

IN RE: PETITION FOR VARIANCE

(3920 Washington Blvd.)

13th Election District

1st Councilman District

Southside Oil, LLC

Legal Owners

Zone 27 LLC, *Contract Purchaser*

Petitioners

*

BEFORE THE OFFICE

*

OF ADMINISTRATIVE

*

HEARINGS FOR

*

BALTIMORE COUNTY

*

CASE NO. 2014-0067-A

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (OAH) for Baltimore County as a Petition for Variance filed by John B. Gontrum, Esquire, on behalf of the legal owners, Southside Oil, LLC, and contract purchaser, Zone 27, LLC ("Petitioners"). The Variance was filed pursuant to Baltimore County Zoning Regulations ("B.C.Z.R") §238.2 to permit a side yard setback of 11 feet in lieu of the required 30 feet and a rear yard setback of 5 feet in lieu of the required 30 feet. The subject property and requested relief is more fully depicted on the site plan that was marked and accepted into evidence as Petitioners' Exhibit 1.

Appearing at the public hearing in support of the requests was Ira and Yasmin Geller, on behalf of the contract purchaser. John B. Gontrum, Esquire appeared as counsel and represented the Petitioners. The file reveals that the Petition was advertised and posted as required by the Baltimore County Zoning Regulations. There were no Protestants in attendance, and the file does not contain any letters of protest or opposition.

Zoning Advisory Committee (ZAC) comments were received from Maryland Department of Transportation, State Highway Administration (SHA) dated September 24, 2013, Bureau of Development Plans Review (DPR) dated September 24, 2013, and the Department of Planning (DOP) dated October 18, 2013.

ORDER RECEIVED FOR FILING

Date

12/12/13

By

sen

Testimony and evidence revealed that the subject property is approximately 1.05 +/- acres and zoned BR-AS. The property was formerly used as a gasoline station and convenience store, pursuant to prior zoning approvals. The site was sold recently, and all improvements were demolished, leaving a vacant site. Petitioners propose to construct a small (approximately 8,000 SF) one-story retail/commercial building on the property, but to do so requires variance relief.

Based upon the testimony and evidence presented, I will grant the petition for variance.

To obtain variance relief requires a showing that:

- (1) The property is unique; and
- (2) If variance relief is denied, petitioner will experience a practical difficulty or hardship.

Trinity Assembly of God v. People's Counsel, 407 Md. 53, 80 (2008).

Petitioners have met this test. The topography changes throughout the property and an existing easement through the center of the site further constrains the available building envelope. As such, the property is unique.

If the B.C.Z.R. were strictly interpreted the Petitioners would indeed suffer a practical difficulty, since they would be unable to construct the proposed building on the property. Finally, I find that the variance can be granted in harmony with the spirit and intent of the B.C.Z.R., and in such manner as to grant relief without injury to the public health, safety, and general welfare.

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

THEREFORE, IT IS ORDERED, this 12th day of December, 2013, by the Administrative Law Judge for Baltimore County, that the Petition for Variance seeking relief pursuant to Baltimore County Zoning Regulations ("B.C.Z.R") ~~§ 233.2~~ to permit a side yard setback of 11

ORDER RECEIVED FOR FILING

Date

12/12/13

By

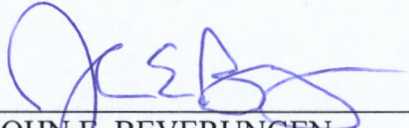
dep

feet in lieu of the required 30 feet and a rear yard setback of 5 feet in lieu of the required 30 feet, be and is hereby GRANTED.

The relief granted herein shall be subject to the following:

- Petitioners may apply for appropriate permits and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, Petitioners would be required to return, and be responsible for returning, said property to its original condition.
- Petitioners must comply with the ZAC comments of the DOP, dated October 18, 2013.

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



JOHN E. BEVERUNGEN
Administrative Law Judge for
Baltimore County

JEB: sln

ORDER RECEIVED FOR FILING

Date 12/12/13
By sln

KEVIN KAMENETZ
County Executive



LAWRENCE M. STAHL
Managing Administrative Law Judge
JOHN E. BEVERUNGEN
Administrative Law Judge

December 12, 2013

John B. Gontrum, Esquire
Whiteford, Taylor & Preston
One Pennsylvania Avenue
Towson, Maryland 21204

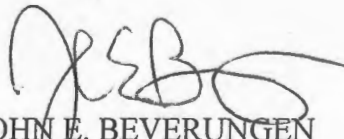
RE: Petitions for Variance
Property: 3920 Washington Blvd.
Case No.: 2014-0067-A

Dear Counsel:

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 Baltimore County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Baltimore County Office of Administrative Hearings at 410-887-3868.

Sincerely,


JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

JEB:sln
Enclosure

c: Ira and Yasmin Geller, 3720 Commerce Drive, Baltimore, Maryland 21227
Bruce Shapiro, Esquire, 15 W. Aylesbury Road, Timonium, Maryland 21093
Rick Richardson, 30 E. Padonia Road, Suite 500, Timonium, Maryland 21093



PETITION FOR ZONING HEARING(S)

To be filed with the Department of Permits, Approvals and Inspections

To the Office of Administrative Law of Baltimore County for the property located at:

Address 3920 Washington Boulevard which is presently zoned BR-AS

Deed References: 29609/263 10 Digit Tax Account # 1700001847

Property Owner(s) Printed Name(s) SOUTHSIDE OIL, LLC

(SELECT THE HEARING(S) BY MARKING **X** AT THE APPROPRIATE SELECTION AND PRINT OR TYPE THE PETITION REQUEST)

The undersigned legal owner(s) of the property situate in Baltimore County and which is described in the description and plan attached hereto and made a part hereof, hereby petition for:

1. a **Special Hearing** under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve

2. a **Special Exception** under the Zoning Regulations of Baltimore County to use the herein described property for

3. **X** a **Variance** from Section(s) 238.2 to permit a side yard setback of 11 feet in lieu of the required 30' and a rear yard setback of 5' in lieu of the required 30'

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the following reasons:
(Indicate below your hardship or practical difficulty or indicate below "TO BE PRESENTED AT HEARING". If you need additional space, you may add an attachment to this petition)

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

I, or we, agree to pay expenses of above petition(s), 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.

Legal Owner(s) Affirmation: I / we do so 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 / these Petition(s).

Contract Purchaser/Lessee:

Zone 27, LLC
Name Type or Print

Bruce B. Shapirolaw, General Manager
Signature

15 W. Ayelsbury Rd., Suite 700 Timonium MD
Mailing Address City State

21093 / 410-560-1575 / bruce@bshapirolaw.com
Zip Code Telephone # Email Address

Attorney for Petitioner:

John B. Gontrum
Name Type or Print

[Signature]
Signature

One Pennsylvania Avenue Towson MD
Mailing Address City State

21204 / 410-832-2055 / jgontrum@wtplaw.com
Zip Code Telephone # Email Address

Legal Owners (Petitioners):

Southside Oil, LLC /
Name #1 - Type or Print Name #2 - Type or Print

X [Signature] DAVID T. PASARELL CEO
Signature Signatures # 2

SUITE 100 1011 BOULDER SPRINGS DRIVE Richmond, VA
Mailing Address City State

23225 / 804.706.4702 / dpasarell@earthlink.net
Zip Code Telephone # Email Address

Representative to be contacted:

Richardson Engineering, LLC
Name Type or Print

[Signature]
Signature

30 E. Padonia Road, Suite 500 Timonium MD
Mailing Address City State

21093 / 410-560-1502 / RichardsonEngineering.net
Zip Code Telephone # Email Address

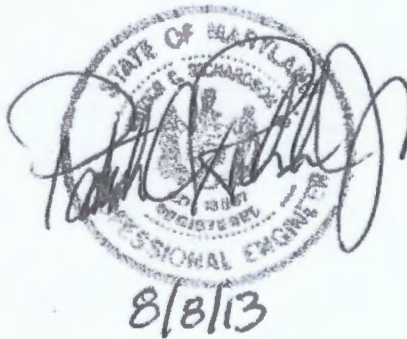
CASE NUMBER 2014-0067-A Filing Date 9/16/13

Do Not Schedule Dates: [Signature] Reviewer SK

**ZONING PROPERTY DESCRIPTION FOR
3920 WASHINGTON BOULEVARD
(U.S. ROUTE #1)
13TH ELECTION DISTRICT
1ST COUNCILMANIC DISTRICT
BALTIMORE COUNTY, MARYLAND**

BEGINNING FOR THE SAME at a point on the **north** side right-of-way of **Washington Boulevard** also known as **U.S. Route #1** with a variable width and at a distance of **225 feet west** of the centerline of the nearest improved intersecting street **Sulphur Spring Road** which is has a variable width.

Thence the following courses and distances: (1) North 41 degrees 00 minutes 25 seconds West 200.39', (2) North 45 degrees 25 minutes 00 seconds East 162.35', (3) South 44 degrees 35 minutes 00 seconds East 171.51', (4) South 01 degrees 25 minutes 45 seconds 39.05', (5) South 45 degrees 25 minutes 00 seconds West 148.14' back to the point of beginning as recorded in deed Liber 29609, Folio 263, containing a net area of 0.76 acres. Located in the 13th Election District and 1st Councilmanic District.



8/8/13

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/neighbor 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: 2014- 0067- A

Petitioner: ZONE 27, LLC

Address or Location: 3920 WASHINGTON BLVD

PLEASE FORWARD ADVERTISING BILL TO:

Name: BRUCE SHAPIRO

Address: 15 W. AYLESBURY RD SUITE 700

TIMONIUM MD

Telephone Number: 410-560-1575

Revised 2/20/98 -SCJ

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

No. **102594**

Date: **9/16/13**

PAID RECEIPT

BUSINESS ACTION TIME DRN
 9/16/2013 9/16/2013 10:21:15 S

NO 4505 MARKIN 2005 LPO
 RECEIPT N 449152 9/16/2013 GFLH

Appt 5 028 ZONING VERIFICATION
 NO. 102594

Recpt Tot 1500.00
 \$500.00 CA 1.00 CA
 Baltimore County, Maryland

Fund	Dept	Unit	Sub Unit	Rev Source/ Obj	Sub Rev/ Sub Obj	Dept Obj	BS Acct	Amount
001	806	0000		6150				\$ 500.00

Total: **\$ 500.00**

Rec From: **Zone 27 LLC**

For: **Variance**

DISTRIBUTION

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

PLEASE PRESS HARD!!!!

**CASHIER'S
 VALIDATION**

2014 4060-1

CERTIFICATE OF POSTING

ATTENTION: KRISTEN LEWIS

DATE: 11/21/2013

Case Number: 2014-0067-A

Petitioner / Developer: JOHN GONTRUM ESQ.~ZONE 27, LLC~
SOUTHSIDE OIL, LLC~RICHARDSON ENGINEERING, LLC

Date of Hearing (Closing): DECEMBER 09, 2013

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:
3920 WASHINGTON BOULEVARD

The sign(s) were posted on: NOVEMBER 19, 2013

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)





THE BALTIMORE SUN MEDIA GROUP

Baltimore, Maryland 21278-0001

November 21, 2013

THIS IS TO CERTIFY, that the annexed advertisement was published in the following newspaper published in Baltimore County, Maryland, ONE TIME, said publication appearing on November 19, 2013

☐ The Jeffersonian

THE BALTIMORE SUN MEDIA GROUP

By: Susan Wilkinson

Susan Wilkinson

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: # 2014-0067-A

3920 Washington Boulevard

N/s Washington Blvd., 225 ft. W/of centerline of Sulphur Spring Road.

13th Election District - 1st Councilmanic District

Legal Owner(s): Southside Oil, LLC

Contract Purchaser/Lessee: Zone 27, LLC

Variance: to permit a side yard setback of 11 feet in lieu of the required 30 feet and a rear yard setback of 5 feet in lieu of the required 30 feet.

Hearing: Monday, December 9, 2013 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 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.

JT 11/752 Nov. 19

958537



KEVIN KAMENETZ
County Executive

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

October 21, 2013

CORRECTED 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: 2014-0067-A

3920 Washington Boulevard

N/s Washington Blvd., 225 ft. W/of centerline of Sulphur Spring Road

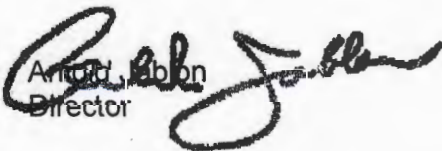
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Arnold Jablon
Director

AJ:kl

C: John Gontrum, One Pennsylvania Avenue, Towson 21204
Zone 27, LLC, 15 W. Aylesbury Road, Ste. 700, Timonium 21093
Southside Oil, LLC, 1011 Boulder Springs Drive, Ste. 100, Richmond VA 23225
Richardson Engineering, LLC, 30 E. Padonia Avenue, Ste. 500 Timonium 21093

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, NOVEMBER 19, 2013.**
- (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, November 19, 2013 Issue - Jeffersonian

Please forward billing to:

Bruce Shapiro
15 W. Aylesbury Road, Ste. 700
Timonium, MD 21093

410-560-1575

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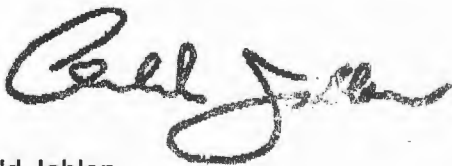
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Arnold Jablon

Director of Permits, Approvals and Inspections for Baltimore County

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KEVIN KAMENETZ
County Executive

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

October 16, 2013

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104 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: John Gontrum, One Pennsylvania Avenue, Towson 21204
Zone 27, LLC, 15 W. Aylesbury Road, Ste. 700, Timonium 21093
Southside Oil, LLC, 1011 Boulder Springs Drive, Ste. 100, Richmond VA 23225
Richardson Engineering, LLC, 30 E. Padonia Avenue, Ste. 500 Timonium 21093

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TO: PATUXENT PUBLISHING COMPANY
Tuesday, November 19, 2013 Issue - Jeffersonian

Please forward billing to:

Bruce Shapiro
15 W. Aylesbury Road, Ste. 700
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410-560-1575

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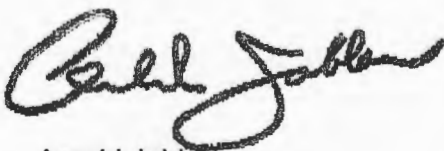
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Arnold Jablon

Director of Permits, Approvals and Inspections for Baltimore County

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- (2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

MEMORANDUM

DATE: January 27, 2014
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2014-0067-A – Appeal Period Expired

The appeal period for the above-referenced case expired on January 13, 2014. There being no appeal filed, the subject file is ready for return to the Zoning Review Office and is placed in the 'pick up box.'

c: ✓ Case File
Office of Administrative Hearings

RE: PETITION FOR VARIANCE	*	BEFORE THE OFFICE
3920 Washington Boulevard; N/S Washington		
Blvd, 225' W c/line Sulphur Spring Road	*	OF ADMINISTRATIVE
13 th Election & 1 st Councilmanic Districts		
Legal Owner(s): Southside Oil LLC	*	HEARINGS FOR
Contract Purchaser(s): Zone 27, LLC		
Petitioner(s)	*	BALTIMORE COUNTY
	*	2014-067-A

* * * * *

ENTRY OF APPEARANCE

Pursuant to Baltimore County Charter § 524.1, please enter the appearance of People's Counsel for Baltimore County as an interested party in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and the passage of any preliminary or final Order. All parties should copy People's Counsel on all correspondence sent and all documentation filed in the case.

RECEIVED

SEP 27 2013

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio

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

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 27th day of September, 2013, a copy of the foregoing Entry of Appearance was mailed to Richardson Engineering LLC, 30 E. Padonia Road, Suite 500, Timonium, MD 21093 and John Gontrum, Esquire, 1 Pennsylvania Avenue, Suite 300, Towson, Maryland 21204, Attorney for Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

C H E C K L I S TSupport/Oppose/
Conditions/
Comments/
No CommentComment
ReceivedDepartment9/24/13DEVELOPMENT PLANS REVIEW
(if not received, date e-mail sent _____)C10/22/13DEPS
(if not received, date e-mail sent _____)N/C

FIRE DEPARTMENT

PLANNING
(if not received, date e-mail sent _____)C9/24/13

STATE HIGHWAY ADMINISTRATION

TRAFFIC ENGINEERING

COMMUNITY ASSOCIATION

ADJACENT PROPERTY OWNERS

ZONING VIOLATION (Case No. _____)

PRIOR ZONING (Case No. 88-291-SPHXA
12-0094-RXA)NEWSPAPER ADVERTISEMENT Date: 11/19/13SIGN POSTING Date: 11/19/13by O'Keefe

PEOPLE'S COUNSEL APPEARANCE

Yes



No



PEOPLE'S COUNSEL COMMENT LETTER

Yes



No



Comments, if any: _____

TIME: 10:20:34 AUTOMATED PERMIT TRACKING SYSTEM LAST UPDATE 09/15/2015
DATE: 10/14/2015 GENERAL PERMIT APPLICATION DATA AMF 14:24:26

PERMIT #: B889621 PROPERTY ADDRESS
RECEIPT #: A720689 3920 WASHINGTON BLVD
CONTROL #: C- SUBDIV: SW COR SULPHUR SPRNG
XREF #: B889621 TAX ACCOUNT #: 1700001847 DISTRICT/PRECINCT 13 01
OWNERS INFORMATION (LAST, FIRST)

FEE: 1,025.00 NAME: ZONE 27 LLC
PAID: 1,025.00 ADDR: 3720 COMMERCE DR 21227
PAID BY: APPL

DATES APPLICANT INFORMATION

APPLIED: 09/15/2015 NAME: DAVID CEARFUSS
ISSUED: COMPANY: STEEL BUILDING SPECIALISTS
OCCPNY: ADDR1: 3928 WASHINGTON BLVD
FINAL INSPECT: ADDR2: BALTIMORE, MD 21227
INSPECTOR: 13C PHONE #: 410-247-9300 LICENSE #:
NOTES: AF/EDW/AF

PASSWORD :

ENTER - PERMIT DETAIL PF3 - INSPECTIONS PF7 - DELETE PF9 - SAVE
PF2 - APPROVALS PF4 - ISSUE PERMIT PF8 - NEXT PERMIT PF10 - INQRY

TIME: 10:20:41 AUTOMATED PERMIT TRACKING SYSTEM LAST UPDATE 09/28/2015

DATE: 10/14/2015 BUILDING DETAIL 1 TLM 15:34:45

DRC# 080514A

PERMIT # B889621 PLANS: CONST 02 PLOT 9 PLAT 0 DATA 3 EL 2 PL 2

TENANT ZONE 27 LLC

BUILDING CODE: CONTR: STEEL BUILDING SPECIALISTS

IMPRV 1 ENGR:

USE 19 SELLR:

FOUNDATION BASE WORK: CONSTRUCT SHELL MULTI TENANT RETAIL BUILDING.

1 3 78'X114'X24'=8921SF.SEPARATE PERMIT REQUIRED

CONSTRUC FUEL SEWAGE WATER COMPLETE INTERIOR.ISSUANCE OF THIS PERMIT DOES

3 1P 1P NOT GUARANTEE ISSUANCE TO SUBSEQUENT PERMIT

CENTRAL AIR 1 BY BALTIMORE COUNTY.

ESTIMATED COST

1.369MIL PROPOSED USE: RETAIL

OWNERSHIP: 1 EXISTING USE: VACANT

RESIDENTIAL CAT:

#EFF: #1BED: #2BED: #3BED: TOT BED: TOT APTS:

1 FAMILY BEDROOMS: PASSWORD:

ENTER - NEXT DETAIL PF2 - APPROVALS PF7 - PREV. SCREEN PF9 - SAVE

PF1 - GENERAL PERMIT PF3 - INSPECTIONS PF8 - NEXT SCREEN CLEAR - MENU

TIME: 10:20:47 AUTOMATED PERMIT TRACKING SYSTEM LAST UPDATE 09/28/2015
DATE: 10/14/2015 BUILDING DETAIL 2 TLM 15:34:45

PERMIT #: B889621	BUILDING SIZE	LOT SIZE AND SETBACKS
	FLOOR: 8921SF	SIZE: 33367SF
	WIDTH: 78'	FRONT STREET:
GARBAGE DISP:	DEPTH: 114'	SIDE STREET:
POWDER ROOMS:	HEIGHT: 24'	FRONT SETB: 76'
BATHROOMS:	STORIES:	SIDE SETB: 75.5/12'
KITCHENS:		SIDE STR SETB:
	LOT NOS:	REAR SETB: 7.6
	CORNER LOT: 1	

ZONING INFORMATION

DISTRICT:	BLOCK:	ASSESSMENTS
PETITION:	SECTION:	LAND: 0610000.00
DATE:	LIBER:	IMPROVEMENTS: 0000000.00
MAP:	FOLIO:	TOTAL ASS.:
	CLASS: 20	

PLANNING INFORMATION

MSTR PLAN AREA: SUBSEWER: CRIT AREA: PASSWORD:

ENTER - NEXT DETAIL	PF2 - APPROVALS	PF7 - PREV. SCREEN	PF9 - SAVE
PF1 - GENERAL PERMIT	PF3 - INSPECTIONS	PF8 - NEXT SCREEN	CLEAR - MENU

TIME: 10:19:41 AUTOMATED PERMIT TRACKING SYSTEM LAST UPDATE 10/07/2015
DATE: 10/14/2015 APPROVALS DETAIL SCREEN PSN 08:23:58

PERMIT #: B889621

PASSWORD :

AGENCY	DATE	CODE	COMMENTS
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BLD PLAN	09/28/2015	01	YAP
FIRE	09/30/2015	01	YAP/JEG
SEDI CTL	09/23/2015	12	SWM-9/25 EMS/MB..SC-X3226
ZONING	09/18/2015	01	JCM
PUB SERV	10/07/2015	01	OK-JMST AND-DAK
ENVRMNT	09/24/2015	01	EIR-9/24/15 JR/MB

PERMITS

↑ ED SMOUSE

*4682

01 THRU 09 INDICATES AN "APPROVAL" ** 10 THRU 99 INDICATES A "DISAPPROVAL"

ENTER - NEXT APPROVAL

PF4 - ISSUE PERMIT

PF9 - SAVE

CLEAR - MENU



KEVIN KAMENETZ
County Executive

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

November 26, 2013

Southside Oil LLC
Donald P. Bassell CFO
1011 Boulder Springs Drive
Suite 100
Richmond VA 23225

RE: Case Number: 2014-0067 A, Address: 3920 Washington Boulevard

Dear Mr. Bassell:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on September 16, 2013. 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, reading "W. Carl Richards, Jr." The signature is written in a cursive style.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: jaf

Enclosures

c: People's Counsel
John B. Gontrum, Esquire, One Pennsylvania Avenue, Towson MD 21204
Zone 27 LLC, 15 W Aylesbury Road, Suite 700, Timonium MD 21093
Richardson Engineering LLC, 30 E. Padonia Road, Suite 500, Timonium MD 21093

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



James T. Smith, Jr., Secretary
Melinda B. Peters, Administrator

Date: 9-24-13

Ms. Kristen Lewis
Baltimore County Department of
Permits, Approvals and Inspections
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County
Item No. 2014-0067-A
Variance
Southside Oil LLC
3920 Washington Boulevard
US1

Dear Ms. Lewis:

We have reviewed the site plan to accompany petition for variance on the subject of the above captioned, which was received on 9-23-13. A field inspection and internal review reveals that an entrance onto US1 consistent with current State Highway Administration guidelines is required. As a condition of approval for Variance, Case Number 2014-0067-A the applicant must contact the State Highway Administration to obtain an entrance permit.

Should you have any questions regarding this matter feel free to contact Richard Zeller at 410-545-5598 or 1-800-876-4742 extension 5598. Also, you may E-mail him at (rzeller@sha.state.md.us). Thank you for your attention.

Sincerely,

Steven D. Foster, Chief/
Development Manager

Access Management Division

SDF/raz

\cc: Mr. Michael Pasquariello, Utility Engineer, SHA
Mr. David Peake, District Engineer, SHA

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

BALTIMORE COUNTY, MARYLAND

RECEIVED

Inter-Office Correspondence

OCT 23 2013



OFFICE OF ADMINISTRATIVE HEARINGS

TO: Hon. Lawrence M. Stahl; Managing Administrative Law Judge
Office of Administrative Hearings

FROM: David Lykens, Department of Environmental Protection and Sustainability
(DEPS) - Development Coordination

DATE: October 22, 2013

SUBJECT: DEPS Comment for Zoning Item # 2014-0067-A
Address 3920 Washington Boulevard
(Southside Oil, LLC Property)

Zoning Advisory Committee Meeting of September 23, 2013.

X The Department of Environmental Protection and Sustainability has no
comment on the above-referenced zoning item.

Reviewer: J. Russo – *Environmental Impact Review (EIR)*

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon
Deputy Administrative Officer and
Director of Permits, Approvals and Inspections

DATE: October 18, 2013

FROM: Andrea Van Arsdale
Director, Department of Planning

SUBJECT: 3920 Washington Boulevard

RECEIVED

INFORMATION:

OCT 23 2013

Item Number: 14-068
Petitioner: Southside Oil, LLC

OFFICE OF ADMINISTRATIVE HEARINGS

Zoning: BR-AS
Requested Action: Variance

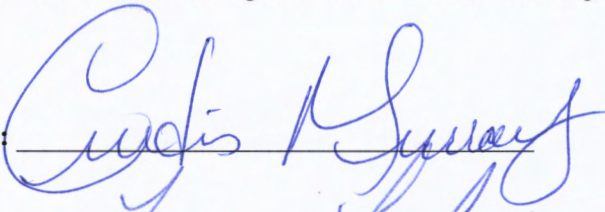
SUMMARY OF RECOMMENDATIONS:

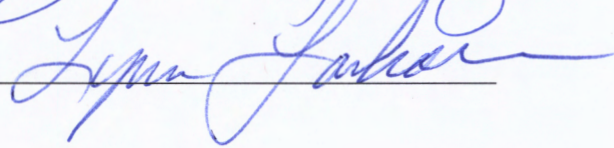
The Department of Planning has reviewed the petitioner's request and accompanying site plan. The petitioner seeks a variance to permit a side yard setback of 11' in lieu of the required 30' and a rear yard setback of 5' in lieu of the required 30'.

The Department of Planning does not oppose the petitioner's side yard and rear yard requests for variance. The location of the building would not be detrimental to the adjacent (industrial-use) property. However, the Department of Planning does have the following comments:

1. Submit architectural elevations of the proposed building for review and approval.
2. The proposed dumpster enclosure shall have similar building materials as the proposed building.
3. The plan shall indicate if there is a loading zone on the parking lot.
4. Provide elevations for any proposed free standing signs for review and approval.
5. Provide a landscape and lighting plan for review and approval by Jean Tansey, Baltimore County Landscape Architect.

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

Prepared By: 

Division Chief: 
AVA/LL:cjm

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

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

SUBJECT: Zoning Advisory Committee Meeting
For September 30, 2013
Item No. 2014-0067

DATE: September 24, 2013

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

A landscape plan shall be submitted and approved by this office prior to issuance of any permits.

DAK: CEN.
Cc: file.
ZAC-ITEM NO 14-0067-09242013.doc

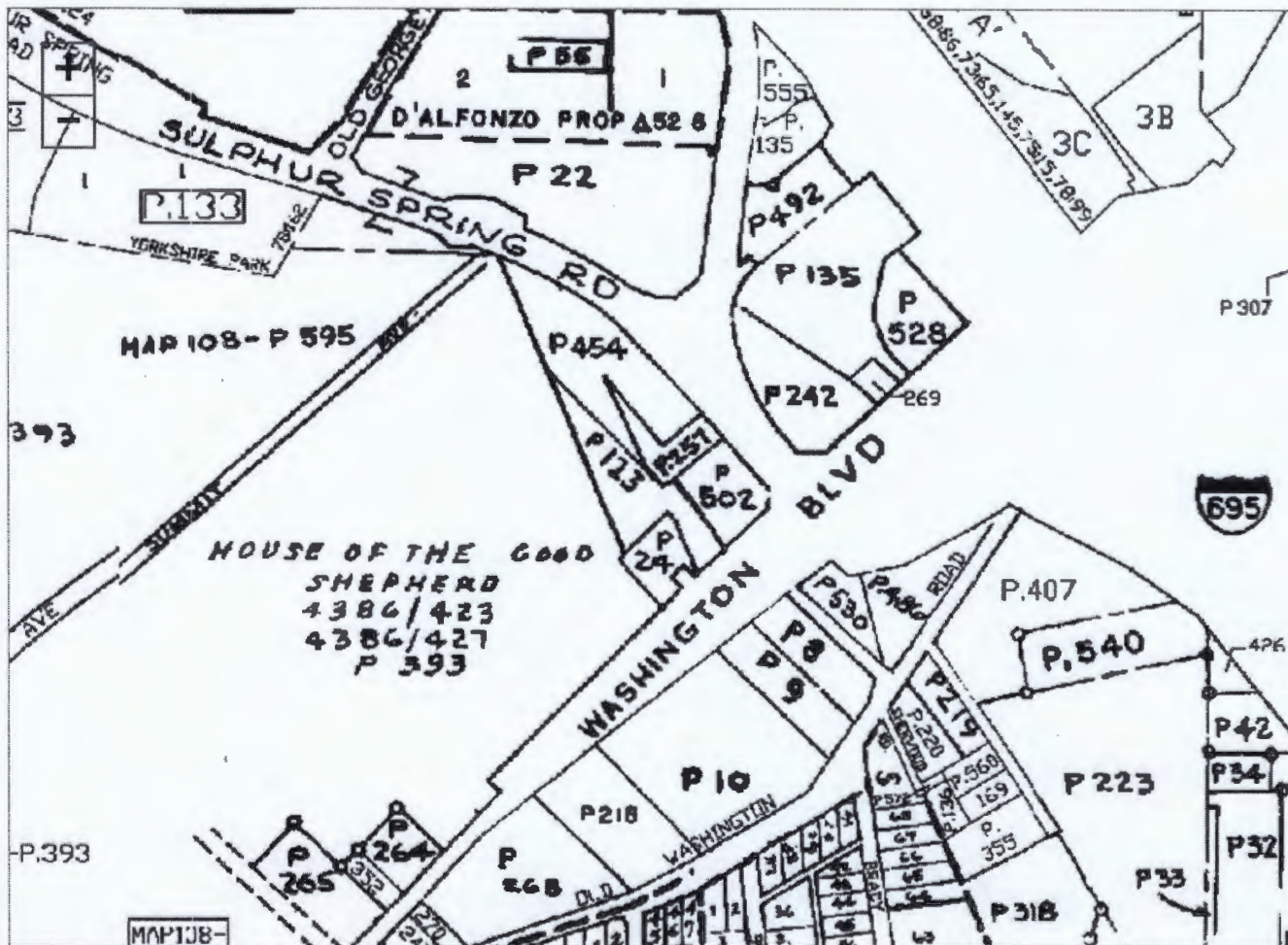
Real Property Data Search (w4)

[Search Help](#)

Search Result for BALTIMORE COUNTY

View Map	View GroundRent Redemption	View GroundRent Registration
Account Identifier:	District - 13 Account Number - 1700001847	
Owner Information		
Owner Name:	SOUTHSIDE OIL LLC	Use: COMMERCIAL
		Principal Residence: NO
Mailing Address:	STE 100 1011 BOULDER SPRINGS DR RICHMOND VA 23225	Deed Reference: 1) /29609/ 00263 2)
Location & Structure Information		
Premises Address:	3920 WASHINGTON BLVD 0-0000	Legal Description: .766 AC 3920 WASHINGTON BLVD SW COR SULPHUR SPRNG
Map: 0109	Grid: 0001	Parcel: 0502
Sub District:	Subdivision: 0000	Section:
Block:	Lot:	Assessment Year: 2014
Plat No:	Plat Ref:	NONE
Special Tax Areas:		
Primary Structure Built	Above Grade Enclosed Area	Finished Basement Area
105		
Property Land Area	County Use	
33,367 SF	20	
Stories	Basement	Type
Exterior	Full/Half Bath	Garage
Last Major Renovation		
Value Information		
	Base Value	Value
		As of
		01/01/2011
Land:	667,300	667,300
Improvements	41,600	41,600
Total:	708,900	708,900
Preferential Land:	0	
Transfer Information		
Seller: EXXON CORPORATION	Date: 06/23/2010	Price: \$38,328,295
Type: ARMS LENGTH MULTIPLE	Deed1: /29609/ 00263	Deed2:
Seller: LINK MARIE	Date: 11/22/1974	Price: \$214,500
Type: ARMS LENGTH IMPROVED	Deed1: /05492/ 00428	Deed2:
Seller:	Date:	Price:
Type:	Deed1:	Deed2:
Exemption Information		
Partial Exempt Assessments:	Class	07/01/2013
County:	000	0.00
State:	000	0.00
Municipal:	000	0.00
Tax Exempt:	Special Tax Recapture:	
Exempt Class:	NONE	
Homestead Application Information		
Homestead Application Status: No Application		

Baltimore County

New Search (<http://sdat.resiusa.org/RealProperty>)District: **13** Account Number: **1700001847**

The information shown on this map has been compiled from deed descriptions and plats and is not a property survey. The map should not be used for legal descriptions. Users noting errors are urged to notify the Maryland Department of Planning Mapping, 301 W. Preston Street, Baltimore MD 21201.

If a plat for a property is needed, contact the local Land Records office where the property is located. Plats are also available online through the Maryland State Archives at www.plats.net (<http://www.plats.net>).

Property maps provided courtesy of the Maryland Department of Planning ©2011.

For more information on electronic mapping applications, visit the Maryland Department of Planning web site at www.mdp.state.md.us/OurProducts/OurProducts.shtml (<http://www.mdp.state.md.us/OurProducts/OurProducts.shtml>).



(<http://imsweb05.mdp.state.md.us/website/mosp/>)

☒ Loading... Please

Loading... Please Wait.

CASE NAME 3920 WASHINGTON BLVD
CASE NUMBER 20H-0067-A
DATE 12/9/13

CASE NUMBER 2014-0067-A
DATE 12/9/13

[illegible]

Case No.: 2014-0067-A

Exhibit Sheet

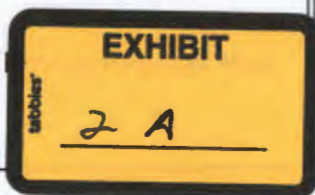
102
1-27-14

JLN
12-12-13

Petitioner/Developer

Protestants

No. 1	Site plan	
No. 2	2A-2G Color photos	
No. 3		
No. 4		
No. 5		
No. 6		
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		



Created By
Baltimore County
My Neighborhood



This data is only for general information purposes only. This data may be inaccurate or contain errors or omissions. Baltimore County, Maryland does not warrant the accuracy or reliability of the data and disclaims all warranties with regard to the data, including but not limited to, all warranties, express or implied, of merchantability and fitness for any particular purpose. Baltimore County, Maryland disclaims all obligation and liability for damages, including but not limited to, actual, special, indirect, and consequential damages, attorneys' and experts' fees, and court costs incurred as a result of, arising from or in connection with the use of or reliance upon this data.



EXHIBIT

2B

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Baltimore County
My Neighborhood



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To see all the details that are visible on the screen, use the "Print" link next to the map.

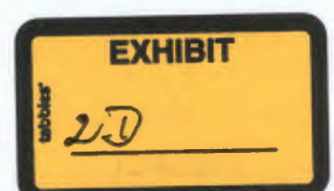
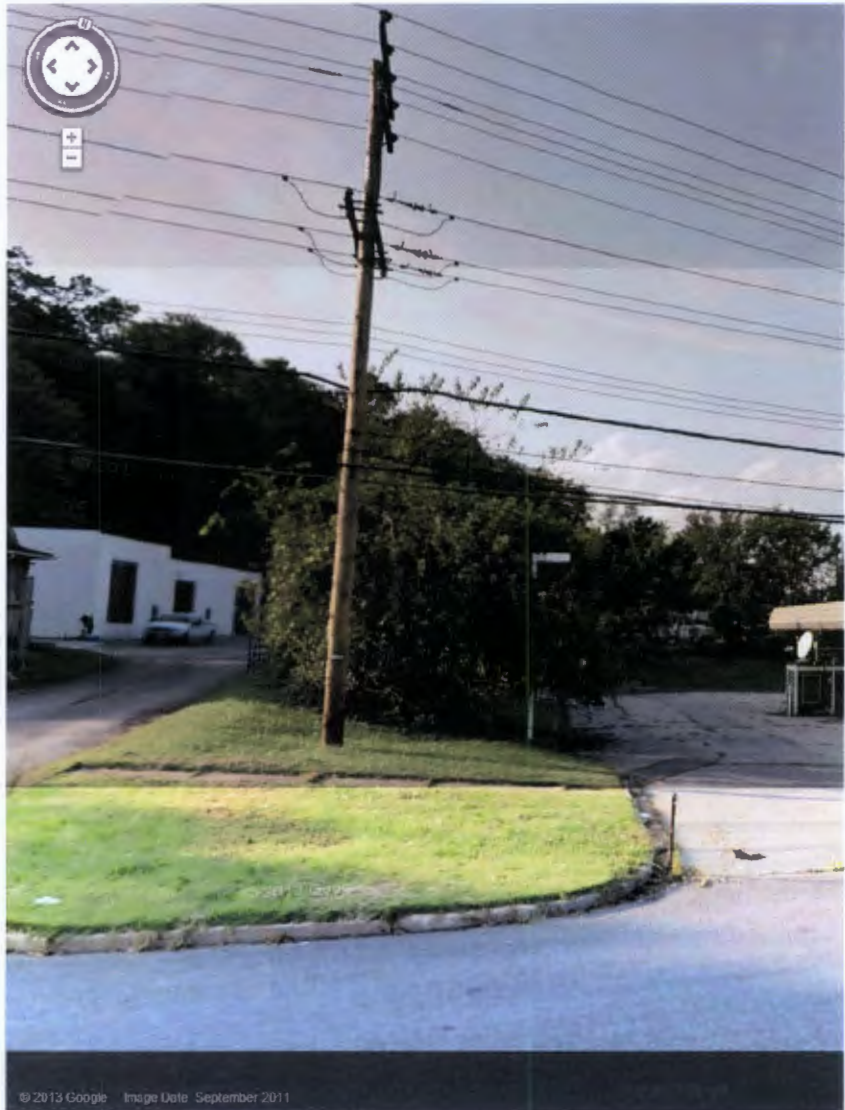


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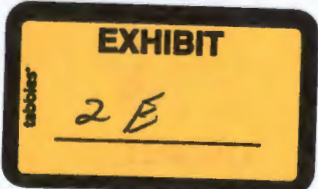


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To see all the details that are visible on the screen, use the "Print" link next to the map.





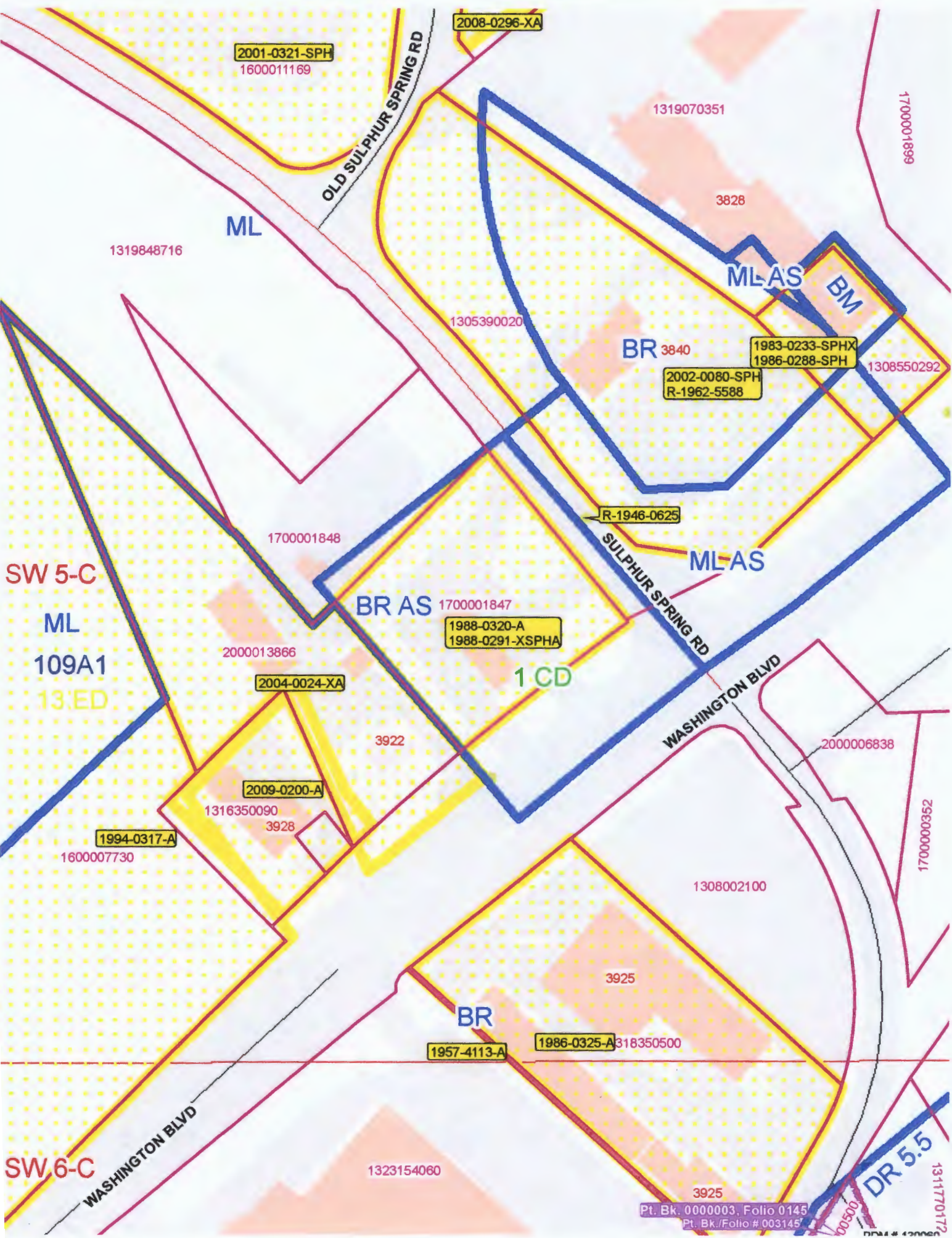
To see all the details that are visible on the screen, use the "Print" link next to the map.





To see all the details that are visible on the screen, use the "Print" link next to the map.





2001-0321-SPH
1600011169

2008-0296-XA

1319070351

3828

ML

1319848716

OLD SULPHUR SPRING RD

1305390020

ML-AS

BM

BR

3840

1983-0233-SPHX
1986-0288-SPH

2002-0080-SPH
R-1962-5588

1308550292

R-1946-0625

ML-AS

SULPHUR SPRING RD

SW 5-C

ML

BR AS

1700001847

1988-0320-A
1988-0291-XSPHA

1 CD

2000013866

2004-0024-XA

3922

2009-0200-A

1316350090

3928

1994-0317-A

1600007730

WASHINGTON BLVD

2000006838

1700000011

1308002100

3925

BR

1957-4113-A

1986-0325-A

1318350500

SW 6-C

WASHINGTON BLVD

1323154060

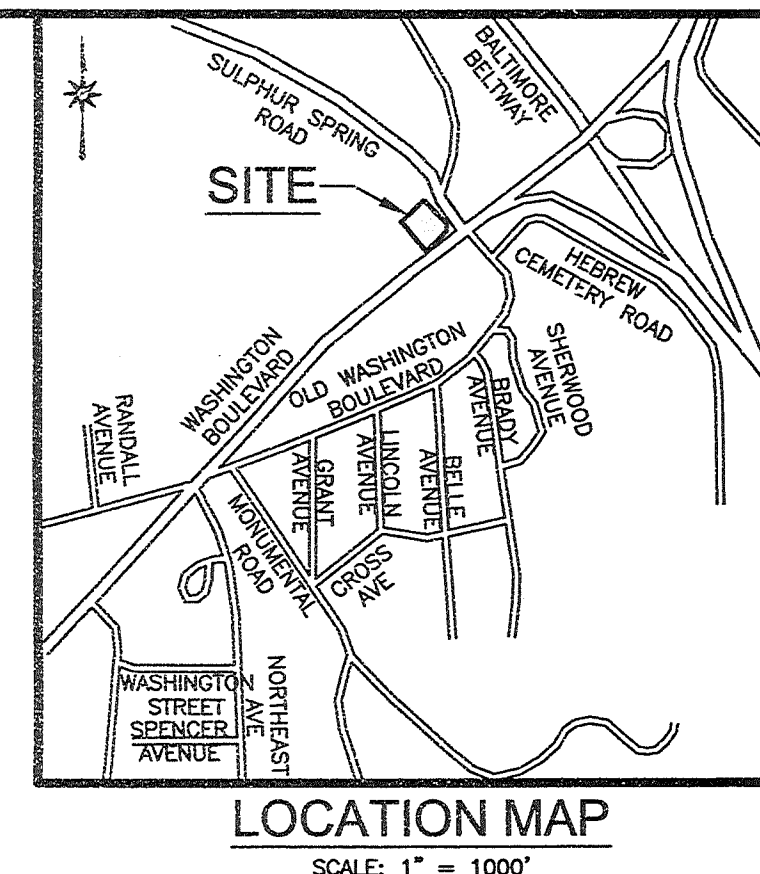
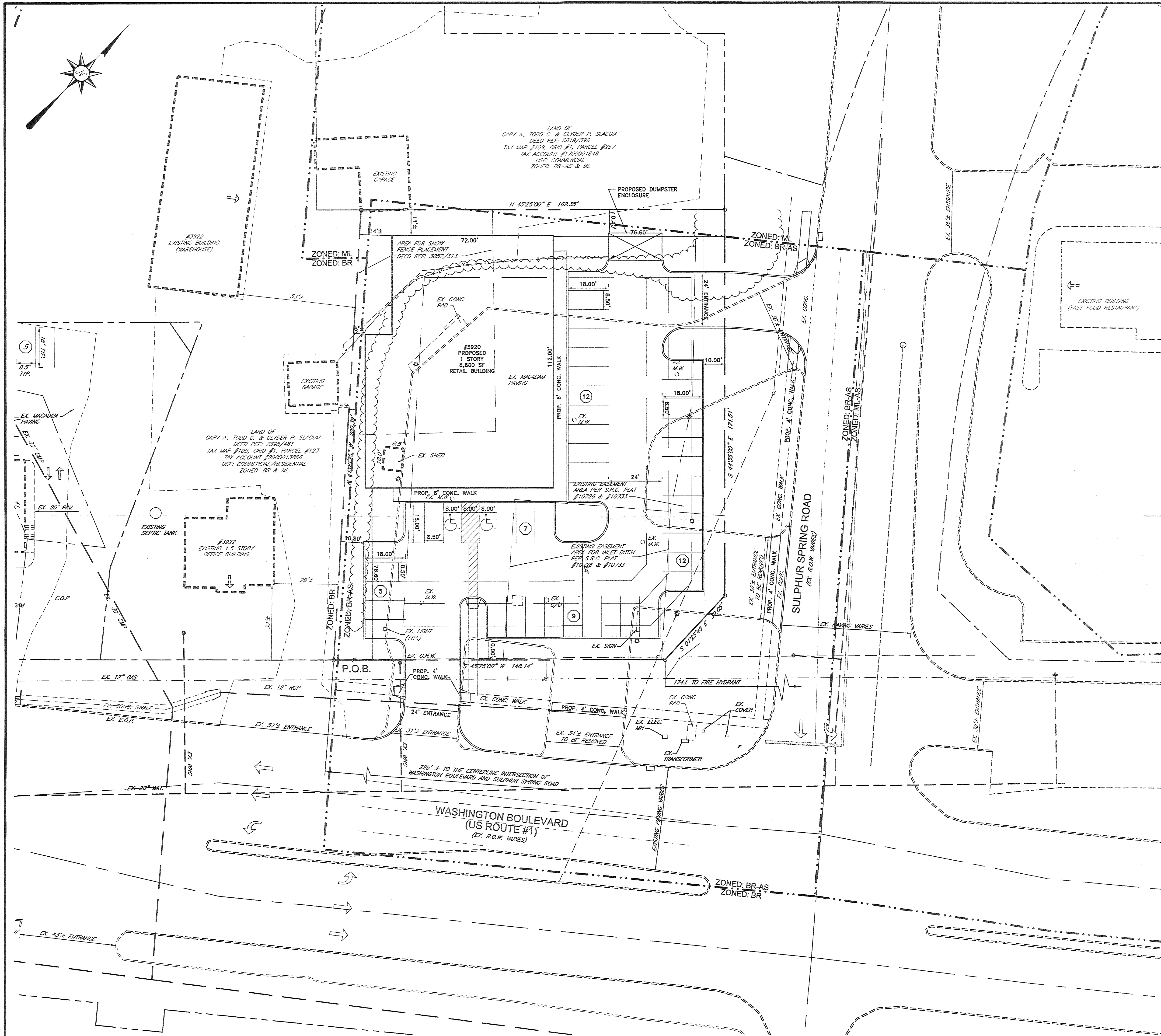
3925

Pt. Bk. 0000003, Folio 0145
Pt. Bk./Folio # 003145

DR 5.5

1311770172

#0067



GENERAL NOTES:

- OWNER: SOUTHSIDE OIL, LLC
SUITE 100
1011 BOULDER SPRINGS DRIVE
RICHMOND, VA 23225
- SITE AREA:
GROSS: 45,894 SF or 1.05 Ac.±
NET: 33,340 SF or 0.76 Ac.±
- DEED REF: 29609/263
- TAX ACCOUNT: #1700001847
- COUNCILMANIC DISTRICT: 1st
- TAX MAP #109, GRID #1, PARCEL #502
- ZONING: BR-AS
(PER 1"-200' ZONING MAP 109A1)
- PRIOR ZONING HISTORY:
CARE #72-94-RXA: SPECIAL EXCEPTION FOR AN AUTOMOTIVE SERVICE STATION WAS GRANTED IN 1972.
CASE #88-291-XSPA: SPECIAL EXCEPTION FOR A FOOD STORE "USE IN COMBINATION" WITH AN EXISTING "GAS AND GO" AUTOMOTIVE SERVICE STATION, AN AMENDMENT TO CASE #72-94-RXA AND A VARIANCE TO PERMIT A TOTAL OF FIVE (5) BUSINESS SIGNS TOTALING 402.80 SF IN LIEU OF THE MAXIMUM PERMITTED THREE (3) SIGNS TOTALING 100 SF.
CASE #88-320-A: DUPLICATION OF CASE #88-291-XSPA.
- NO KNOWN PERMITS ON FILE.
- THE PROPERTY AND STRUCTURES ARE NOT HISTORIC.
- THE SITE DOES NOT LIE WITHIN THE CHESAPEAKE BAY CRITICAL AREA.
- USES:
EXISTING: VACANT (FORMER GAS STATION)
PROPOSED: 8,800 SF ONE (1) STORY RETAIL BUILDING.
- SITE SERVED BY PUBLIC WATER AND SEWER.
- SITE LIES WITHIN ZONE "X" OF FLOOD INSURANCE RATE MAP (FIRM) PANEL #2400100510 F PANEL 510 OF 580 DATED SEPTEMBER 26, 2008. ZONE "X" IS AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN.
- BUILDING AREA:
EXISTING: 85 SF (85 SF TO BE REMOVED)
PROPOSED: 8,800 SF
TOTAL: 8,885 SF
- FLOOR AREA RATIO (F.A.R.)
MAX PERMITTED = 2.0
PROVIDED: 8,800/45,894 = 0.19
- PARKING REQUIRED:
57,1000 @ 8,800 = 44 SPACES
PROVIDED: 45 SPACES (2 HANDICAPPED, 43 STANDARD)
- ANY PROPOSED SIGNS ARE TO CONFORM TO THE BALTIMORE COUNTY ZONING REGULATIONS (BCZR).
- BUILDING HEIGHT (SUBJECT TO HEIGHT TENT REQUIREMENTS)
PROPOSED: 20'
- BASIC SERVICE MAPS
TYPE DEFICIENT (Y/N) NOTE
SEWER N
WATER N
TRANSPORTATION N
- ALL EXISTING FEATURES BOTH ABOVE AND BELOW GROUND ARE TO BE PROPERLY REMOVED WITH EXCEPTION TO UTILITY CONNECTIONS.
- SETBACKS FOR BR
TYPE REQUIRED PROVIDED
FRONT 25' 76'±
SIDE 30' 11'±
REAR 30' 5'±

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: 08-15-2015



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 THE

**SULPHUR SPRING
RETAIL SITE**
3920 WASHINGTON BOULEVARD
(MARYLAND U.S. ROUTE #1)
BALTIMORE, MARYLAND 21227

13TH ELECTION DISTRICT BALTIMORE COUNTY, MARYLAND

REVISIONS	DRAWN BY:	DESIGNED BY:	SCALE:
	CND	PCR	1" = 20'
	DATE:	JOB NO.:	SHEET NO.:
	08-06-13	13073	1 OF 1

Petitioners No. 1 #0067