IN RE: PETITIONS FOR SPECIAL BEFORE THE **EXCEPTION, SPECIAL HEARING &** * ZONING COMMISSIONER VARIANCE -NW/Corner Wise Avenue and Park Avenue * (220 Wise Avenue) OF 15th Election District * 7th Council District **BALTIMORE COUNTY** * CASE No. 06-103-SPHXA Paul Petroleum, LLC Petitioner

MOTION FOR RECONSIDERATION OF ZONING COMMISSIONER'S OPINION AND ORDER

This matter comes before the Zoning Commissioner on a Motion for Reconsideration filed by the Petitioner/Owner of the subject property, Paul Petroleum, LLC, of the Decision rendered in the above captioned matter. This Motion for Reconsideration is filed pursuant to Rule 4(k) of Appendix G of the Baltimore County Zoning Regulations ("BCZR") wherein the rules of practice and procedure before the Zoning Commissioner for Baltimore County are provided. Rule 4(k) permits a party to file a Motion for Reconsideration of an Order issued by the Zoning Commissioner. This Motion must be filed within thirty (30) days of the date the Order was issued, and must state with specificity the grounds and reasons for the request.

The Motion for Reconsideration filed seeks to amend the language of the Decision as it relates to the variance relief granted. Apparently, due to the filing of two separate site plans and two separate sets of zoning Petitions, the relief granted in this case inadvertently granted the relief from the original filing and not from the subsequent amended relief requested. As it was this amended site plan and relief

THE PROPERTY.

request that was the subject of the hearing in this matter, the zoning relief submitted with the amended site plan shall be granted. As such, this Order now amends Findings of Facts and Conclusions of Law for Case No. 06-103-SPHXA, as to the variance relief requested. This section of the former Order on page 4 shall now read as follows:

IT IS FURTHER ORDERED that the Petition for Variance seeking relief from the Baltimore County Zoning Regulations (B.C.Z.R.) as follows: From Section 405.A.2.a to permit fuel pump setbacks of 20 ft. in lieu of the required 25 ft., and a canopy setback of 12 ft. in lieu of the required 15 ft.; from Section 405.4.A.2.b to provide landscape transition area buffers of 0 ft. in lieu of the required 15 ft.; from Section 419.3.B and 409.6.A to allow 8 parking spaces in lieu of the required 19; from Section 409.4.B to allow employee parking spaces without direct access to a travel aisle; from Section 419.4.B.1 to allow an entrance of a car wash to face residentially zoned property; from Section 419.4.A.2 to permit the setback for the tunnel exit of a roll-over car wash to be 26 ft. in lieu of the required 50 ft. from the nearest exit; from Section 409 to allow a one way drive aisle of 8 ft. in lieu of the required 11 ft.; and, a two-way drive aisle of 17 ft. in lieu of 22 ft., in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED; and,

This Order is now so amended in order to reflect the relief requested by Petitioner.

IT IS FURTHER ORDERED that all other terms and conditions of the Order granted on January 6, 2006 shall remain in full force and effect.

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Date
By

WHEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 2 day of February 2006 that the Motion for Reconsideration be and is hereby GRANTED, consistent with the above.

WILLIAM J.WISEMAN, III
Zoning Commissioner
for Baltimore County



JAMES T. SMITH, JR. County Executive

WILLIAM J. WISEMAN III

Zoning Commissioner

February 1, 2006

Sebastian A. Cross, Esquire Gildea & Schmidt, LLC 300 E. Lombard Street, Suite 1440 Baltimore, Maryland 21202

RE: MOTION FOR RECONSIDERATION PETITIONS FOR SPECIAL HEARING, SPECIAL EXCEPTION & VARIANCE

NW/Corner Wise Avenue and Park Avenue (220 Wise Avenue)

15th Election District – 7th Council District

Paul Petroleum, LLC - Petitioner Case No. 06-103-SPHXA

Dear Mr. Cross:

Enclosed please find a copy of the Order on the Motion for Reconsideration filed in the above-captioned matter.

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.

WJW:bjs

Zoning Commissioner for Baltimore County

XWI\$EMAN, III

Mr. Harinder Sawhney, President, Paul Petroleum, LLC
 220 Wise Avenue, Baltimore, Md. 21222
 Mr. Marvin A. Comer, II, 1416 Galena Road, Baltimore, Md. 21221
 Mr. Kurt Hennig, Centauri, Inc., 2 Arlie Drive, Annapolis, Md. 21401
 CBCA; Office of Planning; DEPRM; People's Counsel; Case File

IN RE: PETITIONS FOR SPECIAL EXCEPTION, * BEFORE THE SPECIAL HEARING & VARIANCE - NW/Corner Wise Avenue and Park Avenue * ZONING COMMISSIONER (220 Wise Avenue)

15th Election District * OF
7th Council District * BALTIMORE COUNTY

Paul Petroleum, LLC

Petitioner

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Zoning Commissioner for consideration of Petitions for

*

Case No. 06-103-SPHXA

Special Exception, Special Hearing and Variance filed by the owner of the subject property, Paul Petroleum, LLC, through its attorney, Sebastian A. Cross, Esquire, for the property located at 220 Wise Avenue in Dundalk. The Petitioners request a special exception to allow the expansion of a current fuel service station use onto adjoining Lots 35 and 36 and to add a combination convenience store and ancillary use - rollover car wash. In addition, variance relief is requested from the Baltimore County Zoning Regulations (B.C.Z.R.) as follows: From Section 405.4.A.2.a to permit fuel pump setbacks of 20 ft. in lieu of the required 25 ft., and a canopy setback of 12 ft. in lieu of the required 15 ft.; from Section 405.4.A.2.b to provide landscape transition area buffers of 0 ft. in lieu of the required 15 ft.; from Section 419.3.B and 409.6.A to allow 8 parking spaces in lieu of the required 19; from Section 409.4.B to allow employee parking spaces an entrance of a can well without direct access to a travel aisle; from Section 419.4.A.1 to allow a 6 ft. setback for the roll-Let car wash from residentially zoned property in lieu of the required 50° ft.; from Section 419.4.A.2 to permit the setback for the tunnel exit of a roll-over car wash to be 26 ft. in lieu of the required 50 ft. from a site exit point; and, from Section 409 to allow a one-way drive aisle and from Section 409 to allow a one-way drive aisle width of 8 ft. in lieu of the required 11 ft. Finally, special hearing relief is requested to approve an amendment to the previously approved site plan in Case No. 3602 to reflect the modifications proposed herein. 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.

ORDER RECTIVED FOR FILING

Appearing at the requisite public hearing in support of the request were Harinder (Paul) Sawhney, President of Paul Petroleum, LLC, property owners, and his wife, Gurjit Sawhney. Also appearing were Marvin A. Comer, II, a representative of Carroll Fuels, Inc., Kurt C. Hennig with Centauri, Inc., the consultants who prepared the site plan, and Sebastian Cross, Attorney for Petitioner. Lynn Lanham with the Office of Planning also appeared and briefly testified. There were no Protestants or other interested persons present.

Mr. Cross proffered the following testimony. The subject property has operated as a fuel service station since 1955, pursuant to the relief granted in prior zoning Case No. 3602. Mr. and Mrs. Sawhney have operated the existing facility for the past 25 years and proposed a redevelopment of the site. The Petitioners are desirous of abandoning the two service bays currently in the building and converting the structure into a convenience store with an ancillary car wash on the west side of the property and a total of 6 fuel pump islands. The Petitioners would like to expand the operation onto two adjoining lots that they own, which are identified as Lots 35 and 36 on Petitioner's Exhibit 1. The existing house/office on the referenced lots would be razed. In this regard, with the support of the Office of Planning, the County Council and the Community, Lots 35 and 36 were rezoned in 2004 from DR5.5 to BL-AS, permitting the proposed uses in this zone by special exception. Testimony and evidence presented indicated that the Petitioners are well respected in the community and have the community's support for the proposed improvements. Moreover, in the 25 years that the Petitioner's have operated from this site, there is no record of any Code Enforcement citations or other community complaints regarding the operation of this facility.

Lynn Lanham, Division Chief in the Office of Planning, appeared and testified. She indicated that the Planning Office was in support of the proposal, with the condition that the roll-over car wash be located next to and buffered by the Fire Station on the west side of the property as shown on Petitioner's Exhibit 1. The Petitioners agreed to this condition.

In addition to the car wash, the redevelopment of the site will feature 6 gasoline pump islands with accompanying canopy. The existing building will contain a convenience store and

office/storage space, which will utilize the existing retail space and that area previously occupied by the two service bays.

As noted above, there were no Protestants present and with the exception of the Office of Planning, none of the County reviewing agencies had any adverse Zoning Advisory Committee (ZAC) comments. The Petitioner has worked with the Office of Planning and will comply with the ZAC comments submitted by that agency as well as the Department of Environmental Protection and Resource Management (DEPRM) relative to Chesapeake Bay Critical Areas regulations. Discussed on the record was my concern with the potential icing conditions that may result from the car wash use during the cold months, and steps that need be taken to remedy this situation. I will address this issue at the end of the order as conditions of approval.

The proposed redevelopment will be an improvement to the site, which has not been upgraded for many years. With the elimination of the auto repair component, the site will certainly be a cleaner operation with less noise, and without the clutter that often accompanies busy service garages. The landscaping upon the site will be improved over that which currently exists; however, due to the site constraints and configuration of this parcel, the landscape transition area setbacks cannot be met.

Turning first to the Petition for Special Exception, the record of this case compels finding that same should be granted. The proposed use is not dramatically different from the existing use on the property and will serve as an improvement to the current operation and the neighborhood at-large. There is no evidence the use will cause a detrimental impact to the health, safety and general welfare of the locale. Additionally, this use is not incompatible with the surrounding locale. I find the standards set out in Section 502.1 are met.

Granting the variance relief is also appropriate. Many of the requested variances are due to existing conditions on the property and it is clear that practical difficulty and/or unreasonable hardship will result if the relief requested is not granted. It is the modernization that drives the need for the variances. It has been established that special circumstances and conditions exist which are peculiar to the subject property and that strict compliance with the regulations will

unduly restrict the use of the land, due to its unique configuration and site constraints. I find that the use proposed is appropriate for this site and will not adversely impact adjacent properties or the surrounding locale. Indeed, commercial uses are present in the area. Finally, I find that the relief requested will not cause any injury to the public health, safety and general welfare, and meets the spirit and intent of the BCZR. The Petition for Special Hearing likewise shall be granted to reflect the proposed modifications and upgrade to the use of the property.

Pursuant to the advertising, posting of property and public hearing on these Petitions held, and for the reasons set forth above, the Petitions for Special Exception, Special Hearing and Variance shall be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this day of January 2006, that the Petition for Special Exception to permit a fuel service station use in combination with a convenience store and ancillary use roll-over car wash, in accordance with Petitioner's Exhibit 1, be, and hereby is, GRANTED; and,

IT IS FURTHER ORDERED that the Petition for Variance seeking relief from the Baltimore County Zoning Regulations (B.C.Z.R.) as follows: From Section 405.4.A.2.a to permit fuel pump setbacks of 20 ft. in lieu of the required 25 ft., and a canopy setback of 12 ft. in lieu of the required 15 ft.; from Section 405.4.A.2.b to provide landscape transition area buffers of 0 ft. in lieu of the required 15 ft.; from Section 419.3.B and 409.6.A to allow 8 parking spaces in lieu of the required 19; from Section 409.4.B to allow employee parking spaces without direct access to a travel aisle; from Section 419.4.A.1 to allow a 6 ft. setback for the roll-over car wash from residentially zoned property in lieu of the required 50 ft.; from Section 419.4.A.2 to permit the setback for the tunnel exit of a roll-over car wash to be 26 ft. in lieu of the required 50 ft. from a site exit point; and, from Section 409 to allow a one-way drive aisle width of 8 ft. in lieu of the required 11 ft., in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that the Petition for Special Hearing to amend the previously approved site plan in Case No. 3602, in accordance with Petitioner's Exhibit 1, be and hereby GRANTED, subject to the following restrictions:

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- 1. Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until the 30 day-appeal period from the date of this Order has expired. If an appeal is filed and this Order is reversed, the relief granted herein shall be rescinded.
- 2. Compliance with the ZAC comments submitted by the Office of Planning and the Department of Environmental Protection and Resource Management, copies attached hereto.
- The ingress/egress points at the carwash tunnels must be equipped with a 3. heating system to effectively eliminate icing at these points. The carwash must be equipped with a drying system that eliminates as much water as possible from vehicles after the wash to avoid the transfer of water from the vehicles to the travel surface during freezing conditions. Additionally, the site must be graded so that all water drains toward Wise Avenue and is captured in drainage grates to avoid icing on Wise Avenue. During freezing conditions, the proprietor must have an attendant on duty to neutralize any icing occurring on Wise Avenue as a result of the operation of the car wash. In the event that the Code Enforcement Division of the Department of Permits and Development Management receives a meritorious complaint regarding icing conditions as a result of the operation of the subject car wash, the supervisor for Code Enforcement shall have the authority to temporarily rescind the relief granted in this order and issue a cease and desist order for the operation of the car wash until such time as the icing conditions are remedied, with input from the Bureau of Highways.
- 4. Petitioners shall provide landscaping in accordance with the recommendations of Avery Hardin, Baltimore County Landscape Planner, in accordance with this Order.

When applying for a building permit, the site plan and landscaping plan filed must reference this case and set forth and address the restrictions of

this Order.

Zoning Commissioner for Baltimore County

i. Wiseman, II.

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ORDER HECEIVED FOR FILING
By

By



JAMES T. SMITH, JR. County Executive

WILLIAM J. WISEMAN III

Zoning Commissioner

January 6, 2006

Sebastian A. Cross, Esquire Gildea & Schmidt, LLC 300 E. Lombard Street, Suite 1440 Baltimore, Maryland 21202

RE: PETITIONS FOR SPECIAL HEARING, SPECIAL EXCEPTION & VARIANCE

NW/Corner Wise Avenue and Park Avenue (220 Wise Avenue)
15th Election District — 7th Council District Paul Petroleum, LLC - Petitioner

Case No. 06-103-SPHXA

Dear Mr. Cross:

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.

WJW:bjs

WILLIAM WISEMAN, III
Zorling Commissioner
for Baltimore County

Mr. Harinder Sawhney, President, Paul Petroleum, LLC
 220 Wise Avenue, Baltimore, Md. 21222
 Mr. Marvin A. Comer, II, 1416 Galena Road, Baltimore, Md. 21221
 Mr. Kurt Hennig, Centauri, Inc., 2 Arlie Drive, Annapolis, Md. 21401
 Office of Planning; DEPRM; People's Counsel; Case File



C BeA Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at 220 Wise Avenue which is presently zoned ___BL-AS

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve Full Special Hearing to amend the previous Special Exception approval granted in Case No. 3602 and to Convert a facel Saister 59athor to ages and go per Zoning office policy requirement. SC

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 subject of this P	he legal owner(s) of the etition.	property which
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• REVISED • CBCA Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at: 220 Wise Avenue

which is presently zoned: BL-AS

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

Please see attached document.

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 presented at hearing.

Date_

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

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

			is the subject of this Petition.	
Contract Purchase	er/Lessee:		Legal Owner(s):	•
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Gildea & Schmidt, LLC			Sebastian A. Cross	
Company, 300 East Lombard Stree	et, Suite 1440	410-234-0070	Name 300 East Lombard Street Suite 1440 410-23	-
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Case No. 06	103 51	941A	OFFICE USE ONLY ESTIMATED LENGTH OF HEARING	
FEN 9/15/98		Reviewed By	UNAVAILABLE FOR HEARING Date 8/19/05	

ATTACHMENT TO THE PETITON FOR VARIANCE

A) From BCZR section 405.4.A.2.a for fuel pump setbacks of 20' in lieu of the required 25' and canopy setback of 12' in lieu of 15'.

- B) From BCZR section 405.4.A.2.b for a Landscape Transition Area of 0' in lieu of the required 15'.
- C) From BCZR section 419.3.B and 409.6.A.2 to allow 8 parking spaces in lieu of the required 19 and from BCZR section 409.4.B to allow employee parking spaces without direct access to an aisle.
- D) From BCZR section 419.4.A.1 for a setback of 6' for the roll-over carwash from residentially zoned property in lieu of the required 50'.
- E) From BCZR section 419.4.A.2 to permit the tunnel exit of a roll-over car wash setback of 26' in lieu of the required 50' from the nearest exit.
- F) From BCZR section 409 to allow a one way drive aisle of 8' in lieu of the required 11'.



kjWellsInc

Trading for Kenneth J. Wells, Inc. Land Surveying and Site Planning

109

Telephone: (410) 592-8800

Fax: (410) 817-4055

Email: kwells@kiwellsinc.com

7403 New Cut Road Kingsville, Md. 21087-1132

Zoning Description

216 – 220 Wise Avenue
Baltimore County
Maryland
12th Election District
7th Councilmanic District

Parcel 1

Beginning at a point on the northeast side of Wise Avenue which is approximately 60-feet wide at a distance of 15-feet from the centerline of Park Avenue which is 30-feet wide. As recorded in Deed Liber 11967 folio 164 and include the measurements and directions as follows:

- 1) North 71 degrees 53 minutes 45 seconds West 151.77 feet
- 2) North 26 degrees 51 minutes 30 seconds East 121.41 feet
- 3) South 63 degrees 08 minutes 30 seconds East 150.00 feet
- 4) South 26 degrees 51 minutes 30 seconds West 104.55 feet and correctly shown on the plan to accompany a Petition.

Parcel 2

Beginning at a point on the northeast side of Wise Avenue which is approximately 60-feet wide at a distance of 167-feet from the centerline of Park Avenue which is 30-feet wide. As recorded in Deed Liber 14938 folio 036 and include the measurements and directions as follows:

- 1) North 71 degrees 53 minutes 45 seconds West 49.61 feet
- 2) North 18 degrees 06 minutes 15 seconds East 120.00 feet
- 3) South 71 degrees 53 minutes 45 seconds East 68.09 feet
- 4) South 26 degrees 51 minutes 30 seconds West 121.41 feet and correctly shown on the plan to accompany a Petition.

Parcel 3

Beginning at a point on the northeast side of Wise Avenue which is approximately 60-feet wide at a distance of 217-feet from the centerline of Park Avenue which is 30-feet wide. As recorded in Deed Liber 14938 folio 036 and include the measurements and directions as follows:

- 1) North 71 degrees 53 minutes 45 seconds West 49.61 feet
- 2) North 18 degrees 06 minutes 15 seconds East 120.00 feet
- 3) South 71 degrees 53 minutes 45 seconds East 49.61 feet
- 4) South 18 degrees 06 minutes 15 seconds West 120.00 feet and correctly shown on the plan to accompany a Petition.



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: #06-103-SPHXA

220 Wise Avenue

N/west corner of Wise Avenue & Park Avenue 15th Election District - 7th Councilmanic District Legal Owner(s): Harinderpal Sawhey

Special Hearing: to amend the previous special exception approval granted in Case No. 3602 and to convert a full service fuel station to a gas and go per zoning office policy requirement for use charge. Special Exception: to allow for an expansion of current fuel service station use into lots 35 & 36 as shown on plan & to allow the addition of a rollover car wash. Variance: for fuel pump setbacks of 20' in lieu of the required 25' and ... canopy setback of 12' in lieu of 15', for a Landscape Transition Area of 0' in lieu of the required 15', and to allow 8 parking spaces in lieu of the required 19 and to allow employee parking spaces without direct access to an aisle. To allow an entrance of a carwash to face residentially zoned property. To permit the tunnel exit of a roll-over car wash setback to 26' in lieu of the required . 50' from the nearest exit. To allow a one way drive aisie of 8' in lieu of the required 11' and a two-way drive aisle of 177 in lieu of 22.

Hearing: Thursday, December 15, 2005 at 9:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue, Towson 21264.

WILLIAM J. WISEMAN, JII 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. 76607

JT/11/741 Nov. 29 ***

CERTIFICATE OF PUBLICATION

[Q] I, 20 <u>0</u> 5
THIS IS TO CERTIFY, that the annexed advertisement was published
in the following weekly newspaper published in Baltimore County, Md.,
once in each ofsuccessive weeks, the first publication appearing
on 1129 ,2005.
The Jeffersonian
Arbutus Times
☐ Catonsville Times
☐ Towson Times
Owings Mills Times
☐ NE Booster/Reporter
☐ North County News
S. Wilkings-

LEGAL ADVERTISING

The Zooms Commissioner of Balling authority of the Zoning Act and Regulations County, by County will hold a public hearing in Towson, Mary more the property identified herein as follows:

Case: #06-103-SPHXA

220 Wise Avenue

N/west comer of Wise Avenue & Park Avenue 15th Election District - 7th Councilmanic District

Legal Owner(s): Harinderpal Sawhey

Special Hearing: to amend the previous special exception approval granted in Case No. 3602 and to convert a full service fuel station to a gas and go per zoning office policy requirement for use charge. Special Exception: to allow for an expansion of current fuel service station use into lots 35 & 36 as shown on plan & to allow the addition of a rollover car wash. Variance: to permit a total site area of 29,268 sq. ft. in lieu of the required 32,400 sq. ft. to permit a fuel pump setback of 20 feet in lieu of the required 25 feet and canopy sethack of 12 feet in lieu of 15 feet, to permit a Landscape Transition Area of 4 feet in lieur of the required 15 feet, to allow 13 parking spaces in lieu of the required 19, to permit a setback of 6 feet for the roll-over car wash from residentially zoned property in lieu of the required 50 feet. to allow an entrance of a car wash to face residentially zoned property and to allow a one way drive aisle of 8

Hearing: Monday, October 17, 2005 at 10:00 a.m. in Room 407, County Courts Building, 401 Bosley

Avenue, Towson 21204.

WILLIAM J. WISEMAN, ILL

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. 9/401 Sept. 29

CERTIFICATE OF PUBLICATION

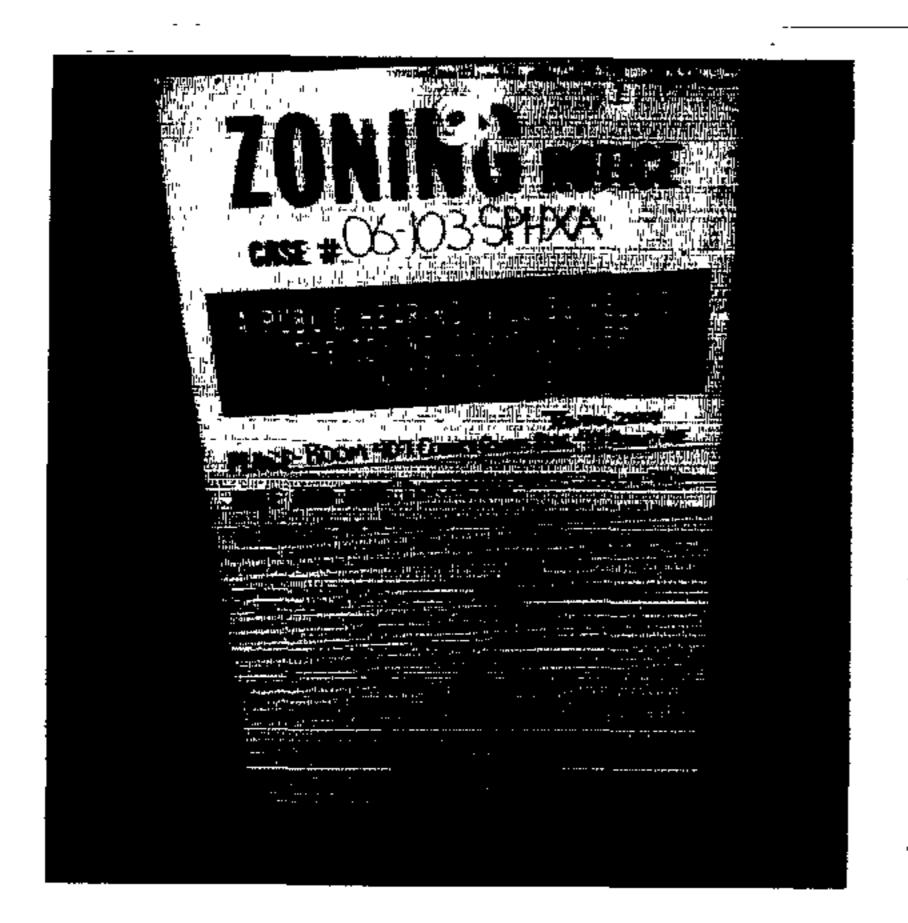
9/29/,2005
THIS IS TO CERTIFY, that the annexed advertisement was published
in the following weekly newspaper published in Baltimore County, Md., once in each of successive weeks, the first publication appearing
on $9 29 $,2005.
The Jeffersonian
☐ Arbutus Times
☐ Catonsville Times
☐ Towson Times
Owings Mills Times
☐ NE Booster/Reporter
☐ North County News

LEGAL ADVERTISING

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CERTIFICATE OF POSTING

	RE: Case No.: 06 - 103 - 5PHXA
•	Petitioner/Developer: HARINDERPAL
	SAWHEY
	Date of Hearing/Closing: DEC 15, 200
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:	
*	ury that the necessary sign(s) required by law were
ZZO WISE AV	<u>e</u>
The sign(s) were posted on	1/- 28-05 (Month, Day, Year)
	Sincerely,
	Robert Black (Signature of Sign Poster) (Date) SSG Robert Black
	(Pript Name)
High the state of	1568 Leslie Road
	(Address)
	Deedslk, Maryland 21222
	(City, State, Zip Code)
	(410) 282-7940
	(Telephone Number)



-

•



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 A	dvertising:	A			
Item Number or Ca	ase Number: _	06	105	JPHXP	\
Petitioner:	Paul 1	Detroleum			<u> </u>
Address or Location	n: 22	a Wise	Ave		•
PLEASE FORWAR Name	RD ADVERTISI				
Name:	1dea + 50		LLC	54e /55	
Name:	1dea + 50	bmidt	LLC		

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

November 21, 2005

CORRECTED 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: 06-103-SPHXA

220 Wise Avenue

N/west corner of Wise Avenue & Park Avenue 15th Election District – 7th Councilmanic District

Legal Owners: Harinderpal Sawhey

Special Hearing to amend the previous special exception approval granted in Case No. 3602 and to convert a full service fuel station to a gas and go per zoning office policy requirement for use charge. Special Exception to allow for an expansion of current fuel service station use into lots 35 & 36 as shown on plan & to allow the addition of a rollover car wash. Variance for fuel pump setbacks of 20' in lieu of the required 25' and canopy setback of 12' in lieu of 15', for a Landscape Transition Area of 0' in lieu of the required 15', and to allow 8 parking spaces in lieu of the required 19 and to allow employee parking spaces without direct access to an aisle. To allow an entrance of a carwash to face residentially zoned property. To permit the tunnel exit of a roll-over car wash setback of 26' in lieu of the required 50' from the nearest exit. To allow a one way drive aisle of 8' in lieu of the required 11'and a two-way drive aisle of 17' in lieu of 22'.

Hearing: Thursday, December 15, 2005 at 9:00 a.m. in Room 407, County Courts Building,

401 Bosley Avenue, Towson 21204

Timothy Kotroco

Director

TK:klm

C: Sebastian Cross, 300 E. Lombard Street, Ste. 1440, Baltimore 21202 Mr. Sawhey, Paul Petroleum, 220 Wise Avenue, Baltimore 21222

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY WEDNESDAY, NOVEMBER 30, 2005.

- (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, November 29, 2005 Issue - Jeffersonian

Please forward billing to:

Gildea & Schmidt, LLC 300 East Lombard Street, Ste. 1440 Baltimore, MD 21202

410-234-0070

CORRECTED 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:

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Hearing: Thursday, December 15, 2005 at 9:00 a.m. in Room 407, County Courts Building,

401 Bosley Avenue, Towson 21204

WILLIAM J WISEMAN III

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.

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Department of Permits and Development Management

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





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

November 17, 2005

NEW 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: 06-103-SPHXA

220 Wise Avenue N/west corner of Wise Avenue & Park Avenue 15th Election District – 7th Councilmanic District Legal Owners: Harinderpal Sawhey

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Hearing: Thursday, December 15, 2005 at 9:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue, Towson 21204

Timothy Kotroco Director

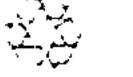
huty Kotroco

TK:klm

C: Sebastian Cross, 300 E. Lombard Street, Ste. 1440, Baltimore 21202 Mr. Sawhey, Paul Petroleum, 220 Wise Avenue, Baltimore 21222

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY WEDNESDAY, NOVEMBER 30, 2005.

- (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.



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

TO: PATUXENT PUBLISHING COMPANY

Tuesday, November 29, 2005 Issue - Jeffersonian

Please forward billing to:

Gildea & Schmidt, LLC 300 East Lombard Street, Ste. 1440 Baltimore, MD 21202

410-234-0070

NOTICE OF ZONING HEARING

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Hearing: Thursday, December 15, 2005 at 9:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue, Towson 21204

WILLIAM J WISEMÄN III

ZONING COMMISSIONER FOR BALTIMORE COUNTY

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Department of Permits at Development Management

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





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

August 29, 2005

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: 06-103-SPHXA

220 Wise Avenue

N/west corner of Wise Avenue & Park Avenue 15th Election District – 7th Councilmanic District

Legal Owners: Harinderpal Sawhey

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Hearing: Monday, October 17, 2005 at 10:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue, Towson 21204

Timothy Kotroco

Director

TK:klm

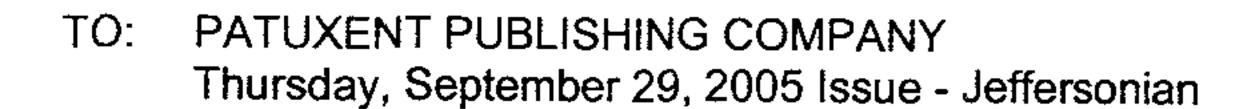
C: Sebastian Cross, 300 E. Lombard Street, Ste. 1440, Baltimore 21202 Mr. Sawhey, Paul Petroleum, 220 Wise Avenue, Baltimore 21222

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY SATURDAY, OCTOBER 1, 2005.

- (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.



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



Please forward billing to:
Gildea & Schmidt, LLC
300 East Lombard Street, Ste. 1440
Baltimore, MD 21202

410-234-0070

NOTICE OF ZONING HEARING

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Hearing: Monday, October 17, 2005 at 10:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue, Towson 21204

WILLIAM J WISEMAN III

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.

Inter-Office Correspondence



TO:

Timothy M. Kotroco

FROM:

R. Bruce Seeley

DATE:

September 8, 2005

SUBJECT:

Zoning Item

Address

220 Wise Avenue

Sawhney Property

Zoning Advisory Committee Meeting of August 29, 2005

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

X Development of this property must comply with the Chesapeake Bay Critical Area Regulations (Sections 33-2-100 through 33-2-1004, and other Sections, of the Baltimore County Code).

Additional Comments:

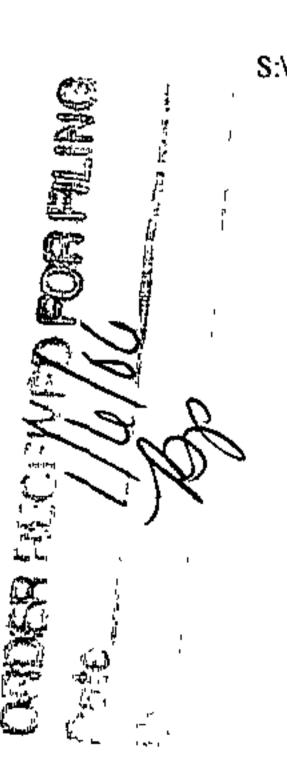
IDA regulations requiring 10% pollutant loading reduction below predevelopment loadings must be met prior to approval of a building permit.

Reviewer:

Glenn Shaffer

Date: September 1, 2005

S:\Devcoord\ZAC06-103.doc



INTER-OFFICE CORRESPONDENCE

DATE: December 15, 2005

TO: Timothy M. Kotroco, Director

Department of Permits and Development Management

FROM: Arnold F. 'Pat' Keller, III

Director, Office of Planning

SUBJECT: 220 Wise Avenue

INFORMATION:

Item Number: 6-103

Petitioner: Paul Petroleum

Zoning: BL-AS

Requested Action: Special Exception

SUMMARY OF RECOMMENDATIONS:

The subject property located at 220 Wise Avenue was rezoned during the 2004 CZMP process (Issue 7-035) from BL-AS, BL, and DR 5.5 to BL-AS. During the CZMP process the property owner met with the 7th district Councilman and the Office of Planning to develop a site plan that would result in an expansion of the fuel service station in such a manner that the design and scale would remain in keeping with the surrounding residential neighborhood. In addition to the aforementioned, lighting and noise levels along the rear of the property (that directly abuts residential properties) were key issues.

The revised site plan dated 9/28/2005 responds to those issues. The Office of Planning has reviewed the above referenced case(s) and has no further comments to offer.

For further questions or additional information concerning the matters stated herein, please contact Lynn Lanham in the Office of Planning at 410-887-3480.

Division Chief:/

AFK/LL

ATUEN RECEIVED FOR FILING

W:\DEVREV\ZAC\6-103amended.doc

INTEROFFICE CORRESPONDENCE

DATE: December 5, 2005

TO: Timothy M. Kotroco, Director

Department of Permits & Development

Management

FROM: Dennis A. Kennedy, Supervisor

Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting

For November 21, 2005

Item N.s. 103, 250, 256, 257, 258, 259,

260 and 262

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

DAK:CEN:clw

cc: File

ZAC-NO COMMENTS-12052005.doc

INTEROFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

DATE: September 2, 2005

Department of Permits & Development

Management

FROM:

Dennis A. Kennedy, Supervisor

Bureau of Development Plans Review

SUBJECT:

Zoning Advisory Committee Meeting

For September 6, 2005

Item Nos. 091, 004, 095, 096, 097, 098,

099, 100, 101, 103, and 104

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

DAK:CEN:clw

cc: File

ZAC-NO COMMENTS-09022005.doc



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

Robert L. Flanagan, Secretary Neil J Pedersen, Administrator

JLL

Maryland Department of Transportation

Date: 8.30.05

Baltimore

Item No

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

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.

RE:

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,

Steven D. Foster, Chief

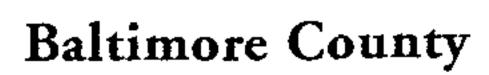
1. 1. South

Engineering Access Permits Division

Fire Department

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





James T. Smith, Jr, County Executive John J. Hohman, Chief

Department of Permits&Development Management Room 111 County Office Building 111 West Chesapeake Avenue Towson, Maryland 21204 (Mail Stop#1105) August 26, 2005

ATTENTION: Kristen Matthews

Distribution Meeting of: August 29,2005

Item No.: 095 & 103

Pursuant to your request, the referenced plan(s) have been reviewed 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.

> Lt. Jimmie Mezick Fire Marshal's Office 410-887-4880 MS-1102F

cc: File



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

PETITION FOR SPECIAL HEARING RE: SPECIAL EXCEPTION & VARIANCE 220 Wise Avenue; NW corner of Wise Point Road, intersection 5th Street 15th Election & 7th Councilmanic Districts Legal Owner(s): Paul Petroleum, Harinder Sawhuey - President

*

Petitioner(s)

- BEFORE THE
- ZONING COMMISSIONER
- FOR
- **BALTIMORE COUNTY**
- 06-103-SPHXA

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 Leaday of August, 2005, a copy of the foregoing Entry of Appearance was mailed to Sebastian A. Cross, Esquire, Gildea & Schmidt LLC, 300 E. Lombard Street, Suite 1440, Baltimore, MD 21202, Attorney for Petitioner(s).

RECEIVED

AUG 2 - 2005

PETER MAX ZIMMERMAN People's Counsel for Baltimore County

Immemal~

DAVID K. GILDEA

DAVIDGILDEA@GILDEALLC.COM

LAWRENCE E. SCHMIDT LSCHMIDT@GILDEALLCCOM

SEBASTIAN A. CROSS SCROSS@GILDEALLC.COM

JOSEPH R WOOLMAN, III JWOOLMAN@GILDEALLC.COM

D. DUSKY HOLMAN DHOLMAN@GILDEALLC.COM

JASON T. VETTORI JVETTORI@GILDEALLC.COM 300 EAST LOMBARD STREET

SUITE 1440

BALTIMORE. MARYLAND 21202

TELEPHONE 410-234-0070 FACSIMILE 410-234-0072 www.gildeallc.com

TOWSON, MD OFFICE 220 BOSLEY AVENUE TOWSON, MARYLAND 21204 TELEPHONE 410-337-7057

NOV I 5 2005

November 9, 2005

Sent Via Facsimile and Regular Mail

William J. Wiseman, III, Zoning Commissioner Baltimore County 401 Boslev Aveune, 4th Floor Towson MD 21204

> Carroll Fuels/220 Wise Avenue Re:

> > Case No.: 06-103-SPHXA

Dear Commissioner Wiseman:

This letter serves to notify your office that Carroll Fuels has submitted an amended site plan for the above referenced site, which was originally scheduled for a hearing on October 17, 2005. This site plan was amended due to concerns raised by the Department of Planning and, as such, the zoning relief requested will also be changed. This amended site plan received a new hearing date of November 21, 2005.

This amended site plan was submitted to the Department of Permits and Development Management where it was re-evaluated and determined some minor modifications were necessary. These modifications were made after the required time for posting and advertising and, as such, a new hearing date was needed. Having spoken with your office, it was determined this hearing can now be rescheduled for Thursday, December 15, 2005, at 9:00 a.m.

Please contact this office if there are any problems with the resubmittal of the amended site plan or hearing date. With kind regards, I am

Very truly yours,

SAC: bhb

W. Carl Richards, Jr., Permits and Development Management CC:

Jeffrey Long, Office of Planning

Curtis J. Murray, Office of Planning

Kristen Matthews, Permits and Development Management

C. Howard Phelps, Carroll Fuels

Kurt Hennig, Centauri, Inc

David K. Gildea, Esquire

DAVID K. GILDEA

DAVIDGILDEA@GILDEALLC.COM

LSCHMIDT@GILDEALLC.COM

LAWRENCE E SCHMIDT

SEBASTIAN A. CROSS SCROSS@GILDEALLC.COM

JOSEPH R. WOOLMAN, III JWOOLMAN@GILDEALLC.COM

D. DUSKY HOLMAN DHOLMAN@GILDEALLC.COM

JASON T. VETTORI JVETTORI@GILDEALLC.COM 300 EAST LOMBARD STREET

SUITE 1440

BALTIMORE, MARYLAND 21202

TELEPHONE 410-234-0070 FACSIMILE 410-234-0072 www.gildeallc.com

October 14, 2005

Via Hand Delivery and Facsimile Only

Mr. W. Carl Richards, Jr. Zoning Review Supervisor Permits and Development Management 111 W. Chesapeake Avenue Towson MD 21204

> Carroll Fuels/220 Wise Avenue Re: Commercial Revision Filing

Dear Don:

Attached please find a revised commercial filing for the above referenced property. This filing originally received Case No. 06-103-SPHXA and was scheduled for hearing on October 17, 2005. The revision is in response to concerns from the Department of Planning regarding the site layout. As such, the elimination of one fuel pump has been made, as well as a relocation of the car wash. The Zoning Relief requested reflects their changes. The previous property description and zoning map still pertain to the revised filing. A new hearing date has been scheduled for November 21, 2005.

Please inform this office of any obligations these changes will result in for my client in regard to the posting and advertising requirements. Also, please contact this office if there is any additional information required. With kind regards, I am

Very truly yours,

Sebastian A. Cross

SAC:bhb

Deputy Zoning Commissioner John V. Murphy CC: Jeffrey Long, Department of Planning Curtis J. Murray, Office of Planning Howard C. Phelps, Carroll Fuels Kurt Henning, Centauri, Inc. David K. Gildea, Esquire

TOWSON, MD OFFICE

220 BOSLEY AVENUE

TOWSON, MARYLAND 21204

TELEPHONE 410-337-7057

DAVID K. GILDEA

DAVIDGILDEA@GILDEALLC.COM

LAWRENCE E SCHMIDT LSCHMIDT@GILDEALLCCOM

SEBASTIAN A. CROSS SCROSS@GILDEALLC.COM

JOSEPH R. WOOLMAN, III JWOOLMAN@GILDEALLC.COM

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TELEPHONE 410-234-0070 FACSIMILE 410-234-0072 www.gildeallc.com

TOWSON. MD OFFICE 220 BOSLEY AVENUE TOWSON, MARYLAND 21204

TELEPHONE 410-337-7057

SEP 2 9 2005

September 28, 2005

TOWNSSIONER

SIMPOIN Sent Via Facsimile and Regular Mail

John (Jack) V. Murphy

Deputy Zoning Commissioner

Baltimore County

401 Bosley Aveune, 4th Floor

Towson/MD 21204

Re: Carroll Fuels/220 Wise Avenue

Case No.: 06-103-SPHXA

Dear Deputy Commissioner Murphy:

This letter serves to notify your office that Carroll Fuels will be submitting an amended site plan for the above referenced site, which is currently scheduled for a hearing on October 17, 2005. This site plan was amended due to concerns raised by the Department of Planning and, as such, the zoning relief requested will also be changed.

This amended site plan will be submitted to the Department of Permits and Development Management as soon as possible in order that it may be re-evaluated by county agencies. Having previously spoken with your office, it was determined this hearing can be rescheduled for Monday, November 21, 2005.

Please contact this office if there are any problems with the resubmittal of the amended site plan or hearing date. With kind regards, I am

Very truly yours,

Sebastian A. Cross

SAC: bhb

Enclosures

CC: W. Carl Richards, Jr., Permits and Development Management

Jeffrey Long, Office of Planning

Curtis J. Murray, Office of Planning

Kristen Matthews, Permits and Development Management

C. Howard Phelps, Carroll Fuels

Kurt Hennig, Centauri, Inc

David K. Gildea, Esquire

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SEBASTIAN A. CROSS SCROSSOGILDEALLCOM

LAWRENCE E. SCHMIDT

DAVIDK GILDEA

JOSEPH R. WOOLMAN, SH JWOOLMAN&GR.DEALLC.COM

LSCHMIDT & GILDEALLO.COM

DAVIDGILDEA & GILDEALL C.COM

D. DUBKY HOLMAN DHOLMANOGILDEALLC.COM

JASON T. VETTORI JVETTORI&GILDEALLC.COM

FACSIMILE COVER SHEET

TO:	FAX NO.:	
Jack Murphy	(410) 887-3468	
Carl Richards	(410) 887-2824	
Jeff Long	(410) 887-5862	
Curtis Murray	(410) 887-5862	
Kristen Matthews	(410) 887-5708	
C. Howard Phelps	(410) 235-3842	
Kurt Hennig	(410) 349-4212	
FROM:	DATE: 9-28-05	
Sebastian A. Cross		
	NO. OF PAGES: 2 (INCLUDING COVER)	
REGARDING:		

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LAWRENCE E SCHMIDT

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D. Dusky Rolman DRolmanægildeallo.com

JASON T. VETTORI JVETTORI&GILDEALL.GOOM

September 28, 2005

Sent Via Facsimile and Regular Mail

John (Jack) V. Murphy
Deputy Zoning Commissioner
Baltimore County
401 Bosley Aveune, 4th Floor
Towson MD 21204

Re: Carroll Fuels/220 Wise Avenue

Case No.: 06-103-SPHXA

Dear Deputy Commissioner Murphy:

This letter serves to notify your office that Carroll Fuels will be submitting an amended site plan for the above referenced site, which is currently scheduled for a hearing on October 17, 2005. This site plan was amended due to concerns raised by the Department of Planning and, as such, the zoning relief requested will also be changed.

This amended site plan will be submitted to the Department of Permits and Development Management as soon as possible in order that it may be re-evaluated by county agencies. Having previously spoken with your office, it was determined this hearing can be rescheduled for Monday, November 21, 2005.

Please contact this office if there are any problems with the resubmittal of the amended site plan or hearing date. With kind regards, I am

Very truly yours,

Sebastian A. Cross

SAC: bhb Enclosures

CC: W. Carl Richards, Jr., Permits and Development Management

Jeffrey Long. Office of Planning

Curtis J. Murray, Office of Planning

Kristen Matthews, Permits and Development Management

C. Howard Phelps, Carroll Fuels

Kurt Hennig, Centauri, Inc

David K. Gildea, Esquire



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TOWSON, MD OFFICE 220 BOSLEY AVENUE TOWSON, MARYLAND 21204 TELEPHONE 410-887-7057

FACSIMILE COVER SHEET

TO: Kristen Matthews	FAX NO.: (410) 887-5708
FROM: Sebastian A. Cross	DATE: 11/21/05
	NO. OF PAGES: 2 3 (INCLUDING COVER)

REGARDING:

Case No. 06-103-SPHXA

Kristen here is the correct variance language for our hearing notice. I have placed the amended text in bold that needs to be changed. If you could fax me a copy of the corrected notice for posting I would really appreciate it.

Thanks,

Sebastian

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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

November 17, 2005

NEW 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: 06-103-SPHXA

220 Wise Avenue

N/west comer of Wise Avenue & Park Avenue 15th Election District – 7th Councilmanic District

Legal Owners: Harinderpal Sawhey

Special Hearing to amend the previous special exception approval granted in Case No. 3602 and to convert a full service fuel station to a gas and go per zoning office policy requirement for use charge. Special Exception to allow for an expansion of current fuel service station use into lots 35 & 36 as shown on plan & to allow the addition of a rollover car wash. Variance for fuel pump setbacks of 20' in lieu of the required 25' and canopy setback of 12' in lieu of 15', for a Landscape Transition Area of 0' in lieu of the required 15', and to allow 8 parking spaces in lieu of the required 19 and to allow employee parking spaces without direct access to an aisle. To permit a setback of 6' for the rollover carwash from residentially zoned property in lieu of the required 50'. To permit the tunnel exit of a rollover car wash setback of 26' in lieu of the required 50' from the nearest exit. To allow a one way drive aisle of 8' in lieu of the required 11'.

Hearing: Thursday, December 15, 2005 at 9:00 a.m. in Room 407, County Courts Building,

401 Bosley Avenue, Towson 21204

Muthy Kotroco

Timothy Kotroco

Director

TK:klm

C: Sebastian Cross, 300 E. Lombard Street, Ste. 1440, Baltimore 21202 Mr. Sawhey, Paul Petroleum, 220 Wise Avenue, Baltimore 21222

- NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY WEDNESDAY, NOVEMBER 30, 2005.
 - (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.



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

ATTACHMENT TO THE PETITON FOR VARIANCE

- A) From BCZR section 405.4.A.2.a for fuel pump setbacks of 20' in lieu of the required 25' and canopy setback of 12' in lieu of 15'.
- B) From BCZR section 405.4.A.2.b for a Landscape Transition Area of 0' in lieu of the required 15'.
- C) From BCZR section 419.3.B and 409.6.A.2 to allow 8 parking spaces in lieu of the required 19 and from BCZR section 409.4.B to allow employee parking spaces without direct access to an aisle.
- D) From BCZR section 419.4.B.1 to allow an entrance of a carwash to face residentially zoned property.
- E) From BCZR section 419.4.A.2 to permit the tunnel exit of a roll-over car wash setback of 26' in lieu of the required 50' from the nearest exit.
- F) From BCZR section 409 to allow a one way drive aisle of 8' in lieu of the required 11' and a two-way drive aisle of 17' in lieu of 22'.

ZONING HEARING FILE INTERNAL CHECKLIST Zoning Case No. () () - 1() 3-50H

ite Completed/Initials PREPARE HEARING FILE (put case number on all papers; hole punch and place

appropriately; put label and case number on folder; complete information on stamp on

DETERMINE HEARING DATE (schedule within 45 days of filing; post and advertise

TYPE HEARING NOTICE AND ADVERTISING NOTICE (type according to sample, taking billing information for advertising from advertising form in file; make appropriate copies; mail original and copies of hearing notice; place original advertising notice in Patuxent's box; file copies of both notices in hearing file; update ZAC in

UPDATE ZONING COMMISSIONER'S HEARING CALENDAR (keep ong inal in

COMPLETE FILE (write hearing date, time, and room on front of hearing folder, file in numerical order in cabinet next to copier until it is pulled for sending to zoning

POSTPONEMENTS (type postponement letter; make appropriate copies; mail original and copies; send copy to zoning commissioner; file copy in hearing file; update h earing

RESCHEDULING (determine hearing date, type letter confirming new date, make appropriate copies; mail original and copies; file copy in hearing file; update hearing

INDEX CARDS (prepare index cards, according to sample; file cards in cabinet)

ADVERTISING/POSTING CERTIFICATES (check off on front of hearing file; pi certificates in file)

COMMENTS (check off agency comments received on front of hearing file; mal copies; type comments letter; mail original to petitioner; file copy in hearing file)

FILES TO ZONING COMMISSIONER'S OFFICE (pull the files for the blowing the blowing the files for the blowing the blowing the files for the blowing the files for the blowing the blow the blowi week every Friday and administrative files on Tuesday; verify that checklist or front hearing file has been completed; secure all papers under clips in file; sendfiles hearings to zoning commissioners office by noon on Friday and files for admini strat

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CASE NAME CASE NUMBER DATE

PETITIONER'S SIGN-IN SHEET

E- MAIL				
CITY, STATE, ZIP Balt 21202 Active 21221				
ADDRESS 300 E. Lamburd St 1940 1416 Galena Rd 2 APMEDD				
Sebustan Cinss Marvin A. Comer II Kupat C. HERNIE				

Case	No	•	

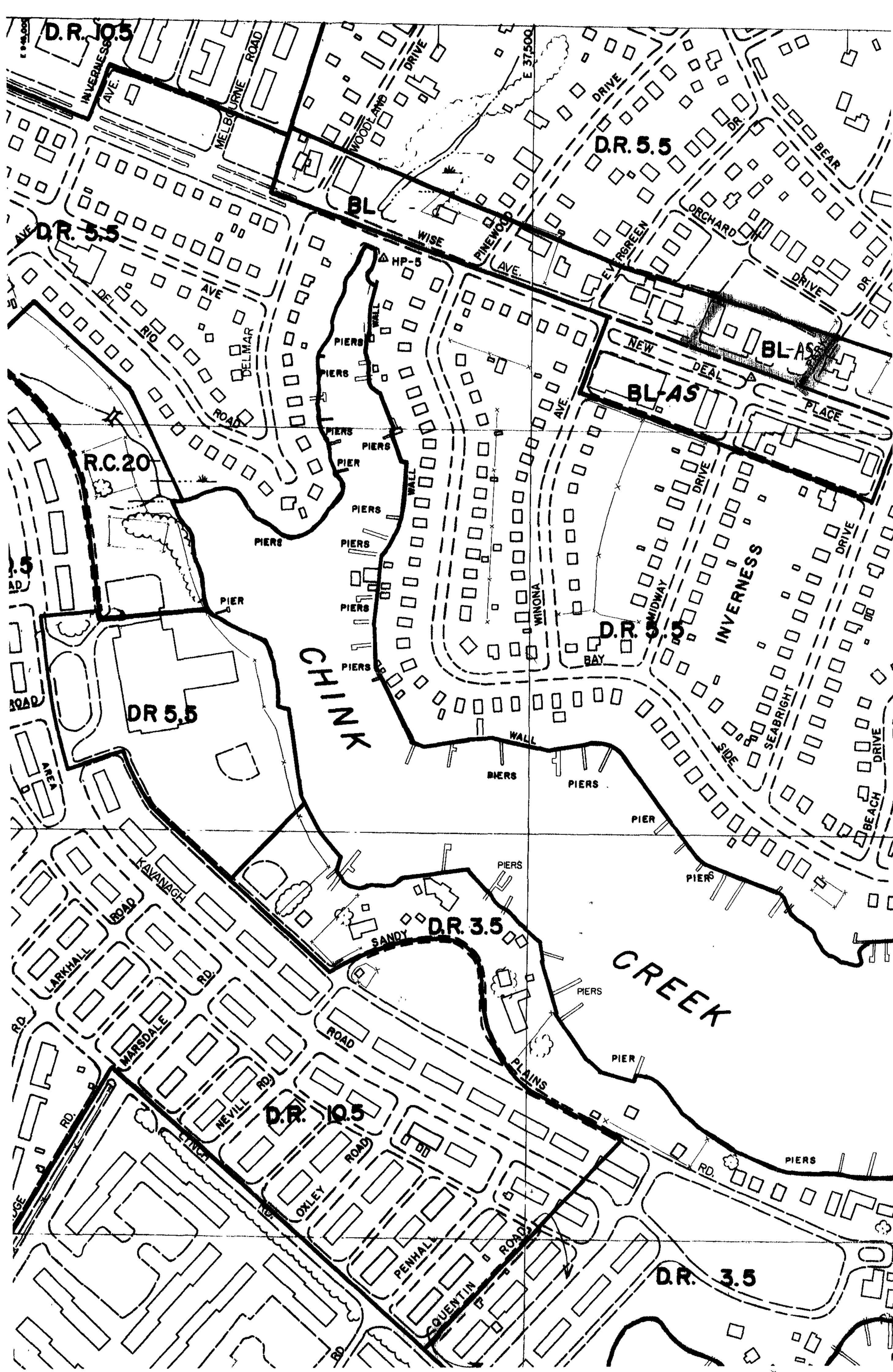
06-103 SPHXA


Exhibit Sheet

Petitioner/Developer

Protestant

No. 1	REVISED SITE PLAN 9/28/05	
No. 2		
No. 3		
No. 4		
No. 5		
No. 6		
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		





EXISTING CURB AND GUTTER

(70 FT ROW)

EXISTING CURB AND GUTTER

PLAN TO ACCOL

PETITIONER'S

VICINITY MAP SCALE AS SHOWN

31.710N 2RS #1

"DESIGNERS TO THE PETROLEUM INDUS
2 ARLIE DRIVE
ANNAPOLIS, MARYLAND 2140
TEL: 410.974.4207

DATE: 9 SCALE: REVISED DRAWN

PROPOSED PUMP ISLD. EXPANSION W/CANOPY AND FREE STANDING CAR WASH FACILITY 216 TO 220 WISE AVE. @ PARK AVE. DUNDALK, MARYLAND 21222-4910

PLAN TO ACCOMPANY SPECIAL
HEARING, SPECIAL EXCEPTION
AND VARIANCE REGILEST