ORDER RECEIVED FOR FILING BY

IN RE: PETITIONS FOR SPECIAL HEARING,

SPECIAL EXCEPTION & VARIANCE -

NW/S Washington Boulevard, 520' NE of \*

I-695 (Baltimore Beltway)

(3716 Commerce Drive)

13<sup>th</sup> Election District

1<sup>st</sup> Council District

\* BEFORE THE

ZONING COMMISSIONER

OF BALTIMORE COUNTY

\* Case No. 04-538-SPHXA

Merritt-031, LLC
Petitioners

\* \* \* \* \* \* \* \*

\*

#### FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of Petitions for Special Hearing, Special Exception and Variance filed by the owners of the subject property, Merritt-031, LLC, and the Contract Purchaser, Richard J. Robbins, through their attorney, Robert A. Hoffman, Esquire. The Petitioners request a special exception to permit a roll-over car wash as a use in combination with an approved fuel service station, pursuant to Section 405.4.E.2 of the Baltimore County Zoning Regulations (B.C.Z.R.). In addition, special hearing relief is requested to approve an amendment to the previously approved site plan in Case No. 02-336-XA to reflect the proposed modifications. Additionally, special hearing relief is requested to confirm that if the roll-over car wash is considered a principal structure on the same lot of record, that there is no required distance between buildings, or, that if the car wash is considered an accessory structure, then no building to building setback is required, and, further, that if a breezeway is constructed between the proposed car wash facility and convenience store/carryout restaurant, that no setbacks are required. Finally, variance relief is requested, if required, from Section 400.1 of the B.C.Z.R. to permit an accessory structure in the side yard in lieu of the required rear yard, and/or in the alternative, from Section 238.2 of the B.C.Z.R. to allow a principal building to building setback of 15 feet in lieu of the required 60 feet. The subject property and requested relief are more particularly described on the site plan submitted which was accepted into evidence and marked as Petitioner's Exhibit 1.

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Appearing at the requisite public hearing in support of the request were Gena McNichol, on behalf of Merritt-031, LLC, property owners, Richard J. Robbins, Contract Purchaser, and David Karceski, Esquire, attorney for the Petitioners. Also appearing were William P. Monk, on behalf of Morris & Ritchie Associates, Inc., the consultants who prepared the site plan for this property, and Jeff Bainbridge and David Bittman. There were no Protestants or other interested persons present.

Testimony and evidence offered revealed that the subject property is an irregular shaped parcel located on the northwest side of Washington Boulevard, across from its intersection with an access ramp to I-695 (Baltimore Beltway). The property contains a gross area of 1.6877 acres, more or less, zoned B.R.-I.M. and is located within the Beltway Business Community, which contains a mix of commercial/business uses. As shown on the site plan, the property comprises a portion of Lot 3A and all of Lot 3B of the Beltway Business Community and is presently unimproved. The southwest side of the property abuts an access drive that leads to a Home Depot.

The Petitioners are desirous of developing the site with a combination fuel service station and convenience store, which features a carryout restaurant component, and a rollover car wash facility. In this regard, a similar proposal for the subject property came before me for consideration under prior Case No. 02-336-XA. By Order of the undersigned Zoning Commissioner on December 13, 2002, special exception relief was granted for a proposed fuel service station and convenience store as a use in combination, pursuant to Sections 405.2.B.1 and 405.4.E.1 of the B.C.Z.R. In addition, variance relief was granted, pursuant to Section 405.4.A.3.C.2 of the B.C.Z.R. Subsequently, the Petitioners amended their overall plan to include the proposed car wash building. They then requested that the Department of Permits and Development Management (DPDM) administratively approve those changes to the plan. However, that agency determined that the Petitioners need re-file the Petitions in that the changes were considered substantive. The proposed amendments to the plan are more particularly shown on the site plan. As shown thereon, the front portion of the site will be developed with the fuel

service station, which will consist of eight multi-product dispensers beneath an overhead canopy. Vehicular access to the site will be by way of two curb cuts on the southwest side of the property adjacent to the above-referenced access road. Additionally, a third access will be provided towards the rear of the site leading directly into the Home Depot parking lot and a fourth access will be provided on the other side of the property. Development of this site will be substantially similar to other such combined uses and will provide one-stop shopping for customers to purchase fuel, convenience items, and ready-made meals from one location.

Turning first to the Petition for Special Exception, I am easily persuaded that the addition of the rollover car wash as a use in combination with the previously approved fuel service station and convenience store will be not detrimental to the health, safety and general welfare of the locale. In my judgment, the proposal meets the criteria set out in Section 502.1 of the B.C.Z.R. In the judgment of the undersigned, the proposed modifications are appropriate and the special hearing relief to amend the previously approved site plan should be granted.

Secondly, in considering the variances, I do not believe that same are necessary and will therefore dismiss them as moot. In this regard, the variances are conditioned upon a finding that the car wash building is an accessory structure. If so, relief is required from Sections 400.1 and 238.2 of the B.C.Z.R.

The B.C.Z.R. defines accessory structures in Section 101 thereof. Throughout the regulations, there are certain requirements relating to accessory buildings and those structures are specifically regulated under Section 400. However, in this case, the Baltimore County Council has designated a car wash use/building as a use in combination. This is a different and distinct use from an accessory use. The County Council was clear in enacting the car wash regulations that a use in combination is something different from a "principal" or "accessory" use. Thus, I find that the accessory use regulations are not applicable. It should be noted however, that variance relief would be granted, if required. That is, it is clear that variances for the car wash building are appropriate.

This decision also addresses a portion of the special hearing relief. Specifically, there is no required building to building setback in that the car wash building is not an accessory structure. Moreover, it is not a principal structure; rather it is a use in combination with the fuel service station and convenience store operation. Thus, there is no required distance between buildings. In view of this finding, which was stated in open hearing, the Petitioners withdrew the third question presented in the Petition for Special Hearing relative to the breezeway. That is, the Petitioners propose the potential connection of the convenience store and car wash buildings by a breezeway and variance relief from required setback distances between buildings is not mandated.

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

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this \_\_\_\_\_\_ day of September 2004 that the Petition for Special Exception to permit a roll-over car wash as a use in combination with an approved fuel service station, pursuant to Section 405.4.E.2 of the Baltimore County Zoning Regulations (B.C.Z.R.), in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that the Petition for Special Hearing seeking approval of an amendment to the previously approved site plan in Case No. 02-336-XA to reflect the proposed modifications, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restriction:

1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, the Petitioners are hereby made aware that proceeding at this time is at their own risk until the 30-day appeal period from the date of this Order has expired. If an appeal is filed and this Order is reversed, the relief granted herein shall be rescinded.

IT IS FURTHER ORDERED that the rollover car wash is considered neither a principal structure on the same lot of record nor an accessory structure, and thus, there is no required distance between buildings, or building to building setbacks required. Furthermore, no

setbacks are required between the proposed car wash facility and convenience store/carryout restaurant, and as such, that portion of the Petition for Special Hearing is DISMISSED AS MOOT; and,

IT IS FURTHER ORDERED that the Petition for Variance seeking relief from Sections 400.1 of the B.C.Z.R. to permit an accessory structure in the side yard in lieu of the required rear yard, or, in the alternative, from Section 238.2 of the B.C.Z.R. to allow a principal building to building setback of 15 feet in lieu of the required 60 feet, be and is hereby DISMISSED AS MOOT.

LAWRENCE E. SCHMIDT

Zoning Commissioner for Baltimore County

LES:bjs

#### 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

September 30, 2004

David Karceski, Esquire Venable, LLP 210 Allegheny Avenue Towson, Maryland 21204

PETITIONS FOR SPECIAL HEARING, SPECIAL EXCEPTION & VARIANCE RE: NW/S Washington Boulevard, 520' NE of I-695 (Baltimore Beltway) (3716 Commerce Drive) 13<sup>th</sup> Election District – 1<sup>st</sup> Council District Merritt-031, LLC - Petitioners

Case No. 04-538-SPHXA

Dear Mr. Karceski:

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

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

Very truly yours,

LAWRENCE E. SCHMIDT

Zoning Commissioner

for Baltimore County

LES:bjs

Mr. Scott E. Dorsey, President, Ms. Gena McNichol, Merritt-031, LLC cc: 2066 Lord Baltimore Drive, Baltimore, Md. 21244

Mr. Richard J. Robbins, P.O. Box 526, Clarksville, Md. 21029-0526

Mr. William P. Monk, Morris & Ritchie Associates, Inc.

1220-C E. Joppa Road, Towson, Md. 21286

Mr. David Bittman, 309 Regester Avenue, Baltimore, Md. 21212

Mr. Jeff Bainbridge, 141/A Forest Glen Court, Baltimore, Md. 21228

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

which is presently zoned BR-IM

3716 Commerce Drive

Autrental of the biobeith situate in palitimote Collud and My	nits and Development Management. The undersigned, legarish is described in the description and plat attached hereto an under Section 500.7 of the Zoning Regulations of Baltimorner should approve
Special hearing to amend the site Case No. 02-336-XA.	plan approved in
And see attached.	
Property is to be posted and advertised as prescribed by the I, or we, agree to pay expenses of above Special Hearing, advertised as prescribed by the zoning regulations and restrictions of Baltimore County adopted put	sing posting etc. and further agree to and are to be hounded by th
	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):
Richard J. Robbins	Merritt Properties, LLC
Name AType or Print	Memitt-031, LLC Name - Type or Print
Signature Signature	scott 20/
P.O. Box 526 (410) 531-2894	Signature By:
Address Telephone No.	SCOTT E. DORSEY, PRESIDENT Name - Type or Print
Clarksville, Maryland 21029-0526	
City State Zip Code	Signature 2066 Lord Politimore Drive (410) 209 2600
Attorney For Petitioner:	2066 Lord Baltimore Drive (410)298-2600 Address Telephone No.
Robert A. Hoffman	Baltimore, Maryland 21244
Name - Type or Print	City State Zip Code
Signature Signature	Representative to be Contacted:
Venable LLP	Robert A. Hoffman
Соправу	Name
Address Telephone No.	210 Allegheny Avenue (410)494-6200
Address Telephone No. Towson, Maryland 21204	Address Telephone No. Towson, Maryland 21204
State Zip Code	City State Zip Code
<b>8</b> 676	OFFICE USE ONLY
	ESTIMATED LENGTH OF HEARING
Case No. 04-538-59HXA	UNAVAILABLE FOR HEARING
O D Revi	iewed By Bh Date 5/21/04

for the property located at

## Petition for Special Hearing 3716 Commerce Drive

Special Hearing to confirm, if the roll-over car wash is a principal structure on the same lot of record, that there is no required distance between buildings.

Special Hearing to confirm, if the roll-over car wash is an accessory structure, that there is no building to building setback requirement.

Special Hearing to confirm, if a breezeway is constructed between the roll-over car wash and approved convenience store/carry-out restaurant building, that no setback is required.

ORDER REGENTOR FILING

TO1DOCS1/ATB01/#184278v1



# Petition for Special Exception

to the Zoning Commissioner of Baltimore County

IWe do solemnly declare and affirm, under the penalties of

perjury, that I/we are the legal owner(s) of the property which

for the property located at 3716 Commerce Drive

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

Special Exception to permit a roll-over car wash as a use in combination with an approved fuel service station, pursuant to Section 405.4.E.2 of the Baltimore County Zoning Regulations.

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

I, or we, agree to pay expenses of above Special Exception, advertising, posting, etc. and further agree to and are to be bounded by t zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

			is the subject of this	s Petition.	or the property miner
Contract Purchaser/I Richard J. Robb Name Type Print Signature	·		Legal Owner(s)  Merritt Pro  Merritt -  Name - Type or Print	) <i>:</i>	<b>C</b>
P.O. Box 526  Address  Clarksville, Ma	(410) 531-2 ryland 210	894 Telephone No. 29-0526	Signature By: Sco	THE DORS	EY, PRESIDEN
City	State	Zip Code	Signature		
Attorney For Petition	er:		2066 Lord Bal	timore Drive (	410) 298-2600
			Address	TOTAL DELIVER (	Telephone No
Robert A. Hoffm	ian		Baltimore,	Maryland	21244
Signature	an / 1hc	<u> </u>	City Representative	State to be Contacted	•
Venable LLP	· <u>-</u>		Robert A. H	offman	-
\ddiess	•	494-6200 Telephone No. 204	Name 210 Alleghe Address Towson,		110) 494-6200 Telephone No. 21204
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# Petition for Variance

### to the Zoning Commissioner of Baltimore County

for the property located at 3716 Commerce Drive

which is presently zoned BR-IM

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s)

#### SEE ATTACHED

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

To be determined at hearing.

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

I, or we, agree to pay expenses of above Variance, advertising, posting, etc. and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

			iWe do solemnly perjury, that I/we is the subject of the	declare and affirm, un are the legal owner(s) his Petition.	der the penalties of of the property which
Contract Purc	haser/Lessee:		Legal Owner(	<u>s):</u>	
Richard J.  Wate - Tyte or Print  Signature			Merritt-03 Name - Type or Prin		
P. O. Box 5 Accress Clarksville		Telephone No.		brsev. Presid	lent
City	State	Zip Code	Signature	<u></u>	<del></del>
Attorney For P	etitioner:			Baltimore Dri	ve (410) 298-2600
Robert A. H	offman		Address Baltimore,	Maryland	Telephone No. 21244
Name - Type or Print	4 H/m /h	4	City	State E to be Contacted	Z:p Coce
Venable LLP			Robert A.		
Signature Verlable LLP Company 210 Alleghe Address	ny Avenue (410)			eny Avenue (4	10)494-6200
OTowson,	Maryland	Telephone No. 21204	Address Towson,	Maryland	Telephone No. 21204
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#### Petition for Variance 3716 Commerce Drive

- 1. Variance from Section 400.1 of the Baltimore County Zoning Regulations ("BCZR") to allow an accessory structure in the side yard in lieu of the required rear yard, if necessary, and/or in the alternative
- 2. Variance from BCZR Section 238.2 to allow a principal building to building setback of 15 feet in lieu of the required 60 feet, if necessary.

TO1DOCS1/ATB01/#184281v1

ORDER RECEIVED FOR FILLING
By

#538



ENGINEERS, ARCHITECTS, PLANNERS, SURVEYORS

AND LANDSCAPE ARCHITECTS

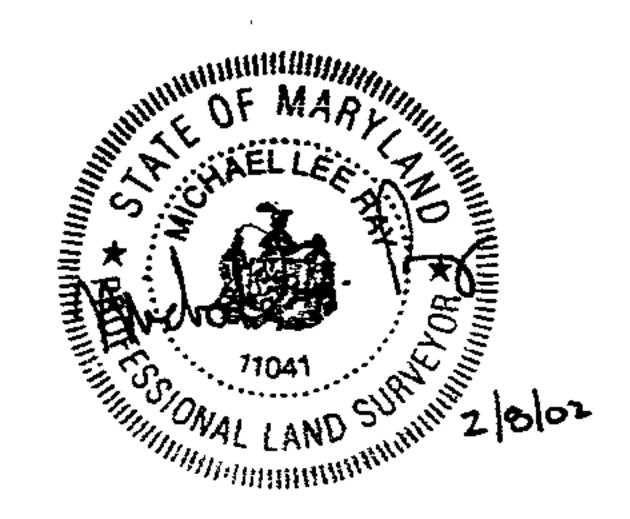


#### **Zoning Description**

**Beginning** at a point on the northwesterly side of Washington Boulevard (U.S. Route 1) which has a variable width at a distance of 520 feet northeast of the centerline of the nearest improved intersecting street (Interstate 695 – Baltimore Beltway) which has a variable width. **Thence** the following courses and distances:

North 34 degrees 40 minutes 32 seconds West, 168.60 feet to a point; Northwesterly by a tangential curve to the left having a radius of 397.50 feet and an arc length of 30.51 feet; North 39 degrees 04 minutes 24 seconds West, 34.70 feet to a point; North 50 degrees 57 minutes 23 seconds East, 353.42 feet to a point; South 00 degrees 46 minutes 48 seconds East, 32.82 feet to a point; South 00 degrees 12 minutes 45 seconds West, 179.97 feet to a point; South 42 degrees 27 minutes 23 seconds East, 122.80 feet to a point; Southwesterly by a non-tangential curve to the right having a radius of 1367.40 feet and an arc length of 53.32 feet; North 52 degrees 19 minutes 36 seconds West, 25.01 feet to a point; South 46 degrees 15 minutes 14 seconds West, 84.58 feet to a point; South 77 degrees 56 minutes 07 seconds West, 110.88 feet to the point and place of beginning and being a portion of confirmatory deed dated December 19, 1997 by and between BBC Associates and Merritt-031, LLC and recorded among the Land Records of Baltimore County, Maryland in Liber S.M. 12569, folio 260 and a portion of deed dated June 18, 1999 from the State Highway Administration of the Department of Transportation et al to Merritt-031, LLC and recorded among the Land Records of Baltimore County, Maryland in Liber S.M. 14097, folio 550.

Being a portion of Lot 3A and all of Lot 3B in the subdivision of "Lots 3 Through 3D Beltway Business Community" as recorded among the Land Records of Baltimore County, Maryland in Plat Book S.M. 73, folio 65, containing an area of 73,518 square feet or 1.6877 acres of land, more or less, and being located in the 13<sup>th</sup> Election District.





☐ 110 WEST ROAD, SUITE 245, TOWSON MD 21204

☐ 9090 JUNCTION DRIVE, SUITE 9, ANNAPOLIS JUNCTION, MD 20701

■ 410-515-9000 ■ FAX 410-515-9002

■ 410-821-1690 ■ FAX 410-821-1748

■ 410-792-9792 ■ FAX 410-792-7395

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#### 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: #04-538-SPHXA

3716 Commerce Drive

N/west side of Washington Bivd., corner n/east side of Commerce Drive

13th Election District - 1st Councilmanic District

Legal Owner(s): Scott E. Dorsey, Merritt Properties, LLC Contract Purchaser: Richard Robbins

Special Exception: to permit a roll-over car wash as a use in combination with an approved fuel service station. Variance: to allow an accessory structure in the side yard in lieu of the required rear yard, if necessary, or in the alternative, to allow a principal building-to-building setback of 15 feet in lieu of the required 60 feet, if necessary. Special Hearing: to amend the site plan approved in Case No. 02-366-XA, and to confirm if the roll-over car wash is a principal structure on the same lot of record, that there is no required distance between buildings, to confirm, if the roll-over car wash is an accessory structure, that there is no building to building, setback requirement, and to confirm if a breezeway is constructed between the roll-over carwash and approved convenience store/carry-out restaurant building, that no setback is required.

Hearing: Wednesday, Angust 11, 2004 at 9:00 a.m. in

Hearing: Wednesday, August 11, 2004 at 9:00 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.

JT/7/714 July 27

14537

### CERTIFICATE OF PUBLICATION

7/28/,200+
THIS IS TO CERTIFY, that the annexed advertisement was published
n the following weekly newspaper published in Baltimore County, Md.,
once in each ofsuccessive weeks, the first publication appearing on
The Jeffersonian
Arbutus Times
☐ Catonsville Times
☐ Towson Times
Owings Mills Times
☐ NE Booster/Reporter
☐ North County News

LEGAL ADVERTISING

Wilking

# 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

June 3, 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: 04-538-SPHXA

3716 Commerce Drive

N/west side of Washington Blvd., corner n/east side of Commerce Drive

13th Election District – 1st Councilmanic District

Legal Owner: Scott E. Dorsey, Merritt Properties, LLC

Contract Purchaser: Richard Robbins

Special Exception to permit a roll-over car wash as a use in combination with an approved fuel service station. Variance to allow an accessory structure in the side yard in lieu of the required rear yard, if necessary, or in the alternative, to allow a principal building-to-building setback of 15 feet in lieu of the required 60 feet, if necessary. Special Hearing to amend the site plan approved in Case No. 02-336-XA, and to confirm if the roll-over car wash is a principal structure on the same lot of record, that there is no required distance between buildings, to confirm, if the roll-over car wash is an accessory structure, that there is no building to building, setback requirement, and to confirm if a breezeway is constructed between the roll-over carwash and approved convenience store/carry-out restaurant building, that no setback is required.

Hearing: Wednesday, August 11, 2004, at 9:00 a.m. in Room 407, County Courts Building,

401 Bosley Avenue

Timothy Kotroco

Director

TK:klm

C: Robert Hoffman, Venable, 210 Allegheny Ave., Towson 21204 Scott Dorsey, 2066 Lord Baltimore Drive, Baltimore 21244 Richard Robbins, P.O. Box 526, Clarksville 21029-0526

- NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, JULY 27, 2004.
  - (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.

TO: PATUXENT PUBLISHING COMPANY Tuesday, July 27, 2004 Issue - Jeffersonian

Please forward billing to:
Amy Dontell
210 Allegheny Avenue
Towson, MD 21204

410-494-6244

#### **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: 04-538-SPHXA

3716 Commerce Drive

N/west side of Washington Blvd., corner n/east side of Commerce Drive

13<sup>th</sup> Election District – 1<sup>st</sup> Councilmanic District

Legal Owner: Scott E. Dorsey, Merritt Properties, LLC

Contract Purchaser: Richard Robbins

Special Exception to permit a roll-over car wash as a use in combination with an approved fuel service station. Variance to allow an accessory structure in the side yard in lieu of the required rear yard, if necessary, or in the alternative, to allow a principal building-to-building setback of 15 feet in lieu of the required 60 feet, if necessary. Special Hearing to amend the site plan approved in Case No. 02-336-XA, and to confirm if the roll-over car wash is a principal structure on the same lot of record, that there is no required distance between buildings, to confirm, if the roll-over car wash is an accessory structure, that there is no building to building, setback requirement, and to confirm if a breezeway is constructed between the roll-over carwash and approved convenience store/carry-out restaurant building, that no setback is required.

Hearing: Wednesday, August 11, 2004, at 9:00 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 ACCOMODATIONS, 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.



#### 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: 04-538-514×A	
Petitioner: Munith-03/LCC	
Address or Location: NWS.fWashington Bonsond at	•
PLEASE FORWARD ADVERTISING BILL TO:	Business
PLEASE FORWARD ADVERTISING BILL TO:	, by Los
	'
Address: 210 Alleghen, Anne	<del>-</del>
Address: 210 Alleghen, Anne.  Tonson, MD/21204	_
	<del></del>
Telephone Number: 4/0 417 627	

# Department of Permits and Development Management

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





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

August 3, 2004

Robert A. Hoffman 210 Allegheny Avenue Towson, Maryland 21204

Dear Mr. Hoffman:

RE: Case Number:04-538-SPHXA, 3716 Commerce Drive

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on May 21,2004.

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,
U. Callilally

W. Carl Richards, Jr. Supervisor, Zoning Review

WCR: db

Enclosures

c: People's Counsel Scott Dorsey, President, Merritt-031, LLC 2066 Lord Baltimore Drive Baltimore, Maryland 21244 Richard J. Robbins P.O. Box 526 Clarksville 21029



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



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 May 27, 2004

ATTENTION: Kristen Mathews

Distribution Meeting of: June 1, 2004

Item No.:

533**,** \\$38

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.

. 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.

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

cc: File



Robert L. Ehrlich, Jr., Governor Michael S. Steele, Lt. Governor Robert L. Flanagan, Secretary Neil J. Pedersen, Administrator

#### MARYLAND DEPARTMENT OF TRANSPORTATION

Date: 6.2.64

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

RE: **Baltimore County** 

Item No. 538

BPC

Dear. Ms.Matthews:

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

18/11

### BALTIMORE COUNTY, MARYLAND DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO:

Tim Kotroco

FROM:

John D. Oltman, Jr JW

DATE:

June 16, 2004

SUBJECT:

Zoning Items # See List Below

Zoning Advisory Committee Meeting of JUNE 1, 2004

X The Department of Environmental Protection and Resource Management has no comments on the following zoning items:

04-526

04-530

04-531

04-532

04-534

04-535

04-538

04-539

Reviewers:

Sue Farinetti, Dave Lykens

S:\Devcoord\ZAC SHELL 11-20-03.doc

RECEIVED

JUN 1 6 2004

ZONING COMMISSIONER

fee | 11

### BALTIMORE COUNTY, MARYLAND

#### INTER-OFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

Department of Permits and Development Management

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

SUBJECT: Z

Zoning Advisory Petition(s): Case 4-538

**DATE:** June 28, 2004

RECEIVED

JUN 2 9 2004

ZONING COMMISSIONER

The Office of Planning has reviewed the above referenced case(s) and has no comments to offer. For further questions or additional information concerning the matters stated herein, please contact Mark A. Cunningham in the Office of Planning at 410-887-3480.

Prepared By

Division Chief:

MAC/LL

#### BALTIMORE COUNTY, MARYLAND

#### INTEROFFICE CORRESPONDENCE

**DATE:** July 1, 2004

TO:

Timothy M. Kotroco, Director

Department of Permits & Development Management

FROM:

Robert W. Bowling, Supervisor Bureau of Development Plans

Review

**SUBJECT:** 

Zoning Advisory Committee Meeting

For June 8, 2004

Item Nos. 526, 531, 532, 533, 534, 536, 537, 538, and 539

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

RWB:CEN:jrb

cc: File

RE: PETITION FOR SPECIAL HEARING

SPECIAL EXCEPTION & VARIANCE

3716 Commerce Drive; NW/side Washington\*

Blvd, corner NE/side Commerce Dr

13<sup>th</sup> Election & 1<sup>st</sup> Councilmanic Districts

Legal Owner(s): Scott E Dorsey, President,

Merritt-031, LLC \*

Contract Purchaser(s): Richard J. Robbins

Petitioner(s)

BEFORE THE

ZONING COMMISSIONER

FOR

**BALTIMORE COUNTY** 

04-538-SPHXA

k \* \* \* \* \* \* \* \* \*

#### 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

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 3<sup>rd</sup> day of June, 2003, a copy of the foregoing Entry of Appearance was mailed to Robert A Hoffman, Venable, LLP, 210 Allegheny Avenue, Towson, MD 21204, Attorney for Petitioner(s).

RECEIVED

JUN 0 3 200H

PETER MAX ZIMMERMAN

People's Counsel for Baltimore County

Per.....

The applicant wishes to use the following address for sign posting and for newspaper advertising:

# NW/S OF WASHINGTON BOULEVARD AT THE INTERSECTION OF I-695

VENABLE LLP

210 Allegheny Avenue Post Office Box 5517 Towson, Maryland 21285-5517 Telephone 410-494 6200 50 Kar 24 Out Www.venable.com OK Facsimile 410-821-0147 3/24/04 CRUICK PECKENTE CRUICK PECKENTE.

(410) 494-6285

dhkarceski@venable.com

March 22, 2004

#### **HAND-DELIVERED**

Timothy M. Kotroco, Director Department of Permits and Development Management County Office Building 111 West Chesapeake Avenue Towson, Maryland 21204

Re:

Spirit and Intent Letter, Case No. 02-336-SPHXA Beltway Business Community, Lot 3B 13<sup>th</sup> Election District, 1<sup>st</sup> Councilmanic District

Dear Mr. Kotroco:

This firm represents the contract purchaser of Lot 3B of the Beltway Business Community (or Gittings Property) located on the northwest side of Washington Boulevard, east of I-695 in Arbutus (the "Property" or "Lot"). Our client proposes to locate a fuel service station on the Lot in combination with a convenience store and carryout restaurant. I am writing to confirm that the intended use of the Property is within the spirit and intent of an Order issued by the Zoning Commissioner in Case No. 02-336-SPHXA on December 13, 2002. I have enclosed a copy of the Order and site plan filed in the case for your review and convenience.

By way of brief history, BP Products North America Inc. received approval of a site plan, entitled "PLAN TO ACCOMPANY SPECIAL EXCEPTION AND VARIANCE APPLICATION," and Petitions for Special Exception and Variance to construct a fuel service station on the Property. The plan and Note A of the plan as well as page 2 of the Zoning Commissioner's Order indicated that, in addition to the fuel service station, BP likewise proposed a convenience store and carryout restaurant. Other than a neighbor that appeared in support of the requested relief, no protestants or other interested persons were present at the public hearing. See Order, Page 2.

# VENABLE

Timothy Kotroco, Director March 22, 2004 Page 2

As shown on the enclosed site plan, entitled "SITE PLAN – GAS & CONVENIENCE STORE WASHINGTON BOULEVARD @ I-695" and prepared by Morris & Ritchie Associates, Inc., our client proposes fuel pump islands comprised of eight multi-product dispensers and a 4,200 square foot convenience store/carryout restaurant structure on the Property. A review the site plan approved in the 2002 Case and our client's site plan makes clear that the proposed layout is substantially similar to that approved in the prior case. As in the 2002 case, the fuel pump islands are positioned in front of the c-store/carryout restaurant structure, which is oriented toward the rear of the site. In addition, the 4,200 square foot c-store/carryout restaurant structure is similar yet smaller in size than the 4,224 square foot structure approved in the 2002 Case.

I have also enclosed a floor plan that indicates the intended c-store/carryout restaurant layout. As discussed in our prior meeting, the c-store component of the structure is 960 square feet and the convenience store component 3,168 square feet. According to the floor plan, 5 booths are proposed to accommodate the carryout restaurant use.

You may recall that our client's site plan and c-store/carryout restaurant floor plan were the subject of a meeting in November of 2003 at your office attended by Lawrence E. Schmidt, Zoning Commissioner for Baltimore County, and W. Carl Richards, Jr., Supervisor of the Zoning Review Office. The meeting consensus was that the proposed site layout is substantially similar to BP's and that the restaurant portion of the structure would operate primarily as a carryout restaurant. For these reasons, no additional zoning relief should be required pursuant to the 2002 Case. It was, however, discussed that the installation of additional booths and/or tables would require the filing of a Petition for Special Hearing and another public hearing before the Zoning Commissioner.

At this time, I am requesting that you provide written confirmation that the restaurant component of the newly proposed c-store/carryout restaurant building is a carryout restaurant and that the request made by our client for the above-described minor adjustments to the site plan is within the spirit and intent of the Zoning Commissioner's Order, dated December 13, 2002.

Timothy Kotroco, Director March 22, 2004 Page 3

With this letter, I have enclosed a check in the amount of \$50.00 made payable to "Baltimore County, Maryland" to cover the administrative costs associated with your review. If you need any further information in order to complete your review, please feel free to give me a call.

Very truly yours

DHK

Enclosure

cc:

Lawrence E. Schmidt, Zoning Commissioner for Baltimore County

Mr. W. Carl Richards, Jr.

TO1DOCS1/DHK01/#138529 v3

3/26/04- SEE \*

YOUR SPIRIT AND INTENT APPROVAL REQUEST AS

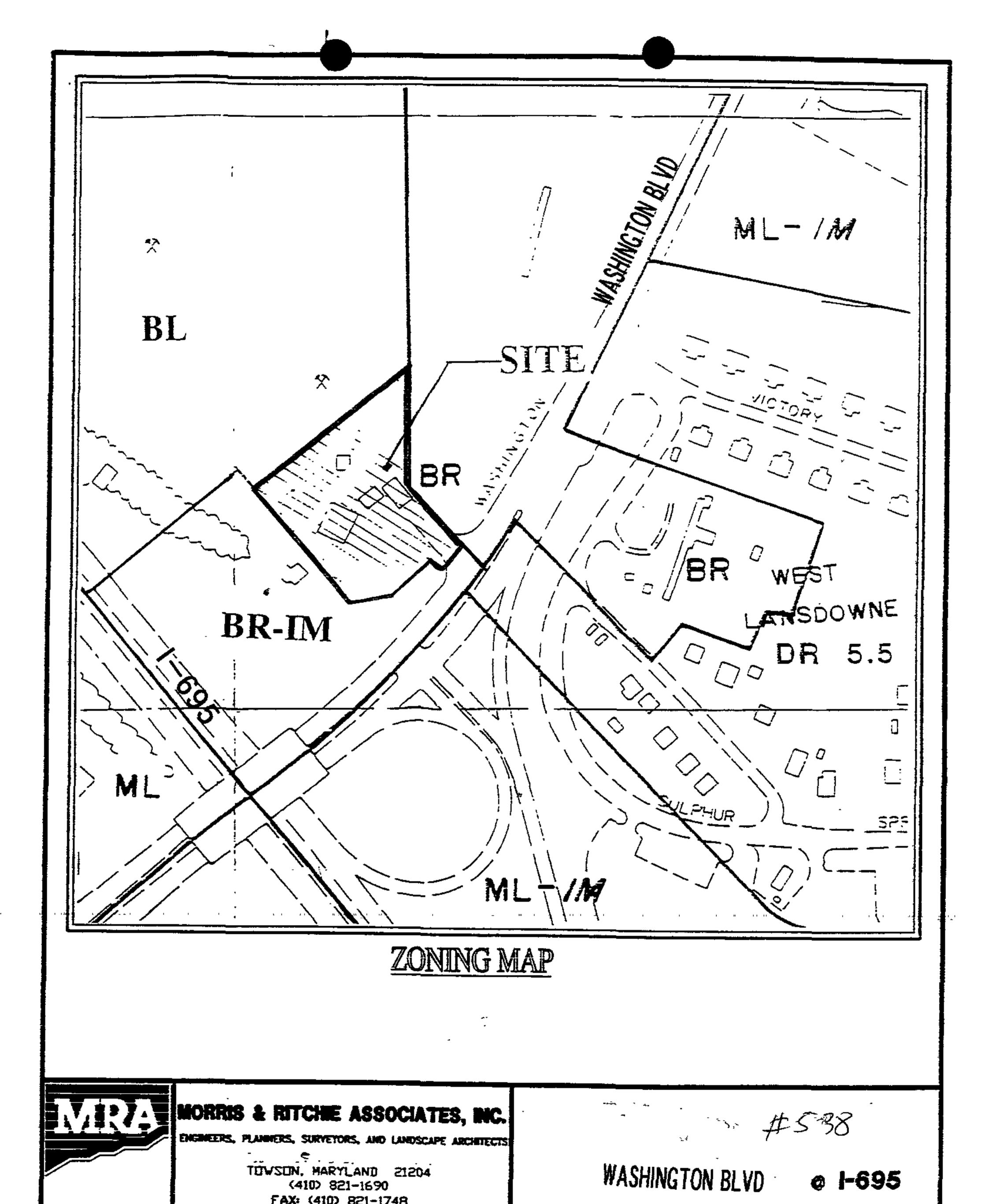
STATED IN THIS LETTER IS CONFIRMED. PLEASE DOCUMENT

THIS RESPONSEON ALL FUTURE PLANS.

Joseph buth Kotroco

CASE NAME CASE NUMBER

							Buch MONK	RA Boindre	DAVID BITTMAN	Gers Halichol	Kichard J Kabius	DAVID KARGESEI	NAME	
							4	1414 Forest Gles Ct	309 Rogers Free Dex	2066 Lord Batt. Dr.	653万人かかいいばいめてい	210 ALLESKNY AVE	ADDRESS	
							72 200 mg 21286	150 H MD 21228	Bant, 1910 21219	Balt. MD 2124	Clarksville, applicas	Towsow Mat 2 200 T	CITY, STATE, ZIP	_
							work & more ofte occom	ximbolidic @ como	5_	ascage @ merrit properties.	richard averticate	Mense division	E- MAIL	



SCALE: 1'=200'

DATE: 11/16/2000

ZONING MAP S.V. 5-C

(410) 821-1690


FAX: (410) 821-1748

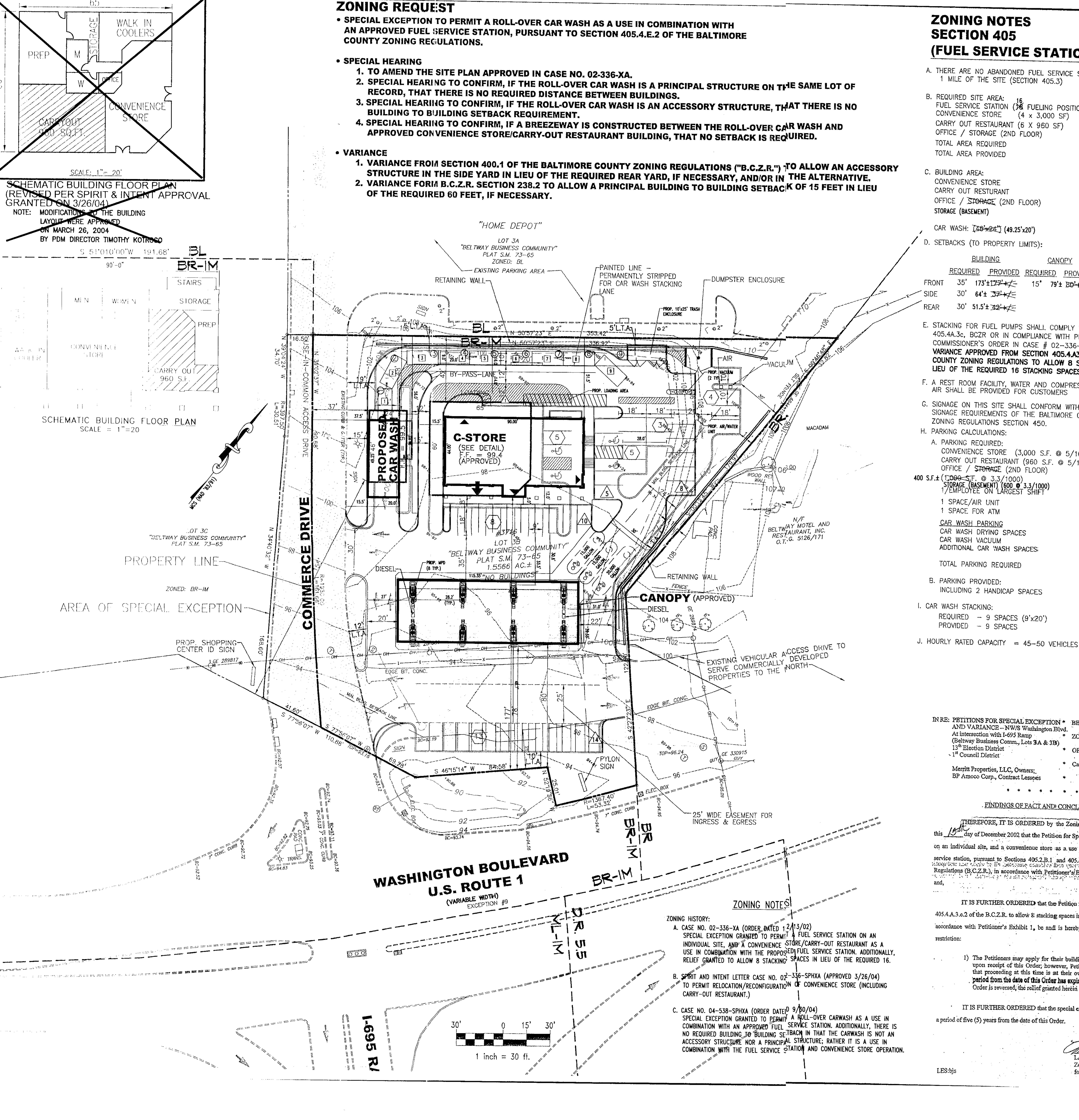
DESIGN BY.

REVIEW BY: WH

BALTIMURE COUNTY, MARYLAND

JUB NO. 11847.1





# SECTION 405 (FUEL SERVICE STATIONS)

A. THERE ARE NO ABANDONED FUEL SERVICE STATIONS WITHIN 1 MILE OF THE SITE (SECTION 405.3)

B. REQUIRED SITE AREA: FUEL SERVICE STATION ( FUELING POSITIONS x 1,500 SF) = 27,000 SF CONVENIENCE STORE (4 x 3,000 SF) CARRY OUT RESTAURANT (6 X 960 SF) = 5,760 SF. OFFICE / STORAGE (2ND FLOOR) ≈ N/A SF. = 44,760 SF= 73,518 SF. + /-

OFFICE / STORAGE (2ND FLOOR)

CAR WASH: (46'x24') (49.25'x20') D. SETBACKS (TO PROPERTY LIMITS):

15" 79'± 80'+/= 25' 82'± 78'+/=

= 3,000 SF

= 960 SF.

= 1,184-SF

 $= 1.000 \text{ sf.} 400 \text{ s.f.} \pm$ 

= 4.960 SF.± 4,960 S.F.±

30′ **37.5'±**≫₹

30' **56'±** ≯&੯

É. STACKING FOR FUEL PUMPS SHALL COMPLY WITH SECTION 405.4A.3c, BCZR OR IN COMPLIANCE WITH PREVIOUS ZONNING COMMISSIONER'S ORDER IN CASE # 02-336-XA. VARIANCE APPROVED FROM SECTION 405.4.A3(c)2 OF THE BALTIMORE COUNTY ZONING REGULATIONS TO ALLOW 8 STACKING SPACES IN LIEU OF THE REQUIRED 16 STACKING SPACES, IF NECESSARY.

F. A REST ROOM FACILITY, WATER AND COMPRESSED

G. SIGNAGE ON THIS SITE SHALL CONFORM WITH THE SIGNAGE REQUIREMENTS OF THE BALTIMORE COUNTY

CONVENIENCE STORE (3,000 S.F. @ 5/1000) = 15 CARRY OUT RESTAURANT (960 S.F. @ 5/1000) = 5 OFFICE / STORAGE (2ND FLOOR)

400 S.F.± (1,000 S.F. @ 3,3/1000)
STORAGE (BASEMENT) (600 @ 3.3/1000)
1/EMPLOYEE ON LARGEST SHIFT

CAR WASH DRYING SPACES ADDITIONAL CAR WASH SPACES:

**= >**₹ 38 INCLUDING 2 HANDICAP SPACES

REQUIRED - 9 SPACES (9'x20')

J. HOURLY RATED CAPACITY = 45-50 VEHICLES

IN RE: PETITIONS FOR SPECIAL EXCEPTION \* BEFORE THE AND VARIANCE -- NW/S Washington Blvd. At intersection with I-695 Ramp (Beltway Business Comm., Lots 3A & 3B) \* ZONING COMMISSIONEP \* OF BALTIMORE COUNTY \* Case No. 02-336-XA

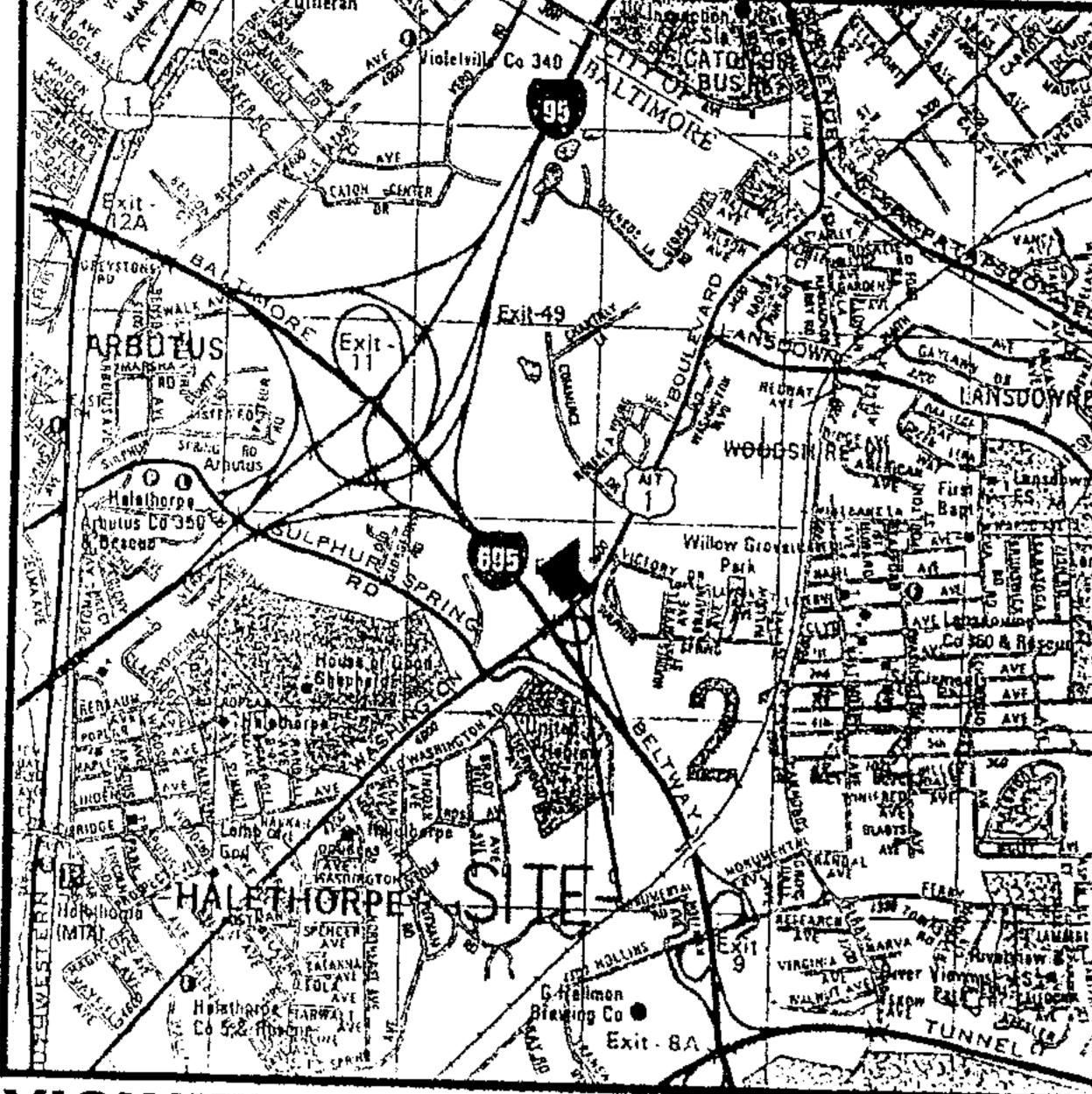
FINDINGS OF FACT AND CONCLUSIONS OF LAW

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this day of December 2002 that the Petition for Special Exception for a fuel service station on an individual site, and a convenience store as a use in combination with the proposed fuel service station, pursuant to Sections 405.2.B.1 and 405.4.E.1 of the Baltimore County Zoning Regulations (B.C.Z.R.), in accordance with Petittioner's Exhibit 1, be and is hereby GRANTED;

IT IS FURTHER ORDERED that the Petition for Variance seeking relief from Section 405.4.A.3.c.2 of the B.C.Z.R. to allow 8 stacking spaces in lieu of the required 16, if necessary, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following

> 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until the 30-day appeal period from the date of this Order has expired. If an appeal is filed and this Order is reversed, the relief granted herein shall be rescinded:

IT IS FURTHER ORDERED that the special exception granted herein shall be valid for a period of five (5) years from the date of this Order.



VICINITY MAP

### GENERAL NOTES:

1. ZONING: (BR-IM) BUSINESS ROADSIDE INDUSTRIAL, MAJOR 2. SPECIAL EXCEPTION LOT AREA: = 1.6877 AC. - 73,518 S.F. (NET) 3. EXISTING USE: APPROVED FOR AUTOMOBILE FUEL SERVICE STATION WITH CONVENIENCE STORE & CARRYOUT RESTAURANT

4. PROPOSED USE: ROLL OVER CAR WASH. 5. BUILDING AREA: 4,960 SF.

6. THIS SITE SHALL BE SERVICED BY PUBLIC WATER AND SEWER. MAXIMUM PERMITTED: 2.0

PROPOSED: 0.06

8. SCREENING AND LANDSCAPING SHALL COMPLY WITH THE BALTIMORE COUNTY LANDSCAPE MANUAL.

9. THE PROPERTY IS NOT WITHIN THE CHESAPEAKE BAY CRITICAL AREA (CBCA). 10. THE SITE IS NOT WITHIN A MORATORIUM AREA OR IN AN AREA WHERE FAILURE OF BASIC SERVICES MAPS CURRENTLY EXISTS PER SECTION 4A02 (BCZR). 11. THE SITE IS NOT WITHIN A 100 YEAR FLOODPLAIN.

12. THERE ARE NO NON-TIDAL WETLANDS ON THIS SITE. 13. THERE ARE NO FOREST BUFFERS ON THIS SITE. 14. THERE ARE NO KNOWN REGULATED PLANT OR WILDLIFE

COMMUNITIES ASSOCIATED WITH THIS SITE. 15. THERE ARE NO KNOWN HISTORICAL STRUCTURE OR ARCHEOLOGICAL AREAS ASSOCIATED WITH THIS SITE.

16. THERE ARE NO KNOWN EXISTING WELLS OR SEPTIC FIELDS WITHIN 100' OF THIS PROPERTY

17. BUILDING CONSTRUCTION SHALL COMPLY WITH BUILDING AND FIRE CODE REQUIREMENTS.

18. ALL LIGHTING SHALL CONFORM TO IES STANDARDS AND SHALL BE REFLECTED AWAY FROM ROADS & ADJACENT PROPERTIES.

(ILLUMINATING ENGINEERING SOCIETY OF NORTH AMERICA) 19. ÀLL PAVING SHALL BE BITUMINOUS DUST-FREE SURFACE & PERMANENTLY STRIPPED

20. ZONING HISTORY: CASE # 02-336-XA

APPROVED DEC. 13TH 2002

SPECIAL EXCEPTION TO PERMIT A FUEL SERVICE STATION ON AN INDIVIDUAL

A CONIVENIENCE STORE, AND CARRYOUT RESTAURANT AS USF(5)

COMBINATION WITH THE FUEL SERVICE STATION PURSUANT TO SECTIONS 405.2.B.1, 405.4E.1, AND 405.4E.10 RESPECTIVELY OF THE BALTIMORE COUNTY ZONING REGULATIONS. APPROVED 12/13/02 CASE# 02-336-XA

21. A REGIONAL STORMWATER FACILITY HAS BEEN APPROVED TO SERVICE THIS SITE. S.W.M PLANS HAVE BEEN PREPARED BY G.W. STEPHENS, JR. AND ASSOC., INC. AND APPROVED ON 08/07/00.
REFER TO CRG PLAN NO'S. 90014 & 91032

22. NO PREVIOUS COMMERCIAL PERMITS. 23. HOURS/DAYS PER WEEK: 24/7

24. THE SITE SHALL HAVE NORMAL EMISSIONS ASSOCIATED WITH FUEL SERVICE STATIONS AND CONVENIENCE STORES. ALL MARYLAND AND FEDERAL GUIDELINES AND REGULATIONS WILL BE MET.

DEED REFERENCE: 12569/260

TAX ACCT. #13-05-340023 THROUGH 13-05-340025 INCLUSIVE 26. APPLICANT/CONTRACT PURCHASER: RICHARD ROBBINS

MORRIS & RITCHIE ASSOCIATES, INC. 110 WEST ROAD, SUITE 245 TOWSON, MD 21204 410-821-1690

CENSUS TRACT: 4305
WATERSHED: 29, SUB-SEWERSHED: 73
PATAPSCO RIVER BASIN TAX MAP: 102, GRID 19, PARCEL 109 ZONING MAP: SW 5-C

REDLINE PLAN PREPARED BY BOHLER ENGINEERING. P.C. 810 GLENEAGLES COURT, SUITE 300 TOWSON, MARYLAND 21286 ATTN: MATTHEW T. ALLEN, PE PHONE: 410-821-7900

二人与巨样

THIS PLAN APPVD



### MORRIS & RITCHIE ASSOCIATES, INC. ENGINEERS, PLANNERS, SURVEYORS AND LANDSCAPE ARCHITECTS

29. DELIVERIES CANNOT BE MADE

BY TRACTOR TRAILER

1220-C EAST JOPPA ROAD, SUITE 505 TOWSON, MARYLAND 21286 (410) 821-1690

FAX (410) 821-1748

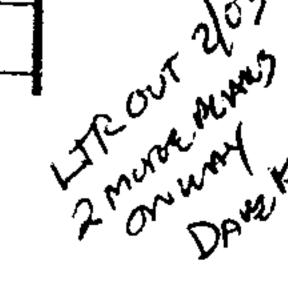


PLAT TO ACCOMPANY SPECIAL EXCEPTION, SPECIAL HEARING AND VARIANCE APPLICATION

BELTWAY BUSINESS COMMUNITY WASHINGTON BLVD @ 1-695

REVISED PER BALTIMORE COUNTY ZONING COMMENTS ON 1/28/05 BALTIMORE COUNTY, MARYLAND

DATE	REVISIONS	WILAND	والمراجع والماحد المراجع والمراجع
9/11/03		JOB NO.:	11847.01
3/23/04		SCALE:	1"= 30"
5/04/04	RELOCATE BUILDINGS, PUMP ISLANDS, DUMPSTER, & PARKING REVISED ZONING NOTES TO INCLUDE CAR WASH & REVISED	DATE:	5/04/04
	TOUTHERIENCE STORE SQUARE FOOTAGE: INCREASED LOWED SITE	DRAWN BY	: R\$
5/10/04	TEXTITION TO TO TO TAILE.	DESIGN BY	: Вм
	REVISIONS PER PDM COMMENTS	REVIEW BY	: Вм
■ 37:17(74	REVISIONS TO PONING NOTES DED PONICHES	A11000	



## CERTIFICATE OF POSTING

RE: Case No.: 04-538-5PHXA

Petitioner/Developer: ZICAAZD ROBBINS, MERRIH PROP. Date of Hearing/Closing: AUG 1/, 2004 Sincerely,

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

ATTN: Kristen Matthews {(410) 887-3394}

Ladies and Gentlemen:

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at: 3716 COMMERCE DO The sign(s) were posted on (Month, Day, Year)

(Signature of Sign Poster) 7/28/04
(Signature of Sign Poster) (Date)
SSG Robert Black
(Print Name)
1508 Lestie Road
(Address)
Dundelk, Maryland 21222
(City, State, Zip Code)
(418) 282-7940
(Telephone Number)