

**IN RE: PETITIONS FOR SPECIAL
HEARING, SPECIAL EXCEPTION
& VARIANCE**
SW side of Liberty Road; intersection of
Liberty Road and Marriotts Lane
2nd Election District
4th Councilmanic District
(8207 Liberty Road)

KF Ghauri, LLC
Legal Owner

* BEFORE THE
* DEPUTY ZONING
* COMMISSIONER
* FOR BALTIMORE COUNTY
*
* **Case No. 2010-0110-SPHXA**

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner for consideration of Petitions for Special Hearing, Special Exception and Variance, filed by Khalid Azam, Authorized Signatory, on behalf of the legal owner of the subject property, KF Ghauri, LLC. The relief requested is as follows:

The Special Hearing relief is requested in accordance with Section 500.7 of the Baltimore County Zoning Regulations ("B.C.Z.R."):

1. To amend the site plan previously approved in Case No. 03-417-SPH; and
2. To confirm that the square footage of the portion of the overall site that is zoned D.R.16 may be counted within overall special exception site area for the purpose of calculating the minimum site area required under Sections 405.4.A, 405.4.D, and 405.4.E of the B.C.Z.R.; and
3. To confirm landscaping to be located within the portion of the site that is zoned D.R.16 may be utilized as the landscape transition area required under Section 405.4.A.2.b of the B.C.Z.R.; and
4. To permit stacking spaces for a roll-over car wash and a dumpster to be located within the portion of the site that is zoned D.R.16.

The Special Exception is requested to use the subject property as follows:

1. For a convenience store with a sales area larger than 1,500 square feet use in combination with a fuel service station in B.R.-A.S. and B.L.-A.S. Zones pursuant to

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Sections 405.2.B.1 and 405.4.E.1 of the B.C.Z.R., which had been previously approved in Case No. 01-507-SPHXA, but not utilized; and

2. For a roll-over car wash use in combination with a fuel service station in B.R.-A.S. and B.L.-A.S. Zones pursuant to Sections 405.2.B.1 and 405.4.E.2 of the B.C.Z.R., which had been approved in Case No. 73-216-XA, but not utilized.

The Variance relief is also requested as follows:

1. From Sections 405.4.A.1, 405.4.D.1, 405.4.D.3 and 405.4.E.1 of the B.C.Z.R. to permit a site area of 32,184 square feet in lieu of the required 34,160 square feet; and
2. From Sections 409.4.C and 419.3 of the B.C.Z.R. to permit stacking spaces for a roll-over car wash to be located within a drive aisle that provides onsite parking spaces; and
3. From Section 419.4.A.1 of the B.C.Z.R. to permit a roll-over car wash building to be located as close as 16 feet to the lot line of a residentially zoned property in lieu of the required 50 feet; and
4. From Section 419.4.B.1 of the B.C.Z.R. to permit the tunnel entrance of a roll-over car wash to face an adjacent residentially zoned property; and
5. From Section 238.2 of the B.C.Z.R. to permit a side yard setback of 10 feet in lieu of the required 30 feet; and
6. From Section 405.4.A.2.a of the B.C.Z.R. to permit existing fuel pumps to be located a minimum of 17 feet from the Liberty Road right-of-way in lieu of the required 25 feet or, in the alternative, to determine that a variance is not required; and
7. From Section 405.4.A.2.a of the B.C.Z.R. to permit an existing fuel pump canopy to be located a minimum of 7 feet from the Liberty Road right-of-way in lieu of the required 15 feet or, in the alternative, to determine that a variance is not required; and
8. From Sections 405.4.A.3.d, 409.6.A.2, and 419.3.B of the B.C.Z.R. to permit 29 parking spaces in lieu of the required 36 spaces; and
9. From Section 405.4.A.2.b of the B.C.Z.R. to permit landscape transition areas of as little as 0 feet along the Liberty Road frontage in lieu of the required 10 feet, 0 feet along the side yards abutting non-residentially zone land in lieu of the required 6 feet, and as little as 2 feet along the rear yard abutting residentially zoned land in lieu of the required 15 feet.

The subject property and the requested relief are more fully depicted on the redlined site plan which was marked and accepted into evidence as Petitioner's Exhibit 1.

Appearing at the requisite public hearing in support of the special hearing, special exception, and variance requests on behalf of Petitioner KF Ghauri, LLC were members Khalid Azam and Abida Khalid. Arnold Jablon, Esquire and Christopher Mudd, Esquire with Venable, LLP represented Petitioner at the hearing. Also appearing in support of the requested relief were David Flowers, land planner, who is familiar with the site and has been recognized and accepted as an expert witness on land use and the Baltimore County Zoning Regulations before this Commission and was accepted as an expert in the instant matter, specifically as to Sections 307.1, 502.1, 405, 409, and 419 of the B.C.Z.R., and Amrish Patel, the professional engineer who prepared the site plan.

Letters from the Liberty Road Community Council and from the Liberty Road Business Association were received. Both expressed support for the requested relief, subject to certain conditions, similar to those recommended by the Office of Planning, which are expounded on further in this Order. In addition, Mark McFadden, a representative of the Liberty Road Business Association, appeared and confirmed his organization's support for the requested relief.

Two Baltimore County representatives, Peirce Macgill of the Department of Economic Development, and David Green of the Office of Planning, appeared to express their departments' support for the requested relief. Specifically, Mr. Macgill indicated that the subject property is located within a Commercial Revitalization District and that Petitioner's plan to spend significant money -- approximately \$800,000.00 to \$1,000,000.00 as proffered by Mr. Jablon -- on the proposed improvements, together with the opportunity for additional jobs, is exactly what his Department seeks within such districts. He also expressed some hope that other property owners in the area would be inspired to follow in Petitioner's footsteps and likewise give their own properties a facelift similar to that proposed here. Mr. Green presented a revised comment

from the Office of Planning that was marked and accepted into evidence as Petitioner's Exhibit 2, which conveyed his Office's support for the requested relief, provided Petitioner installs a 10 foot wood privacy fence along the southern boundary of the subject property, limits the hours of the car wash from 7:00 AM to 10:00 PM, installs landscaping along the Liberty Road frontage, and directs onsite lighting away from adjacent residential uses.

There were no Protestants or other interested persons present at the hearing. Following the initial input from Messrs. McFadden, Magill, and Green, the hearing proceeded by way of a combination of testimony from Petitioner's witnesses and a proffer by Mr. Jablon.

Testimony and evidence offered revealed that the subject property is comprised of approximately 0.7388 acres and is situated on the southwest side of Liberty Road, across from Marriotts Lane, in the Randallstown area of Baltimore County, as more particularly described on the redlined site plan. The subject property is split-zoned B.L.-A.S., B.R.-A.S., and D.R.16, as is shown and indicated on the aerial photograph / zoning map that was marked and accepted into evidence as Petitioner's Exhibit 10.

The property is presently improved with a fuel service station use in combination with three automotive service bays, a convenience store, and a stand-alone automated teller machine. Photographs that were marked and accepted into evidence as Petitioner's Exhibits 15A through 15J depict the present site improvements. Petitioner proposes to invest significant financial resources into improving the site by increasing the size of the convenience store to 2,740 square feet, adding an automotive service bay to continue conducting the minor repairs permitted under Section 405.4.D.1 of the B.C.Z.R., and installing a roll-over car wash use on the site. A floor plan and elevation drawings of the proposed improvements that was marked and accepted into evidence as Petitioner's Exhibit 14, together with the redlined site plan, show the proposed

layout for the various uses on the site. As explained below, the requested zoning relief pertains to these proposed improvements.

The existing fuel service station has been located on the subject property since at least 1968 as confirmed by its zoning history. Petitioner offered site plans and orders from four prior zoning cases -- Case Nos. 69-89-X, 73-216-A, 2001-507-XSPHA, and 2003-417-SPH -- and briefly explained the various approvals obtained for the site over the past 40 years. In Case No. 69-89X, the Zoning Commissioner granted, by way of an Order dated October 11, 1968 (marked and accepted into evidence as Petitioner's Exhibit 4), a special exception for the expansion of an automotive service station use. In Case No. 73-216-A, the Zoning Commissioner granted a variance to permit 20 stacking spaces in lieu of the required 40 spaces and a special exception for a car wash use in combination with a service station, in an Order dated November 7, 1973 (marked and accepted into evidence as Petitioner's Exhibit 6). In Case No. 2001-507-XSPHA, the Zoning Commissioner, in an Order dated August 20, 2001 (marked and accepted into evidence as Petitioner's Exhibit 8), granted a special exception to allow an ancillary ATM machine with an existing fuel service station use in combination with a convenience store / carryout restaurant, together with a variance for a freestanding sign of 80 square feet in lieu of the maximum permitted 75 square feet and a special hearing to amend previously approved plans. Finally, in Case No. 2003-417-SPH, the Deputy Zoning Commissioner issued an Order on May 20, 2003 (marked and accepted into evidence as Petitioner's Exhibit 9) granting a special hearing to extend the period of time for utilization of the special exceptions granted in 2001 to August 20, 2006. While there is a small convenience store presently existing, there is no evidence that the car wash was ever utilized pursuant to the relief granted in 1973. The site plans accompanying each of the petitions referred to above delineate the zoning then in existence on

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the subject property. The property in each was split zoned, as it is today, and the zoning designations are the same as they are today.

Mr. Jablon went on to explain that this extensive zoning history and the longevity of this same fuel service station use on the site are important for several reasons. First, much of the zoning relief requested was previously approved and is presented here at the request of the Zoning Office to bring the existing setbacks and conditions into compliance with the current Zoning Regulations. With or without Petitioner's proposed improvements, a comparison of the redlined site plan in this case with the site plans approved in prior cases demonstrates that many of these deficiencies, including canopy and fuel pump setbacks and the lack of landscape transition areas, already exist and were approved. The prior site plans for Case Nos. 69-89-X and 73-216-A were marked and accepted into evidence as Petitioner's Exhibits 5 and 7, respectively.

Second, Mr. Jablon cited Section 405.6 of the B.C.Z.R., which applies to certain expansion, reconstruction, or addition of uses for fuel service stations existing prior to the effective date of Bill No. 172-1993. In particular, Section 405.6.A.1 provides that any fuel service station existing prior to the adoption of Bill No. 172-1993 may be expanded or reconstructed provided that the project is confined to the limits of the site as it existed on the effective date of Bill No. 172-1993. As confirmed by the previously approved site plans of 1968 and 1973, the limits of the present site are the same today. Further, Section 405.6.A.4 confirms that "[a]ny structure or expansion of the use that is shown on a plan approved prior to the effective date of Bill No. 172-1993 shall be considered as being in compliance with Section 405.4.A.2.a," which governs setbacks for fuel pumps and canopies; thus, Mr. Jablon asserted that this Section should eliminate the need for Petitioner's variance requests for existing setbacks for

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fuel pumps and canopies -- Variance request Nos. 6 and 7 above -- that were shown on plans previously approved by the Zoning Commissioner. Additionally, as previously mentioned, the zoning history shows that the car wash and convenience store uses proposed by Petitioner were previously approved on this site (including the D.R.16 zoned portion of the property within the limits of the site as shown on the previously approved site plans), which helps to bolster the case for approving those uses again. Mr. Jablon indicated that, upon review of the previously approved plans, it appears that the special exception area proposed and granted in Case No. 69-89-X, and continued in each succeeding case, is the same as shown here on the redlined site plan, Petitioner's Exhibit 1.

Third, Mr. Jablon points to section 419.5 of the B.C.Z.R., which provides exemptions from the current car wash regulations. This section states that the current regulations do not apply to car washes "legally existing" prior to the effective date of Bill No. 172-1993 and that the regulations adopted pursuant to Bill No. 172-1993 do not "affect the validity of any order granting a special exception or any plan approved... for a car wash which occurred prior to" its effective date. Any previously approved special exception or plan is subject to the applicable provisions of the B.C.Z.R. in effect at the time the special exception or plan was approved. While he acknowledges that the car wash as approved in Case No. 73-216-A does not exist currently, Mr. Jablon argues that the exemption from the current regulations apply to any plan approved, even if not utilized. Thus, he maintains that the special exception requested here, variance requests Nos. 2, 3, and 4 above, and special hearing request No. 4 relating to the car wash (as it relates to car wash stacking spaces), are not needed.

Finally, the side landscape transition area (LTA) request of zero feet along Liberty Road and zero feet along the side yards abutting non-residentially zoned land are not necessary

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because the setbacks are pre-existing and are shown on the site plans previously approved. Further, variance No. 1 is requested to permit a site area of 32,184 square feet in lieu of the required 34,160 square feet. The testimony and evidence presented confirms that there has been no change to the site area since at least 1968. Therefore, Mr. Jablon asserts that the variance and special hearing are not required.

Against this backdrop, Petitioner directly addressed the burdens of proof for the requested zoning relief. With regard to the special exceptions, Mr. Jablon proffered, and Mr. Flowers confirmed, that if called to testify, Mr. Flowers would state the proposed 2,740 square foot convenience store and car wash uses would not be detrimental to the health, safety, or general welfare of the locale, nor would the uses have any negative impacts on the community, to which the community agrees as indicated in Petitioner's Exhibits 12 and 13. Petitioner specifically addressed community concerns over potential noise from the car wash by presenting a noise calculation report that was marked and accepted into evidence as Petitioner's Exhibit 16, in which noise levels for roll over car washes at specific distances are differentiated. Mr. Jablon proffered that car wash noise levels have historically dissipated as the technology has improved and pointed out that the noise level emanating from use of a current typical roll-over car wash would merge into that of the existing noise from Liberty Road. Testimony and evidence presented confirmed that, with the installation of the 10 foot tall fence, the existence of doors on both sides of the car wash that would be closed when in operation, and the existing road noise from busy Liberty Road, the noise level of the car wash would not affect the adjacent residential uses. Mr. Flowers' testimony was further proffered that the proposed uses would meet all criteria set forth in Section 502.1 of the B.C.Z.R. and would be consistent with the property's zoning classifications and the spirit and intent of the B.C.Z.R. Mr. Jablon again pointed out that

all prior zoning cases on the subject property for this use have included the residential property within the overall site area; thus, the inclusion of the D.R.16 zoning on the current site plan is consistent with all prior relief granted on the site. Mr. Jablon also requested that, if the instant special exceptions were granted, that the time frame for utilization of the special exception be extended from the normal two years to five years, pursuant to Section 502.3 of the B.C.Z.R.

Regarding the special hearing, Mr. Jablon indicated that most of the requests were made to confirm conditions that have existed for years. He reiterated that the residential portion of the site has been included in the overall site area and shown on the plans in the prior cases approving the existing uses and that there has always been a landscaped area within the residential portion to buffer the fuel station use from the adjacent residential uses. Regarding the stacking within the D.R.16 zoned portion of the site, Mr. Jablon explained that it is really nothing more than a drive-aisle to allow customers to have access to the car wash; there will be no parking there. Put simply, the stacking / drive aisle is really no different than the driveway that serves the adjacent parking complex and, therefore, should be permitted in the residential zone, just as that driveway is permitted. Additionally, Mr. Flowers pointed to the site plan approved in Case No 73-216-A, in which the D.R.16 portion of the property included access to the car wash therein approved. Mr. Jablon indicated that these same analogies apply to the dumpster, in that it is already located in the D.R.16 Zone and is no different than the dumpsters that are located on the adjacent property that serve the apartment use. In sum, Mr. Jablon proffered and Mr. Flowers confirmed that, with regard to each of the special hearing requests, Petitioner meets the requirements of Section 502.1 of the B.C.Z.R., and the stacking spaces / drive aisle, dumpster, and landscape transition areas would have no adverse impact on the health, safety, or general welfare of the adjacent property owners.

Mr. Jablon also proffered and Mr. Flowers confirmed that if the standards of Section 502.1 were to be applicable to the amendment of a previously approved site plan, the amendment proposed here would conform to each of those standards and would be consistent with the previously approved plan. In addition, Mr. Flowers would testify that in his opinion, there would be no adverse impact to the public health, safety and welfare or to the community.

As for the variances, to the extent that they are even required, Petitioner offered testimony and evidence demonstrating that the site is unique by virtue of its age, size, split-zoning and extensive zoning history. As mentioned, this site has been in existence and utilized as a service station for over 40 years and it is -- and always has been -- a small site. Additionally, the site has limited access from Liberty Road; vehicles travelling westbound on Liberty have a difficult, if not illegal, turn to make into the site, thus making it, for the most part, accessible primarily from the eastbound lane. Finally, as confirmed by the testimony of Mr. Macgill and the aerial photograph accepted into evidence as Petitioner's Exhibit 3, the site is located within a Commercial Revitalization District, thus making it a prime candidate for redevelopment. However, this very fact is also what creates the practical difficulty on the site. In order to revitalize the site and provide a proper facelift, Petitioner explained that it must make the proposed improvements, which its customer base demands; yet, due to the small size of the site, Petitioner's improvement options are "pinched" by the limitations imposed by today's Regulations; hence, if the requested variances were denied, Petitioner would not be able to accomplish an adequate revitalization of the site. Furthermore, Mr. Flowers testified that the variances, if granted, would not be detrimental to the adjacent properties and would not impair the purpose of the B.C.Z.R.

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In addition to the verbal comments offered by Mr. Macgill and the revised Planning Comment discussed above, the Zoning Advisory Committee (ZAC) comments were received, which are contained within the case file. No agency objected to the approval of the requested relief. The Bureau of Development Plans Review submitted a comment dated October 9, 2009 which indicates that Petitioner is advised that this site is within an area of special concern for sewer, and that Petitioner's engineer should contact the Bureau of Engineering with projected wastewater flow data.

After considering the testimony and evidence presented, I am persuaded to grant the requested relief. Regarding the special exceptions, Section 419.5 of the B.C.Z.R. raised the issue that the special exception here for the car wash is not necessary inasmuch as, by Case No. 73-216-A, a car wash was already approved, though not utilized. While a convincing argument can be so made, the language of this section is not so clear as to convince me that the previously approved car wash is controlling. While it is important to consider in context, especially as to the conditions contained in Section 502.1 of the B.C.Z.R., I believe it is more prudent to consider the special exception as requested on its own merits.

In my judgment, both the proposed car wash and convenience store with sales area greater than 1,500 square feet will not be detrimental to the community, and based upon the letters and comments in support of the proposed uses, will prove to be an asset by providing services for the community and a much needed "shot in the arm" that will hopefully encourage other business owners to likewise give their properties a facelift. I also find that the proposed uses meet the special exception criteria set forth in Section 502.1 of the B.C.Z.R. and that the uses will not have any adverse impacts above and beyond those inherently associated with such uses irrespective of their location within the zone. *See, Schultz v. Pritts*, 291 Md. 1 (1981). I am

also inclined to extend the time for utilization of the special exceptions for a period not to exceed five years.

Regarding the variances, Sections 405.6 and 419.5 of the B.C.Z.R. raise valid arguments that certain of the requested variances are not necessary. The previously approved site plans also present and confirm the existence of the current setback areas. In effect, each is "grandfathered" and protected by the previously approved plans. Therefore, I find that Variance Nos. 2, 3, 4, 6, 7, and the portion of No. 9 for the front and side yard LTAs are not required.

However, even in the alternative, if the variances requested are not controlled by the earlier approved petitions and site plans or by Sections 405.6 and 419.5 of the B.C.Z.R., I find ample evidence that special circumstances or conditions exist which are peculiar to the subject property. I agree with Petitioner that the variance requests are driven by the unusual size, history, and constraints identified during the testimony. I conclude that the subject property is unique in a zoning sense and that Petitioner would suffer practical difficulty if the variances requested were to be denied. Moreover, the variances can be granted in strict harmony with the spirit and intent of said regulations, and in such manner as to grant relief without injury to the public health, safety and general welfare. In fact, approving the variances enables Petitioner to further the County's revitalization goals for properties along the Liberty Road corridor. Thus, I find that the variance requests can be granted in such a manner as to meet the requirements of Section 307 of the B.C.Z.R., as interpreted in *Cromwell v. Ward*, 102 Md. App. 691 (1995).

Finally, I find that Petitioner has met its burden with respect to the petition for special hearing. For the same reasons discussed above, Petitioner satisfied the requirements of Section 502.1 and *Schultz*.

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Pursuant to the advertisement, posting of the property, and public hearing on these Petitions held, and after considering the testimony and evidence offered, I find that Petitioner's requests for special exception, special hearing, and variance should be granted.

THEREFORE, IT IS ORDERED this 7th day of January, 2010 by the Deputy Zoning Commissioner that Petitioner's requests for Special Hearing in accordance with Section 500.7 of the B.C.Z.R. as follows:

1. To amend the site plan previously approved in Case No. 03-417-SPH; and
2. To confirm that the square footage of the portion of the overall site that is zoned D.R.16 may be counted within overall special exception site area for the purpose of calculating the minimum site area required under Sections 405.4.A, 405.4.D, and 405.4.E of the B.C.Z.R.; and
3. To confirm landscaping to be located within the portion of the site that is zoned D.R.16 may be utilized as the landscape transition area required under Section 405.4.A.2.b of the B.C.Z.R.; and
4. To permit stacking spaces for a roll-over car wash and a dumpster to be located within the portion of the site that is zoned D.R.16.,

be and are hereby **GRANTED**; and

IT IS FURTHER ORDERED that Petitioner's requests for Special Exception to use the property as follows:

1. For a convenience store with a sales area larger than 1,500 square feet use in combination with a fuel service station in a B.R.-A.S. and B.L.-A.S. Zones pursuant to Sections 405.2.B.1 and 405.4.E.1 of the B.C.Z.R. which had been previously approved in Case No. 01-507-SPHXA, but not utilized; and
2. For a roll-over car wash use in combination with a fuel service station in a B.R.-A.S. and B.L.-A.S. Zones pursuant to Sections 405.2.B.1 and 405.4.E.2 of the B.C.Z.R. which had been approved in Case No. 73-216-XA, but not utilized,

be and are hereby **GRANTED**, and the time for utilization of the special exceptions shall be extended for a period not to exceed five years, pursuant to Section 502.3 of the B.C.Z.R.; and

IT IS FURTHER ORDERED that Petitioner's requests for Variance as follows:

1. From Sections 405.4.A.1, 405.4.D.1, 405.4.D.3 and 405.4.E.1 of the B.C.Z.R. to permit a site area of 32,184 square feet in lieu of the required 34,160 square feet; and
2. From Sections 409.4.C and 419.3 of the B.C.Z.R. to permit stacking spaces for a roll-over car wash to be located within a drive aisle that provides onsite parking spaces; and
3. From Section 419.4.A.1 of the B.C.Z.R. to permit a roll-over car wash building to be located as close as 16 feet to the lot line of a residentially zoned property in lieu of the required 50 feet; and
4. From Section 419.4.B.1 of the B.C.Z.R. to permit the tunnel entrance of a roll-over car wash to face an adjustment residentially zoned property; and
5. From Section 238.2 of the B.C.Z.R. to permit a side yard setback of 10 feet in lieu of the required 30 feet; and
6. From Section 405.4.A.2.a of the B.C.Z.R. to permit existing fuel pumps to be located a minimum of 17 feet from the Liberty Road right-of-way in lieu of the required 25 feet; and
7. From Section 405.4.A.2.a of the B.C.Z.R. to permit an existing fuel pump canopy to be located a minimum of 7 feet from the Liberty Road right-of-way in lieu of the required 15 feet; and
8. From Sections 405.4.A.3.d, 409.6.A.2, and 419.3.B of the B.C.Z.R. to permit 29 parking spaces in lieu of the required 36 spaces; and
9. From Section 405.4.A.2.b of the B.C.Z.R. to permit landscape transition areas of as little as 0 feet along the Liberty Road frontage in lieu of the required 10 feet, 0 feet along the side yards abutting non-residentially zone land in lieu of the required 6 feet, and as little as 2 feet along the rear yard abutting residentially zoned land in lieu of the required 15 feet,

be and are hereby **GRANTED**.

The relief granted herein shall be subject to the following conditions:

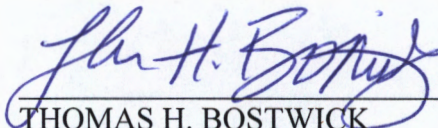
1. Petitioner may apply for its permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at its own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, Petitioner will be required to return, and be responsible for returning, said property to its original condition.

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2. The time for utilization of the special exceptions granted shall be extended to a period not to exceed five years.
3. Petitioner shall install a 10 foot tall wood privacy fence along the rear property line, between the service station use and the adjacent residential use.
4. The hours of operation for the car wash shall be limited to 7:00 AM to 10:00 PM year round.
5. To the extent possible, Petitioner shall install additional landscaping along the site's Liberty Road frontage.
6. All onsite lighting shall be directed away from the adjacent residential use.
7. Petitioner is advised that this site is within an area of special concern for sewer. Petitioner's engineer should contact the Bureau of Engineering with projected wastewater flow data.

Any appeal of this decision must be made within thirty (30) days of the date of this

Order.


THOMAS H. BOSTWICK
Deputy Zoning Commissioner
for Baltimore County

THB:pz



BALTIMORE COUNTY
M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

January 7, 2010

THOMAS H. BOSTWICK
Deputy Zoning Commissioner

ARNOLD JABLON, ESQUIRE
CHRISTOPHER MUDD, ESQUIRE
VENABLE LLP
210 WEST PENNSYLVANIA AVENUE
SUITE 500
TOWSON MD 21204

Re: Petitions for Special Hearing, Special Exception and Variance
Case No. 2010-0110-SPHXA
Property: 8207 Liberty Road

Dear Messrs. Jablon and Mudd:

Enclosed please find the decision rendered in the above-captioned case.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days from the date of the Order to the Department of Permits and Development Management. If you require additional information concerning filing an appeal, please feel free to contact our appeals clerk at 410-887-3391.

Very truly yours,

A handwritten signature in black ink, appearing to read "Thomas H. Bostwick".

THOMAS H. BOSTWICK
Deputy Zoning Commissioner
for Baltimore County

THB:pz

Enclosure

- c: Khalid Azam and Abida Khalid, KF Ghauri LLC, 5915 Clear Ridge Road, ElkrIDGE MD 21075
David Flowers, Venable LLP, 210 West Pennsylvania Avenue, Suite 500, Towson MD 21204
Amrish Patel, AST Consultants, Inc., 7894 James Avenue, Ellicott City MD 21045
Mark McFadden, Liberty Road Business Association, PO Box 1438, Owings Mills MD 21117
Peirce Macgill, Baltimore County Department of Economic Development
David Green, Baltimore County Office of Planning



Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at 8207 Liberty Road
which is presently zoned BR-AS, BL-AS, DR-16

(This petition **must** be filed in person, in the zoning office, in triplicate, with original signatures.)

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

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SEE ATTACHED SHEET

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

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

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

Contract Purchaser/Lessee:

Name - Type or Print _____
Signature _____
Address _____ Telephone No. _____
City _____ State _____ Zip Code _____

Attorney For Petitioner:

Arnold Jablon

Name - Type or Print Arnold Jablon
Signature [Signature]
Venable LLP
Company
210 W. Pennsylvania Avenue 410-494-6200
Address Telephone No.
Towson MD 21204
City State Zip Code

Legal Owner(s):

KF Ghauri, LLC

Name - Type or Print [Signature]
Signature _____
By: Khalid Azam
Name - Type or Print _____

Signature _____
5915 Clear Ridge Road 410-655-1300
Address Telephone No.
Elkridge MD 21075
City State Zip Code

Representative to be Contacted:

Arnold Jablon

Name _____
210 W. Pennsylvania Avenue 410-494-6200
Address Telephone No.
Towson MD 21204
City State Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING _____

Case No. 2010-0110-SPHKA

REV 9/15/98

UNAVAILABLE FOR HEARING _____

Reviewed By [Signature] Date 9-29-09

Accepted for filing

1-7-10

pm

**Petition for Special Hearing
8207 Liberty Road**

Attached Sheet

1. Special hearing to amend the site plan previously approved in Case No. 03-417-SPH.
2. Special hearing to confirm that the square footage of the portion of the overall site that is zoned DR-16 may be counted within overall special exception site area, for purposes of calculating the minimum site area required under Baltimore County Zoning Regulations (BCZR) Sections 405.4.A, 405.4.D, and 405.4.E.
3. Special hearing to confirm landscaping to be located within the portion of the site that is zoned DR-16 may be utilized as the landscape transition area required under BCZR Section 405.4.A.2.b.
4. Special hearing to permit stacking spaces for a roll-over car wash and a dumpster to be located within the portion of the site that is zoned DR-16.



Petition for Special Exception

to the Zoning Commissioner of Baltimore County for the property
located at 8207 Liberty Road

which is presently zoned BR-AS, BL-AS, DR-16

Deed Reference: 23299 / 131 Tax Account # 0205100070

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 Exception under the Zoning Regulations of Baltimore County, to use the herein described property for

SEE ATTACHED SHEET

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

I, or we, agree to pay expenses of above Special 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:

Name - Type or Print

Signature

Address

Telephone No.

City

State

Zip Code

Attorney For Petitioner:

Arnold Jablon

Name - Type or Print

Signature

Venable LLP

Company

210 W. Pennsylvania Avenue 410-494-6200

Address

Telephone No.

Towson

MD

21204

City

State

Zip Code

Case No. 2010-0110-SPHXA

REV 07/27/2007

Legal Owner(s):

KF Ghauri, LLC

Name - Type or Print

Signature

By: Khalid Azam

Name - Type or Print

Signature

5915 Clear Ridge Road

410-655-1300

Address

Elkridge

MD

Telephone No.

21075

City

State

Zip Code

Representative to be Contacted:

Arnold Jablon

Name

210 W. Pennsylvania Avenue 410-494-6200

Address

Towson

MD

21204

City

State

Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

UNAVAILABLE FOR HEARING

Reviewed By

Date

9-29-09

Accepted
for
filing

1.7.10

pm

**Petition for Special Exception
8207 Liberty Road**

Attached Sheet

1. Special Exception for a convenience store, with a sales area larger than 1,500 square feet, use in combination with a fuel service station in a BR-AS and BL-AS zone, pursuant to Baltimore County Zoning Regulations (BCZR) Sections 405.2.B.1 and 405.4.E.1, which had been previously approved in Case No. 01-507-SPHXA, but not utilized.
2. Special Exception for a roll-over car wash use in combination with a fuel service station in a BR-AS and BL-AS zone, pursuant to BCZR Sections 405.2.B.1 and 405.4.E.2, which had been previously approved in Case No. 73-216-XA, but not utilized.



Petition for Variance

to the Zoning Commissioner of Baltimore County for the property located at 8207 Liberty Road

which is presently zoned BR-AS, BL-AS, DR-16

Deed Reference: 23299 / 131 Tax Account # 0201500070

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

SEE ATTACHED SHEET

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

TO BE DETERMINED AT HEARING

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

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

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

Contract Purchaser/Lessee:

Name - Type or Print

Signature

Address

Telephone No.

City

State

Zip Code

Attorney For Petitioner:

Arnold Jablon

Name - Type or Print

Signature

Venable LLP

Company

210 W. Pennsylvania Avenue 410-494-6200

Address

Telephone No.

Towson

MD

21204

City

State

Zip Code

Legal Owner(s):

KF Ghauri, LLC

Name - Type or Print

Signature

By: Khalid Azam

Name - Type or Print

Signature

5915 Clear Ridge Road

410-655-1300

Address

Telephone No.

Elkridge

MD

21075

City

State

Zip Code

Representative to be Contacted:

Arnold Jablon

Name

210 W. Pennsylvania Avenue 410-494-6200

Address

Telephone No.

Towson

MD

21204

City

State

Zip Code

Case No. 2010-D110-SPHXA

Office Use Only

Estimated Length of Hearing
Unavailable For Hearing

Reviewed by

Date

9-29-09

ACCEPTED
for
FILING

1-7-10

pm

**Petition for Variance
8207 Liberty Road**

Attached Sheet

- A. Variance from Baltimore County Zoning Regulations (BCZR) Sections 405.4.A.1, 405.4.D.1, 405.4.D.3, and 405.4.E.1 to permit a site area of 32,184 square feet, in lieu of the required 34,160 square feet.
- B. Variance from BCZR Sections 409.4.C and 419.3 to permit stacking spaces for a roll-over car wash to be located within a drive aisle that provides onsite parking spaces.
- C. Variance from BCZR Section 419.4.A.1 to permit a roll-over car wash building to be located as close as 16 feet to the lot line of a residentially zoned property, in lieu of the required 50 feet.
- D. Variance from BCZR Section 419.4.B.1 to permit the tunnel entrance of a roll-over car wash to face an adjacent residentially zoned property.
- E. Variance from BCZR Section 238.2 to permit a side yard setback of 10 feet, in lieu of the required 30 feet
- F. Variance from BCZR Section 405.4.A.2.a to permit existing fuel pumps to be located a minimum of 17 feet from the Liberty Road right-of-way, in lieu of the required 25 feet, or, in the alternative, to determine that a variance is not required.
- G. Variance from BCZR Section 405.4.A.2.a to permit an existing fuel pump canopy to be located a minimum of 7 feet from the Liberty Road right-of-way, in lieu of the required 15 feet, or, in the alternative, to determine that a variance is not required.
- H. Variance from BCZR Sections 405.4.A.3.d, 409.6.A.2, and 419.3.B to permit 29 parking spaces, in lieu of the required 36 spaces.
- I. Variance from BCZR Section 405.4.A.2.b to permit landscape transition areas of: as little as 0 feet along the Liberty Road frontage, in lieu of the required 10 feet; 0 feet along the side yards abutting non-residentially zoned land, in lieu of the required 6 feet; and as little as 2 feet along the rear yard abutting residentially zoned land, in lieu of the required 15 feet.

SS #84708
8207 Liberty Road
Baltimore City, Maryland
Site #71
File Number: 295050102

EXHIBIT "A"

All those pieces or parcels of land lying and being in the City of Baltimore, Maryland more particularly described as follows:

TRACT 1:

BEGINNING for the same at a point on the southwesterly right-of-way line of Liberty Road, (Maryland Route 26), as shown on the State Roads Commission of Maryland Plat No. 25139 at its intersection with the first or South 33 degrees 18' West 150 foot line of a parcel of land leased by John H. Klohr and M. Laura Emmast Klohr, his wife, to The American Oil Company by a Lease dated December 30, 1952 and recorded in Liber 2248 at folio 16; thence leaving Liberty Road and binding along the remaining part of said first line along all of the second and a part of the third line of that Lease, referring all courses to the True Meridian as established for the Baltimore County Metropolitan District, the following three courses and distances: 1) South 29 degrees 48' 43" West 130.26 feet, 2) North 65 degrees 14' 30" West 130.00 feet, and 3) North 29 degrees 48' 43" East 129.15 feet to intersect the southwesterly right-of-way line of Liberty Road; thence binding thereon south 65 degrees 44' 10" East 130.11 feet to the point of beginning.

Parcel ID 02-11-470040

TRACT 2:

BEGINNING for the same at a point on the southwest side of Liberty Road, as proposed to be widened and shown on the State Roads Commission of Maryland Plant No. 25139, said point being situate at the intersection of said southwest side of Liberty Road with the third or North 33 degrees 18' East 150 foot line of a parcel of land which by Lease dated December 30, 1952 and recorded among the Land Records of Baltimore County in Liber G.L.B. No. 2248, folio 16 was leased by John H. Kichr and M. Laura Emmart Klohr, his wife, to The American Oil Company, and being distant 20.85 feet from the end of said third line; thence leaving said point of beginning and said southwest side of Liberty Road and binding reversely along the remaining part of said third line and also reversely along the second line of said beforementioned Lease, referring all courses to the true meridian as established for the Baltimore County Metropolitan District, and as now surveyed, South 29 degrees 48' 43" West 129.15 feet and then South 65 degrees 14' 30" East 130.00 feet to the beginning of said second line and to intersect the first or South 33 degrees 18' West 796 foot 4 inch line of land which by Deed dated December 21, 1939 and recorded among the Land Records of Baltimore County in Liber C.W.B.Jr. No. 1084, folio 234 was conveyed by M. Virginia Klohr to Laura Emmart Klohr and John H. Klohr, her husband, thence leaving the outlines of the beforementioned Lease to American Oil

Company and running with and binding along a part of said last mentioned first line and also along the outlines of "Liberty West Apartments" as shown on the Plat recorded among the Land Records of Baltimore County in Plat Book R.R.G. No. 29, folio 62, South 29 degrees 48' 43" West 50.00 feet; thence leaving said first or 796 foot 4 inch line but still binding along the outlines of "Liberty West Apartments", North 65 degrees 14' 30" West 180.00 feet to the end of the second line of a parcel of land which by Deed dated November 1, 1965 and recorded among the Land Records of Baltimore County in Liber O.T.G. No. 4541, folio 43, was conveyed by John H. Klohr, widower, to the parties of the first part, thence leaving the outlines of "Liberty West Apartments", and binding reversely along said second line, as now surveyed, North 29 degrees 48' 43" East 178.70 feet to intersect the beforementioned southwest side of Liberty Road as proposed to be widened and to a point distant 21.30 feet from the beginning of said first line; thence running with and binding along said southwest side of Liberty Road, as proposed to be widened, South 65 degrees 44' 10" East 50.03 feet to the point of beginning, containing 15,386 square feet, more or less.

Parcel ID 02-01-5000070

BEING for Parcels One and Two the same property described in a Deed dated February 10, 1977 and recorded among the Land Records of Baltimore County in Liber EHK, Jr. No. 5725 at folio 359, from Mary Virginia Klohr personal representative of the estate of John Klohr, deceased, to the Grantor.

**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: 0110
Petitioner: K F Ghauri, LLC
Address or Location: 8207 LIBERTY Rd.

PLEASE FORWARD ADVERTISING BILL TO:

Name: Kedrick Whitmore
Address: 210 West Pennsylvania
Towson MD 21204

Telephone Number: (410) 494 6204

To: JCM
9/25/09

September 25, 2009

Arnold Jablon
Of Counsel

t 410.494.6298
f 410.821.0147
ajablon@venable.com

HAND DELIVERED

Mr. W. Carl Richards, Jr., Supervisor
Zoning Review Office
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

Re: Petitions for Special Exception, Variance, and Special Hearing
Petitioner: KF Ghauri, LLC
Location: 8207 Liberty Road

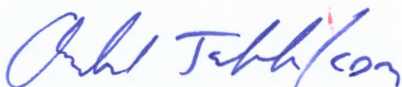
Dear Mr. Richards:

I am drop filing the enclosed Petitions for Special Exception, Variance, and Special Hearing for the above-referenced property. I do not know of any violations of any zoning laws on the property. With this letter, I have enclosed the following documents:

1. Petition for Special Exception (3)
2. Petition for Variance (3)
3. Petition for Special Hearing (3)
4. Zoning Description (legal description for entire property pulled from deed) (3)
5. Site Plans (12)
6. Newspaper advertising form (1)
7. Check in the amount of \$800.00

Please know that John Lewis of your Office has particular knowledge of this site, as my client met with him several times in preparing the site plans. If you have any questions or concerns regarding this filing, please give me a call.

Very truly yours,



Arnold Jablon

Enclosures

OUR REF. NUMBER	YOUR INVOICE NUMBER	INVOICE DATE	INVOICE AMOUNT	AMOUNT PAID	DISCOUNT TAKEN	NET CHECK AMOUNT
		9/21/09 - \$800.00				
		57533-278498 - Khalid Azam/8207 Liberty Road Zoning Approvals				
		Baltimore County, MD				
		Filing Fees				

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET AND FINANCE
MISCELLANEOUS CASH RECEIPT

No. **45755**

Date: **9.29.09**

PAID RECEIPT

BUSINESS ACTUAL TIME DRW
 9/30/2009 9/29/2009 09:31:27 5

REG WSO3 WALKIN RBOS LRB
 >> RECEIPT # 422544 9/29/2009 OFLN

Dept 5 528 ZONING VERIFICATION
 CR NO. 045755

Recpt Tot \$800.00
 \$800.00 CK \$0.00 Ca
 Baltimore County, Maryland

Fund	Dept	Unit	Sub Unit	Rev Source/	Sub Rev/	Obj	Sub Obj	Dept Obj	BS Acct	Amount
001	806	0000		6150						800.00

Total: **800.00**

Rec From: **VENABLE**

For: **2010-0110-SPHXA**

DISTRIBUTION

WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER GOLD - ACCOUNTING
 PLEASE PRESS HARD!!!!

**CASHIER'S
 VALIDATION**

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET AND FINANCE
MISCELLANEOUS CASH RECEIPT

No. 45755

Date: 9.29.09

Fund	Dept	Unit	Sub Unit	Rev	Sub	Dept	Obj	BS Acct	Amount
				Source/	Rev/				
001	806	0000		6150					800.00

Total: 800.00

Rec

From: VENABLE

For: 2010-0110-SPHXA

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

GOLD - ACCOUNTING

PLEASE PRESS HARD!!!!

**CASHIER'S
 VALIDATION**

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: #2010-0110-SPHXA

8207 Liberty Road

S/West side of Liberty Road, at the Intersection of Liberty Road and Marriotts Lane

2nd Election District — 4th Councilmanic District

Legal Owner(s): KF Ghauri, LLC

Special Hearing: to amend the site plan previously approved in case no. 03-417-SPH; to confirm that the square footage of the portion of the overall site that is zoned DR-16 may be counted within overall special exception site area, for purposes of calculating the minimum site area required under BCZR sec. 405.4, 405.4.D & 405.4.E; to confirm landscaping to be located within the portion of the site that is zoned DR-16 may be utilized as the landscape transition area required under BCZR sec. 405.4.A.2.b; to permit stacking spaces for a roll over car wash and a dumpster to be located within the portion of the site that is zoned DR-16; **Variance:** to permit a site area of 32,184 sq. ft., in lieu of the required 34,160 sq. ft.; to permit stacking spaces for a roll-over car wash to be located within a drive aisle the provides onsite parking spaces; to permit a roll-over car wash building to be located as close as 16 ft. to the lot line of a residentially zoned property in lieu of the required 50 ft.; to permit the tunnel entrance of a roll-over car wash to face an adjustment residentially zoned property; to permit a side yard setback of 10 ft; in lieu of the required 30 ft.; to permit existing fuel pumps to be located a minimum of 17 ft. from Liberty Rd. right-of-way, in lieu of the required 25 ft.; or, in alternative, to determine that a variance is not required; to permit an existing fuel pump canopy to be located a minimum of 7 ft. from Liberty Rd. right-of-way, in lieu of the required 15 ft. or in the alternative, to determine a variance is not required; to permit 29 parking spaces in lieu of the required 36 spaces; to permit landscape transition areas of as little as 0 feet along the Liberty Rd frontage, in lieu of the required 10 ft. 0 ft along the side yards abutting non-residentially zone land, in lieu of the required 6 ft. and as little as 2 ft. along the rear yard abutting residentially zoned land in lieu of the required 15 ft.; **Special Exception:** for a convenience store with a sales area larger than 1,500 sq. ft. use in combination with a fuel service station, in a BR-AS and BL-AS zone, which had been previously approved in case no. 01-507-SPHXA, but not utilized; for a roll over car wash use in combination with a fuel service station in a BR-AS and BL-AS zone, which has been approved in case no. 73-216-XA, but not utilized.

Hearing: Friday, December 18, 2009 at 9:00 a.m. in Room 104, Jefferson Building, 105 West Chesapeake 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) 887-4386.

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

12/025 December 3

223052

CERTIFICATE OF PUBLICATION

12/3/2009

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 12/3/2009.

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

J. Wilkinson

LEGAL ADVERTISING

CERTIFICATE OF POSTING

RE 2010-0110-SPHXA

Petitioner/Developer: KF Ghauri, LLC

Date of Hearing/closing December 18 2009

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

Attn; Kristin Matthews

Ladies and Gentlemen:

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were
8207 Liberty Road

The sign(s) were posted on December 2 2009
(Month, Day, Year)

Sincerely,

Robert Black Dec. 2 2009

(Signature of Sign Poster) (Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)

ZONING NOTICE

CASE # 2010-0110-SPHXA

A PUBLIC HEARING WILL BE HELD BY
THE ZONING COMMISSIONER
IN TOWSON, MD

PLACE: Room 104, JEFFERSON BUILDING
105 WEST CHESAPEAKE AVENUE, TOWSON, MD 21204

DATE AND TIME: FRIDAY, DECEMBER 18, 2009 AT 9:00 A.M.

REQUEST: SPECIAL HEARING TO AMEND THE SITE PLAN PREVIOUSLY APPROVED IN CASE NO. 03-917-SPH, TO

CONSIDER THAT THE SQUARE FOOTAGE OF THE PORTION OF THE OVERALL SITE THAT IS ZONED DR-16 MAY BE COUNTED WITHIN OVERALL SPECIAL

EXCEPTION SITE AREA FOR PURPOSE OF CALCULATING THE MINIMUM SITE AREA REQUIRED UNDER BCZR SEC. 405.4, 405.4.D & 405.4.E, TO

CONSIDER LANDSCAPING TO BE LOCATED WITHIN THE PORTION OF THE SITE THAT IS ZONED DR-16 MAY BE UTILIZED AS THE LANDSCAPE TRANSITION

ARE REQUIRED UNDER BCZR SEC. 405.4A2.B, TO PERMIT STACKING SPACES FOR A ROLL OVER CAR WASH AND A DUMPSTER TO BE LOCATED WITHIN THE

PORTION OF THE SITE THAT IS ZONED DR-16. VARIANCE TO PERMIT A SITE AREA OF 32,187 SQ. FT. IN LIEU OF THE REQUIRED 34,160 SQ. FT. TO

POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES NECESSARY. TO CONFIRM HEARING CALL 887-3391

DO NOT REMOVE THIS SIGN AND POST UNTIL DAY OF HEARING, UNDER PENALTY OF LAW

HANDICAPPED ACCESSIBLE

STARTER
ALTERNATOR

ZONING NOTICE

3.

CASE # 2010-0110-SPHXA

A PUBLIC HEARING WILL BE HELD BY
THE ZONING COMMISSIONER
IN TOWSON, MD

Room 104 JEFFERSON BUILDING
105 WEST CHESAPEAKE AVE. TOWSON 21204

PLACE:

DATE AND TIME: FRIDAY, DECEMBER 18, 2009 AT 9:00 A.M.

REQUEST: PERMIT 29 PARKING SPACES IN LIEU OF THE REQUIRED 36 SPACES; TO PERMIT LANDSCAPE TRANSITION ARMS OF AS

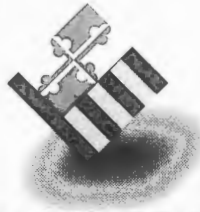
LITTLE AS 0 FEET ALONG THE LIBERTY RD. FRONTAGE IN LIEU OF THE REQUIRED 10 FT. 0 FT ALONG THE SIDE YARDS ABUTTING RESIDENTIALLY ZONED LAND IN LIEU OF THE REQUIRED 6 FT AND AS LITTLE AS 2 FT ALONG THE REAR YARD ABUTTING RESIDENTIALLY ZONED LAND IN LIEU OF THE REQUIRED 15 FT. SPECIAL EXCEPTION FOR A CONVENIENCE STORE WITH A SALES AREA LARGER THAN 1,500 SQ. FT. USE IN COMBINATION WITH A FUEL SERVICE STATION IN A BR-AS AND BL-AS ZONE, WHICH HAD BEEN PREVIOUSLY APPROVED IN CASE NO. 01-507-SPHXA, BUT NOT UTILIZED FOR A ROLL-OVER CAR WASH USE IN COMBINATION WITH A FUEL SERVICE STATION IN A BR-AS AND BL-AS ZONE, WHICH HAS BEEN APPROVED IN CASE NO. 73-216-YA BUT NOT UTILIZED.

POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES NECESSARY.
TO CONFIRM HEARING CALL 887-3391

DO NOT REMOVE THIS SIGN AND POST UNTIL DAY OF HEARING, UNDER PENALTY OF LAW

HANDICAPPED ACCESSIBLE

secured by ADT



BALTIMORE COUNTY
M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

NEW NOTICE OF ZONING HEARING

November 10, 2009
TIMOTHY M. KOTROCO, *Director*
Department of Permits and
Development Management

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: 2010-0110-SPHXA

8207 Liberty Road

S/west side of Liberty Road, at the intersection of Liberty Road and Marriotts Lane

2nd Election District – 4th Councilmanic District

Legal Owners: KF Ghauri, LLC

Special Hearing to amend the site plan previously approved in case no. 03-417-SPH; to confirm that the square footage of the portion of the overall site that is zoned DR-16 may be counted within overall special exception site area, for purpose of calculating the minimum site area required under BCZR sec. 405.4, 405.4.D & 405.4.E; to confirm landscaping to be located within the portion of the site that is zoned DR-16 may be utilized as the landscape transition are required under BCZR sec. 405.4.A.2.b; to permit stacking spaces for a roll over car wash and a dumpster to be located within the portion of the site that is zoned DR-16; Variance to permit a site area of 32,184 sq. ft., in lieu of the required 34,160 sq. ft.; to permit stacking spaces for a roll-over car wash to be located within a drive aisle the provides onsite parking spaces; to permit a roll-over car wash building to be located as close as 16 ft. to the lot line of a residentially zoned property in lieu of the required 50 ft.; to permit the tunnel entrance of a roll-over car wash to face an adjustment residentially zoned property; to permit a side yard setback of 10 ft; in lieu of the required 30 ft; to permit existing fuel pumps to be located a minimum of 17 ft from Liberty Rd right-of-way, in lieu of the required 25 ft; or in alternative, to determine that a variance is not required; to permit an existing fuel pump canopy to be located a minimum of 7 ft. from Liberty Rd right-of-way, in lieu of the required 15 ft or in the alternative, to determine a variance is not required; to permit 29 parking spaces in lieu of the required 36 spaces; to permit landscape transition areas of as little as 0 feet along the Liberty Rd frontage, in lieu of the required 10 ft, 0 ft along the side yards abutting non-residentially zone land, in lieu of the required 6 ft and as little as 2 ft along the rear yard abutting residentially zoned land in lieu of the required 15 ft; Special Exception for a convenience store with a sales area larger than 1,500 sq. ft. use in combination with a fuel service station in a BR-AS and BL-AS zone, which had been previously approved in case no. 01-507-SPHXA, but not utilized; for a roll-over car wash use in combination with a fuel service station in a BR-AS and BL-AS zone, which has been approved in case no. 73-216-XA, but not utilized.

Hearing: Friday, December 18, 2009 at 9:00 a.m. in Room 104, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

Timothy Kotroco
Director

TK:klm

C: Arnold Jablon, 210 W. Pennsylvania Avenue, Towson 21204
Khalid Azam, KF Ghauri, LLC, 5915 Clear Ridge Road, Elkridge 21075

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY THURSDAY, DECEMBER 3, 2009.**
- (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.



BALTIMORE COUNTY
MARYLAND

JAMES T. SMITH, JR.
County Executive

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

December 8, 2009

Arnold Jablon
Venable, LLP
210 W. Pennsylvania Ave.
Towson, MD 21204

Dear: Arnold Jablon

RE: Case Number 2010-0110-SPHXA, 8207 Liberty Rd.

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on September 29, 2009. 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:lnw

Enclosures

c: People's Counsel
KF Ghauri, LLC; 5915 Clear Ridge Rd.; Elkridge, MD 21075

TB 12/18
9am**BALTIMORE COUNTY, MARYLAND****Inter-Office Correspondence**

TO: Timothy M. Kotroco
FROM: Dave Lykens, DEPRM - Development Coordination
DATE: November 3, 2009
SUBJECT: Zoning Item # 10-110-SPHXA
Address 8207 Liberty Road
(KF Ghauri, LLC)

Zoning Advisory Committee Meeting of October 5, 2009

X The Department of Environmental Protection and Resource Management has no comments on the above-referenced zoning item.

Reviewer: JWJ

Date: 11/3/09

RECEIVED

NOV 04 2009

ZONING COMMISSIONER

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

DATE: October 9, 2009

FROM: Dennis A. Kennedy, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
For October 19, 2009
Item No.: 10-0110

The Bureau of Development Plans Review has reviewed the subject zoning item and we have the following comment(s).

The petitioner is advised that this site is within an area of special concern for sewer. The petitioner's engineer should contact the Bureau of Engineering with projected wastewater flow data.

DAK:CEN:kmt

cc: File

G:\DevPlanRev\ZAC - Comments\ZAC-item no 2010-0110.10192009.doc

TB 12/18
9am

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: October 21, 2009

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

SUBJECT: 8207 Liberty Road

RECEIVED

INFORMATION:

Item Number: 10-110

OCT 27 2009

Petitioner: KF Ghauri, LLC

ZONING COMMISSIONER

Zoning: BR-AS, BL-AS and DR 16

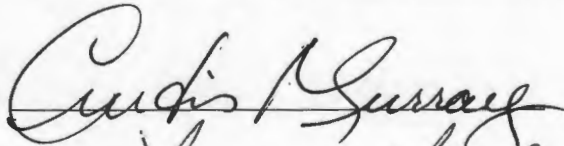
Requested Action: Variance, Special Hearing and Special Exception

SUMMARY OF RECOMMENDATIONS:

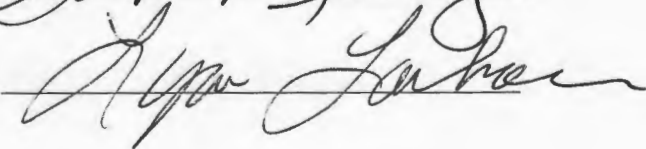
The Office of Planning has reviewed the petitioner's request and accompanying site plan. The Community Planner also conducted a visit to the subject site. The site is located in a Master Plan designated revitalization area. The addition of the proposed convenience store and car wash is too intense for this site. Evidence of that can be sought through the zoning relief requested. The Office of Planning recommends denial of the requests, as the proposal as it stands would be detrimental to the health safety or general welfare of the locality involved and therefore not consistent with the test provided in Section 502.1 of the Baltimore County Zoning Regulations.

For further information concerning the matters stated here in, please contact Dave Green at 410-887-3480.

Prepared by:



Division Chief:
AFK/LL: CM





BALTIMORE COUNTY
MARYLAND

JAMES T. SMITH, JR.
County Executive

JOHN J. HOHMAN, *Chief*
Fire Department

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

October 8, 2009

ATTENTION: Zoning Review Planners

Distribution Meeting Of: October 5. 2009

Item Numbers 0101, 0105 and 0110

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
410-887-4881 (C) 443-829-2946
MS-1102F

cc: File

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



MARYLAND DEPARTMENT OF TRANSPORTATION

Beverley K. Swaim-Staley, Secretary
Neil J. Pedersen, Administrator

Date: OCTOBER 7, 2009

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

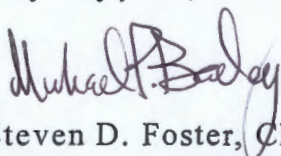
RE: Baltimore County
Item No. 2010-0110-SPHA
MD 26
8207 LIBERTY RD
KF GHARI, LLC PROPERTY
VARIANCE SPECIAL HEARING -
SPECIAL EXCEPTION -

Dear Ms. Matthews:

We have reviewed the site plan to accompany petition for variance on the subject of the above captioned, which was received on 10/06/09. A field inspection and internal review reveals that an entrance onto MD 26 consistent with current State Highway Administration guidelines is not required. Therefore, SHA has no objection to approval for 8207 LIBERTY RD, Case Number 2010-0110-SPHXA.

Should you have any questions regarding this matter feel free to contact Michael Bailey at 410-545-5593 or 1-800-876-4742 extension 5593. Also, you may email him at (m Bailey@sha.state.md.us). Thank you for your attention.

Very truly yours,


For Steven D. Foster, Chief
Engineering Access Permits
Division

SDF/MB

Cc: Mr. David Malkowski, District Engineer, SHA
Mr. Michael Pasquariello, Utility Engineer, SHA

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.sha.maryland.gov

RE: PETITION FOR SPECIAL HEARING * BEFORE THE
SPECIAL EXCEPTION & VARIANCE * ZONING COMMISSIONER
8207 Liberty Road; SW/S Liberty Road, *
@ intersection of Liberty & Marriotts Lane *
2nd Election & 4th Councilmanic Districts * FOR
Legal Owner(s): KF Ghauri, LLC *
Petitioner(s) * BALTIMORE COUNTY
* 10-110-SPHXA

* * * * *

ENTRY OF APPEARANCE

Pursuant to Baltimore County Charter § 524.1, please enter the appearance of People's Counsel for Baltimore County as an interested party 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 all documentation filed in the case.

RECEIVED

OCT 14 2009

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio

CAROLE S. DEMILIO
Deputy People's Counsel
Jefferson Building, Room 204
105 West Chesapeake Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 14th day of October, 2009, a copy of the foregoing Entry of Appearance was mailed to Arnold Jablon, Esquire, Venable, LLP, 210 Allegheny Avenue, Suite 500, Towson, MD 21204, Attorney for Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Kristen Matthews - case # 10-110 SPHXA

From: "Jablon, Arnold E." <AEJablon@Venable.com>
To: "Kristen Matthews" <kmatthews@baltimorecountymd.gov>
Date: 11/9/2009 5:25 PM
Subject: case # 10-110 SPHXA

K, this is scheduled for Dec 8th, can we re-schedule for Dec 15th, 16, 17 or 18? It hasn't been posted or advertised.

I want to meet with the local community groups, and they don't meet until the evening of the 8th, so...

Thanks.

U.S. Treasury Circular 230 Notice: Any tax advice contained in this communication (including any attachments) was not intended or written to be used, and cannot be used, for the purpose of (a) avoiding penalties that may be imposed under Code or by any other applicable tax authority; or (b) promoting, marketing or recommending to another party any tax-related matter addressed herein. We provide this disclosure on all outbound e-mails to assure compliance with new standards of professional practice, pursuant to which certain tax advice must satisfy requirement of form and substance.

This electronic mail transmission may contain confidential or privileged information you believe you have received this message in error, please notify the sender by reply transmission and delete the message without copying or disclosing it.



Liberty Road Business Association
P.O. Box 1417
Randallstown, MD 21133
410-655-7766 / FAX 410-655-7767

TB
12-18-09

December 15, 2009

RECEIVED

DEC 17 2009

ZONING

William J. Wiseman, III
Zoning Commissioner for Baltimore County
The Jefferson Building, Suite 103
105 W. Chesapeake Avenue
Towson, Maryland 21204

Re: Case No. 2010-110-SPHXA

Greetings Commissioner Wiseman,

This letter serves as support for the proposed expansion of BP Gas Station located at 8207 Liberty Road, Windsor Mill, MD 21244 submitted by K.F Ghauri, LLC. The expansion as detailed would include an expansion of the current service bay, an addition of a self serve car wash, and an addition of a more robust convenience store on the current property.

The LRBA is in support of these items, however we would like to stipulate the following to be included in the final proposal.

1. Hours of operations from April - September cease at 10pm EST
2. Hours of operation from October - March cease at 9pm EST
3. 10 ft privacy fence be erected on the entire rear of property with sufficient landscaping to provide a sound barrier between residential dwelling

Sincerely,

Charleen Wylie
President

cc: Executive Board Members

CASE NAME _____
CASE NUMBER _____
DATE _____

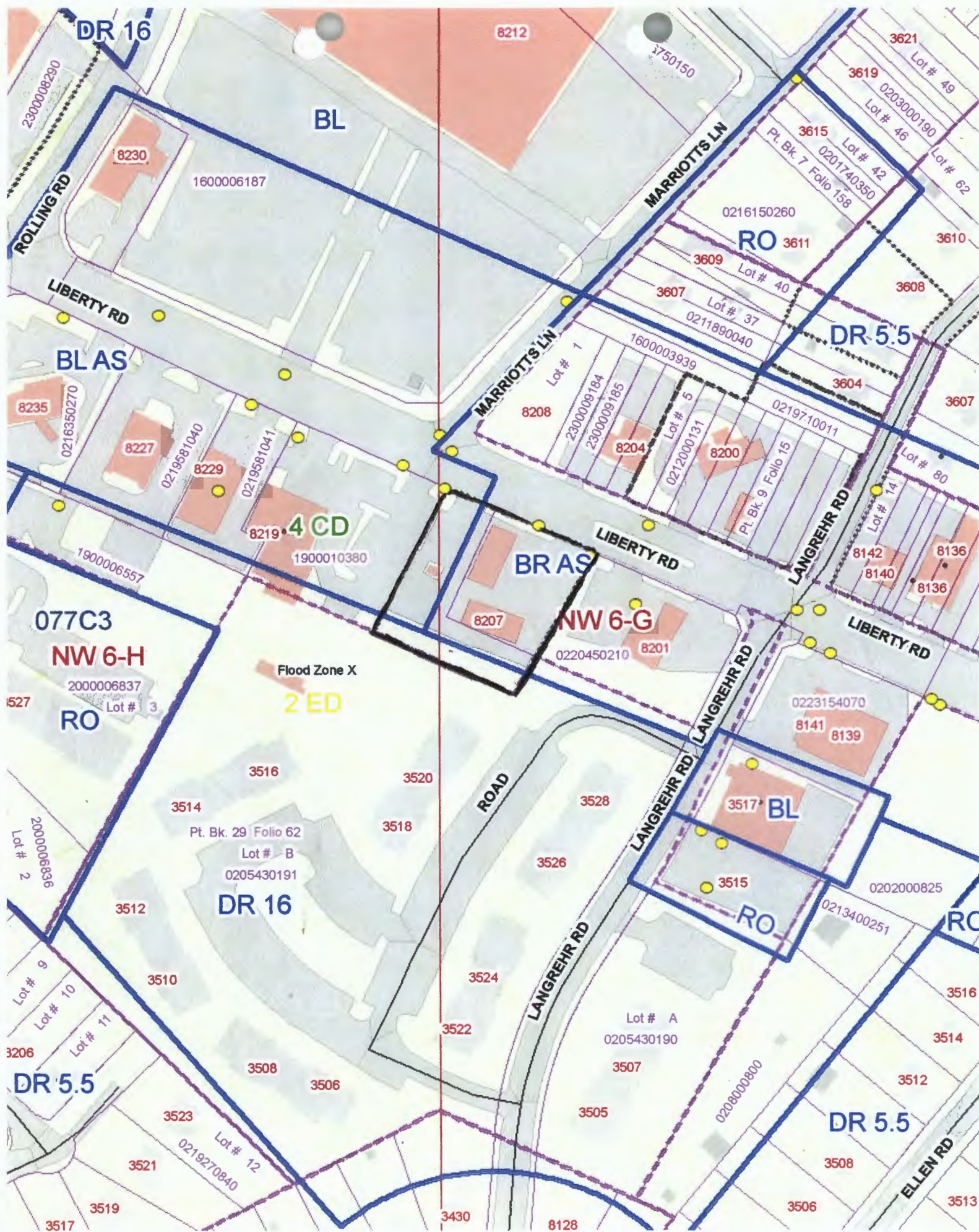
[illegible]

CASE NAME _____
CASE NUMBER _____
DATE _____

[illegible]

CASE NAME _____
CASE NUMBER _____
DATE _____

[illegible]



Case No.:

2010-0110-SPHXA

Exhibit Sheet

Petitioner/Developer

Protestant

No. 1	Revised Redline Site Plan	
No. 2	12-17-09 revised Planning Comment	
No. 3	Aerial Photo showing this property in revitalization area	
No. 4	Prior 1969 Case showing expansion of use - 69-89-X	
No. 5 A+B	1969 Site Plan (2 pages)	
No. 6	Prior 1973 case granting Sp. Ex. and Variance - 73-216-A	
No. 7	1973 Site Plan	
No. 8	2001 Order - 2001-507-XSPHA	
No. 9	2003 Order - extending Sp. Ex. from 2 to 5 years - 2003-417-SPH	
No. 10	Aerial Zoning Photograph also showing subject property	
No. 11	Larger aerial photograph w/ zoning map	
No. 12	12-14-09 Letter of Support Liberty Road Comm. Council	

Case No.:

Exhibit Sheet

Petitioner/Developer

Protestant

[illegible]

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: December 17, 2009

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

SUBJECT: 8207 Liberty Road

INFORMATION:

Item Number: 10-110

Petitioner: KF Ghauri, LLC

Zoning: BR-AS, BL-AS and DR 16

Requested Action: Variance, Special Hearing and Special Exception

SUMMARY OF RECOMMENDATIONS:

The Office of Planning has reviewed the petitioner's request and accompanying site plan. The Community Planner also conducted a visit to the subject site. The site is located in a Master Plan designated Commercial Revitalization District (CRD). The intent of CRD is to attract, retain and grow businesses. The addition of the proposed convenience store and car wash represents a substantial investment in the community.

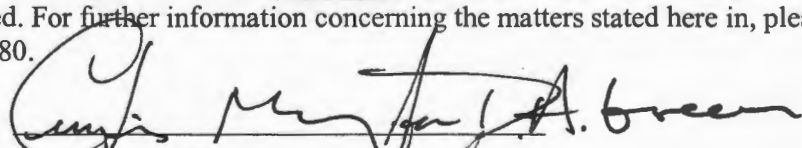
The petitioner has met with the Liberty Road Business Association and the Liberty Road Community Council to discuss the requested variances. These organizations have both sent letters of support (See attached)for the requested variances.

After discussions with the petitioners attorney, and community and business associations, the petitioner has agreed to:

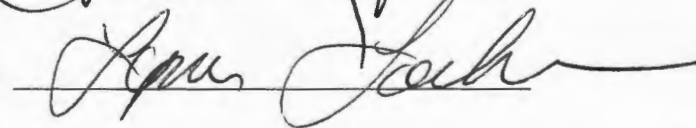
1. Install an 10 foot wood privacy fence wherever the property abuts residential property.
2. Limit hours of operation for the proposed carwash from 7:00 AM to 10:00 PM
3. Install additional landscaping along the frontage of the proposed site.
4. Direct all lights away from adjacent residential uses.

The Office of Planning recommends approval of the requests, provided the petitioner accomplish the aforementioned. For further information concerning the matters stated here in, please contact Dave Green at 410-887-3480.

Prepared by:



Division Chief:



PETITIONER' S

Baltimore County - My Neighborhood



- Legend**
- Revitalization
 - Property
 - Roads2

Copyright (C) 2003 Baltimore County, Maryland

Re: Petition for Special Exception
for Expansion of Automotive
Service Station - S/W Side
Liberty Road 319' N/W of
Langrohr Road, 2nd Dist.
The American Oil Company,
Petitioner

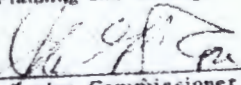
Before
Zoning Commissioner
of
Baltimore County
No. 59-89-X

The petitioner requested a special exception for the Expansion of an Automotive Service Station under Section 405.8.1 of the Baltimore County Zoning Regulations, on the southwest side of Liberty Road 319 feet northwest of Langrohr Road, in the Second District of Baltimore County.

Since the petitioner has met all requirements of Sections 502.1 and 405.8-B, it is the opinion of the Zoning Commissioner that the proposed expansion would be in such manner as to improve the station to be in keeping with the Regulations.

For the above reasons the special exception should be granted.

It is this 11th day of October, 1968, by the Zoning Commissioner of Baltimore County, ORDERED that a special exception for the Expansion of an Automotive Service Station should be and the same is granted, from and after the date of this Order, subject to approval of the site plan by the State Roads Commission, Bureau of Public Services and the Office of Planning and Zoning.


Zoning Commissioner of
Baltimore County

PETITIONER'S EXHIBIT 4

PETITION FOR ZONING RE-CLASSIFICATION
AND/OR SPECIAL EXCEPTION

-----zone; for the following reasons:

PETITIONER'S EXHIBIT 6

ORDER RECEIVED FOR FILING

November 7 1973
DATE: *File in 10-1-73*

Pursuant to the advertisement, posting of property, and public hearing on the above Petition and it appearing that by reason of the requirements of Sections 405.3, 405.4D.4, 419, and 502.1 of the Baltimore County Zoning Regulations having been met, a Special Exception for a Car Wash as a Use in Combination with a Service Station should be granted; and, it further appearing that by reason of the following finding of facts that strict compliance with the Baltimore County Zoning Regulations would result in practical difficulty and unreasonable hardship upon the Petitioners and the granting of the requested Variance not adversely affecting the health, safety, and general welfare of the community, a Variance to permit twenty (20) stacking spaces in lieu of the required forty (40) spaces should be granted.

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 7th day of November, 1973, that a Special Exception for a Car Wash as a Use in Combination with a Service Station should be and the same is GRANTED and the Variance to permit twenty (20) stacking spaces in lieu of the required forty (40) spaces should be and the same is GRANTED, from and after the date of this Order, subject to the approval of *[Signature]* Zoning Commissioner of Baltimore County a site plan by the State Highway Administration, the Department of Public Works, and the Office of Planning and Zoning. Pursuant to the advertisement, posting of property and public hearing on the above petition and it appearing that by reason of

the above re-classification should NOT BE HAD, and/or the Special Exception should NOT BE GRANTED.

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this _____ day of _____, 1973, that the above re-classification be and the same is hereby DENIED and that the above described property or area be and the same is hereby continued as and to remain a _____ zone; and/or the Special Exception for _____ be and the same is hereby DENIED.

Zoning Commissioner of Baltimore County

IN RE: PETITIONS FOR SPECIAL EXCEPTION,* BEFORE THE
SPECIAL HEARING & VARIANCE – S/S
Liberty Road, across from Marriott Lane, * ZONING COMMISSIONER
W of Rolling Road (8207 Liberty Road)
1st Election District * OF BALTIMORE COUNTY
2nd Council District * Case No. 01-507-XSPHA
BP Corporation
Petitioners *

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of Petitions for Special Exception, Special Hearing and Variance filed by the owners of the subject property, BP Corporation, by John R. Lombardo, Zoning and Development Manager, through their attorney, David K. Gildea, Esquire. The Petitioners request a special exception to permit a fuel service station use in combination with a convenience store/carry out restaurant, and ancillary use automatic teller machine. In addition, the Petitioners request a special hearing to approve an amendment to the previously approved special exception granted in prior Case No. 69-89-X to reflect the proposed modifications, and variance relief from Section 450 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit 80 sq.ft. of freestanding signage in lieu of the maximum allowed 75 sq.ft. 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.

Appearing at the requisite public hearing in support of the request were John R. Lombardo on behalf of BP Corporation, property owners; Greg Reed, a representative of Bohler Engineering, P.C., the consultants who prepared the site plan for this property; and David K. Gildea, Esquire, attorney for the Petitioners. There were no Protestants or other interested persons present.

Testimony and evidence offered revealed that the subject property is a roughly square shaped parcel located on the south side of Liberty Road, just east of Rolling Road in Randallstown.

ORDER RECEIVED FOR FILING

Date 8/26/11

By [Signature]

PETITIONER'S EXHIBIT 8

The property consists of a gross area of 0.742 acres, more or less, split zoned B.R.-A.S. and B.L.-A.S., and is improved with a fuel service station use in combination with a convenience store, and a freestanding automated teller machine (ATM). The Petitioners are in the process of upgrading and modernizing all of their BP/Amoco service station sites. As part of this overhaul, the Petitioners completely raze existing improvements and replace same with new buildings/equipment. At the subject location, the Petitioners propose constructing a new service station facility with five (5) gasoline pump islands offering service on both sides, and a 2,400 sq.ft. convenience store building, of which 400 sq.ft. will be utilized for a carry-out restaurant known as the Wild Bean Café, which specializes in quick food items for customers who have come to the site for fuel. That is, it is not a destination restaurant. In addition to the fuel service station and convenience store/carry-out restaurant, the Petitioners propose installing an ancillary automatic teller machine for its customers. In view of the proposed improvements, a special exception is necessary and a special hearing to amend the previously approved site plan to reflect same is required. Moreover, variance relief is necessary for the proposed new signage.

Turning first to the special exception request, Section 405 of the B.C.Z.R. governs fuel service stations. The Petitioners' proposal is not unique, but is an industry trend to redevelop sites with convenient "gas-n-go" pump islands where they no longer do automobile repairs and provide customers with other convenience services, such as mini-markets, carry-out restaurants, and automatic teller machines. Section 405.E of the B.C.Z.R. specifically provides that certain uses are permitted to be on the same site as a fuel service station. Such uses are designated as "uses in combination" with the service station, not accessory thereto. Convenience stores and restaurants are among those uses. Additionally, Section 405.D allows certain uses identified as ancillary to the primary uses on the property, and among those uses are automatic teller machines. Thus, the proposed carry-out restaurant and automatic teller machine are permitted by special exception.

It should also be noted that different types of restaurants are defined in Section 101 of the B.C.Z.R. A question arose as to what category of restaurant the Wild Bean Café falls under. Testimony indicated that the proposed carry-out restaurant is designed to provide convenient,

DATE
8/30/01
By
Hep

quick food items for customers of the fuel service operation. A carry-out restaurant is defined in Section 101 of the B.C.Z.R. as "An establishment whose principal business is the sale of ready to consume food and beverages to customers who order their food and beverages over the counter, by telephone, or by fax machine, and whose principal characteristic is that food and beverages are consumed off the premises." In my judgment, notwithstanding the fact that there is limited seating at the Wild Bean Café, it is not a standard, full-service restaurant. Based upon the testimony and evidence presented, I find that the Wild Bean Café is indeed a carry-out restaurant, not a standard restaurant, fast-food restaurant, or a fast-food restaurant, drive-thru, only. Although the proposed restaurant shares elements of all of those different types of restaurants, the unique characteristics of the Wild Bean Café, in terms of it being oriented and marketed towards patrons of the fuel service station, lead me to conclude that the carry-out restaurant definition fits this use.

As for the requested variance, testimony indicated that all existing signs are being replaced and that the proposed wall-mounted and canopy signs meet current sign requirements; however, one freestanding sign totaling 80 sq.ft. is proposed. That sign will display the prices for the different grades of gasoline offered, identify the name of the carry-out restaurant, and the credit cards accepted. Due to the fact that the subject property has less than 100 feet of road frontage, a variance is needed in order to have more than 75 sq.ft. of freestanding signage.

After due consideration of the testimony and evidence presented, I am persuaded to grant the Petitions for Special Exception, Special Hearing and Variance. In my view, the relief requested will not cause detriment to the health, safety or general welfare of the surrounding locale and meets the spirit and intent of the zoning regulations. Moreover, the proposed improvements appear to be in keeping with the on-going revitalization efforts taking place along the Liberty Road corridor. In fact, a letter of support for this project was received from the Liberty Road Business Association. There were no Protestants present, and no adverse Zoning Advisory Committee (ZAC) comments submitted by any Baltimore County reviewing agency. However, the Office of Planning recommended certain conditions be imposed upon approval of the relief requested relative to lighting and landscaping of the subject property. In addition, any sidewalk and

ORDER RECEIVED FOR FILING
Date 8/28/11
By [Signature]

landscaping treatment proposed by the Petitioners along Liberty Road shall be coordinated with the State Highway Administration (SHA)'s streetscape program. Thus, I will require that all landscaping for the subject site be consistent with the requirements of the SHA streetscape program. Moreover, the State Highway Administration (SHA) requested the Petitioner submit a comparative traffic study in order that they may determine whether or not an access permit will be required. Thus, I shall incorporate these comments as a restriction to the granting of the special exception and variance relief.

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

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 20th day of August 14, 2001 that the Petition for Special Exception to allow an ancillary use automatic teller machine with an existing fuel service station use in combination with a convenience store/carry out restaurant, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED; and,

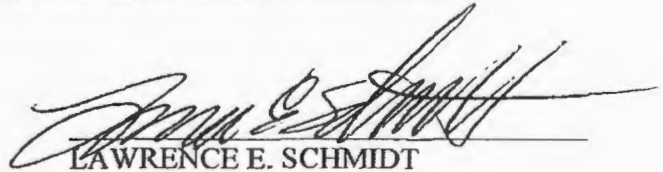
IT IS FURTHER ORDERED that the Petition for Special Hearing to approve an amendment to the previously approved special exception granted in prior Case No. 69-89-X to reflect the proposed modifications, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that the Petition for Variance seeking relief from Section 450 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a freestanding sign of 80 sq.ft. in lieu of the maximum allowed 75 sq.ft., in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

- 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.

Date 8/20/01
By [Signature]

- 2) Prior to the issuance of any permits, the Petitioners shall comply with the recommendations made by the Office of Planning as set forth in their ZAC comment dated July 30, 2001, a copy of which is attached hereto and made a part hereof. Moreover, the Petitioners shall submit a comparative traffic study to the SHA for a determination as to whether an access permit will be required.
- 3) 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.



LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

ORDER RECEIVED FOR FILING

Date

By

IN RE: PETITION FOR SPECIAL HEARING

SW/S Liberty Road,
opposite Marriott Lane
2nd Election District
4th Councilmanic District
(8207 Liberty Road)

BP Products North America, Inc.
Petitioner

BEFORE THE

DEPUTY ZONING COMMISSIONER

OF BALTIMORE COUNTY

CASE NO. 03-417-SPH

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a Petition for Special Hearing filed by the legal owner of the subject property, BP Products North America, Inc. The special hearing request involves property located at 8207 Liberty Road. The Petitioner is requesting an extension of the utilization period for the special exception granted in Case No. 01-507-SPHXA, which Order was issued on August 20, 2001. In addition, the Petitioner is requesting an amendment to the previously approved special exception granted in Case No. 01-507-SPHXA.

Appearing at the hearing on behalf of the special hearing request were Gregory Reed, representing Bohler Engineering, P.C., John R. Lombardi on behalf of BP Products North America, Inc., and Sebastian Cross, attorney at law, representing the Petitioner. There were no protestants or others in attendance.

Testimony and evidence indicated that the property, which is the subject of this special hearing request is located at 8207 Liberty Road and was approved for the construction of a BP Amoco gasoline service station and convenience store. The original special exception was granted by Order dated August 20, 2001. BP Amoco is not yet ready to proceed with the construction of their gas stations in the Baltimore Metropolitan Area at this time. They are completing construction of stations in four other markets across the country. Therefore, they are

PETITIONER'S EXHIBIT 9

5/20/03
B. J. J. J.

requesting an extension of time within which to utilize the original special exception request. After considering the testimony and evidence offered and the lack of opposition thereto, I find that the special hearing should be granted to allow an extension of time within which this Petitioner may utilize the special exception until August 20, 2006.

Mr. Cross also indicated that there has been some small design changes to the canopy, signage and gasoline dispensers on the site. These minor design changes could have been approved pursuant to a spirit and intent letter submitted to this office. However, since the Petitioner was already requesting special hearing relief for the extension of time within which to utilize their special exception, they simply added this additional request for these minor design changes. The requested relief has been considered and I find that the previous plan shall be amended to reflect the changes to the gasoline dispenser, the canopy and the sign tower.

After due consideration of the testimony and evidence presented at the hearing and the lack of opposition to this special hearing request, I find that the request should be granted. It is clear that practical difficulty or unreasonable hardship would result if the special hearing were not granted. It has been established that the requirements from which the Petitioner seeks relief would unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the relief requested will not be detrimental to the public health, safety or general welfare, and meets the spirit and intent of the B.C.Z.R.

Pursuant to the advertisement, posting of the property, and public hearing on this petition held, and for the reasons given above, the special hearing relief shall be granted.

THEREFORE, IT IS ORDERED, by the Deputy Zoning Commissioner for Baltimore County, this 20th day of May, 2003 that the period of time within which to utilize the special exception granted in Case No. 01-507-SPHXA shall be extended until August 20, 2006.

5/20/03
D. Cameron

IT IS FURTHER ORDERED, that the Petitioner shall be permitted to amend the previous approval to allow the minor changes to the pump island canopies, as well as the gasoline dispensers and sign tower.

IT IS FURTHER ORDERED that any appeal of this decision must be made within thirty (30) days of the date of this Order.

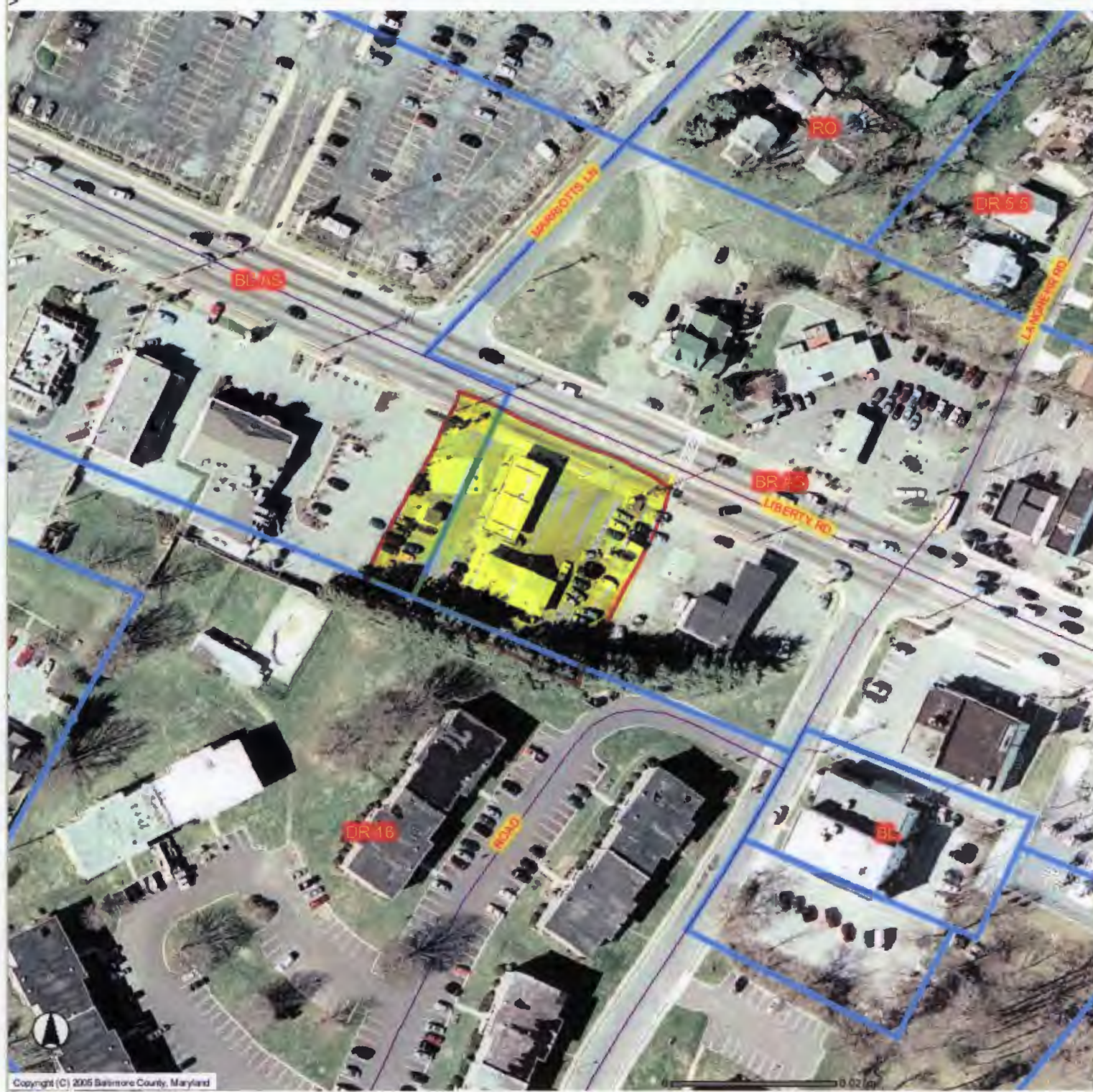
Timothy Kotroco

TIMOTHY M. KOTROCO
DEPUTY ZONING COMMISSIONER
FOR BALTIMORE COUNTY

TMK:raj

5/20/03
R. Preston

Baltimore County - My Neighborhood



TB
12-18-09

LIBERTY ROAR COMMUNITY COUNCIL, INC
Post Office Box 31613 Gwynn Oak Maryland 21207

December 14th 2009

Zoning Commissioner
Baltimore County
105 West Chesepeak Avenue
Towsand,, Maryland 21204

Dear Sir,

The Liberty Road Community Council has been briefed on the request by the BP Gas Station , located at 8207 Liberty Road, by Attorney Arnold Jablon, to establish a convenience store and a car wash. The Liberty Road Community Council has reviewed the plans, the request for variances and has visited the site.

After due consideration the Liberty Road Community Council is in support of said project with two exceptions. 1. Due to the short distance from the Gas Station to the Apartment Complex we request a privacy fence be installed and 2. The hours of operation for the Car Wash to cease at 9:00PM during the winter months and 10:00PM during the Summer months.

John F.McPhaul
President

RECEIVED

DEC 17 2009

ZONING COMMISSIONER

PETITIONER' S

EXHIBIT NO.

12



LIBERTY ROAD BUSINESS ASSOCIATION

"In Business For Your Business"

P.O. Box 1417

Randallstown Maryland 21133

Tel: 410-655-7766 • Fax: 410-655-7767

TB
12-18-09

December 15, 2009

RECEIVED

DEC 17 2009

William J. Wiseman, III
Zoning Commissioner for Baltimore County
The Jefferson Building, Suite 103
105 W. Chesapeake Avenue
Towson, Maryland 21204

ZONING COMMISSIONER

Re: Case No. 2010-110-SPHXA

Greetings Commissioner Wiseman,

This letter serves as support for the proposed expansion of BP Gas Station located at 8207 Liberty Road, Windsor Mill, MD 21244 submitted by K.F Ghauri, LLC. The expansion as detailed would include an expansion of the current service bay, an addition of a self serve car wash, and an addition of a more robust convenience store on the current property.

The LRBA is in support of these items, however we would like to stipulate the following to be included in the final proposal.

1. Hours of operations from April - September cease at 10pm EST
2. Hours of operation from October - March cease at 9pm EST
3. 10 ft privacy fence be erected on the entire rear of property with sufficient landscaping to provide a sound barrier between residential dwelling

Sincerely,

Charleen Wylie
President

cc: Executive Board Members

PETITIONER'S

EXHIBIT NO.

13

A



B



Photographs showing view of subject property.

C



D



Photograph C - View along side of building. Bank station to be removed to allow access to carwash.

Photograph D - View of rear of building, area to be used as access to carwash

PETITIONER'S
EXHIBIT NO. 15

E



F



View of proposed location of carwash. Photographs E is viewed from front of building, Photograph F is viewed from rear of building.

G



H



Photograph G - View from property behind subject property

Photograph H - View of playground on property adjacent to rear of property

I



J



Photographs I - View of property from the rear side of the subject property.

Photograph J - View of Getty Station adjacent to subject property.

AUTEC INBAY EXPRESS

Test Date 5/8/2009
Weather Overcast - 64°
Equipment Pacer Industries SL-120 Sound Level Indicator

Decibel Readings - (dB(A) scale) at distance intervals

distance (feet)	BFS-30	BFS-45
10	85	88
20	80	82
30	77	79
40	74	76
50	73	74
60	72	73
70	70	70
80	68	69
90	66	68
100	65	66

PETITIONER'S EXHIBIT 16

Liberty Road Revitalization Area



1990 Action Plan Update

AS ADOPTED BY
THE BALTIMORE COUNTY COUNCIL
OCTOBER 7, 1991

A plan prepared by the Liberty Communities
Development Corporation

PETITIONER'S

EXHIBIT NO.

17



Table of Contents

	<u>Page</u>
INTRODUCTION	1
PLANNING FOR GROWTH	5
Zoning	5
Recommendations	8
Development Controls & Incentives	8
Recommendations	12
INFRASTRUCTURE	14
Traffic & Roads	14
Recommendations	16
Mass Transit & Pedestrians	18
Recommendations	19
Sewer & Water	20
Recommendations	20
COMMERCIAL DESIGN	21
Signage	21
Recommendations	24
Landscaping & Amenities	25
Recommendations	26
IMPLEMENTATION1.....*-.....	28
APPENDIX	33



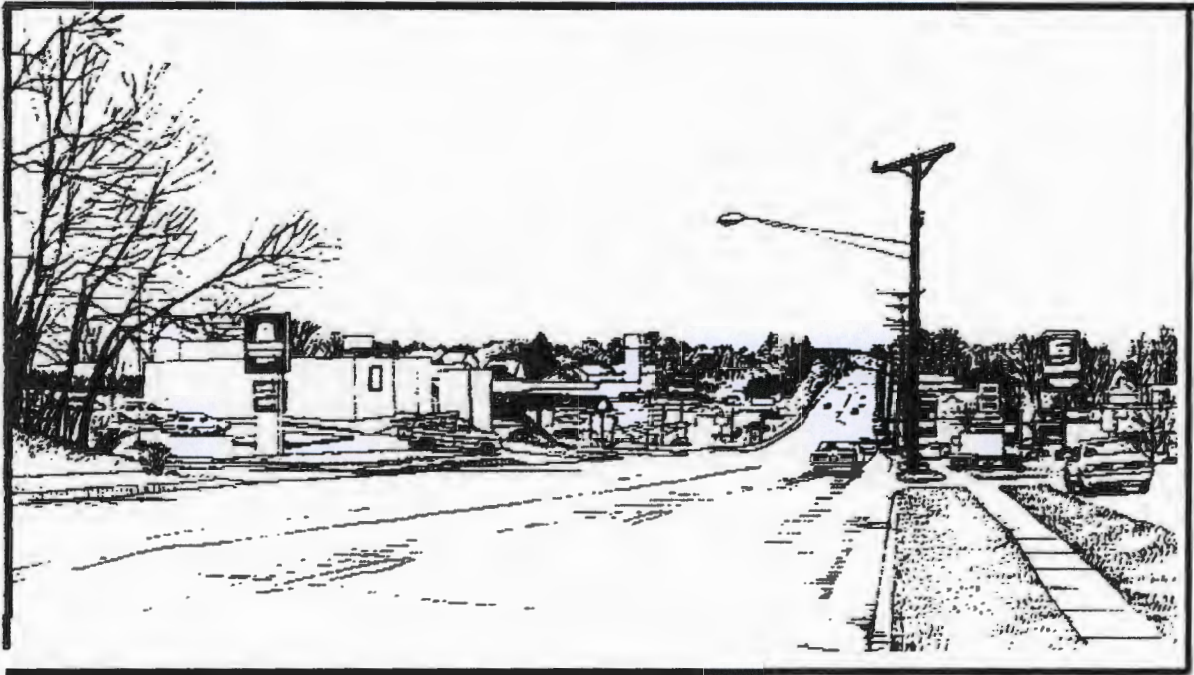
Introduction

In 1980 Baltimore County adopted the original Liberty Action Plan and thereby designated Liberty Road, from the City line to Deer Park Road, from Windsor Mill Road to Winands Road and the Western Maryland Railroad tracks, as a Revitalization Area. This designation along with an attendant commitment of public and private resources has made a clear and positive difference throughout the Liberty Road communities. The local citizens and businesses owe a debt of gratitude to the authors of the original plan and to the past and present County officials for their initial and continued support and involvement.

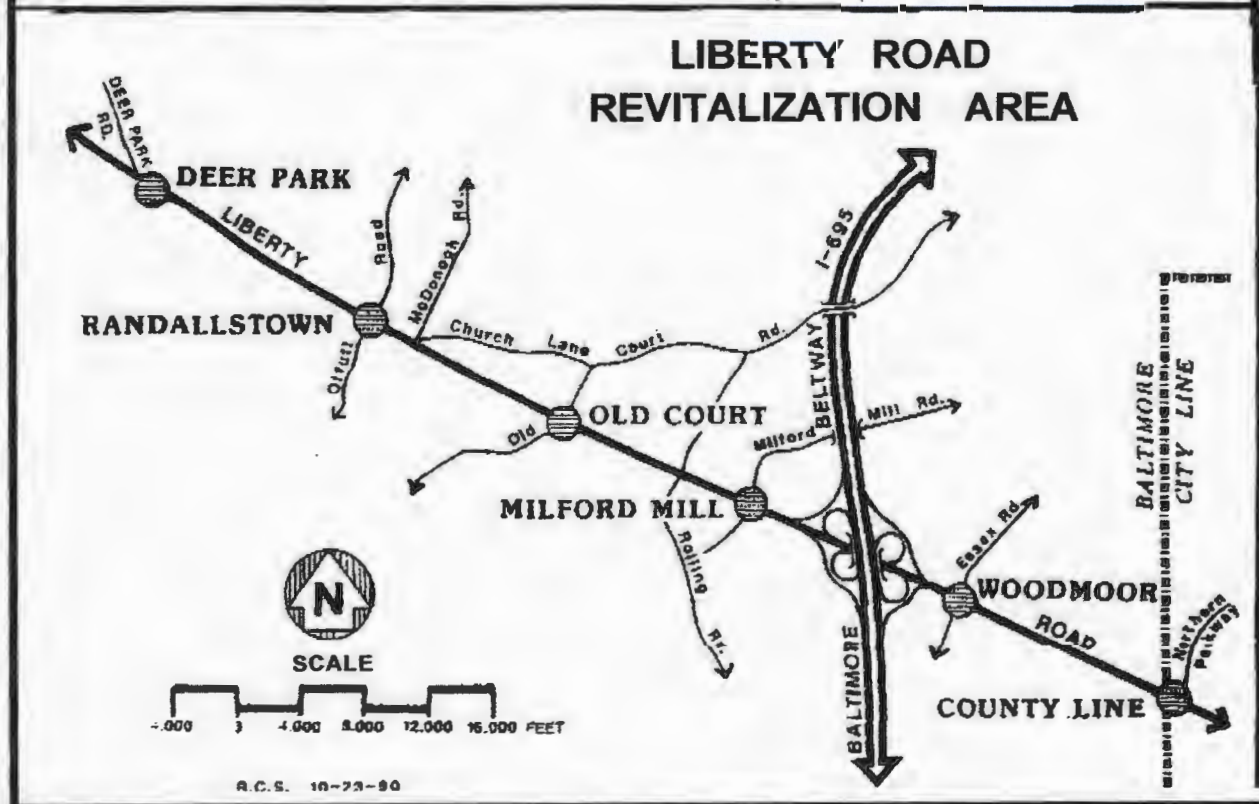
Over the past decade the implementation of the Action Plan has ushered in an array of accomplishments and improvements. Our mutual successes are attested to by the numerous physical improvements running the length of the road: renovated shopping centers and businesses, office parks, new public facilities and resources, traffic and roadway improvements, signage, landscaping and amenities.

While the appearance of the commercial sector has changed so too have the dynamics impacting upon the corridor changed. The market area, both real and potential, is undergoing continual change

and presents both challenges and opportunities. The pattern of business usages and ownership has changed with a greater degree of franchise or corporate owned stores. An increase in population, traffic and social needs has placed a burden on an aging infrastructure system.



These changes call for new strategies and actions while we must also continue to address long-standing problems and concerns whose solutions remain elusive. The problem of neglect and disinvestment of certain shopping centers and areas requires serious and creative action. The overall appearance of the road needs continued improvement from both the public and private sector. Our communities' image continues to need enhancement to residents, consumers and investors.



This report attempts to present a plan designed to improve Liberty Road's competitive position into the 1990's and beyond. To a great degree the threat of decline has already been pre-empted by effective revitalization strategies. The revitalization momentum should be continued, refined and expanded through cooperative and mutually beneficial actions. The Liberty Communities Development Corporation should coordinate actions which include planning and marketing efforts, development controls and incentives, public services, infrastructure improvements and the continued commitment of the private sector. Many of these recommendations have been previously presented through various sources including the County's Master Plan 1989-2000, Legg Mason's 1989 Baltimore County Economic Forecasts and the Liberty Road Market Study and Economic Analysis. It is a basic goal of this Action Plan to consolidate, refine and augment these recommendations into a single document focusing on Liberty Road.



Planning For Growth

The retention and expansion of the local business community is vital to the continued health of the Liberty Road communities. Liberty Road is an aging commercial strip confronted with changing market dynamics which call for an augmented capacity for the promotion and management of growth. Baltimore County's planning, zoning and development regulations and policies as well as the resources of the Economic Development Commission and LCDC are tools which can effectively channel and control growth in both the commercial and residential communities.



Zoning

Zoning should be used as a tool to both attract desirable businesses to the Road and to curtail the proliferation and concentration of uses which inhibit the necessary mix of a healthy economy. In the years ahead we would like to see a reduction in the number of new automotive related and fast food projects and a corresponding increase in more compatible and less intensive projects such as office parks and more diversified retail and

service ventures. Current zoning rules, regulations and procedures offer us only limited opportunities to effectively promote this scenario. To truly be responsive to our communities' needs we require new and better zoning tools.

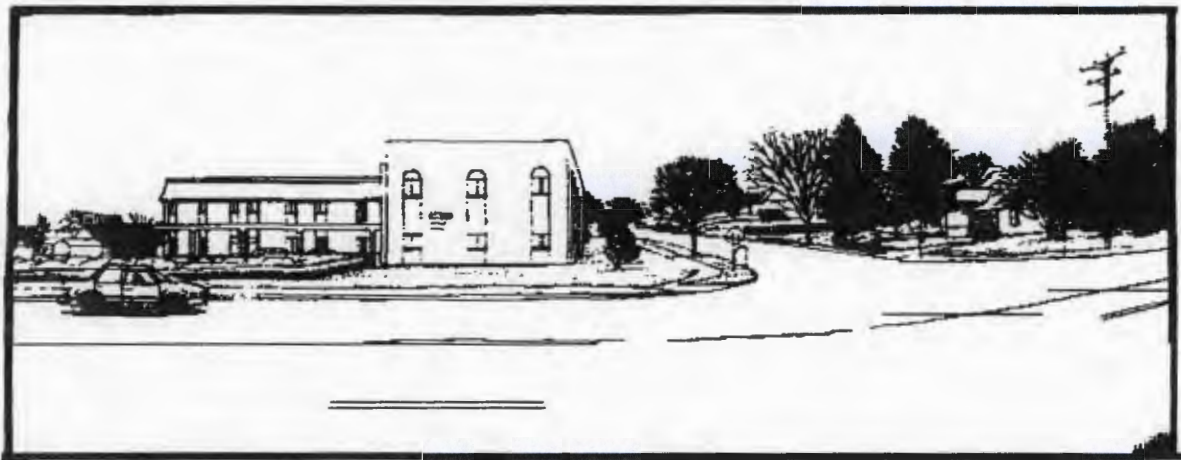
The control of uses, as well as the maintenance of the commercial sector would most effectively be accomplished in a timely manner through the creation of a Liberty Road Zoning Overlay District which would be superimposed over existing zoning classifications. The overlay district would better control uses throughout the corridor and within individual commercial areas or nodes by either encouraging or discouraging specific uses. New automotive uses might be compatible and encouraged in one area but not in another. Additionally, the overlay district would require common development standards for property maintenance, design, signage, landscaping and lighting. This district should be created in advance of the Zoning Map Process by joint action of the County and the community.

Uses allowed in zoning classifications, particularly B (Business), M (Manufacturing) and O (Office) should be examined and improved. The effective use of B zones as a means to control use has eroded over the years. Liberty Road's commercial areas are predominantly BL (Business Local), BM (Business Major) and BR (Business Roadside) and their respective permitted uses should be better distinguished. Currently, any potential developer who believes that "the car is king" has substantial zoning latitude to replace a

furniture store with an automotive shop as either a Matter of Right or by Special Exception.

Zoning regulations for M and O zone developments along Liberty Road should be reviewed and improved as a means to attract compatible projects. Land use issues such as minimum open space requirements and allowable uses should be examined and made more flexible,.

Zoning should also be used to protect the viability of the residential communities and the competitive position of the Revitalization Area. Proposed commercial developments in proximity to Liberty Road with the intent and/or potential to detract from either the existing residential or commercial areas should be discouraged.



New commercial uses within PUDs (Planned Unit Developments) should be controlled in size and use so as to not reduce Liberty Road patronage. This potential is addressed in Legg Mason's 1989

Economic Forecasts, "County policy should consider whether proposed retail developments and sites . . . will serve unmet needs from new residents or if they will displace retail sales from existing centers and community shopping areas." Similarly, new commercial projects along roads intersecting or running parallel to Liberty Road (Windsor Mill, Milford Mill, Rolling, Old Court, McDonogh and Deer Park) should be denied in order to protect against infringement into residential areas, as well as to preserve the existing market.

Recommendations

- #1 The creation of a Liberty Road zoning overlay district designed to control uses and establish standards for maintenance, design, signage, landscaping and lighting.
- #2 Revise residential PUD (Planned Unit Developments) regulations to remove commercial zoning as a matter of right and to control size and use.
- #3 County revision of permitted uses in B zones to better control uses.
- #4 Improvements to M and O zones as a means to promote compatible developments along Liberty Road.
- #5 Prohibit new commercial zoning on the cross streets intersecting Liberty Road, including any future roads, (Milford Mill, Rolling, Old Court, McDonogh, and Deer Park Roads) within the boundaries of the plan.
- #6 Control and restrict commercial zoning and uses along major parallel roads, (Windsor Mill Road).

- #7 Cluster commercial zoning on Liberty Road and provide buffering to protect residential areas.



Development Controls and Incentives

As an eight mile linear highway Liberty Road is one large Revitalization Area with related but distinct commercial parts; County Line and Woodmoor, Milford Mill, Old Court, Randallstown and Deer Park. Its overall continued revitalization will require additional catalytic actions, some of which will be applicable corridor wide and others which should be targeted at particular areas.



The County's Master Plan 1989-2000 accurately describes the commercial area inside the Beltway as the area in most need; "Inside the Beltway there are neglected buildings and vacancies. This is one of the few areas where "urban" problems have begun to impact the County." This area includes the commercial properties between the City Line and Kelox Road and the Woodmoor and Liberty Crest Shopping Center areas. quality commercial reinvestments are almost non-existent and properties continue to decline despite the maintenance of middle class residential neighborhoods and the injection of public physical improvements.

These "urban problems" require solutions based upon much greater public sector involvement in the area's future. The County and the community should design and implement a suburban model for this target area consisting of a comprehensive set of actions and resources specifically designed to contain and reverse the existing trend of disinvestment and deterioration. This suburban model should be more akin to redevelopment than revitalization. Redevelopment should be sought and encouraged through land assemblage, business and marketing plans and the possible acquisition and resale of properties. Other activities should include coordinated zoning, building and health code enforcement, the provision of incentives, including technical assistance, preferred financing, increased security and additional public improvements.

The technical assistance referred to above will require a modification of existing Revitalization programs to include consulting on business plans, financing, loan packaging, design

assistance along with support and assistance on licensing and permit applications. Preferred financing would include, revolving loans and other public funds such as State Action Loans for Targeted Areas (SALT).

Revitalization activities corridor wide should be promoted through a series of development controls and incentives designed to foster business retention, expansion, improvement and attraction. Existing County zoning and building regulations along with the proposed new zoning overlay districts incorporating design and maintenance standards should be coupled with County revitalization incentives designed to facilitate improvements.

Design and signage issues could be addressed through the assistance of a publicly retained architectural or design firm. Actual improvements could be financed through a revolving loan fund. Existing, as well as new businesses, should be provided with technical assistance on site selection, financing and governmental approvals.

Economic and market data and information should be regularly maintained and distributed as a means to attract new businesses. Liberty Road's image to both the consumer and investor should be strengthened through an aggressive and professionally assisted marketing and promotional campaign.

Public improvements including roadways, facilities and amenities should be provided as a means to support and encourage private

projects. All new private commercial developments should be examined through the County Review Group (CRG) process for adequate security measures.

Recommendations

- #1 Design and implement a Suburban Model program for the commercial areas inside of the Beltway (City line to Kelox Road, Woodmoor and Liberty Crest). The model should be devised using community talents and promote the redevelopment of the area through site specific development plans, land assemblage, marketing, code enforcement, development incentives and other means.
- #2 The maintenance of market analysis and economic data including demographics, property ownership, zoning, usage, etc. for the entire Road.
- #3 Technical assistance, including site selection, business plans, financing, loan packaging, design and permits to facilitate business retention, expansion and attraction.
- #4 Decentralize the delivery of services, such as the issuance of permits and licenses, for area businesses as well as residential, making them available through the Liberty Family Resource Center.
- #5 The availability of preferred financing through public programs including a loan program with attractive rates and terms for construction, physical improvements, design and security.

- #6 The consideration of tax deferments for improvement projects within the Revitalization Area.**
- #7 The provision of publicly supported design assistance by contract(s) with architectural or design firms as a means to improve and maintain the appearance of commercial properties.**
- #8 Public improvements, including roads, amenities, landscaping, traffic signals, signage, etc. designed to compliment or catalyze private projects and improvements.**
- #9 Require the police department's review and involvement in the CRG process to insure adequate security for commercial and business projects.**
- #10 Review and augment the County's legal capacity to enforce the improvement, maintenance or razing of vacant properties.**
- #11 An ongoing cooperative effort between the County and revitalization areas for the services of a professional public relations or marketing firm.**
- #12 The development of promotional events and activities through LCDC, public agencies and individual shopping centers and businesses.**
- #13 The use of a logo and promotional material for the corridor, in general, and individual commercial nodes.**



infrastructure

The Liberty road infrastructure is basically in place and has served its constituent population reasonably well. That population, however, has grown and changed over the past ten years and the fact is that we will undergo even more dramatic changes in the next ten years. Residential and business growth, both in the immediate and adjoining areas, will necessitate an upgrading of roadways, intersections, public transportation systems and water and sewage systems.



Traffic and Roads

Since the adoption of the original Liberty Road Action Plan the County and State have implemented a number of road improvements which have benefitted the corridor. Traffic continues to grow, however, with the private vehicle remaining as the primary means of transportation.

The largest anticipated future increase in traffic will take place along the western edge of the corridor. The State Highway Adminis-

Average Daily Traffic			
	1983	1988	% increase
Liberty Rd. @ Northern Pkwy	30,250	36,800	21.6%
Lochearn	33,250	38,000	14 %
695 (East Side)	37,250	45,000	20.8%
695 (West Side)	43,750	49,500	13 %
Old Court	29,750	32,285	8.5%
Randallstown	19,250	29,000	50.6%

tration estimates that daily traffic along Liberty Road in this area will increase from 29,000 in 1988 to 56,000 in the year 2005.

This increase is related, in part, to the development of the new Owings Mills growth area and it offers both opportunities and challenges to the Liberty Road merchants. In order for the Liberty Road business sector to take advantage of this growth it will be necessary to make travel to and throughout Liberty Road safe and convenient. A new connector road would address the growing traffic problem and growth between Randallstown and Owings Mills. It would also serve to eliminate the growing congestion along side roads such as Brenbrook, McDonogh, Tiverton, Marriottsville and Deer Park where the quiet residential settings are already being disrupted.

As early as 1982 the Regional Planning Council and the State Highway Administration formally recommended that Liberty Road from

Offutt Road to Deer Park Road be upgraded to five lanes, in order "to meet traffic demands from both a safety and capacity standpoint." Improved vehicular movement and access will also have beneficial economic ramifications for the businesses along this area of Liberty Road. Both the County and the State should prioritize this project in order to meet the growing traffic demands.

We are also recommending a series of improvements to selected intersections and locations as a means to ease congestion and promote safety and better access. These improvements should include left turn phasing, road restriping and the consolidation of curb cuts at new developments.

Both the public and private sector should improve ingress and egress and movement between establishments through the development of interconnectors between shopping centers, businesses and public facilities.

There is also a growing problem of overnight truck parking in both vacant commercial lots and streets and residential neighborhoods. We are recommending that an inconspicuous but convenient location be made available for truck parking.

Recommendations

- #1 An examination of and improvements to the traffic flow on residential streets and roads between Owings Mills and Liberty Road.

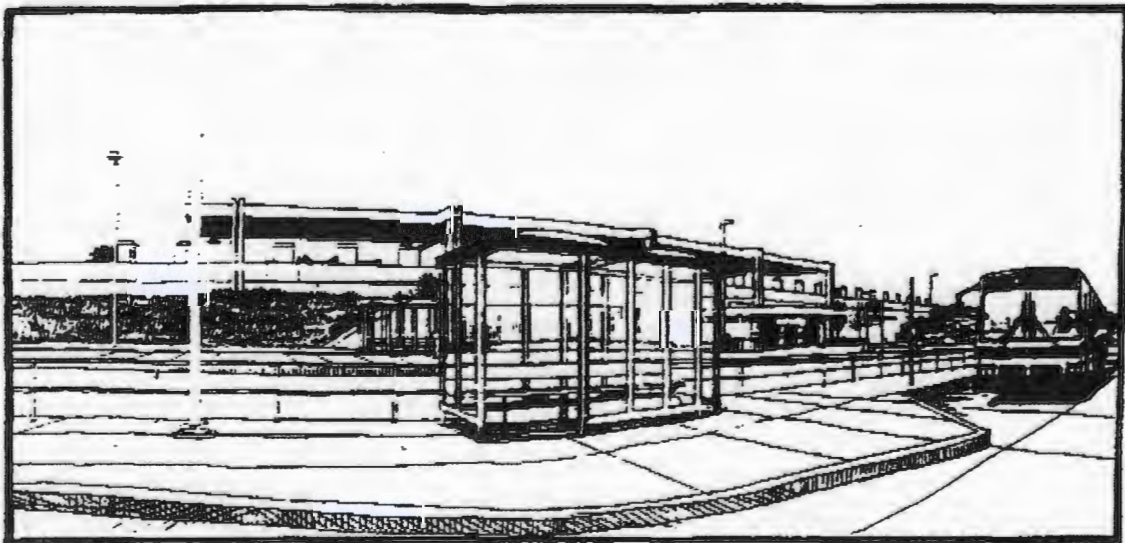
- #2 The County should conduct a traffic study to assess the demand for providing access between the Liberty Road corridor and the Owings Mills Town Center. This study, to be conducted with the assistance of a community advisory group, should evaluate the future traffic impact on existing residential streets, if the 'connector road' is not built. In the meantime, the right of way should be preserved; but under no circumstances should the "connector road" be constructed without community involvement.**
- #3 The addition of the 5th Lane on Liberty Road from Offutt Road to Deer Park Road be implemented. The County should strongly consider encouraging the State Highway Administration to make this project a priority. The County will make a formal request to the State Highway Administration to retain the house at the intersection of Liberty Road and Live Oak Road if at all possible when the 5th Lane is constructed.**
- #4 The development of a comprehensive plan for access to and from Liberty Road for the new I-795 and McDonogh Road interchange.**
- #5 Improvements to Deer Park Road beginning at its intersection with Liberty Road, including grading and widening.**
- #6 Left turn phasing of Liberty Road onto Marriottsville Road.**
- #7 Left turn phasing of Liberty Road onto Brenbrook Drive.**
- #8 Improvements to the intersections of Liberty and St. Luke's Lane, and Liberty and Offutt Road.**

- #9 The restriping of turning lanes on Rolling Road at Liberty, Liberty Road at Courtleigh Drive, the entrance of the Randallstown Post Office and other congested areas.**
- #10 The consolidation of Liberty Road curb cuts at new developments or redevelopment projects.**
- #11 Interconnectors, both vehicular and pedestrian between shopping centers, businesses and public facilities, including Liberty Court and Liberty Plaza Shopping Centers, Kings Point Square and Marriottsville Shopping Centers, the Family Resource Center and adjoining commercial establishments, and others.**
- #12 The intersection at Liberty Road and Washington Avenue is presently operating at level "D". The County and State should monitor this intersection for possible change in the level of service and program improvements as needed.**

Mass Transit and Pedestrians

There is a national awareness that the growing problem of traffic congestion should be addressed, in part, through improved mass transit. Public transportation, including the MTA, Ride sharing and the Park 'N' Ride, should be seen as a means to reduce congestion and provide basic services to residents and businesses. MTA bus service which now ends at an arbitrary point midway through Randallstown should be expanded to serve the entire community.

Amenities such as bus shelters, benches and receptacles should be provided at appropriate stops and the entire system should be promoted, particularly to the non-transit dependent market, as a reliable and comfortable means of transportation.



Pedestrian travel will most likely **remain difficult**, witness the basic **task of** crossing Liberty Road, but **many** problems can be ameliorated. Additional amenities, including **benches and** sidewalks, should **be provided**. Sidewalks should be located away from the road with landscaping as a **buffer where appropriate**. Access to and from businesses and public facilities should **be made safer and** more convenient **through** sidewalks, lighting and landscaping.

Recommendations

- #1 The Mass Transit Administration should meet with the community to discuss the possibility of extending bus service to the vicinity of Deer Park Road in the future.**
- #2 Improvements throughout the route, including a review of stops and zones and additional bus shelters and amenities.**
- #3 The retention and promotion of the Towson flyer (MTA bus #130).**
- #4 A significant and on-going promotional effort involving the MTA, Baltimore County and the community of all public transportation services including, bus service, the Metro, ride sharing and the Park 'N' Ride.**
- #5 Public and private improvements to facilitate pedestrian movement; lights, landscaping, sidewalks, interconnectors between sites, benches and receptacles.**
- #6 The County will explore the feasibility of locating a truck parking facility with direct access to Liberty Road in order to keep truck parking out of the community.**

We also recommend that the issue of water and sewage service be addressed. In the late 1970's and early 1980's a moratorium was imposed upon our communities and improvement and growth projects were seriously disrupted. We must guard against another moratorium given the dramatic growth taking place throughout the region. The County has recognized this need and is currently expanding the Patapsco Treatment Plant. The funding for this project has been secured. Additionally, the capacity of the Gwynn's Falls Interceptor is currently under study for future needs through the department of Public Works. The study should be completed in 1991.

Recommendations

- #1 The current expansion of the Patapsco Treatment Plant be completed as soon as possible, so as to not constrain future building permits.
- #2 The metering flows related to the Gwynn's Falls Interceptor be monitored closely in order that usage and new developments do not exceed capacity.
- #3 Proposed development and expansion projects throughout the region should be scrutinized by the Department of Public Works through the CRG process in order to match water and sewage usage capacity; high water uses should be discouraged.



Commercial Design

A certain degree of visual disorder and clutter are almost inherent in the fact Liberty Road is linear in form with a heavy orientation towards the automobile. This problem is compounded by a previous lack of development controls, certain uncooperative owners, utility poles and a lack of landscaping. Liberty Road reached its saturation point in terms of clutter several years ago and some improvements have been made and should be continued through a new set of policies and projects. We are recommending the promotion of a greater sense of visual order through a series of practical and do-able steps.



Signage

The proliferation of commercial signage is the result of decades of growth and the problem should be addressed through a long term effective strategy. The first step is to not allow the situation to worsen through the introduction of new signage which competes with existing signs by being bigger and brighter. This will require new simplified regulations, requiring fewer and smaller

signs. These regulations will require detailed work through LCDC, the Office of Planning and Zoning and the Economic Development Commission.

In general, all new signs should meet the following requirements.

Free-Standing Sign:

Signs less than 15 ft. from roadway within a planting strip shall be no higher than 6 ft. and not greater than 40 sq. ft. in area.

Signs located 15-20 ft. from roadway may be 15 ft. in height and not greater than 60 ft. in area.

Signs located farther than 20 ft. from roadway should be no higher than 15 ft. and not have an area greater than 60 sq. ft.

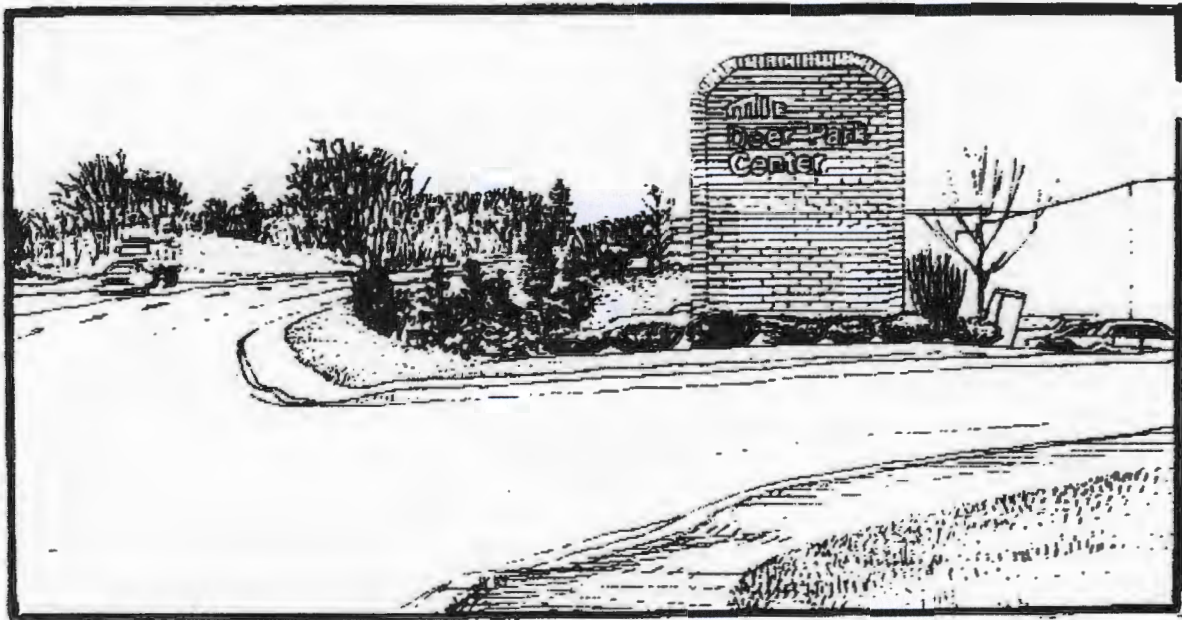
No more than three (3) ground signs should be allowed for each commercial complex, with no two (2) signs closer than 200 ft.

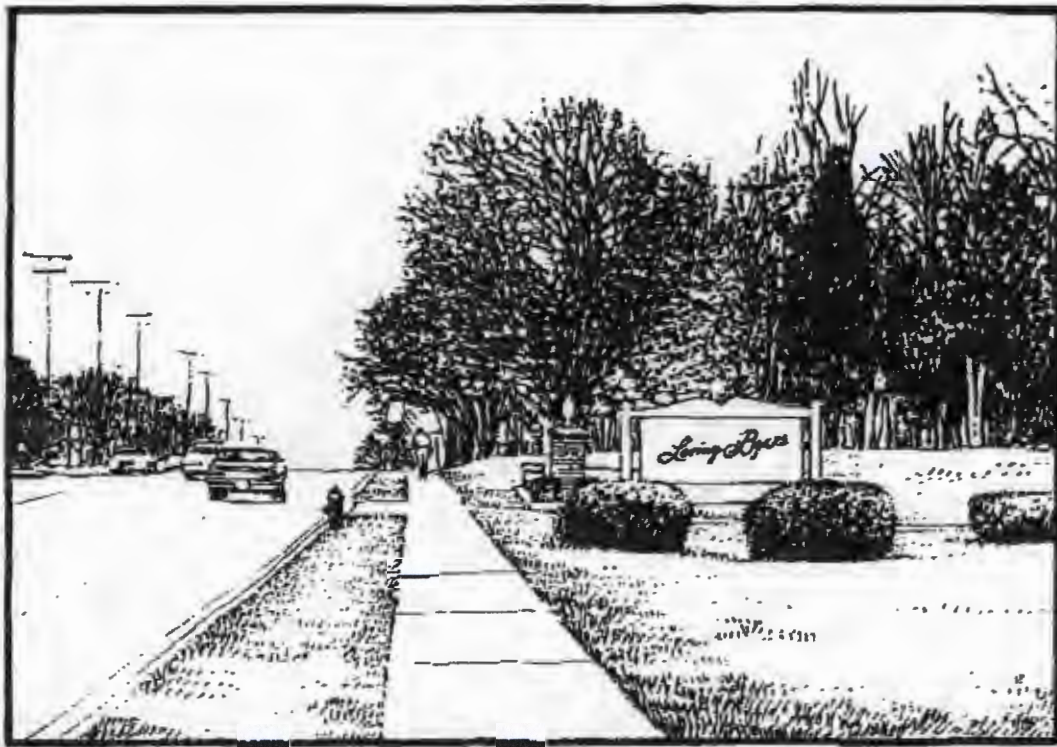
Wall Signs:

All store units in a single building or complex must present a uniform design and placement of signs. Signs and cutout letters should not project above roof or canopy lines. Three (3) ft. of sign area is permitted for every 10 feet of wall length. Letters should not exceed 18 inches in height.

Existing businesses should be encouraged to reduce and replace signage, whenever possible, through financial incentives and subsidies for the design and development of new signs. Old, vacated, excessive and unused signs should be removed.

Public signage should be improved through the elimination and consolidation of non-essential signage. The State Highway Administration (SHA) should reduce the number of unnecessary signs such as "no parking" signs on Liberty Road. Speed limit and route signs





could be consolidated. The Mass Transit Administration (MTA) should remove unused "bus stop" signs. The County should also reduce signage clutter at roads intersecting Liberty Road.

LCDC should also work with the County and the State to design and install attractive directional signs as a means to help create community image and identify significant places.

Lighting along the road and within the commercial areas should be improved as a way to add to appearance, ease vehicular and pedestrian movement and promote safety. New or modified lighting arrangements within the commercial areas should give consideration to the aesthetics of the fixtures and the possible unwanted intrusion in residential areas.

Recommendations

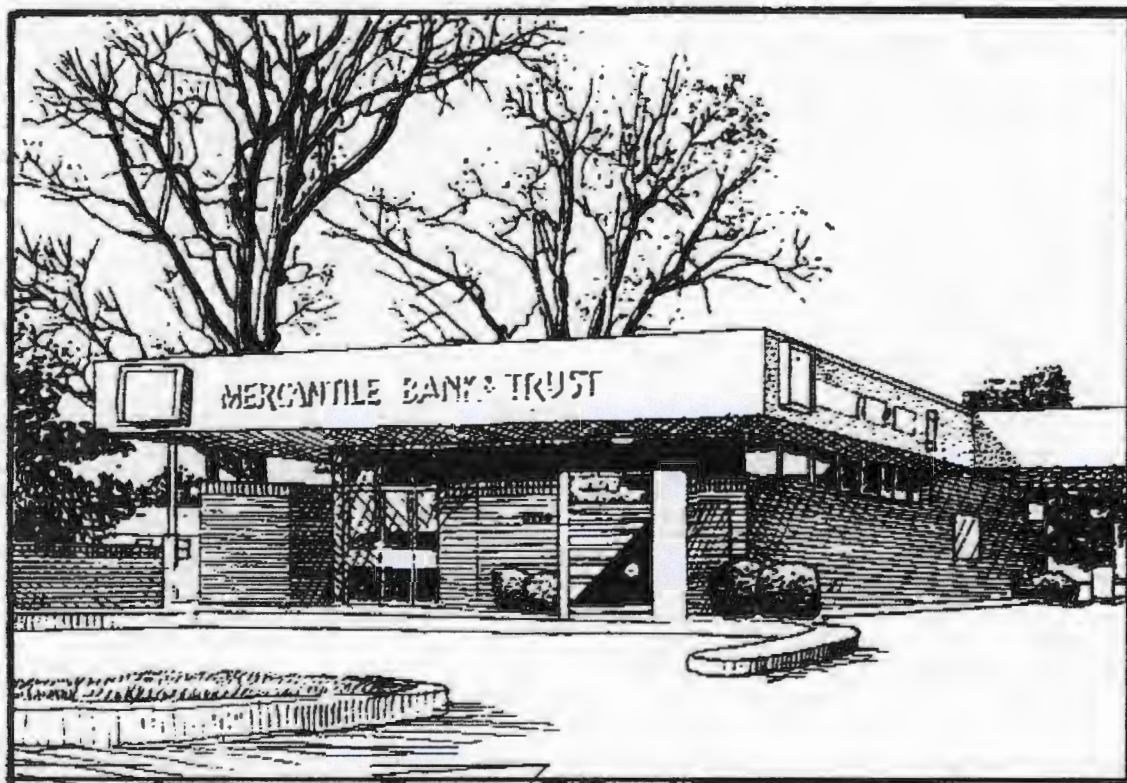
- #1 Commercial signage regulations should be reviewed and simplified. Maximum sign numbers and sizes should be reduced.**
- #2 Permits for free standing signs for a business which has been closed or vacant for six months or more should be revoked and the sign removed.**
- #3 All billboards should be prohibited on Liberty Road and existing billboards removed over a reasonable period of time.**
- #4 Uniformity of design elements within centers and/or nodes should be encouraged and adopted as part of the overlay zoning districts.**
- #5 Zoning enforcement should be applied to all signage including non-business signs such as real estate, apartments, sales, etc.**
- #6 Public signage, speed limits, no parking, etc., should be reduced and consolidated where possible.**
- #7 Public directional signs should be installed as a means to Create community image and identify significant places.**
- #8 New or replacement traffic signals should be supported by modern signal standards which incorporate public signage.**

- #9 Standards for lighting within commercial areas should be developed. Mechanisms for enforcement should be established; the CRG process can be applied to new projects while a separate system should be developed for existing commercial uses.



Landscaping and Amenities

The provision of landscaping is designed to beautify and soften the corridor as recommended in the Master Plan. Landscaping projects, both public and private are already in place at numerous locations. Landscaping should be provided throughout all of the commercial areas beginning at key designated locations. Resources should be made available for the maintenance of public landscaping.



Landscaping requirements for private developments should be bolstered. Plantings should be reasonably mature and in scale with the site and buildings. A mechanism of enforcement of landscaping requirements, both installation and maintenance, should be developed.

Amenities should be provided for both aesthetic and functional reasons. Well placed amenities such as benches, bus shelters and trash receptacles can add to the character of the area while they also provide comfort and refuge.

Recommendations

- #1 Landscaping should be provided within the public right-of-way fronting Liberty Road and cross street commercial areas.
- #2 Public funds or resources, including the provision for watering, should be allocated for the continued maintenance of public landscaping .
- #3 Landscaping should be provided at public facilities such as the Family Resource Center, Library, Post Office, etc.
- #4 Landscaping requirements for private commercial and business developments should; provide for plantings in scale with the site and buildings, plantings on the side(s) of the property and adequately buffer adjoining properties.

- #5 Private landscaping plans should be reviewed by the police department for any impediments to security.**
- #6 Enforcement of landscaping requirements, both installation and maintenance, through a designated agency.**
- #7 Bus shelters and benches should be installed and maintained on a regular basis at all appropriate locations.**
- #8 Attractive and durable trash receptacles should be situated at appropriate locations throughout the area. These receptacles should replace all existing public and private (within the public right-of-way) receptacles and should feature a Liberty Road logo.**
- #9 Similar receptacles should be made available to private commercial properties.**



Implementation

The original designation of Liberty Road as a Revitalization Area was the direct result of a partnership between Baltimore County and the local community. It signified a mutual commitment to a revitalization process. This plan is a synthesis of ten years of experience within that process along with months of solid planning and analysis. The Liberty Communities Development Corporation presents the plan's recommendations as realistic and achievable goals which are in the best interests of Liberty Road and Baltimore County.

The Master Plan 1989-2000 recognizes that "nearly half of our County's population lives and works in communities affected by revitalization programs" and recommends a long-term commitment of resources as a means to stabilize and upgrade older commercial areas.

This plan recommends how to best utilize these resources along Liberty Road. Successful implementation of the plan will require the continued support of the Administration and County Council along with a working cooperation between the branches and agencies of government and the local community.

IMPLEMENTATION CHART

ZONING

Activity	Planning	Economic Development	State	Other	Status
1 Overlay District	●	●			Initiate in 1990-91
2 PUD Regulations	●				Initiate in 1990-91
3-4 Revise B M & O Zones	●				Initiate in 1990-91
5-6-7 Control Commercial Zoning	●				MAP Process Cycle Zoning

DEVELOPMENT CONTROLS AND INCENTIVES

Activity	Planning	Economic Development	State	Other	Status
1 Urban Model	●	●	●	●	Initiate in 1990-91
2 Market Data	●	●			Continuing Project
3 Technical Assistance	●	●	●	●	Expand in 1991
4 Decentralize Services				●	Expand in 1991
5 Preferred Financing		●	●		Expand & Refine in 1991
6 Tax Deferments		●	●	●	Feasibility Study in 1992-93
7 Design Assistance	●	●			Initiate in 1991
8 Public Improvements	●	●	●	●	On-Going
9 Police CRG Review	●			●	Initiate in 1991
10 Authority Over Deteriorated Properties	●	●		●	Legislation 1991

IMPLEMENTATION CHART (Cont.)

DEVELOPMENT CONTROLS AND INCENTIVES (Cont.)

Activity	Planning	Economic Development	State	Other	Status
11 Public Relations		●		●	Expand in 1991
12-13 Promotional Events		●		●	Expand in 1991

TRAFFIC AND ROADS

Activity	Planning	Economic Development	State	Other	Status
1 Liberty Road-Owings Mills Traffic Study	●	●	●	●	1991
2 Owings Mills Connector Road	●	●	●	●	Initiate Study 1991; Acquisition & Construction 1994-95
3 5th Lane			●	●	Complete Engineering 1991-92 - Acquisition & Construction 1993
4 I-795, McDonogh Rd Plan	●		●	●	Initiate in 1991
5 Deer Park Road Improvements			●	●	Implement Design Plan in 1991
6 Left turn phasing @ Marriottsville Rd			●	●	1991
7 Left turn phasing @ Brenbrook Rd			●	●	1991
8 Improvements to Liberty Rd @ St. Luke's Lane & Offutt Rd		●	●	●	Design 1991
9 Restriping on Liberty Rd			●	●	1990-91
10 Consolidated Curb Cuts	●	●	●	●	Through CRG Hearings
11 Shopping Center Interconnectors	●	●	●	●	Develop Model 1991

IMPLEMENTATION CHART (Cont.)

MASS TRANSIT AND PEDESTRIANS

Activity	Planning	Economic Development	State	Other	Status
1 Expanded MTA Service		●	●	●	1991
2 Route Improvements			●	●	1991
3-4 Mass Transit Promotions		●	●	●	Initiate 1991
5 Pedestrian Improvements	●	●	●	●	Initiate 1991
6 Off Street Truck Parking	●			●	Initiate 1991-92

SEWER AND WATER

Activity	Planning	Economic Development	State	Other	Status
1 Patapsco Treatment Plant Expansion	●	●		●	Concurrent with Expanded Uses
2 Gwynn's Falls Interceptor Monitoring	●	●		●	On-Going
3 Sewage & Water Usage Control	●	●		●	Through CRG

SIGNAGE

Activity	Planning	Economic Development	State	Other	Status
1 New Signage Regulations	●	●			Initiate 1991
2 Unused Signs Removed	●	●		●	Initiate 1991
3 Prohibition & Removal of Billboards	●			●	Initiate 1991
4 Uniform Design Elements	●	●			Through Overlay District

IMPLEMENTATION CHART (Cont.)

SIGNAGE (Cont.)

Activity	Planning	Economic Development	State	Other	Status
5 Zoning Enforcement	●			●	On-Going
6 Reduction in Public Signage	●	●	●	●	Complete in 1991

LANDSCAPING AND AMENITIES

Activity	Planning	Economic Development	State	Other	Status
1 Landscaping Along Public Right-of-Way	●	●	●	●	Annually
2 Maintenance Resources for Landscaping		●		●	Initiate in 1991
3 Landscaping @ Public Facilities	●	●		●	Initiate in 1991
4-5 Improved Private Landscaping	●	●		●	1991
6 Landscaping Enforcement	●			●	Initiate in 1991
7 Installation of Bus Shelters	●	●	●	●	Initiate in 1991
8-9 Amenities Provided	●	●	●	●	On-Going

- Planning includes the Planning Board, Office of Planning & Zoning and the Dept. of Zoning.
- Economic Development identifies the Economic Development Commission, and Revitalization staff
- State refers to all appropriate State of Maryland officials, agencies and departments.
- Other, Bureau of Traffic Engineering, Fire Dept., Health Dept., Law Office, People's Counsel, Permits & Licenses, Police Dept., Public Works, and Residential and Business Groups.

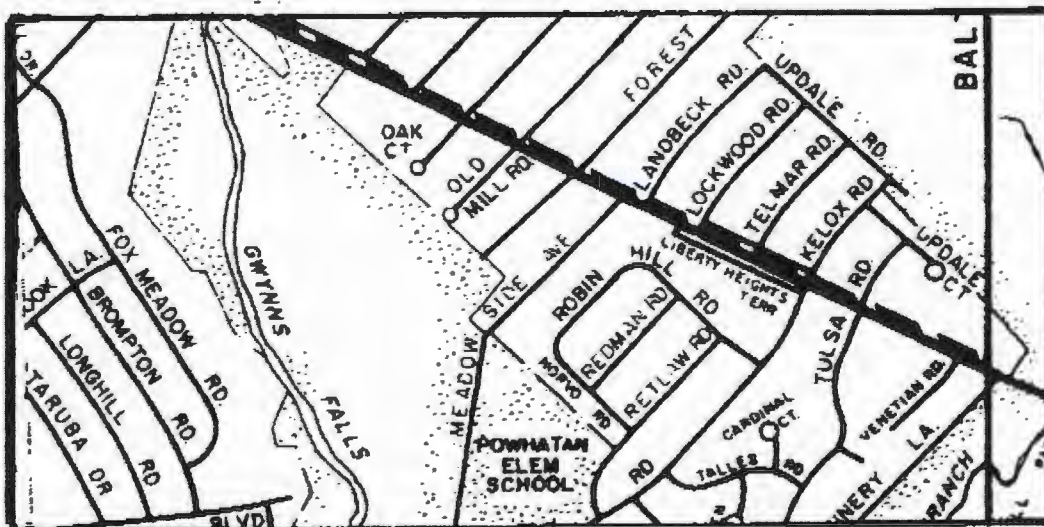
Appendix

Liberty Road Commercial Area

Cqunty Line Node

South Side Liberty Road, City Line west to Kelox Road.

North Side Liberty Rd., City Line west to **approximately**
180 ft east of Kelox Rd.

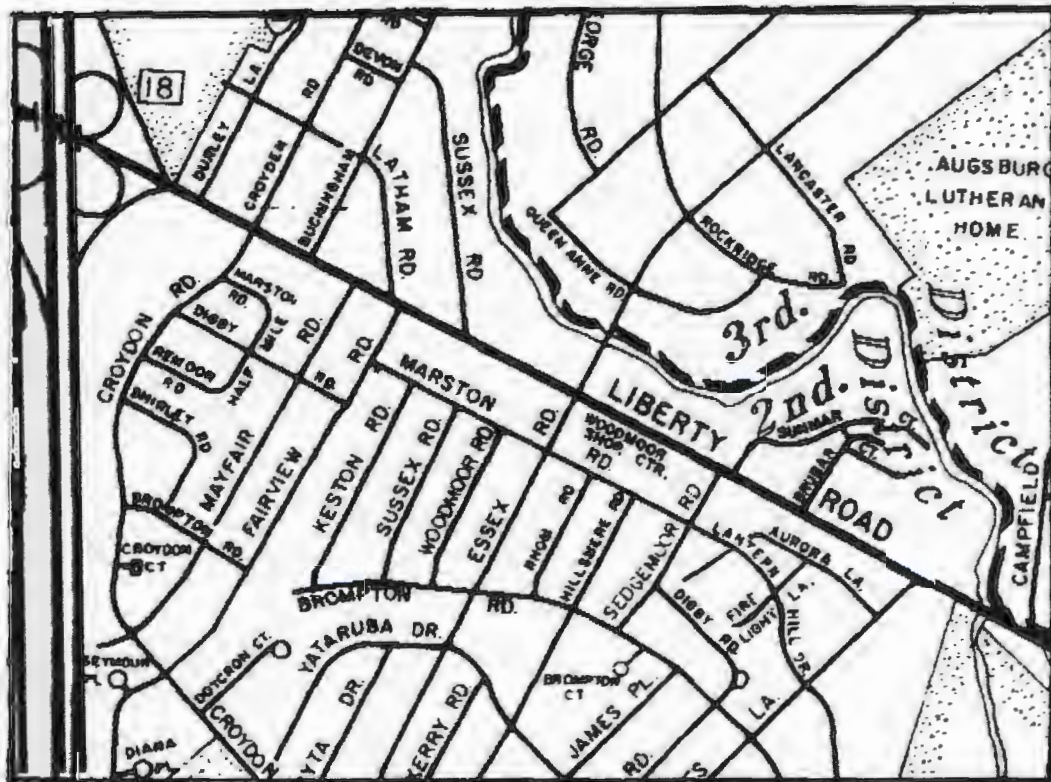


Woodmoor

- #1 South Side, 6929 Liberty, approximately 175 ft. east of
centerline of Sedgemoor Rd. west to Essex Road.

North Side, 6922 Liberty, approximately 375 ft. east of centerline of Sedgemoor Rd. west to approximately 175 ft. east of centerline of Sussex Road.

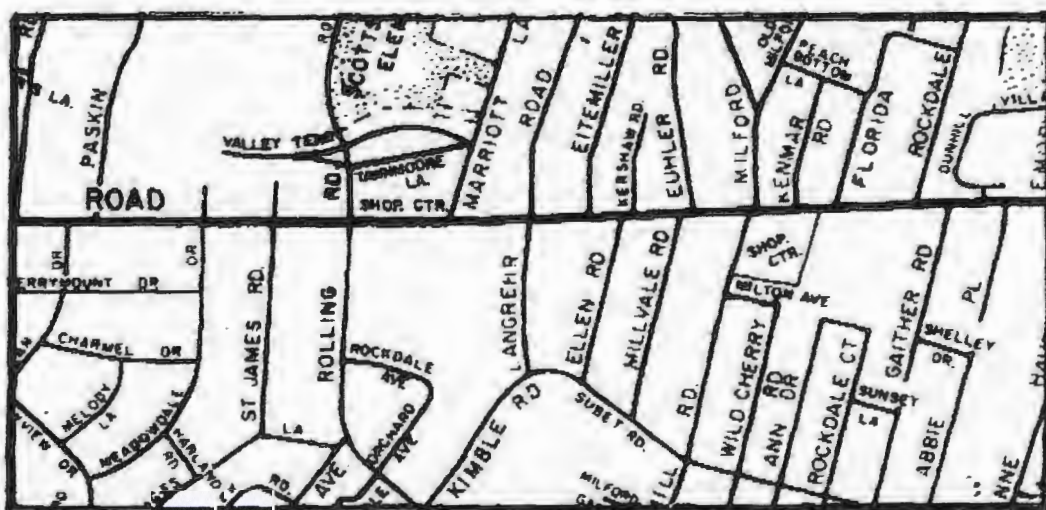
- #2 South Side Liberty Rd., Liberty Crest Shopping Center,
7400 block west to Croydon Road.



Milford

South Side Liberty Rd., Abbie Place west to Rolling Road.

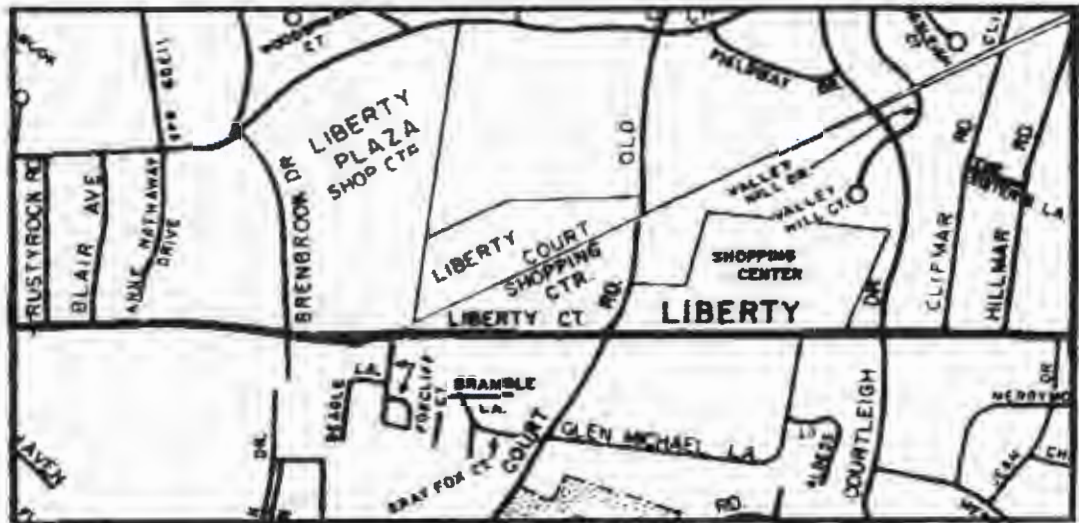
North Side, 8006 Liberty Rd. (eastern property line) west to 8306 Liberty Rd. (eastern property line).



Old Court

South Side, Courtleigh Dr. west to 8741 Liberty Rd. (350 ft. west of centerline of Liberty Family Resource Center entrance).

North Side, 8508 Liberty Rd. west to Ann Hathaway Drive.



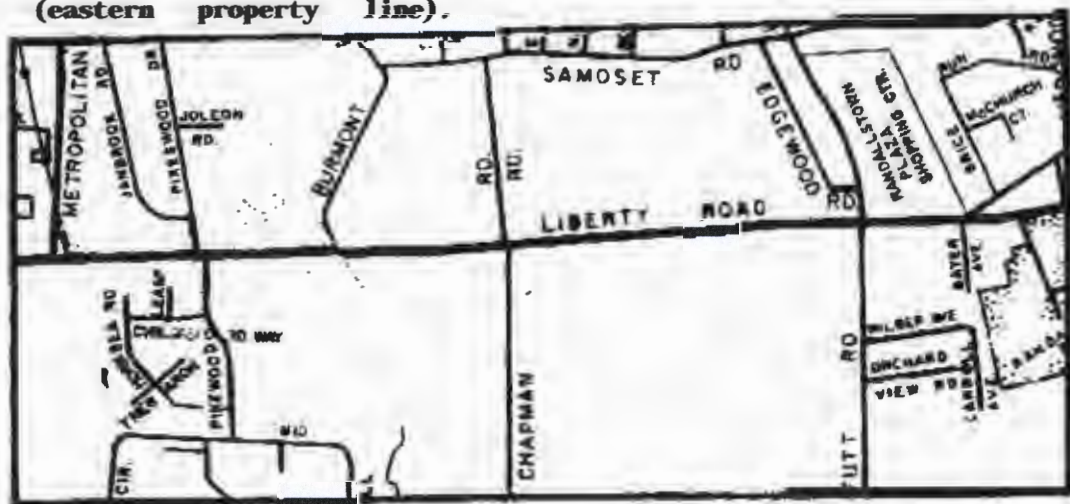
Randallstown

- #1 South Side, Greens Lane west to 9205 Liberty Rd.
(eastern property line).

North Side, McDonogh Road west to 9120 Liberty Rd.
(eastern property line).

- #2 South Side, Chapman Road west to Pikeswood Drive.**

**North Side, Chapman Road west to 9504 Liberty Road
(eastern property line).**



Deer Park

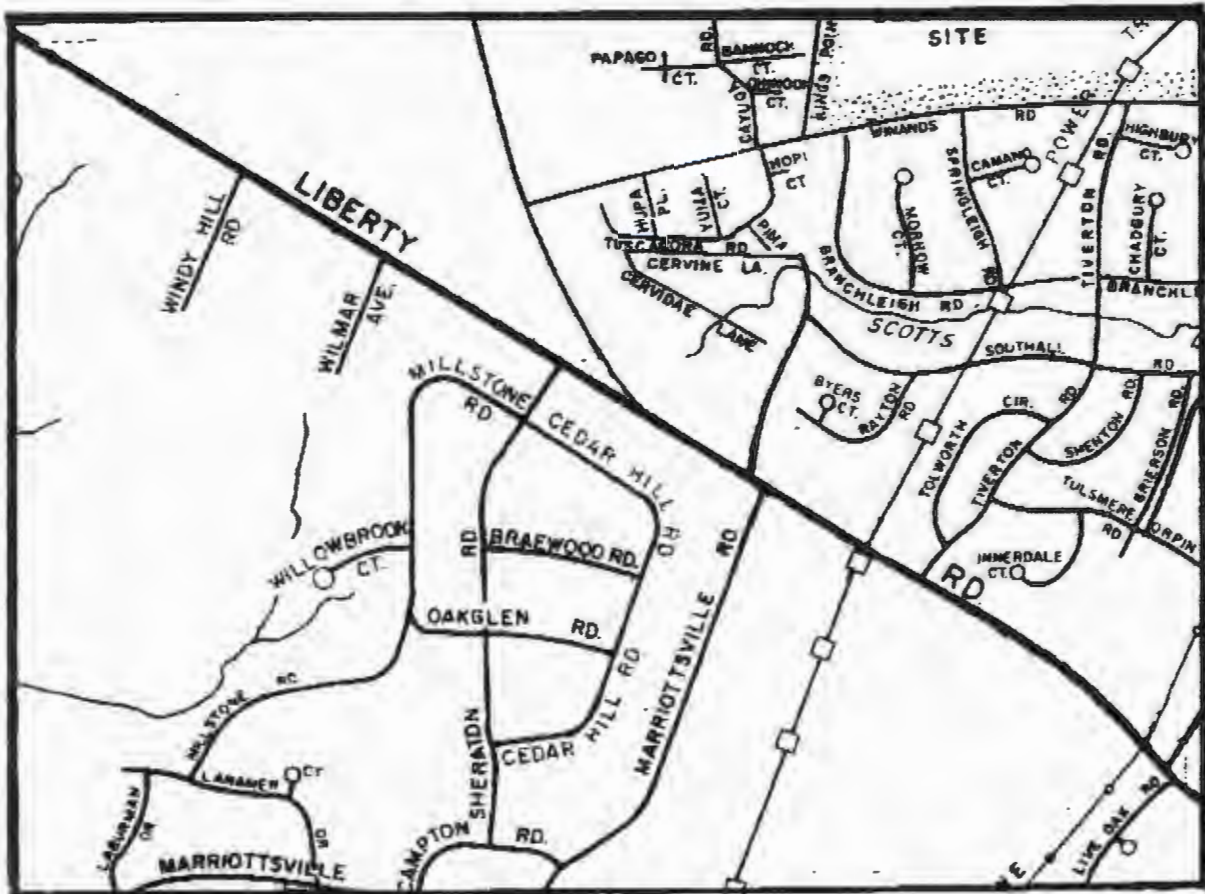
#1 South Side, 9617 Liberty Road (eastern property line)
west to Liberty Park Cemetery.

North Side, 9600 Liberty Road (western property line)
west to 9700 Liberty Rd.

#2 South Side, 9883 Liberty Road west to 9901 Liberty Road
(western property line).

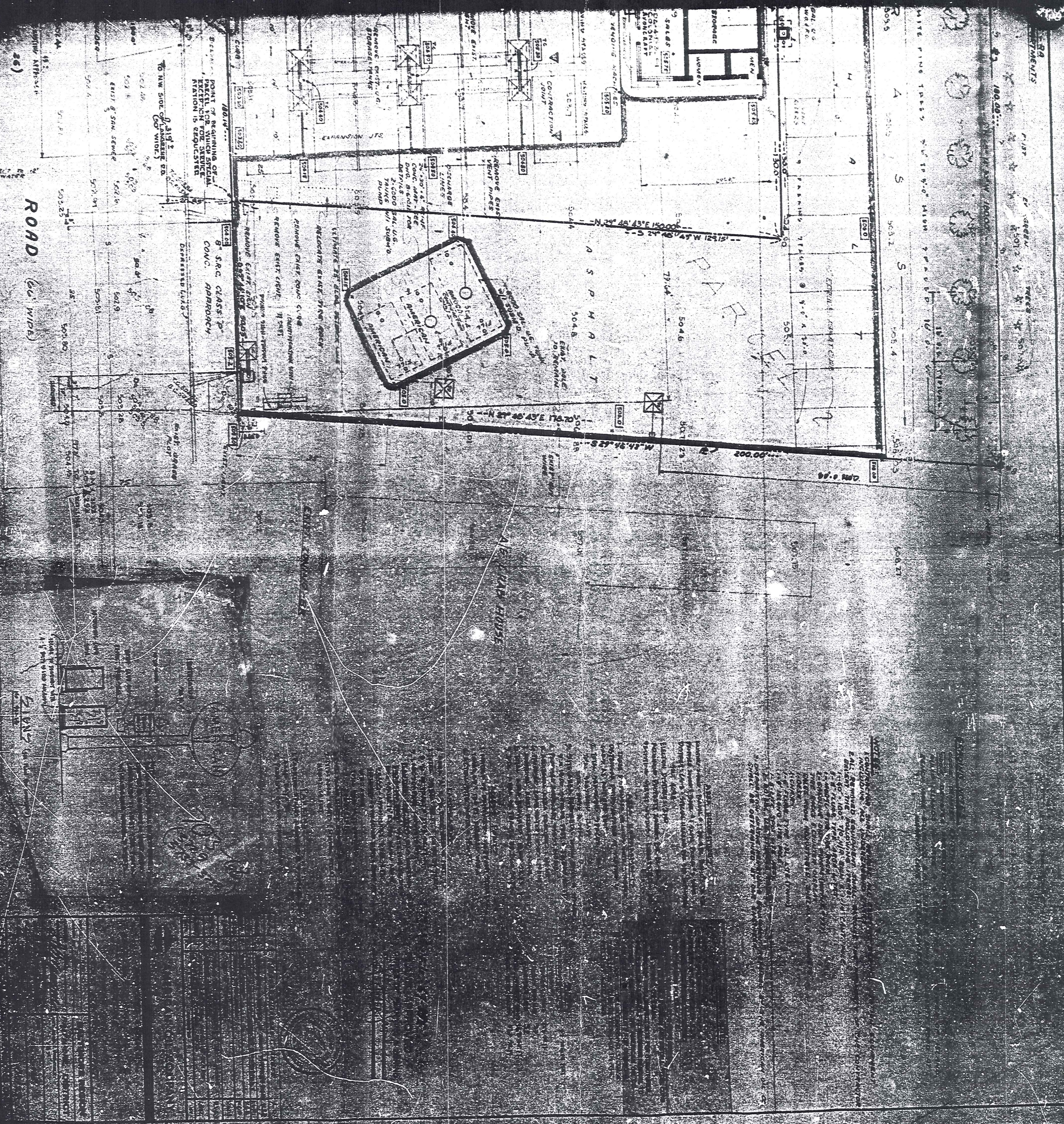
North Side, 9802 Liberty Rd. (approximately 125 ft.
west of centerline of Tiverton Road) west to Windy Hill
Road.

#3 South and North Sides Liberty Road, commercial parcels
west to 10235 & 36 Liberty Road.

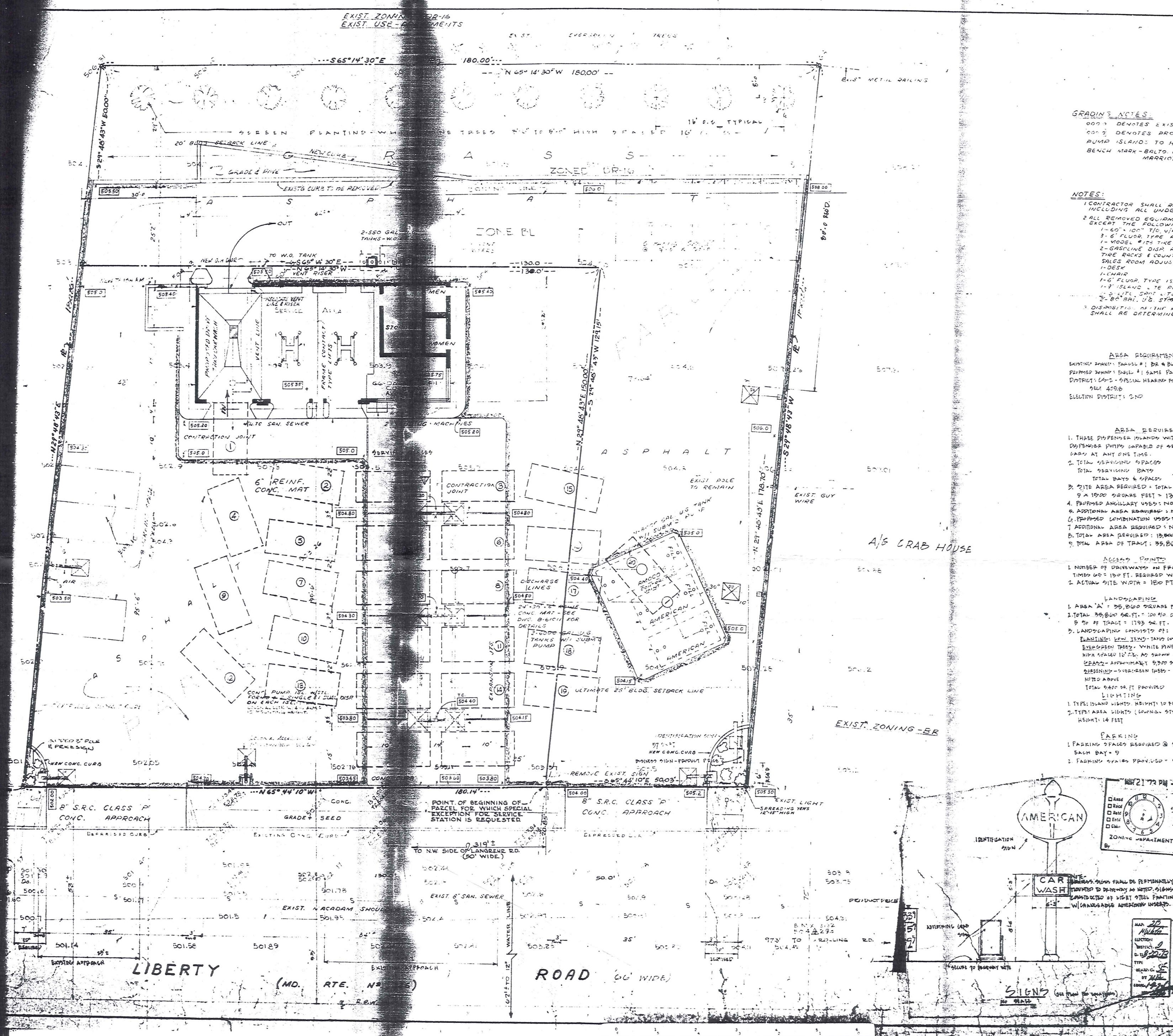




Baltimore County
Office of Planning and Zoning
county courts Building
401 Bosley Avenue
Towson, Maryland 21204



PETITIONER'S
EXHIBIT NO. 56



GRADING NOTES

000.0 DENOTES EXISTING GRADES.
000.0 DENOTES PROPOSED GRADES.
PUMP ISLANDS TO HAVE A 6" CURB FACE AT CENTER OF ISLAND.
BENCH MARK - BALTO. CO. B.M. 3132 - RR. SPIKE IN LIBERTY ROAD AT MARIOTT LANE. ELEV. 504.293

NOTES

- CONTRACTOR SHALL REMOVE ALL EXISTING SERVICE STATION EQUIPMENT INCLUDING ALL UNDERGROUND TANKS.
- ALL REMOVED EQUIPMENT SHALL BECOME THE PROPERTY OF THE CONTRACTOR EXCEPT THE FOLLOWING ITEMS:
 - 1-60" X 100" T.O. V.P. SIGN & 1-1/4" CANT. POLE
 - 1-6" FLUOR. TYPE REEL LITE
 - 1-MODEL #125 TIRE RACK
 - 2-GASOLINE DISP. PUMPS (WAYNE #732)
 - 2-TIRE RACKS & COUNTER DISPLAY
 - 2-SALES ROOM ADJUSTABLE SHELVING & CABINETS
 - 1-DESK
 - 1-6" FLUOR. TYPE ISL. LITE (TWIN)
 - 1-7" ISLAND T.E. POLE
 - 1-3" T.O. V.P. SIGN LITE
 - 2-60" RAIL. U.D. STORAGE TANKS
- DISPOSITION OF THE REMAINING EQUIPMENT RETAINED BY THE AMERICAN OIL CO. SHALL BE DETERMINED BY OUR ENGINEER.

AREA REQUIREMENTS

EXISTING PARCEL: PARCEL #1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000

GENERAL NOTES

- AREA OF LOT: 35,360 S.F.
- AREA OF BUILDING: 10,275 S.F.
- PERCENT OF LOT COVERED: 29.3%
- HEIGHT OF SIGN POLE: 17 FT.
- ELECTRICAL SERVICE: 200 AMP. MINIMUM
- CONTRACTOR SHALL FURNISH AND INSTALL STEEL CURB PAVING PERMITS OR EQUAL.
- CONTRACTOR SHALL INSPECT SITE FOR STRUCTURES, POLES, BUILDINGS, TREES, ETC. REQUIRING REMOVAL TO OBTAIN THE END RESULT. THE AMERICAN OIL CO. ASSUMES NO RESPONSIBILITY FOR OMISSIONS.
- CONTRACTOR SHALL FURNISH AND INSTALL STEEL CURB PAVING PERMITS OR EQUAL.

SIGNS

- TYPE IDENTIFICATION - 47 SQUARE FEET
- TYPE - SIGNAGE
1. CAR WASH - 50"
1. IDENTIFICATION - 47"
- TOTAL SIGNAGE AREA: 140 S.F.
- TOTAL SIGNAGE AREA: 140 S.F.
- TOTAL SIGNAGE AREA: 140 S.F.

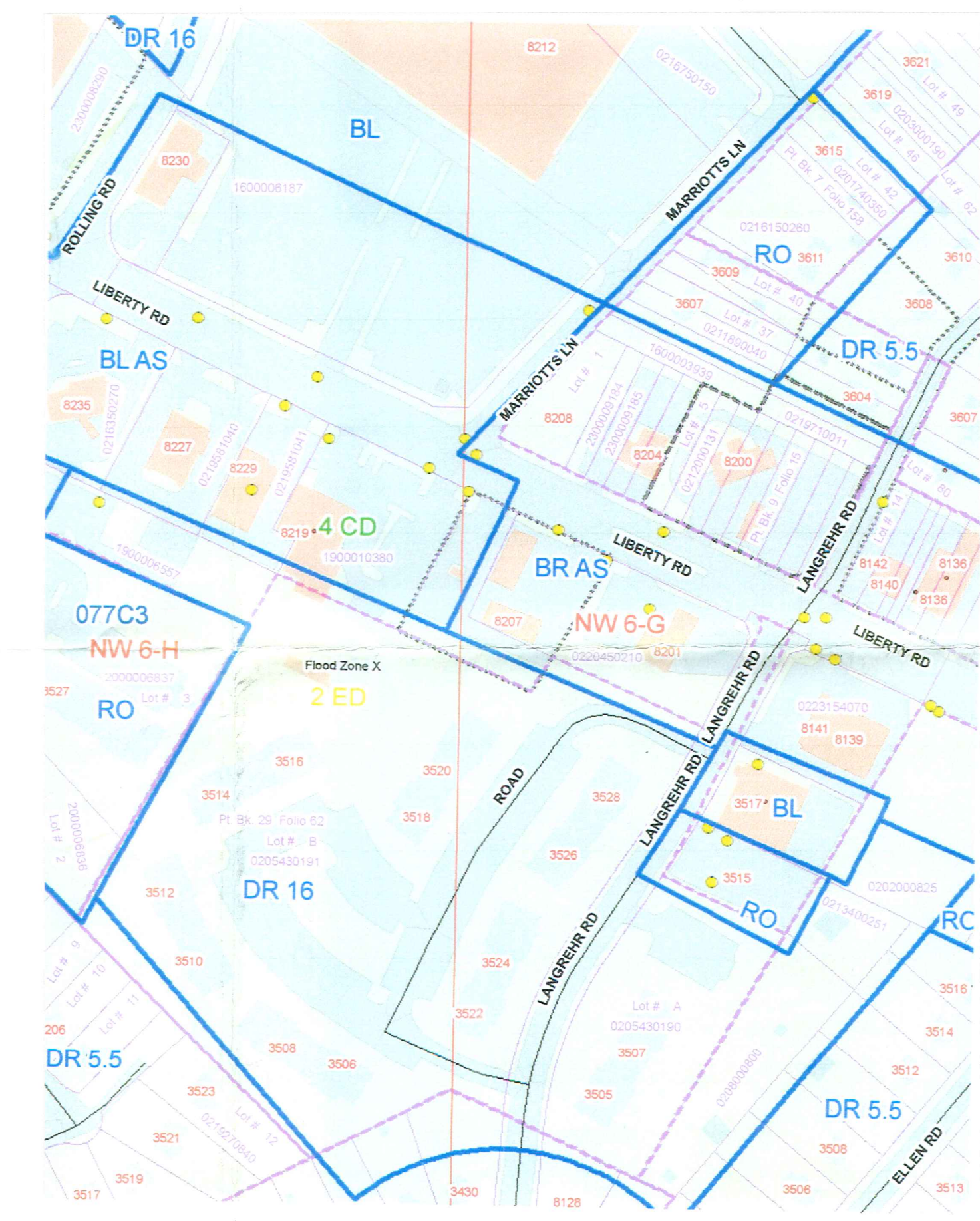
- ONE SIGN EQUIPMENT - 47"
- CAPACITY: 1.20 CAR. PER HOUR
- WAITING SPACE: 40"
- WAITING SPACE: 40"
2. VARIANCE REQUESTED TO SECTION 10.0 OF ZONING REGULATIONS
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AMERICAN OIL COMPANY
PE 2079

1573	12	ADDED ZONING REQUIREMENTS	B-J
1574	11	ADD 14" STEEL CAR WASH	J.R.
1575	10	REMOVED FOR ZONING	J.R.
1576	9	PROPOSED CURB CHANGES PLANTING	L.Q.
1577	8	PROPOSED GRADES CHANGES	L.Q.
1578	7	APPROXIMATE ADJUSTED IN AREA W/PROPOSED CURB	L.Q.
1579	6	EXISTING APPROXIMATE ADJUSTED IN AREA W/PROPOSED CURB	L.Q.
1580	5	3000' ADJUSTED	L.Q.
1581	4	3000' ADJUSTED	L.Q.
1582	3	General Changes	R.W.J.
1583	2	Changed Sign from 47" to 47" x 47"	R.W.J.
1584	1	Changed Sign from 47" to 47" x 47"	R.W.J.
1585	0	CHANGED SIGNS FROM 47" TO 47" X 47" FOR COMPLETED ZONING INFO.	L.W.L.
DATE	NO	REVISIONS	BY



VICINITY MAP



ZONING MAP
SCALE: 1"=200'

AST CONSULTANTS INC.
CIVIL/STRUCTURAL ENGINEERS
7894 JAMES AVENUE
ELLICOTT CITY, MARYLAND, 21043
(410) 456-2402
FAX (301) 560-8848

8207 LIBERTY ROAD, BALTIMORE, MD 21224
PHONE 410 885 1300
LIMER # 7817 PAGE 161 PARCEL ID 05-14-070462 / 05-01-00070

PETITIONER'S

EXHIBIT NO. 1

REVISIONS	JOB NO: BC-01-09
	SCALE: 1" = 20'
	DATE: 9-23-09
	DRAWN BY: GP
	DESIGN BY: AP
	REVIEW BY: AP
	SHEET: C-2



ARCHITECTS

9738 Briarcliffe Lane · Ellicott City, Maryland 21042
410.730.4300 Fax 443.472.4926 E-Mail JPCArchitects@verizon.net

Professional Certification:
I certify that these documents were prepared and approved by me, and that I am a duly licensed Architect under the laws of the State of Maryland, License Number #5297-A, Expiration Date 6/23/2011.



Professional Seal and Signature

Proposed Interior Alterations
Building Addition · Carwash

Liberty BP
Gas Station · Carwash
Convenience Store

8207 Liberty Road
Baltimore, Maryland 21244

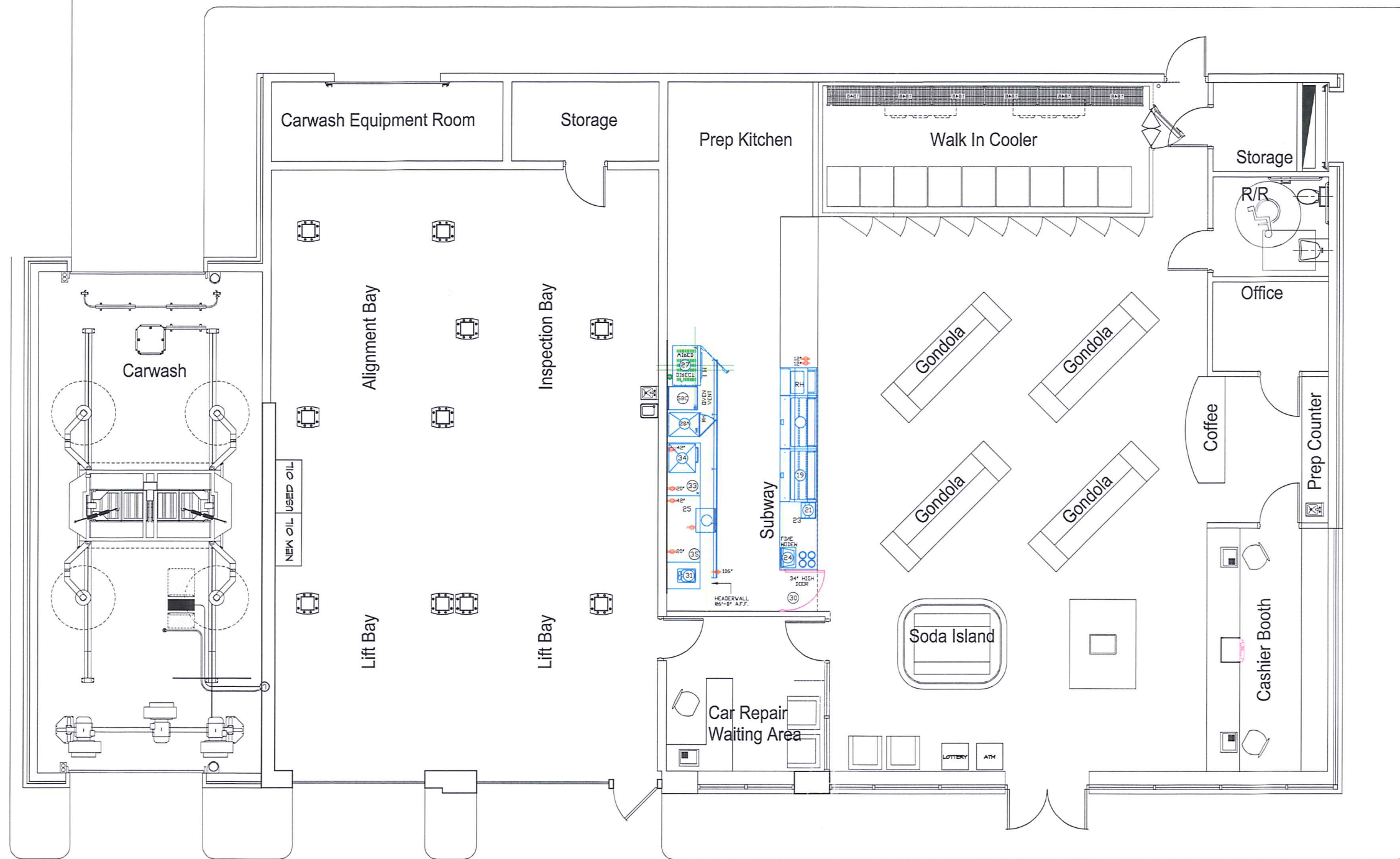
Revisions		
Number	Description	Date

Sheet Title:
**ARCHITECTURAL PLAN
FRONT ELEVATION
SIGN ELEVATION**

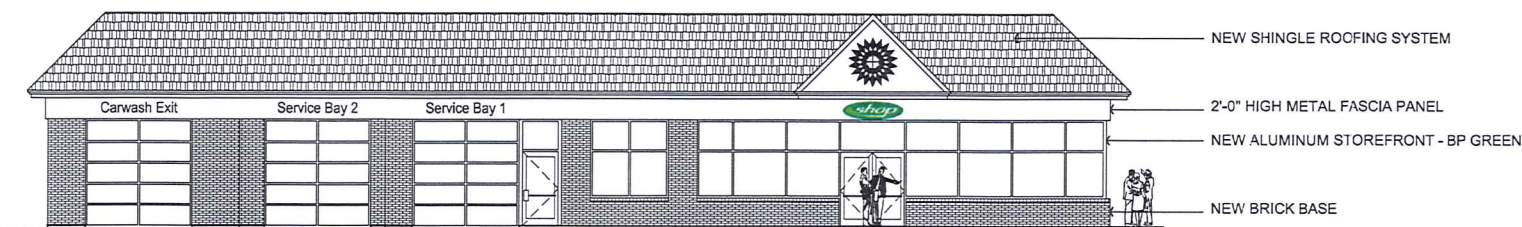
Scale: AS NOTED
Date: SEPTEMBER 10, 2009
Project Number: 200802
Drawn By: JPC
Sheet Number:

Total Sheets This Project:

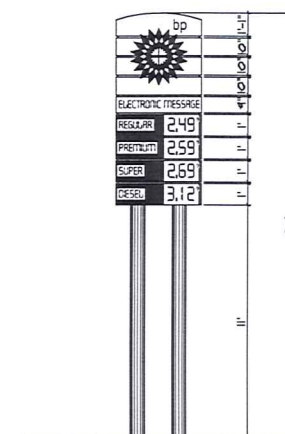
C:\DR\KHALID\BASEPLAN.DWG



1 Architectural Layout Plan
Scale: 1/4"=1'-0"



2 Proposed Front Elevation
Scale: 1/8"=1'-0"



PETITIONER'S

EXHIBIT NO. 14

2 Proposed Pylon Sign Elevation
Scale: 1/4"=1'-0"

A.1

PRIOR ZONING CASES:

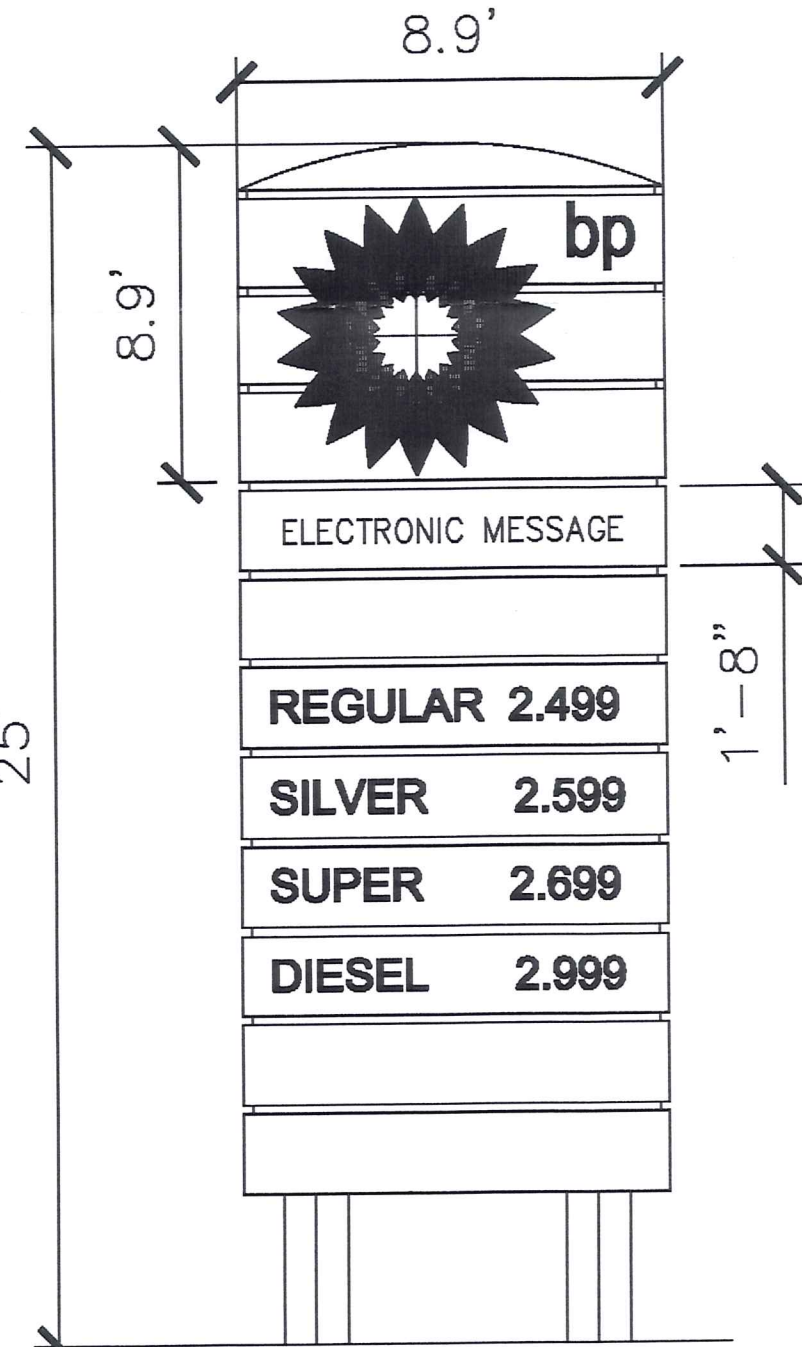
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4. 01-507-SPHXA--On August 20, 2001, the Zoning Commissioner granted a Petition for Special Exception to permit an ancillary ATM machine with an existing fuel service station use in combination with a convenience store/carry out restaurant, a Petition for Special Hearing to approve an amendment to the previously approved plan in Case No. 69-89-X, and a Petition for Variance to permit a freestanding sign of 80 sq. ft., in lieu of the permitted 75 sq. ft.

5. 03-417-SPH--On May 20, 2003, the Zoning Commissioner granted a Petition for Special Hearing to extend the time in which the special exception granted in Case No. 01-507-SPHXA be extended until August 20, 2006



Sign Face Area of Company Logo = 65 Sq. Feet
Area of Electronic Message Sign = 15 Sq. Feet
Total Sign Area = 80 Sq. Feet

ZONING NOTES - SECTION 405 & 419
(FUEL SERVICE STATIONS & CAR WASH)

A. BUILDING AREA:		SF±	
EXISTING CONVENIENCE STORE		790	
PROPOSED CONVENIENCE STORE EXPANSION		1,950	
EXISTING SERVICE BAY AREA		990	
PROPOSED SERVICE BAY AREA		700	
PROPOSED CAR WASH		720	
TOTAL AREA		5150	

B. SETBACKS (TO PROPERTY LINES): AS PER 238 STANDARDS		BUILDING		CANOPY		FUEL PUMPS	
REQUIRED	PROVIDED	REQUIRED	PROVIDED	REQUIRED	PROVIDED	REQUIRED	PROVIDED
FRONT 25' ±	95' ±	15' ±	7.2' ±	25' ±	15.7' ±		
SIDE 30'	10' ±		EXISTING		EXISTING		
REAR 30'	15' ±						

D. A REST ROOM FACILITY, WATER AND COMPRESSED AIR SHALL BE PROVIDED FOR

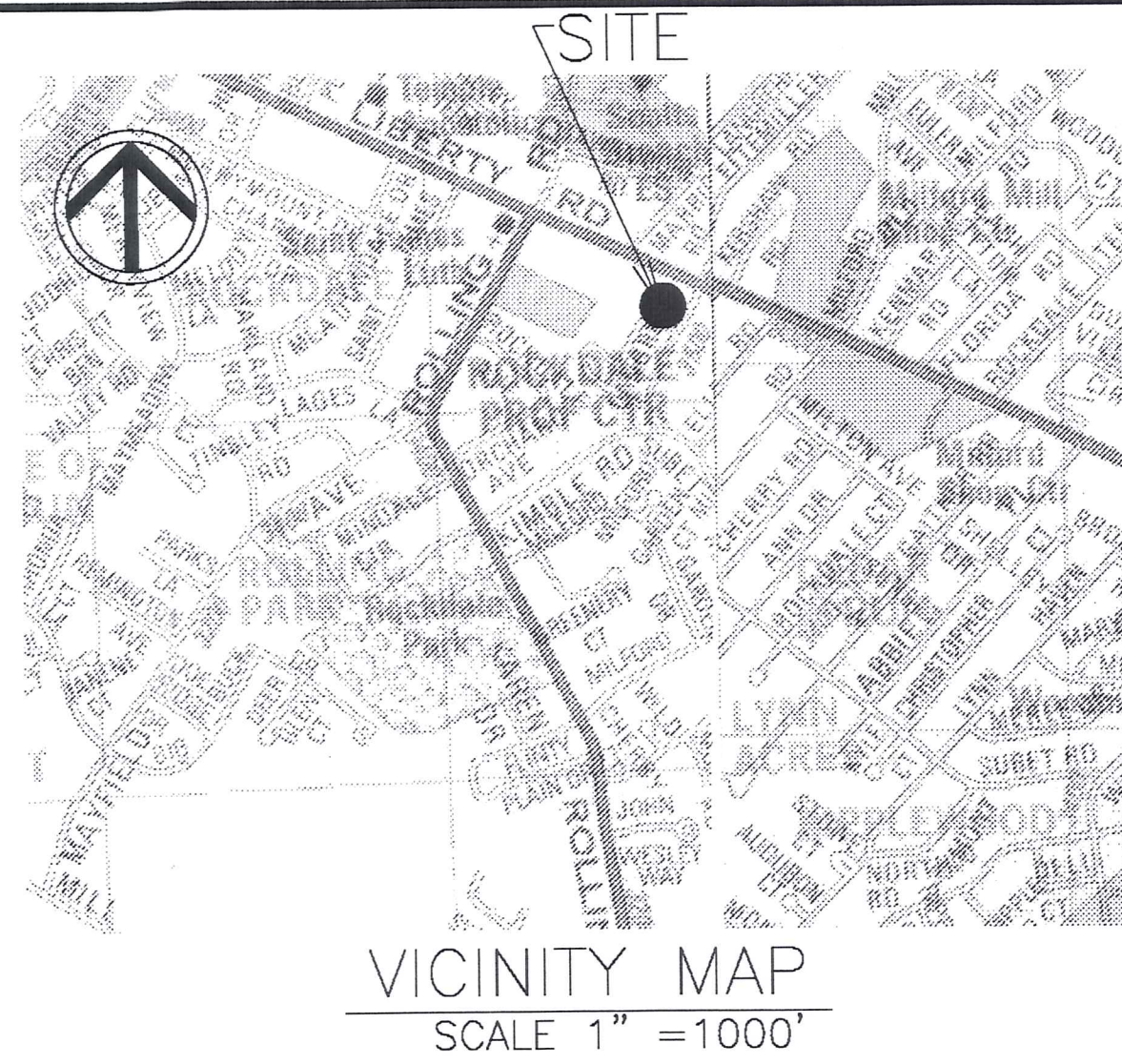
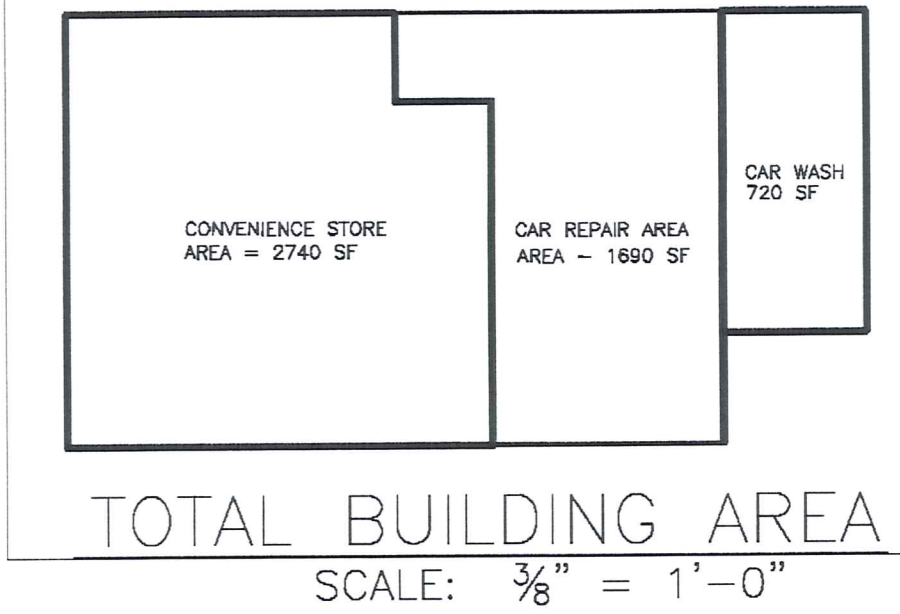
D.1. PARKING CALCULATIONS:		SPACES	
EX-STORE PLUS PROPOSED EXPANSION			
2,740 SF. @ 5/1000		14	
SERVICE BAYS (4) @ 3 PER BAY		12	
1 SPACE FOR AIR/VAC UNIT		1	
CAR WASH DRYING SPACES (2 PER BAY)		2	
ADDITIONAL SPACES (ROLLOVER CAR WASH)		2	
ATM		1	
EMPLOYEE PARKING		4	
TOTAL REQUIRED:		36	

D.2. PARKING PROVIDED		SPACES	
TOTAL PARKING INCLUDING ONE HANDICAPPED		29	
E. CAR WASH STACKING:			
ROLL OVER CARWASH		9	
REQUIRED - (9'x20')		9	
PROVIDED			

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

SITE DIMENSIONS: 405.4

15000 SQ. FT. OR (1500)* NO. OF FUEL SERVICE SPACES WHICH EVER GREATER		
NO. OF FUEL SERVICE SPACES = 12		
SITE AREA FOR PUMP REQUIRED	= (12) (1500)	= 18000 SF.
ADDITIONAL SITE AREA C-STORE	= (4) (2740)	= 10960 SF.
REQUIRED SERVICE BAY AREA	= (4) (1300)	= 5200 SF.
TOTAL REQUIRED AREA		34160 SF.
AREA PROVIDED		32184 SF.



GENERAL NOTES

- OWNER/ DEVELOPER:
K F GHOURI LLC
ATTN: MR. KHALID AZAM
8207 LIBERTY ROAD
BALTIMORE, MARYLAND 21244
PHONE: 410-655-1300
- ENGINEER:
AST CONSULTANTS INC.
CIVIL/STRUCTURAL ENGINEERS
7894 JAMES AVENUE, ELLICOTT CITY, MD 21043
(410) 456-2402
FAX: (301) 560-8848
- PROPERTY INFORMATION:
A. ZONING: BL-AS, BR-AS & DR-16
B. GROSS AREA OF SITE: 0.7388 AC. (32184 SQ. FT.)
C. PROPERTY ADDRESS: 8207 LIBERTY ROAD
BALTIMORE, MARYLAND 21244
D. ELECTION DISTRICT: 02
E. COUNCILMANIC DISTRICT: 04
H. BALTIMORE REFERENCE TAX MAP: 77/23
I. DEED REFERENCE: 23289/131
J. TAX ACCOUNT NO.: 02-0201500070 & 02-0211470040
K. ZONING MAP REFERENCE: BR AS, 4 CD
4. EXISTING LAND USE: GAS STATION IN COMBINATION WITH C-STORE AND SERVICE BAYS (3)
5. PROPOSED USE: GAS STATION IN COMBINATION WITH C-STORE, SERVICES BAY (4), AND ROLLOVER CARWASH.
6. HEIGHT AND AREA REGULATIONS FOR BR-AS ZONE:
RETAIL:
1. MAXIMUM BUILDING HEIGHT ALLOWED = 40 FEET
BUILDING HEIGHT PROPOSED (ONE STORY) = 29 FEET
2. MAXIMUM FLOOR AREA RATIO PERMITTED: 2.0
PROPOSED FLOOR AREA RATIO: 0.248
7. PROPERTY LINE INFORMATION IS FROM A "ALTA/ACSM LAND TITLE SURVEY" PREPARED BY THE MATTHEWS COMPANY INC. ON AUGUST 3, 2005.
8. THERE ARE NO KNOWN EXISTING WELLS NOR SEPTIC FIELDS ONSITE, OR WITHIN 100' OF THE PROPERTY.
9. THERE ARE NO KNOWN SIGNIFICANT REGULATED PLANT OR WILDLIFE COMMUNITIES ON-SITE.
10. THERE ARE NO 100-YEAR FLOODPLAINS ON SITE.
11. THERE ARE NO KNOWN WETLAND ON-SITE.
12. THIS SITE WILL BE SERVICED BY EXISTING PUBLIC WATER AND SANITARY SERVICE.
13. ALL SCREENING AND LANDSCAPING SHALL BE IN ACCORDANCE WITH THE CURRENT BALTIMORE COUNTY LANDSCAPE PLAN.
14. ALL PROPOSED PARKING SHALL BE MACADAM DUSTLESS SURFACE WITH CONCRETE CURBING.
15. ALL SIGNS ONSITE WILL COMPLY WITH BCZR SECTION 450
16. LETTER A TO J SHOWN ON THE PLAN IDENTIFIES THE LOCATION OF THE VARIANCES REQUESTED ON THE PETITION FOR VARIANCES.

AST CONSULTANTS INC.
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7894 JAMES AVENUE
ELLICOTT CITY, MARYLAND, 21043
(410) 456-2402
FAX (301) 560-8848

PLAN TO ACCOMPANY
PETITIONS FOR ZONING
RELIEF

8207 LIBERTY ROAD, BALTIMORE, MD 21244
PHONE 410 655 1300
LIMER # 7817 PAGE 151 PARCEL ID 02-11-4700400 / 02-01-500070

REVISIONS	JOB NO: BC-01-09
	SCALE: 1" = 20'
	DATE: 9-23-09
	DRAWN BY: GP
	DESIGN BY: AP
	REVIEW BY: AP
	SHEET:

PRIOR ZONING CASES:

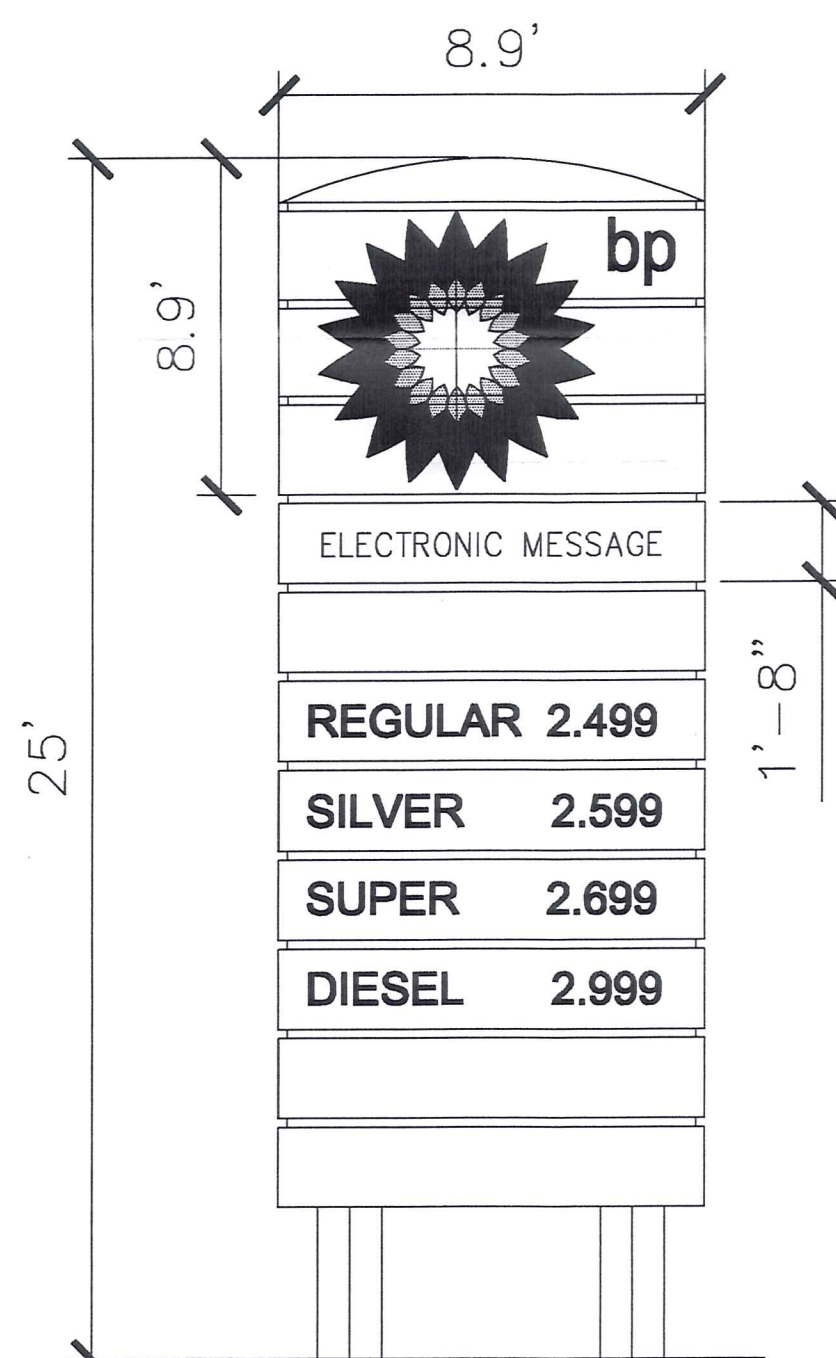
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ZONING NOTES - SECTION 405 & 419 (FUEL SERVICE STATIONS & CAR WASH)

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PROPOSED CONVENIENCE STORE EXPANSION			1,950
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PROPOSED SERVICE BAY AREA			700
PROPOSED CAR WASH			720
TOTAL AREA			5150

B. SETBACKS (TO PROPERTY LINES): AS PER 238 STANDARDS		BUILDING		CANOPY		FUEL PUMPS	
REQUIRED	PROVIDED	REQUIRED	PROVIDED	REQUIRED	PROVIDED	REQUIRED	PROVIDED
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D. A REST ROOM FACILITY, WATER AND COMPRESSED AIR SHALL BE PROVIDED FOR

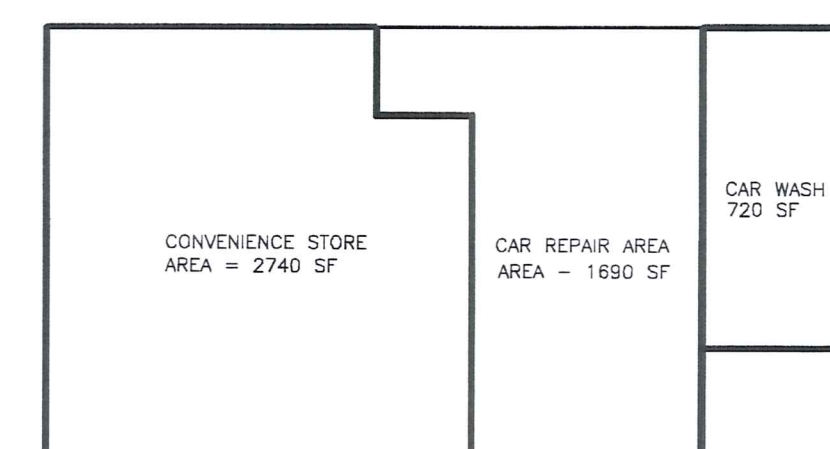
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EX-STORE PLUS PROPOSED EXPANSION	2,740 SF @ 5/1000		14
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ATM			1
EMPLOYEE PARKING			4
TOTAL REQUIRED:			36

D.2. PARKING PROVIDED		= 29 (H)	
TOTAL PARKING INCLUDING ONE HANDICAPPED			
E. CAR WASH STACKING:			
ROLL OVER CARWASH:			9
REQUIRED - (9'x20')			
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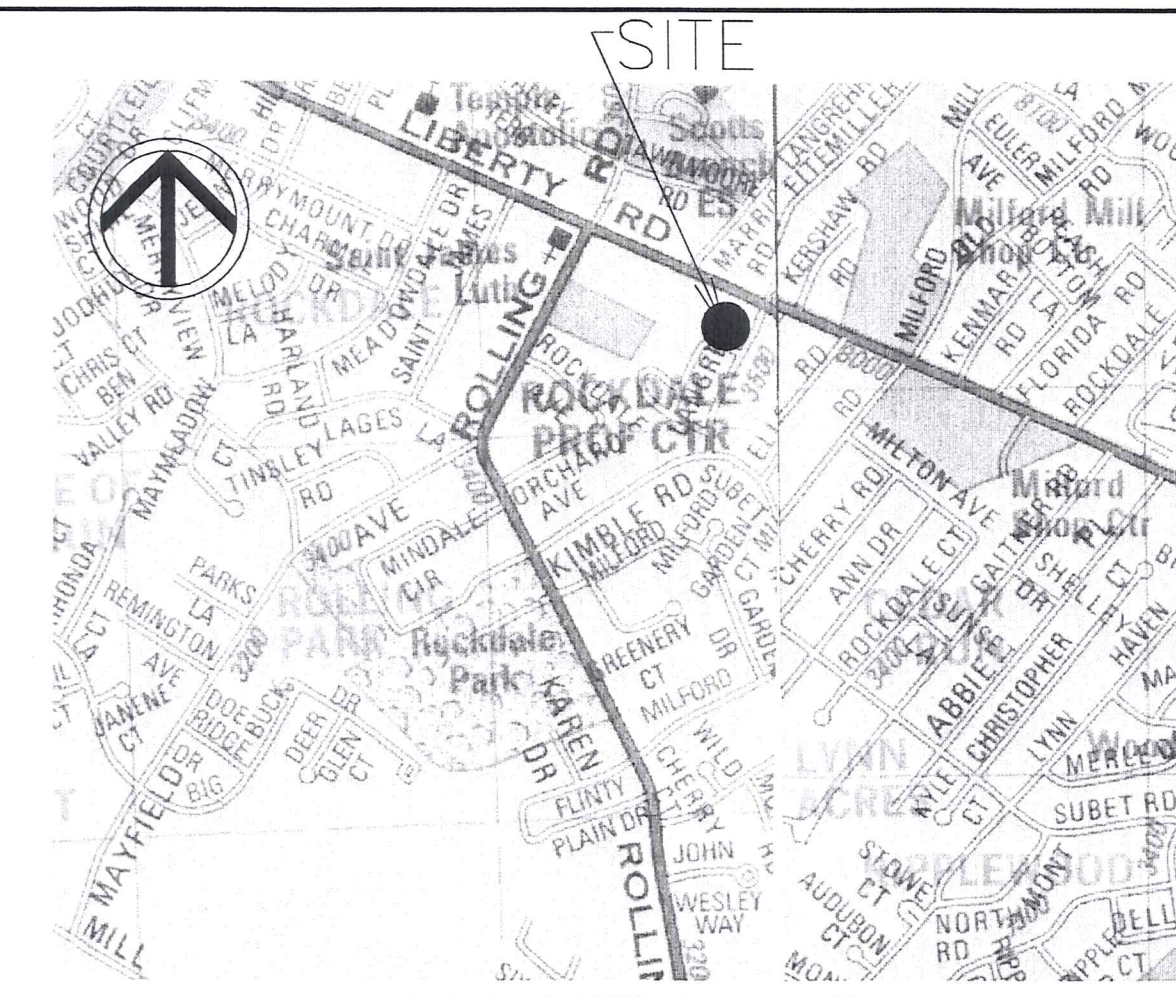
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TOTAL BUILDING AREA
SCALE: 3/8" = 1'-0"



VICINITY MAP
SCALE 1" = 1000'

GENERAL NOTES

- OWNER/ DEVELOPER:
K F GHAIURI LLC
ATTN: MR. KHALID AZAM
8207 LIBERTY ROAD
BALTIMORE, MARYLAND 21244
PHONE: 410-655-1300
- ENGINEER:
AST CONSULTANTS INC.
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7894 JAMES AVENUE, ELLICOTT CITY, MD 21043
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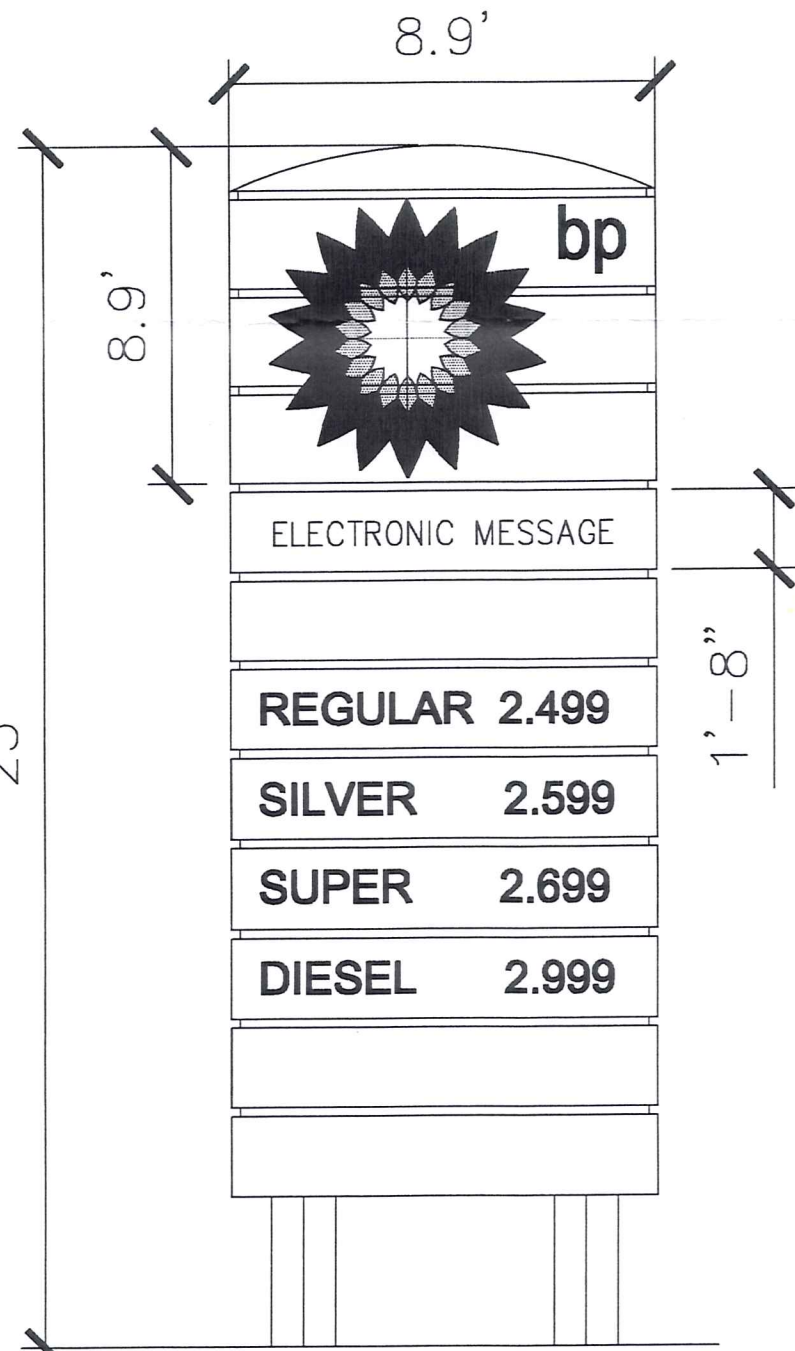
PLAN TO ACCOMPANY PETITIONS FOR ZONING RELIEF

8207 LIBERTY ROAD, BALTIMORE, MD 21224
PHONE 410 655 1300
LIMER # 7817 PAGE 151 PARCEL ID 02-11-4700490 / 02-01-500070

REVISIONS	JOB NO: BC-01-09
12/15/09 REDLINE REVISION	SCALE: 1" = 20'
	DATE: 9-23-09
	DRAWN BY: GP
	DESIGN BY: AP
	REVIEW BY: AP
	SHEET:

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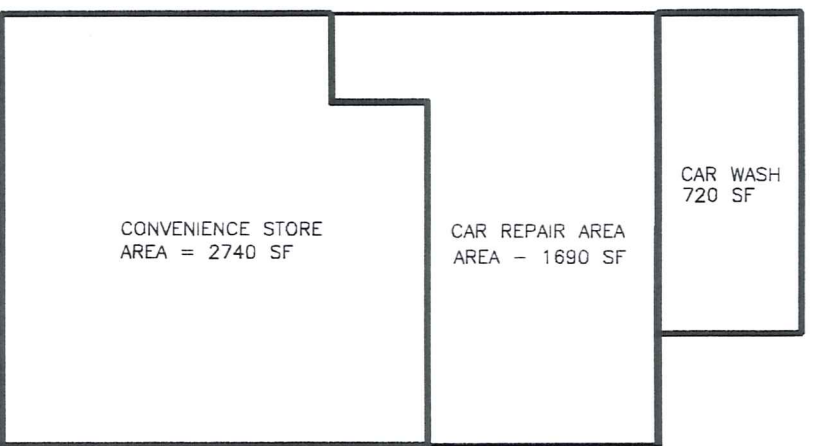
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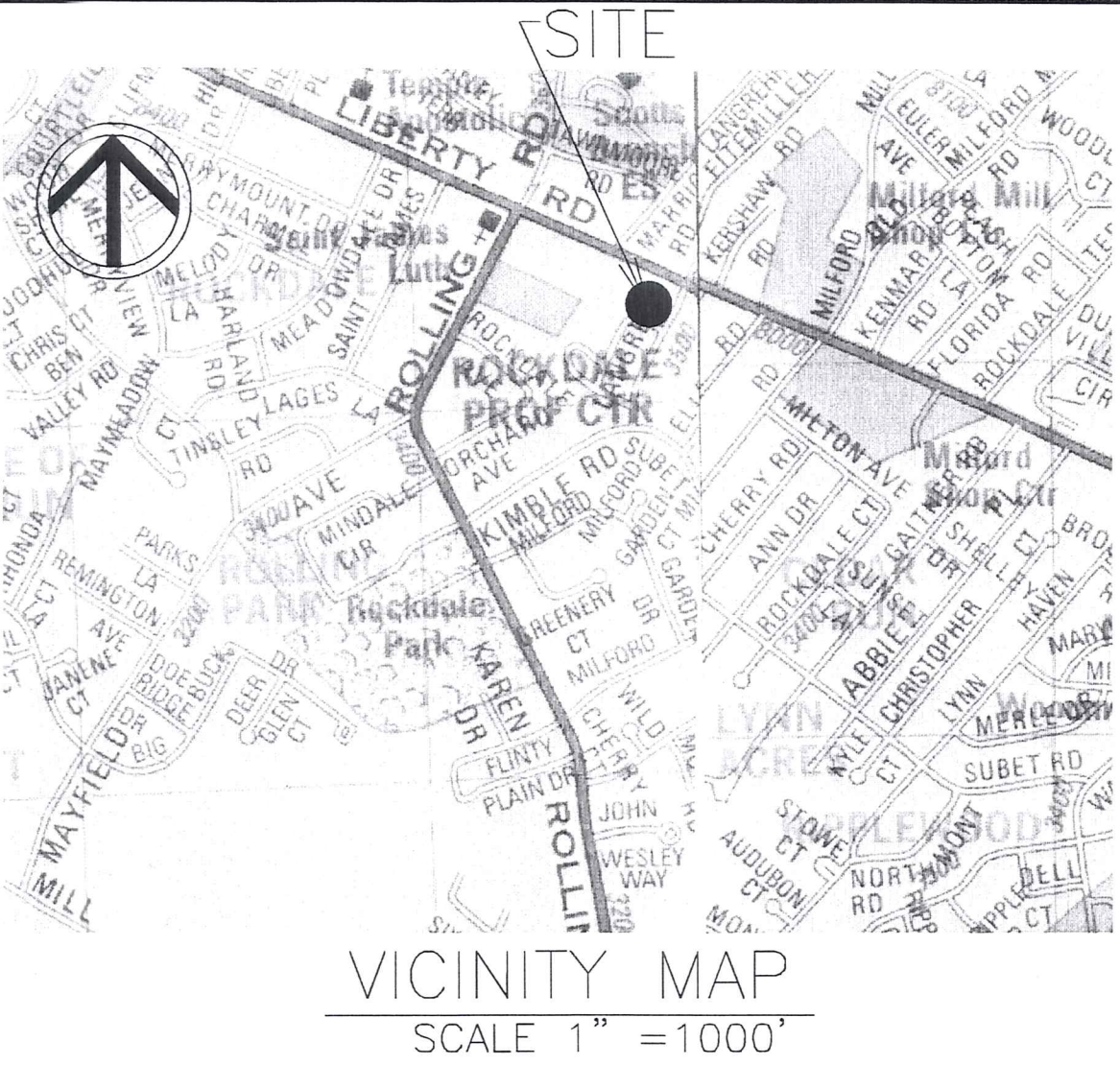
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TOTAL BUILDING AREA
SCALE: 3/8" = 1'-0"



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