

IN THE MATTER OF:
MOTIVA ENTERPRISES-
Legal Owner
BALTIMORE COUNTY, MARYLAND
Petitioner
1903 TAYLOR AVENUE
9th Election District
5th Councilmanic District

* BEFORE THE
* COUNTY BOARD OF APPEALS
* OF
* BALTIMORE COUNTY
* Case No: 03-479-SPH

* * * * *

CONSENT ORDER

On August 18, 2004 a hearing was scheduled before the County Board of Appeals ("the Board") from an appeal filed by Motiva Enterprises, LLC, a Delaware Limited Liability Company, ("Motiva Enterprises") relative to an adverse decision of the Zoning Commissioner for Baltimore County dated February 2, 2004. The Zoning Commissioner determined that there had been an abandonment of the special exception for a service station use granted in prior Case No. 85-272-XSPHA, including the removal of all above ground structures, pursuant to Section 405.7 of the Baltimore County Zoning Regulations.

Prior to an evidentiary hearing on the merits before the Board, Motiva Enterprises and Baltimore County, Maryland ("the County") entered into an Agreement and state as follows:

1. Motiva Enterprises is the owner of an irregularly shaped parcel located at the southwest corner of Taylor Avenue and Beverly Avenue, just west of Perring Parkway in Parkville in Baltimore County, Maryland ("the Premises"). It contains a gross area of 0.483 acres, more or less, is zoned B.L.R. (Business/Local - Residential) and is improved by a gasoline service station.
2. Motiva acknowledges that a gasoline service station was operated on the Premises for many years but was abandoned sometime in 1998.
3. The parties acknowledge that the Maryland Department of the Environment supervised the removal of certain underground fuel tanks on the Premises on or about June 19, 2000.
4. Motiva is actively marketing the property for sale and currently has a number of offers to purchase from various prospective buyers.
5. Motiva hereby voluntarily agrees to waive any and all appeal rights that it may have as a result of entering into this Consent Order.

WHEREFORE, it is this 16 day of December 2004 by the County

COPY

Board of Appeals for Baltimore County hereby ORDERED that:

1. The use of the Premises as a gasoline service station is deemed to be abandoned. Further, the special exception granted for a fuel service station use of the subject property is deemed forfeited pursuant to the requirements of Section 405.7 of the Baltimore County Zoning Regulations.

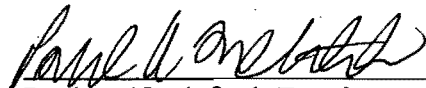
2. Motiva has agreed that if it is unable to transfer all of its right, title and interest in and to the Premises on or before March 1, 2005, that it will raze the improvements on site, at its sole cost, no later than thirty (30) days thereafter. It shall also grade, seed and stabilize the lot.

3. If Motiva shall fail or refuse to raze the improvements on the Premises on or before April 1, 2005, it hereby consents and agrees that Baltimore County, Maryland may remove the same and perform any necessary grading, seeding and stabilization of the lot. The County shall impose a lien on the Premises for all costs associated with said removal.

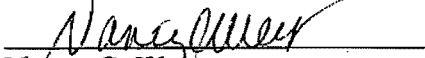
4. At such time as the Premises are either sold or the improvements razed, the parties shall notify the Board that all terms and conditions stated herein have been met whereupon the above captioned matter shall be and is subject to dismissal with prejudice.

5. Because of the executory nature of the conditions stated herein, this matter shall be subject to the continuing jurisdiction of this Board.

**APPROVED AS TO FORM
AND SUFFICIENCY**

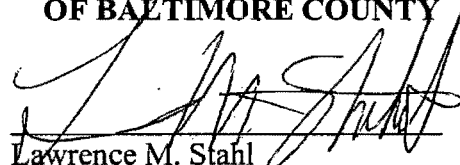

Paul A. Nettleford, Esquire
Boulard & Brush, LLC
201 N. Charles Street, Ste. 2400
Baltimore, MD 21201-4105

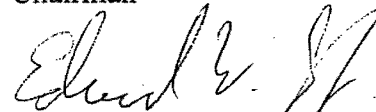
Attorney for Motiva Enterprises, LLC

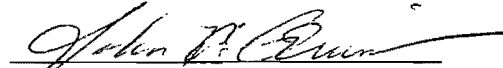

Nancy C. West
Assistant County Attorney
Office of Law, Courthouse- 2nd Floor
400 Washington Avenue
Towson, MD 21204

Attorney for Baltimore County, Maryland

**COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY**


Lawrence M. Stahl
Chairman


Edward W. Crizer, Jr.


John P. Quinn



County Board of Appeals of Baltimore County

OLD COURTHOUSE, ROOM 49
400 WASHINGTON AVENUE
TOWSON, MARYLAND 21204
410-887-3180
FAX: 410-887-3182

December 16, 2004

Paul A. Nettleford, Esquire
BOULAND & BRUSH LLC
Suite 2400
201 N. Charles Street
Baltimore, MD 21201-4105

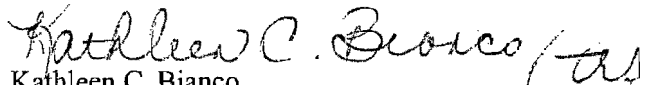
Nancy C. West, Assistant County Attorney
Baltimore County Office of Law
400 Washington Avenue
Towson, MD 21204

RE: *In the Matter of: Motiva Enterprises, LLC* -Legal Owners
Baltimore County, MD -Petitioner Case No. 03-479-SPH

Dear Counsel:

Enclosed please find a copy of the Consent Order entered into by the parties to the subject matter and issued this date by the County Board of Appeals of Baltimore County.

Very truly yours,


Kathleen C. Bianco
Administrator

Enclosure

c: Donald Barksdale, Esquire
Motiva Enterprises LLC
Susan Stanton /Thompson & Knight LLP
Timothy M. Kotroco, Director /PDM
Jay L. Liner, County Attorney
Donna Spicer
Alice Baker
Shirley Murphy /Land Acquisition
Ron Goodwin /Land Acquisition
Steve Wiley /Land Acquisition
Rick Wisnom /Code Enforcement
James Thompson /Code Enforcement
Len Wasilewski /PDM
Office of People's Counsel
William J. Wiseman III /Zoning Commissioner
Pat Keller, Planning Director
Jay L. Liner, County Attorney



IN RE: PETITION FOR SPECIAL HEARING
SE/Corner Taylor & Beverly Avenues
(1903 Taylor Avenue)
9th Election District
5th Council District

Motiva Enterprises, LLC, Owners;

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 03-479-SPH
*

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of a Petition for Special Hearing filed by Baltimore County, a body politic, through the Department of Permits and Development Management (DPDM). Special hearing relief is requested to determine if there has been an abandonment of the special exception use of the subject property as a service station, which was granted in prior Case No. 85-272-XSPHA, including the removal of all above-ground structures pursuant to Section 405.7 of the Baltimore County Zoning Regulations (B.C.Z.R.). The subject property is more particularly described on a site plan contained within the case file and marked as Petitioner's Exhibit 1.

This matter was originally scheduled for a public hearing on June 17, 2003; however, was postponed and rescheduled for November 19, 2003. A second continuance was granted due to the unexpected closure of several buildings in Towson as a result of a water main break, and the matter was rescheduled for January 28, 2004. As required, the property was posted with a sign giving public notice of the rescheduled hearing date.

Appearing at the initial hearing on behalf of Baltimore County were Shirley Murphy, Esquire, and Ron Goodwin and Steve Wiley from the Bureau of Land Acquisition. Also appearing were Paul Nettleford and Donald Barksdale, representatives of Motiva Enterprises, Inc., property owners. Appearing on behalf of Baltimore County at the January 28, 2004 hearing was James H.

ORDER RECEIVED FOR FILING
Date 2/2/04
By [Signature]

Thompson, Supervisor of the Code Enforcement Division of DPDM. There were no Protestants or other interested persons present.

The subject property is an irregular shaped parcel located on the southwest corner of Taylor Avenue and Beverly Avenue, just west of Perring Parkway in Parkville. The property contains a gross area of 0.483 acres, more or less, zoned B.L.R., and is improved with an abandoned gasoline service station. By opinion and Order dated April 5, 1985, special hearing and special exception relief was granted for the use of the site as a gas and go fuel service operation by then Zoning Commissioner Arnold Jablon. Variance relief was also granted for certain reduced setbacks and to allow a total site area of 21,033 sq.ft. in lieu of the required 21,216 sq.ft. Apparently, the fuel service station operated on the site for a number of years; however, for at least the past 2½ years, has been abandoned.

Section 405 of the B.C.Z.R. regulates the operation of fuel service stations in Baltimore County. Section 405.7 thereof sets out the regulations for abandoned fuel service stations. Therein, it is indicated that abandoned fuel service stations can become a threat to the health, safety and general welfare of the community and can have a blighting influence on surrounding properties. Section 405.7E provides that the Director of DPDM shall refer the matter to the Zoning Commissioner for a hearing if a fuel service station has been abandoned. Pursuant to that process, this matter was scheduled for a hearing before the undersigned.

On behalf of the Code Enforcement Division of DPDM, Mr. Thompson testified that his office has inspected this property on numerous occasions over the years. There have been at least four zoning citations issued against the property owner since 1999. Most of these citations relate to the appearance of the site and the fact that same has not been maintained. Specifically, it has been alleged that trash, junk and debris have accumulated on the property. Mr. Thompson indicated that his office was advised that the underground fuel tanks were removed on June 19, 2000 and that the Maryland Department of the Environment (MDE) supervised their removal.

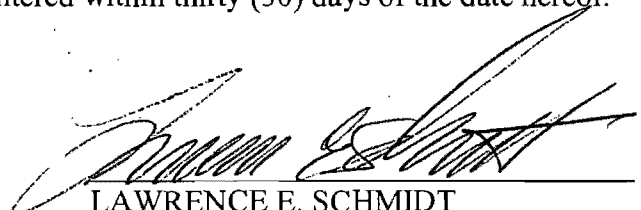
Based upon the undisputed testimony and evidence presented, I easily find that this site has been abandoned and that the special exception granted for a fuel service station use of the

subject property is forfeited, pursuant to the requirements of Section 405.7 of the B.C.Z.R. Baltimore County may therefore proceed in accordance with the applicable provisions of law to redevelop the site and take such further action as may be necessary to clean up the property.

Pursuant to the advertisement, posting of the property and public hearing on this Petition 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 2nd day of February, 2004 that there has been an abandonment of the special exception for a service station use granted in prior Case No. 85-272-XSPHA, including the removal of all above-ground structures, pursuant to Section 405.7 of the Baltimore County Zoning Regulations (B.C.Z.R.), and as such, the Petition for Special Hearing be and is hereby GRANTED.

Any appeal of this decision must be entered within thirty (30) days of the date hereof.


LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

ORDER RECEIVED FOR FILING
Date 2/2/04
By [Signature]

Zoning Commissioner

Suite 405, County Courts Building
401 Bosley Avenue
Towson, Maryland 21204
Tel: 410-887-3868 • Fax: 410-887-3468



Baltimore County

James T. Smith, Jr., County Executive
Lawrence E. Schmidt, Zoning Commissioner

February 3, 2004

Mr. Timothy M. Kotroco
Director, Department of Permits & Development Management
111 W. Chesapeake Avenue
Towson, Maryland 21204

RE: PETITION FOR SPECIAL HEARING
SE/Corner Taylor & Beverly Avenues
(1903 Taylor Avenue)
9th Election District – 5th Council District
Motiva Enterprises, LLC, Owners; Baltimore County, DPDM - Petitioners
Case No. 03-479-SPH

Dear Mr. Kotroco:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition Special Hearing has 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 Department of Permits and Development Management office at 887-3391.

Very truly yours,

A handwritten signature in black ink, appearing to read "Lawrence E. Schmidt", is written over a horizontal line.

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

cc: Mr. Paul Nettleford, 201 N. Charles Street, Suite 2400, Baltimore, Md. 21201
Mr. Donald Barksdale, 8 Charles Plaza, Suite 1807, Baltimore, Md. 21201
Motiva Enterprises, P.O. Box 4369, Houston, Tx 77210-4369
Shirley Murphy, Esquire, & Ron Goodwin & Steve Wiley, Land Acquisition
People's Counsel; Case File

Visit the County's Website at www.baltimorecountyonline.info



Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at 1903 Taylor Avenue

which is presently zoned B.L.R.

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

See attached sheet.

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:

Baltimore County

Name - Type or Print

Signature *[Signature]*

Director
Permits & Development Management

Company

111 West Chesapeake Avenue

410-887-3353

Address

Telephone No.

Towson

MD

21204

City

State

Zip Code

Legal Owner(s):

Motiva Enterprises, LLC

Name - Type or Print

Signature

Name - Type or Print

Signature Tax Department Property

P.O. Box 4369

Address

Telephone No.

Houston

TX

77210-4369

City

State

Zip Code

Representative to be Contacted:

Name

Address

Telephone No.

City

State

Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

UNAVAILABLE FOR HEARING

Reviewed By ST Date 4/15/83

ORDER RECEIVED FOR FILING

Case No. 03-479 SPH

Date 4/15/98

By [Signature]

Violation
03-0860

CASE NO. 03-479 SPE
1903 TAYLOR AVENUE

*To determine abandonment of service station and
special exception zoning case #85-272-XSPHA including*

The removal of all aboveground structures pursuant to Section 405.7 of the
Baltimore County Zoning Regulations. A determination is to be made whether the fuel
service station has been in continuous operation, not continuously maintained and
corrected according to prior notice, and if it is further found that by reason of the
continued vacancy, the structure and grounds lack reasonable or adequate maintenance,
thereby causing deterioration and blighting influence on nearby properties and thereby
depreciating the enjoyment, use or value of the property in the immediate vicinity to such
an extent that it is harmful to the public health, welfare, safety, comfort or convenience of
the neighborhood in which the station is situated, the Zoning Commissioner shall order
the station's removal.

ORDER RECEIVED FOR FILING

Date _____

By _____

**ZONING DESCRIPTION
1903 TAYLOR AVENUE**

All that certain tract or parcel of land situated in the city of Baltimore, county of BALTIMORE, state of MARYLAND, with a physical address of 1903 Taylor Ave, and more particularly described as follows:

BEGINNING FOR THE SAME at a 1/2" diameter reinforcing rod (rebar) now set along the southwesterly right-of-way line of Taylor Avenue (70 feet wide), being 33.00 feet southwesterly of and radial to Base Line of Right of Way Station 58 + 21 as shown on State Roads Commission of Maryland Right of Way Plat No. 29416, said point of beginning also being at the beginning of the first line of that same parcel of land as described in a conveyance from Sibarco Corporation to Atlantic Richfield Company, by a deed dated May 25, 1979 and recorded along the Land Records of Baltimore County, Maryland in Liber E.H.K., Jr. No. 6038, folio 243 etc., thence running with and binding on the first through the eight lines of said conveyance, as now surveyed by STV/LYON ASSOCIATES, the eight following courses and distances, with all bearings being referred to the Baltimore County Metropolitan District Grid Meridian; along said southwesterly right-of-way line of Taylor Avenue the two following courses and distances,

1. South 58 degrees 23 minutes 05 seconds East 56.20 feet to a cross-cut now set in concrete thence,
2. South 58 degrees 10 minutes 25 seconds East 88.15 feet to a rebar set, thence leaving Taylor Avenue and running with and binding on the southwesterly right-of-way line of Perring Parkway as shown on the aforementioned S.R.C. R/W Plat the two following courses and distances.
3. South 31 degrees 49 minutes 35 seconds West 12.99 feet to a "P.K." Nail set in the existing asphalt paving thence,
4. South 31 degrees 24 minutes 23 seconds East 95.61 feet to a point in the existing concrete paved stream bed to intersect the easternmost boundary line of Lot No. 354 as shown on the plat of Westmoreland Fruit Farm, dated January, 1923 and recorded among said Land Records in Plat Book W.P.C. No. 7, folio 102, thence running with and binding on a portion of said easternmost boundary line,
5. South 31 degrees 01 minutes 18 seconds West 55.22 feet to a 1-1/2" diameter pipe heretofore set at the southeasternmost corner of said Lot No. 354, thence running with and binding on the southwesterly boundary lines of Lots 354 through 348 and a portion of Lot No. 347, in all, respectively,

**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: #03-479-SPH

1903 Taylor Avenue

Southeast corner of Taylor and Beverly Avenue

9th Election District

5th Councilmanic District

Legal Owner(s): Motiva

Enterprises, LLC

Special Hearing: to determine abandonment of service station and Special Exception zoning, case #85-272-XSPHA including the removal of all above ground structures pursuant to Section 405.7 of the Baltimore County Zoning Regulations.

Hearing: Tuesday, June 17, 2003 at 11:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue.

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.

5/418 May 29 C606519

CERTIFICATE OF PUBLICATION

5/29/2003

THIS IS TO CERTIFY, that the annexed advertisement was published in the following weekly newspaper published in Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 5/29/2003.

- ☒ The Jeffersonian
- ☐ Arbutus Times
- ☐ Catonsville Times
- ☐ Towson Times
- ☐ Owings Mills Times
- ☐ NE Booster/Reporter
- ☐ North County News

J. Wilkinson

LEGAL ADVERTISING



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

April 28, 2003

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: 03-479-SPH

1903 Taylor Avenue
Southeast corner of Taylor and Beverly Avenue
9th Election District – 5th Councilmanic District
Legal Owner: Motiva Enterprises, LLC

Special Hearing to determine abandonment of service station and Special Exception zoning case #85-272-XSPHA including the removal of all above ground structures pursuant to Section 405.7 of the Baltimore County Zoning Regulations

Hearings: Tuesday, June 17, 2003 at 11:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue

Arnold Jablon
Director

AJ:klm

POSTED 5/29/03
11:20 AM
GF

no picture
available

C: Baltimore County, Arnold Jablon, Director of PDM, 111 W. Chesapeake Avenue, Towson 21204
Motiva Enterprises, LLC, Tax Department Property, P.O. Box 4369, Houston TX 77210-4369
James Thompson, Code Enforcement

- NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY MONDAY, JUNE 2, 2003.
- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 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.



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

January 6, 2004

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: 03-479-SPH

1903 Taylor Avenue
Southeast corner of Taylor and Beverly Avenue
9th Election District – 5th Councilmanic District
Legal Owner: Motiva Enterprise, LLC

Special Hearing to determine abandonment of service station and Special Exception Zoning Case #85-272-XSPHA including the removal of all above ground structures pursuant to Section 405.7 of the Baltimore County Zoning Regulations.

Hearing: Wednesday, January 28, 2004 at 9:00 a.m. in Room 407, County Counts Building,
401 Bosley Avenue

A handwritten signature in black ink that reads "Timothy Kotroco".

Timothy Kotroco
Director

TK:rlh

C: Motiva Enterprise, LLC, Tax Department, Property, P.O. 4369, Houston, TX 77210-4369
Rick Wisnom, Chief, Bureau of Code Inspection, 111 Chesapeake Ave., Room 100,
Towson 21204

- NOTES: (1) THE COUNTY WILL HAVE THE ZONING OFFICE POST A SIGN BY
TUESDAY, JANUARY 13, 2004.**
- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL
ACCOMMODATIONS PLEASE CALL THE ZONING COMMISSIONER'S OFFICE
AT 410-887-4386.

APPEAL SIGN POSTING REQUEST

CASE NO.: 03-479-SPH

MOTIVA ENTERPRISES LLC – LEGAL OWNER

1903 TAYLOR AVENUE
(INTERSECTION OF TAYLOR AVENUE AND PERRING PARKWAY)

9TH ELECTION DISTRICT

APPEALED: 2/27/04

Site
ATTACHMENT – (Plan to accompany Petition – ~~Petitioner's Exhibit No. 1~~)

*******COMPLETE AND RETURN BELOW INFORMATION*******

CERTIFICATE OF POSTING

TO: Baltimore County Board of Appeals
400 Washington Avenue, Room 49
Towson, Maryland 21204

Attention: Kathleen Bianco
Administrator

CASE NO.: 03-479-SPH

Petitioner/Developer:

MOTIVA ENTERPRISES – LEGAL OWNER

This is to certify that the necessary appeal sign was posted conspicuously on the property located at:

1903 TAYLOR AVENUE

The sign was posted on 4/22, 2004

By:

Gary Freund
(Signature of Sign Poster)

GARY FREUND
(Printed Name)



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

May 21, 2004

NOTICE OF ASSIGNMENT

CASE #: 03-479-SPH

IN THE MATTER OF: MOTIVA ENTERPRISES –Legal Owner;
Baltimore County, Maryland - Petitioner 1903 Taylor Avenue
9th Election District; 5th Councilmanic District

2/02/2004 – Z.C.'s order in which requested special hearing was GRANTED
(abandonment of special exception and removal of all above-ground
structures)

ASSIGNED FOR:

WEDNESDAY, AUGUST 18, 2004 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 Appellant /Legal Owner : Paul A. Nettleford, Esquire
Appellant /Legal Owner : Donald Barksdale, Esquire
: Motiva Enterprises LLC

Susan Stanton /Thompson & Knight LLP

Petitioner : Baltimore County, Maryland –
Timothy M. Kotroco, Director /PDM

Edward J. Gilliss, County Attorney

Shirley Murphy /Land Acquisition
Ron Goodwin /Land Acquisition
Steve Wiley /Land Acquisition
Rick Wisnom /Code Enforcement
James Thompson /Code Enforcement
copy 7/06: Donna Spicer
Office of People's Counsel
Lawrence E. Schmidt /Zoning Commissioner
Pat Keller, Planning Director
Nancy West, Esq.
Jay Linner, Esq.





County Board of Appeals of Baltimore County

OLD COURTHOUSE, ROOM 49
400 WASHINGTON AVENUE
TOWSON, MARYLAND 21204
410-887-3180
FAX: 410-887-3182

*Filed to
Len
Masilewski
2824*

Hearing Room – Room 48
Old Courthouse, 400 Washington Avenue

May 21, 2004

NOTICE OF ASSIGNMENT

CASE #: 03-479-SPH

IN THE MATTER OF: MOTIVA ENTERPRISES –Legal Owner;
Baltimore County, Maryland - Petitioner 1903 Taylor Avenue
9th Election District; 5th Councilmanic District

2/02/2004 – Z.C.'s order in which requested special hearing was GRANTED
(abandonment of special exception and removal of all above-ground
structures)

ASSIGNED FOR:

WEDNESDAY, AUGUST 18, 2004 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. Blanco
Administrator

c: Counsel for Appellant /Legal Owner

: Paul A. Nettleford, Esquire
Donald Barksdale, Esquire
: Motiva Enterprises LLC

Appellant /Legal Owner

Susan Stanton /Thompson & Knight LLP

Petitioner

: Baltimore County, Maryland –
Timothy M. Kotroco, Director /PDM

Edward J. Gilliss, County Attorney

Shirley Murphy /Land Acquisition
Ron Goodwin /Land Acquisition
Steve Wiley /Land Acquisition
Rick Wisnom /Code Enforcement
James Thompson /Code Enforcement

Office of People's Counsel
Lawrence E. Schmidt /Zoning Commissioner
Pat Keller, Planning Director





Baltimore County
Department of Permits and
Development Management

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

November 14, 2003

Motiva Enterprises
P.O. Box 4369
Houston, TX 77210-4369

Gentlemen:

RE: Case Number: 03-479-SPH, 1903 Taylor Avenue

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on April 15, 2003.

The Zoning Advisory Committee (ZAC), which consists of representatives from several approval agencies, has reviewed the plans that were submitted with your petition. All comments submitted thus far from the members of the ZAC are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to ensure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. All comments will be placed in the permanent case file.

If you need further information or have any questions, please do not hesitate to contact the commenting agency.

Very truly yours,

A handwritten signature in black ink that reads "W. Carl Richards, Jr.".

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR:klm

Enclosures

c: People's Counsel
Mr. Paul Nettleford, 201 N. Charles St., Ste. 2400, Baltimore 21201
Donald Barksdale, 8 Charles Plaza, Ste. 1807, Baltimore 21201



BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: May 8, 2003

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

RECEIVED

MAY - 9 2003

SUBJECT: 1903 Taylor Avenue

INFORMATION:

Item Number: 03-479

Zoning: BLR

Requested Action: Special Hearing

ZONING COMMISSIONER

SUMMARY OF RECOMMENDATIONS:

The Office of Planning has determined that subject property constitutes an abandoned service station. This office supports the County's effort to have all aboveground structures including the existing paving and chain-link fence razed. The site should subsequently be seeded and maintained in a satisfactory manner.

Prepared by:

Mark A. Cimpf

Section Chief:

AFK/LL:MAC:

Arnold F. Keller

*Done
with
P.P.
File*



Baltimore County
Fire Department

700 East Joppa Road
Towson, Maryland 21286-5500
410-887-4500

County Office Building, Room 111
Mail Stop #1105
111 West Chesapeake Avenue
Towson, Maryland 21204

April 29, 2002

ATTENTION: Rebecca Hart

Distribution Meeting of: April 28, 2003

Item No.: 478-480, 483-487, 489-490, 492-495

Dear Ms. Hart:

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

7. *The Fire Marshal's Office has no comments at this time.*

LIEUTENANT JIM MEZICK
Fire Marshal's Office
PHONE 887-4881
MS-1102F

cc: File



BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

DATE: May 6, 2003

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

SUBJECT: Zoning Advisory Committee Meeting
For May 5, 2003
Item Nos. 479, 480, 485, 486, 487, 488,
490, 492, 493, 494, and 495

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

RWB:CEN:jrb

cc: File

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: May 8, 2003

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

SUBJECT: 1903 Taylor Avenue

INFORMATION:

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Prepared by:



Section Chief:

AFK/LL:MAC:



Robert L. Ehrlich, Jr., *Governor*
Michael S. Steele, *Lt. Governor*



Robert L. Flanagan, *Secretary*
Neil J. Pedersen, *Acting Administrator*

MARYLAND DEPARTMENT OF TRANSPORTATION

Date: 5.1.03

Ms. Rebecca Hart
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County
Item No. 479 JT

Dear Ms. Hart:

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,

17 Kenneth A. McDonald Jr., Chief
Engineering Access Permits Division

My telephone number/toll-free number is _____
Maryland Relay Service for Impaired Hearing or Speech 1.800.735.2258 Statewide Toll Free

Street Address: 707 North Calvert Street Baltimore, Maryland 21202 • Phone 410.545.0300 • www.marylandroads.com

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence

TO: Shirley Murphy
Bureau of Land Acquisition
Department of Permits & Development Management

DATE: June 18, 2003

FROM: Lawrence E. Schmidt
Zoning Commissioner



SUBJECT: PETITION FOR SPECIAL HEARING
SE/Corner Taylor and Beverly Avenues
(1903 Taylor Avenue)
9th Election District – 5th Council District
Motiva Enterprises, LLC – Petitioners
Case No. 03-479-SPH

This letter is to confirm that the above-captioned matter, which was scheduled for a public hearing on Tuesday, June 17, 2003, was postponed in open hearing at your request on behalf of Baltimore County as Counsel for the Petitioners. The matter will be reset in the future, only if requested by the property owner and/or Baltimore County and by copy of this letter, all parties to the case have been notified accordingly.

cc: Mr. Paul Nettleford
201 N. Charles Street, #2400, Baltimore, Md. 21201
Mr. Donald Barksdale, 8 Charles Plaza, #1807, Baltimore, Md. 21201
Motiva Enterprises, LLC, P.O. Box 4369, Houston, Tx 77210-4369
Messrs. Ron Goodwin and Steve Wiley, Land Acquisition
Case File

RE: PETITION FOR SPECIAL HEARING
1903 Taylor Avenue; SE corner Taylor &
Beverly Avenues
9th Election & 5th Councilmanic Districts
Legal Owner(s): Motiva Enterprises, LLC
Petitioner(s)

WCR
* BEFORE THE
* ZONING COMMISSIONER
* FOR
* BALTIMORE COUNTY

* 03-479-SPH

* * * * *
ENTRY OF APPEARANCE

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

PETER MAX ZIMMERMAN

People's Counsel for Baltimore County

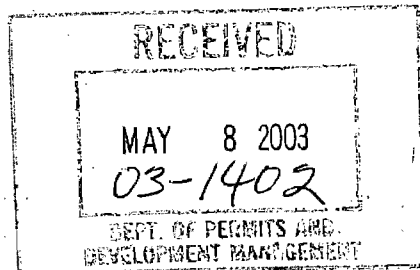
Carole S. Demilio

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 6th day of May, 2003, a copy of the foregoing Entry of Appearance was mailed to Arnold Jablon, Director of Permits & Development Management, 111 W Chesapeake Avenue, Towson, MD 21204, Representative for Petitioner(s).



Peter Max Zimmerman

PETER MAX ZIMMERMAN

People's Counsel for Baltimore County

IN THE MATTER OF
PETITION FOR SPECIAL HEARING
SE/CORNER TAYLOR &
BEVERLY AVENUES
(1903 TAYLOR AVENUE)
9TH ELECTION DISTRICT
5TH COUNCIL DISTRICT

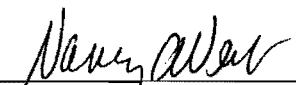
* BEFORE THE
* COUNTY BOARD
* OF APPEALS
* FOR BALTIMORE COUNTY
* Case No: 03-479-SPH

* * * * *

ENTRY OF APPEARANCE

Please enter the appearance of the undersigned in the above-referenced case as counsel for Baltimore County, Maryland and forward all notices of future hearings to my attention.

Jay L. Liner
County Attorney



Nancy C. West
Assistant County Attorney
Office of Law
400 Washington Avenue
Towson, Maryland 21204
(410) 887-4420

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 28th day of July 2004, a copy of this Entry of Appearance was mailed, first class mail, postage prepaid, to:

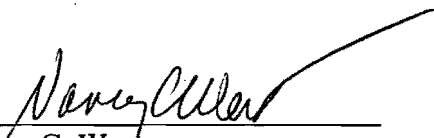
Paul A. Nettleford, Esquire
Boulard & Brush, LLC
201 N. Charles Street, Ste. 2400
Baltimore, MD 21201-4105

Donald Barksdale, Esquire
8 Charles Plaza, Suite 1807
Baltimore, MD 21201

RECEIVED
JUL 28 2004
BALTIMORE COUNTY
BOARD OF APPEALS

Susan Stanton
Thompson & Knight, LLP
333 Clay, Suite 3300
Houston, TX 77002

Donna Spicer
8719 Eddington Road
Baltimore, MD 21234



Nancy C. West
Assistant County Attorney

**Department of Permits and
Development Management**

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



Baltimore County

James T. Smith, Jr., County Executive
Timothy M. Kotroco, Director

March 25, 2004

Paul Nettleford
Boulard & Brush, LLP
201 N. Charles St., Ste. 2400
Baltimore, MD 21201

Dear Mr. Nettleford:

RE: Case :03-479-SPH, 1903 Taylor Avenue

Please be advised that an appeal of the above-referenced case was filed in this office on February 27, 2004 by Paul Nettleford of Boulard & Brush, LLC. All materials relative to the case have been forwarded to the Baltimore County Board of Appeals (Board).

If you are the person or party taking the appeal, you should notify other similarly interested parties or persons known to you of the appeal. If you are an attorney of record, it is your responsibility to notify your client.

If you have any questions concerning this matter, please do not hesitate to call the Board at 410-887-3180.

Sincerely,

A handwritten signature in black ink that reads "Timothy Kotroco".

Timothy Kotroco
Director

TK:klm

c: Lawrence E. Schmidt, Zoning Commissioner
People's Counsel
Donald Barksdale, 8 Charles Plaza, Ste. 1807, Baltimore 21201
Motiva Enterprises, P.O. Box 4369, Houston, TX 77210-4369
Shirley Murphy, Esquire, Ron Goodwin, & Steve Wiley, Land Acquisition
Rick Wisnom & James Thompson, Code Enforcement

Visit the County's Website at www.baltimorecountyonline.info

BALTIMORE COUNTY, CORRESPONDENCE

INTER-OFFICE CORRESPONDENCE

TO: Timothy Kotroco, Director
Department of Permit and Development

FROM: Theresa R. Shelton *trs*
Board of Appeals

DATE: February 27, 2004

SUBJECT: Appeal – Case Number 03-479-SPH

The attached appeal (Notice of Appeal and two (2) checks in the amount of \$75.00 and \$225.00, respectively) was received via hand delivery in our office this afternoon.

I am forwarding this to your office for appropriate handling / processing.

If you have any questions or need any further assistance or information, please do not hesitate to call me on extension 3180.

Thanking you in advance for your time and attention to this matter.

c: Paul A. Nettleford, Esquire

RECEIVED
FEB 27 2004
Per.....

APPEAL

Petition for Special Hearing
1903 Taylor Avenue
SE/corner of Taylor & Beverly Avenues
9th Election District – 5th Councilmanic District
Motiva Enterprises, LLC – Legal Owners

Case No.: 03-479-SPH

RECEIVED
MAR 25 2004
BALTIMORE COUNTY
BOARD OF APPEALS

- ✓ Petition for Special Hearing (April 15, 2003)
- ✓ Zoning Description of Property
- ✓ Notice of Zoning Hearing (January 6, 2004)
- ✓ Certification of Publication (The Jeffersonian Issue May 29, 2003)
- ✓ Certificate of Posting (May 29, 2003) by Gary Freund
- ✓ Entry of Appearance by People's Counsel (May 6, 2003)
- ✓ Petitioner(s) Sign-In Sheet
One Sheet
- ✓ County Representatives Sign-In Sheet
One Sheet
- ✓ Citizen(s) Sign-In Sheet
One Sheet
- ✓ Zoning Advisory Committee Comments (11-14-03)
- ✓ Petitioners' Exhibit
No Exhibits Entered
- ✓ Protestants' Exhibits:
No Exhibits Entered
- ✓ Miscellaneous (Not Marked as Exhibit)
 - ✓ 1. Site Plan referencing Case 85-272-XSPHA
 - ✓ 2. 2000 Comprehensive Zoning Map dated January 1986
 - ✓ 3. Message dated June 13, 2003
- ✓ Zoning Commissioner's Order (February 2, 2004 – GRANTED)
- ✱ ✓ Notice of Appeal received on February 27, 2004 from Paul Nettleford of Bouland & Brush, LLP

c: People's Counsel of Baltimore County, MS #2010
Zoning Commissioner/Deputy Zoning Commissioner
Timothy Kotroco, Director of PDM
Paul Nettleford, 201 N. Charles St., Ste. 2400, Baltimore 21201
Donald Barksdale, 8 Charles Plaza, Ste. 1807, Baltimore 21201
Motiva Enterprises, P.O. Box 4369, Houston, TX 77210-4369
Shirley Murphy, Ron Goodwin & Steve Wiley, Land Acquisition
Rick Wisnom & James Thompson, Code Enforcement

PAUL A. NETTLEFORD, ESQUIRE
BOULAND & BRUSH, LLC
SUITE 2400
201 N CHARLES STREET
BALTIMORE, MD 21201-4105
Attorney for Property Owner
Appellant

DONALD BARKSDALE ESQUIRE
EIGHT CHARLES PLAZA
SUITE 1807
BALTIMORE, MD 21201
Attorney for Property Owner

SUSAN STANTON
THOMPSON & KNIGHT LLP
333 CLAY
SUITE 3300
HOUSTON TX 77002

MOTIVA ENTERPRISES LLC
PO BOX 4369
HOUSTON TX 77210-4369
Legal Owner

Donna Spicer **Added to file 7/06/04**
8719 Eddington Road
Baltimore, MD 21234
410-665-4322
Fax 410-668-0569

Ask to file;
Mary West
Jay L. Lerner

Ms. Alice Baker
2307 Ellen Avenue
Baltimore, MD 21234-3905

Greater Parkville Community Council, Board Member

**Add to file; to receive copy of
Consent Order, etc., when issued :**

Louis Baird
Global Facilities Management
128 Cockeysville Road
Hunt Valley, MD 21030

SPH – To determine if there has been an abandonment of special
exception for service station including removal of all above-ground
structures.

2/02/2004 -- Z.C.'s Order in which requested special hearing was
approved; special exception has been abandoned to include removal of
all above-ground structures.

5/21/04 -Notice of Assignment sent to following; assigned for hearing on Wednesday, August 18, 2004 at 10 a.m.:

Paul A. Nettleford, Esquire
Donald Barksdale, Esquire
Motiva Enterprises LLC
Susan Stanton /Thompson & Knight LLP
Baltimore County, Maryland –
Timothy M. Kotroco, Director /PDM
Edward J. Gilliss, County Attorney
Shirley Murphy /Land Acquisition
Ron Goodwin /Land Acquisition
Steve Wiley /Land Acquisition
Rick Wisnom /Code Enforcement
James Thompson /Code Enforcement
Office of People's Counsel
Lawrence E. Schmidt /Zoning Commissioner
Pat Keller, Planning Director

6/04/04 – T/C from Len Wasilewski (PDM) – requested that he be added to file; request of agency. Done and copy
of notice sent to him via FAX.

7/06/04 – FAX from Donna Spicer 8719 Eddington Road 21234 410-665-4322; fax 410-668-0569; requesting
notice of any issues in this matter.

7/07/04 – Copy of Notice of Assignment to Ms. Spicer; file noted.

7/28/04 – Entry of Appearance filed by Jay L. Liner, County Attorney, and Nancy C. West, Assistant County
Attorney, as counsel for Baltimore County in this matter. File noted.

8/18/04 – Board convened for hearing (Wescott and Stahl; 3rd panel member Quinn unable to sit; broken foot);
parties have reached agreement; will submit Consent Order when agreement has been finalized. Nancy
West appeared on behalf of Baltimore County; P. Nettleford on behalf of property owners.

12/03/04 – Three original copies of Consent Order filed by Nancy West and Paul Nettleford (hand-delivered by Ms.
West this date). All three original copies to be signed; one stamped "Original"; two stamped "copy";
"original" to be retained in the Board's file; "copy" to be sent to Ms. West and Mr. Nettleford so that all
parties have a signed copy.

LAW OFFICES

BOULAND & BRUSH, LLC

SUITE 2400

201 N. CHARLES STREET

BALTIMORE, MARYLAND 21201-4105

TEL: (410) 752-6000

(301) 585-1249 (WASH., D.C. AREA)

FAX: (410) 625-3859

6310 STEVENS FOREST ROAD
SUITE 100
COLUMBIA, MARYLAND 21046

300 FREDERICK ROAD
SUITE 100
CATONSVILLE, MARYLAND 21228

PAUL A. NETTLEFORD
nettleford@boulandalaw.com

February 27, 2004

Baltimore County Board of Appeals
Baltimore County Court Building
401 Bosley Avenue
Towson, MD 21204

Re: Appeal of Case Number 03-479-SPH

Dear Board of Appeals:

This letter is being sent to comply with Baltimore County's appeal process for special hearings.

The property address is 1903 Taylor Avenue. It is located in the 9th Election District at the Southeast corner of Taylor Avenue and Beverly Avenue.

Motiva Enterprises, LLC, the property Owner, hereby requests an appeal of the Zoning Commissioner's February 2, 2004 decision pertaining to the Petition for Special Hearing, case number 03-479-SPH. Motiva Enterprises, LLC disagrees that the special exception use of the property has been abandoned. Pursuant to that order Motiva Enterprises, LLC had thirty days to appeal. This Appeal is being hand delivered on February 27, 2004, within the thirty day period.

Enclosed please find one check for \$225 for an appeal fee and one check for \$75 for the posting of a sign on the property advertising this appeal.

Please date stamp and return the enclosed copy of this letter in the envelope provided to confirm your receipt of this package.

RECEIVED

FEB 27 2004

Per.....

RECEIVED

FEB 27 2004

**BALTIMORE COUNTY
BOARD OF APPEALS**

If you have any questions pertaining to this matter please contact me at 410-752-6000 or 301-254-3265.

Sincerely,

A handwritten signature in cursive script that reads "Paul A. Nettleford".

Paul A. Nettleford, Esq.

cc: Curtis Williams, Shell Oil Products,
Susan Stanton, Thompson & Knight LLP, 333 Clay, Suite 3300, Houston, TX 77002

WORKING TOGETHER

Loch Raven
Business
Association
P.O. Box 42083
Loch Raven, MD 21284-2083

Donna Spicer, Executive Director

TO ENHANCE BUSINESS AND COMMUNITY

Phone: 410-665-4322

Loch Raven
Community
Council
P.O. Box 42115
Loch Raven, MD 21284-2115

FAX: 410-668-0569

7-3-04

To: COUNTY BOARD of APPEALS of Baltimore County
FAX # 410-887-3182

Please notify of any issues or hearing dates
concerning CASE # 03-479-SPH

Re: ABANDONED SERVICE STATION
SE / CORNER TAYLOR & BEVERLY AVENUES
1903 TAYLOR AVE.
OWNERS: MOTIVA ENTERPRISES, LLC

Thank you,

DONNA SPICER
8719 EDDINGTON Rd.
Balto. MD. 21234
Phone 410-665-4322
Fax 410-668-0569

RECEIVED

JUL 06 2004

BALTIMORE COUNTY
BOARD OF APPEALS

file noted

IMPORTANT MESSAGE

FOR Robin - FYI

DATE 6/13/03 TIME _____ A.M.
P.M.

M Shirley Murphy/Ron Goodwin

OF Land Acquisition

PHONE 3251/3253 respectively
AREA CODE NUMBER EXTENSION

☐ FAX

☐ MOBILE _____
AREA CODE NUMBER TIME TO CALL

TELEPHONED	XX	PLEASE CALL	
CAME TO SEE YOU		WILL CALL AGAIN	
WANTS TO SEE YOU		RUSH	
RETURNED YOUR CALL		SPECIAL ATTENTION	

MESSAGE RE: #03-479-SPH, Tues., 6/17, 11AM;
the County is currently in negotiations with
the property owner in the subject case regardin
a separate, but related parcel. Supposedly,
they all want a postponement of the subject cas
pending an agreement, but may not know for
certain until Monday, 6/16th. They will either
come in on Tuesday and request a postponement
SIGNED on the record or proceed with the

hearing.

Belte

To Whom It May Concern:

RECEIVED
POST - APPEAL

We are requesting to be notified of the date and time, also location of the zoning hearing involving the property on Taylor Avenue at the corner of Taylor and Beverly Avenue. Zoning appeal number is 03479 S.P.H. Our neighborhood has been plagued with problems from the businesses that have opened at this location. There have been robberies where the thieves ran through our yards with our children outside. We deserve to live in a quiet, crime free neighborhood. If this location reopens then we will be faced with same problem of crime coming back to our neighborhood. My husband, myself and all the neighbors that I have spoken with are totally against another business opening in our neighborhood.

Sincerely

Linda G. Giff

7816 Beverly Avenue

Baltimore, Maryland 21234

RECEIVED

MAY 06 2004

BALTIMORE COUNTY
BOARD OF APPEALS

RECEIVED
POST - APPEAL

CASE NAME _____
CASE NUMBER _____
DATE _____

PETITIONER'S SIGN-IN SHEET

[illegible]

CASE NAME _____
CASE NUMBER _____
DATE _____

CASE NAME _____
CASE NUMBER _____
DATE _____

[illegible]

PLEASE PRINT CLEARLY

CASE NAME _____
CASE NUMBER _____
DATE _____

CITIZEN'S SIGN-IN SHEET

NAME

ADDRESS

CITY, STATE, ZIP

E-MAIL

JENNIFER SHAYNE

THE NORTHEAST REPORTER - PPC, 409 WASHINGTON AVE, TOWSON 21204

jshayne@patuxent.com

Paul Nettleford

201 N. Charles St #2400

Baltimore MD 21201

PNettford@MRI.com

Donald Barkdale

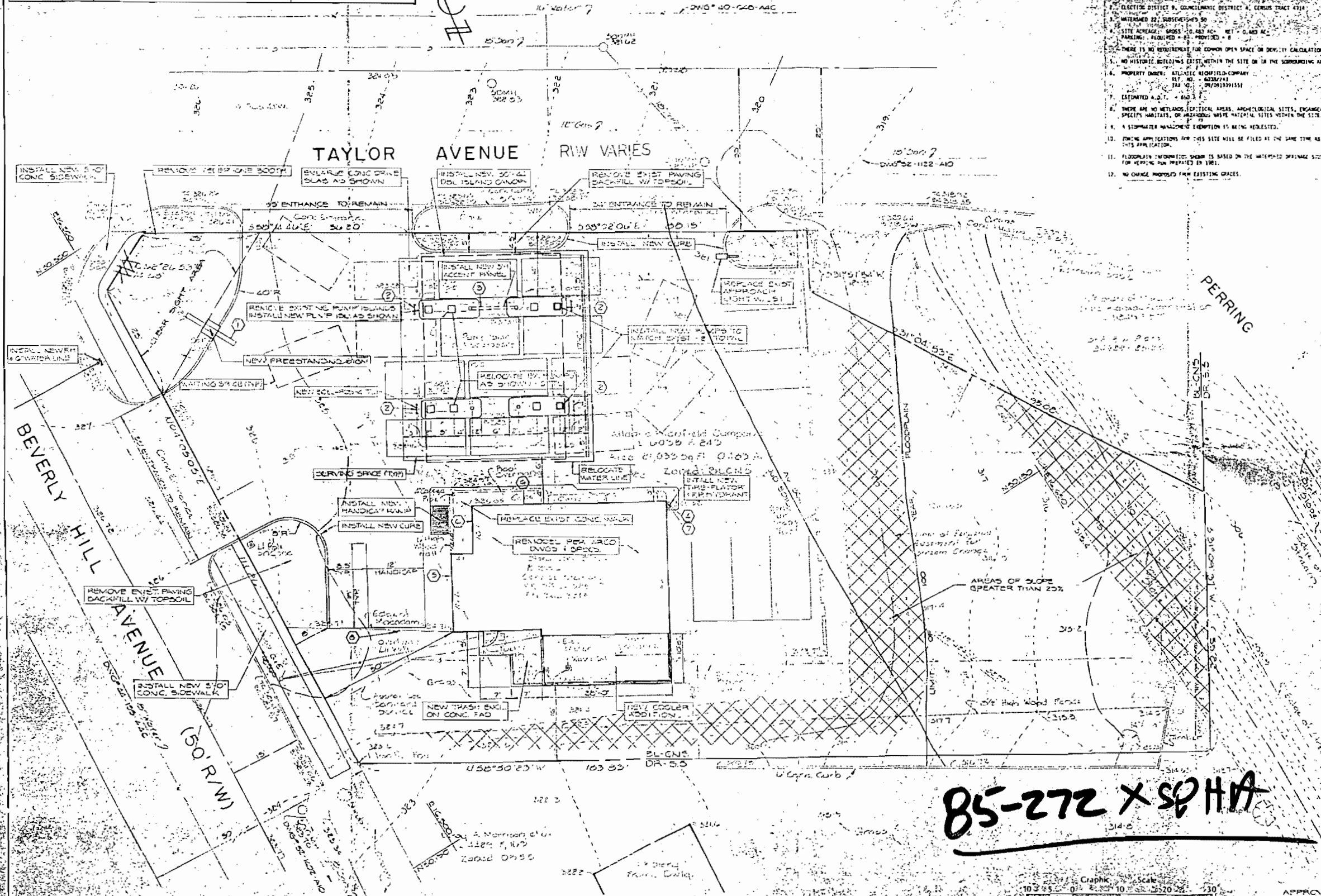
8 Charles Plaza #1207

Baltimore MD 21201

Camus1988@aol.com

on behalf of Motiva

SOIL TYPES DATA			
AV	ALLUVIAL LAND	5 TO 15 % SLOPES	
JUD	JORDA URBAN LAND COMPLEX	5 TO 15 % SLOPES	
SOIL TYPE	AREA	DOGS - 5 STORIES OR LESS (NO BASEMENT)	STREETS - PARKING AREAS
AV	150 AC	DOGS - HIGH WATER TABLE	DOGS - HIGH WATER TABLE
JUD	324 AC	SLIGHT TO MODERATE SLOPE	DOGS - SLOPE



ZONING NOTES:	
EXISTING ZONING:	BL-CR1
PROPOSED ZONING:	NO CHANGE BUT WITH A SPECIAL EXCEPTION TO ALLOW A FOOD STORE IN COMBINATION WITH A SERVICE STATION, A SPECIAL MEETING TO ALLOW THE CONVERSION OF A FULL-SERVICE GAS LINE STATION TO A GAS AND GO, AND THE FOLLOWING VARIANCES: 1) TO ALLOW A PUMP ISLAND SETBACK OF 10' INSTEAD OF THE REQUIRED 15'; 2) TO ALLOW A CANOPY SETBACK OF 5' INSTEAD OF THE REQUIRED 10'; 3) TO ALLOW A SITE AREA OF 21,033 SF INSTEAD OF THE REQUIRED 21,716 SF; 4) TO ALLOW A REAR SETBACK OF 16' INSTEAD OF THE REQUIRED 20'.
AREA REQUIREMENTS:	TOTAL SERVING SPACES = 8 TOTAL SERVICE BAYS = 8 TOTAL AREA REQUIRED = 8 x 1900 SF = 15,200 SF TOTAL WAITING SPACES = 8
ACCESSORY USES:	REAR ACCESSORY USES NO ADDITIONAL SQUARE FOOTAGE REQUIRED
CONTRIBUTION USES:	FOOD STORE (LESS THAN 5,000 SF) ADDITIONAL SQUARE FOOTAGE REQUIRED = 1,554 SF x 1.554 = 2,416 SF
TOTAL AREA REQUIRED:	15,200 SF + 2,416 SF = 17,616 SF
TOTAL AREA OF TRACT:	21,033 SF
ACCESS POINTS:	NUMBER OF DRIVEWAYS ON MAJOR STREET = 2 REQUIRED SITE WIDTH = 2 x 65' = 130' ACTUAL SITE WIDTH = 144.35'
LANDSCAPING:	LANDSCAPING REQUIRED = 1004 SF (5% OF SITE) LANDSCAPING PROVIDED = 8929 SF (42% OF SITE)
PARKING:	PARKING SPACES REQUIRED = 1554 SF x 7.71 USE B PARKING SPACES PROVIDED = 8 (INCLUDING ONE HANDICAPPED)
AREA DISTURBED BY NEW CONSTRUCTION:	3025 SF

Handwritten note: 85-272 X SP HA
Paving plus 2 poplars

85-272 X SP HA

- NOTES:
1. ELEVATIONS SHOWN ARE BASED ON REASONS OF RECORD.
 2. ELEVATIONS SHOWN ARE BASED ON F.F. ELEV. 325.07.
 3. UTILITIES AND OTHER OBSTRUCTIONS AS SHOWN HEREON HAVE BEEN MADE BY ACTUAL FIELD MEASUREMENTS SUPPLEMENTED BY INFORMATION OBTAINED FROM THE VARIOUS AGENCIES THEREBY. HOWEVER, WE DO NOT GUARANTEE THE ACCURACY OR THE COMPLETENESS OF THE INFORMATION SHOWN. THE CONTRACTOR MUST VERIFY ALL SITUATIONS, INFORMATION TO HIS OWN SATISFACTION AND MUST NOTIFY THE CITY DEPARTMENT INVOLVED PRIOR TO COMMENCING WORK.
 4. UTILITY COMPANIES:
 - CHESAPEAKE & OTTOMAN TELEPHONE COMPANY
 - EAST PRATT STREET, BALTIMORE, MD. 21201
 - BALTIMORE GAS & ELECTRIC COMPANY
 - LESTER & LIBERTY STREETS, BALTIMORE, MD. 21202
 5. TOWNED: BLOCK 22
 6. AREA = 21,033 SQ. FT.
 7. ALL INFORMATION SHOWN HEREON IS BASED ON THIS PLAN AS EXISTING AND IS TO REMAIN UNLESS OTHERWISE NOTED.

STV / LYON ASSOCIATES
 Engineers Surveyors Planners
 21 Governor's Court, Baltimore, Maryland 21207
 Telephone: 301-944-9112

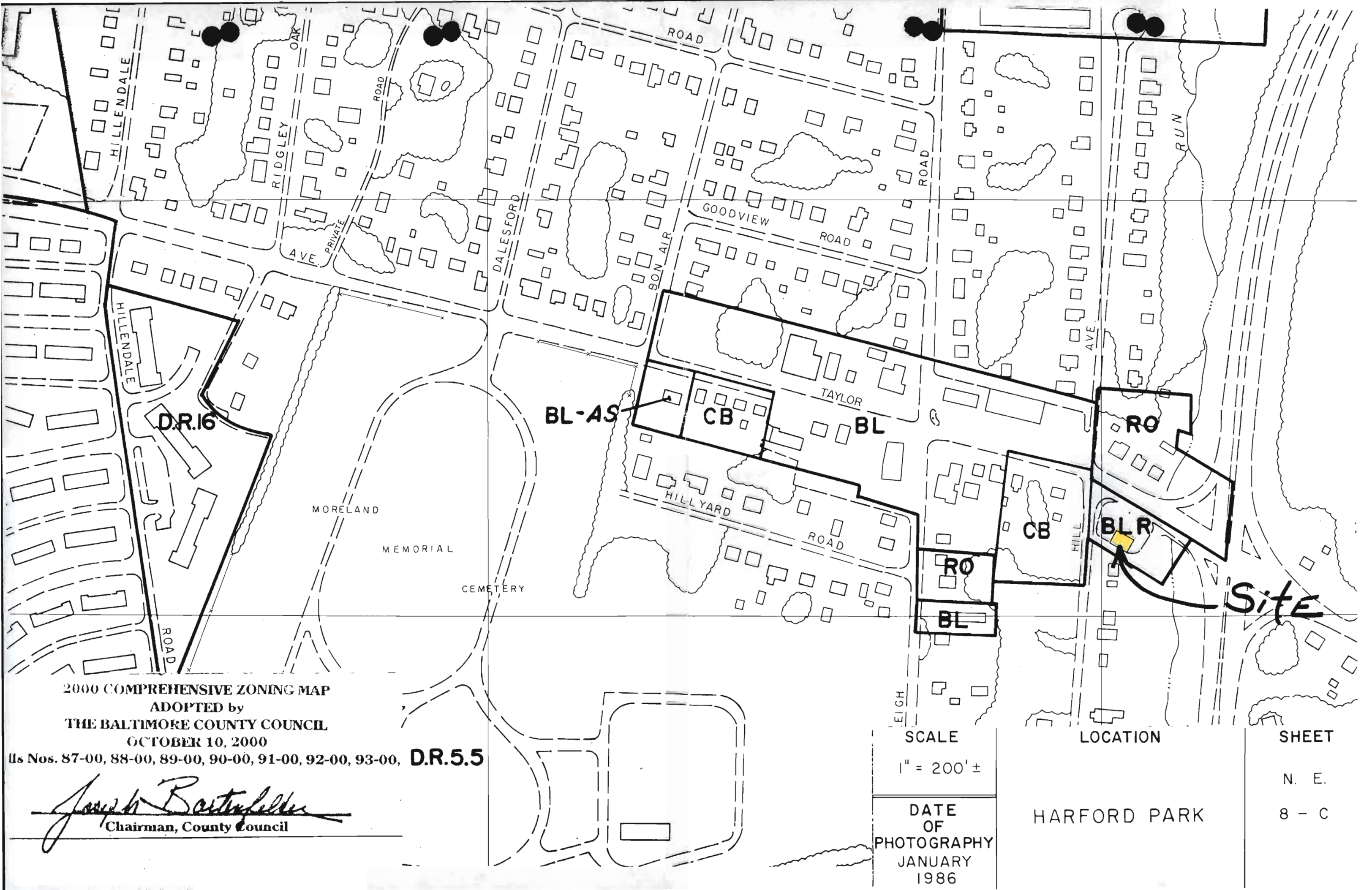
REVISIONS		
NO.	DATE	DESCRIPTION
1	12/15/84	REDESIGN OF PLAN DATED 7/15/84 TO REFLECT FINAL CRO COMMENTS
2	12/15/84	REDESIGN TO SHOW SIGNAGE

PLAN PREPARATION	
DESIGNED BY: R. LYON	DATE: 12/15/84
DESIGNED BY: R. LYON	DATE: 12/15/84
DESIGNED BY: R. LYON	DATE: 12/15/84

SITE PLAN
 CONVERSION TO MINI-MARKET
 ARCO PETROLEUM PRODUCTS COMPANY
 TAYLOR AVENUE & BEVERLY HILL AVENUE
 10th ELECT. DIST. BALTIMORE CO. MD.

DRAWING NO.	7384-51-007
SHEET NO.	1 of 3

APPROVED BY CRG ON 12/15/84



2000 COMPREHENSIVE ZONING MAP
ADOPTED by
THE BALTIMORE COUNTY COUNCIL
OCTOBER 10, 2000

Its Nos. 87-00, 88-00, 89-00, 90-00, 91-00, 92-00, 93-00, **D.R.5.5**

Joseph B. Basterfield
Chairman, County Council

SCALE
1" = 200' ±

DATE OF
PHOTOGRAPHY
JANUARY
1986

LOCATION
HARFORD PARK

SHEET
N. E.
8 - C