

IN RE: PETITION FOR SPECIAL EXCEPTION *

E/S Yellow Brick Road, 210' N Race Road

(8815 Yellow Brick Road) *

15th Election District

6th Council District *

Tri-Kaze Partnership, *Owner* *

American Commercial Fueling,

Contract Lessee *

Petitioners

BEFORE THE

ZONING COMMISSIONER

OF

BALTIMORE COUNTY

Case No. 08-255-X

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of a Petition for Special Exception filed by the owner of the subject property, Tri-Kaze Partnership, and the contract lessee, American Commercial Fueling, by and through their attorneys, Jeffrey H. Scherr, Esquire and Brian S. Southard, Esquire. The Petitioners request a special exception to allow the subject property to be used as a truck stop under Section 236.4 of the Baltimore County Zoning Regulations (B.C.Z.R.). The property under consideration and the requested relief are more particularly described on the amended site plan submitted which was accepted into evidence as Petitioners' Exhibit 3.

Appearing at the requisite public hearing in support of the request were Paul W. Madigan on behalf of the property owner, Tri-Kaze Partnership; Alan G. Weaver, P.E., a managing member of American Commercial Fueling, and Jeffrey H. Scherr, Esquire and Brian S. Southard, Esquire, attorneys for the Petitioners. Additionally, Ken Colbert, a professional engineer with Colbert Matz Rosenfelt, Inc., the consulting firm who prepared the site plan of the property, was offered and accepted as an expert witness in the areas of civil engineering, land use and planning, zoning, and the development process in Baltimore County. The requested approval was not

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Date 2-26-09
By [Signature]

contested and no member of the community, or any representatives of the various County reviewing agencies appeared or testified at the hearing.

Testimony and evidence offered revealed that the property is an unimproved, irregularly shaped parcel located on the corner at the north side of Race Road and the east side of Yellow Brick Road in Rosedale. The property contains 1.8217 acres, more or less, and is zoned Business, Roadside (B.R.). The property identified on Tax Map 90, Lot 2, is located along the entrance of a commercial and industrial area, which is bounded by Philadelphia Road to the north, Rossville Boulevard to the west, and Route 40 to the south. The location and zoning of the subject property and the surrounding areas are more particularly illustrated on the aerial photo, dated February 1, 2008 (Petitioners' Exhibit 5) and zoning map, (Petitioners' Exhibit 6). At the present time, a hotel is being constructed by Baltimore North Hotel, LLC on the property directly adjacent to the subject site. In this regard, Petitioners' engineer testified that, to his knowledge, the owner of the hotel supports Petitioners' proposed use of the property.

As noted above, the Petitioners desire to use the property as a "Truck Stop", which is defined in Section 101 of the B.C.Z.R. to mean:

"A structure or land used or intended to be used *primarily* for the sale of fuel for trucks and, usually, incidental service or repair of trucks; or a group of facilities consisting of such a use and attendant eating, sleeping or truck parking facilities. As used in this definition, the term "trucks" does not include any vehicle whose maximum gross weight is 10,000 pounds or less, as rated by the State Motor Vehicle Administration. [Bill No. 18-1976]"

Unlike a traditional Truck Stop as defined above, Petitioners proposed use of the property is more akin to a "Fuel Service Station" to be used primarily by local commercial delivery trucks and some over-the-road tractor trailers, all of which comply with the definition of trucks in Section 101. The Fuel Service Station will be an unattended 24-hour/7-day per week facility, but will not provide restrooms, eating, sleeping or customer parking facilities, or repair services on the property. The Fuel Service Station will provide six (6) fuel-dispensing islands, four of which

will dispense diesel fuel and two of which will dispense gasoline. The only other products or services available at this location will be an oil dispensing vending machine and one or more food and drink vending machine(s). The Petitioners' Fuel Service Station is designed in a circular one-way entry and exit pattern to facilitate prompt fuel dispensing to customers with limited wait times. The design of the Fuel Service Station is more particularly shown on Petitioners' Exhibit 4, which was submitted at the hearing.

The Fuel Service Station will be controlled and monitored through a system of computers stored in a utility shed and security cameras located on the property. Weekly maintenance and cleaning services will be provided to ensure cleanliness of the site. It is also noted that the facility will not be open to the general public. Instead, each commercial customer desiring to use the Fuel Service Station will be required to enter into a contract with American Commercial Fueling and will be given an electronic identification card which activates the fuel pumps and vending machines. It is anticipated that the primary customers for the station will be the occupants of the commercial and industrial area described above.

Finally, Petitioners' engineer, Mr. Colbert, testified that the Fuel Service Station will meet or exceed all governmental (State and Federal) safety regulations with respect to the storage and dispensing of fuels and otherwise satisfies the standards set forth in Section 502.1 of the B.C.Z.R. for granting a special exception.

Section 502.1 of the B.C.Z.R. is clear regarding the standards that must be applied when a Zoning Commissioner considers a special exception. Based upon the testimony and evidence presented, the proposed use of the property as a Truck Stop as described above conforms with the commercial and industrial uses of the surrounding properties and as noted above, the Fuel Service Station will meet or exceed all governmental safety regulations with respect to the underground fuel storage tanks and the dispensing of those fuels. Consequently, such proposed

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Date 2-26-08
By 30

use (i) will not be detrimental to the health, safety or general welfare of the Rosedale locality; (ii) will not create a congestion in the roads; (iii) will not create a potential hazard from fire or other danger; (iv) will not be detrimental to the environmental and natural resources of the site; (v) will not otherwise interfere with the provision for adequate facilities in the area; and (vi) will not otherwise be inconsistent with the purposes of the property's zoning classification or the spirit and intent of the B.C.Z.R.

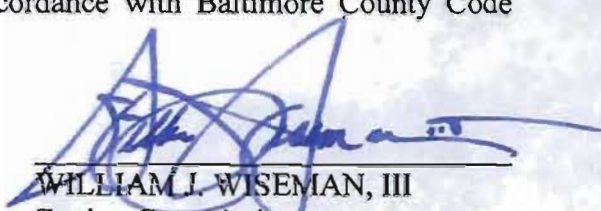
Moreover, neither the community nor the agency representatives that have reviewed this proposal submitted any adverse Zoning Advisory Committee (ZAC) comments and do not oppose the Petitioners' request. Therefore, I find that the criteria outlined in Section 502.1 of the B.C.Z.R. and the case law set forth in *Schultz v. Pritts*, 291 Md. 1 (1981) as the leading authority have been satisfied and that the requested special exception should be granted. Notably, this relief can be granted without incurring a detrimental impact to adjacent properties or the surrounding locale.

Pursuant to the advertisement, posting of the property and public hearing on this Petition held, and for the reasons set forth above, the Petition for Special Exception shall be granted.

THEREFORE, IT IS HEREBY ORDERED by the Zoning Commissioner for Baltimore County on this 26th day of February, 2008 that the Petition for Special Exception to permit a truck stop, pursuant to Section 236.4 of the Baltimore County Zoning Regulations (B.C.Z.R.), in accordance with Petitioners' Exhibit 3, 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, 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.

Any appeal of this Order shall be taken in accordance with Baltimore County Code
Section 32-3-401.

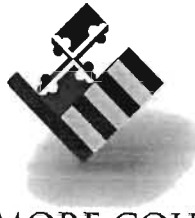


WILLIAM J. WISEMAN, III
Zoning Commissioner
for Baltimore County

ORDER RECEIVED FOR FILING

Date 2-26-08

By 123



BALTIMORE COUNTY
MARYLAND

JAMES T. SMITH, JR.
County Executive

WILLIAM J. WISEMAN III
Zoning Commissioner

February 26, 2008

Jeffrey H. Scherr, Esquire
Brian S. Southard, Esquire
Kramon & Graham, P.A.
One South Street, Suite 2600
Baltimore, Maryland 21202

RE: PETITION FOR SPECIAL EXCEPTION
E/S Yellow Brick Road, 210' N Race Road
(8815 Yellow Brick Road)
15th Election District - 6th Council District
Tri-Kaze Partnership, *Owner*; American Commercial Fueling, *Contract Lessee* - Petitioners
Case No. 08-255-X

Dear Counsel:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Special Exception has been granted a restriction in accordance with the attached Order.

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

Very truly yours,

A handwritten signature in black ink, appearing to read "William J. Wiseman III".
WILLIAM J. WISEMAN, III
Zoning Commissioner
for Baltimore County

WJW:dlw
Enclosure

c: Paul W. Madigan, Tri-Kaze Partnership, 936 Glenangus Drive, Bel Air, MD 21015
Alan G. Weaver, P.E., Managing Member, American Commercial Fueling, 23 East Eager Street,
Suite 100, Baltimore, MD 21202
Ken Colbert, Professional Engineer, Colbert Matz Rosenfelt, Inc., 2835 Smith Avenue, Suite G,
Baltimore, MD 21209
People's Counsel; File



Petition for Special Exception

to the Zoning Commissioner of Baltimore County

for the property located at: 8815 Yellow Brick Road

which is presently zoned BR

Deed Reference 6905/812, 6905/819, and 7110/747

Tax Account # 2400012014

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 of hereof, hereby petition for a Special Exception under the Zoning Regulations of Baltimore County, to use the herein described property for

A truck stop under Section 236.4, BCZR.

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 the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

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

Contract Purchaser/Lessee:

Rolfe Robertson American Commercial Fueling

Name - Type or Print

Signature

23 East Eager Street, Suite 100

Address.

Baltimore

City

410-522-2210

Telephone No.

Md. 21202

State Zip Code

Attorney For Petitioner:

Jeffrey Scherr, Esq.

Name - Type or Print

Signature

Kramon & Graham, P.A.

Company

One South Street, Suite 2600

Address

Baltimore

City

410-752-6030

Telephone No.

Md. 21202

State Zip Code

Legal Owner(s):

Paul Madigan Tri-Kaze Partnership

Name - Type or Print

Signature

Name - Type or Print

Signature

936 Glenangus Drive

Address.

Bel Air

City

410-838-1828

Telephone No.

Md.

State Zip Code

Representative to be Contacted:

Kenneth J. Colbert, P.E.

COLBERT MATZ ROSENFELT, INC

2835 Smith Avenue, Suite G

Address

Baltimore

City

410-653-3838

Telephone No.

MD 21209

State Zip Code

Case No. 08 255 X

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING 1 HR

UNAVAILABLE FOR HEARING -

Reviewed By VL Date 12/04/07

ORDER RECEIVED FOR FILING

Date 2-26-08

By SW



08 255 X

ZONING DESCRIPTION 8815 YELLOW BRICK ROAD

Beginning at a point on the east side of Yellow Brick Road, which is 70 feet wide, at a distance of 210 feet, more or less, north of the centerline of Race Road, which is of varying width, thence the following courses and distances:

N 35°50'44" E, 39.69 ft.;
with a curve to the right,
152.09 ft, with a radius of 1445.36 ft.;
S 54°38'00" E, 253.62 ft.;
S 35°22'00" W, 72.35 ft.;
S 57°21'44" W, 149.16 ft.;
N 32°38'16" W, 47.69 ft.;
N 54°09'16" W, 163.14 ft. to the Point of Beginning

Being a part of Lot # 2 in the subdivision of Sterling Auto Body, as recorded in Baltimore County Plat Book # 78, Folio # 22, and containing 1.09 acre. Also being part of 8815 Yellow Brick Road, and located in the 15th Election District, 6th Councilmanic District.



Professional Certification: I hereby certify that these plans were prepared or approved by me, and that I am a duly licensed professional engineer under the laws of the State of Maryland.

License No. 9752 Expiration Date: 2/28/08

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: #08-255-X

8815 Yellow Brick Road

E/side of YellowBrick Road, 210 feet north of Race Road

15th Election District-6th Councilmanic District

Legal Owner(s): Tri-Kaze Partnership

Contract Purchaser: American Commercial Fueling,

Rolfe Robertson

Special Exception: for a truck stop under Section 236.4, BCZR

Hearing: Monday, February 4, 2008 at 11:00 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 accommodations Please Contact the Zoning Commissioner's Office at (410) 887-3868.

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

1/233 Jan 17

160562

CERTIFICATE OF PUBLICATION

1/17/2008

THIS IS TO CERTIFY, that the annexed advertisement was published in the following weekly newspaper published in Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 1/17/2008.

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

J. Wilkinson

LEGAL ADVERTISING

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET AND FINANCE
MISCELLANEOUS RECEIPT

255

No. 08738

Date: 12/04/07

PAID RECEIPT

Fund	Agcy	Orgn	Sub Orgn	Rev Source	Sub Rev	Rept Catg	BS Acct	Amount
001	006			6150				380.00

Total: 380.00

Rec From: American Commercial/Fin. Co.
 For: SPX @ 8815 Yellow Birch Rd.

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

BUSINESS ACTUAL TIME BPM
 12/04/2007 12/04/2007 15:16:19 4
 RECEIPT # 409261 12/04/2007 OFIN
 S 528 ZONING VERIFICATION
 0007730
 Recpt Tot \$380.00
 \$380.00 CK \$4.00 CA
 Baltimore County, Maryland

**CASHIER'S
 VALIDATION**

CERTIFICATE OF POSTING

ATTENTION: KRISTEN MATTHEWS

DATE: 01/23/08

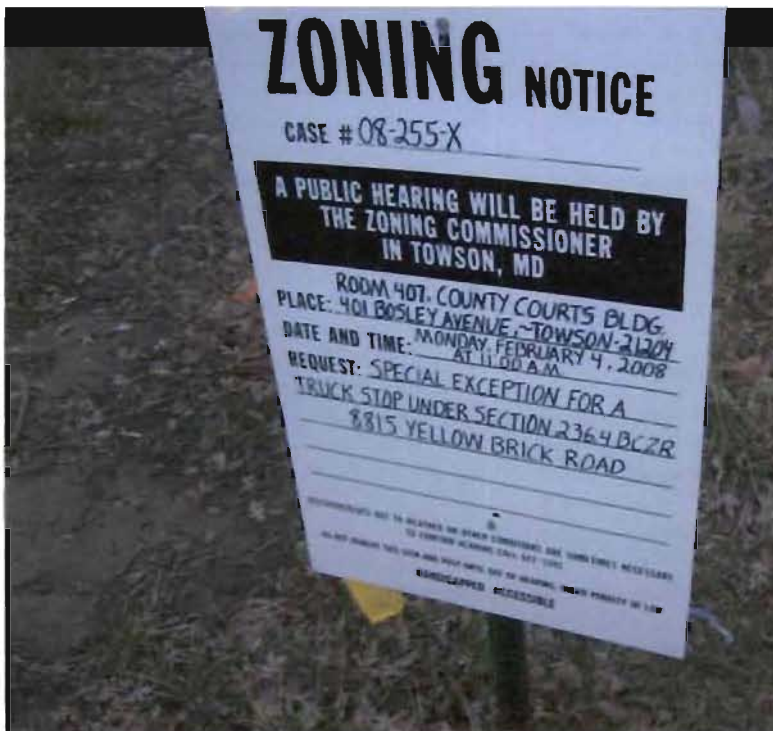
Case Number: 08-255-X

Petitioner / Developer: COLBERT, MATZ & ROSENFELT INC.

Date of Hearing (Closing): FEBRUARY 4, 2008

This is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at:
8815 YELLOW BRICK ROAD

The sign(s) were posted on: 01/19/08



Linda O'Keefe
(Signature of Sign Poster)

Linda O'Keefe
(Printed Name of Sign Poster)

523 Penny Lane
(Street Address of Sign Poster)

Hunt Valley, Maryland 21030
(City, State, Zip of Sign Poster)

410 - 666 - 5366
(Telephone Number of Sign Poster)

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

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

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

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

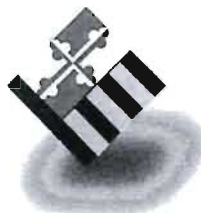
OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.

For Newspaper Advertising:

Item Number or Case Number: 08-255-X
Petitioner: ~~American Commercial Fueling~~ Tri-Kaze Partnership
Address or Location: 8815 Yellow Brick Rd.

PLEASE FORWARD ADVERTISING BILL TO:

Name: Mr. Rolfe Robertson
Address: American Commercial Fueling
23 E. Eager St., Suite 100
Baltimore, Md 21202
Telephone Number: 410-522-2210



BALTIMORE COUNTY

M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

December 21, 2007
TIMOTHY M. KOTROCO, *Director*
*Department of Permits and
Development Management*

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: 08-255-X

8815 Yellow Brick Road

E/side of Yellow Brick Road, 210 feet north of Race Road

15th Election District – 6th Councilmanic District

Legal Owners: Tri-Kaze Partnership

Contract Purchaser: American Commercial Fueling, Rolfe Robertson

Special Exception for a truck stop under Section 236.4, BCZR.

Hearing: Monday, February 4, 2008 at 11:00 a.m. in Room 407, County Courts Building,
401 Bosley Avenue, Towson 21204

Timothy Kotroco
Director

TK:klm

C: Jeffrey Scherr, Kramon & Graham, One South Street, Ste. 2600, Baltimore 21202
Rolfe Robertson, 23 East Eager Street, Ste. 100, Baltimore 21202
Paul Madigan, 936 Glenangus Drive, Bel Air 21014
Kenneth Colbert, 2835 Smith Avenue, Ste. G, Baltimore 21209

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY SATURDAY, JANUARY 19, 2008.**
- (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
Thursday, January 17, 2008 Issue - Jeffersonian

Please forward billing to:

Rolfe Robertson
American Commercial Fueling
23 E. Eager Street, Ste. 100
Baltimore, MD 21202

410-522-2210

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: 08-255-X

8815 Yellow Brick Road

E/side of Yellow Brick Road, 210 feet north of Race Road

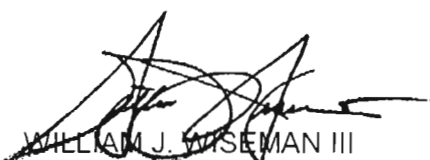
15th Election District – 6th Councilmanic District

Legal Owners: Tri-Kaze Partnership

Contract Purchaser: American Commercial Fueling, Rolfe Robertson

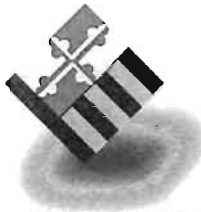
Special Exception for a truck stop under Section 236.4, BCZR.

Hearing: Monday, February 4, 2008 at 11:00 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.



BALTIMORE COUNTY
MARYLAND

JAMES T. SMITH, JR.
County Executive

TIMOTHY M. KOTROCO, *Director*
Department of Permits and
Development Management

January 30, 2008

Jeffrey Scherr, Esquire
Kramon & Graham, P.A.
One South Street, Suite 2600
Baltimore, Maryland 21202

Dear Mr. Scherr:

RE: Case Number: 08-255-X, 8815 Yellow Brick Road

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on December 4, 2007. This letter is not an approval, but only a **NOTIFICATION**.

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,

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR:amf

Enclosures

c: People's Counsel

Rolfe Robertson American Commercial Fueling 23 East Eager Street, Suite 100
Baltimore 21202

Paul Madigan Tri-Kaze Partnership 936 Glenangus Drive Bel Air 21014

Kenneth J. Colbert, P.E. Colbert Matz Rosenfelt, Inc 2835 Smith Avenue, Suite G
Baltimore 21209

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

TO: Timothy M. Kotroco, Director
Department of Permits & Development
Management

DATE: December 12, 2007

FROM: ^{DAK} Dennis A. Kennedy, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
For December 17, 2007
Item Nos. 08-248, 249, 251, 252, 253,
254, 255, 256, and 258

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- 121207.doc



Baltimore County
Fire Department

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

County Office Building, Room 111
, 2007
Mail Stop #1105
111 West Chesapeake Avenue
Towson, Maryland 21204

December 3, 2007

ATTENTION: Zoning Review Planners

Distribution Meeting Of: December 10, 2007

Item Number: 250,252,255

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.

3. 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 Roland P Bosley Jr.
Fire Marshal's Office
410-887-4880 (C) 443-829-2946
MS-1102F

cc: File

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



Printed with Soybean Ink
on Recycled Paper



Martin O'Malley, Governor
Anthony G. Brown, Lt. Governor

State Highway
Administration

John D. Porcari, Secretary
Neil J. Pedersen, Administrator

Maryland Department of Transportation

Date: 12/11/2007

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

RE: Baltimore County
Item No. 8-255-X
8819 YELLOW BRICK ROAD
TRI-KAZE PARTNERSHIP
SPECIAL EXCEPTION

Dear Ms. Matthews:

Thank you for the opportunity to review your referral request on the subject of the above captioned. We have determined that the subject property does not access a State roadway and is not affected by any State Highway Administration projects. Therefore, based upon available information this office has no objection to Baltimore County Zoning Advisory Committee approval of Item No. 8-255-X.

Should you have any questions regarding this matter, please contact Michael Bailey at 410-545-2803 or 1-800-876-4742 extension 5593. Also, you may E-mail him at (mbailey@sha.state.md.us).

Very truly yours,

Foster Steven D. Foster, Chief
Engineering Access Permits
Division

SDF/MB

My telephone number/toll-free number is _____

Maryland Relay Service for Impaired Hearing or Speech: 1.800.735.2258 Statewide Toll Free

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

RE: PETITION FOR SPECIAL EXCEPTION * BEFORE THE
8115 Yellow Brick Road; E/S Yellow
Brick Road, 210' N Race Road * ZONING COMMISSIONER
15th Election & 6th Councilmanic Districts
Legal Owners: American Commercial Fueling* FOR
Petitioner(s) * BALTIMORE COUNTY
* 08-255-X

* * * * *

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 and documentation filed in the case.

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio

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

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 13th day of December, 2007, a copy of the foregoing Entry of Appearance was mailed Kenneth Colbert, P.E., Colbert Matz Rosenfelt, Inc, 2835 Smith Avenue, Suite G, Baltimore, MD 21209 and Jeffrey Scherr, Esquire, Kramon & Graham, P.A. One South Street, Suite 2600, Baltimore, MD 21202, Attorney for Petitioner(s).

RECEIVED

DEC 13 2007

Per.....

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

08-255-X

From: Curtis Murray
To: Wiley, Debra
Date: 02/01/08 11:40:07 AM
Subject: Re: Comments Needed for Bill

Ok I will get them to you as soon as they are approved. Some of them are under discussion.

Curtis J. Murray
Development Planner
Baltimore County Office of Planning
County Courts Building
401 Bosley Avenue
Towson, Maryland 21204
410-887-3480
Fax: 410-887-5862
cjmurray@co.ba.md.us

>>> Debra Wiley 02/01/08 11:32 AM >>>
Hi Curtis,

Bill needs comments for the following cases:

Monday, 2/4 @ 9 AM, Room 407 - Case No. 08-250-A
7707 Fairgreen Road
N/side of Fairgreen Road, 237 feet east of c/line of Louth Road
12th Election District, 7th Council District
Legal Owner: Raymond Barnes

Variance to permit a proposed pier off an irregular shoreline to have a zero (0) foot side setback on both sides of a divisional line in lieu of the minimum required 10 feet.

Monday, 2/4 @ 11 AM, Room 407 - Case No. 08-255-X
8815 Yellow Brick Road
E/side of Yellow Brick Road, 210 feet north of Race Road
15th Election District, 6th Council District
Legal Owners: Tri-Kaze Partnership
Contract Purchaser: American Commercial Fueling, Rolfe Robertson

Special Exception for a truck stop under Section 236.4, B.C.Z.R.

Friday, 2/8 @ 2 PM, Room 407 - Case No. 08-252-SPHA
Carriage Hills
S/west side of Liberty Road, S/east corner of Metropolitan Boulevard
2nd Election District, 4th Council District
Legal Owners: Clark Turner Companies, Dan Whitehurst, Land Development Manager

Special Hearing to confirm the zoning relief granted in HOH Case 04-026-A remains under currently revised plan.

Variance to allow a minimum setback of 15 feet from a front building face to a public street right-of-way or property line for garage units, in lieu of the required 25 feet, for lots 25-32, 53-54, 79-88, 89-94, 95-121, and 130-145 and to allow a minimum setback of 15 feet from any building face to a tract boundary, in lieu of the required 30 feet, for lots 89-94 and 122-129 and to allow a minimum setback of 15; from side building face to public street right-of-way, in lieu of the required 25 feet, for lots 7, 14, 52, 53, 77, 95, 105-106, 121, 129, 130, and 145 and to allow a minimum setback of 30 feet from a rear building face to a public street right-of-way, in lieu of the required 45 feet, for lots 1-14, 89-94, and 122-129 and to allow a minimum setback of 10 feet from the rear property line for a deck or one-story open porch, in lieu of the

requirement that any such deck or porch extend into the rear yard not more than 25% of the minimum required depth of the rear, for lots 1-54 and 79-159 and a modification to allow a minimum setback of 20 feet from side building face to side building face, in lieu of the required 25 feet, for lots 20-21, 26-27, 38-39, 45-46, 82-83, 99-100, 110-111, 116-117, 134-135, 140-141, 150-151, 154-155.

Thanks and have a great day !!

Debbie Wiley
Legal Administrative Secretary
Office of the Zoning Commissioner
401 Bosley Avenue, Room 405
Towson, Md. 21204
410-887-3868
410-887-3468 (fax)
dwiley@baltimorecountymd.gov

TRUCK STOP -- A structure or land used or intended to be used primarily for the sale of fuel for trucks and, usually, incidental service or repair of trucks; or a group of facilities consisting of such a use and attendant eating, sleeping or truck parking facilities. As used in this definition, the term "trucks" does not include any vehicle whose maximum gross weight is 10,000 pounds or less, as rated by the State Motor Vehicle Administration. [Bill No. 18-1976]

hours of operation
lights / NOISE

measuring

OP

2/1

08-255 X

DEB

No comments

FID

Comment

Stm

No objection

Notice ✓

Posting ✓

PC Appearance ✓

CASE NAME _____
CASE NUMBER 08-255-X
DATE 2-4-08

[illegible]

Case No.:

8815 Yellow Brick Road

Exhibit Sheet

Petitioner/Developer

Protestant

No. 1	Site PLAN 30x70	
No. 2	Red lined Site PLAN 30x84	
No. 3	Revised Site Plan	
No. 4	WASHINGTON BLVD facility in JESSUP EXEMPLER STATION	
No. 5	Aerial Photo of area	
No. 6	ZONING MAP	
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		

1"=200'

12/3/07

MAP 90A1

N

LMR # 92052.11

R 16

POCONO CT

CATOCTIN CT

BOULDERCREST CT

MAYFLOWER RD

DGE RD

RIDGE RD

MAIDSTONE CT

ASPENWOOD WAY

MAYA WAY

DR 5.5

RO

BL AS

BL

ML IM

RO

PINE NEEDLE LN

RAMP

RAMP

RAMP

253

YELLOW BRICK ROAD

SPECIAL EXCEPTION AREA

ML IM

BL

RACE RD

ROSSVILLE BLVD

BR

SITE

PULASKI HWY

BR AS

ML

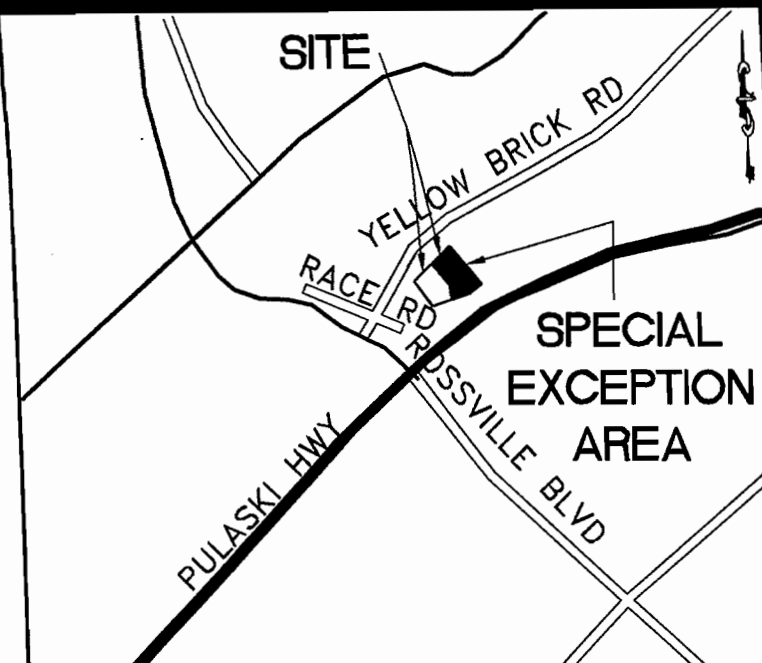
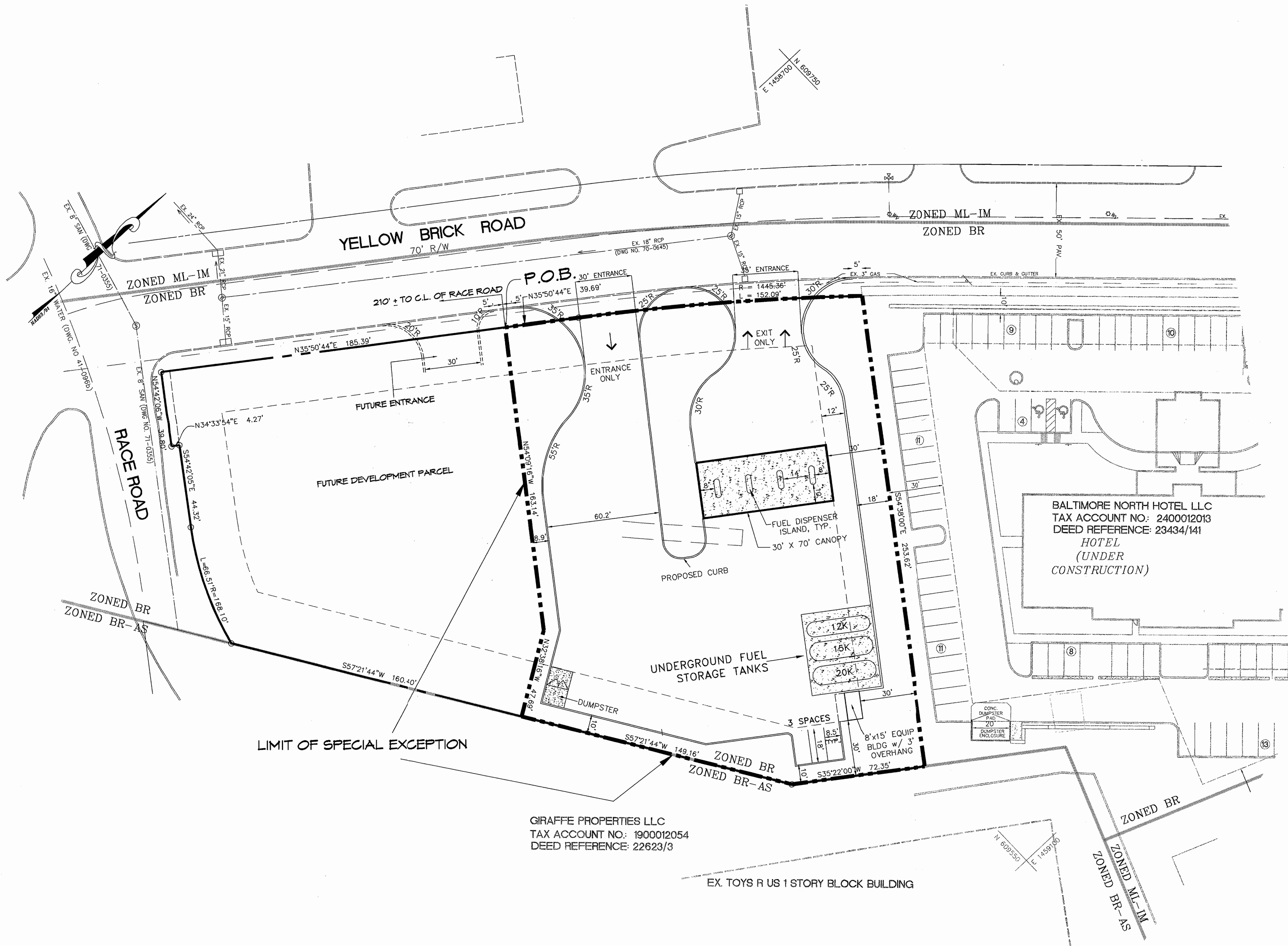
RAMP

RAMP

RAMP

ROAD

3M



- NOTES:**
- OWNER:
TRI KAZE PARTNERSHIP
936 GLENANGUS DRIVE
BEL AIR, MD 21015
DEVELOPER:
ROLFE ROBERTSON
AMERICAN COMMERCIAL FUELING
23 E. LAGER STREET, SUITE 100
BALTIMORE, MD 21202
410-522-2210
 - ELECTION DISTRICT NO.: 15 COUNCILMANIC DISTRICT NO.: 6
 - CENSUS TRACT: 4512
WATERSHED: 22
SUBWATERSHED: 2
ZONED: BR
TAX MAP 90, GRID 7
PLAT REF. 78/22; DEED REF.: N/A
 - SITE DATA:
TAX ACCOUNT NO.: 2400012014
AREA: 79,355 SQ.FT. (1.8217 AC.)
SPECIAL EXCEPTION AREA: 47,606 SQ. FT. (1.09 AC.)
ZONING-BR
 - EXISTING USE: VACANT
PROPOSED USE: TRUCK STOP
 - THE PROPOSED TRUCK STOP MEETS THE DEFINITION IN THE BCZR AS A "STRUCTURE OR LAND USED OR INTENDED TO BE USED PRIMARILY FOR THE SALE OF FUEL FOR TRUCKS." THE FACILITY WILL BE USED FOR CONTRACT SALES OF FUEL PRIMARILY TO TRUCK FLEETS.
 - FLOOR AREA RATIO: N/A
 - PARKING CALCULATIONS
THERE ARE NO SPECIFIC PARKING REQUIREMENTS IN THE BCZR. THREE PARKING SPACES WILL BE PROVIDED. PARKING WILL BE DURABLE AND DUSTLESS PAVING. PARKING STRIPING WILL BE PERMANENT.
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 - NO PREVIOUS COMMERCIAL PERMIT ON FILE.
 - THERE ARE NO EXISTING WELLS, SEPTIC TANKS OR UNDERGROUND STORAGE TANKS ON THIS SITE.
 - ALL PROPOSED SIGNAGE SHALL COMPLY WITH SEC. 450.4 OF THE B.C.Z.R.
 - SUBJECT SITE TO BE SERVED BY EXISTING PUBLIC WATER AND SEWER.
 - THE PROPERTY IS NOT LOCATED WITHIN THE CHESAPEAKE BAY CRITICAL AREA
 - THE SITE IS NOT LOCATED WITHIN A 100-YR FLOODPLAIN.
 - THERE ARE NO KNOWN HISTORICAL STRUCTURES OR ARCHEOLOGICAL AREAS ASSOCIATED WITH THIS SITE.
 - ONSITE TOPOGRAPHIC INFORMATION HEREON IS BASED ON A FIELD RUN TOPOGRAPHIC SURVEY PROVIDED BY COLBERT MATZ ROSENFELT, INC. DATED DECEMBER, 2002 AND FROM BALTIMORE COUNTY GIS TILE NO. 90A2.
 - ON JUNE 13, 2005, THE DEVELOPMENT REVIEW COMMITTEE APPROVED A REFINEMENT TO THE EXISTING DEVELOPMENT PLAN (DRC NO. 061305L) FOR AN 80-ROOM HOTEL ON LOT 1. LOT 2 WAS RESERVED FOR FUTURE DEVELOPMENT. THE SECOND AMENDED DEVELOPMENT PLAN WAS APPROVED ON JUNE 21, 2004.
ON NOVEMBER 5, 2007, THE DEVELOPMENT REVIEW COMMITTEE TABLED A REQUEST FOR THE DEVELOPMENT OF THIS PROPERTY (DRC # 110507L), PENDING A ZONING HEARING.

ZONING HISTORY:
ON NOVEMBER 17, 1993, IN CASE NUMBERS, XV-586 & 94-136-A, VARIANCES WERE GRANTED THAT ALLOWED A RESTAURANT TO BE BUILT WITHOUT THE NORMAL REQUIRED SETBACKS.

SPECIAL EXCEPTION FOR A TRUCK STOP IN A BR ZONE UNDER SECTION 236.4

PLAN TO ACCOMPANY SPECIAL EXCEPTION AMERICAN COMMERCIAL FUELING
8815 YELLOW BRICK ROAD
15th ELECTION DISTRICT 6th COUNCILMANIC DISTRICT
BALTIMORE COUNTY, MD.

GRAPHIC SCALE (IN FEET)
1 inch = 30 ft.

Colbert Matz Rosenfelt, Inc.
Engineers * Surveyors * Planners
2835 Smith Avenue, Suite G
Baltimore, Maryland 21209
Telephone: (410) 653-3838
Facsimile: (410) 653-7953

Professional Certification I hereby certify that these documents were prepared or approved by me, and that I am a duly licensed professional engineer under the laws of the State of Maryland. License No. _____ Expiration Date: _____	PETITIONER'S EXHIBIT NO. 1	SCALE: 1"= 30'
		DATE: 12-03-2007
		JOB NO.: 92052.11
		DESIGNED: DRT
		DRAWN: SLD/NAE/DSL
		CHECKED: KJC/MF
		FILE: SPEX.DWG
		DRAWING NUMBER: SPEX-1
		DATE REVISIONS: BY SHEET 1 OF 3

GIRAFFE PROPERTIES LLC
TAX ACCOUNT NO.: 1900012054
DEED REFERENCE: 22623/3

EX. TOYS R US 1 STORY BLOCK BUILDING

BALTIMORE NORTH HOTEL LLC
TAX ACCOUNT NO.: 2400012013
DEED REFERENCE: 23434/141
HOTEL
(UNDER CONSTRUCTION)

12K
15K
20K

UNDERGROUND FUEL STORAGE TANKS

DUMPSTER

3 SPACES

8'x15' EQUIP BLDG w/ 3' OVERHANG

CONC. DUMPSTER PAD 20'

DUMPSTER ENCLOSURE

P.O.B. 30' ENTRANCE

ENTRANCE

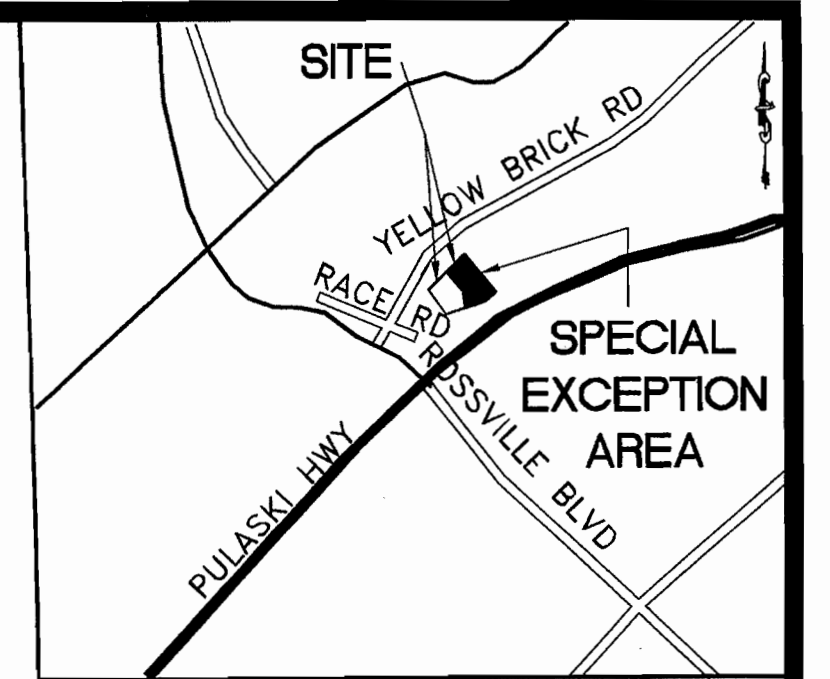
EXIT ONLY

ENTRANCE ONLY

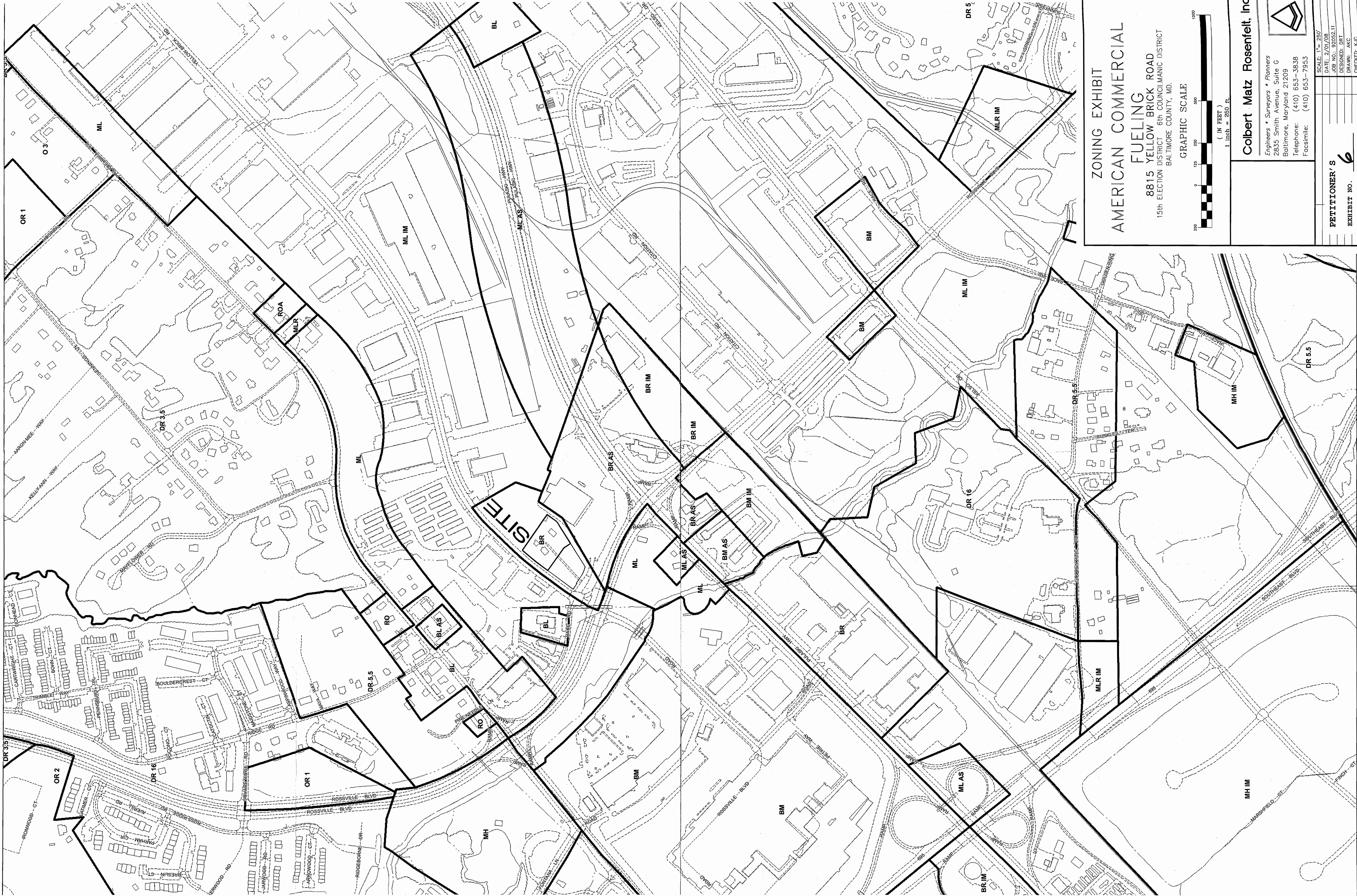
FUTURE ENTRANCE

FUTURE DEVELOPMENT PARCEL

LIMIT OF SPECIAL EXCEPTION



DATE	REVISIONS:	BY	SHEET 1 OF 1
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ZONING EXHIBIT
AMERICAN COMMERCIAL
FUELING
8815 YELLOW BRICK ROAD
15th ELECTION DISTRICT 6th COUNCILMANIC DISTRICT
BALTIMORE COUNTY, MD.
GRAPHIC SCALE
(IN FEET)
1 Inch = 250 ft.

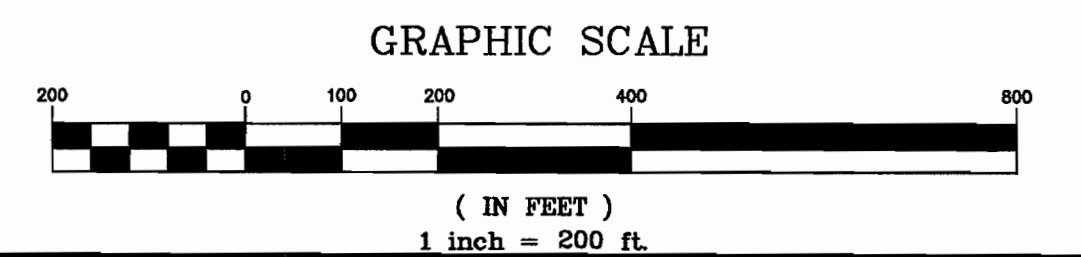
Colbert Matz Rosenfelt, Inc.
Engineers • Surveyors • Planners
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Baltimore, Maryland 21209
Telephone: (410) 653-3838
Facsimile: (410) 653-7953

PETITIONER'S	EXHIBIT NO.	DATE	REVISIONS:	BY	SHEET	OF
	6				2	3
SCALE: 1" = 250'	DATE: 2/07/09	JOB NO.: 2835-11	DRAWN: KAC	CHECKED: KAC	FILE: AERIAL.DWG	ZON-2
					DRAWING NUMBER:	



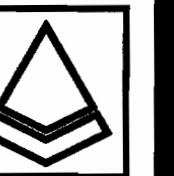
AERIAL PHOTO
AMERICAN COMMERCIAL
FUELING

8815 YELLOW BRICK ROAD
15th ELECTION DISTRICT 6th COUNCILMANIC DISTRICT
BALTIMORE COUNTY, MD.



Colbert Matz Rosenfelt, Inc.

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Telephone: (410) 653-3838
Facsimile: (410) 653-7953



PETITIONER'S
EXHIBIT NO. **5**

SCALE: 1" = 200'
DATE: 2/01/08
JOB NO.: 92052.11
DESIGNED: DRT
DRAWN: AKC
CHECKED: KJC
FILE: AERIAL.DWG
DRAWING
NUMBER: **ZON-1**

DATE REVISIONS: BY SHEET 1 OF 3

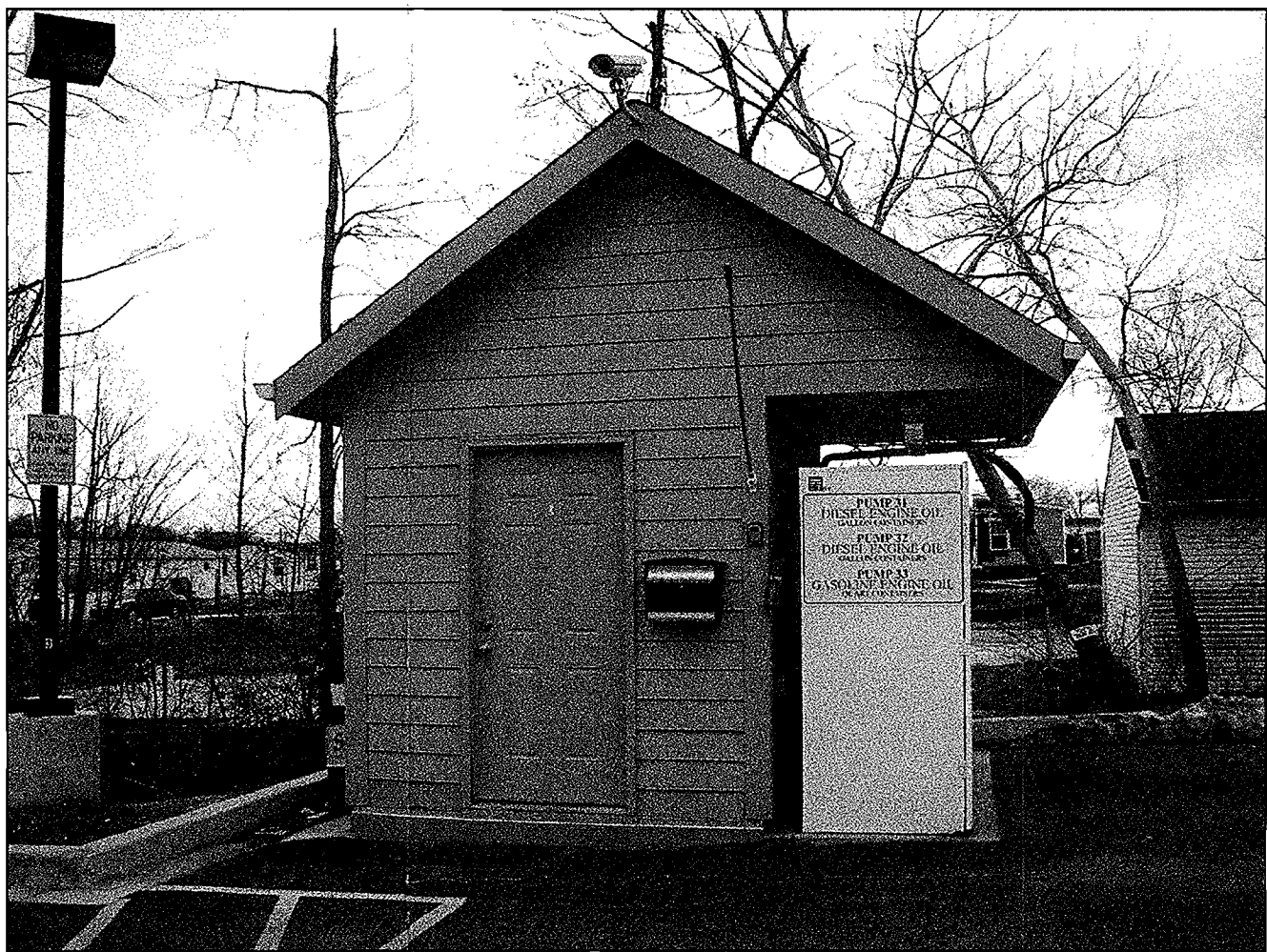
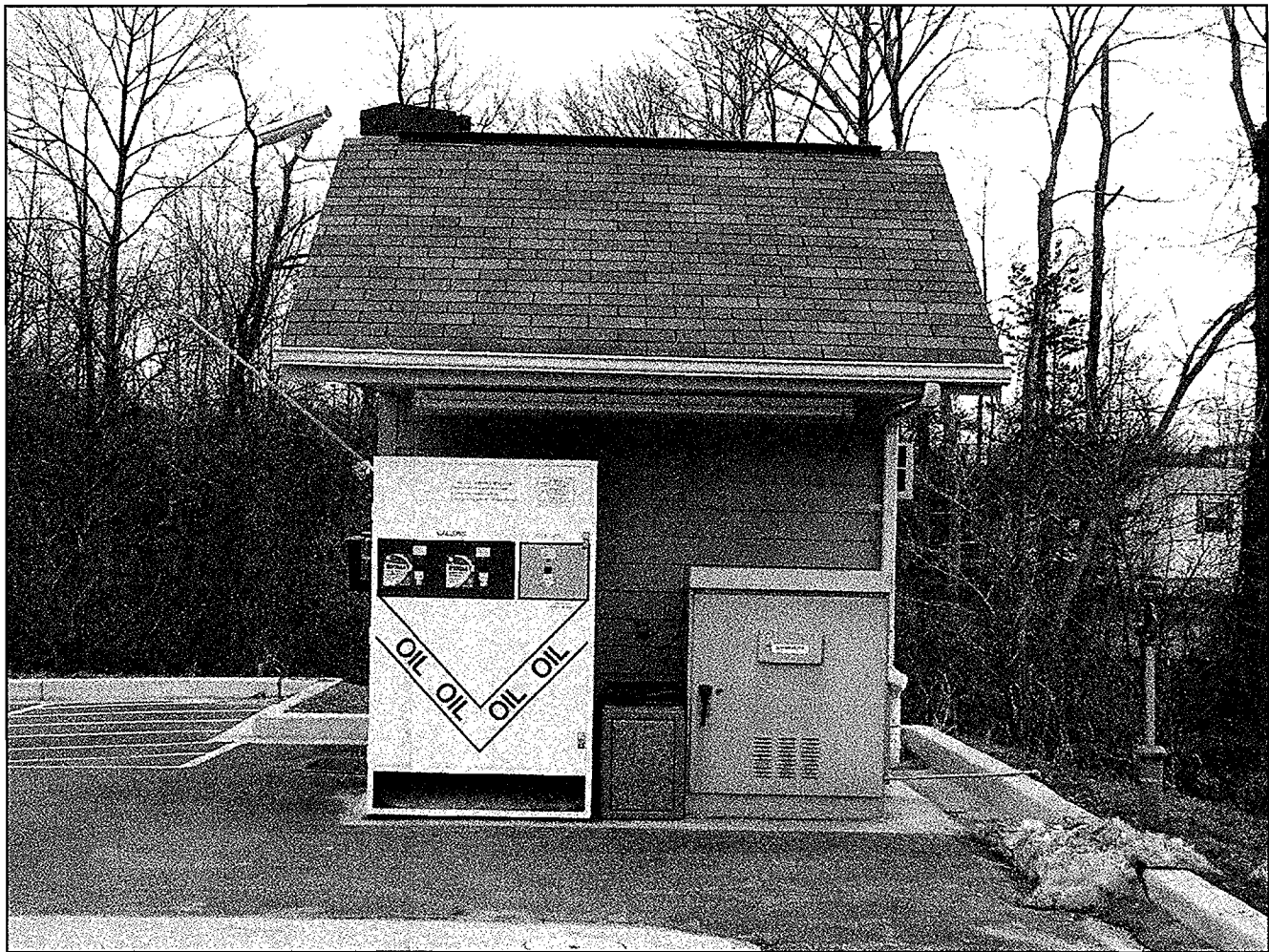


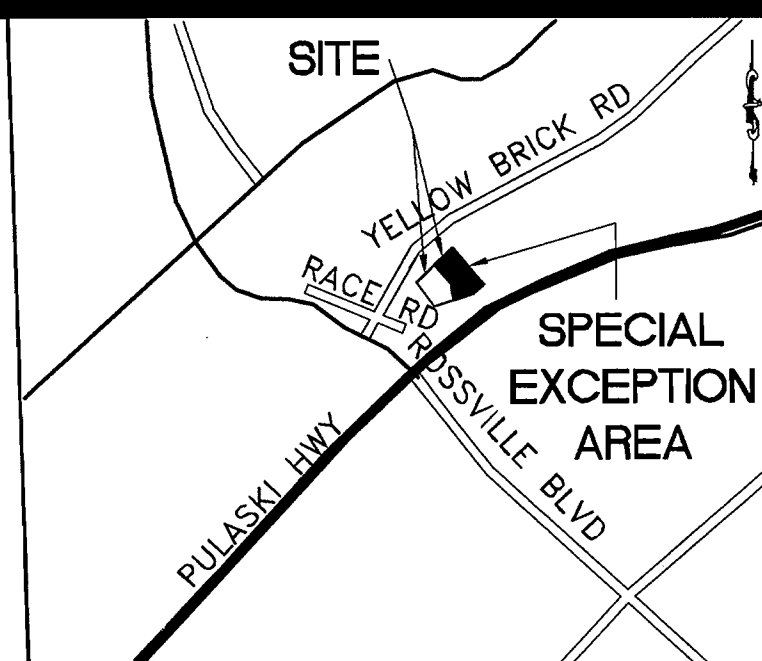
PHOTO EXHIBIT
AMERICAN COMMERCIAL
FUELING
8815 YELLOW BRICK ROAD
15th ELECTION DISTRICT 6th COUNCILMANIC DISTRICT
BALTIMORE COUNTY, MD.

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2835 Smith Avenue, Suite G
Baltimore, Maryland 21209
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Facsimile: (410) 653-7953



PETITIONER'S		SCALE:
EXHIBIT NO. 4		DATE: 2/01/08
		JOB NO.: 92052.11
		DESIGNED: DRT
		DRAWN: AKC
		CHECKED: KJC
		FILE: AERIAL.DWG
		DRAWING NUMBER: ZON-3
DATE	REVISIONS:	BY SHEET 3 OF 3



NOTES:

- OWNER:
TRI KAZE PARTNERSHIP
936 GLENANGUS DRIVE
BEL AIR, MD 21015
DEVELOPER:
ROLFE ROBERTSON
AMERICAN COMMERCIAL FUELING
23 E. EAGER STREET, SUITE 100
BALTIMORE, MD 21202
410-522-2210
- ELECTION DISTRICT NO.: 15 COUNCILMANIC DISTRICT NO.: 6
- CENSUS TRACT: 4512
WATERSHED: 22
SUBWATERSHED: 2
ZONED: BR
TAX MAP: 90, GRID 7
PLAT REF: 78/22; DEED REF.: N/A
- SITE DATA:
TAX ACCOUNT NO.: 2400012014
AREA: 79,355 SQ. FT. (1.8217 AC.)
SPECIAL EXCEPTION AREA: 47,606 SQ. FT. (1.09 AC.)
ZONING-BR
- EXISTING USE: VACANT
PROPOSED USE: TRUCK STOP
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THE FACILITY WILL BE USED FOR CONTRACT SALES OF FUEL PRIMARILY TO TRUCK FLEETS.
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- PARKING CALCULATIONS:
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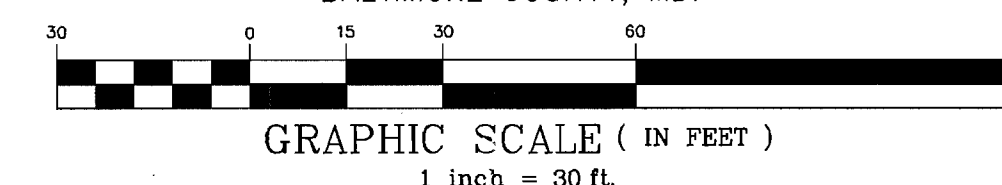
ZONING HISTORY:

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**SPECIAL EXCEPTION FOR A
TRUCK STOP IN A BR ZONE
UNDER SECTION 236.4**

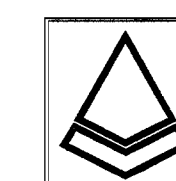
PLAN TO ACCOMPANY SPECIAL EXCEPTION AMERICAN COMMERCIAL FUELING

8815 YELLOW BRICK ROAD
15th ELECTION DISTRICT 6th COUNCILMANIC DISTRICT
BALTIMORE COUNTY, MD.



Colbert Matz Rosenfelt, Inc.

Engineers * Surveyors * Planners
2835 Smith Avenue, Suite G
Baltimore, Maryland 21209
Telephone: (410) 653-3838
Facsimile: (410) 653-7953

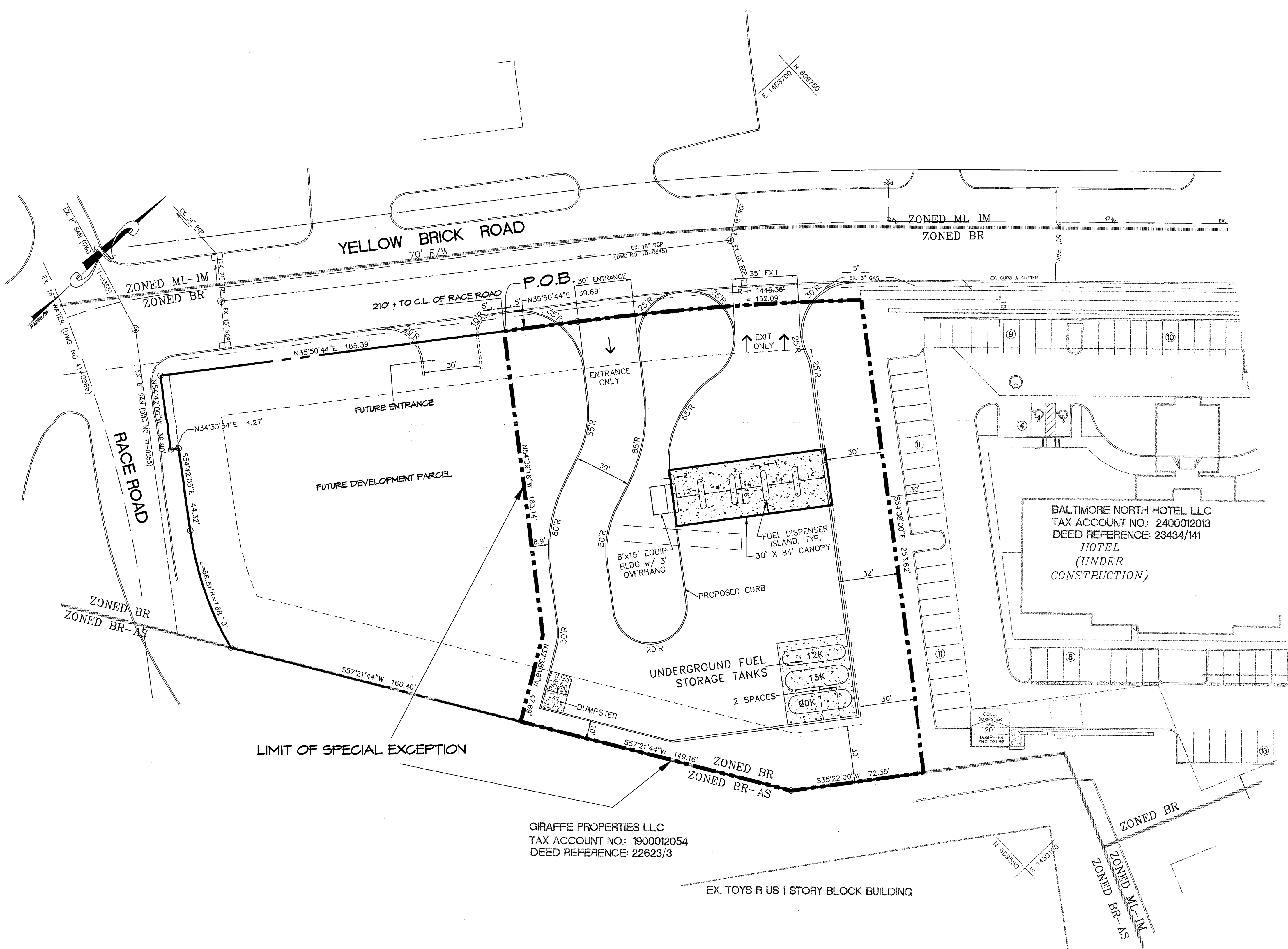


Professional Certification
I hereby certify that these documents were prepared or approved by me, and that I am a duly licensed professional engineer under the laws of the State of Maryland.
License No.:
Expiration Date:

**PETITIONER'S
EXHIBIT NO. 3**

SCALE: 1"= 30'
DATE: 02-01-2008
JOB NO.: 92052.11
DESIGNED: DRT
DRAWN: SLD/NAF/DLS/AKC
CHECKED: KJC/JMF
FILE: SPEX.DWG
DRAWING
NUMBER: **SPEX-2**

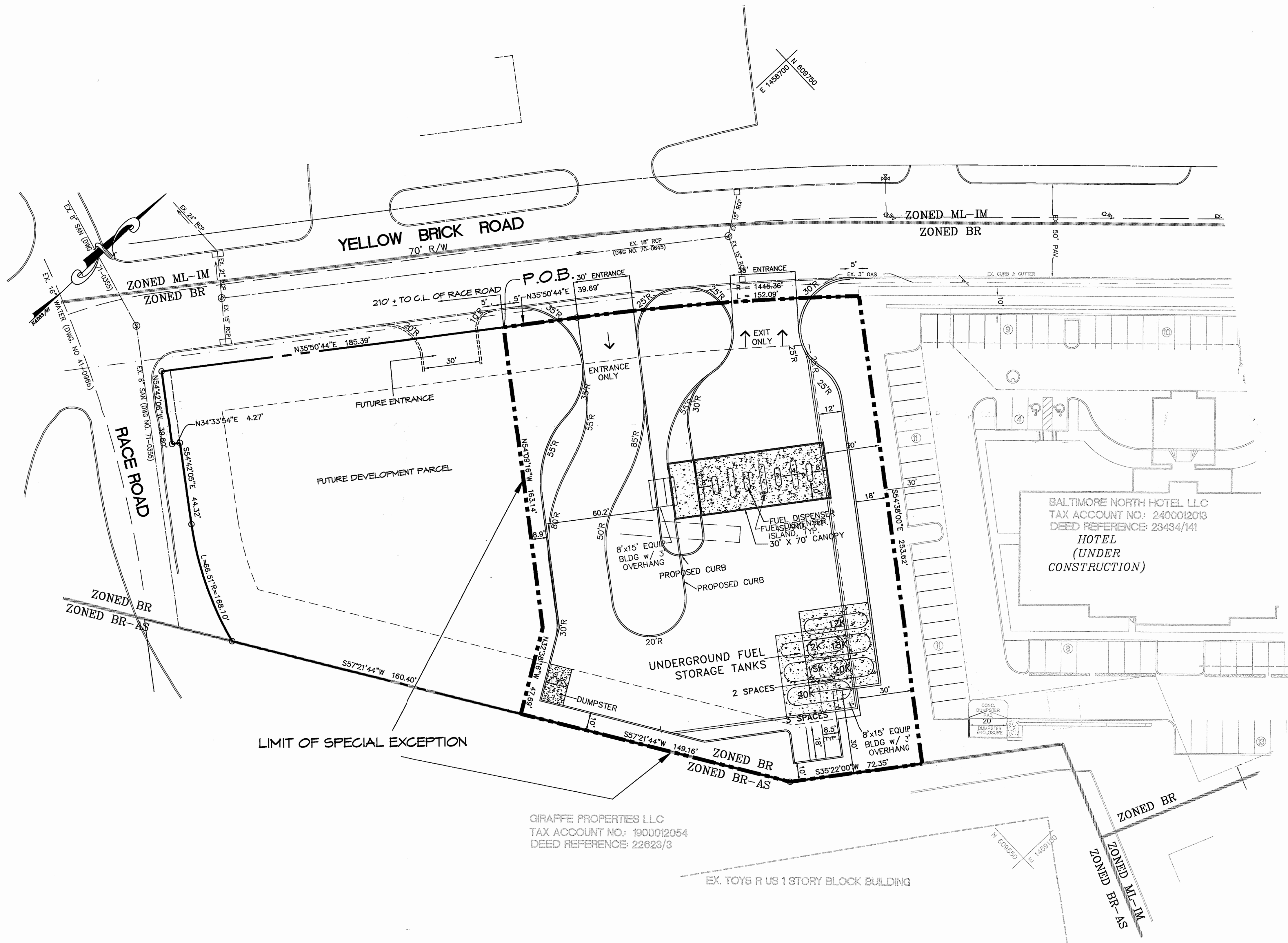
DATE: _____ REVISIONS: _____ BY: _____ SHEET 2 OF 3



GIRAFFE PROPERTIES LLC
TAX ACCOUNT NO.: 1900012054
DEED REFERENCE: 22623/3

EX. TOYS R US 1 STORY BLOCK BUILDING

BALTIMORE NORTH HOTEL LLC
TAX ACCOUNT NO.: 2400012013
DEED REFERENCE: 23434/141
HOTEL
(UNDER CONSTRUCTION)



NOTES:

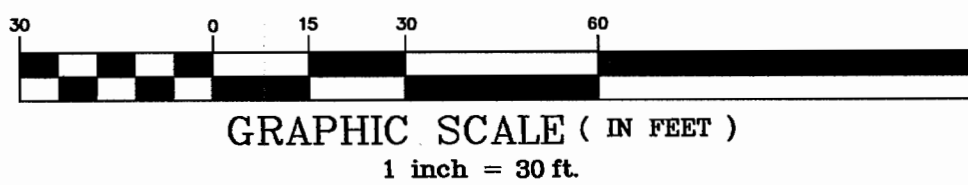
- OWNER:
TRI KAZE PARTNERSHIP
936 GLENANUS DRIVE
BEL AIR, MD 21015
DEVELOPER:
ROLFE ROBERTSON
AMERICAN COMMERCIAL FUELING
23 E. EAGER STREET, SUITE 100
BALTIMORE, MD 21202
410-522-2210
- ELECTION DISTRICT NO.: 15 COUNCILMANIC DISTRICT NO.: 6
- CENSUS TRACT: 4512
WATERSHED: 22
SUBWATERSHED: 2
ZONED: BR
TAX MAP 90, GRID 7
PLAT REF. 78/22; DEED REF.: N/A
- SITE DATA:
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SPECIAL EXCEPTION AREA: 47,606 SQ. FT. (1.09 AC.)
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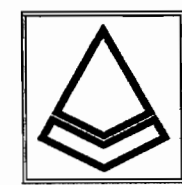
SPECIAL EXCEPTION FOR A
TRUCK STOP IN A BR ZONE
UNDER SECTION 236.4

PLAN TO ACCOMPANY
SPECIAL EXCEPTION
AMERICAN COMMERCIAL
FUELING
8815 YELLOW BRICK ROAD
15th ELECTION DISTRICT 6th COUNCILMANIC DISTRICT
BALTIMORE COUNTY, MD.



Colbert Matz Rosenfelt, Inc.

Engineers * Surveyors * Planners
2835 Smith Avenue, Suite G
Baltimore, Maryland 21209
Telephone: (410) 653-3838
Facsimile: (410) 653-7953



Professional Certification
I hereby certify that these documents were prepared or approved by me, and that I am a duly licensed professional engineer under the laws of the State of Maryland.
License No. _____
Expiration Date: _____

PETITIONER'S
EXHIBIT NO. **Z**

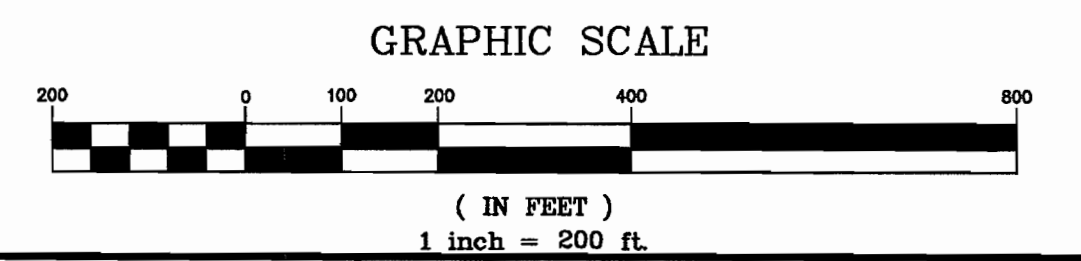
SCALE: 1"= 30'
DATE: 02-01-2008
JOB NO.: 92052.11
DESIGNED: DRT
DRAWN: SLD/NAF/DSL/AKC
CHECKED: KJC/JMF
FILE: REDLINE.DWG
DRAWING NUMBER: RED-1

DATE _____ REVISIONS: _____ BY _____ SHEET 1 OF 1



AERIAL PHOTO
AMERICAN COMMERCIAL
FUELING

8815 YELLOW BRICK ROAD
15th ELECTION DISTRICT 6th COUNCILMANIC DISTRICT
BALTIMORE COUNTY, MD.



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PETITIONER'S
EXHIBIT NO. **5**

SCALE: 1" = 200'
DATE: 2/01/08
JOB NO.: 92052.11
DESIGNED: DRT
DRAWN: AKC
CHECKED: KJC
FILE: AERIAL.DWG
DRAWING
NUMBER: **ZON-1**

DATE REVISIONS: BY SHEET 1 OF 3

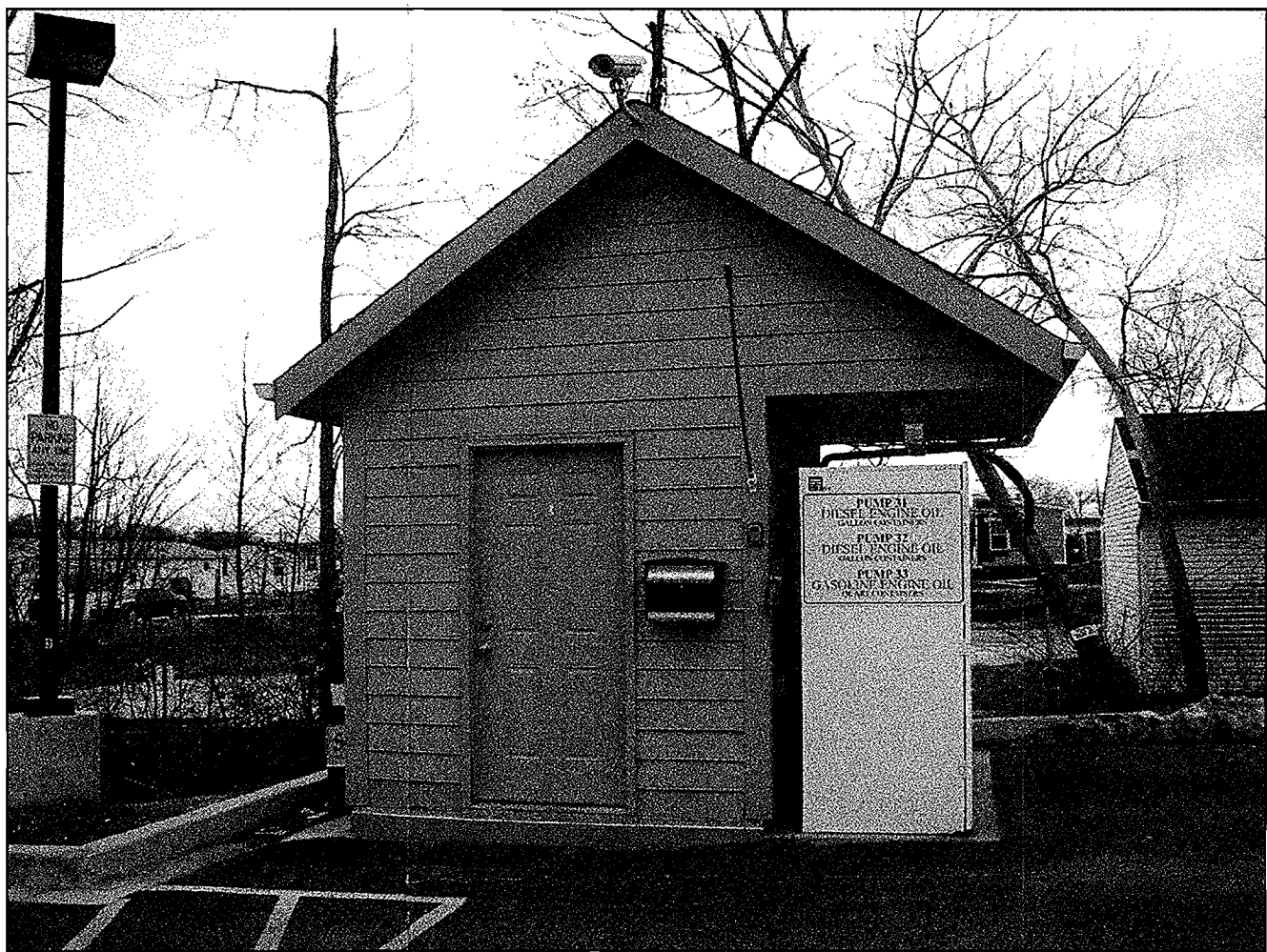
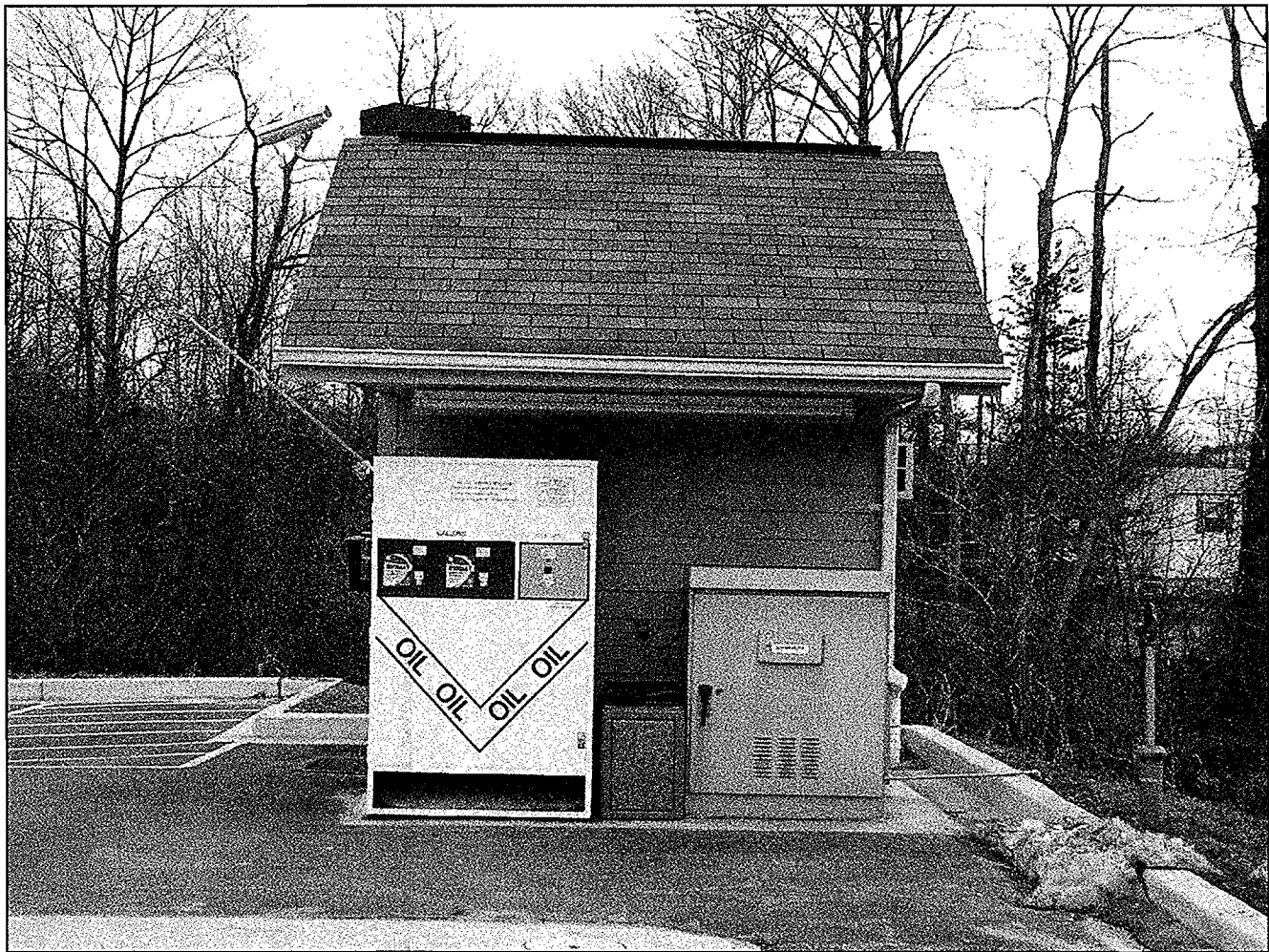


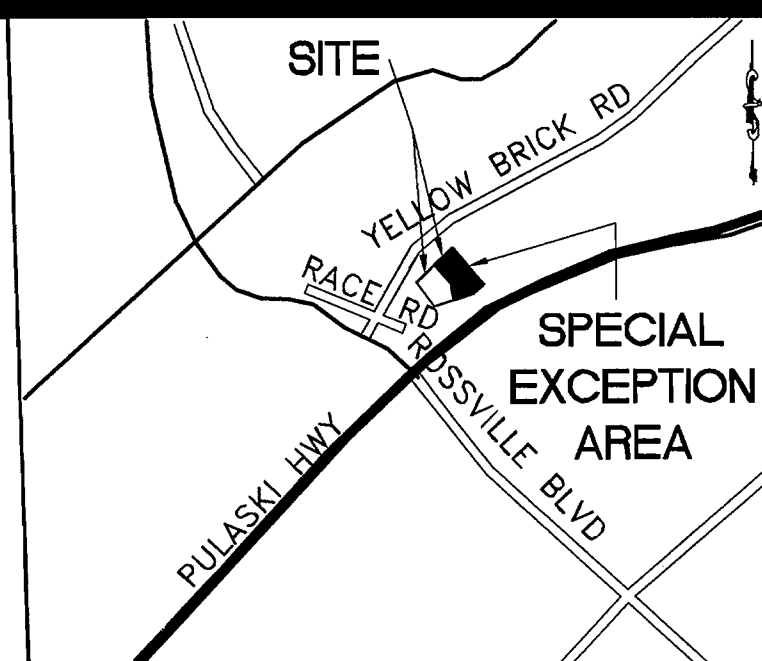
PHOTO EXHIBIT
AMERICAN COMMERCIAL
FUELING
8815 YELLOW BRICK ROAD
15th ELECTION DISTRICT 6th COUNCILMANIC DISTRICT
BALTIMORE COUNTY, MD.

Colbert Matz Rosenfelt, Inc.

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Baltimore, Maryland 21209
Telephone: (410) 653-3838
Facsimile: (410) 653-7953



PETITIONER'S		SCALE:
EXHIBIT NO. 4		DATE: 2/01/08
		JOB NO.: 92052.11
		DESIGNED: DRT
		DRAWN: AKC
		CHECKED: KJC
		FILE: AERIAL.DWG
		DRAWING NUMBER: ZON-3
DATE	REVISIONS:	BY SHEET 3 OF 3



NOTES:

- OWNER:
TRI KAZE PARTNERSHIP
936 GLENANGUS DRIVE
BEL AIR, MD 21015
DEVELOPER:
ROLFE ROBERTSON
AMERICAN COMMERCIAL FUELING
23 E. EAGER STREET, SUITE 100
BALTIMORE, MD 21202
410-522-2210
- ELECTION DISTRICT NO.: 15 COUNCILMANIC DISTRICT NO.: 6
- CENSUS TRACT: 4512
WATERSHED: 22
SUBWATERSHED: 2
ZONED: BR
TAX MAP: 90, GRID 7
PLAT REF: 78/22; DEED REF.: N/A
- SITE DATA:
TAX ACCOUNT NO.: 2400012014
AREA: 79,355 SQ. FT. (1.8217 AC.)
SPECIAL EXCEPTION AREA: 47,606 SQ. FT. (1.09 AC.)
ZONING-BR
- EXISTING USE: VACANT
PROPOSED USE: TRUCK STOP
- THE PROPOSED TRUCK STOP MEETS THE DEFINITION IN THE BCZR AS A "STRUCTURE OR LAND USED OR INTENDED TO BE USED PRIMARILY FOR THE SALE OF FUEL FOR TRUCKS." THE FACILITY WILL BE USED FOR CONTRACT SALES OF FUEL PRIMARILY TO TRUCK FLEETS.
- FLOOR AREA RATIO: N/A
- PARKING CALCULATIONS:
THERE ARE NO SPECIFIC PARKING REQUIREMENTS IN THE BCZR. THREE PARKING SPACES WILL BE PROVIDED. PARKING WILL BE DURABLE AND DUSTLESS PAVING. PARKING STRIPING WILL BE PERMANENT.
- THERE ARE NO STREAMS, WETLANDS OR FLOODPLAINS ON THIS PROPERTY.
- NO PREVIOUS COMMERCIAL PERMIT ON FILE.
- THERE ARE NO EXISTING WELLS, SEPTIC TANKS OR UNDERGROUND STORAGE TANKS ON THIS SITE.
- ALL PROPOSED SIGNAGE SHALL COMPLY WITH SEC. 450.4 OF THE B.C.Z.R.
- SUBJECT SITE TO BE SERVED BY EXISTING PUBLIC WATER AND SEWER ASSOCIATED WITH THIS SITE.
- THE PROPERTY IS NOT LOCATED WITHIN THE CHESAPEAKE BAY CRITICAL AREA.
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- ONSITE TOPOGRAPHIC INFORMATION HEREON IS BASED ON A FIELD RUN TOPOGRAPHIC SURVEY PROVIDED BY COLBERT MATZ ROSENFELT, INC. DATED DECEMBER, 2002 AND FROM BALTIMORE COUNTY GIS TILE NO. 90A2.
- ON JUNE 13, 2005, THE DEVELOPMENT REVIEW COMMITTEE APPROVED A REFINEMENT TO THE EXISTING DEVELOPMENT PLAN (DRC NO. 061305L) FOR AN 80-ROOM HOTEL ON LOT 1. LOT 2 WAS RESERVED FOR FUTURE DEVELOPMENT. THE SECOND AMENDED DEVELOPMENT PLAN WAS APPROVED ON JUNE 21, 2004.
- ON NOVEMBER 5, 2007, THE DEVELOPMENT REVIEW COMMITTEE TABLED A REQUEST FOR THE DEVELOPMENT OF THIS PROPERTY (DRC # 110507L), PENDING A ZONING HEARING.

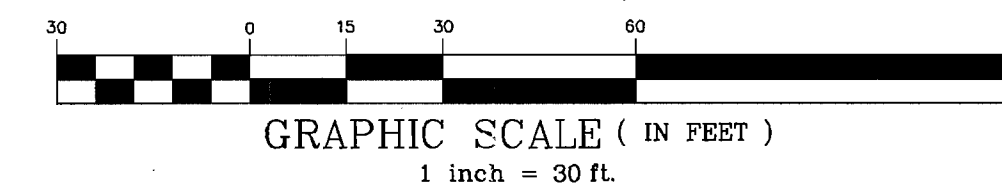
ZONING HISTORY:

ON NOVEMBER 17, 1993, IN CASE NUMBERS, XV-586 & 94-136-A, VARIANCES WERE GRANTED THAT ALLOWED A RESTAURANT TO BE BUILT WITHOUT THE NORMAL REQUIRED SETBACKS.

SPECIAL EXCEPTION FOR A
TRUCK STOP IN A BR ZONE
UNDER SECTION 236.4

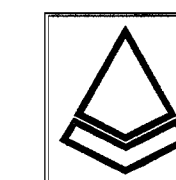
PLAN TO ACCOMPANY
SPECIAL EXCEPTION
AMERICAN COMMERCIAL
FUELING

8815 YELLOW BRICK ROAD
15th ELECTION DISTRICT 6th COUNCILMANIC DISTRICT
BALTIMORE COUNTY, MD.



Colbert Matz Rosenfelt, Inc.

Engineers * Surveyors * Planners
2835 Smith Avenue, Suite G
Baltimore, Maryland 21209
Telephone: (410) 653-3838
Facsimile: (410) 653-7953

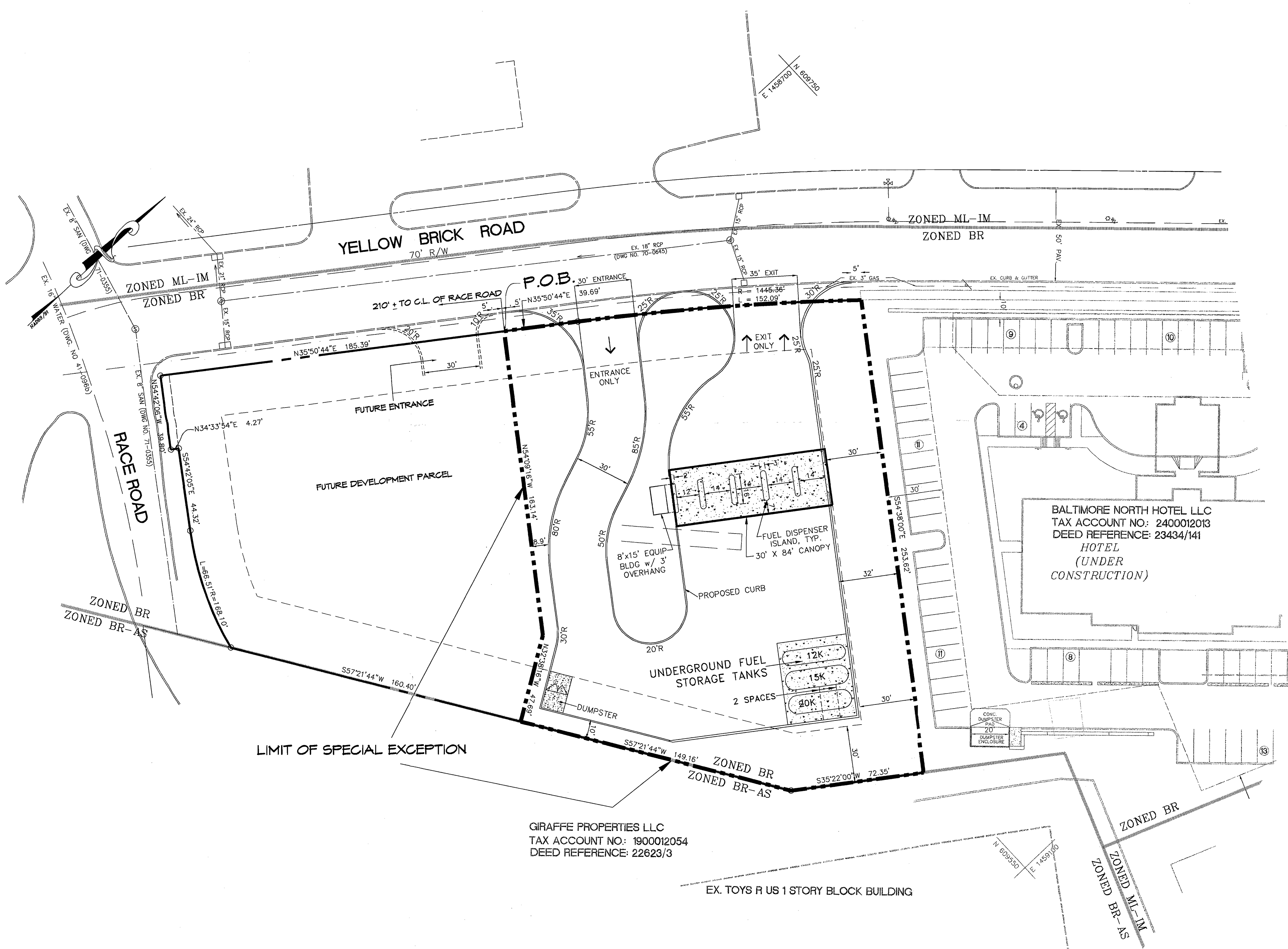


Professional Certification
I hereby certify that these documents were prepared or approved by me, and that I am a duly licensed professional engineer under the laws of the State of Maryland.
License No.:
Expiration Date:

PETITIONER'S
EXHIBIT NO. 3

SCALE: 1"= 30'
DATE: 02-01-2008
JOB NO.: 92052.11
DESIGNED: DRT
DRAWN: SLD/NAF/DLS/AKC
CHECKED: KJC/JMF
FILE: SPEX.DWG
DRAWING NUMBER: SPEX-2

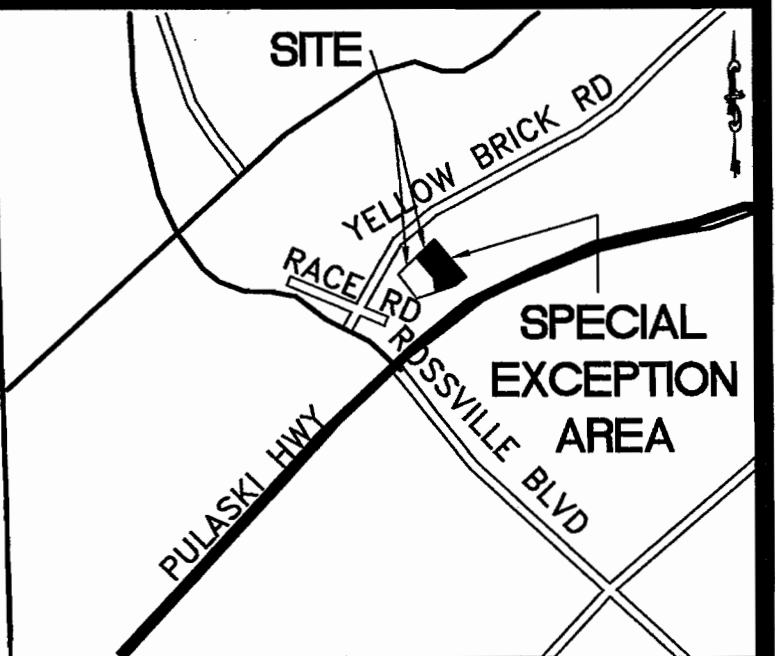
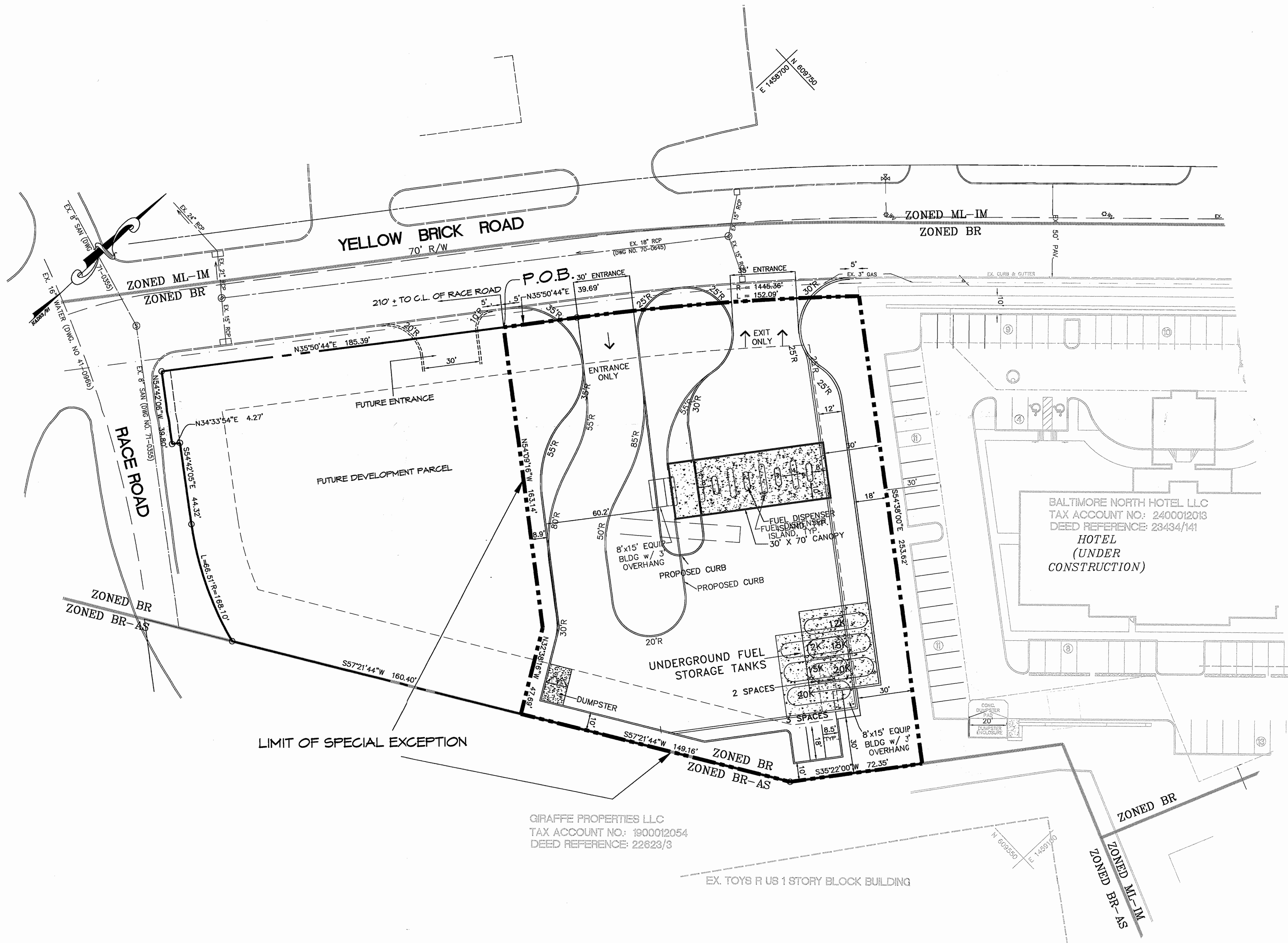
DATE REVISIONS: BY SHEET 2 OF 3



GIRAFFE PROPERTIES LLC
TAX ACCOUNT NO.: 1900012054
DEED REFERENCE: 22623/3

EX. TOYS R US 1 STORY BLOCK BUILDING

BALTIMORE NORTH HOTEL LLC
TAX ACCOUNT NO.: 2400012013
DEED REFERENCE: 23434/141
HOTEL
(UNDER CONSTRUCTION)



- NOTES:**
- OWNER:
TRI KAZE PARTNERSHIP
936 GLENANUS DRIVE
BEL AIR, MD 21015
DEVELOPER:
ROLFE ROBERTSON
AMERICAN COMMERCIAL FUELING
23 E. EAGER STREET, SUITE 100
BALTIMORE, MD 21202
410-522-2210
 - ELECTION DISTRICT NO.: 15 COUNCILMANIC DISTRICT NO.: 6
 - CENSUS TRACT: 4512
WATERSHED: 22
SUBWATERSHED: 2
ZONED: BR
TAX MAP 90, GRID 7
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ZONING HISTORY:
ON NOVEMBER 17, 1993, IN CASE NUMBERS XV-586 & 94-135-A, VARIANCES WERE GRANTED THAT ALLOWED A RESTAURANT TO BE BUILT WITHOUT THE NORMAL REQUIRED SETBACKS.

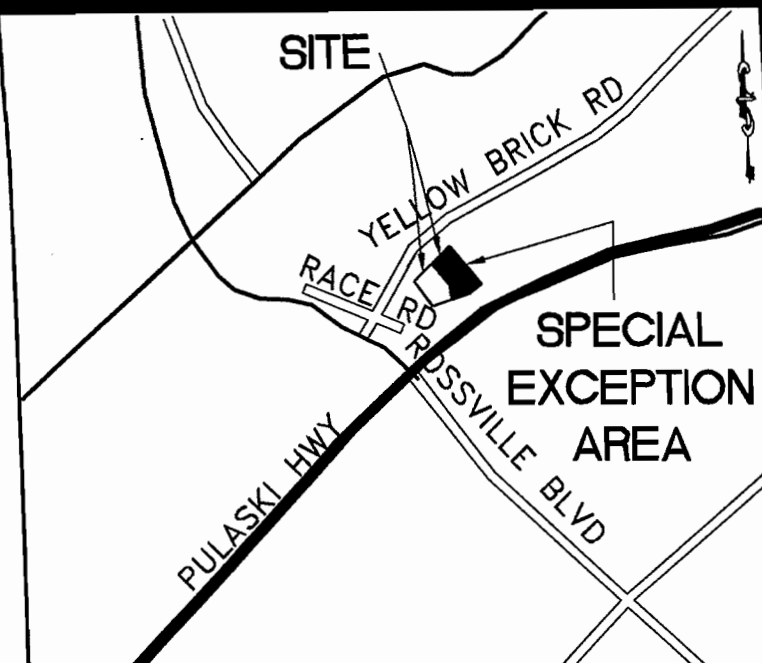
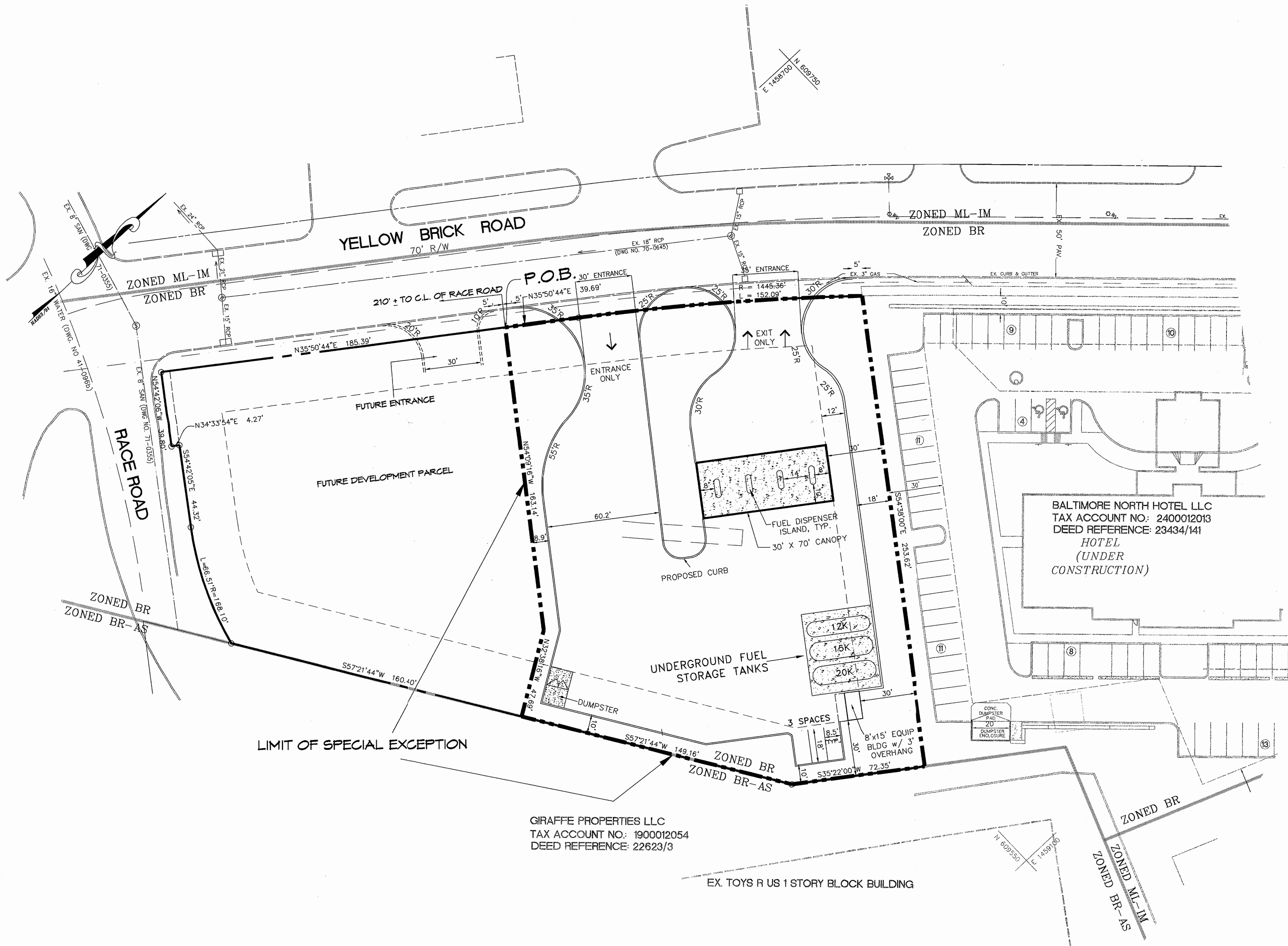
SPECIAL EXCEPTION FOR A TRUCK STOP IN A BR ZONE UNDER SECTION 236.4

PLAN TO ACCOMPANY SPECIAL EXCEPTION AMERICAN COMMERCIAL FUELING
8815 YELLOW BRICK ROAD
15th ELECTION DISTRICT 6th COUNCILMANIC DISTRICT
BALTIMORE COUNTY, MD.

GRAPHIC SCALE (IN FEET)
1 inch = 30 ft.

Colbert Matz Rosenfelt, Inc.
Engineers * Surveyors * Planners
2835 Smith Avenue, Suite G
Baltimore, Maryland 21209
Telephone: (410) 653-3838
Facsimile: (410) 653-7953

Professional Certification I hereby certify that these documents were prepared or approved by me, and that I am a duly licensed professional engineer under the laws of the State of Maryland. License No. _____ Expiration Date: _____		Scale: 1"= 30' Date: 02-01-2008 Job No.: 92052.11 Designed: DRT Drawn: SLD/NAF/DSL/AKC Checked: KJC/JMF File: REDLINE.DWG Drawing Number: RED-1	
PETITIONER'S EXHIBIT NO. Z		DATE _____ REVISIONS: _____ BY _____ SHEET 1 OF 1	



- NOTES:**
- OWNER:
TRI KAZE PARTNERSHIP
936 GLENANGUS DRIVE
BEL AIR, MD 21015
DEVELOPER:
ROLFE ROBERTSON
AMERICAN COMMERCIAL FUELING
23 E. LAGER STREET, SUITE 100
BALTIMORE, MD 21202
410-522-2210
 - ELECTION DISTRICT NO.: 15 COUNCILMANIC DISTRICT NO.: 6
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SUBWATERSHED: 2
ZONED: BR
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PLAT REF. 78/22; DEED REF.: N/A
 - SITE DATA:
TAX ACCOUNT NO.: 2400012014
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SPECIAL EXCEPTION FOR A TRUCK STOP IN A BR ZONE UNDER SECTION 236.4

PLAN TO ACCOMPANY SPECIAL EXCEPTION AMERICAN COMMERCIAL FUELING
8815 YELLOW BRICK ROAD
15th ELECTION DISTRICT 6th COUNCILMANIC DISTRICT
BALTIMORE COUNTY, MD.

GRAPHIC SCALE (IN FEET)
1 inch = 30 ft.

Colbert Matz Rosenfelt, Inc.
Engineers * Surveyors * Planners
2835 Smith Avenue, Suite G
Baltimore, Maryland 21209
Telephone: (410) 653-3838
Facsimile: (410) 653-7953

Professional Certification I hereby certify that these documents were prepared or approved by me, and that I am a duly licensed professional engineer under the laws of the State of Maryland. License No. _____ Expiration Date: _____		SCALE: 1"= 30' DATE: 12-03-2007 JOB NO.: 92052.11 DESIGNED: DRT DRAWN: SLD/NAF/DSL CHECKED: KJC/MF FILE: SPEX.DWG DRAWING NUMBER: SPEX-1	
PETITIONER'S EXHIBIT NO. 1		DATE _____ REVISIONS: _____ BY _____ SHEET 1 OF 3	

GIRAFFE PROPERTIES LLC
TAX ACCOUNT NO.: 1900012054
DEED REFERENCE: 22623/3

EX. TOYS R US 1 STORY BLOCK BUILDING

BALTIMORE NORTH HOTEL LLC
TAX ACCOUNT NO.: 2400012013
DEED REFERENCE: 23434/141
HOTEL
(UNDER CONSTRUCTION)

12K
15K
20K

UNDERGROUND FUEL STORAGE TANKS

DUMPSTER

3 SPACES

8'x15' EQUIP BLDG w/ 3' OVERHANG

CONC. DUMPSTER PAD 20'x20'

DUMPSTER ENCLOSURE

P.O.B. 30' ENTRANCE

ENTRANCE

EXIT ONLY

ENTRANCE ONLY

FUTURE ENTRANCE

FUTURE DEVELOPMENT PARCEL

LIMIT OF SPECIAL EXCEPTION

YELLOW BRICK ROAD
70' R/W

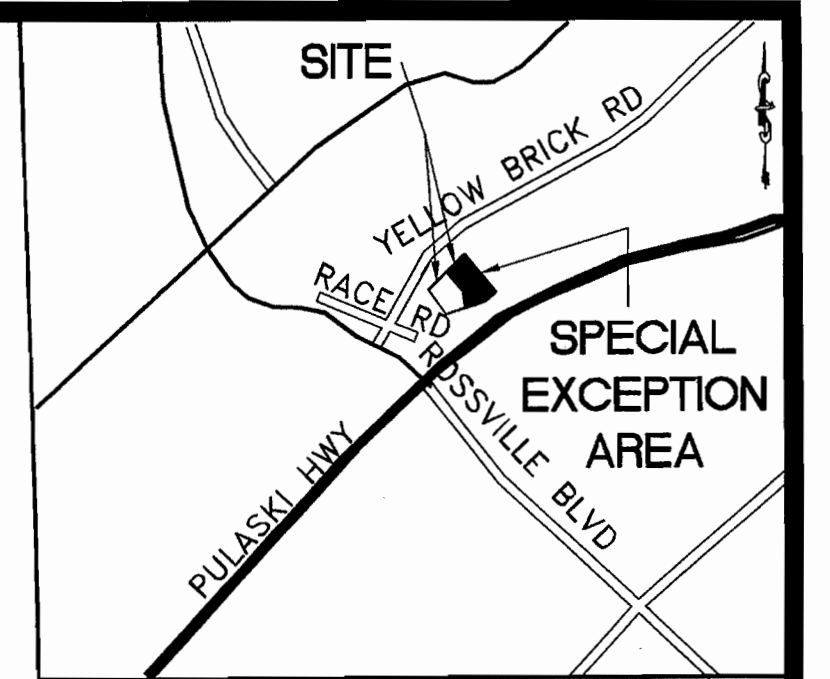
RACE ROAD

ZONED ML-IM
ZONED BR

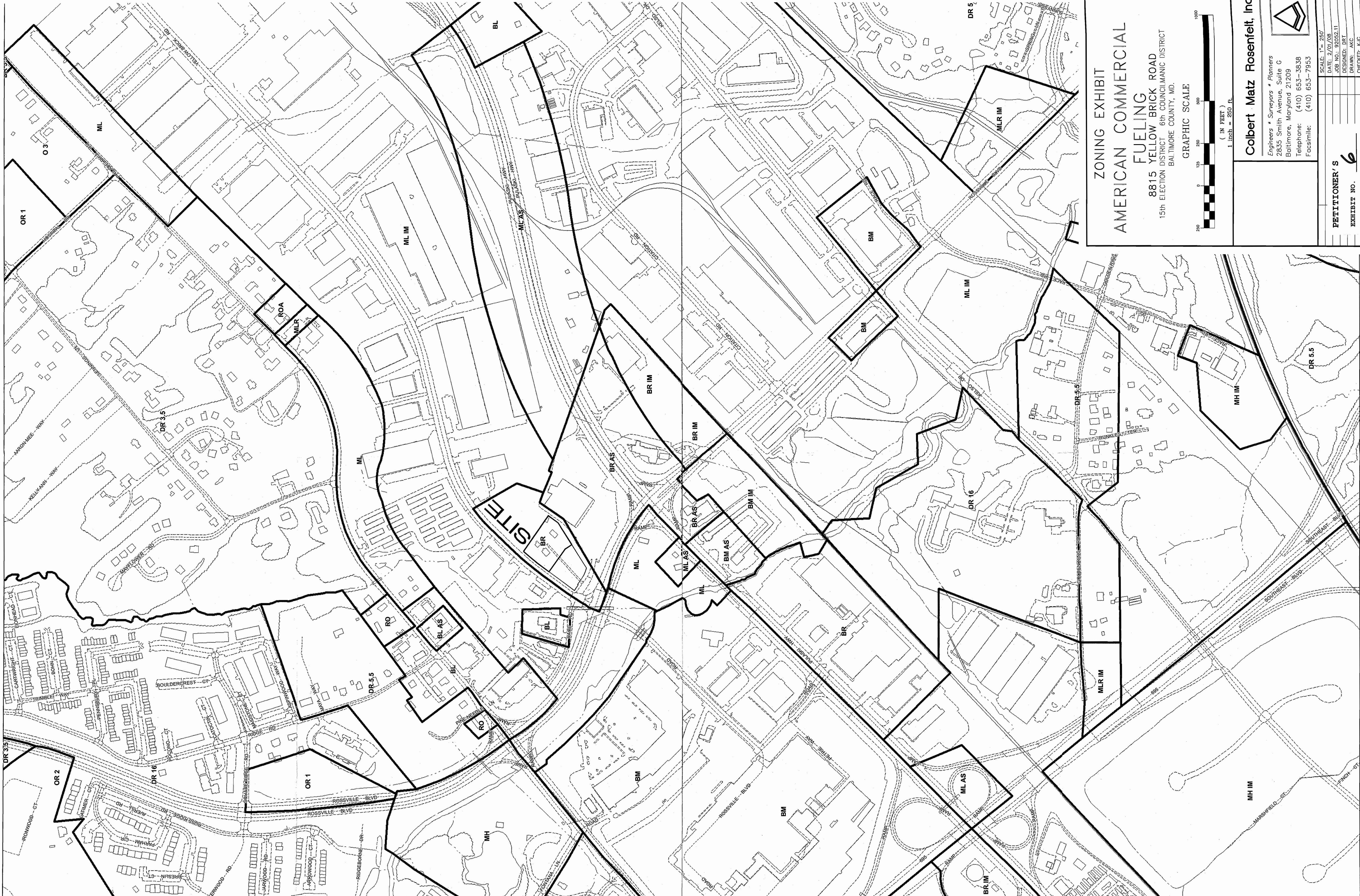
ZONED BR
ZONED BR-AS

ZONED BR
ZONED BR-AS

ZONED BR
ZONED ML-IM
ZONED BR-AS



DATE	REVISIONS:	BY	SHEET 1 OF 1
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ZONING EXHIBIT
AMERICAN COMMERCIAL
FUELING
8815 YELLOW BRICK ROAD
15th ELECTION DISTRICT 6th COUNCILMANIC DISTRICT
BALTIMORE COUNTY, MD.
GRAPHIC SCALE
(IN FEET)
1 Inch = 250 ft.

Colbert Matz Rosenfelt, Inc.
Engineers • Surveyors • Planners
2835 Smith Avenue, Suite G
Baltimore, Maryland 21209
Telephone: (410) 653-3838
Facsimile: (410) 653-7953

PETITIONER'S		DATE	REVISIONS:	BY	SHEET	OF
EXHIBIT NO. 6					2	3
SCALE: 1" = 250'		DATE: 2/07/09				
JOB NO.: 2835-11		DESIGNED: JAC				
DRAWN: KAC		CHECKED: KAC				
FILE: AERIAL.DWG		DRAWING NUMBER:				
ZON-2						