

**IN RE: PETITION FOR SPECIAL HEARING \***

NW/Corner of Harford Road and  
East Joppa Road  
11<sup>th</sup> Election District  
5<sup>th</sup> Councilmanic District  
**(9610 Harford Road)**

PMIG MD 074, LLC  
*Legal Owner*

**BEFORE THE**

**OFFICE OF**

**ADMINISTRATIVE HEARINGS**

**FOR BALTIMORE COUNTY**

**CASE NO. 2011-0237-SPH**

\* \* \* \* \*

**OPINION AND ORDER**

This matter comes before the Office of Administrative Hearings for consideration of a Petition for Special Hearing filed by Shahriar Etemadi, President, PMIG MD 074, LLC, on behalf of Hossein Ejtemai, legal owner, through Greg Friedman, Esquire. The Special Hearing was filed pursuant to Section 500.7 of the Baltimore County Zoning Regulations ("B.C.Z.R.") to approve the reduction in site area for a fuel service station previously approved in Case No. 99-504-SPHXA, and to amend the Plan and Order accordingly. The subject property and requested relief are more fully described on the site plan that was marked and accepted into evidence as Petitioner's Exhibit 1.

Appearing at the requisite public hearing in support of the Special Hearing request were Shahriar Etemadi, President of Mid-Atlantic Planning & Engineering Services, LLC, on behalf of the property owner, and Farhang Mojangani, with Civiland, LLC, the engineering/surveying/land planning firms that prepared Petitioner's Exhibit 1. There were no Protestants or other interested persons at the hearing.

There were no negative comments from reviewing County and State agencies which comprise the Zoning Advisory Committee (ZAC). However, the comment from the State Highway Administration (SHA) dated March 1, 2011 indicated that the site plan to accompany petition for special exception was being circulated to their Landscape Operations Division within

**ORDER RECEIVED FOR FILING**

Date 4-13-11

By [Signature]

the SHA for review and comment and receipt of their findings and recommendations would be received on or before March 21, 2011. As of March 31, 2011, this comment has not been received.

Testimony and evidence offered revealed that the subject property is located at the northwest corner of Harford and East Joppa Roads in the Carney area of Baltimore County. The property contains a gross area of 0.88 acres (38,232 square feet), more or less, and zoned B.L. The property is improved as a gasoline station. The layout and design of the property is depicted on Petitioner's Exhibit 1, the site plan submitted into evidence. At this time, the property comprises 0.877 acres more or less. The Lessee and operator of the gasoline station is interested in purchasing the property from the owner. However, the Lessee only wishes to purchase 0.657 acre of this land with the remaining 0.221 acre section of the property remaining as open space. This 0.221 acre parcel is shown on the site plan submitted and will contain landscaping as well as a grassy open area. This area of land is not needed for the operation of the service station and no improvements or changes are needed or proposed at this time.

Mr. Mojgani, the engineer who appeared at the hearing stated that the owner is in the process of filing a minor subdivision with Baltimore County. The purpose of the minor subdivision is to subdivide the open area from the gasoline service station. However, it was noted at the hearing that the owners were waiting for this approval before filing for the minor subdivision.

Based upon the testimony and evidenced offered, I am persuaded to grant the requested Special Hearing relief.

ORDER RECEIVED FOR FILING

Date 4-13-11

By [Signature]

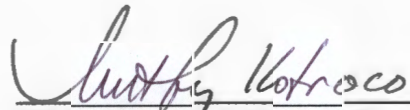
Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and after considering the testimony and evidence offered by the parties, I find that Petitioner's request for special hearing should be granted.

THEREFORE, IT IS ORDERED this 13<sup>th</sup> day of April, 2011, by this Administrative Law Judge, that Petitioner's request for Special Hearing relief filed pursuant to Section 500.7 of the Baltimore County Zoning Regulations ("B.C.Z.R.") to approve the reduction in site area for a fuel service station previously approved in Case No. 99-504-SPHXA, and to amend the Plan and Order accordingly, be and is hereby GRANTED, in accordance with Petitioner's Exhibit 1, the approved site plan.

The relief granted is subject to the following condition:

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

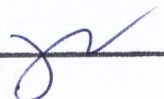
Any appeal of this decision must be made within thirty (30) days of the date of this Order.

  
TIMOTHY M. KOTROCO  
Administrative Law Judge  
for Baltimore County

TMK/pz

ORDER RECEIVED FOR FILING

Date 4-13-11

By 



KEVIN KAMENETZ  
*County Executive*

LAWRENCE M. STAHL  
*Managing Administrative Law Judge*  
JOHN E. BEVERUNGEN  
TIMOTHY M. KOTROCO  
*Administrative Law Judges*

April 13 , 2011

SHAHRIAR ETEMADI, PRESIDENT  
MID-ATLANTIC PLANNING & ENGINEERING SERVICES, LLC  
6449 RED KEEL  
COLUMBIA MD 21044

Re: Petition for Special Hearing  
Case No. 2011-0237-SPH  
Property: 9610 Harford Road

Dear Mr. Etemadi:

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.

Sincerely,

A handwritten signature in black ink, appearing to read "Timothy Kotroco".

TIMOTHY M. KOTROCO  
Administrative Law Judge  
for Baltimore County

TMK/pz

Enclosure

c: Farhang Mojgani, Civiland LLC, PO Box 650206, Sterling VA 20165



# Petition for Special Hearing

## to the Zoning Commissioner of Baltimore County

for the property located at 9610 HARFORD RD  
which is presently zoned ~~BA~~ BL-AS

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve

The Reduction in  
Site Area For A Fuel Service Station Previously Approved Under Zoning  
Case 1999-0504-SPTXA and to Amend The Plan &  
Order Accordingly

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

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

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the 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

City

State

Zip Code

### Legal Owner(s):

Name - Type or Print

Signature

Name - Type or Print

Signature

Address

Telephone No.

City

State

Zip Code

### Representative to be Contacted:

Name

Address

City

State

Zip Code

Case No. 2011 0237 SPH

REV 9/15/98

### OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING 1 HR

UNAVAILABLE FOR HEARING -

Reviewed By JL Date 2/11/11

ORDER RECEIVED FOR FILING

Date 4/13/11

By [Signature]

**Zoning Description for 9610 Harford Road**

Beginning at a point on the west side of Harford Road; a variable width right-of-way, at the distance of 830 feet south of the center line of Jomat Avenue, now or formerly a fifty foot right-of-way. Thence continuing with said Harford Road South 28 degrees 15 minutes 57 seconds West; 136.70 feet. Thence on an intersecting line with Joppa Road; a variable width right-of-way, South 80 degrees 14 minutes 42 seconds West; 35.48 feet to a point on the northern right of way line of Joppa Road. Thence with the northern right-of-way line of said Joppa Road, North 57 degrees 37 minutes 17 seconds West; 183.05 feet to the beginning of a curve to the left, said curve having a radius of 918.04 feet. Thence on the chord of said curve to the left, North 59 degrees 27 minutes 26 seconds West; 58.82 feet to a point on said right-of-way and in the line of the Carney Center Subdivision; Plat Book 74, Folio 82. Thence leaving said right-of-way and with said Carney Center line the following two calls, North 28 degrees 47 minutes 50 seconds East; 128.13 feet to a point. Thence, South 64 degrees 55 minutes 40 seconds East; 268.53 feet to the point of Beginning and containing 38,232 square feet of area less the following subdivision area of proposed Lot B.

**Proposed Lot B Area Zoning Description (For future subdivision)**

Beginning at a point located North 64 degrees 55 minutes 40 seconds West, 191.01 feet from the point of beginning of the above described 38,232 square foot parcel. Thence with a new division line of the above described parcel, South 32 degrees 22 minutes 43 seconds West; 135.86 feet to a point on the northern right of way of Joppa Road. Thence with said Joppa Road, North 57 degrees 37 minutes 17 seconds West; 10.10 feet to the beginning of a curve to the left, said curve having a radius of 918.04 feet. Thence on the chord of said curve to the left, North 59 degrees 27 minutes 26 seconds West; 58.82 feet to a point on said right-of-way and in the line of the Carney Center Subdivision; Plat Book 74, Folio 82. Thence leaving said right-of-way and with said Carney Center line the following two calls, North 28 degrees 47 minutes 50 seconds East; 128.13 feet to a point. Thence, South 64 degrees 55 minutes 40 seconds East; 77.52 feet to the point of Beginning and containing 9,622 square feet of area and being a portion of the above described 38,232 square foot parcel.

0237



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

No. **64755**  
 Date: **2/11/11**

**PAID RECEIPT**

BUSINESS ACTUAL TIME DRW  
 2/14/2011 2/11/2011 09:58:52 2  
 14-11 BS02 MAIL JEVA JEE  
 >RECEIPT # 724326 2/11/2011 OFLN

| Fund | Dept | Unit | Sub Unit | Rev Source/ Obj | Sub Rev/ Sub Obj | Dept Obj | BS Acct | Amount | Dept |
|------|------|------|----------|-----------------|------------------|----------|---------|--------|------|
| 001  | 806  | 0000 |          | 6150            |                  |          |         | 385.00 |      |
|      |      |      |          |                 |                  |          |         |        |      |
|      |      |      |          |                 |                  |          |         |        |      |
|      |      |      |          |                 |                  |          |         |        |      |
|      |      |      |          |                 |                  |          |         |        |      |

5 528 ZONING VERIFICATION  
 064755  
 Recpt Tot \$385.00  
 \$385.00 CK \$0.00 CA  
 Baltimore County, Maryland

Total: 385.00

Rec From:

For:

*Fidelity Commercial SPH* 2011-0237-  
*9610 HARRIARD RD* SPH

**DISTRIBUTION**

WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER GOLD - ACCOUNTING

PLEASE PRESS HARD!!!!

**CASHIER'S  
 VALIDATION**

# CERTIFICATE OF PUBLICATION

## NOTICE OF ZONING HEARING

The Administrative Judges 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: # 2011-0237-SPH**  
9610 Harford Road  
N/west corner of Harford  
Road and East Joppa Road  
11th Election District  
5th Councilmanic District  
Legal Owner(s):

PMIG MD 074, LLC

**Special Hearing:** to permit the reduction in site area for a fuel service station previously approved under zoning case 1999-0504-SPHXA and to amend the plan and order accordingly.

**Hearing: Friday, April 1, 2011 at 10:00 a.m. in Room 205, Jefferson Building, 105 West Chesapeake Avenue, Towson 21204.**

ARNOLD JABLON  
Director of Permits,  
Approvals and Inspections  
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.

03/165 March 17 269847

3.21, 2011

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 3.17, 2011.

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



LEGAL ADVERTISING

# CERTIFICATE OF POSTING

**ATTENTION:** KRISTEN MATHHEWS

**DATE:** 3/19/2011

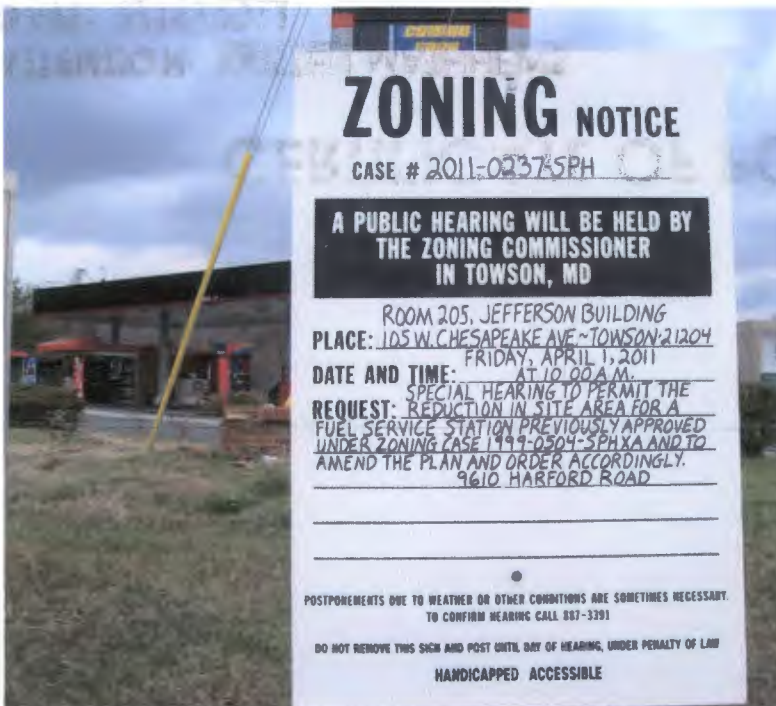
**Case Number:** 2011-0237-SPH

**Petitioner / Developer:** GREG FREIDMAN, HOSSEIN EJTEMAI,  
SHAHRIAR ETERMADI

**Date of Hearing (Closing):** APRIL 1, 2011

This is to certify under the penalties of perjury that the necessary sign(s)  
required by law were posted conspicuously on the property located at:  
9610 HARFORD ROAD

**The sign(s) were posted on:** MARCH 16, 2011



Linda O'Keefe  
(Signature of Sign Poster)

Linda O'Keefe  
(Printed Name of Sign Poster)

523 Penny Lane  
(Street Address of Sign Poster)

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

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

TO: PATUXENT PUBLISHING COMPANY  
Thursday, March 17, 2011 Issue - Jeffersonian

Please forward billing to:  
Deborah Kendall-Sipple  
Permits, Approvals & Inspections  
111 West Chesapeake Avenue  
Towson, MD 21204

410-887-4587

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## NOTICE OF ZONING HEARING

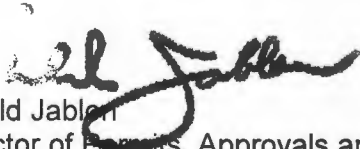
The Administrative Law Judges of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

**CASE NUMBER: 2011-0237-SPH**

9610 Harford Road  
N/west corner of Harford Road and East Joppa Road  
11<sup>th</sup> Election District – 5<sup>th</sup> Councilmanic District  
Legal Owners: PMIG MD 074, LLC

Special Hearing to permit the reduction in site area for a fuel service station previously approved under zoning case 1999-0504-SPHXA and to amend the plan and order accordingly.

Hearing: Friday, April 1, 2011 at 10:00 a.m. in Room 205, Jefferson Building,  
105 West Chesapeake Avenue, Towson 21204

  
Arnold Jablon  
Director of Permits, Approvals and Inspections for Baltimore County

- NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ADMINISTRATIVE HEARINGS OFFICE AT 410-887-3868.  
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.



KEVIN KAMENETZ  
County Executive

ARNOLD JABLON  
Deputy Administrative Officer  
Director, Department of Permits,  
Approvals & Inspections

March 11, 2011

## NEW NOTICE OF ZONING HEARING

The Administrative Law Judges 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: 2011-0237-SPH**

9610 Harford Road

N/west corner of Harford Road and East Joppa Road

11<sup>th</sup> Election District – 5<sup>th</sup> Councilmanic District

Legal Owners: PMIG MD 074, LLC

Special Hearing to permit the reduction in site area for a fuel service station previously approved under zoning case 1999-0504-SPHXA and to amend the plan and order accordingly.

Hearing: Friday, April 1, 2011 at 10:00 a.m. in Room 205, Jefferson Building,  
105 West Chesapeake Avenue, Towson 21204

A handwritten signature in black ink, appearing to read "Arnold Jablon".

Arnold Jablon  
Director

AJ:kl

C: Greg Freidman, 109 N. Adams Street, Rockville 20850-2234  
Hossein Ejtemai, 12680 Darby Brooke Court, Woodbridge VA 22192  
Shahriar Etemadi, 6449 Red Keel, Columbia 21044

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY THURSDAY MARCH 17, 2011.**
- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ADMINISTRATIVE HEARINGS OFFICE AT 410-887-3868.
- (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

TO: PATUXENT PUBLISHING COMPANY  
Tuesday, March 1, 2011 Issue - Jeffersonian

Please forward billing to:  
Shahriar Etemadi  
6449 Red Keel  
Columbia, MD 21044

410-718-8660

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## NOTICE OF ZONING HEARING

The Administrative Law Judges 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: 2011-0237-SPH**

9610 Harford Road  
N/west corner of Harford Road and East Joppa Road  
11<sup>th</sup> Election District – 5<sup>th</sup> Councilmanic District  
Legal Owners: PMIG MD 074, LLC

Special Hearing to permit the reduction in site area for a fuel service station previously approved under zoning case 1999-0504-SPHXA and to amend the plan and order accordingly.

Hearing: Wednesday, March 16, 2011 at 11:00 a.m. in Room 104, Jefferson Building,  
105 West Chesapeake Avenue, Towson 21204



Arnold Jablon  
Director of Permits, Approvals and Inspections for Baltimore County

- NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ADMINISTRATIVE HEARINGS OFFICE AT 410-887-3868.
- (2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.



KEVIN KAMENETZ  
County Executive

ARNOLD JABLON  
Deputy Administrative Officer  
Director, Department of Permits,  
Approvals & Inspections

February 18, 2011

## NOTICE OF ZONING HEARING

The Administrative Law Judges 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: 2011-0237-SPH**

9610 Harford Road

N/west corner of Harford Road and East Joppa Road

11<sup>th</sup> Election District – 5<sup>th</sup> Councilmanic District

Legal Owners: PMIG MD 074, LLC

Special Hearing to permit the reduction in site area for a fuel service station previously approved under zoning case 1999-0504-SPHXA and to amend the plan and order accordingly.

Hearing: Wednesday, March 16, 2011 at 11:00 a.m. in Room 104, Jefferson Building,  
105 West Chesapeake Avenue, Towson 21204

A handwritten signature in dark ink, appearing to read "Arnold Jablon", is written over the printed name and title.

Arnold Jablon  
Director

AJ:kl

C: Greg Freidman, 109 N. Adams Street, Rockville 20850-2234  
Hossein Ejtemai, 12680 Darby Brooke Court, Woodbridge VA 22192  
Shahriar Etemadi, 6449 Red Keel, Columbia 21044

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, MARCH 1, 2011.**
- (2) **HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ADMINISTRATIVE HEARINGS OFFICE AT 410-887-3868.**
- (3) **FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.**

**NOTICE OF ZONING  
HEARING**

The Administrative Law Judges 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: # 2011-0237-SPH  
9610 Harford Road  
N/West corner of Harford Road and East Joppa Road  
11th Election District  
5th Councilmanic District  
Legal Owners: PMIG MD 074, LLC  
Special Hearing: to permit the reduction in site area for a fuel service station previously approved under zoning case 1999-0504-SPHXA and to amend the plan and order accordingly.  
Hearing: Wednesday, March 16, 2011 at 11:00 a.m. in Room 104, Jefferson Building, 105 West Chesapeake Avenue, Towson 21204.

ARNOLD JABLON, DIRECTOR  
OF PERMITS, APPROVALS  
AND INSPECTIONS FOR  
BALTIMORE COUNTY

NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Contact the Zoning Commissioner's Office at (410) 887-4386.

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

JT 3/619 March 1 268276

## CERTIFICATE OF PUBLICATION

3/3, 2011

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 3/1, 2011.

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

*J. Wilkinson*

LEGAL ADVERTISING

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.**

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**For Newspaper Advertising:**

Item Number or Case Number: 2011 0237 SPH  
Petitioner: Hosain EJtemai FOR PMIG MD 074 LLC  
Address or Location: 9610 Harford Road

PLEASE FORWARD ADVERTISING BILL TO:

Name: Shahriar Etemadi  
Address: 6449 RED KEEL  
Columbia, MD 21044  
Telephone Number: (410) 718-8660



KEVIN KAMENETZ  
County Executive

ARNOLD JABLON  
Deputy Administrative Officer  
Director, Department of Permits,  
Approvals & Inspections

March 23, 2011

PMIG MD 074 LLC  
Hoessein Ejtemai  
12680 Darby Brook Court  
Woodbridge, VA 22192

RE: Case Number: 2011-0237SPH, 9610 Harford Road

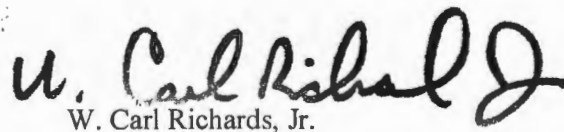
Dear Mr. Ejtemai,

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on February 11, 2011. 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:mcn

Enclosures

c: People's Counsel  
Shahriar Etemadi, 6449 Red Keel, Columbia, MD 21044  
Greg Friedman, 109 N Adams St., Ste. 301, Rockville, MD 20850

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



Maryland Department of Transportation

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

Date: March 1, 2011

*3/16*

Mr. John L. Lewis, Reviewer.  
Baltimore County Office of  
Permits and Development Management  
County Office Building, Room 109  
Towson, Maryland 21204

RE: Baltimore County  
Item No. 2011-0237-SPH  
MD 147 (Harford Road)  
at Joppa Road  
9610 Harford Road  
Landscape Plantings  
Mile Post 1.96  
Special Exception -

Dear Mr. Lewis:

We have reviewed the site plan to accompany petition for special exception on the subject of the above captioned, which was received on February 28, 2011. Presently, this information is being circulated to our landscape Operations Division within the State Highway Administration for review and comment. We will advise you of the findings and recommendations on or before March 21, 2011.

In the interim should you need to know the status of our review, feel free to 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](mailto:mbailey@sha.state.md.us)). Thank you for your attention.

Very truly yours,

*Michael P. Bailey*  
For Steven D. Foster, Chief  
Access Management Division

SDF/mb

Cc: Ms. Colleen M. Kelly, Development Manager, Baltimore County  
Mr. Farang Mojgani, Engineer, Civiland, LLC  
Mr. Joseph Merrey, PDM, Baltimore County  
Mr. David Peake, District Engineer, SHA  
Mr. Michael Pasquariello, Utility Engineer, SHA  
Mr. Kenneth Oldham, Chief- Landscape Operation Div., SHA  
Ms. Wendy Wolcott, Chief-EDST, SHA  
PMIG MD 047, LLC, Owner

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](http://www.marylandroads.com)



**BALTIMORE COUNTY, MARYLAND**  
**INTEROFFICE CORRESPONDENCE**

**TO:** Arnold Jablon, Director  
Department of Permits, Approvals  
And Inspections

**DATE:** February 28, 2011

**FROM:** Dennis A. <sup>DAK</sup>Kennedy, Supervisor  
Bureau of Development Plans  
Review

**SUBJECT:** Zoning Advisory Committee Meeting  
For February 28, 2011  
Item Nos. 2011- 218, 236, 237, 238,  
239, 240, 242, 243, 244 and 245

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-02282011 -NO COMMENTS.doc



KEVIN KAMENETZ  
*County Executive*

JOHN J. HOHMAN, *Chief*  
*Fire Department*

February 22, 2011

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

ATTENTION: Zoning Review

Distribution Meeting of: **February 22, 2011**

Item No.:

**Administrative Variance:** 2011-0236A, 2011-0239A – 0240A, 2011-0244A

**Special Hearing:** 2011-0237-SPH, 2011-0238-SPHA, 2011-0242-SPH

**Variance:** 2011-0238SPHA, 2011-0243A, 2011-0245A.

**Comments:**

The Baltimore County Fire Marshal's Office has no comments on the above case numbers at this time.

Don W. Muddiman, Inspector  
Baltimore County Fire Marshal's Office  
700 E. Joppa Road, 3<sup>RD</sup> Floor  
Towson, Maryland 21286  
Office: 410-887-4880  
dmuddiman@baltimorecountymd.gov  
cc: File

RE: PETITION FOR ADMINISTRATIVE  
SPECIAL HEARING  
9610 Harford Road; NW corner of  
Harford Road. & East Joppa Road.  
11<sup>th</sup> Election & 5<sup>th</sup> Councilmanic Districts  
Legal Owner(s): Hassein Eitemai  
Petitioner(s)

3-16

\* BEFORE THE  
\* ZONING COMMISSIONER  
\* FOR  
\* BALTIMORE COUNTY  
\* 2011-0237-SPH

\* \* \* \* \*

**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.

*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

RECEIVED

FEB 18 2008

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on this 18<sup>th</sup> day of February, 2008, a copy of the foregoing Entry of Appearance was mailed to Hassein Eitemai, 12680 Darby Brooke Court, Woodbridge, VA., 22192, and Grey Friedman, Law Office of Greg S. Friedman, 109 N. Adams Street, Rockville, MD 20850-2234, Attorney for Petitioner(s).

*Peter Max Zimmerman*

PETER MAX ZIMMERMAN  
People's Counsel for Baltimore County

BALTIMORE COUNTY MARYLAND

PERMITS APPROVALS AND INSPECTIONS

INTER-OFFICE CORRESPONDENCE

DATE: OCTOBER 4, 2011

~~To:~~  
*From* → Mr. Wirth DEPS SWM  
Ms. Farr DEPS EIR  
Mr. Lykens DEPS DC (2)  
~~Mr. Richards PAI Zoning Office~~ *John Lewis*  
Mr. Kennedy DPR. PDM (4)  
Mr. Gill Recreation & Parks  
Mr. Bailey SHA (3)  
Ms. Murphy Land Acquisition  
Ms. Lanham PO, Development Review (3)  
Ms. Kemp PAI, Street Names & House Numbers  
Special Projects Officer of the Fire Marshal's Office - Fire Dept. - 1102F

~~From:~~ → *To* Linda Blackmon, Permits Approvals and Inspections 410-887-3335

**Subject:** PROJECT NAME: 9610 HARFORD ROAD  
PAI NO: 9-830  
DRC NO. 081611C  
PROJECT NO :11029  
DISTRICT: 9C5  
ENGINEER: COLBERT MATZ ROSENFELT, INC.  
PHONE NO: 410 653-3838

**Action:** Review of Limited Exemption Development Plan

Please review the attached plan for compliance with current regulations and return comments to this office by NOVEMBER 1, 2011

If you have **no comments** or **do not need to review this plan**, please indicate by placing your initials here. \_\_\_\_\_.

Please initial here if your agency requests PAI, Land Acquisition, to acquire.

|                              |                          |
|------------------------------|--------------------------|
| _____ HIGHWAY WIDENING       | _____ FOREST BUFFER      |
| _____ GREENWAY               | _____ FLOODPLAIN         |
| _____ DRAIN/UTILITY EASEMENT | _____ PUBLIC WORKS AGRMT |
| _____ FOREST CONSERVATION    | _____ NONE OF THE ABOVE  |

*DISAPPROVED FOR ZONING. COMPLY WITH ATTACHED COMMENTS 1 SHEET  
10/12/11 — JOHN LEWIS, ZONING PVW*

BALTIMORE COUNTY, MARYLAND

SUBJECT: DEVELOPMENT PLAN COMMENTS (Limited Exemption)

FROM: PAI - ZONING REVIEW Date: 10/12/11

---

PROJECT NAME: 9610 Harford Rd.

PROJECT #: 11-029

Plan Date: Rcv'd 10/04/11

PAI # 9-830 Review # 1

---

THE DEVELOPERS ENGINEER MUST SEND ALL REVISIONS IN THROUGH  
DEVELOPMENT MANAGEMENT RM# 123, ATTENTION: LINDA BLACKMON

1. The Zoning Commissioner granted the hearing requests in case # 2011-0237-SPH in accordance with petitioners exhibit # 1 from the zoning hearing file. The Ltd. Exemption Plan, as submitted, does not agree in a variety of areas such as provided parking, notes, layout/stacking etc. Bring the plan into full agreement with the above stated exhibit.

a) Otherwise provide 2 revised red-lined petition plans, a copy of the hearing order and a letter to PAI, Zoning Review, requesting a determination by the Director of PAI that the red lined changes, as explained in detail in your cover letter, can be approved as being **within the spirit and intent** of the approved exhibit #1 Plan and Order from the zoning hearing; and that a new hearing would not be required. At present, there is a \$100.00 review fee to Baltimore County required for the letter.

2. When the plan is brought into agreement using either of the above methods, update/revise the Ltd. Ex. Plans and certify at the seal that the plans are in agreement with the approved zoning order and Petitioners Exhibit # 1. Resubmit as directed above.

Once these issues are resolved, further plan review can commence for plan approval.



John Lewis  
Planner, Zoning Review

March 6, 2011

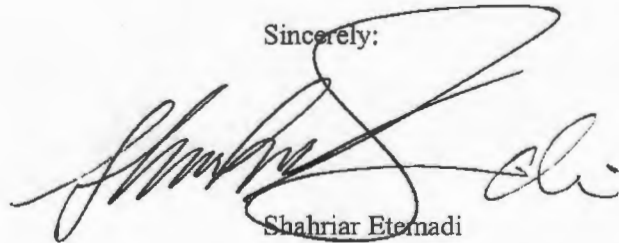
Ms. Kristine Lewis  
Zoning Review  
County Office Building  
111 West Chesapeake Avenue, Room 111  
Towson, MD 21204

Dear Ms. Lewis:

As you have suggested, I am sending this letter formally requesting re-scheduling of the case # 2011-0237-SPH for public hearings. The reason is that I received the notices late in the mail to post the public hearing signs at the site fifteen days prior to the hearing date.

I would appreciate your consideration of this request and reschedule the hearings as soon as the agenda allows. Please email me the new notice at [mapes.llc@verizon.net](mailto:mapes.llc@verizon.net) or call me at (410) 718-8660

Sincerely:



Shahriar Etemadi  
President

CASE NAME PMG Fuel Station  
CASE NUMBER 2011-0237-SPH  
DATE \_\_\_\_\_

[illegible]

Case No.: 2011-0237-SPN

Exhibit Sheet

Petitioner/Developer

Protestant

|        |                              |  |
|--------|------------------------------|--|
| No. 1  | <i>Site Plan of Property</i> |  |
| No. 2  |                              |  |
| No. 3  |                              |  |
| No. 4  |                              |  |
| No. 5  |                              |  |
| No. 6  |                              |  |
| No. 7  |                              |  |
| No. 8  |                              |  |
| No. 9  |                              |  |
| No. 10 |                              |  |
| No. 11 |                              |  |
| No. 12 |                              |  |

**WRITTEN STATEMENT OF JUSTIFICATION**

**SPECIAL EXCEPTION APPLICATION NUMBER:**

**9<sup>TH</sup> ELECTION DISTRICT, BALTIORE COUNTY, MARYLAND**

**PETITIONER:** PMIG MD 074 LLC

**PRESENT ZONING:** B.L

**PROPERTY:** TAX MAP 71, GRID 15, PARCEL 628

**EXISTING ACREAGE:** 0.8777 Acre

**PROPOSED ACREAGE:** 0.6577 Acre or 9625.87 SF

**EXISTING FLOOR AREA RATIO (FAR):**

**PROPOSED FAR:** 0.09

**EXISTING OPEN SPACE:** 0.362 acres (41 percent of total area)

**PROPOSED OPEN SPAE:** 0.141 acres (21.4 percent)

**LONG-RANGE LAND USE MAP DESIGNATION:** Commercial

**PROPOSAL:** Reduce the existing special exception land area from 38,232 square feet to 28610 square feet without any changes to the existing land uses allowed pursuant to Special Exception NO. 19780130

**DESCRIPTION OF THE APPLICATION**

Pursuant to Section 502 of the Baltimore County Zoning Ordinance, the petitioner, PMIG MD 074 LLC, is proposing to amend conditions of the existing Special Exception No. 19780130. The proposed amendment reduces the existing special exception land area from 38,232 square feet to 28610 square feet without any changes to the existing land uses.

The existing land area will be subdivided into two parcels, identified by proposed Parcel 628A comprising of 28610 square feet and Parcel 628B comprising of 9622 square feet. Application property includes proposed Parcel 628A. The petitioner has submitted a revised Development Plan (see enclosed **Exhibit A**).

**LOCATION AND CHARACTER**

The application property is located at 9610 Harford Road, which is at the northwest quadrant of the intersection of Joppa Road and Harford Road. The abutting property to the north is zoned BL and to the west is zoned BL, and both properties are developed retail.

**ZONING ORDINANCE PROVISIONS**

**Section 405.2. Locations in which fuel service stations are permitted.**

Pursuant to Section 405.2.B.2 of the Zoning Ordinance, fuel service stations on individual sites located in the B.L. Zoning District are permitted by special exception, as provided and subject to Sections 405.3 and 405.4 of the Zoning Ordinance.

**Compliance** - The existing fuel service station is located within the B.L. Zoning District, which is allowed pursuant to Special Exception No. 1999-504-SPHXA (**Exhibit B depicts all past Special Exceptions and Hearings for this property**)

**Section 405.3. Condition for disapproving special exception.**

In addition to the findings required under Section 502.1, the Zoning Commissioner, prior to granting any special exception for a fuel service station, shall consider the presence of abandoned fuel service stations in the vicinity of the proposed site. A finding by the Zoning Commissioner of the presence of one abandoned fuel service station, as defined in Section 405.7, within a one-half-mile radius, or two such stations within a one-mile radius of the proposed fuel service station establishes that there is no need for the proposed use, unless rebutted to the Zoning Commissioner's satisfaction by market data.

**Compliance** - There is no abandoned fuel service station within a one-half-mile radius, or two such stations within a one-mile radius of the existing fuel service station, which establishes that there is a need for the existing fuel service station,

**Section 405.4. Standards.**

**A. Site development.**

**1. Site dimensions.** The area of any fuel service station site shall be no less than 15,000 square feet or 1,500 times the number of fuel service spaces (as defined in Section 101), whichever is greater. If any use permitted under Section 405.4.D or 405.4.E is added to the fuel service station, the area of the site shall be increased in accordance with the provisions of those sections.

**Compliance** - The existing fuel service station consists of four (4) refueling islands, with a maximum of eight fuel pumps or eight spaces on which cars may be situated simultaneously while being fueled. Therefore, based on the minimum area requirements of 1,500 times 8, the existing fuel service station would require 12,000 square feet of land area, but not less than 15,000 square feet. The land area of the existing fuel service station after the proposed subdivision shall be 28610 square feet, which exceeds the minimum land area requirement.

**2. Setbacks.**

a. No main structure of a service station shall be set back less than 35 feet from any street right-of-way; no fuel pump shall be set back less than 25 feet from any street right-of-way; no canopy shall be set back less than 15 feet from any street right-of-way.

**Compliance** - As shown on the revised site development plan (see enclosed **Exhibit A**), the main structure of the existing fuel service station, fuel pumps, and canopy meet the minimum required setback from Joppa Road and Harford Road,

b. Except at the required access driveways, a landscape transition area shall be provided along the entire perimeter of fuel service stations. Such area shall have a minimum width of 10 feet if the fuel service station abuts a public right-of-way, and six feet in all side and rear yards abutting non residentially zoned land, except that service stations located within 50 feet of any residentially zoned property (other than a residential zone line in a public right-of-way) shall provide a buffer measuring no less than 15 feet from that property line.

**Compliance** – The existing site is not located within 50 feet of any residentially zoned land. Therefore, a 10-foot wide landscape transition area is provided along Joppa Road and Harford Road, and a 6-foot wide landscape transition area is provided in the side and rear yards abutting the non-residentially zoned land as shown on the revised site development plan (see enclosed **Exhibit A**).

c. The landscape transition area shall be vegetated and screened in accordance with the Landscape Manual requirements for automotive uses.

**Compliance** – As shown on the revised site development plan, the landscape transition area is vegetated and screened in accordance with the Landscape Manual requirements for automotive uses (see enclosed **Exhibit A**).

d. Other setbacks shall be as required by these regulations.

**Compliance** – All other applicable setbacks are in accordance with the provisions of the Zoning Ordinance.

e. Uses in combination with fuel service stations. The minimum area of the site as determined by Section 405.4.A.1 shall be increased for each use in combination with a fuel service station by at least the number of square feet indicated in the table next page:

| Type of Use                                                                                                                                                                                                               | Integral Planned Development | Individual Site |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------|-----------------|
| (SE = Special Exception and P = Permitted by Right)                                                                                                                                                                       |                              |                 |
| 1. Convenience store with a sales area larger than 1,500 square feet inclusive of accessory storage. Additional site area of four times the square footage of the convenience store's sales area must be provided.        | SE                           | SE              |
| 2. Roll-over car wash. No specific additional site area required, provided that the stacking, parking and buffer requirements of Section 419 are met.                                                                     | P                            | SE              |
| 3. Full service car wash. No specific additional site area required, provided that the stacking, parking and buffer requirements of Section 419 are met.                                                                  | SE                           | SE              |
| 4. Service garages providing services other than those listed in Section 405.4.D, subject to the provisions of Section 405.4.C.1.a through 1.e.                                                                           | SE                           | SE              |
| 5. Automobile rental, with a maximum stock of 12 cars. Additional site area of 4,000 square feet must be provided.                                                                                                        | SE                           | SE              |
| 6. Trailer rental, for trailers not exceeding 3/4 ton chassis weight, with a maximum stock of 20 trailers. Additional site area of 5,000 square feet must be provided.                                                    | SE                           | SE              |
| 7. Light-truck rental, including rental of trucks equipped with campers, for trucks not exceeding 1 1/2 tons' capacity, with a maximum stock of eight trucks. Additional site area of 4,000 square feet must be provided. | SE                           | SE              |
| 8. Parking of not more than six school buses. Additional site area of 2,600 square feet must be provided.                                                                                                                 | SE                           | SE              |
| 9. Self-service car washes. No additional site area required, provided that the stacking, parking and buffer requirements of Section 419 are met.                                                                         | SE                           | Not Permitted   |
| 10. Restaurant, including fast food, fast food drive-through only, and carry-out restaurants. Additional site area of six times the gross square footage of the restaurant must be provided.                              | SE                           | SE              |

**Compliance -** .No uses in combination with fuel service station are proposed.

### **3. Access, internal circulation and vehicle reservoir capacity.**

- a. The number and location of access driveways shall be determined by the hearing officer or Zoning Commissioner based upon the recommendations of the Director of Public Works and the Office of Planning.

**Compliance** – The number and location of the existing access driveways were established at the time of approval of the existing special exception No. 19780130. The proposed subdivision does not change the number and location of the existing access driveways.

b. All internal paved areas of the fuel service station site used for parking, driveway, aisles and stacking purposes shall comply with Section 409 and shall be laid out to preclude vehicles waiting on the street or blocking the right-of-way before gaining entrance.

**Compliance** – The existing internal paved areas used for parking, driveway, aisles and stacking purposes are in compliance with Section 409 and are laid out in a manner that preclude vehicles waiting on the street or blocking the right-of-way before gaining entrance (see enclosed **Exhibit A**).

c. In addition to the fuel service space, at least one stacking space shall be provided:

- (1) For each pump island side, at pump islands that contain multiproduct dispensers (MPD) and where a bypass lane serves each MPD;
- (2) For each MPD in cases where there is no bypass lane or where a convenience store is located on the same lot; or
- (3) For each pump, if the pump dispenses a single fuel type.

**Compliance** – According to the stacking space requirements, one stacking spaces have been provided as shown on the revised site development plan (see enclosed **Exhibit A**).

d. Parking spaces on the site of any fuel service station shall be provided as follows:

- (1) One space per employee on the largest shift.
- (2) Three spaces per 1,000 square feet of gross floor area for a convenience store up to 1,500 square feet. (Convenience stores larger than 1,500 square feet shall be subject to the parking requirements for retail uses in accordance with Section 409, including the first 1,500 square feet).
- (3) Three spaces per service bay, not counting service spaces in the bays.
- (4) One space per self-service air or vacuum cleaner unit.
- (5) One space per automatic teller machine.

**Compliance** – According to the off-street parking requirements, four (4) off-street parking spaces have been provided as shown on the revised site development plan (see enclosed **Exhibit A**).

B. All fuel service stations shall provide a rest room facility, water and compressed air for customers.

**Compliance** – A rest room facility has not been provided, since the existing fuel station does not contain a retail store. However, water and compressed air are provided.

C. Appearance.

1. General design.

a. Any structure on the site that is converted to an ancillary use or to a use in combination with a fuel service station must be upgraded to create a unifying architectural theme with other structures on the site.

b. The rear and sides of buildings on lots abutting residentially zoned properties shall be finished with materials that in texture and color resemble the front of the building. The type of facade treatment shall be indicated on the site plan or an accompanying elevation drawing and is subject to review by the Director of Planning.

c. Except for the temporary outdoor sale of items permitted under Section 230.1.A.9, the outside display of merchandise is permitted only under the canopy, or if there is no canopy, on or between the pump island or in an area immediately adjacent to the cashier's kiosk. Such goods may not block access drives, stacking spaces or interfere with the site's circulation pattern.

d. If the fuel service station is located within 50 feet of a residentially zoned property, lighting standards on site may not exceed a height of 18 feet and shall be directed away from any residentially zoned properties.

e. To increase compatibility with surrounding buildings or to enhance the attractiveness of the site of fuel service stations for which a special exception is required, the Zoning Commissioner may specify additional requirements, including:

(1) Changes in building or site plan design;

(2) Restrictions on hours of operations; or

(3) Other requirements deemed necessary for compliance with this section.

2. Signs. Signs are permitted, subject to Section 450.

3. Maintenance. At all times, the premises shall be maintained in a clean and orderly condition. All landscaped areas shall be irrigated as needed and dead plants replaced. The responsibility for compliance with these provisions lies with all parties that individually or collectively have a lease or ownership interest in the fuel service station.

**Compliance** – Except the canopy, the only building that exists on the property is a cashier kiosk which is not located within 50 feet of any residentially zoned property; therefore, compliance with site lighting is not applicable. No building is proposed for an accessory use. Outside display of any merchandise will be under the canopy. Existing signs are in accordance with Section 450, and the applicant shall comply with all other requirements that may be specified by the Zoning Commission.

D. Ancillary uses. The uses listed below, only, are permitted by right in conjunction with any fuel service station. The minimum area of the site as determined under Section 405.4.A.1 shall be increased each ancillary use by at least the number of square feet indicated below, which includes land for required parking and stacking spaces:

1. Minor vehicle repair or diagnostic services to vehicles, except those which are unlicensed or which have a State Motor Vehicle Administration transporter or a dealer license. Additional site area of 1,300 feet per service bay shall be provided.

a. Type of service and repairs include but are not limited to the sale and installation of mufflers, small auto parts and accessories and shall remain accessory to the fuel service station operation.

b. All service and repairs shall take place within completely enclosed buildings.

c. The combined area for sales, display and customer waiting room may not exceed 500 square feet.

d. Storage of tow trucks, damaged or disabled vehicles or parts is subject to Section 405A.

2. Convenience store with a sales area of up to 1,500 square feet inclusive of accessory storage. An additional site area of four times the square footage of the convenience store's sales area shall be provided.

3. Automatic teller machine, but no drive-through facilities. Additional site area of 1,000 square feet for each device shall be provided.

4. Self-service vacuum stations. All such stations shall be located at least 30 feet from a residentially zoned property. No additional site area is required.

5. Temporary outdoor sale of Christmas trees, firewood, cut flowers or live plants as limited by Section 230.1.A.9.

6. The sale of cigarettes, candy, drinks, snacks and similar items from vending machines or the cashier's kiosk. No additional site area is required if vending machines do not exceed a total of five machines, otherwise the area shall be considered a convenience store.

7. The retail sale of automotive service items such as motor oil, antifreeze or allied products. No additional site area is required.

**Compliance** – Except for a self-service vacuum station, and items sold from the vending machines or cashier's kiosk, and retail sale of automotive service items no other ancillary uses are proposed.

**500.14. Within Chesapeake Bay Critical Area.**

No decision may be rendered by the Zoning Commissioner on any petition for special exception, variance or special hearing unless the Zoning Commissioner has received from the Director of the Department of Environmental Protection and Resource Management, or his designated representative, written recommendations describing how the proposed request would:

- A. Minimize adverse impacts on water quality that result from pollutants that are discharged from structures or conveyances or that have run off from surrounding lands;
- B. Conserve fish, wildlife and plant habitat; and
- C. Be consistent with established land use policies for development in the Chesapeake Bay Critical Area which accommodate growth and also address the fact that, even if pollution is controlled, the number, movement and activities of persons in that area can create adverse environmental impacts.

**Compliance** – The property is not located within the Chesapeake Bay Critical Area.

**502.1. Conditions determining granting of special exception.**

Before any special exception may be granted, it must appear that the use for which the special exception is requested will not:

- A. Be detrimental to the health, safety or general welfare of the locality involved;
- B. Tend to create congestion in roads, streets or alleys therein;
- C. Create a potential hazard from fire, panic or other danger;
- D. Tend to overcrowd land and cause undue concentration of population;
- E. Interfere with adequate provisions for schools, parks, water, sewerage, transportation or other public requirements, conveniences or improvements;
- F. Interfere with adequate light and air;
- G. Be inconsistent with the purposes of the property's zoning classification nor in any other way inconsistent with the spirit and intent of these Zoning Regulations;
- H. Be inconsistent with the impermeable surface and vegetative retention provisions of these Zoning Regulations; nor

I. Be detrimental to the environmental and natural resources of the site and vicinity including forests, streams, wetlands, aquifers and floodplains in an R.C.2, R.C.4, R.C.5 or R.C.7 Zone.

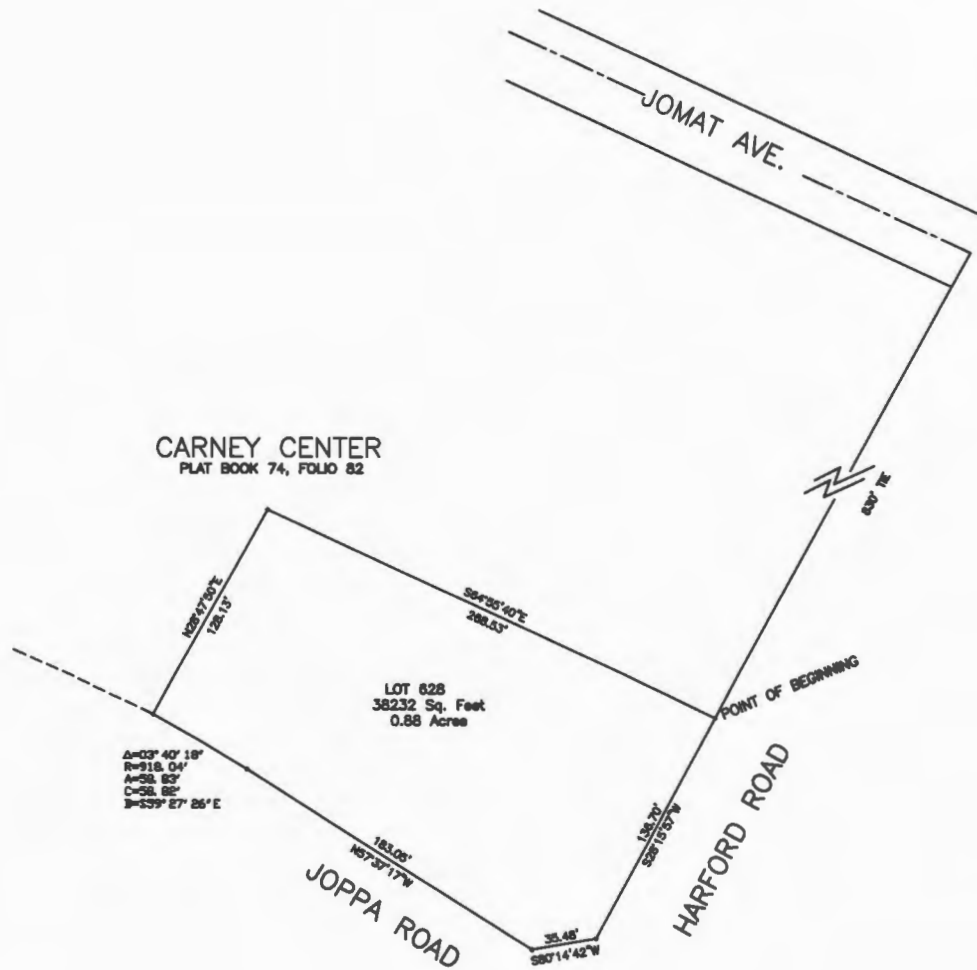
**Compliance** – The existing and proposed use is in compliance with the provisions of Section 501.1 of the ordinance.

**502.2. Protection of surrounding properties; agreement governing special exception.**

In granting any special exception, the Zoning Commissioner or the Board of Appeals, upon appeal, shall impose such conditions, restrictions or regulations as may be deemed necessary or advisable for the protection of surrounding and neighboring properties. The owners, lessees or tenants of the property for which a special exception is granted, if required by the Zoning Commissioner, or Board of Appeals, upon appeal, shall enter into an agreement in writing with said Zoning Commissioner and/or the County Commissioners of Baltimore County, Editor's Note: Under Section 1107 of the Baltimore County Charter, the County Council and County Executive have succeeded "to all powers heretofore vested in the county commissioners by the constitution and laws of this state." stipulating the conditions, restrictions or regulations governing such special exception, the same to be recorded among the land records of Baltimore County. The cost of such agreement and the cost of recording thereof shall be borne by the party requesting such special exception. When so recorded, said agreement shall govern the exercise of the special exception as granted, as to such property, by any person, firm or corporation, regardless of subsequent sale, lease, assignment or other transfer.

**Compliance** – The applicant shall comply with the provisions of Section 502.2 of the ordinance.

# PET EXHIBIT



ZONING DESCRIPTION  
9610 HARFORD ROAD

**ZONING DESCRIPTION  
PROPOSED LOT B  
(FOR FUTURE SUBDIVISION)**

Pt. Bk./Folio # 004034

OR 1

PDM # 098094

1800014678

BL

2

2400000990

Lot # 2

2914

19860112

9 ED

1800003319

19870449  
19800140

19780130  
19860501  
19900314  
19740069  
19990504

2920

Pt. Bk. 74, Folio 82

PDM # 090489

9616

2400000989

Pt. Bk./Folio # 074082

RO

OS

Pt. Bk. Lot # 08 34

HARFORD RD

19870449 PDM # 118019

Pt. Bk./Folio # 037050

19700171

1600014705

071B2

NE 9-E

E JOPPA RD

5 CD

0919329452

BLAS

19543192

9609

1108004210

11 ED

DR 5.5

0911770530

19512130

E JOPPA RD

JOPPA RD

JOPPA RD

19491601

HARFORD RD

ROAD

Pt. Bk. 1700003499  
Folio 19

1700012168

2000000377

0913754890

19543063

0237

ZONING TABULATIONS:

|                                                                                   | REQUIRED             | EXISTING             | PROPOSED             |
|-----------------------------------------------------------------------------------|----------------------|----------------------|----------------------|
| ZONED:                                                                            |                      | BL (BUSINESS LOCAL)  | BL (BUSINESS LOCAL)  |
| USE:                                                                              |                      | FUEL STATION         | FUEL STATION         |
| MINIMUM LOT AREA:                                                                 | 15,000 SF            | 38,232 SF (0.877 AC) | 28,610 SF (0.657 AC) |
| FOR 4 MULTIPRODUCT DISPENSERS (MPD) (8 FUELING STATIONS)                          |                      |                      |                      |
| MINIMUM AREA REQUIRED = 12,000 SF (8 PUMPS x 1500 SF) BUT NOT LESS THAN 15,000 SF |                      |                      |                      |
| OPEN SPACE:                                                                       | REQUIRED<br>5,280 SF |                      | PROVIDED<br>7,617 SF |

YARD:  
BUILDING FROM ANY STREET RIGHT-OF-WAY: 35'  
FUEL PUMP FROM ANY STREET RIGHT-OF-WAY: 25'  
CANOPY FROM ANY STREET RIGHT-OF-WAY: 15'

SIDE:  
REAR: NONE  
NONE

|                                         | NOT TO EXCEED | LOT 628 A         | LOT 628 B |
|-----------------------------------------|---------------|-------------------|-----------|
| MAXIMUM FAR NO OF UNITS BUILDING CANOPY | 0.30          | 0.09 (187/28,630) | N/A       |
|                                         |               | 1.00              | N/A       |
|                                         |               | 187 SF            | N/A       |
|                                         |               | 1,794 SF          | N/A       |

|                          |     |                                   |     |
|--------------------------|-----|-----------------------------------|-----|
| MAXIMUM BUILDING HEIGHT: | 35' | 8" EX. BUILDING<br>16" EX. CANOPY | N/A |
|--------------------------|-----|-----------------------------------|-----|

HEIGHT OF LIGHT POLES: 16'  
HEIGHT OF ID SIGN: 18'

THE PURPOSE OF THIS SPECIAL HEARING IS TO SUBDIVIDE PROPOSED LOT "B" FROM THE EXISTING FUEL SERVICE STATION SITE AND TO AMEND THE PRIOR ZONING HEARING AS NEEDED.

OWNER/DEVELOPER:

PMIG MD 074 LLC  
12680 DARBY BROOK CT.  
WOODBRIE, VIRGINIA 22192-2457

PROPERTY ADDRESS:

9610 HARFORD ROAD  
PARKVILLE, MD 21234

OTHER INFORMATION:

9TH ELECTION DISTRICT  
5TH COUNCIL MANIC DISTRICT

A. O. S. = NONE REQUIRED

PRIOR REZONING 74-69-R  
PRIOR SPECIAL EXCEPTION 78-130-X

CHESAPEAKE BAY CRITICAL AREA ☐ YES ☒ NO  
FLOOD PLAIN ☐ YES ☒ NO  
HISTORIC ☐ YES ☒ NO

PARKING TABULATIONS:

| USE                      | AREA         | PARKING REQUIREMENT                                                                                           | PARKING REQ.         | EX. PARKING                  | PROP. PARKING | TOTAL PARKING PROVIDED       |
|--------------------------|--------------|---------------------------------------------------------------------------------------------------------------|----------------------|------------------------------|---------------|------------------------------|
| BL FUEL SERVICE STATIONS | 185 SF GROSS | ONE (1) SPACE PER EMPLOYEE ON THE LARGEST SHIFT<br>ONE (1) SPACE PER SELF-SERVICE AIR OR VACUUM CLEANER UNIT. | 2 SPACES<br>1 SPACES | 2 SPACES (1 ADA)<br>1 SPACES | 1 SPACES      | 3 SPACES (1 ADA)<br>1 SPACES |

STACKING SPACE TABULATIONS:

| STACKING SPACE REQUIREMENT                                                                                      |                                                          | SPACES REQ.          | TOTAL SPACES PROVIDED |
|-----------------------------------------------------------------------------------------------------------------|----------------------------------------------------------|----------------------|-----------------------|
| IN ADDITION TO THE FUEL SERVICE SPACE, AT LEAST ONE STACKING SPACE SHALL BE PROVIDED                            | FOR 4 MULTIPRODUCT DISPENSERS (MPD) (8 FUELING STATIONS) | 8 + 4 =<br>12 SPACES | 12 SPACES             |
| 1. FOR EACH MPD IN CASES WHERE THERE IS NO BYPASS LANE OR WHERE A CONVENIENCE STORE IS LOCATED ON THE SAME LOT. |                                                          |                      |                       |

AREA TABULATION

BEFORE SUBDIVISION (WITH LANDSCAPING)

PARCEL 628 - 38,232 SF = 0.878 ACRES

GROSS AREA AFTER SUBDIVISION (WITH LANDSCAPING)

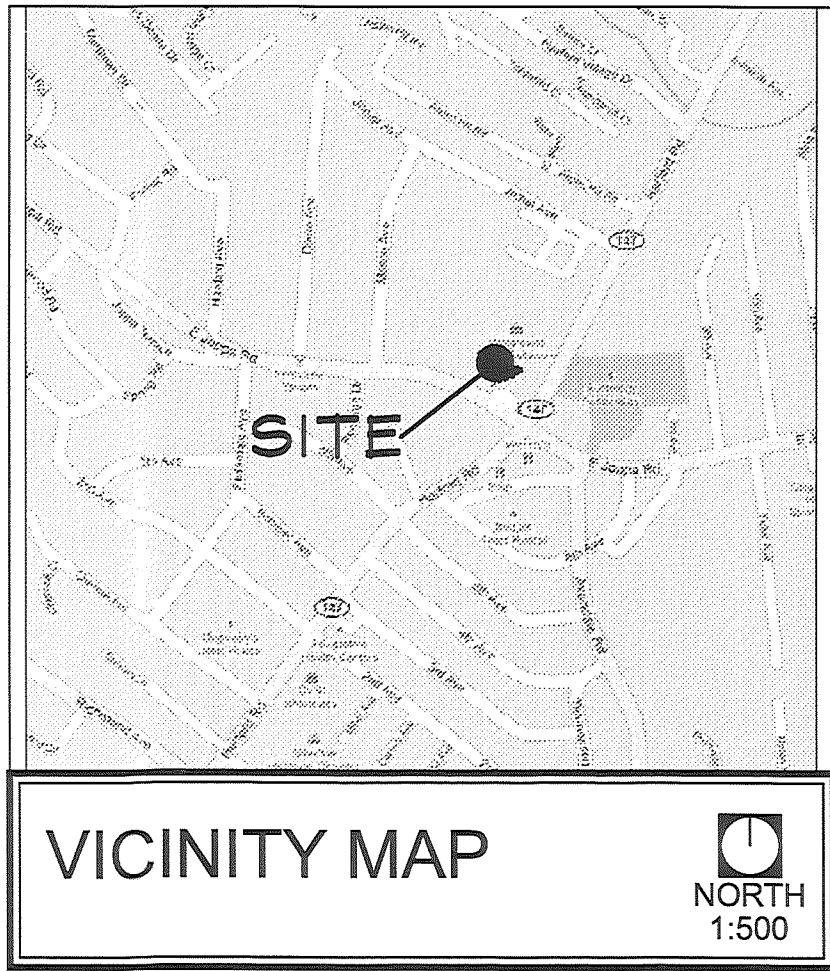
PARCEL 628 A - 28,610 SF = 0.657 ACRES  
PARCEL 628 B - 09,622 SF = 0.221 ACRES

NET AREA AFTER SUBDIVISION (WITH LANDSCAPING)

PARCEL 628 A - 28,610 SF = 0.657 ACRES  
PARCEL 628 B - 09,622 SF = 0.221 ACRES

EXCEPTION (EASEMENT) NOTES

- Basements as described in Entry Agreement with Baltimore county, Maryland dated May 23, 1973, recorded among the Land Records of Baltimore County in Liber E.H.K. Jr. No. 5367, folio 587, does not apply to the subject property, and also Entry Agreement dated August 16, 1973, recorded as aforesaid in Liber E.H.K. Jr. No. 5393, folio 63, applies to the subject property as shown.
- Easements as described in an Inquisition in the case of Baltimore County, Maryland vs. Hugh J. Byrne, et ux. dated July 13, 1973, recorded as aforesaid in Liber E.H.K. Jr. No. 5377, folio 628, applies to the subject property as shown.
- Deed from Baltimore County to Nicholas B. Mangione dated September 14, 1977, recorded as aforesaid in Liber E.H.K. Jr. No. 5808, folio 773, applies to the subject property as shown.
- Drainage and Utility Easement set forth in two Deeds and Agreements to Baltimore County, Maryland (1) from Ruby Whitehead Clark, et al. dated February 23, 1961, recorded as aforesaid in Liber W.J.R. No. 3827, folio 416 and (2) from Florence R. Watkins, et al. dated February 27, 1961, recorded as aforesaid in Liber W.J.R. Mo. 3836, folio 376, apply to the subject property as shown.
- Subject to the terms and conditions as set forth in a Grant of Easement dated October 25, 2000 by and between Jane H. Goldman, also Known as Jane Harriett Goldman Lewis, Alan Howard Goldman, also known as Allan H. Goldman and Louisa Little, Co-Executors of the Estate of Sol Goldman, deceased and the State Highway Administration of the Department of Transportation and recorded as aforesaid in Liber 14788, folio 583 applies to the subject property as shown.



PETITIONER'S

EXHIBIT NO. 1

NOTE:

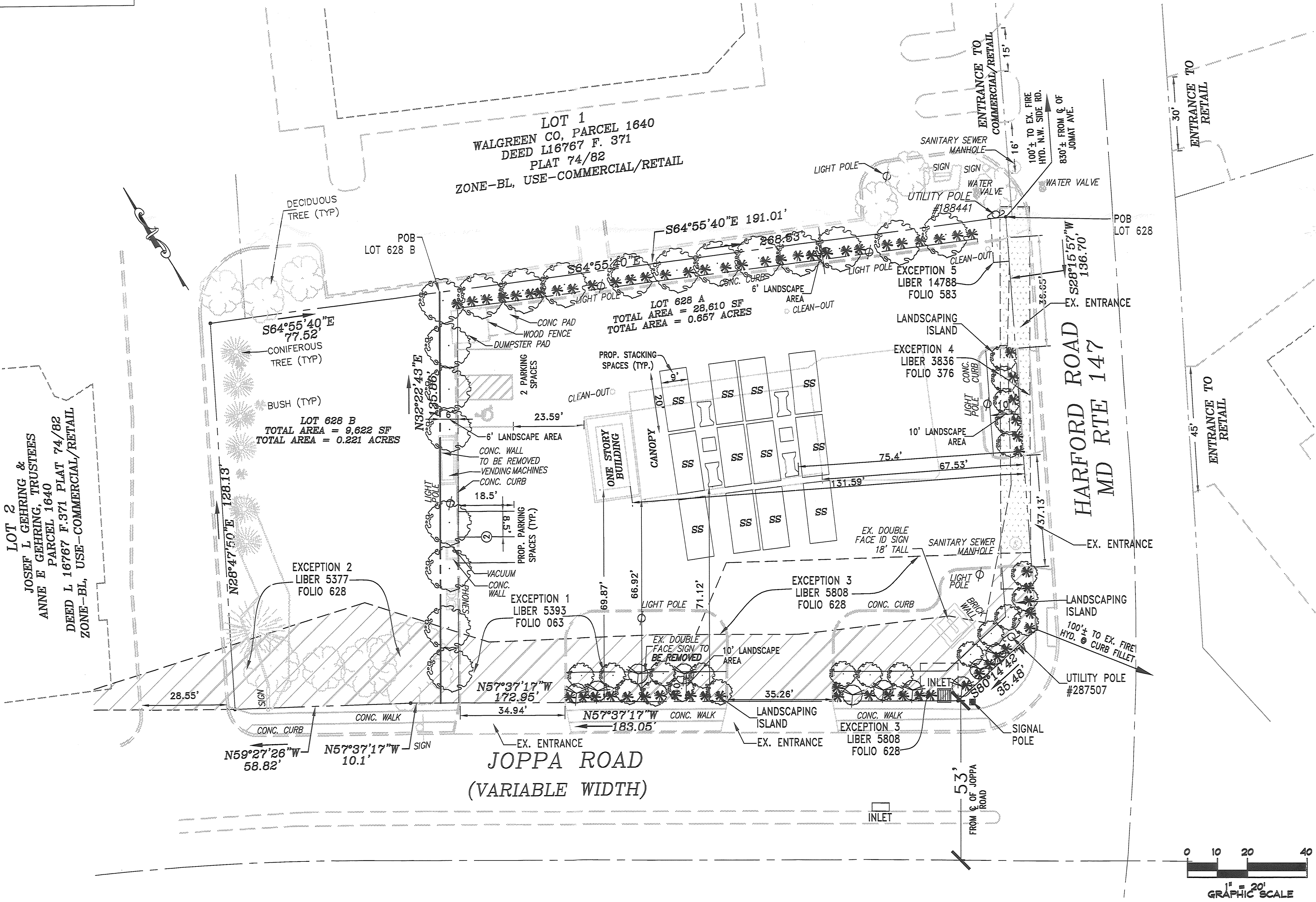
- ALL FIXTURE USED TO ILLUMINATE THE PARKING FACILITY ARE ARRANGED AS TO REFLECT THE LIGHT AWAY FROM PUBLIC STREETS.
- ALL PARKING SPACES WILL MEET BALTIMORE COUNTY REQUIREMENTS.
- THE LANDSCAPING AS SHOWN WITHIN THE LANDSCAPE AREAS WILL BE PROVIDED SUBJECT TO OBTAINING APPROVAL FROM THE EASEMENT HOLDERS.

PLANTING UNIT CALCULATIONS

| KEY   | ELEMENT                                              | RATE       | LINEAR FEET (LF) | PLANTING UNIT (PU) |
|-------|------------------------------------------------------|------------|------------------|--------------------|
| A     | ADJACENT TO LOT 1 ON NORTH EAST (COMMERCIAL)         | 1 PU/10 LF | 191.00 LF        | 19 PU              |
| B     | ADJACENT TO PUBLIC ROAD ON SOUTH EAST (HARFORD ROAD) | 1 PU/15 LF | 98.40 LF         | 7 PU               |
| C     | ADJACENT TO PUBLIC ROAD ON SOUTH WEST (JOPPA ROAD)   | 1 PU/15 LF | 102.75 LF        | 7 PU               |
| D     | ADJACENT TO LOT 628 B ON SOUTH EAST (COMMERCIAL)     | 1 PU/10 LF | 135.90 LF        | 14 PU              |
| TOTAL |                                                      |            |                  | 47 PU              |

PLANTING SCHEDULE

| PROPOSED TREES & SHRUBS            |                                          |          |               |                        |
|------------------------------------|------------------------------------------|----------|---------------|------------------------|
| Symbol                             | Common Name                              | Quantity | Size (Inches) | Tree Cover Credit (SF) |
| MAJOR DECIDUOUS TREE               | SWAMP WHITE OAK<br>QUECUS BICOLOR        | 06       | 2"            | 6 PU                   |
|                                    | RED MAPLE<br>ACER RUBRUM                 | 06       | 2"            | 6 PU                   |
|                                    | PIN OAK<br>QUERCUS PALUSTRIS             | 07       | 2"            | 7 PU                   |
|                                    |                                          | 19       |               | 19 PU                  |
| MINOR DECIDUOUS AND EVERGREEN TREE | SOURWOOD<br>OXYDENDRUM ARBOREUM          | 4        | 1"            | 2 PU                   |
|                                    | BLACK GUM<br>NYSSA SYLVATICA             | 6        | 1"            | 3 PU                   |
|                                    | PAPERBARK MAPLE<br>ACER GRiseum          | 6        | 1"            | 3 PU                   |
|                                    | REDBUD<br>CERCUS CANADENSIS              | 6        | 1"            | 3 PU                   |
|                                    | EASTERN REDCEDAR<br>JUNIPERUS VIRGINIANA | 10       | 6-7" TALL     | 5 PU                   |
|                                    |                                          | 32       |               | 16 PU                  |
| SHRUBS                             | RED CHOKEBERRY<br>ARONIA BRILLIANTISSIMA | 20       | 18-24"        | 4 PU                   |
|                                    | SUMMER SWEET<br>CLETHRA ALNIFOLIA        | 20       | 18-24"        | 4 PU                   |
|                                    | GRAY DOGWOOD<br>CORNUS RACEMOSA          | 25       | 18-24"        | 5 PU                   |
|                                    |                                          | 65       |               | 13 PU                  |
| TOTAL                              |                                          |          |               | 48 PU                  |



**CIVILAND, LLC**

ENGINEERING LAND DEVELOPMENT  
P.O. BOX 650206 STERLING, VIRGINIA 20165  
(703) 404-0363 Fax (703) 404-0443  
fmojani@earthlink.net

DESIGN BY: FM  
CHKD BY: FM  
DATE: SEP 2010

**Mid-Atlantic Planning & Engineering Services, LLC**

6449 Red Keel  
Columbia, MD. 20144  
(410) 718-8660  
EMAIL: mposes.ils@verizon.net

DESIGN BY:  
CHKD BY:  
DATE:

PLAN TO ACCOMPANY SPECIAL HEARING - EXHIBIT A  
PARCEL 628, GEHRING PROPERTY  
9TH ELECTION DISTRICT  
BALTIMORE COUNTY, MD

SHEET NO. 1 OF 3  
FILE NO. 10-12

0237



186-501-A

the district or whether a lesser relaxation than that applied for would give substantial relief; and

3. whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

It is clear from the testimony that if the variances were granted, such uses as proposed would not be contrary to the spirit of the BCZR and would not result in substantial detriment to the public good.

After due consideration of the testimony and evidence presented, it is clear that practical difficulties or unreasonable hardships would result if the instant variances were not granted. It has been established that the requirement from which the petitioner seeks relief would unduly restrict the use of the land due to the special conditions unique to these particular parcels. In addition, the variances requested will not be detrimental to the public health, safety, and general welfare.

Pursuant to the advertisement, posting of the properties, and public hearing on these Petitions held, and for the reasons given above, the requested variances should be granted.

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 9th day of June, 1986, that the Petitions for Zoning Variance to permit a free-standing business sign totaling 181.3 square feet in lieu of the permitted 100 square feet in each of the referenced cases be and are hereby GRANTED, from and after the date of this Order, subject to the following restrictions which are conditions precedent to the relief granted herein:

1. All signs must comply with Section 405.4.A.2.a, BCZR.
2. The petitioner may apply for its sign permits 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 applicable appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the petitioner would be required to return, and be responsible for returning, said properties to their original condition.

Attest:

for Andrew LaBayancker, Esquire  
Mrs. Mary Ginn  
People's Counsel

ORDER RECEIVED FOR FILES  
DATE June 9, 1986  
BY [Signature]

**PETITION FOR ZONING RE-CLASSIFICATION  
SPECIAL EXCEPTION AND/OR VARIANCE**

TO THE COUNTY BOARD OF APPEALS OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situated in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition (1) that the zoning status of the herein described property be reclassified, pursuant to the Zoning Law of Baltimore County, from an R-1 (Residential Single-Family) to a C-1 (Community Commercial) zone, for the reasons given in the attached statement and (2) for a Special Exception, under the said Zoning Law and Zoning Regulations of Baltimore County, to use the herein described property for \_\_\_\_\_ Not applicable \_\_\_\_\_

SEE MEMORANDUM IN SUPPORT ATTACHED HERETO

Property is to be posted and advertised as prescribed by The Baltimore County Code.

I, or we, agree to pay expenses of above Reclassification, Special Exception and/or Variance, posting, etc., upon filing of the petition, 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.

Contract Purchaser: \_\_\_\_\_ Legal Owner(s): \_\_\_\_\_  
(Type or Print Name) (Type or Print Name)  
Signature \_\_\_\_\_ Signature \_\_\_\_\_  
Address \_\_\_\_\_ Address \_\_\_\_\_  
City and State \_\_\_\_\_ City and State \_\_\_\_\_

Attorney for Petitioner: \_\_\_\_\_ Attorney for Respondent: \_\_\_\_\_  
Name, address and phone number of legal owner, contract purchaser or representative to be contacted \_\_\_\_\_  
Name, address and phone number of legal owner, contract purchaser or representative to be contacted \_\_\_\_\_

IN THE MATTER OF THE PETITION FOR RECLASSIFICATION FROM R-1 TO C-1, 200 N. Joppa Rd., 315' W. from Cornerline of Harford Rd., Ninth District

Case No. R-86-112

JOSEF OF VIENNA, INC., Petitioner

Based upon the testimony of Mr. Frederick Klaus and Mr. James G. Russell, as well as the Joint Exhibits 1 through 5, and the stipulation of the parties, it is this 11th day of October, 1985, by the County Board of Appeals,

ORDERED, that the subject petition for R-1 zoning be and is hereby granted in part in accordance with the 200 scale map exhibit, Joint Exhibit No. 2, which reflects that the front portion of the property adjacent to the service station to the east be reclassified from R-1 to C-1.

It is further ORDERED that the balance of the property remain in its R-1 classification, without prejudice to the right of the Petitioner to seek a change or changes on the 1988 Comprehensive Zoning Map or thereafter by such other means available by law.

COUNTY BOARD OF APPEALS OF BALTIMORE COUNTY

William R. Egan, Acting Chairman

Michael B. Dallas, Member

Michael B. Dallas  
Member  
700 HARFORD ROAD  
BALTIMORE, MD 21234  
264-4555

**PETITION FOR ZONING RE-CLASSIFICATION  
AND/OR SPECIAL EXCEPTION**

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

Florence R. Watkins & Son, Inc., legal owner of the property situated in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition (1) that the zoning status of the herein described property be reclassified, pursuant to the Zoning Law of Baltimore County, from an R-1 (Residential Single-Family) to a C-1 (Community Commercial) zone, for the reasons given in the attached statement and (2) for a Special Exception, under the said Zoning Law and Zoning Regulations of Baltimore County, to use the herein described property for \_\_\_\_\_ Not applicable \_\_\_\_\_

SEE ATTACHED DESCRIPTION

Property is to be posted and advertised as prescribed by Zoning Regulations.

200 N. Joppa Rd., 315' W. from Cornerline of Harford Rd., Ninth District

Case No. R-86-112

JOSEF OF VIENNA, INC., Petitioner

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700 HARFORD ROAD  
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**PETITION FOR ZONING RE-CLASSIFICATION  
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COUNTY BOARD OF APPEALS OF BALTIMORE COUNTY

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700 HARFORD ROAD  
BALTIMORE, MD 21234  
264-4555

**Mid-Atlantic Planning & Engineering Services, LLC**

6449 Red Red Keel  
Columbia, MD, 21044  
(410) 718-8660  
EMAIL: mapei@verizon.net

DESIGN BY: \_\_\_\_\_ CHKD BY: \_\_\_\_\_ DATE \_\_\_\_\_

**CIVILAND, LLC**

ENGINEERING LAND DEVELOPMENT  
P.O. BOX 650206 STERLING, VIRGINIA 20165  
(703) 404-0363 Fax (703) 404-0443  
fmo@civiland.com

DESIGN BY: \_\_\_\_\_ CHKD BY: \_\_\_\_\_ DATE SEP 2010

**HISTORY OF ZONING/SPECIAL EXCEPTION/HEARING - EXHIBIT B**

**PARCEL 628, GEHRING PROPERTY**

9TH ELECTION DISTRICT  
BALTIMORE COUNTY, MD

SHEET NO. 3 OF 3

FILE NO. 10-12

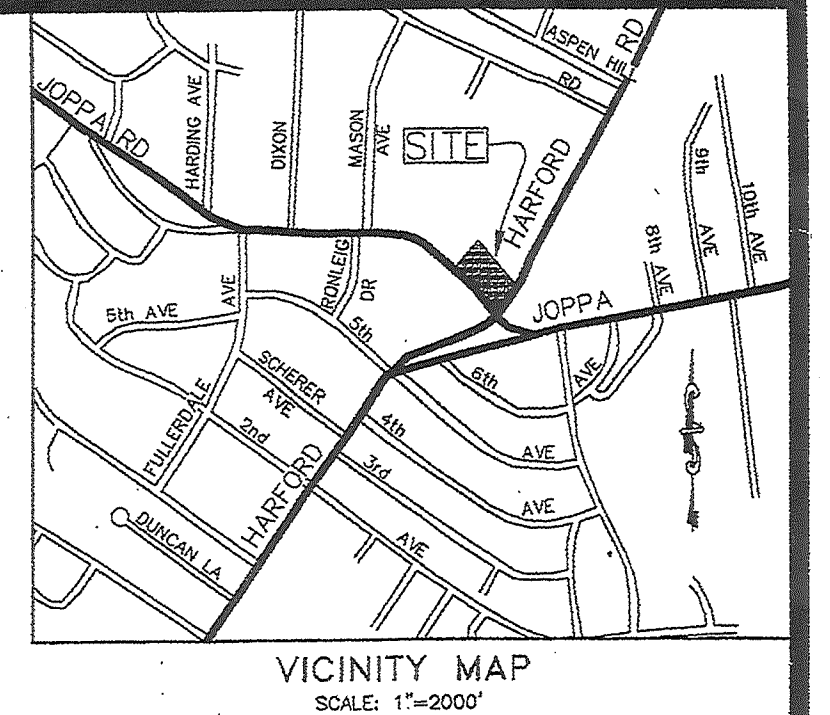
**BEGINNING** at a point on the northerly right-of-way of Joppa Road, variable width, said point being at the end of the easterly or South 28 degrees 13 minutes 03 seconds West 128.21 foot plat line as shown on a plat entitled "Carney Centre" and recorded among the land records of Baltimore County, Maryland in Plat Book SM 74 at Folio 82; thence leaving said right-of-way and running reversely and binding on said easterly plat line, as now surveyed, with bearings of this description being based on the Maryland Coordinate System

- BEING the same property as described in a deed dated April 05, 2002 that was granted and conveyed by Anne E. Gehring to Josef L. Gehring and recorded among the land records of Baltimore County, Maryland in Liber 16286 at Folio 743.

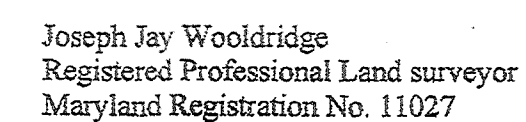
7. Easements as described in Entry Agreement with Baltimore county, Maryland dated May 23, 1973, recorded among the Land Records of Baltimore County in Liber E.H.K. Jr. No. 5367, folio 587, does not apply to the subject property, and also Entry Agreement dated August 16, 1973, recorded as aforesaid in Liber E.H.K. Jr. No. 5393, folio 63, applies to the subject property as shown.
8. Easements as described in an Inquisition in the case of Baltimore County, Maryland vs. Hugh J. Byrne, et ux. dated July 13, 1973, recorded as aforesaid in Liber E.H.K. Jr. No. 5377, folio 628, applies to the subject property as shown.
9. Deed from Baltimore County to Nicholas B. Mangione dated September 14, 1977, recorded as aforesaid in Liber E.H.K. Jr. No. 5808, folio 773, applies to the subject property as shown.
10. Drainage and Utility Easement set forth in two Deeds and Agreements to Baltimore County, Maryland (1) from Ruby Whitehead Clark, et al. dated February 23, 1961, recorded as aforesaid in Liber W.J.R. No. 3827, folio 416 and (2) from Florence R. Watkins, et al. dated February 27, 1961, recorded as aforesaid in Liber W.J.R. Mo. 3836, folio 376, apply to the subject property as shown.

- (i) February 16, 1957, recorded in Liber G.L.B. No. 3116, folio 152  
(ii) January 02, 1957, recorded in Liber G.L.B. No. 3116, folio 158  
(iii) September 26, 1957, recorded in Liber G.L.B. No. 3244, folio 479  
(iv) March 03, 1958, recorded in Liber G.L.B. No. 3348, folio 133  
(v) August 29, 1958, recorded in Liber G.L.B. No. 3413, folio 378  
(vi) April 10, 1919, recorded in Liber W.P.C. No. 507, folio 568  
(vii) April 09, 1919, recorded in Liber W.P.C. No. 507, folio 566
- All apply to the subject property. Blanket agreements cannot be plotted.

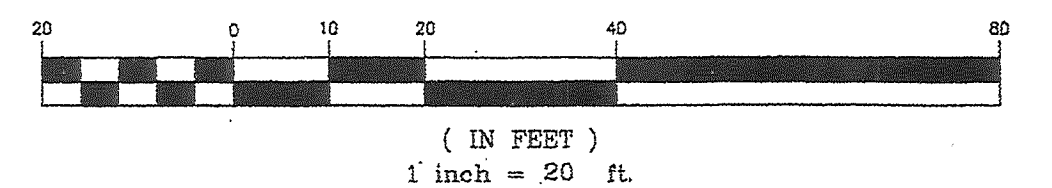
14. Subject to the servitudes, easements, notes, reservations, open spaces, conditions, slope easements and/or other matters as shown by a property line survey on 9610 Harford Road dated March 18, 2002 by Colonial Land Surveying, Inc., affecting said lot as shown on the plat entitled "Plat of Carney Centre", which plat is recorded in Plat Book S.M. 74, folio 82. The property line survey on 9610 Harford Road dated March 18, 2002 by Colonial Land Surveying, Inc. may apply to the subject property. No copy of the document was provided. The plat entitled "Plat of Carney Centre", which plat is recorded in Plat Book S.M. 74, folio 82, does not apply to the subject property.



This is to certify that this map or plat and the survey on which it is based were made in accordance with the "Minimum Standard Detail Requirements for ALTA/ACSM Land Surveys" jointly established and adopted by ALTA and NSPS in 2005 and includes items 2, 3, 4, 7(a), 8, 9, 10, 11a, 13, 14, 15, 16, 17 and 18 from Table A therep. Pursuant to the Accuracy Standards as adopted by ALTA and NSPS and in effect on the date of this certification, undersigned further certifies that in my professional opinion, as a land surveyor registered in the state of Maryland, the relative positional accuracy of this survey does not exceed that which is specified therein.



ALTA/ACSM LAND TITLE SURVEY  
GEHRING PROPERTY  
9610 HARFORD ROAD  
LIBER 16286 FOLIO 743  
TAX MAP 71 GRID 15 PARCEL 628  
9th ELECTION DISTRICT  
BALTIMORE COUNTY, MD.  
GRAPHIC SCALE



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

|     |      |            |    |       |                           |
|-----|------|------------|----|-------|---------------------------|
|     |      |            |    |       | SCALE: 1" = 20'           |
|     |      |            |    |       | DATE: JUNE 28, 2006       |
|     |      |            |    |       | JOB NO.: 2005187          |
|     |      |            |    |       | DESIGNED:                 |
|     |      |            |    |       | DRAWN: JWJ                |
|     |      |            |    |       | CHECKED:                  |
|     |      |            |    |       | FILE: 2005187             |
|     |      |            |    |       | DRAWING                   |
|     |      |            |    |       | NUMBER:                   |
|     |      |            |    |       | 2005187 ALTA 06_28_06.dwg |
| NO. | DATE | REVISIONS: | BY | SHEET | 1 OF 1                    |