robert J. Haines, Esquire
/Board of Ed. /MS 1102-J (changed 8/14/01)
People's Counsel for Baltimore County
Pat Keller, Planning Director
Lawrence E. Schmidt /Zoning Commissioner
W. Carl Richards /PDM
Arnold Jablon, Director /PDM

: Robert A. Hoffman, Esquire
David H. Karceski, Esquire
Edward E. Zimmerman, Sr. /7-Eleven, Inc.

210 Allegheny Avenue

210 Allegheny Avenue Post Office Box 5517 Towson, Maryland 21285-5517 (410) 494-6200, Fax (410) 821-0147 www.venable.com OFFICES IN

MARYLAND WASHINGTON, D.C. VIRGINIA

Writer's Direct Number: (410) 494-6285

dlikarceski@venable.com



February 13, 2002

HAND-DELIVERED

Kathleen C. Bianco, Administrator County Board of Appeals for Baltimore County Old Courthouse, Room 49 400 Washington Avenue Towson, Maryland 21204

Re:

Case No. R-01-439

Property: .583 acres of land located

at the southwest corner of Bowleys Quarters Road

and Carroll Island Road

Owner: 7-Eleven, Inc. (formerly Southern Land Corporation)

Dear Mrs. Bianco:

I am writing on behalf of Robert Hoffman to request a postponement of the above-captioned hearing scheduled for Thursday, February 21, 2002. A Petition for Special Exception hearing is set for Tuesday, March 19, 2002, before the Zoning Commission for this property, which may obviate the need for the reclassification request filed with the Board of Appeals. Therefore, it is respectfully requested that the hearing be postponed to a later date, sometime in the Summer of 2002.

Thank you for your consideration in this matter.

Very truly yours,

David H. Karcesk

DHK:eaf

cc: People's Counsel for Baltimore County

Edward E. Zimmerman, Sr. Robert A. Hoffman, Esquire

TO1DOCS1/DHK01/#131526 v1







County Board of Appeals of Baltimore County

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

410-887-3180 FAX: 410-887-3182

Hearing Room - Room 48 Old Courthouse, 400 Washington Avenue

February 13, 2002

NOTICE OF POSTPONEMENT & REASIGNMENT

CASE #: R-01-439 (Cycle I, Item #2, 2001)

IN THE MATTER OF: 7-Eleven, Inc. (formerly Southland Corp) Legal Owner – Petitioner 204 Bowleys Quarters Road 15th Election District, 5th Councilmanic District

Reclassification: From B.L. to B.L.-A.S. as shown on Plan to Accompany **Reclassification Petition**

which had been assigned for hearing on 2/21/02 has been POSTPONED at the request of Counsel for Petitioner; and has been:

REASSIGNED FOR:

WEDNESDAY, JULY 31, 2002 at 10:00 a.m.

NOTICE:

This appeal is an evidentiary hearing, therefore, parties should consider the advisability of retaining an attorney.

Please refer to the Board's Rules of Practice & Procedure, Appendix C, Baltimore County Code.

IMPORTANT: No postponements will be granted without sufficient reasons; said requests must be in writing and in compliance with Rule 2(b) of the Board's Rules. No postponements will be granted within 15 days of scheduled hearing date unless in full compliance with Rule 2(c).

If you have a disability requiring special accommodations, please contact this office at least one week prior to hearing date.

Kathleen C. Bianco /Administrator

c:

Counsel for Petitioners

: Robert A. Hoffman, Esquire David H. Karceski, Esquire

: Edward E. Zimmerman, Sr. /7-Eleven, Inc.

Bohler Engineering, PC

Robert J. Haines, Esquire /Board of Ed. /MS 1102-J

People's Counsel for Baltimore County

Petitioners

Pat Keller, Planning Director

Lawrence E. Schmidt/Zoning Commissioner

W. Carl Richards /PDM

Arnold Jablon, Director /PDM



210 Allegheny Avenue Post Office Box 5517 Towson, Maryland 21285-5517 (410) 494-6200, Fax (410) 821-0147 www.venable.com OFFICES IN

MARYLAND
WASHINGTON, D.C.
VIRGINIA

Robert A. Hoffman (410) 494-6262

rahoffman@venable.com

May 1, 2002

HAND-DELIVERED

ATTORNEYS AT LAW

Kathleen C. Bianco, Administrator County Board of Appeals for Baltimore County Old Courthouse, Room 49 400 Washington Avenue Towson, Maryland 21204

Re:

Case No.: R-01-439

Property: 204 Bowley's Quarters Road

15th Election District, 5th Councilmanic District

Dear Mrs. Bianco:

On behalf our client, 7-Eleven, Inc., I am writing to inform the Board that 7-Eleven is withdrawing its Petition for Reclassification in the above-referenced case. 7-Eleven will be proceeding under alternate relief granted in Case No. 02-291-SPHXA by the Zoning Commissioner. The hearing that has been scheduled for Wednesday, July 31, 2002, therefore, should be cancelled.

Very truly yours,

Robert A. Hoffman

RAH/ald

(*)

cc: Mr. Eric Roemer People's Counsel

TO1DOCS1/ALD99/#135765 v1

R-01-439

Report by the Baltimore County
Planning Board
to the
Baltimore County
Board of Appeals

ZONING RECLASSIFICATION PETITIONS

Cycle I, 2001

July 19, 2001





ZONING RECLASSIFICATION PETITIONS

Cycle I, 2001

Report by the Baltimore County Planning Board

to the

Baltimore County Board of Appeals

July 19, 2001

Baltimore County Office of Planning Towson, Maryland

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Case No. CR-01-43615
Case No. R-01-439



401 Bosley Avenue - Ste 406 Towson, Maryland 21204 410-887-3211

Fax: 410-887-5862

E-mail: planning@co.ba.md.us

TO:

Members

DATE: May 31, 2001

Baltimore County Planning Board

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

In the current cycle, the Baltimore County Board of Appeals accepted seven reclassification petitions. Please note, however, that two of the petitions—Case Numbers R-01-437 and R-01-438—have been exempted from the regular cyclical procedure of Section 2-356(c) through (h), inclusive, of the Baltimore County Code. In compliance with the Baltimore County Code, recommendations on the remaining petitions are submitted in the attached report.

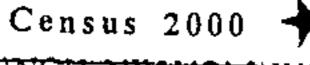
The Planning Board is scheduled to review the petitions on June 7, 2001, and to make final recommendations on July 19, 2001. The Planning Board's report must be submitted to the Baltimore County Board of Appeals no later than July 31, 2001.

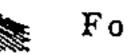
The Board of Appeals has tentatively scheduled hearing dates on these petitions and will advertise these hearing as required. Hearings are set to take place during the period from September 26, 2001 through November 14, 2001.

Arnold F. 'Pat' Keller, III

AFK: Л Attachment















Introduction

Under the provisions of Section 2-356(e) of the Baltimore County Code, the Director of Planning is required to submit to the Planning Board, during Period 1 of each zoning cycle, a report on the petitions accepted by the County Board of Appeals for filing during the previous zoning cycle. The report is to contain the following information:

- 1. Maps showing properties under petition and the reclassifications sought therefore; such maps may also identify groups of such properties located close to each other and show indications of the inter-relation of petitions with respect to planning considerations.
- 2. Recommendations on the petitions.
- 3. Supporting data for the recommendations, including any pertinent data and recommendations submitted by other County agencies.
- 4. Recommendations for scheduling of all hearings (to be held during the next Period IV, prepared in consultation with the County Board of Appeals).

The five petitions remaining in the current cycle have been reviewed by the planning staff, and the following pages report the Office of Planning's analysis and recommendations. The process of formulating these recommendations included staff inspections of each site; a review of the policies and statements in the current Baltimore County Master Plan, and a review of the 2000 Comprehensive Zoning Map Process. Comments also were requested from other County agencies including the Board of Education, the Department of Environmental Protection and Resource Management, the Fire Department, the Police Department, the Department of Public Works, the Department of Recreation and Parks, and the Bureau of Traffic Engineering and Transportation Planning.

In reaching its decision on each petition, the Board of Appeals is required to use the standards in Section 2-356(j) of the Baltimore County Code. During the first cycle following the Comprehensive Zoning Map Process, Section 2-356(k) further limits the Board's authority to granting reclassifications only where the Board finds that the change is warranted upon consideration of the specified factors and also if "the last classification of the property [i.e., by the County Council's vote on October 10, 2000] was established in error."

PETITIONS FOR RECLASSIFICATION CYCLE I, 2001

Assigned Hearing Dates
County Board of Appeals

Case No. R-01-435

Painters Mill Venture, LLP NWC Owings Mills Blvd. & Lyons Mill Rd. Wednesday, September 26, 2001 at 10:00 a.m.

Case No. R-01-434

Balto. Co. Revenue Auth.; Paul Gourley, Ethel Smith; BP Amoco Corp (legal owner), and BP Amoco (contract purchaser)
520 Reisterstown Road, ½ Linden Terrace and 2 Linden Terrace
Wednesday, October 3, 2001 at 10:00 a.m.

Case No. R-01-439

7-Eleven, Inc.
204 Bowleys Quarters Road
Wednesday, October 17, 2001 at 10:00 a.m.

Case No. CR-01-436

Highway Realty, Inc., Eastrel, LLC, David Pisanic, Patricia Franey; Marie and Donald Haga 9913-9921 Reisterstown Rd.

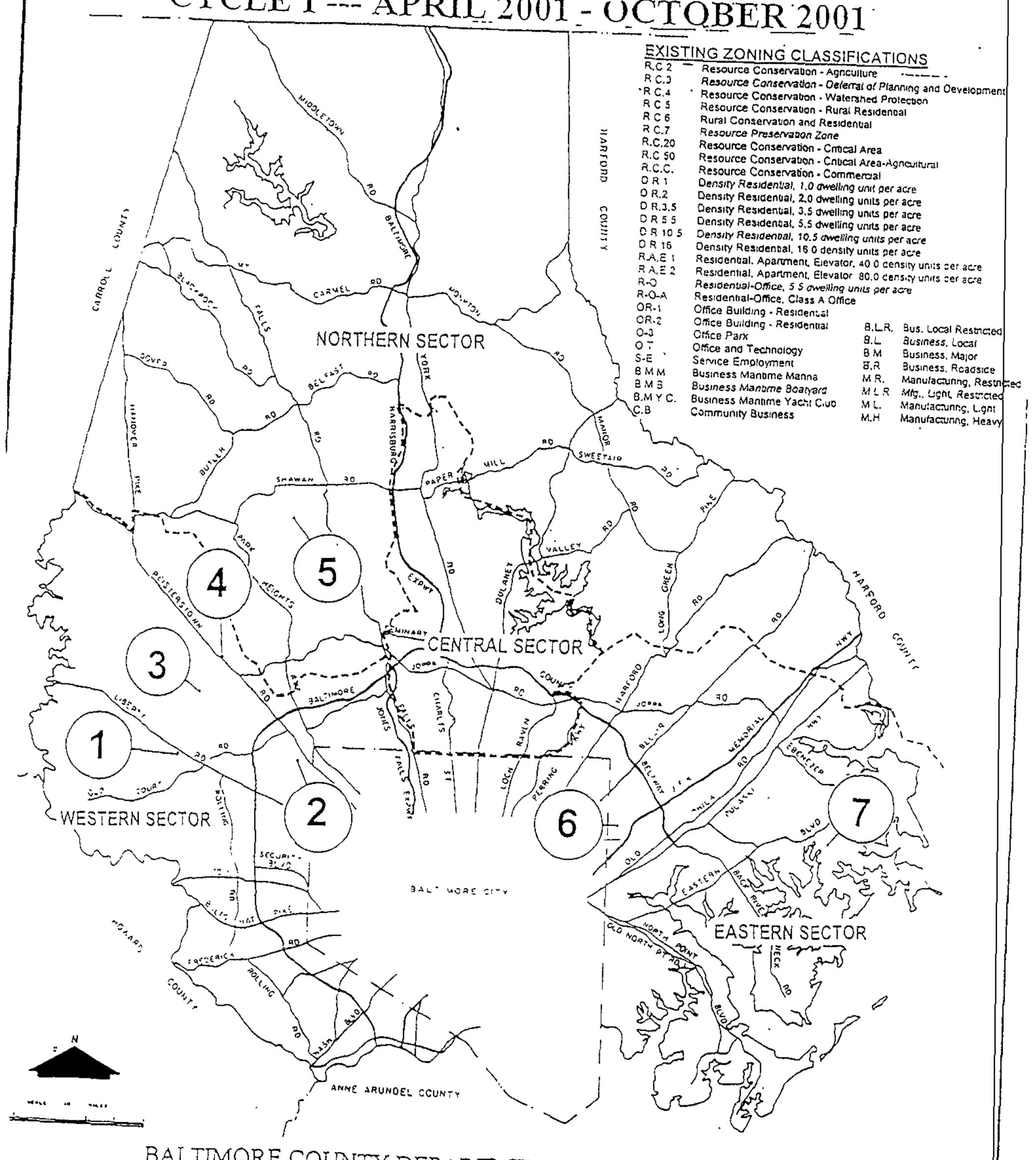
Wednesday, October 24, 2001 at 10:00 a.m.

Case No. CR-01-433-X

Sohan L. Sambhi & Joginder Kaur 9217 Liberty Rd.

Wednesday, November 14, 2001 at 10:00 a.m.

LOCATIONS OF PROPERTIES UNDER PETITION CYCLE I --- APRIL 2001 - OCTOBER 2001

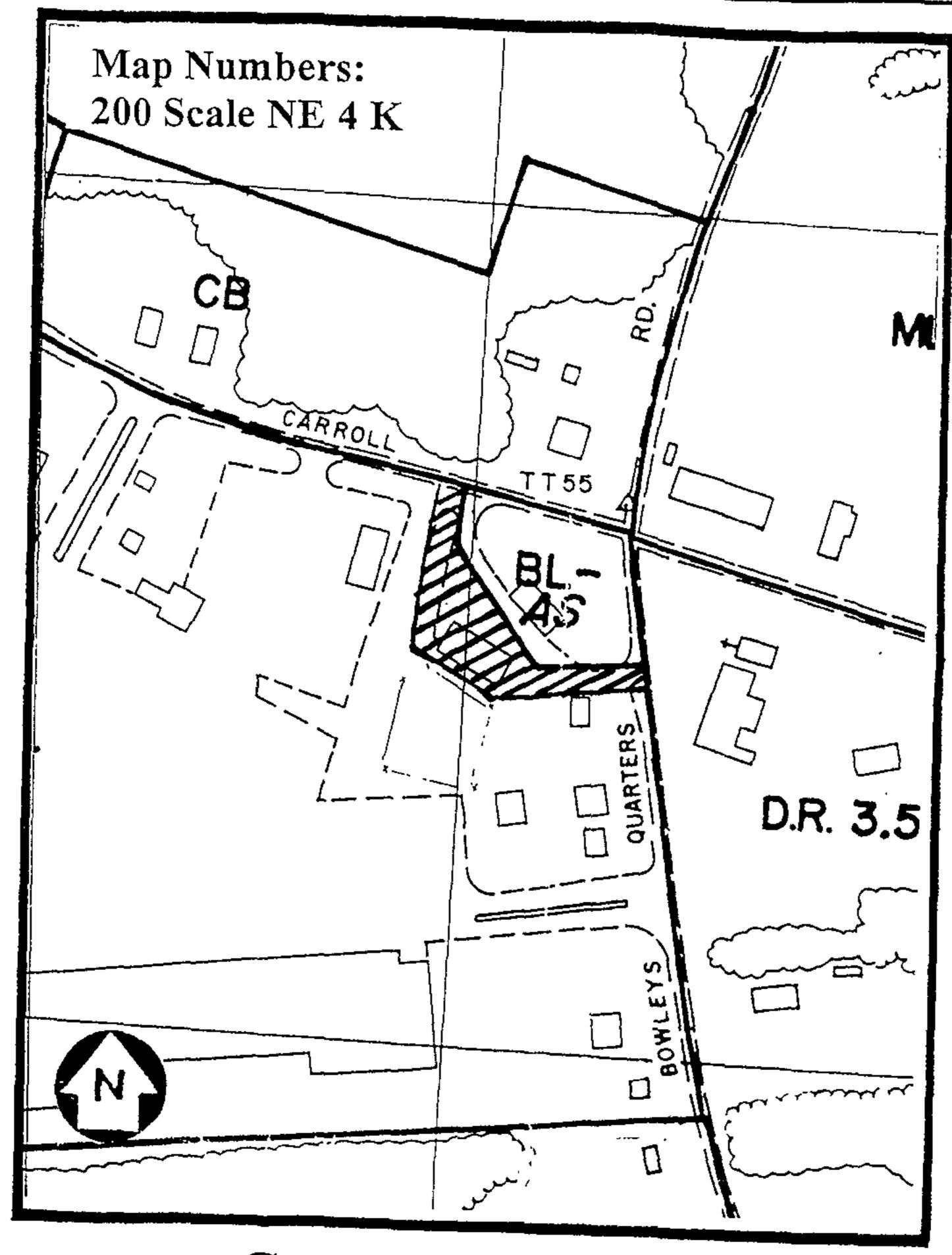


BALTIMORE COUNTY DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT/ZONING REVIEW

SOURCE MATERIAL

Recommendations for the two petitions filed are based on the following:

- 1. Information compiled during the processing of the Comprehensive Zoning Map adopted by the County Council on October 10, 2000;
- 2. Capital Budget and 5-Year Capital Program;
- 3. Zoning Plans Advisory Committee comments;
- 4. Discussions with other governmental agencies;
- 5. Field inspections of subject sites; and
- 6. Baltimore County Master Plan.



Case Number R-01-439
Location of Property Under Petition

Scale: 1" = 200

CASE NO:

R-01-439

PETITIONER:

7-Eleven, Inc.

REQUESTED ACTION:

Reclassification to BL-AS (Business Local, Automotive Service)

EXISTING ZONING:

BL (Business Local)

LOCATION:

Southwest corner of Bowleys Quarters Road and Carroll Island Road

AREA OF SITE:

.33 acres

ZONING OF ADJACENT PROPERTY/USE:

North:

CB and BL-AS

Unimproved and commercial

South:

BL

Commercial

East

DR 3.5

Institutional

West

BL

Commercial

SITE DESCRIPTION:

The subject property consists of .33 acres of land zoned BL, and is currently used as a 7-Eleven store. The site is adjacent to the Carroll Island Shopping Center. Property immediately contiguous to the site is improved with a service garage, which would be razed and combined with the petitioner's property under a proposed redevelopment scenario outlined by representatives of the property owner.

WATER AND SEWERAGE:

The site is served by public water and sewer and is designated as W-1, S-1 (existing service area) according to the Master Water Sewer Plan.

TRAFFIC AND ROADS:

The site has direct access to Carroll Island Road, a collector road, and Bowleys Quarters Road, which is classified as a minor arterial.

ZONING HISTORY:

The property was part of a larger zoning issue in 1996, at which time the zoning was changed from BL-CCC to BL.

MASTER PLAN/COMMUNITY PLANS:

The proposed land use map, adopted by the County Council on February 22, 2000, indicates the site is designated for commercial use.

PROPOSED vs. EXISTING:

Regulations governing the BL zone and the AS district may be found in Section 230 and 405 of the Baltimore County Zoning Regulations, respectively. The BL zone allows a wide range of uses in addition to those permitted in the residential zone immediately adjoining the property. Density is realistically limited by parking requirements and economic constraints. The AS district, at this location, would enable the applicant to improve the property with a fuel service station in combination with a convenience store.

OFFICE OF PLANNING RECOMMENDATION:

Support for any zoning change would be dependent upon the quality of site specific issues with respect to vehicular access; internal circulation and parking, building height, location and size; landscaping, and signage details. In the absence of a documented site plan, by which the quality of development on the subject site could be controlled, the staff recommends the existing zoning be retained at this time.

Environmental Impact Statement 204 Bowley's Quarters Road

1.0 INTRODUCTION

The following Environmental Impact Statement was prepared to describe general site conditions and to analyze environmental effects of the proposed re-development of existing 7-Eleven convenience to operate in conjunction with the proposed gasoline dispensers.

The site currently exists as a developed commercial lot with an existing 7-Eleven convenience store adjacent to an existing fuel service station. The proposed development consists of upgrading the existing 7-Eleven site to meet current zoning regulations and to allow the convenience store to operate with the adjacent gasoline station as a 'gas & go'. The adjacent development includes the removal of the existing building, canopy and product dispensers on the adjacent property and replacing them with a canopy and four multi-product dispensers.

2.0 SITE CONDITIONS

Location

The 7-Eleven site is a 0.58 acre site (rezoning area) located on the south-west side of the intersection of Bowley's Quarters Road and Carroll Island Road in eastern Baltimore County. The site is further identified as Parcel 247 Tax Map 91. The site is currently zoned as B.L. with a pending zoning change to BL-AS. Surrounding lands are zoned B.L.-A.S. and B.L., both Business Commercial. Properties surrounding the site are fully developed commercial dwellings. The proposed zoning change and development will be consistent with the current zoning and land use.

Soils

Soils at the site are mapped as part of the Lenoir Silt Loam which is described as "deep, poorly-drained soils that form in old deposits of highly clayey marine sediment", as per *The Soil Survey, Baltimore County, Maryland*.

Topography and Hydrology

The site is relatively level with average slopes measuring less than 5%. Site elevations range from approximately 19 feet above mean sea level in the northeastern corner of the property to approximately 23 feet above mean sea level in the southwestern portion of the property. The site drains in a northeasterly direction to a storm drain system off site.

Vegetation

The site is not forested and has minimal vegetative growth. The proposed site will be constructed adhere to the Baltimore County Zoning Regulations (BCZR) for the pervious area criteria.

3.0 ENVIRONMENTAL EFFECTS

Proposed Action

The proposed action is to redevelop this existing convenience store, while not changing the building footprint, to operate with the adjacent re-developed gas dispensers.

Probable Environmental Impact

The existing environmental matrix of the area surrounding the site is developed as commercial property with transportation, sanitary sewer, water, and storm drain infrastructure. The environmental impacts from the traffic and other emanations from the site (including sound and other vibrations, dust, odors, gases, light, and heat) should be relatively insignificant when compared to existing conditions.

Furthermore, environmental impacts on water quality resulting from this redevelopment will be required to meet the most recent edition of the Baltimore County Stormwater Ordinance. Therefore improving the quality of runoff from the site.

Adverse Environmental Effects

It is our opinion that no major environmental impacts will be associated with this project.

Alternatives

- 1. No build-Continued use of existing convenience store and adjacent gas station.
- 2. Re-Build under current zoning

Alternative 1: The "No build" option, would leave the site unchanged. Hence, at best, "no build" would result in the loss of an opportunity to increase the landscape and pervious area that is proposed by the new development. The proposed use, in all probability, will have similar impacts to uses permitted under current zoning.

Alternative 2: "The Build under current zoning", would allow approximately the same redevelopment, however not allowing the 'gas & go' to be operated from the convenience store. This would an additional building on the adjacent property therefore potentially decreasing the available circulation area, both on-site and off-site.

Irreversible Commitment of Resources

There are no irreversible commitments of resources involved in the proposed development.

4.0 CONCLUSIONS AND RECOMMENDATIONS

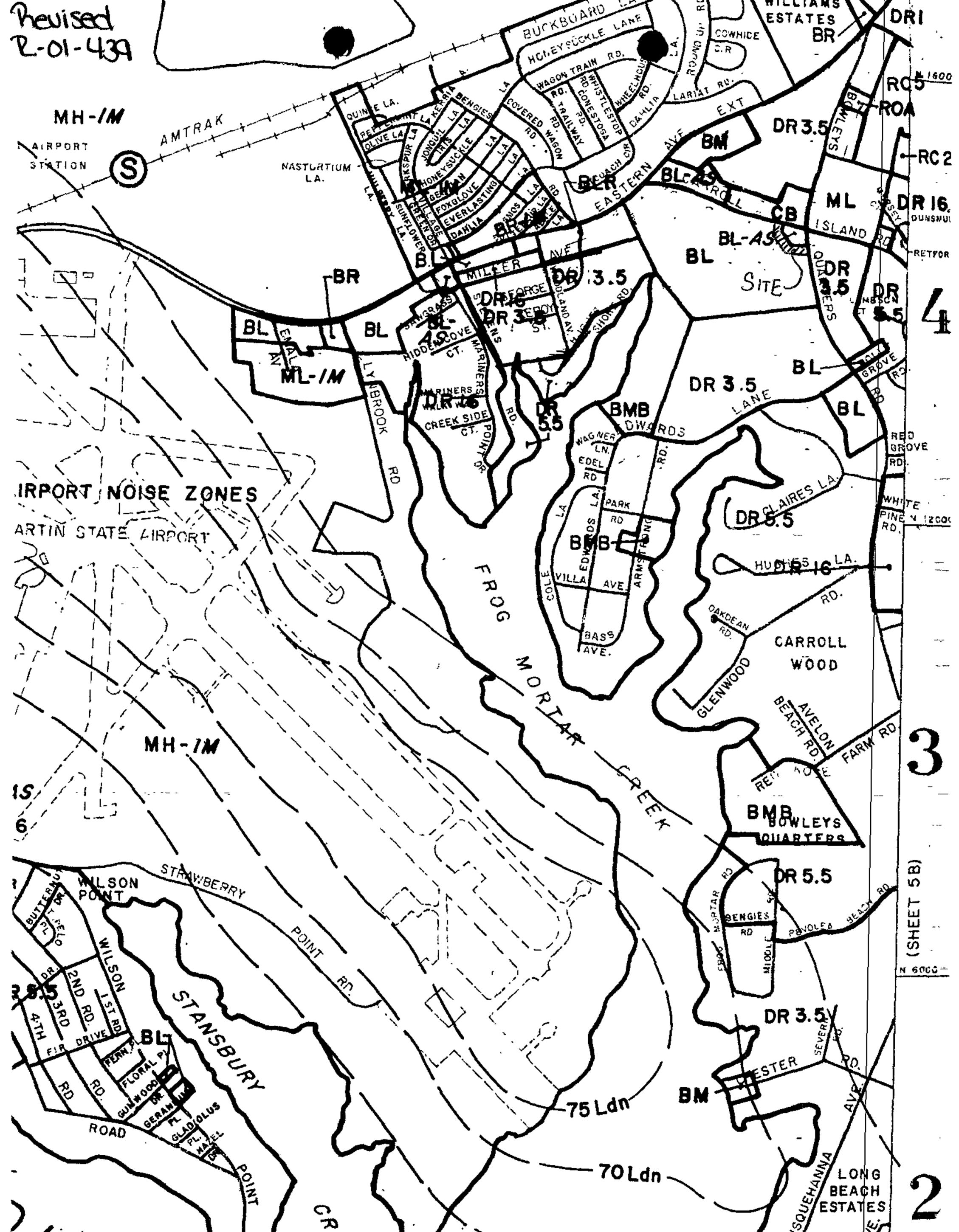
The site currently exists as commercially developed property. The environmental matrix of the area surrounding the site is developed as commercial with transportation, sanitary sewer, water, and storm drain infrastructure.

The proposed action is to redevelop this existing convenience store, while not changing the building footprint, to operate with the adjacent re-developed gas dispensers.

The environmental impacts from the additional traffic and other emanations from the site including sound and other vibrations, dust, odors, gases, light, and heat should be relatively insignificant when compared to existing conditions. Due to the proposed construction there is the potential of creating less impervious surface than under current zoning. Therefore it is our opinion that there will be no detrimental environmental impact from the proposed development.

Bruce Pitts

Maryland Professional Engineer #22220



BOHLER ENGINEERING, P.C.

Professional Engineering Services

810 Gleneagles Court, Suite 300, Towson, MD 21286 Telephone: (410) 821-7900 Fax: (410) 821-7987

VIA:	Hand Delive	ery				LETTE	R OF TRANSMI	TTAL
TO: Baltimore County Zoning Department					RE:	Baltimor	Bowley's Quarters re County, Maryland fication Petition	
Attention: W. Carl Richards			DATE: 4/25/01 JOB NO: MD005553					
WE ARE S	SENDING YOU [Shop di awing	gs 🔲 Copy of le	etter	Prints	Change order	Reports Norms	
COPIES	<u>JOB#</u>	<u>DATE</u>	REVISION	REVISION DATE	SHEET N	<u>IO.</u>	DESCRIPTION	
3	MD005553					Signed descrip	and sealed Metes & Bo otion	unds
14	MD005553					Signed	and Sealed Undocment	ted Plan
These Are	Transmitted:	For appropriate For revieus Returned	oval w and comment for corrections	⊠I □Æ	For your use Approved as s	ubmitted	☐As requested ☐Approved as note	d

2.01.439 Rev 4/26/01

COPY TO: Eric Roemer (7-Eleven) David Karceski

File: BEPC MD007030

SIGNED: Michael P. Stallings

TO: PATUXENT PUBLISHING COMPANY
Thursday, May 3, 2001 & Thursday, May 10, 2001 Issues - Jeffersonian
Full-Page Ad

Advertising costs should be divided between the following petitioners. Please forward billing to:

CR-01-433-X	Sohan L. Sambhi 9 Upman Court Baltimore, MD 21228	410-719-1624
R-01-434	Robert A. Hoffman (Amy Dontell) 210 Allegheny Avenue Towson, MD 21204	410-494-6200
R-01-435	Amy Dontell 210 Allegheny Avenue Towson, MD 21204	410-494-6201
CR-01-436	Stuart D. Kaplow, P.A. 15 East Chesapeake Avenue Towson, MD 21286	410-339-3910
R-01-439	Amy Dontell 210 Allegheny Avenue Towson, MD 21204	410-494-6201

NEWSPAPER AD MUST BE FULL-PAGE AD.

SEE ATTACHED SAMPLE FOR PROPER SET-UP OF AD. SEE ATTACHED PAPERS FOR CORRECT WORDING FOR ZONING RECLASSIFICATION CYCLE I (APRIL - OCTOBER 2001) AND CORRECT MAP.

PLEASE FORWARD TO ZONING REVIEW, PERMITS & DEVELOPMENT MANAGEMENT (ATTENTION CARL RICHARDS), A CONTACT POSITIVE PRINT.

ANY QUESTIONS CONCERNING THIS AD, PLEASE CONTACT EITHER CARL RICHARDS AT 410-887-3391 OR SOPHIA JENNINGS AT 410-887-8091.

RECLASSIFICATION & REDISTRICTING PETITIONS ACCEPTED FOR FILING BY BALTIMORE COUNTY BOARD OF APPEALS FOR THE APRIL – OCTOBER 2001 ZONING RECLASSIFICATION CYCLE I

BY ORDER OF
LAWRENCE S. WESCOTT, CHAIRMAN, BALTIMORE COUNTY BOARD
OF APPEALS
ARNOLD F. KELLER, III, DIRECTOR, OFFICE OF PLANNING AND
COMMUNITY CONSERVATION

ACCEPTED FOR FILING BY BALTIMORE COUNTY BOARD OF APPEALS FOR THE ZONING RECLASSIFICATION CYCLE I APRIL 2001 – OCTOBER 2001

WESTERN SECTOR

<u>ITEM #1</u>

Property Owner: Sohan L. Sambhi & Joginder Kaur

Case No./Hearing Date: CR-01-433-X -- Wednesday, November 14, 2001 at 10:00 a.m.

Contract Purchaser: N/A

Location: 9217 Liberty Road – SW/S Liberty Road, corner SE/S Chapman Road

Existing Zoning: R-0
Election District: 2nd
Councilmanic District: 2nd
Acres: .2783

Proposed Zoning: B.L. Special Exception for a service garage.

Miscellaneous: Documented Plan

ITEM #2

Property Owner: Baltimore County Revenue Authority (Lot A); Paul C. Gourley (Lot B);

Ethel B. Smith (Lot C); BP Amoco Corporation (Parcel 246)

Case No./Hearing Date: R-01-434 -- Wednesday, October 3, 2001 at 10:00 a.m.

Contract Purchaser: BP Amoco Corporation

Location: 520 Reisterstown Road (rear) – S/S Slade Avenue and N/S Linden

Terrace, also 175' SW of centerline Reisterstown Road

Existing Zoning: R-O
Election District: 3rd
Councilmanic District: 2nd
Acres: .47

Proposed Zoning: B.L.-A.S. Miscellaneous: Open Plan

ITEM #3

Property Owner: Painters Mill Venture, LLP

Case No./Hearing Date: R-01-435 -- Wednesday, September 26, 2001 at 10:00 a.m.

Contract Purchaser:

N/A

Location:

NWC Owings Mills Boulevard and Lyons Mill Road

Existing Zoning:

D.R.5.5

Election District:

2nd

Councilmanic District:

3rd

Acres:

18.3

Proposed Zoning: Miscellaneous:

D.R.16

Open Plan

ITEM #4

Property Owner: Highway Realty, Inc. (9913); Eastrel, LLC (9915); David A. Pisanic;

(9917); Patricia E. Franey (9919); Marie P. & Donald G. Haga (9921) CR-01-436 - Wednesday, October 24, 2001 at 10:00 a.m.

Case No./Hearing Date:

- N/A

Contract Purchaser: Location:

9913, 9915, 9917, 9919, & 9921 Reisterstown Road - NE/S Reisterstown

Road, approximately 200' SE of Olive Lane

Existing Zoning:

R-0

Election District:

3rd

Councilmanic District:

3rd

Acres:

1.95 + / -

Proposed Zoning:

B.L.

Miscellaneous:

Documented Plan (originally filed as open plan, was revised and filed as

documented plan)

NORTHERN SECTOR

ITEM #5

Property Owner:

Jarvis Steel & Lumber Co., Inc.

Case No.:

R-01-437

Location:

SW/S Dover Road, approximately 600' N of Baublitz Road

Election District:

4th

Councilmanic District: 3rd

Miscellaneous:

FILED FOR CYCLE I, BUT IS NOW OUT-OF-CYCLE

RECLASSIFICATION. SEE COUNTY COUNCIL RESOLTUION

NUMBER 42-01.

CENTRAL SECTOR

No Petitions Were Filed in the Central Sector for Cycle I

EASTERN SECTOR

ITEM #6

Property Owner: Merritt Properties, LLC

Case No.: R-01-438

Location: 4932 Hazelwood Avenue (Hazelwood Plaza) – NE/S Hazelwood Ave

Election District: 14th Councilmanic District: 6th Miscellaneous: FILED FOR CYCLE I, BUT IS NOW OUT-OF-CYCLE

RECLASSIFICATION. SEE COUNTY COUNCIL RESOLUTION

NUMBER 40-01.

ITEM #7

Property Owner: 7-Eleven Inc.

Case No./Hearing Date: R-01-439 -- Wednesday, October 17, 2001 at 10:00 a.m.

Contract Purchaser: N/A

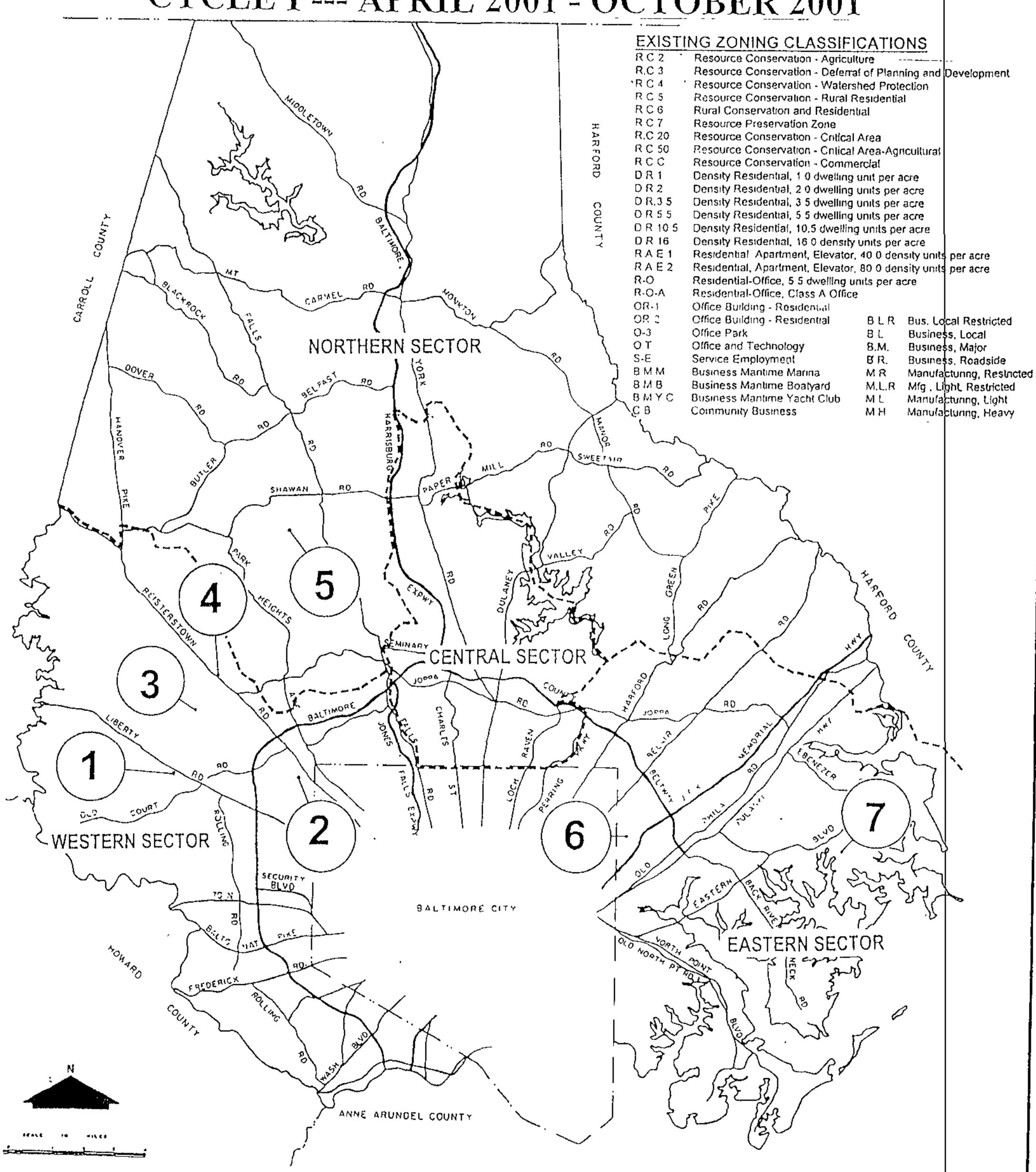
Location: 204 Bowley's Quarters Road – SW/S Bowleys Quarters Road and SW/S

Carroll Island Road

Existing Zoning: B.L. Election District: 15th Councilmanic District: 5th Acres: .33

Proposed Zoning: B.L.-A.S. Miscellaneous: Open Plan

LOCATIONS OF PROPERTIES UNDER PETITION CYCLE I --- APRIL 2001 - OCTOBER 2001



BALTIMORE COUNTY DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT/ZONING REVIEW

BALTIMORE COUNTY, MARYLAND

RECLA SSIFICATION

остовен, FILIX D 1993 BY BALTIMORE COUNTY BOARD APRIL, 1994 ZONING RECLASSIFICATION CYCLE II & REDISTRICTING PETITIONS 9 APPEALS FOR ACCEPTED HE FOR

WESTERN SECTOR

Owings Grinnings Property Owner, J.F.O. Holding Corporation & Josephine

Contract Purchaser: J. Patrick Gill Case No./Hearing Date: R-94-141; 3/9/94

Reisterstown Road) Wilson Lane, opposite Castleton Location: SW/S Reisterstown Road, 540' SE of Avenue (#1838-1850 centerline Mt.

Existing Zoning: R.O. Election District: 3rd

Acres: 5.81 +/- or 5.25 +/-Councilmanle District: 3rd

Proposed Zoning: B.L.

NORTHERN SECTOR

Property Owner: Harford Joint Venture

Contract Purchaser: N/A Case No./Hearing Date: R-94-142; 3/23/94

Existing Zoning, B.C.-5 Location: N/S Everett Road, W/S York Road (Monkton Centre)

Councilmanic District: 3rd Election District: 7th

Acres: .90 +/-

Proposed Zoning: B.M.-C.R.

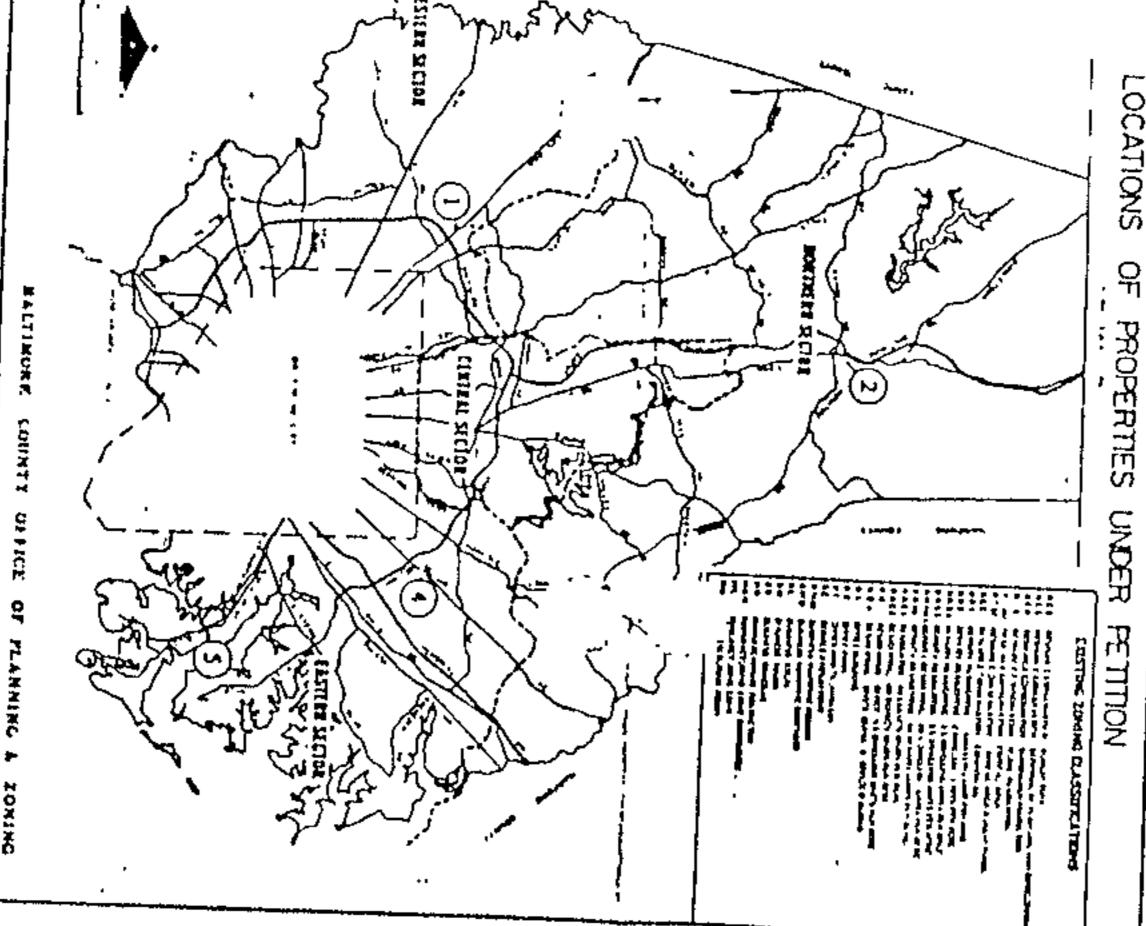
3. Property Owner: The Prosser Company, Inc.

· 4.7444.556m.

Glen Arm Road

Election District: 11th Existing Zoning: R.O. & R.C.-5

Contract Furchaser, N/A Landract Furchaser, N/A Scottion: SE/S Long Green Pike and NW/S (12107 & 12109 Long Green Pike and 5328 Glen Arm Road) 459 No./Hearing Date: CR-94-143, 4/6/94



Proposed Zoning: M Acres: 5.2 +/-Councilmanic District: 6th $\overline{}$

CENTRAL SECT HOH

No Petitions in the entral Sector

EASTERN SECT 2

Belair Road) Boulevard (8204 Location: Contract Purchaser: Case No./Hearing Date: R-94-144; 4/20/94 4. Property Owner: S S/MN Be iair Road, White Marsh Dinner Theatre, Inc. tate Highway Administration corner NE/S White Mark

Proposed Zoning: B.M Councilmanic District: Existing Zoning: D.R. Election District: 14th Acres: .61 +/-Ċi Cir £

Cignal Development Corporation Property Owner: Beachwood II Limited Partnership

Contract Purchaser: N/ Case No./Hearing Date: R-94-145; 5/4/94

Roads (Beachwood) Location: Morse Lane between Lynhurst and Shore

Existing Zoning: D.R.-1
Election District: 15th

Acres: 27,309 Councilmanic District: 7 =

Proposed Zoning: D.R.-3.5 or D.R.-5.5 or D.R.-10.5

ISTINGS 9 PETITIO Numbers 3 the listings; keyed to the map ove.

WILLIAM HACKETT, CHAIRMAN BALTIMORE COUNTY BOARD OF APPEALS DAVID FIE LDS. DIRECTOR BALTIMORE COUNTY PLANNING BY ORDER OF **SNINOZ GNA**

TO: PATUXENT PUBLISHING COMPANY

Thursday, August 2, 2001 & Thursday, August 9, 2001 Issues

Owings Mills Times Full-Page Ad

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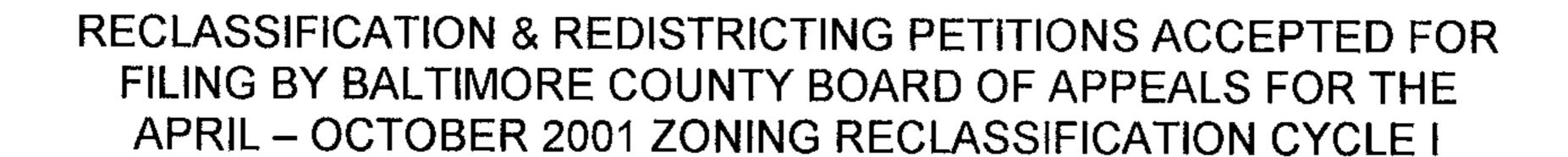
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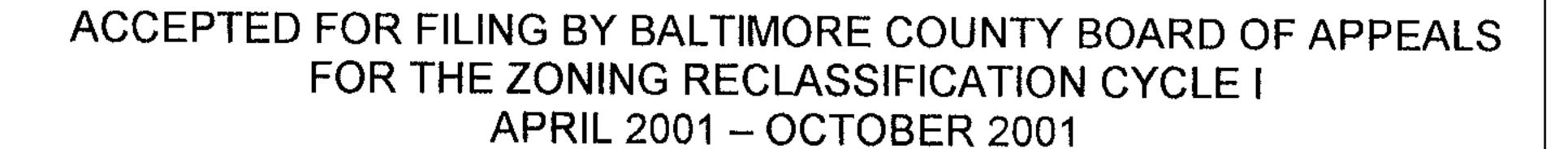
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BY ORDER OF
LAWRENCE S. WESCOTT, CHAIRMAN, BALTIMORE COUNTY BOARD
OF APPEALS
ARNOLD F. KELLER, III, DIRECTOR, OFFICE OF PLANNING AND
COMMUNITY CONSERVATION



WESTERN SECTOR

ITEM #1

Property Owner:

Sohan L. Sambhi & Joginder Kaur

Case No./Hearing Date:

CR-01-433-X -- Wednesday, November 14, 2001 at 10:00 a.m.

Contract Purchaser:

N/A

Location:

9217 Liberty Road – SW/S Liberty Road, corner SE/S Chapman Road

Existing Zoning:

R-0

Election District:

2nd

Councilmanic District:

2nd .2783

Acres: Proposed Zoning:

B.L. Special Exception for a service garage.

Miscellaneous:

Documented Plan

ITEM #2

Property Owner:

Baltimore County Revenue Authority (Lot A); Paul C. Gourley (Lot B);

Ethel B. Smith (Lot C); BP Amoco Corporation (Parcel 246)

Case No./Hearing Date:

R-01-434 -- Wednesday, October 3, 2001 at 10:00 a.m.

Contract Purchaser:

BP Amoco Corporation

Location:

520 Reisterstown Road (rear) - S/S Slade Avenue and N/S Linden

Terrace, also 175' SW of centerline Reisterstown Road

Existing Zoning:

R-O

Election District:

3rd

Councilmanic District:

2nd .47

Acres:

. T /

Proposed Zoning: Miscellaneous:

B.L.-A.S. Open Plan **ITEM #3**

Property Owner: Painters Mill Venture, LLP

Case No./Hearing Date: R-01-435 -- Wednesday, September 26, 2001 at 10:00 a.m.

Contract Purchaser: N/A

Location: NWC Owings Mills Boulevard and Lyons Mill Road

Existing Zoning: D.R.5.5

Election District: 2nd
Councilmanic District: 3rd

Acres: 18.3 Proposed Zoning: D.R.16

Miscellaneous: Open Plan

<u>ITEM #4</u>

Property Owner: Highway Realty, Inc. (9913); Eastrel, LLC (9915); David A. Pisanic

(9917); Patricia E. Franey (9919); Marie P. & Donald G. Haga (9921)

Case No./Hearing Date: CR-01-436 - Wednesday, October 24, 2001 at 10:00 a.m.

Contract Purchaser: N/A

Location: 9913, 9915, 9917, 9919, & 9921 Reisterstown Road – NE/S Reisterstown

Road, approximately 200' SE of Olive Lane

Existing Zoning: R-O
Election District: 3rd

Councilmanic District: 3rd

Acres: 1.95 +/-

Proposed Zoning: B.L.

Miscellaneous: Documented Plan (originally filed as open plan, was revised and filed as

documented plan)

NORTHERN SECTOR

<u>ITEM #5</u>

Property Owner: Jarvis Steel & Lumber Co., Inc.

Case No.: R-01-437 – SEE OUT-OF-CYCLE FILE

CENTRAL SECTOR

No Petitions Were Filed in the Central Sector for Cycle I

EASTERN SECTOR

<u>ITEM #6</u>

Property Owner:

Merritt Properties, LLC

Case No.:

R-01-438 -- WITHDRAWN

<u>ITEM #7</u>

Property Owner:

7-Eleven Inc.

Case No./Hearing Date:

R-01-439 -- Wednesday, October 17, 2001 at 10:00 a.m.

Contract Purchaser:

N/A

Location:

204 Bowley's Quarters Road – SW/S Bowleys Quarters Road and SW/S

Carroll Island Road

Existing Zoning:

B.L.

Election District:

15th

Councilmanic District:

5th

Acres:

.33

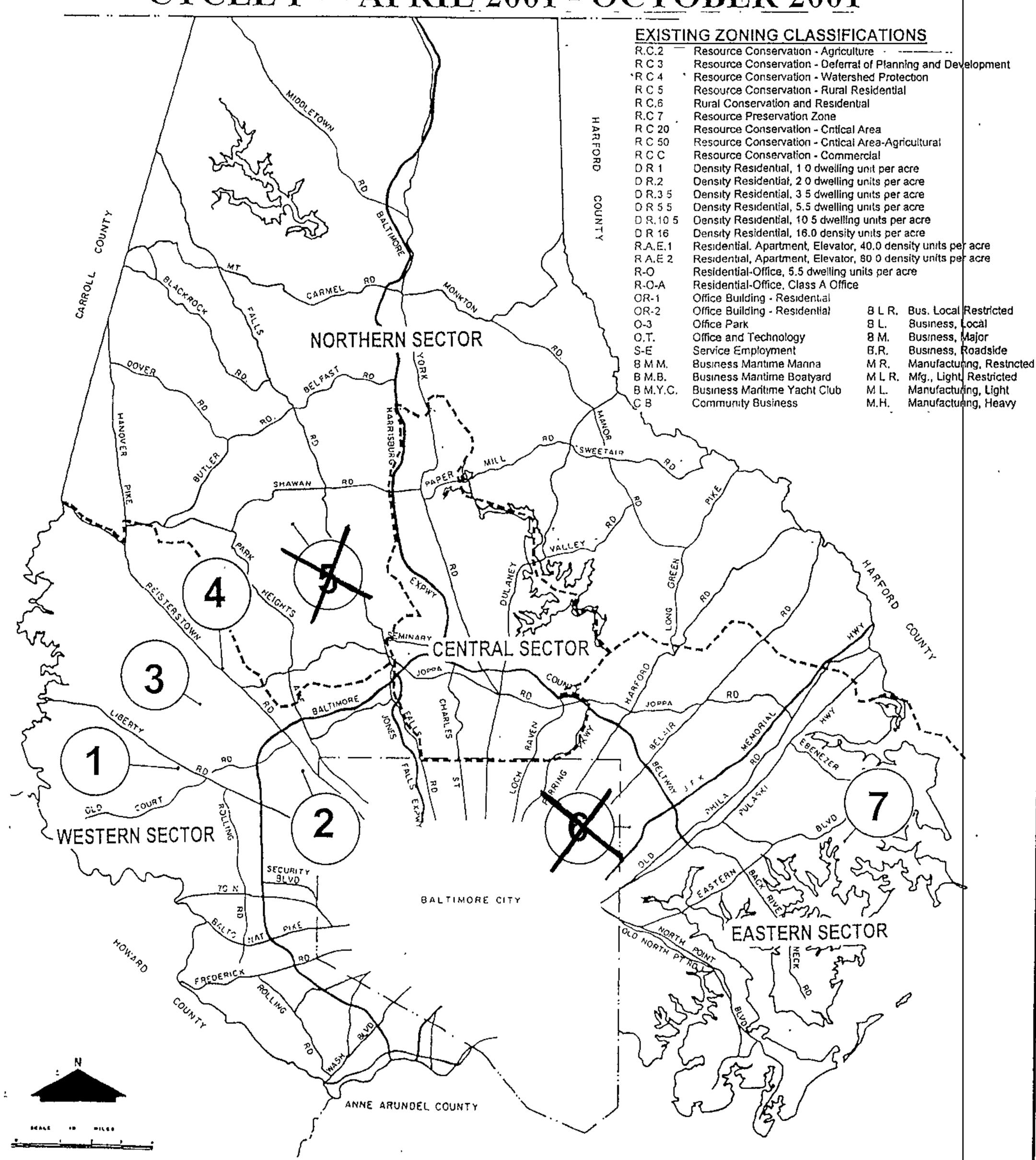
Proposed Zoning:

B.L.-A.S.

Miscellaneous:

Open Plan

LOCATIONS OF PROPERTIES UNDER PETITION CYCLE I --- APRIL 2001 - OCTOBER 2001



BALTIMORE COUNTY DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT/ZONING REVIEW

BALTIMORE COUNTY, MARY

OCTOBER, RECLASSIFICATION & REDISTRICTING FILING 1993 BY BALTIMORE COUNTY BOARD OF APRIL, 1994 ZONING RECLASSIFICATION CYCLE **PETITIONS** APPEALS FOR ACCEPTE THE FOR

WESTERN SECTOR

Owings Grinnings 1. Properly Owner: J.F.O. Holding Corporation & Josephine

Case No./Hearing Date: R-94-141; 3/9/94

Contract Purchaser: J. Patrick Gill

Location: SW/S Reisterstown Road, 540' SE of centerline Mt.

Reisterstown Road) Wilson Lane, opposite Castleton Avenue (#1838-1850

Existing Zoning: R O. Election District: 3rd

Councilmanic District: 3rd

Proposed Zoning: B.L. Acres: 5.81 +/- or 5.25 +/-

NORTHERN SECTOR

2. Property Owner: Harford Joint Venture Case No./Hearing Date: R-94-142; 3/23/94

Contract Purchaser: N/A

Location: N/S Everett Road, W/S York Road (Monkton Centre)

Existing Zoning. R.C.-5
Election District: 7th

Councilmanic District: 3rd

Acres: .90 +/-

Proposed Zoning: B.M.-C.R.

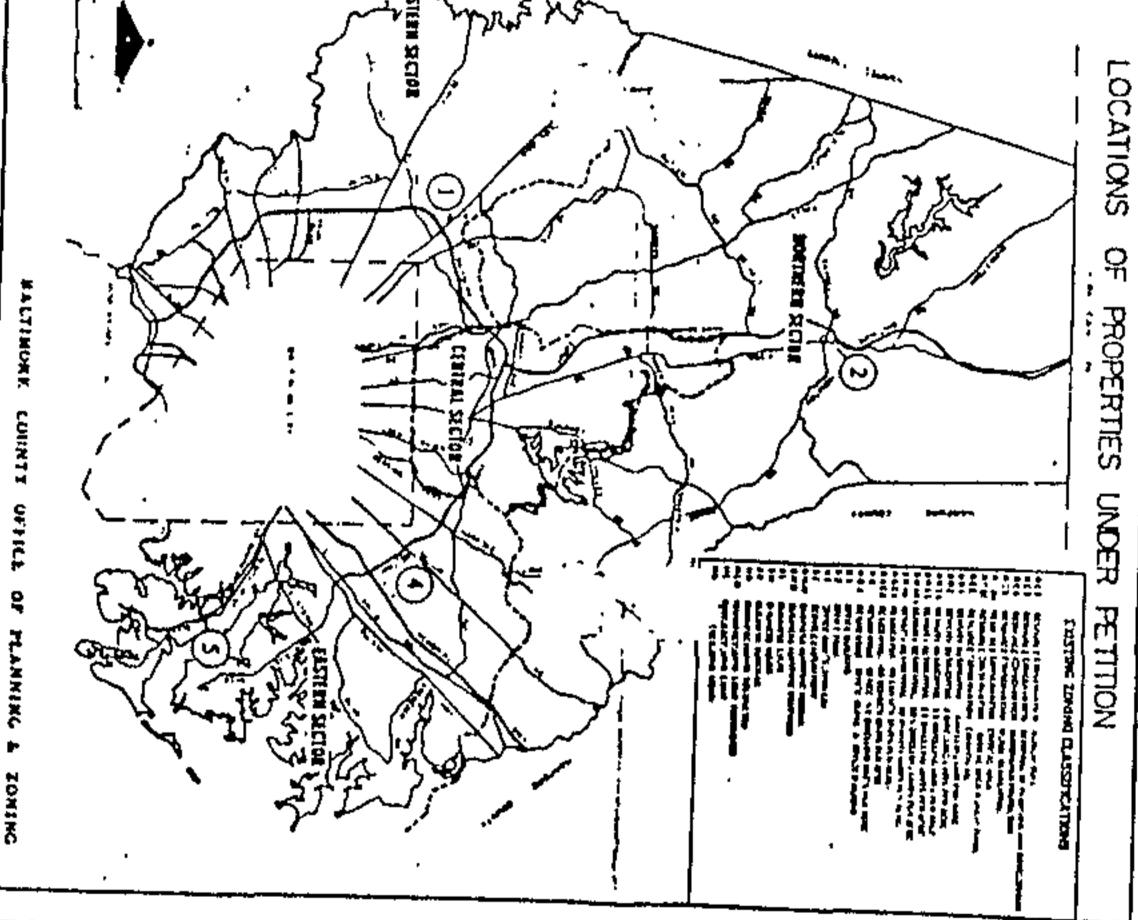
3. Property Owner: The Prosser Company, Inc.

THE STATE OF

Green Pike and NW/S Glen Arm Road

Election District: 11th

Cantract Purchaser N/A Long Green Pike and 5328 Glen Arm Road) Existing Zoning: R.O. & R C -5 (12107 & 12109



Proposed Zoning: M.L. Councilmanic District: Acres: 5.2 뜛

No Petitions in the Cent SECTOR tral Sector

EASTERN SECTOR

Boulevard (8204 Belair Road) Location: Contract Purchaser: White Marsh Dinner Theatre, Inc. Case No./Hearing Date: Property Owner: State Highway Administration Case No./Hearing Date: R-94-144; 4/20/94 S/MN Belai Road, corner NE/S White Marsh

Proposed Zoning: B.M. Councilmanic District: 6tl Acres: .61 Election District: Existing Zoning: D.R.-5. 14th

Cignal Development Corporation Property Owner: Beachwood ii Limited Partnership &

Case No./Hearing Date:

Contract Purchaser: N/A R-94-145; 5/4/94

Roads (Beachwood) Location: E/S Morse ane between Lynhurst and Shore

Existing Zoning: D.R.-1

Election District: 15th

Councilmanic District:

Proposed Zoning: D.R.-3. Acres: 27 309

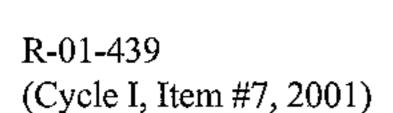
5 or D.R.-5.5 or D.R.-10.5

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STINGS OF PETITION Numbers 3 the listings are keyed ö the map above.

P DAVID FIEL WILLIAM HACKETT, CHAIRMAN BALTIMORE COUNTY BOARD OF APPEALS S DIRECTOR BALTIMORE COUNTY PLANNING AND ZONING BY ORDER OF

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7-Eleven, Inc. (formerly Southland Corp) -Petitioner

HEARING DATE: Wednesday, October 17, 2001 /Open and Continue on the record /submission of amendment.

Thursday, December 13, 2001 /On the Merits

7/10/01 – Notice of Assignment sent to following; case to be opened and continued on the record Wednesday, October 17, 2001 at 10:00 a.m. for submission of amendment; and heard on the merits on Thursday, December 13, 2001 at 10 a.m.:

Robert A. Hoffman, Esquire
Edward E. Zimmerman, Sr. /7-Eleven, Inc.
Bohler Engineering, PC
Donald Krempel /Div of Physical Facilities
/Board of Ed. /MS 1102-J (changed 7/09/01)
People's Counsel for Baltimore County
Pat Keller, Planning Director
Lawrence E. Schmidt /Zoning Commissioner
W. Carl Richards /PDM
Arnold Jablon, Director /PDM

- 7/16/01 Amended Notice of Assignment (amended to reflect correct day of week only) sent to all parties listed above (hearing on merits to be held on **THURSDAY**, December 13, 2001 at 10:00 a.m)
- 8/14/01 Contact person at Board of Education now Robert J. Haines, Esquire, per telephone call from Mr. Krempel's office 8/13/01.
- 10/17/01 Case was opened and continued on the record (David Karceski, Esquire, on behalf of Petitioner); amendment to be submitted at public hearing on 10/25/01; Notice of Assignment sent this date for submittal of amendment on Thursday, October 25, 2001 at 9:45 a.m.; hearing scheduled on the merits for 12/13/01.
- 10/24/01 Amended Petition, Site Plan and accompanying documentation reviewed with zoning review by Petitioner. To be submitted in open hearing as indicated above on 10/25/01.
- 11/13/01 Letter from David Karceski, Esquire requesting additional day for hearing due to additional zoning relief sought by Petitioner.
- 11/19/01 Notice of Assignment /Additional Hearing Day sent to parties; assigned for two days of hearing: Thursday, December 13, 2001 (as originally assigned) and Thursday, February 21, 2002, both starting at 10 a.m.
- 11/28/01 Received Planning Board Report adopted at meeting of November 15, 2001.
- 12/13/01 Continued on the record to 2/21/02 (originally scheduled as day #2; now to be Day #1) (Marks, Stahl, Adams).





R-01-439 (Cycle I, Item #7, 2001) 7-Eleven, Inc. (formerly Southland Corp) -Petitioner

HEARING DATE: Wednesday, October 17, 2001 /Open and Continue on the record /submission of amendment.

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2/13/02 – Letter of request for postponement from David Karceski, Esquire, on behalf of Robert Hoffman – special exception hearing before ZC set for 3/19/02; may obviate need for this reclass request; to be reassigned to hearing date in Summer of 2002.

-- Notice of PP and Reassignment sent to parties; case reassigned to Wednesday, July 31, 2002 at 10:00 a.m.

5/01/02 – Letter from Robert A. Hoffman, Esquire, counsel for Petitioner; withdrawing Petition for Reclassification. Order of Dismissal of Petition to be issued.

