

IN RE: PETITION FOR SPECIAL HEARING
SE/S Loch Raven Boulevard, 740' SW c/line
Taylor Avenue
(6819 Loch Raven Boulevard)

9th Election District
5th Council District

Iman Crown, Inc.
Petitioner

* BEFORE THE
* ZONING COMMISSIONER
* FOR
* BALTIMORE COUNTY
* Case No. 2011-0168-SPH

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of a Petition for Special Hearing filed by Humayun Sheikh, President of Iman Crown, Inc., the legal property owner. The Petitioner requests a special hearing seeking to extend the time for the relief granted in Zoning Case No. 2009-0144-SPH for an additional three (3) years and to amend the previously approved plan to permit a rollover car wash in lieu of a self service car wash. The subject property and requested relief are more particularly described on the site plan that was marked and accepted into evidence as Petitioner's Exhibit 2.

Appearing at the public hearing in support of the requested relief were Petitioner Humayun Sheikh and Rick Richardson, the professional engineer with Richardson Engineering, LLC, who prepared the site plan for this property. There were no Protestants or other interested persons in attendance at the hearing.

This property has been the subject of several zoning cases in recent years that deserve some preliminary discussion as they shed additional light on the merits of this particular request. By way of background, Deputy Zoning Commissioner Thomas H. Bostwick, by Order dated October 19, 2007, allowed revisions to a previously approved development plan by granting variances, affirming different existing conditions as non-conforming and approving additional

ORDER RECEIVED FOR FILING

Date

By

1-13-11

193

uses to the site of a convenience store and a single rollover car wash in combination with a fuel service station. *See* Case No. 08-032-SPHXA. To the extent applicable, the findings and conclusions set forth therein are adopted by reference in this case.

The Petitioner then returned to this Commission in 2009 (Case No. 2009-0144-SPH) requesting a special hearing that amended the previously approved plan by eliminating the rollover car wash and convenience store uses that were to be located inside a 30' x 45' building and converting/substituting the building's usage to that of two (2) self-serve car wash bays. The site plan that accompanied the 2009 petition was marked and accepted into evidence at the current hearing as Petitioner's Exhibit 1, and to the extent applicable, the findings and conclusions set forth in the 2009 Order are adopted by reference in this case. In that case, after reviewing the 2007 case and the evidence and testimony presented at the hearing, I found that the proposed amendments were within the spirit and intent of the previously approved plan and approved the petition for special hearing.

Petitioner now returns and requests a 3-year extension for the relief granted in 2009 and approval of an amendment to the plan that reverts back to a rollover car wash as was originally approved in 2007 in lieu of the self service car wash that was approved in 2009. Testimony revealed that the request will decrease the impact on the property as the convenience store that was approved in 2007 and removed in 2009 is not being added back into the plan, and the proposed car wash structure is actually smaller than the relief granted in 2009 (approximately 20' x 45' instead of 30' x 45') because only one single bay (and one stacking area) will be needed for the rollover car wash in lieu of multiple self-service bays.

Mr. Sheikh explained that the reason that he never utilized the special exception relief approved in 2009 was that, like many small businesses, he has had trouble obtaining financing

over the past two (2) years. However, he currently has a promising offer from the bank and is looking to extend the time for the zoning relief so he can finally move forward with the car wash that was approved in multiple prior cases. As in the previous hearings, there were no adverse Zoning Advisory Committee (ZAC) comments submitted by the County reviewing agencies, and no one appeared in opposition to the requested relief.

Considering the evidence and testimony presented at the public hearing, I am convinced that the requested special hearing should be granted. Turning first to the request for extension of time, Section 502.3 of the B.C.Z.R. provides that the Zoning Commissioner may grant one or more extensions of time provided that the time is not extended for a period of more than five (5) years from the date of the final order. Here, the final order was issued on February 10, 2009 and Petitioner is requesting a three (3) year extension from the date of that final order. I find that this request will permit the Petitioner to construct a car wash that was approved in multiple prior zoning cases without having any negative impact on the surrounding community. The period of time for implementing the relief set out on the site plan identified as Petitioner's Exhibit 2 is therefore extended until February 10, 2014.

Additionally, the amendments proposed in the current site plan will be approved as the Petitioner was previously granted permission to construct a larger rollover car wash with a convenience store and now proposes a smaller carwash structure that will have less impact on the property and surrounding area. Unfortunately, the Petitioner, like many small businesses, has been the victim of a difficult economy and has previously been unable to obtain the financing necessary to implement the relief approved in prior cases. This approval is consistent with the prior orders of this Commission and the extension of time will hopefully provide the Petitioner

ORDER RECEIVED FOR FILING

Date

By

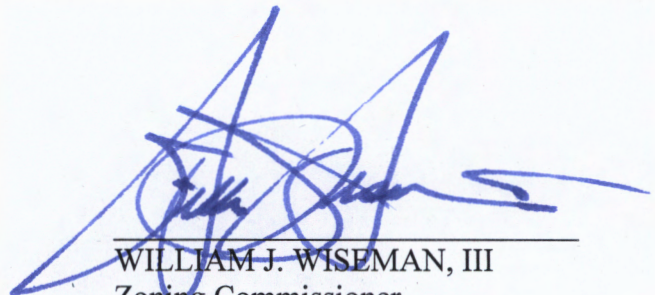
with the ability to construct the rollover car wash that has been approved again and again without opposition from county agencies or the surrounding community.

Pursuant to the advertisement, posting of the property and public hearing on this Petition held, and for the reasons set forth herein, the relief requested shall be granted.

THEREFORE, IT IS ORDERED, by the Zoning Commissioner for Baltimore County this 13th day of January 2011, that the Petition for Special Hearing seeking to extend the utilization time for the special exception use granted in Zoning Case No. 2009-0144-SPH until February 10, 2014 and to amend the previously approved plan for one rollover car wash in lieu of a self service car wash, in accordance with Petitioner's Exhibit 2, be and is hereby GRANTED, subject to the conditions imposed in the previous case, that is to say:

- 1) The Petitioner shall submit building elevations of the proposed car wash facility to the Office of Planning for review and approval.
- 2) The building façade(s) of the proposed structures must be brick and shall be submitted to the Office of Planning for review and approval.
- 3) The Petitioner shall be required to post its bond and obtain a State Highway Access Permit to the points of ingress/egress from the subject property along Loch Raven Boulevard (MD Route 542).

Any appeal of this decision must be taken in accordance with Section 32-3-401 of the Baltimore County Code (B.C.C.).


WILLIAM J. WISEMAN, III
Zoning Commissioner
for Baltimore County

WJW:dlw



KEVIN KAMENETZ
County Executive

WILLIAM J. WISEMAN III
Zoning Commissioner

January 13, 2011

Humayun Sheikh
6819 Loch Raven Boulevard
Baltimore, Maryland 21286

RE: **PETITION FOR SPECIAL HEARING**
SE/S Loch Raven Boulevard, 740' SW c/line Taylor Avenue
(6819 Loch Raven Boulevard)
9th Election District - 5th Council District
Iman Crown, Inc. - Petitioner
Case No. 2011-0168-SPH

Dear Mr. Sheikh:

Enclosed please find a copy of the decision rendered in the above-captioned matter.

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

Very truly yours,

A handwritten signature in black ink, appearing to read "William J. Wiseman, III", is written over a large, stylized star graphic.

WILLIAM J. WISEMAN, III
Zoning Commissioner
for Baltimore County

WJW:dlw
Enclosure

c: Rick Richardson, Richardson Engineering, LLC, 30 East Padonia Road,
Suite 500, Timonium, MD 21093
People's Counsel; Office of Planning; File



Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at 6819 Loch Raven Boulevard

which is presently zoned BL-CCC

(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

(This box to be completed by planner)

To extend the time of the Special Exception granted in Zoning Case 09-0144 SPH for an additional 3 years from the date of the original approval, AND AMEND THE PREVIOUSLY APPROVED PLAN FOR ONE ROLLOVER CAR WASH IN LIEU OF A SELF-SERVICE CAR WASH

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:

Name - Type or Print _____

Signature _____

Company _____

Address _____ Telephone No. _____

City _____ State _____ Zip Code _____

Legal Owner(s):

Iman Crown, Inc.

Name - Type or Print _____

Signature _____

Humayun Sheikh

Name - Type or Print _____

Signature _____

6819 Loch Raven Boulevard 443-562-2273

Address _____ Telephone No. _____

Baltimore MD 21286

City _____ State _____ Zip Code _____

Representative to be Contacted:

Richardson Engineering, LLC

Name _____

30 E. Padonia Road, Suite 500 410-560-1502

Address _____ Telephone No. _____

Timonium, MD 21093

City _____ State _____ Zip Code _____

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING _____

Case No. 2011-0168-SPH

REV 9/15/98

UNAVAILABLE FOR HEARING

Reviewed By [Signature] Date 11/8/10

**ZONING DESCRIPTION
6819 LOCH RAVEN BOULEVARD
9TH ELECTION DISTRICT
5TH COUNCILMANIC DISTRICT
BALTIMORE COUNTY, MARYLAND**

Beginning at a point on the Southeast side of Loch Raven Boulevard, 90 feet wide; at a distance of 740 feet more or less, from the centerline intersection of Loch Raven Boulevard and Taylor Avenue, 80 feet wide; and running thence from said place of beginning, binding on the said Southeast side of Loch Raven Boulevard, (1) South 36 degrees 25 minutes West 189.96 feet; thence leaving the said southeast side of said Loch Raven Boulevard and running (2) South 77 degrees 20 minutes East 174.47 feet, (3) North 36 degrees 25 minutes East 119.69 feet, (4) North 53 degrees 35 minutes West 159.70 to the point of beginning.

Containing a net area of 0.57± acres or 24,724 square feet of land, more or less.



2011-0168-SPH

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

No. 61039

Date: 11/8/10

PAID RECEIPT

BUSINESS ACTUAL TIME DRW
11/08/2010 11/08/2010 09:37:47 2

REG WSDS WALKIN TOOL DHD
>>RECEIPT # 551711 11/08/2010 DFLN

Fund	Dept	Unit	Sub Unit	Rev Source/	Sub Rev/	Obj	Sub Obj	Dept Obj	BS Acct	Amount	Dept	CR NO.
001	806	0000		6150						325.00	5	061039

Recpt Tot \$325.00
\$325.00 CK \$0.00 CA
Baltimore County, Maryland

Total: 325.00

Rec From: JMAN CROWN INC
For: DBA Spirit of Loch Raven
689 Loch Raven Blvd
21286

2011-0168
SPH

CERTIFICATE OF POSTING

2011-0168-SPH

RE: Case No.: _____

Petitioner/Developer: _____

Iman Crown, Inc.

Jan. 6 2011

Date of Hearing/Closing: _____

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 posted conspicuously on the property located at: _____

6819 Loch Raven Boulevard

December 22 2010

The sign(s) were posted on _____
(Month, Day, Year)

Sincerely,

Robert Black

December 27 2010

(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 # 2011-0168SPH

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

PLACE: Room 106, County Office Building
111 WEST CHESAPEAKE AVE TOWSON 21204

DATE AND TIME THURSDAY, JANUARY 6, 2011 AT 9:00 A.M.

REQUEST SPECIAL HEARING TO EXTEND THE TIME OF THE

SPECIAL EXCEPTION GRANTED IN ZONING CASE 09-0144-SPH FOR AN
ADDITIONAL 3 YEARS FROM THE DATE OF THE ORIGINAL APPROVAL
AND AMEND THE PREVIOUSLY APPROVED PLAN FOR ONE FULLCOVER
CAR WASH IN LIEU OF THE A SELF-SERVICE CAR WASH

POSTPONEMENTS DUE TO WEATHER OR OTHER CIRCUMSTANCES ARE SOMETIMES NECESSARY
TO CONFIRM HEARING CALL 887-3791

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



BALTIMORE COUNTY
M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

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

December 1, 2010

NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 2011-0168-SPH

6819 Loch Raven Boulevard

S/E side of Loch Raven Boulevard, 740 +/- feet s/west of the centerline of Taylor Avenue

9th Election District – 5th Councilmanic District

Legal Owners: Iman Crown, Inc.,

Special Hearing to extend the time of the Special Exception granted in Zoning Case 09-0144-SPH, for an additional 3 years from the date of the original approval, and amend the previously approved plan for one rollover car wash in lieu of the a self-service car wash.

Hearing: Thursday, January 6, 2011 at 9:00 a.m. in Room 106, County Office Building,
111 West Chesapeake Avenue, Towson 21204

Timothy Kotroco
Director

TK:kl

C: Humayun Sheikh, 6819 Iman Crown, Inc., 6819 Loch Raven Boulevard, Baltimore 21286
Richardson Engineering, 30 E. Padonia Rd., Ste. 500, Timonium 21093

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY WED., DECEMBER 22, 2010.**
- (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.

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: 2011-0168-SHH

Petitioner: HUMAYUN SHEIKH

Address or Location: 6819 LOCH RAVEN BLVD

PLEASE FORWARD ADVERTISING BILL TO:

Name: HUMAYAN SHEIKH

Address: 1MAN CROWN INC

6819 LOCH RAVEN BLVD BALT, MD 21286

Telephone Number: 443-562-2273

Revised 2/20/98 -SCJ

1/6 9am

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



RECEIVED

DEC 23 2010

ZONING COMMISSIONER

TO: Zoning Commissioner's Office
FROM: Dave Lykens, DEPRM - Development Coordination
DATE: December 22, 2010
SUBJECT: Zoning Item # 11-168-SPH
Address 6819 Loch Raven Boulevard
(Inman Crown, Inc.)

Zoning Advisory Committee Meeting of November 15, 2010.

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

Reviewer: JWL Date: 12/22/10



BALTIMORE COUNTY
MARYLAND

JAMES T. SMITH, JR.
County Executive

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

December 28, 2010

Iman Crown, Inc.
Humayan Sheikh
6819 Loch Raven Blvd.
Baltimore, Maryland 21286

Dear Mr. Sheikh:

RE: Case Number 2011-0168, 6819 Loch Raven Boulevard

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on November 8, 2010. 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,

A handwritten signature in black ink that reads "W. Carl Richards, Jr." with a stylized flourish at the end.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR:lnw

Enclosures

c: People's Counsel
Richardson Engineering, LLC 30 E. Padonia Road Ste 500 Timonium MD 21093



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

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

Maryland Department of Transportation

November 24, 2010

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

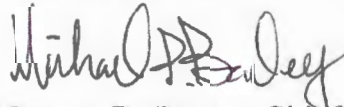
RE: Baltimore County
Item No. 2011-0168-SPH
MD 542 (Loch Raven Boulevard)
Spirit Gas
6819 Loch Raven Boulevard
Special Hearing

Dear Ms. Matthews:

Thank you for the opportunity to review the ZAC Agenda Case Number 2011-0168-SPH for the above captioned, which was received on November 22, 2010. We have completed a review of the referenced plan and as well as a field inspection. The results of the review reveal that an access permit is necessary for the proposed improvements along the property fronting MD 542. We recommend that as a condition of Spirit Gas-Special Hearing approval the owner/developer be required to obtain a State Highway Access Permit.

Please include our comments in staff report to the Zoning Hearing officer. Should you have any questions regarding this matter, please contact Michael Bailey at 410-545-5593 or 1-800-876-4742 extension 5593. Also, you may E-mail him at (m Bailey@sha.state.md.us). Thank you for your attention.

Very truly yours,


for Steven D. Foster, Chief
Access Management Division

SDF/mb
Enclosure

Cc: Mr. David Malkowski, District Engineer, SHA
Mr. Michael Pasquariello, Utility Engineer, SHA
Mr. Rick Richardson, Richardson Engineering, LLC
Mr. Humayun Sheikh, Owner, Iman Crown, Inc.

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

Street Address: 707 North Calvert Street • Baltimore, Maryland 21202 • Phone: 410-545-0300 • www.marylandroads.com



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

State Highway
Administration

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

Maryland Department of Transportation

November 3, 2008

Mr. Brian Kowalczyk.
Richardson Engineering, LLC
30 E. Padonia Road
Suite 500
Timonium, MD 21093

RE: Baltimore County
MD 582 (Loch Raven Boulevard
700' south Goucher Boulevard
Spirit Gas - 6819 Loch Raven Blvd
entrance Improvements
Mile Post 0.86
Tracking No. 08-AP-BA-015-XX

Dear Mr. Kowalczyk:

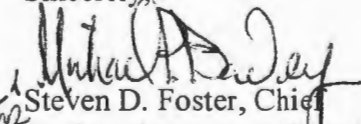
Thank you for the opportunity to review your revised plan to accompany access permit for the Spirit gas property located at 6919 Loch Raven Boulevard. We have reviewed these plans, and found them acceptable.

Please submit the following to this office:

- Ten (10) copies of the site plan showing the SHA requirements
- A Performance bond, letter of credit, or certified check (**include federal ID number or social security number on certified checks only**) in the amount of \$11,000.00 to cover the cost of construction within the MD 582 right-of-way. These must be made payable to the State of Maryland (**Please note that it take 6-8 weeks for a certified check to be returned after project completion and SHA final inspection**).

Upon receipt of the above items, this office will be in apposition to process the permit. Please note that an incomplete application will significantly delay both building permit and access permit issuance. Should you have any questions or require additional information, feel free to contact Michael Bailey at (410) 545-5593 or call our toll free number 1-800-876-4742 extension 5593. Also, you may E-mail him (m Bailey@sha.state.md.us). Thank you for your attention.

Sincerely,


Steven D. Foster, Chief
Engineering Access Permits
Division

My telephone number/toll-free number is _____

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

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



Mr. Brian Kowalczyk.
Page Two

SDF/MB

Cc: Ms. Lisa Choplin, Chief, Innovative Contracting Div., SHA
Ms. Erin Kuhn, ADE-Traffic, SHA
Mr. David Malkowski, District Engineer, SHA
Mr. John Gover, Innovative Contracting Div., SHA
Mr. Donald Distance, D-4 Traffic, SHA
Mr. Michael Pasquariello, Utility Engineer, SHA
Dr. Julie Schablitsky, Cultural Resources-PPD, SHA
Mr. Rick Schmuff, H/H Reviewer, JMT/SHA

Fire Department

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



Baltimore County

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

November 24, 2010

Dept of PDM
Room 111, County Office Building
111 West Chesapeake Ave.
Towson, MD 21204
MS #1105

Attention Kristen Matthews

The Fire Marshal's office has no comment on the following zoning cases:

2011-0159-A, 2011-0160-A, 2011-0161-A, 2011-0162-A, 2011-0163-A, 2011-0163-A,
2011-0165-A, 2011-0166-A, 2011-0167-A, 2011-0168-SPH, 2011-0169-A, 2011-0170-A
2011-0171-XA, 2011-0172-A, 2011-0173-SPH, 2011-0174-A, 2011-0175-A,
2011-0176-SPH, 2011-0177-A, 2011-0178-A, 2011-0179-A.

Thank you,

A handwritten signature in black ink, appearing to read "Steven Judlick".

Steven Judlick, Fire Marshal
Baltimore County Fire Department
Office of the Fire Marshal
410-887-4880

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



Printed on Recycled Paper



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

State Highway
Administration

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

Maryland Department of Transportation

November 24, 2010

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

RE: Baltimore County
Item No. 2011-0168-SPH
MD 542 (Loch Raven Boulevard)
Spirit Gas
6819 Loch Raven Boulevard
Special Hearing

Dear Ms. Matthews:

Thank you for the opportunity to review the ZAC Agenda Case Number 2011-0168-SPH for the above captioned, which was received on November 22, 2010. We have completed a review of the referenced plan and as well as a field inspection. The results of the review reveal that an access permit is necessary for the proposed improvements along the property fronting MD 542. We recommend that as a condition of Spirit Gas-Special Hearing approval the owner/developer be required to obtain a State Highway Access Permit.

Please include our comments in staff report to the Zoning Hearing officer. Should you have any questions regarding this matter, please contact Michael Bailey at 410-545-5593 or 1-800-876-4742 extension 5593. Also, you may E-mail him at (mbailey@sha.state.md.us). Thank you for your attention.

Very truly yours,

for Steven D. Foster, Chief
Access Management Division

SDF/mb
Enclosure

Cc: Mr. David Malkowski, District Engineer, SHA
Mr. Michael Pasquariello, Utility Engineer, SHA
Mr. Rick Richardson, Richardson Engineering, LLC
Mr. Humayun Sheikh, Owner, Iman Crown, Inc.

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

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

SUBJECT: Zoning Advisory Committee Meeting
For November 29, 2010
Item Nos. 2011- 160, 161, 162, 163,
164, 165, 166, 167, 168, 169, 170,
171, 173, 174, 175, 177, 178 and 179

DATE: November 29, 2010

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

DAK:CEN:cab

cc: File

G:\DevPlanRev\ZAC -No Comments\ZAC-11292010 -NO COMMENTS.doc

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: George Klunk, (Acting) Director
Department of Permits and
Development Management

DATE: December 6, 2010

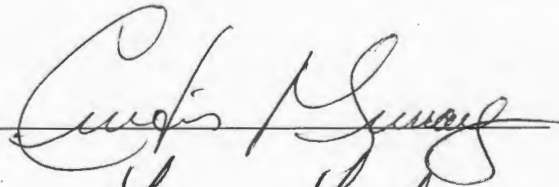
FROM: Jeff Mayhew
(Acting) Director, Office of Planning

SUBJECT: Zoning Advisory Petition(s): **Case(s) 11-168- Special Hearing**

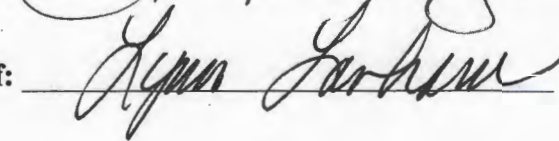
The Office of Planning has reviewed the above referenced case(s) and has no comments to offer.

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

Prepared By:



Division Chief:
CM/LL



RE: PETITION FOR SPECIAL HEARING	*	BEFORE THE
6819 Loch Raven Boulevard; SE/S Loch	*	ZONING COMMISSIONER
Raven Blvd, 740 SW Taylor Avenue	*	
9 th Election & 5 th Councilmanic Districts	*	FOR
Legal Owner(s): Inman Crown, Inc	*	
Petitioner(s)	*	BALTIMORE COUNTY
	*	2011-168-SPH

* * * * *

ENTRY OF APPEARANCE

Please enter the appearance of People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and the passage of any preliminary or final Order. All parties should copy People's Counsel on all correspondence sent/ documentation filed in the case.

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio

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

RECEIVED

DEC 08 2010

.....

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 8th day of December, 2010, a copy of the foregoing Entry of Appearance was mailed to Richardson Engineering, LLC, 30 East Padonia Road, Suite 500, Timonium, MD 21093 Representative for Petitioner(s).

Peter Max Zimmerman

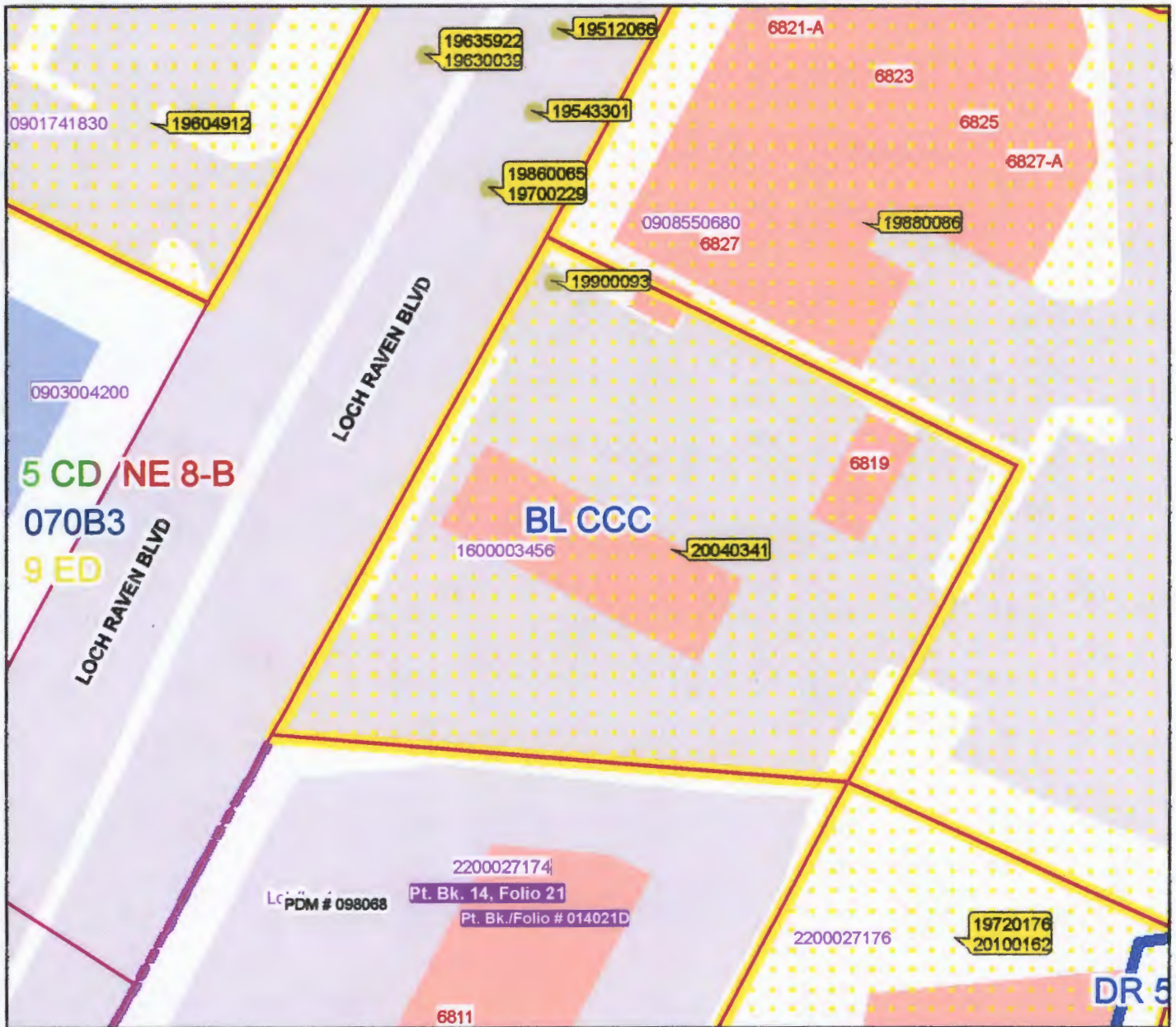
PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

CASE NAME SPIRIT GAS
CASE NUMBER 2011-0168-SPH
DATE 1/6/11

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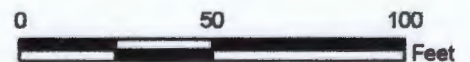
6819 Loch Raven Boulevard

2011-0168-SPH

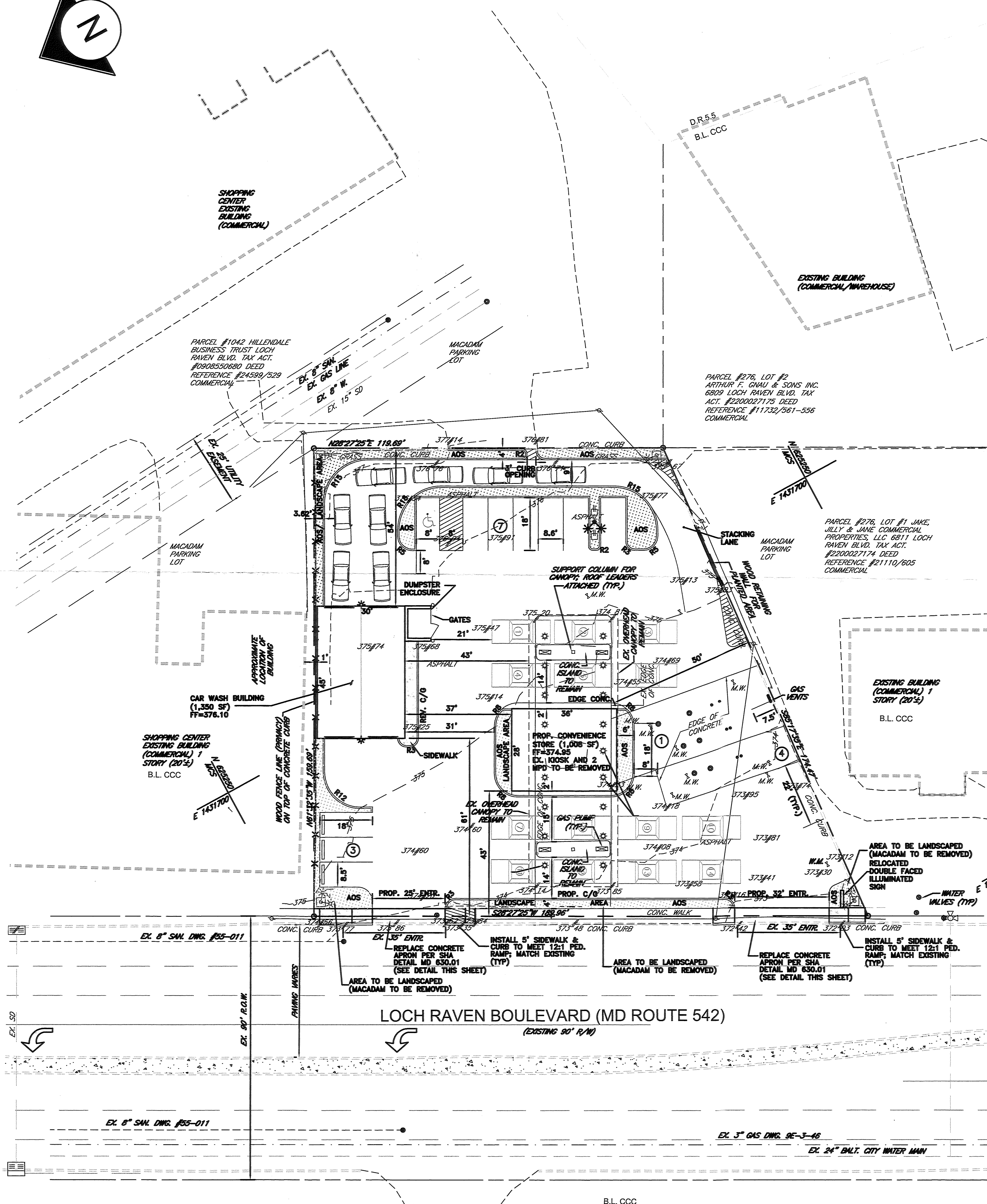
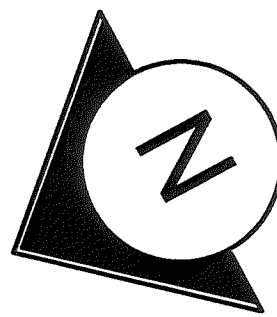


Publication Date: November 08, 2010
 Publication Agency: Department of Permits & Development Management
 Projection/Datum: Maryland State Plane,
 FIPS 1900, NAD 1983/91 HARN, US Foot

DQ Map Notes



1 inch = 50 feet

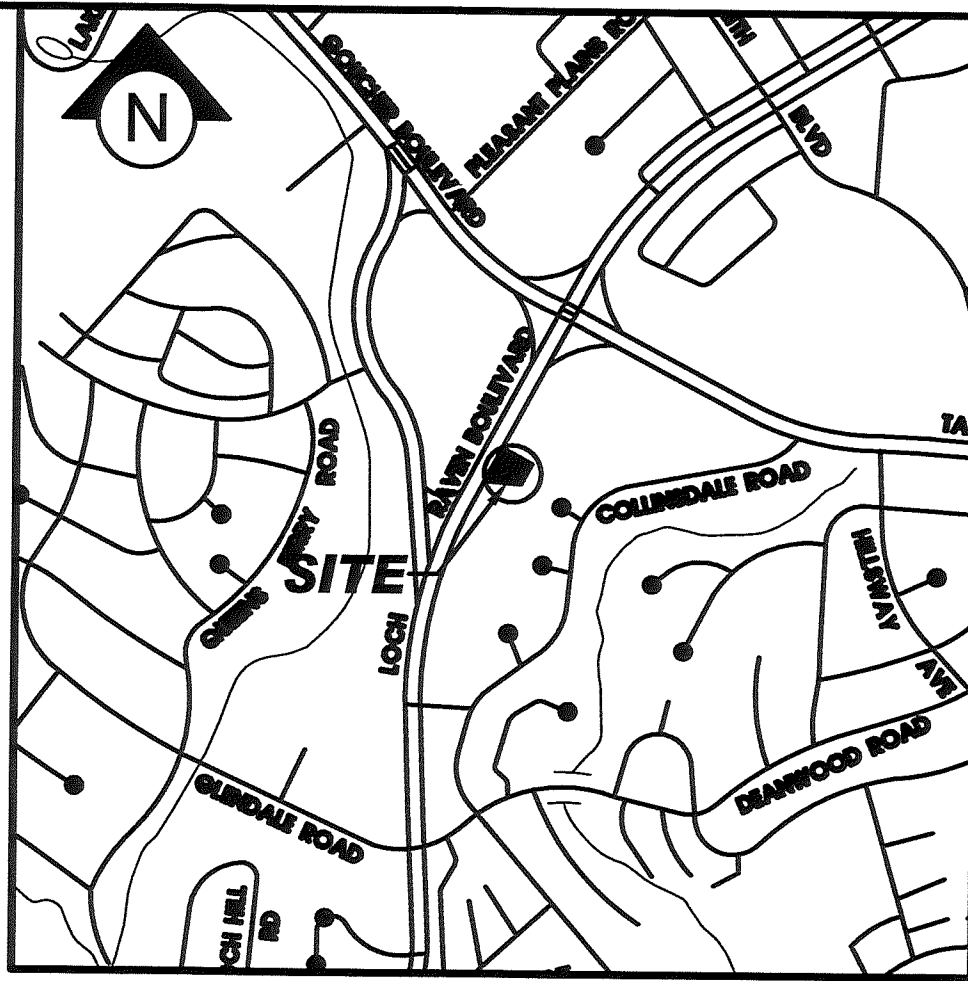


GENERAL NOTES:

- SITE DATA:
 - A. SITE ADDRESS: 6819 LOCH RAVEN BOULEVARD, BALTIMORE, MD 21286-8302
 - B. GROSS SITE AREA: 30,422 SF = .69 AC.±
 - C. NET SITE AREA: 24,724 SF = .57 AC.±
 - D. LOCATION: ADC MAP 27, GRID H-9
 - E. ELECTION DISTRICT: 9TH
 - F. COUNCILMANIC DISTRICT: 5TH
 - G. BALTIMORE COUNTY SOILS SURVEY: MAP 44
 - H. TAX MAP: MAP 70, GRID 22, P. 277
 - I. EXISTING ZONING: B.L.-CCC
 - J. ZONING MAP: 070B3

LEGEND:

- TRACT BOUNDARY
- EXISTING ZONE LINE
- ADJACENT PROPERTY LINE
- P.O.B. LTA AOS
- POINT OF BEGINNING LANDSCAPE TRANSITION AREA
- AMENITY OPEN SPACE



VICINITY MAP
SCALE: 1" = 1000'

OWNER / DESIGN CONSULTANT:

OWNERS: IMAN CROWN INC.
C/O HUMAYUN SHEIKH
6801 LOCH RAVEN BLVD.
BALTIMORE, MD. 21286-8302
TAX. ACCOUNT # 1600003456

ENGINEER: RICHARDSON ENGINEERING, LLC
30 EAST PADONIA ROAD, SUITE 500
TIMONIUM, MARYLAND 21093
(410) 560-1502
ATTN: RICK RICHARDSON

CASE 08-032-SPHXA:
THEREFORE, IT IS ORDERED this 19th day of October, 2007, by the Deputy Zoning Commissioner, that Petitioner's request for Special Hearing for the affirmation and approval of the utilization of all previously granted variance relief, the addition of an enlarged convenience store and a separate carry-out restaurant as ancillary uses and uses in combination with the existing principal use as a fuel service station, approval of a modified parking plan and modified stacking/parking requirements for the proposed uses in accordance with the specific detail shown on the site plan, approval of enlargement and/or relocation of existing uses on the subject property, and approval of an amendment to the site plans in the Prior Cases consistent with the relief requested, be and are hereby GRANTED; and IT IS FURTHER ORDERED that Petitioner's request for Special Exception pursuant to Section 405.4.E.2 of the Baltimore County Zoning Regulations (B.C.Z.R.) for approval of a rollover car wash, and pursuant to Section 405.4.E.10 of the B.C.Z.R. for approval of a carry-out restaurant, both in combination with a fuel service station pursuant to Section 405.6.A.3 of the B.C.Z.R., as well as approval of an amendment to Section 502.3 of the B.C.Z.R. of a period not exceeding five years from the date of this Order for utilization of the proposed special exception uses, be and are hereby GRANTED; and IT IS FURTHER ORDERED that, having granted the Special Exception for the modified parking plan for existing parking/stacking spaces and drive aisle width, the alternative Variance relief is hereby DISMISSED AS MOOT.

- LAND USE:
 - EXISTING USE: COMMERCIAL: GASOLINE SERVICE STATION AND CONVENIENCE FOOD STORE AND ATM.
 - PROPOSED USE: COMMERCIAL: GASOLINE SERVICE STATION AND CONVENIENCE FOOD STORE, AND SELF SERVE CARWASH.
- LOT AREA REQUIREMENTS (PER SECTION 405.4.D.2):
 - MINIMUM LOT AREA (8 FUELING POSITIONS): 15,000 SF
 - ATM: 1,000 SF
 - CONVENIENCE STORE (1,008 SFx4): 4,032 SF
 - TOTAL: 20,032 SF
 - GROSS SITE AREA PROVIDED: 30,422 SF
- BUILDING AREA:
 - CAR WASH: 1,472 SF
 - CONVENIENCE STORE / KIOSK: 1,008 SF
 - TOTAL: 2,480 SF
- FLOOR AREA RATIO (F.A.R.):
 - PERMITTED FLOOR AREA RATIO: 4.0
 - PROPOSED FLOOR AREA RATIO: 0.08
- PARKING:
 - ATM: 1 SPACES
 - CAR WASH: 8 SPACES
 - CONVENIENCE STORE @ 3/1000 (36' X 28' = 1,008 SF): 3 SPACES
 - TOTAL PARKING PROVIDED: 15 SPACES
 - REQUIRED: 14 SPACES
 - PROPOSED: 15 SPACES
- BUILDING SETBACKS: (CAR WASH)
 - FRONT YARD: 26.5'
 - REAR YARD: 0'
 - SIDE YARD: 0'

*BASED ON SECTION 303.2 OF THE BALTIMORE COUNTY ZONING REGULATIONS
FRONT YARD AVERAGING: 13' + 40' = 53'/2 = 26.5'

- THIS SITE SHALL BE SERVED BY PUBLIC WATER AND SEWER.
- THIS SITE IS NOT LOCATED WITHIN THE 100 YEAR FLOODPLAIN.
- THERE ARE NO NON-TIDAL WETLANDS ON THIS SITE.
- THERE ARE NO FOREST BUFFERS ON SITE.
- THERE ARE NO KNOWN REGULATED PLANT OR WILDLIFE COMMUNITIES ON THIS SITE.
- THERE ARE NO KNOWN HISTORICAL STRUCTURE OR ARCHAEOLOGICAL AREAS ASSOCIATED WITH THIS SITE.
- THERE IS NO PREVIOUS COMMERCIAL PERMIT ON FILE.
- SIGNAGE:
 - EXISTING FREE STANDING SIGN TO BE RELOCATED, ALL SIGNS TO BE IN CONFORMANCE WITH SECTION 450 BCZR.
- PARKING AND DRIVE AISLES SHALL BE PAVED PER SECTION 409.6 (BCZR).
- LIGHTING FIXTURES SHALL BE POSITIONED TO REFLECT LIGHT AWAY FROM ADJACENT PROPERTIES AND PUBLIC STREETS.
- CAR WASH STACKING LANE:
 - REQUIRED: (20' DEEP) 9 SPACES
 - PROVIDED: 9 SPACES
- BUILDING HEIGHT: 25' MAXIMUM
- PREVIOUS ZONING CASES:
 - CASE #70-229-RX: REQUEST TO REDISTRICT SITE FROM BL-C.C.C. DISTRICT TO B.L.C.S.A. DISTRICT AND A SPECIAL EXCEPTION FOR A COIN OPERATED CAR WASH, APPROVED DECEMBER 30, 1970.
 - CASE #86-65A: VARIANCE TO PERMIT A DOUBLE FACED SIGN WITH A TOTAL OF 181.3 SQ. FT. IN LIEU OF THE PERMITTED 100 SQ.FT., APPROVED AUGUST 25, 1985.
 - CASE #90-93-XSPH: SPECIAL EXCEPTION TO PERMIT A CONVENIENCE FOOD STORE (AS A SECOND PRINCIPAL USE) LESS THAN 5000 SQ.FT. AS A USE IN COMBINATION WITH A GASOLINE SERVICE STATION, AND AMENDMENT OF PRIOR PLANS CONSISTENT WITH RELIEF REQUESTED AND CONFIRMED THAT FUEL SERVICE STATION WAS VALID, NON-CONFORMING USE UNDER BCZR AS THEN ADOPTED - [DECISION WAS RENDERED PRIOR TO COUNTY COUNCIL BILL NOS. 172-1993 AND 78-2002], DENIED FEBRUARY 16, 1990.
 - CASE #04-341-SPHXA: PETITION FOR SPECIAL EXCEPTION TO ALLOW A ROLLOVER CAR WASH AS A USE IN COMBINATION WITH A FUEL SERVICE STATION, PURSUANT TO SECTION 405.4.E.2 OF THE B.C.Z.R., AND TO PERMIT THE PROPOSED USE, PETITION FOR SPECIAL HEARING TO APPROVE THE ADDITION OF THE ANCILLARY USES OF A CONVENIENCE STORE KIOSK AND SELF-SERVICE VACUUM TO THE EXISTING PRINCIPAL USE FUEL SERVICE STATION AND ANCILLARY ATM, AND TO AMEND THE SITE PLANS APPROVED IN PRIOR CASES NOS. 90-93-XSPH, 86-65-A AND 70-229-RX. VARIANCE SEEKING RELIEF AS FOLLOWS: 1) TO PERMIT LANDSCAPE TRANSITION AREAS FOR FRONT, SIDE AND REAR YARDS TO BE LESS THAN THAT REQUIRED IN SECTION 419.4.B.3 OF THE B.C.Z.R. (10 FEET ALONG THE PUBLIC RIGHT-OF-WAY AND 8 FEET ALONG SIDE AND REAR YARDS WHICH ABUT NON-RESIDENTIALLY ZONED LA ND); 2) TO PERMIT AMENITY OPEN SPACE WIDTHS LESS THAN THE MINIMUM REQUIRED 10 FEET, AND LESS THAN THE REQUIRED 7 FEET WITHIN A PARKING LOT, AS SET FORTH IN SECTION 101 OF THE B.C.Z.R.; 3) FROM SECTION 405.4.A.2(A) OF THE B.C.Z.R. TO PERMIT; 1) THE EXISTING FUEL PUMPS TO BE LOCATED 19 FEET FROM THE ROAD RIGHT-OF-WAY IN LIEU OF THE REQUIRED 25 FEET; AND 2) THE EXISTING CANOPY TO BE LOCATED 8.6 FEET FROM THE ROAD RIGHT-OF-WAY IN LIEU OF THE REQUIRED 15 FEET; AND 4) FROM SECTION 405.4.A.2(B) OF THE B.C.Z.R. TO PERMIT LANDSCAPE TRANSITION AREAS AS FOLLOWS: FRONT - 4 FEET IN LIEU OF THE REQUIRED 10 FEET; SIDE - 5 FEET IN LIEU OF THE REQUIRED 6 FEET; AND REAR - 4 FEET IN LIEU OF THE REQUIRED 6 FEET, PETITION FOR SPECIAL HEARING SEEKING APPROVAL OF EXISTING CONDITIONS AND USES ON THE PROPERTY AS NONCONFORMING, PURSUANT TO SECTION 405.2B OF THE BALTIMORE COUNTY ZONING REGULATIONS (B.C.Z.R.), BE AND IS HEREBY DENIED; AND, IT IS FURTHER ORDERED THAT THE ALTERNATIVE/ADDITIONAL VARIANCE REQUESTED FROM SECTION 405.6.A.3 OF THE B.C.Z.R. TO PERMIT THE PROPOSED USE IN COMBINATION AS SHOWN ON THE SITE PLAN, BE AND IS HEREBY DISMISSED AS MOOT.

- Any appeal of this decision must be made within thirty (30) days of the date of this Order.
- SIGNED:
THOMAS H. BOSTWICK
Deputy Zoning Commissioner
for Baltimore County
- NO DAMAGED OR DISABLED VEHICLES AND/OR PARTS WILL BE STORED ON THE PREMISES.
 - AMENITY OPEN SPACE:
 - REQUIRED: 0.2
 - PROPOSED (2,361 SF): .86
 - SPECIAL HEARING TO APPROVE REVISED PLAN TO CONVERT THE PREVIOUSLY APPROVED ROLL OVER CAR WASH TO TWO SELF SERVE CAR WASH BAYS AND ELIMINATE THE CARRY-OUT RESTAURANT.

Richardson Engineering, LLC

30 East Padonia Road, Suite 500
Timonium, Maryland 21093
Phone: 410-560-1502 Fax: 443-901-1208

PLAN TO ACCOMPANY SPECIAL HEARING FOR

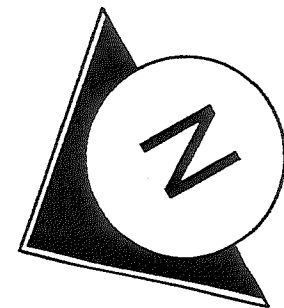
SPIRIT GAS

6819 LOCH RAVEN BOULEVARD

9TH ELECTION DISTRICT

BALTIMORE COUNTY, MARYLAND

DRAWN BY: CND	DESIGNED BY: PCR	SCALE: 1" = 20'
DATE: 11-1	JOB NO.:	SHEET NO.:
PETITIONER'S		OF 1



GENERAL NOTES:

- SITE DATA:
 - SITE ADDRESS: 6819 LOCH RAVEN BOULEVARD, BALTIMORE, MD 21286-8302
 - GROSS SITE AREA: 30,422 SF = .69 AC.±
 - NET SITE AREA: 24,724 SF = .57 AC.±
 - LOCATION: ADC MAP 27, GRID H-9
 - ELECTION DISTRICT: 9TH
 - COUNCILMANIC DISTRICT: 5TH
 - BALTIMORE COUNTY SOILS SURVEY: MAP 44
 - TAX MAP: MAP 70, GRID 22, P. 277
 - EXISTING ZONING: B.L.-CCC
 - ZONING MAP: 07083
- LAND USE:

EXISTING USE: COMMERCIAL: GASOLINE SERVICE STATION AND CONVENIENCE FOOD STORE AND ATM.

PROPOSED USE: COMMERCIAL: GASOLINE SERVICE STATION AND CONVENIENCE FOOD STORE, AND SELF-SERVE CARWASH.
- LOT AREA REQUIREMENTS (PER SECTION 405.4.D.2):

MINIMUM LOT AREA (8 FUELING POSITIONS): 15,000 SF

ATM: 1,000 SF

CONVENIENCE STORE (1,008 SFx4): 4,032 SF

TOTAL: 20,032 SF

GROSS SITE AREA PROVIDED: 30,422 SF
- BUILDING AREA:

CAR WASH: 900 SF

CONVENIENCE STORE / KIOSK: 1,008 SF

TOTAL: 1,908 SF
- FLOOR AREA RATIO (F.A.R.): 4.0
- PARKING:

REQUIRED	PROPOSED
ATM: 1 SPACES	2 ROLL-OVER CAR WASH DRYING SPACES
CAR WASH: 6 SPACES	2 VACUUM
CONVENIENCE STORE @ 3/1000: 3 SPACES	2 ADDITIONAL SPACES
TWO (2) EMPLOYEES: 2 SPACES	
TOTAL PARKING REQUIRED: 12 SPACES	
TOTAL PARKING PROVIDED: 15 SPACES	
- BUILDING SETBACKS: (CAR WASH)

REQUIRED	PROPOSED
FRONT YARD* = 26.5'	41'
REAR YARD = 0'	54'
SIDE YARD = 0'	1'

*BASED ON SECTION 303.2 OF THE BALTIMORE COUNTY ZONING REGULATIONS
- THIS SITE SHALL BE SERVED BY PUBLIC WATER AND SEWER.
- THIS SITE IS NOT LOCATED WITHIN THE 100 YEAR FLOODPLAIN.
- THERE ARE NO NON-TIDAL WETLANDS ON THIS SITE.
- THERE ARE NO FOREST BUFFERS ON THIS SITE.
- THERE ARE NO KNOWN REGULATED PLANT OR WILDLIFE COMMUNITIES ON THIS SITE.
- THERE ARE NO KNOWN HISTORICAL STRUCTURE OR ARCHAEOLOGICAL AREAS ASSOCIATED WITH THIS SITE.
- THERE IS NO PREVIOUS COMMERCIAL PERMIT ON FILE.
- SIGNAGE:

EXISTING FREE STANDING SIGN TO BE RELOCATED.

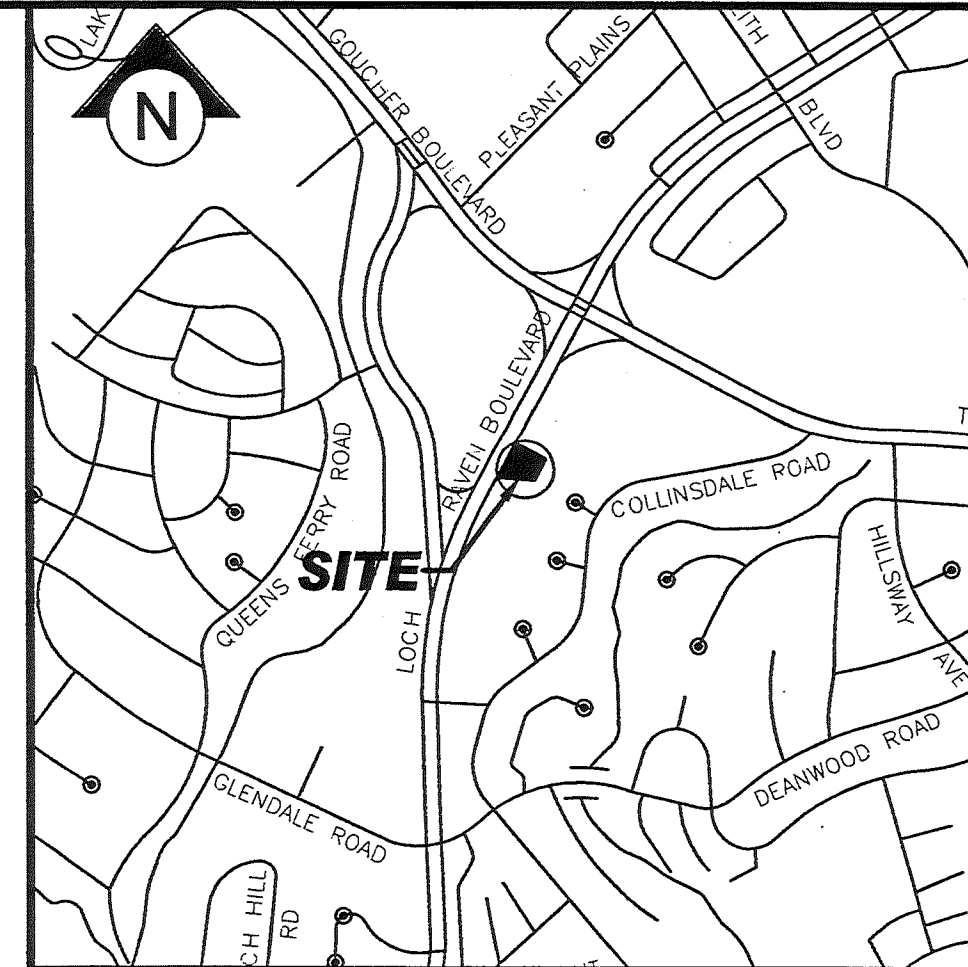
ALL SIGNS TO BE IN CONFORMANCE WITH SECTION 450 BCZR.
- PARKING AND DRIVE AISLES SHALL BE PAVED PER SECTION 409.8 (BCZR).
- LIGHTING FIXTURES SHALL BE POSITIONED TO REFLECT LIGHT AWAY FROM ADJACENT PROPERTIES AND PUBLIC STREETS.
- CAR WASH STACKING LANE:

REQUIRED: (20' DEEP) 9 SPACES

PROVIDED: 9 SPACES
- BUILDING HEIGHT: 25' MAXIMUM
- PREVIOUS ZONING CASES:
 - CASE #70-229-RX: REQUEST TO REDISTRICT SITE FROM BL-C.C.C. DISTRICT TO B.L.C.S.A. DISTRICT AND A SPECIAL EXCEPTION FOR A COIN OPERATED CAR WASH, APPROVED DECEMBER 30, 1970.
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 - CASE #90-93-XSPH: SPECIAL EXCEPTION TO PERMIT A CONVENIENCE FOOD STORE (AS A SECOND PRINCIPAL USE) LESS THAN 5000 SQ.FT. AS A USE IN COMBINATION WITH A GASOLINE SERVICE STATION, AND AMENDMENT OF PRIOR PLANS CONSISTENT WITH RELIEF REQUESTED AND CONFIRMED THAT FUEL SERVICE STATION WAS VALID, NON-CONFORMING USE UNDER BCZR AS THEN ADOPTED - [DECISION WAS RENDERED PRIOR TO COUNTY COUNCIL BILL NOS. 172-1993 AND 78-2002], DENIED FEBRUARY 16, 1990.
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LEGEND:

- TRACT BOUNDARY
- EXISTING ZONE LINE
- ADJACENT PROPERTY LINE
- P.O.B.
- LTA
- AOS
- POINT OF BEGINNING
- LANDSCAPE TRANSITION AREA
- AMENITY OPEN SPACE



VICINITY MAP
SCALE: 1" = 1000'

CASE 08-032-SPHXA:
THEREFORE, IT IS ORDERED this 19th day of October, 2007, by the Deputy Zoning Commissioner, that Petitioner's request for Special Hearing for the affirmation and approval of the utilization of all previously granted variance relief, the addition of an enlarged convenience store and a separate carry-out restaurant as ancillary uses and uses in combination with the existing principal use as a fuel service station, approval of a modified parking plan and modified stacking/parking requirements for the proposed uses in accordance with the specific detail shown on the site plan, approval of enlargement and/or relocation of existing uses on the subject property, and approval of an amendment to the site plans in the Prior Cases consistent with the relief requested, be and are hereby GRANTED; and
IT IS FURTHER ORDERED that Petitioner's request for Special Exception pursuant to Section 405.4.E.2 of the Baltimore County Zoning Regulations (B.C.Z.R.) for approval of a rollover car wash, and pursuant to Section 405.4.E.10 of the B.C.Z.R. for approval of a carry-out restaurant, both in combination with a fuel service station pursuant to Section 405.6.A.3 of the B.C.Z.R., as well as approval pursuant to Section 502.3 of the B.C.Z.R. of a period not exceeding five years from the date of this Order for utilization of the proposed special exception uses, be and are hereby GRANTED; and
IT IS FURTHER ORDERED that, having granted the Special Exception for the modified parking plan for existing parking/stacking spaces and drive aisle width, the alternative Variance relief is hereby DISMISSED AS MOOT.

- The following restrictions are conditions precedent to the relief granted herein:
- 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 would be required to return, and be responsible for returning, said property to its original condition.
 - Petitioner shall submit building elevations of the proposed carry out restaurant and car wash facility to the Office of Planning for review and approval.
 - The building facade of the proposed building must be brick. The dumpster enclosure shall also be brick.
 - Petitioner shall submit elevations of all proposed signage to the Office of Planning for review and approval.
 - Petitioner shall provide multiple stationary trash cans with lids to reduce the possibility of excess litter near the proposed carry out restaurant.
 - Petitioner shall provide landscaping near the bend of the stacked parking area on the northwest corner of the site and the terminus of the stacked parking in the vicinity of the existing ATM building.
 - Petitioner shall indicate what vegetation will be used for landscaping along Loch Raven Boulevard or preferably submit a landscape plan to the Baltimore County Landscape Architect for review and approval.
 - Petitioner shall be required to obtain a State Highway Access Permit to the points of ingress/egress from the subject property along Loch Raven Boulevard (MD 542).
 - When applying for a building permit, the site plan filed must reference this Case and set forth and address the conditions and restrictions of this Order.

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

SIGNED
THOMAS H. BOSTWICK
Deputy Zoning Commissioner
for Baltimore County

CASE 09-0144-SPH:
THEREFORE, IT IS ORDERED, by the Deputy Zoning Commissioner this 10th day of February, 2009, that the Petition for Special Hearing seeking a modification to the previously approved plan, to replace the approved rollover/retail use with a self-service car wash, and to amend Zoning Case No. 08-032-alpha, in accordance with Petitioner's Exhibits 1 and 2, be GRANTED, subject to the following conditions:

- The Petitioner shall submit building elevations of the proposed car wash facility to the Office of Planning for review and approval.
- The building facade(s) of the proposed building must be brick and shall be submitted to the Office of Planning for review and approval.
- The Petitioner shall be required to post its bond and obtain a State Highway Access Permit to the points of ingress/egress from the subject property along Loch Raven Boulevard (MD 542).

Any appeal of this decision must be taken in accordance with Section 32-3-401 of the Baltimore County Code (B.C.C.).

SIGNED
William J. Wiseman, III
Zoning Commissioner
for Baltimore County

- NO DAMAGED OR DISABLED VEHICLES AND/OR PARTS WILL BE STORED ON THE PREMISES.
- AMENITY OPEN SPACE:

REQUIRED:	PROPOSED (2,361 SF):
0.2	.86

Richardson Engineering, LLC

30 East Padonia Road, Suite 500
Timonium, Maryland 21093
Phone: 410-560-1502 Fax: 443-901-1208

PLAN TO ACCOMPANY
ZONING PETITION
FOR
SPIRIT GAS
6819 LOCH RAVEN BOULEVARD
2011-0168-SPH

9TH ELECTION DISTRICT		BALTIMORE COUNTY, MARYLAND		
REVISIONS	DRAWN BY: CND	DESIGNED BY: PCR	SCALE: 1" = 20'	
	DATE: 11-5-10	JOB NO.:	SHEET NO.:	

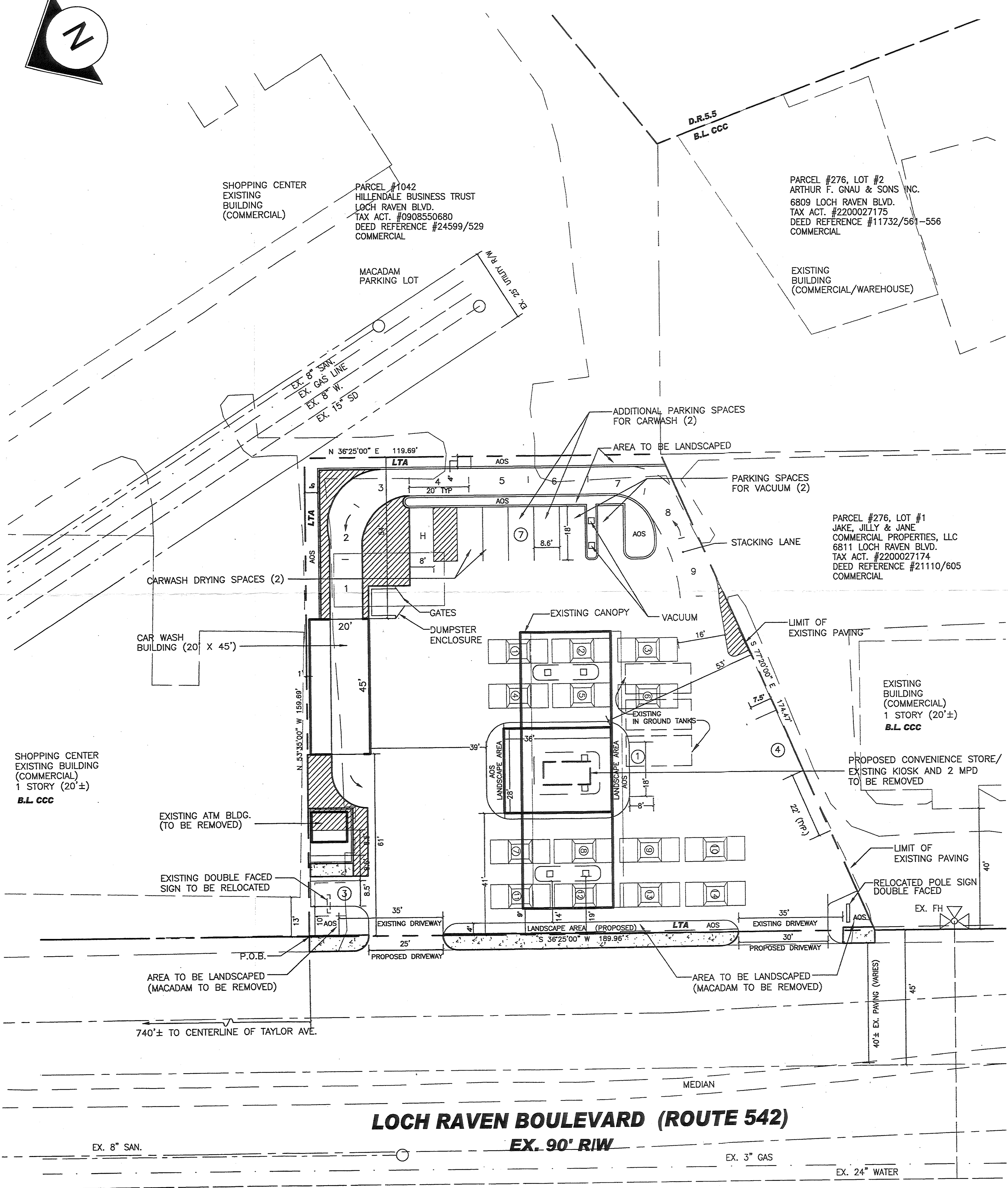
OWNER / DESIGN CONSULTANT:

OWNERS:
IMAN CROWN INC.
C/O HUMAYUN SHEIKH
6819 LOCH RAVEN BLVD.
BALTIMORE, MD. 21286-8302
TAX. ACCOUNT # 1600003456

ENGINEER:
RICHARDSON ENGINEERING, LLC
30 EAST PADONIA ROAD, SUITE 500
TIMONIUM, MARYLAND 21093
(410) 560-1502
ATTN: RICK RICHARDSON



PROFESSIONAL CERTIFICATION:
I HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME, AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MARYLAND, LICENSE NUMBER 16597, EXPIRATION DATE: 08-15-2011



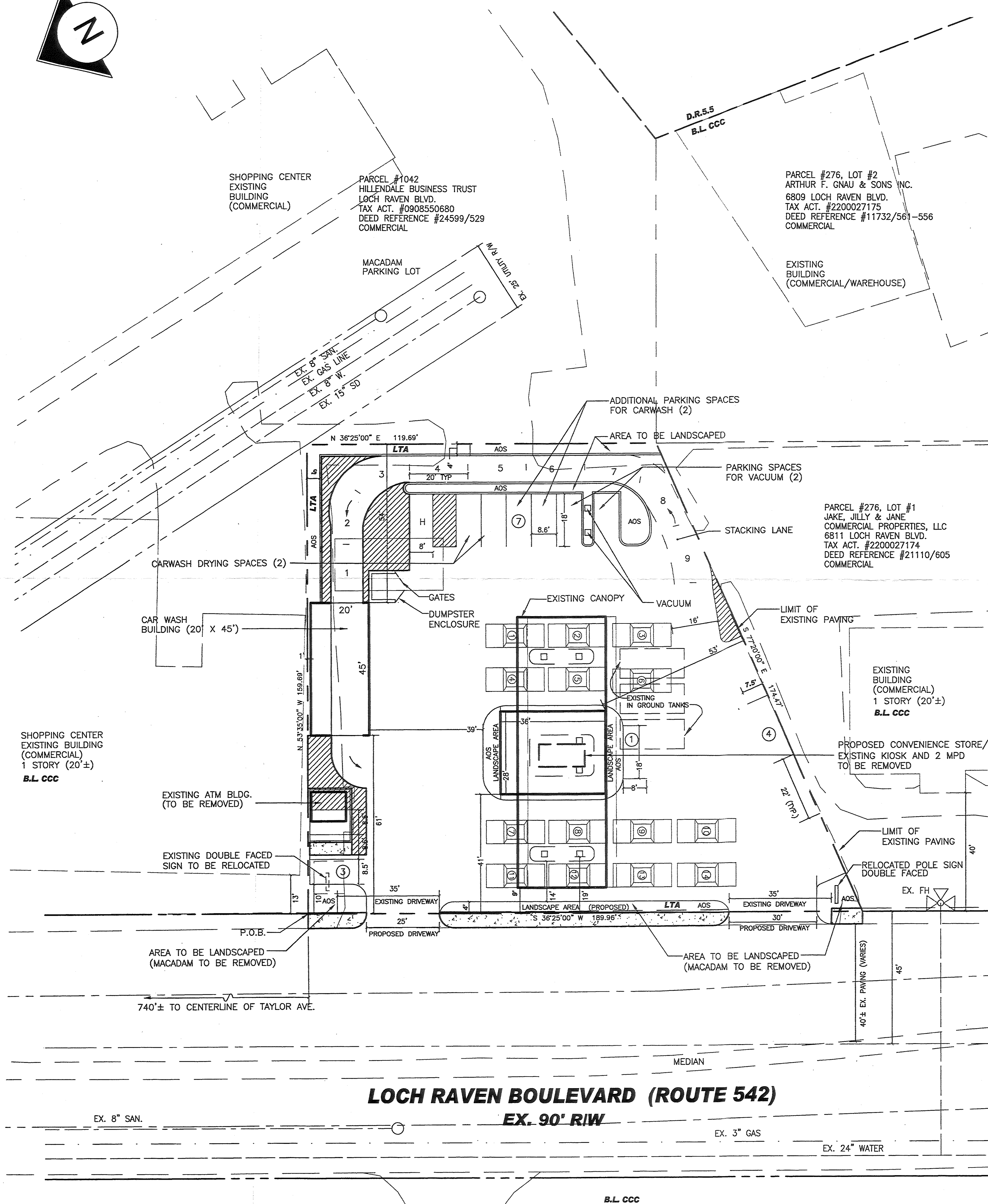
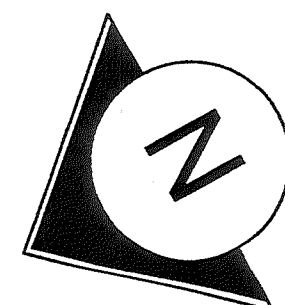
LOCH RAVEN BOULEVARD (ROUTE 542)
EX. 90' RIW

EX. 8" SAN.

EX. 3" GAS

EX. 24" WATER

B.L. CCC



GENERAL NOTES:

- SITE DATA:
 - A. SITE ADDRESS: 6819 LOCH RAVEN BOULEVARD
 - B. GROSS SITE AREA: BALTIMORE, MD 21286-8302
 - C. NET SITE AREA: 24,724 SF = .57 AC±
 - D. LOCATION: ADC MAP 27, GRID H-9
 - E. ELECTION DISTRICT: 9TH
 - F. COUNCILMANIC DISTRICT: 5TH
 - G. BALTIMORE COUNTY SOILS SURVEY: MAP 44
 - H. TAX MAP: MAP 70, GRID 22, P. 277
 - I. EXISTING ZONING: B.L.-CCC
 - J. ZONING MAP: 07083
- LAND USE:
 - EXISTING USE: COMMERCIAL: GASOLINE SERVICE STATION AND CONVENIENCE FOOD STORE AND ATM.
 - PROPOSED USE: COMMERCIAL: GASOLINE SERVICE STATION AND CONVENIENCE FOOD STORE, AND SELF-SERVE CARWASH.
- LOT AREA REQUIREMENTS (PER SECTION 405.4.2.2):
 - MINIMUM LOT AREA (8 FUELING POSITIONS): 15,000 SF
 - ATM: 1,000 SF
 - CONVENIENCE STORE (1,008 SFx4): 4,032 SF
 - TOTAL: 20,032 SF
 - GROSS SITE AREA PROVIDED: 30,422 SF
- BUILDING AREA:
 - CAR WASH: 900 SF
 - CONVENIENCE STORE / KIOSK: 1,008 SF
 - TOTAL: 1,908 SF
- FLOOR AREA RATIO (F.A.R.):
 - PERMITTED FLOOR AREA RATIO: 4.0
 - PROPOSED FLOOR AREA RATIO: 0.06
- PARKING:
 - REQUIRED:
 - 1 SPACES
 - 6 SPACES
 - 3 SPACES
 - PROPOSED:
 - 2 ROLL-OVER CAR WASH DRYING SPACES
 - 2 VACUUM
 - 2 ADDITIONAL SPACES
- BUILDING SETBACKS: (CAR WASH)
 - FRONT YARD: 25.5' 41'
 - REAR YARD: 0' 54'
 - SIDE YARD: 0' 1'

LEGEND:

- TRACT BOUNDARY
- EXISTING ZONE LINE
- ADJACENT PROPERTY LINE
- P.O.B.
- LTA
- AOS
- POINT OF BEGINNING
- LANDSCAPE TRANSITION AREA
- AMENITY OPEN SPACE



VICINITY MAP
SCALE: 1" = 1000'

CASE 08-032-SPHX:
THEREFORE, IT IS ORDERED that the 19th day of October, 2007, by the Deputy Zoning Commissioner, that the Petitioner's request for Special Hearing for the affirmation and approval of all previously granted variance relief, the addition of an enlarged convenience store and a separate carry-out restaurant as ancillary uses and uses in combination with the existing principal use as a fuel service station, approval of a modified parking plan and modified stacking/parking requirements for the proposed uses in accordance with the specific detail shown on the site plan, approval of enlargement and/or relocation of existing uses on the subject property, and approval of an amendment to the Prior Cases consistent with the relief requested, be and are hereby GRANTED; and IT IS FURTHER ORDERED that the Petitioner's request for Special Exception pursuant to Section 405.4.2.2 of the Baltimore County Zoning Regulations (B.C.Z.R.) for approval of a roller car wash, and pursuant to Section 405.4.2.10 of the B.C.Z.R. for approval of a carry-out restaurant, both in combination with a fuel service station pursuant to Section 405.4.2.3 of the B.C.Z.R., as well as approval pursuant to Section 202.3 of the B.C.Z.R. of a period not exceeding five years from the date of this Order for utilization of the proposed special exception uses, be and are hereby GRANTED; and IT IS FURTHER ORDERED that, having granted the Special Exception for the modified parking plan for existing parking/stacking spaces and drive aisle width, the alternative Variance relief is hereby DISMISSED AS MOOT.

- 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 would be required to return, and be responsible for returning, said property to its original condition.
- Petitioner shall submit building elevations of the proposed carry out restaurant and car wash facility to the Office of Planning for review and approval.
- The building facade of the proposed building must be brick. The dumpster enclosure shall also be brick.
- Petitioner shall submit elevations of all proposed signage to the Office of Planning for review and approval.
- Petitioner shall provide multiple stationary trash cans with lids to reduce the possibility of excess litter near the proposed carry out restaurant.
- Petitioner shall provide landscaping near the bend of the stacked parking area on the northwest corner of the site and the terminus of the stacked parking in the vicinity of the existing ATM building.
- Petitioner shall indicate what vegetation will be used for landscaping along Loch Raven Boulevard or preferably submit a landscape plan to the Baltimore County Landscape Architect for review and approval.
- Petitioner shall be required to obtain a State Highway Access Permit to the points of ingress/egress from the subject property along Loch Raven Boulevard (MD 542).
- When applying for a building permit, the site plan filed must reference this Case and set forth and address the conditions and restrictions of this Order.

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

CASE 09-0144-SPH:
THEREFORE, IT IS ORDERED, by the Deputy Zoning Commissioner this 10th day of February, 2009, that the Petition for Special Hearing seeking a modification to the previously approved plan, to replace the approved roller/roll-up use with a self-service car wash, and to amend Zoning Case No. 08-032-sphx, in accordance with Petitioner's Exhibits 1 and 2, be GRANTED, subject to the following conditions:

- The Petitioner shall submit building elevations of the proposed car wash facility to the Office of Planning for review and approval.
- The building facade(s) of the proposed building must be brick and shall be submitted to the Office of Planning for review and approval.
- The Petitioner shall be required to post its bond and obtain a State Highway Access Permit to the points of ingress/egress from the subject property along Loch Raven Boulevard (MD 542).

Any appeal of this decision must be taken in accordance with Section 32-3-401 of the Baltimore County Code (B.C.C.).
WILLIAM J. WISERMAN, III
Zoning Commissioner
for Baltimore County

- NO DAMAGED OR DISABLED VEHICLES AND/OR PARTS WILL BE STORED ON THE PREMISES.
- AMENITY OPEN SPACE:
 - REQUIRED: 0.2
 - PROPOSED (2,361 SF): .86

Richardson Engineering, LLC

30 East Padonia Road, Suite 500
Timonium, Maryland 21093
Phone: 410-560-1502 Fax: 443-901-1208

PLAN TO ACCOMPANY ZONING PETITION FOR

SPRIT GAS
6819 LOCH RAVEN BOULEVARD

2011-0168-SPH

9TH ELECTION DISTRICT BALTIMORE COUNTY, MARYLAND

REVISIONS	DRAWN BY:	DESIGNED BY:	SCALE:
	CND	PCR	1" = 20'
	DATE:	JOB NO.:	SHEET NO.:
	11-5-10	06112	1 OF 1

OWNER / DESIGN CONSULTANT:

OWNERS:
IMAN CROWN INC.
C/O HUMAYUN SHEIKH
6819 LOCH RAVEN BLVD.
BALTIMORE, MD. 21286-8302
TAX. ACCOUNT # 1600003456

ENGINEER:
RICHARDSON ENGINEERING, LLC
30 EAST PADONIA ROAD, SUITE 500
TIMONIUM, MARYLAND 21093
(410) 560-1502
ATTN: RICK RICHARDSON



PROFESSIONAL CERTIFICATION:
I HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME, AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MARYLAND. LICENSE NUMBER 16597, EXPIRATION DATE: 08-15-2011.