

IN RE: PETITIONS FOR SPECIAL HEARING *
AND SPECIAL EXCEPTION
(3107 Hammonds Ferry Road) *
13th Election District
1st Council District
HJR Benson Venture, LLC
Legal Owner
GH Traders, Inc.
Lessee

BEFORE THE
OFFICE OF
ADMINISTRATIVE HEARINGS
FOR BALTIMORE COUNTY
Case No. 2014-0167-SPHX

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (OAH) for consideration of Petitions for Special Hearing and Special Exception filed by Rick Richardson, on behalf of the legal owner, HJR Benson Venture, LLC and GH Traders, Inc., Lessee ("Petitioners"). The Petition for Special Hearing was filed pursuant to §500.7 of the Baltimore County Zoning Regulations ("B.C.Z.R."), to approve a change from a "Full Service" fuel service station to a "GAS AND GO" fuel service station. In addition, a Petition for Special Exception was filed to use the property for a convenience store with carry out restaurant in combination with a fuel service station.

Appearing at the public hearing in support of the requests were Adil Gulzar, Hussan Gulzar and Rick Richardson from Richardson Engineering, LLC, the firm that prepared the site plan. The Petition was advertised and posted as required by the Baltimore County Zoning Regulations. No Protestants or interested citizens attended the hearing, and the file does not contain any letters of opposition.

The only substantive Zoning Advisory Committee (ZAC) comment was received from the Department of Planning (DOP) dated March 10, 2014. That agency recommended that

ORDER RECEIVED FOR FILING

Date 4/8/14
By sen

several conditions be included in any order. As discussed below, most (but not all) of those conditions will be imposed in the Order which follows.

Evidence offered at the hearing revealed that the subject property is 1.09 ± acres and is zoned BL-AS. The site is currently improved with a gasoline station and freestanding structure with service bays for auto repairs. GH Traders (the Lessee) began operating the station about six months ago, and has decided it would like to discontinue auto repairs, and convert that structure (approximately 2,779 SF) into a convenience store with carry out restaurant.

Special Hearing

The Petition for Special Hearing seeks approval for the conversion of this station as noted above (i.e., to convert the repair facility into a convenience store). The B.C.Z.R. (§405.4.E) expressly envisions that fuel service stations may include in their operation other “uses in combination,” including convenience stores. The Petitioners noted that an auto repair business is located immediately next door to their station, and they believe the area lacks a convenience store. There is no reason to believe the convenience store operation (conducted entirely within the same building footprint as the repair facility) would be detrimental to the community, and it is indeed quite common to find such stores operated in connection with fuel service stations.¹ As such, the Petition for Special Hearing will be granted.

Special Exception Standards

Special exception uses are presumptively valid and consistent with the comprehensive zoning plan, People’s Counsel v. Loyola College, 406 Md. 54, 77 n. 23 (2008), and no evidence was offered here to rebut the presumption. A fuel service and repair facility has operated at this location for many years. In fact, in 1998 the same owner obtained a Special Exception to convert the service bays into a carry-out restaurant. Exhibit 3. Even though that Special

ORDER RECEIVED FOR FILING

Date 4/8/14

By sen

Exception lapsed and the contemplated improvements were never constructed, it is the identical relief sought in this case. Mr. Richardson, a licensed Professional Engineer, opined that Petitioners satisfy B.C.Z.R. §502.1, and I concur. As such, the Petition for Special Exception will be granted.

As noted earlier, the DOP submitted a ZAC comment with several proposed conditions. For the most part, those conditions have been included in the Order below. With respect to the landscaping, Petitioners acknowledged a previous plan for the site was submitted and approved by the County. Petitioners also concede they have not satisfied the requirements of that plan. Accordingly, and to prevent the Petitioners from incurring additional costs, I will require Petitioners to satisfy the planting and screening shown on that earlier (2002) plan. Exhibit 7.

I have not included Condition #5 proposed by DOP, because Mr. Richardson advised the "storage shed" referenced therein has already been removed. I will also not include Condition #4, pertaining to a sidewalk extension. Based on my review of the plan and aerial photos submitted (Exhibits 1, 5A&B and 6), it does not appear as if Hammonds Ferry Road (as opposed to Hollins Ferry Road) is improved with sidewalks. As such, I do not believe the small section of sidewalk proposed by DOP would improve functionality or safety in any respect.

Pursuant to the advertisement, posting of the property, and public hearing, and after considering the testimony and evidence offered, I find that Petitioners' Special Hearing and Special Exception requests should be granted.

THEREFORE, IT IS ORDERED this 8th day of April, 2014, by this Administrative Law Judge, that the Petition for Special Hearing to approve a change from a "Full Service" fuel service station to a "GAS AND GO" fuel service station, be and is hereby GRANTED; and

IT IS FURTHER ORDERED that the Petition for Special Exception to use the herein

ORDER RECEIVED FOR FILING

Date

4/8/14

By

sen

described property for a convenience store with carry out restaurant in combination with a fuel service station, be and is hereby GRANTED.

The relief granted herein shall be subject to the following:

1. 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.
2. Petitioners must submit for approval by DOP, prior to issuance of permits, architectural elevations of the proposed convenience store building.
3. Petitioners must comply with the landscape plan for the site approved by Baltimore County (landscape architect Avery Harden) in July 2002, which was marked and admitted as Petitioners' Exhibit 7.
4. Petitioners must screen and enclose the dumpster(s) on site.

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 4/8/14
By sln

KEVIN KAMENETZ
County Executive



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

April 8, 2014

Rick Richardson
30 E. Padonia Road
Suite 500
Timonium, Maryland 21093

RE: Petitions for Special Hearing and Special Exception
Property: 3107 Hammonds Ferry Road
Case No.: 2014-0167-SPHX

Dear Mr. Richardson:

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

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Office of Administrative Hearings at 410-887-3868.

Sincerely,

A handwritten signature in black ink, appearing to read "JEB", is written over the printed name of John E. Beverungen.

JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

JEB:slh
Enclosure

c: Adil Gulzar & Hussan Gulzar, 13 Rams Gate Court, Baltimore, Maryland 21227



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 3107 Hammonds Ferry Road which is presently zoned BL-AS

Deed References: 11962/639 10 Digit Tax Account # 1600007067

Property Owner(s) Printed Name(s) HJR-BENSON VENTURE 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. X a **Special Hearing** under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve A CHANGE FROM A "FULL SERVICE" FUEL SERVICE STATION TO A "GAS AND GO" FUEL SERVICE STATION.

2. X a **Special Exception** under the Zoning Regulations of Baltimore County to use the herein described property for a convenience store with carry out restaurant of 2779 square feet in combination with a gas service station per section 405.4.E.

3. a **Variance** from

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) To be presented at the hearing

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:

GH TRADERS INC

Name- Type or Print

Signature Adil Gulzar

Signature Adil Gulzar

3701 Hammonds Ferry Road Baltimore MD
Mailing Address City State

21227 / 240-883-8900 / adilgulzar@yahoo.com
Zip Code Telephone # Email Address

Attorney for Petitioner:

ORDER RECEIVED FOR FILING

Name- Type or Print

Date 4/8/14

Signature

By Sen

Mailing Address City State

 / /
Zip Code Telephone # Email Address

CASE NUMBER 2014-0167-SAHX Filing Date 2, 4, 2014

Legal Owners (Petitioners):

HJR-BENSON VENTURE LLC
C. HOWARD PHELPS, MEMBER

Name #1 - Type or Print

Name #2 - Type or Print

Signature #1 C. Howard Phelps

Signature #2

2700 Loch Raven Boulevard Baltimore MD
Mailing Address City State

21218 / (410) 261-5361 /
Zip Code Telephone # Email Address

Representative to be contacted:

Richardson Engineering, LLC

Name- Type or Print

Signature Richardson Engineering, LLC

38 E. Patuxent Road, Suite 566 Towson MD
Mailing Address City State

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

Do Not Schedule Dates: Reviewed JNP

**ZONING DESCRIPTION
HAMMONDS FERRY MOBIL STATION
3107 HAMMONDS FERRY ROAD
13TH ELECTION DISTRICT
1ST COUNCILMANIC DISTRICT
BALTIMORE COUNTY, MARYLAND**

BEGINNING FOR THE SAME at a point on the South side of Hollins Ferry Road at the east side of Hammonds Ferry Road, thence running and binding on the east side of Hammonds Ferry Road right-of-way (1) North 81 degrees 51 minutes 20 seconds East 144.47 feet, (2) South 27 degrees 24 minutes 42 seconds East 214.14 feet, (3) South 86 degrees 25 minutes 26 seconds West 190.87 feet, thence binding on the east side of the right of way of Hammonds Ferry Road and, (4) North 27 degrees 00 minutes 13 seconds West 56.04 feet, (5) by a curve to the left with a radius of 865.47 feet for a distance of 95.32 feet, (6) by a curve to the right with a radius of 32.00 feet for a distance of 64.32 feet, to the northern side of Hollins Ferry Road and the point of beginning;

Containing a net area of 35,535 square feet, or 0.838 acres of land, more or less.



2014-0167-SPHX

DEPARTMENT OF PERMITS, APPROVALS AND INSPECTIONS

ZONING REVIEW

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

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

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

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

For Newspaper Advertising:

Item Number or Case Number: 2014-0167-SPHX

Petitioner: ~~GH TRADERS INC. 3107 HAMMONDS FERRY RD~~ HJR-BENSON VENTUR

Address or Location: 3107 HAMMONDS FERRY RD

PLEASE FORWARD ADVERTISING BILL TO:

Name: GH TRADERS INC

Address: 3107 HAMMONDS FERRY RD
BALTIMORE MD 21227

Telephone Number: 240-883-8900

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

No. **108155**

Date: **2/4/2014**

Fund	Dept	Unit	Sub Unit	Rev	Sub	Dept	Obj	BS Acct	Amount
				Source/	Rev/				
001	206	0001		6150					1000.00

Total: **1000.00**

Rec From: **6th Traders, Inc.**

For: **Special Handling / Special Exception**
2127 Hammond Ferry Road
2014-0167-SPHX (Phelps)

DISTRIBUTION

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

PAID RECEIPT

BUSINESS ACTUAL TIME DATE
 2/04/2014 2/04/2014 14:00:18
 RECEIPT # 123536 2/04/2014 01/11
 520 108155 VERIFICATION
 108155
 Receipt \$1,000.00
 \$1,000.00 100% 100%
 Baltimore County, Maryland

**CASHIER'S
 VALIDATION**

CERTIFICATE OF POSTING

2014-0167-SPHX

RE: Case No.:

Petitioner/Developer:

HJR-Benson Venture, LLC.
GH Traders, Inc

April 3, 2014

Date of Hearing/Closing:

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

RECEIVED

MAR 31 2014

Attn: Kristen Lewis:

OFFICE OF ADMINISTRATIVE HEARINGS

Ladies and Gentlemen:

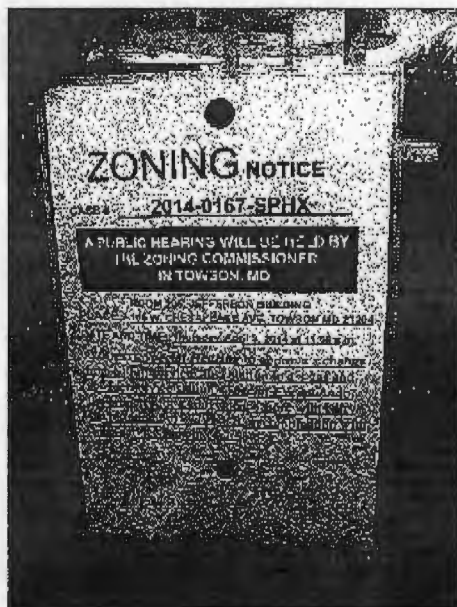
This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at:

3107 Hammonds Ferry Rd

March 14, 2014

The sign(s) were posted on

(Month, Day, Year)



Sincerely,

(Signature of Sign Poster)

March 14, 2014

(Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)

ZONING NOTICE

CASE # 2014-0167-SPHX

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

ROOM 205, JEFFERSON BUILDING

PLACE: 105 W. CHESAPEAKE AVE, TOWSON MD 21204

DATE AND TIME: Thursday, April 3, 2014 at 11:00 a.m.

REQUEST: *Special Hearing* to approve a change from a "full service" fuel station to a "gas and go" fuel service station. *Special Exception* to use property for a convenience store with carry out restaurant of 2779 sq. ft. in combination with a gas service station.

NOTICE: DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES NECESSARY TO CANCEL OR RESCHEDULE. PLEASE CHECK THE WEBSITE FOR THE LATEST STATUS.

DO NOT REMOVE THIS SIGN AND POST IT ON THE DAY OF HEARING UNDER PENALTY OF LAW.

HANDICAPPED ACCESSIBLE



THE BALTIMORE SUN MEDIA GROUP

Baltimore, Maryland 21278-0001

March 13, 2014

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 March 13, 2014

☐ The Jeffersonian

THE BALTIMORE SUN MEDIA GROUP

By: Susan Wilkinson

Susan Wilkinson

NOTICE OF ZONING HEARING

The Administrative Law Judge 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: #2014-0167-SPHX

3107 Hammonds Ferry Road

E/s Hammonds Ferry Road at the corner of S/s Hollins Ferry Road

13th Election District - 1st Councilmanic District

Legal Owner(s): HJR-Benson Venture, LLC

Contract Purchaser: GH Traders, Inc.

Special Hearing to approve a change from a "full service" fuel service station to a "gas and go" fuel service station.
Special Exception to use property for a convenience store with carry out restaurant of 2779 sq. ft. in combination with a gas service station.

Hearing: Thursday, April 3, 2014 at 11:00 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.
3/310 March 13 972373



KEVIN KAMENETZ
County Executive

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

March 11, 2014

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: 2014-0167-SPHX

3107 Hammonds Ferry Road

E/s Hammonds Ferry Road at the corner of S/s Hollins Ferry Road

13th Election District – 1st Councilmanic District

Legal Owners: HJR-Benson Venture, LLC

Contract Purchaser: GH Traders, Inc.

Special Hearing to approve a change from a "full service" fuel service station to a "gas and go" fuel service station. Special Exception to use property for a convenience store with carry out restaurant of 2779 sq. ft. in combination with a gas service station.

Hearing: Thursday, April 3, 2014 at 11:00 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: GH Traders, Inc., 3701 Hammonds Ferry Rd., Baltimore 21227
C. Howard Phelps, 2700 Loch Raven Blvd., Baltimore 21218
Rick Richardson, 30 E. Padonia Road, Ste. 500, Timonium 21093

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY FRIDAY, MARCH 14, 2014**
- (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
Thursday, March 13, 2014 Issue - Jeffersonian

Please forward billing to:

GH Traders, Inc.
3107 Hammonds Ferry Road
Baltimore, MD 21227

240-883-8900

NOTICE OF ZONING HEARING

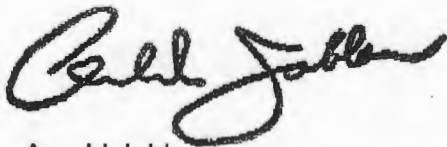
The Administrative Law Judge of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 2014-0167-SPHX

3107 Hammonds Ferry Road
E/s Hammonds Ferry Road at the corner of S/s Hollins Ferry Road
13th Election District – 1st Councilmanic District
Legal Owners: HJR-Benson Venture, LLC
Contract Purchaser: GH Traders, Inc.

Special Hearing to approve a change from a "full service" fuel service station to a "gas and go" fuel service station. Special Exception to use property for a convenience store with carry out restaurant of 2779 sq. ft. in combination with a gas service station.

Hearing: Thursday, April 3, 2014 at 11:00 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.

M E M O R A N D U M

DATE: May 12, 2014
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2014-0167-SPHX - Appeal Period Expired

The appeal period for the above-referenced case expired on May 8, 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 SPECIAL HEARING	*	BEFORE THE OFFICE
AND SPECIAL EXCEPTION		
3107 Hammonds Ferry Road; E/S Hammonds	*	OF ADMINSTRATIVE
Ferry Rd at S/S Hollins Ferry Road		
13 th Election & 1 st Councilmanic Districts	*	HEARINGS FOR
Legal Owner(s): HJR Benson Venture LLC		
Contract Purchaser(s): GH Traders Inc	*	BALTIMORE COUNTY
Petitioner(s)		
	*	2014-167-SPHX

* * * * *

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

FEB 27 2014

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 February, 2014, a copy of the foregoing Entry of Appearance was mailed to Richardson Engineering, LLC, 30 E. Padonia Road, Suite 500, Timonium, MD 21093, Representative for Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

CHECKLIST

<u>Comment Received</u>	<u>Department</u>	<u>Support/Oppose/ Conditions/ Comments/ No Comment</u>
<u>2-25</u>	DEVELOPMENT PLANS REVIEW (if not received, date e-mail sent _____)	<u>NC</u>
<u>2-25</u>	DEPS (if not received, date e-mail sent _____)	<u>NC</u>
_____	FIRE DEPARTMENT	_____
<u>3-12</u>	PLANNING (if not received, date e-mail sent _____)	<u>C</u>
<u>2-24</u>	STATE HIGHWAY ADMINISTRATION	<u>No objection</u>
_____	TRAFFIC ENGINEERING	_____
_____	COMMUNITY ASSOCIATION	_____
_____	ADJACENT PROPERTY OWNERS	_____
ZONING VIOLATION	(Case No. _____)	
PRIOR ZONING	(Case No. <u>98-327-SPHXA,</u> <u>90-12-SPHXA +</u> <u>68-171-Rx</u>)	
NEWSPAPER ADVERTISEMENT	Date: <u>3-13-14</u> <u>The Sun</u>	
SIGN POSTING <u>Knazing 3-27</u>	Date: <u>3-14-14</u> by <u>Black</u> <u>Left Rick Richardson v.m. @ 12:45</u> <u>Rec'd 4-1-14 via email</u>	
PEOPLE'S COUNSEL APPEARANCE	Yes ☒ No ☐	
PEOPLE'S COUNSEL COMMENT LETTER	Yes ☐ No ☐	
Comments, if any: <u>"See Note to File"</u>		



KEVIN KAMENETZ
County Executive

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

March 26, 2014

HJR Benson Venture LLC
C. Howard Phelps, Member
2700 Loch Raven Boulevard
Baltimore MD 21218

RE: Case Number: 2014-0167 SPHX, Address: 3107 Hammonds Ferry Road

Dear Mr. Phelps:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on February 4, 2014. 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
GH Traders Inc., Adil Gulzar, Qamar Gulzar, 3701 Hammonds Ferry Road, Baltimore MD 21227

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



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

Date: 2-24-14

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

RE: Baltimore County
Item No 2014-0167-SPHX
Special Hearing Special Exception.
HJR Benson Venture, LLC
Howard Phelps, Member
3107 Hammonds Ferry Road

Dear Ms. Lewis:

Thank you for the opportunity to review your referral request on the subject of the above captioned. We have determined that the subject property does not access a State roadway and is not affected by any State Highway Administration projects. Therefore, based upon available information this office has no objection to Baltimore County Zoning Advisory Committee approval of Item No. 2014-0167-SPHX.

Should you have any questions regarding this matter, please 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).

Sincerely,

A handwritten signature in black ink, appearing to read 'Steven D. Foster'.

Steven D. Foster, Chief/
Development Manager
Access Management Division

SDF/raz

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.roads.maryland.gov

NOTE TO FILE

DATE: February 6, 2014
TO: Administrative Law Judge
FROM: Jeffrey Perlow, Planner II
Zoning Review
RE: 2014-0167-SPHX, 3107 Hammonds Ferry Road
HJR-Benson Venture LLC, Petitioner
13th Election District, 1st Councilmanic District

After a phone conversation (above date) with Rick Richardson, engineer, he stated that he would advise his client, GH Trading, Inc., (Contract Purchaser/Leesee) that an attorney would be required to present this petition at a public hearing. Mr. Richardson stated that he would contact June Fisher Wisnom of the Zoning Review Office as soon as his client provided him with further information in that regard.

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

2/26/14
DCK
S

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

DATE: February 25, 2014

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

SUBJECT: Zoning Advisory Committee Meeting
For March 03, 2014
Item No. 2014-0165, 0166, 0167, 0168, 0170 and 0171

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

DAK:CEN.
Cc: file

G:\DevPlanRev\ZAC -No Comments\ZAC03032014 -.doc

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: March 10, 2014

FROM: Andrea Van Arsdale
Director, Department of Planning

RECEIVED

SUBJECT: 3107 Hammonds Ferry Road

MAR 12 2014

Item Number: 14-167

Petitioner: HJR Benson Venture LLC

OFFICE OF ADMINISTRATIVE HEARINGS

Zoning: BL - AS

Requested Action: Special Hearing and Special Exception

SUMMARY OF RECOMMENDATIONS:

The Department of Planning has reviewed the petitioner's request and accompanying site plan. The petitioner seeks a special hearing to change the subject land use from a full service garage station to a "gas and go" fuel service station. The petitioner also seeks special exception to permit a convenience store with a carry out restaurant. Proposed improvements total 2,779 ± square feet.

The Department of Planning does not oppose the petitioner's requests provided the following conditions are met:

1. Submit architectural elevations of the converted building. Elevations shall show the removal/conversion of the service bays (front and rear).
2. Provide upgraded landscaping throughout the site. The landscape plan shall be reviewed by Jean Tansey, Baltimore County Landscape Architect.
3. Provide a dumpster enclosure and screening.
4. Provide a continuation of the sidewalk along Hammonds Ferry Road to the first curb cut and landscape island.
5. Remove the storage shed from the landscaped island on Hammonds Ferry Road.

Lastly, the Department of Planning does not oppose the petitioner's request for special exception. The proposed use is appropriate for the subject site and does not appear to be detrimental to the health, safety, or general welfare of the surrounding community.

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

Inter-Office Correspondence



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: February 25, 2014

SUBJECT: DEPS Comment for Zoning Item # 2014-0167-SPH
Address 3107 Hammonds Ferry Road
(HJR Benson Venture, LLC)

Zoning Advisory Committee Meeting of February 3, 2014.

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

Reviewer: *Jeff Livingston – Development Coordination*

RECEIVED

FEB 25 2014

OFFICE OF ADMINISTRATIVE HEARINGS

Real Property Data Search (w4)

[Search Help](#)

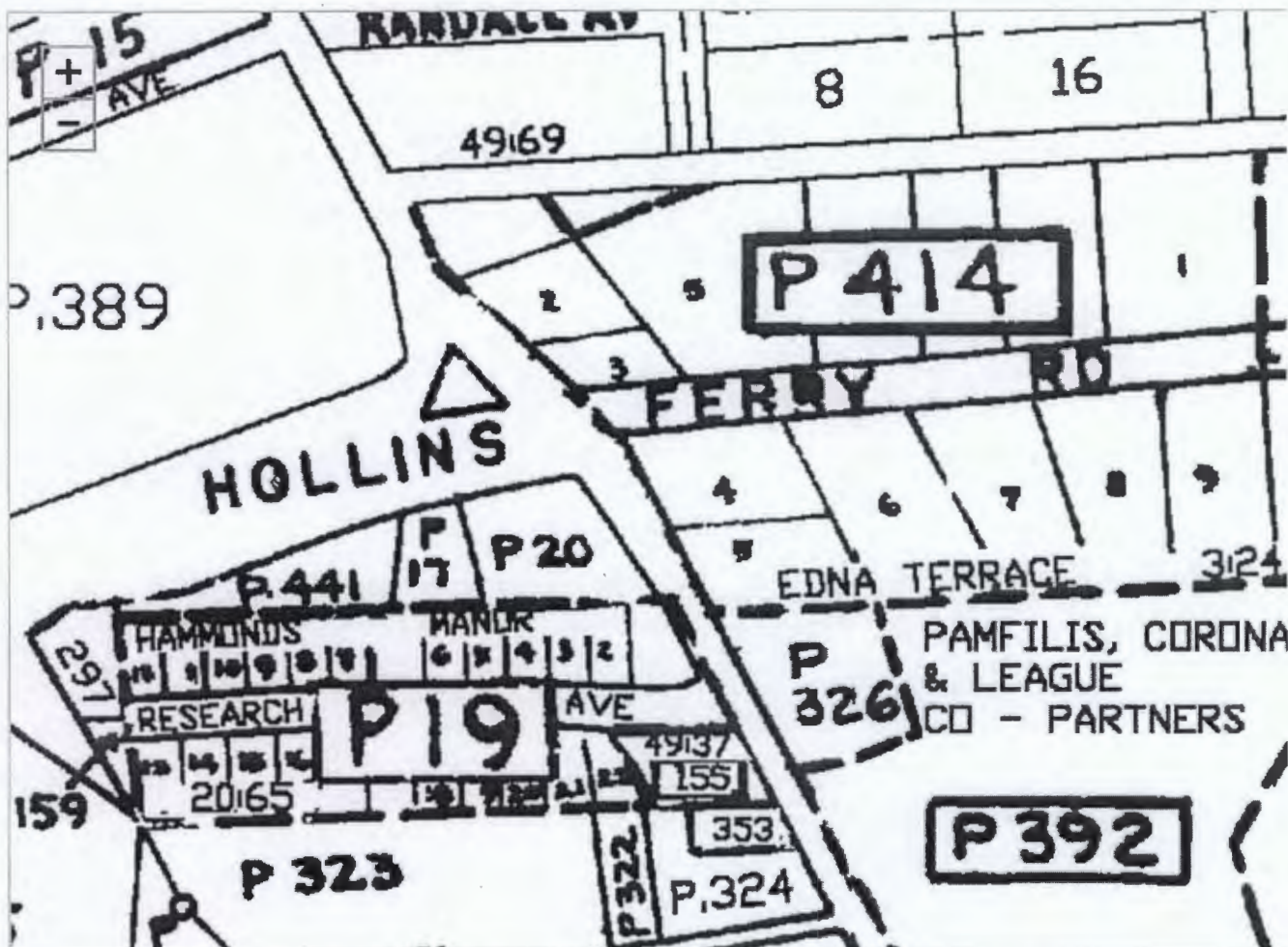
Search Result for BALTIMORE COUNTY

View Map	View GroundRent Redemption	View GroundRent Registration
Account Identifier:	District - 13 Account Number - 1600007067	
Owner Information		
Owner Name:	HJR-BENSON VENTURE LLC	Use: COMMERCIAL
Mailing Address:	2700 LOCH RAVEN BLVD BALTIMORE MD 21218-4781	Principal Residence: NO
		Deed Reference: 1) /11962/ 00639 2)
Location & Structure Information		
Premises Address:	3107 HAMMONDS FERRY RD 0-0000	Legal Description: PT LT 4-5 3107 HAMMONDS FERRY RD EDNA TERRACE
Map: 0109	Grid: 0008	Parcel: 0414
Sub District:	Subdivision: 0000	Section:
Block:	Lot: 4	Assessment Year: 2014
Plat No:	Plat Ref: 0003/ 0024	Town: NONE
Special Tax Areas:	Ad Valorem:	Tax Class:
Primary Structure Built 1972	Above Grade Enclosed Area 2294	Finished Basement Area
Property Land Area 36,535 SF	County Use 20	
Stories	Basement	Type
		SERVICE STATION
Exterior	Full/Half Bath	Garage
Last Major Renovation		
Value Information		
	Base Value	Value
		As of
		01/01/2014
Land:	402,600	402,600
Improvements	315,300	333,800
Total:	717,900	736,400
Phase-in Assessments		
As of		07/01/2013
As of		07/01/2014
Land:		
Improvements		
Total:		
Preferential Land:	0	0
Transfer Information		
Seller: MOBIL OIL CORPORATION	Date: 12/31/1996	Price: \$441,000
Type: ARMS LENGTH IMPROVED	Deed1: /11962/ 00639	Deed2:
Seller: CROWLEY JOHN B	Date: 06/06/1972	Price: \$150,000
Type: ARMS LENGTH IMPROVED	Deed1: /05272/ 00467	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 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: 1600007067



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://lmsweb05.mdp.state.md.us/website/mosp/>)

☒ Loading... Please Wait.

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CASE NAME LANDSDOWNE BP
CASE NUMBER 2014-167-SPHX
DATE 4/13/14

[illegible]

Case No.: 2014-0167 SPHX

Exhibit Sheet

5-12-14
DW

4/8/14
Sen

Petitioner/Developer

Protestant

No. 1	Plan	
No. 2	Plan from # 98-327 SPHXA	
No. 3	Order in # 98-327	
No. 4	"More in Keeping" Plan for 3107 Hammonds Ferry Rd.	
No. 5	5A > Color photos of site 5B	
No. 6	Aerial photo	
No. 7	Landscape Plan dated 7-10-2002	
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		

IN RE: PETITIONS FOR SPECIAL HEARING, * BEFORE THE
 SPECIAL EXCEPTION AND VARIANCE - *
 NE/S Hammonds Ferry Road, 95' SE * DEPUTY ZONING COMMISSIONER
 of the c/l of Hollins Ferry Road *
 (3107 Hammonds Ferry Road) * OF BALTIMORE COUNTY
 13th Election District *
 1st Councilmanic District * Case No. 98-327-SPHXA

 HJR-Benson Venture LLC *
 Petitioner *
 * * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner for consideration of Petitions for Special Hearing, Special Exception and Variance relief filed by the owner of the subject property, HJR-Benson Venture LLC, by John H. Phelps, Member, through his attorney, Howard L. Alderman, Jr., Esquire. The Petitioner requests a special hearing to approve the conversion of an existing service station bays to a carry-out restaurant use, and an amendment to the previously approved site plans in prior Cases Nos. 68-171-RX and 90-12-SPHXA to reflect the proposed modifications, and approval of a modified parking plan and requirements for the uses proposed, pursuant to Sections 409.12.B and 409.8.B.1 of the Baltimore County Zoning Regulations (B.C.Z.R.). In addition, the Petitioner requests a special exception to permit the continuation of an automotive fuel service station, pursuant to Section 230.13 of the B.C.Z.R., as a use in combination with a convenience store with a sales area of greater than 1500 sq.ft., pursuant to Section 405.4.E.1 of the B.C.Z.R., a roll-over car wash, pursuant to Sections 405.4.E.2 and 419.1 of the B.C.Z.R.; and a carry-out restaurant, pursuant to Section 405.4.E.10 of the B.C.Z.R. In addition, variance relief is sought from the B.C.Z.R. as follows: 1) From Section 419.4.B.1 to permit a car wash entrance to face, obliquely, adjacent residentially zoned property; 2) from Section 450.4.F.5(a) to permit the three, wall-

ORDER RECEIVED FOR FILING
 Date 6/1/98
 By [Signature]

had the Petitioner meet to discuss its proposal with its membership. That organization has also voted to support the Petitioner's request.

It is clear that the B.C.Z.R. permits the use proposed in a B.L.-A.S. zone by special exception. It is equally clear that the proposed use would not be detrimental to the primary uses in the vicinity. Therefore, it must be determined if the conditions as delineated in Section 502.1 are satisfied.

The Petitioner had the burden of adducing testimony and evidence which would show that the proposed use met the prescribed standards and requirements set forth in Section 502.1 of the B.C.Z.R. The Petitioner has shown that the proposed use would be conducted without real detriment to the neighborhood and would not adversely affect the public interest. The facts and circumstances do not show that the proposed use at the particular location described by Petitioner's Exhibit 1 would have any adverse impact above and beyond that inherently associated with such a special exception use, irrespective of its location within the zone. Schultz v. Pritts, 432 A.2d 1319 (1981).

The proposed use will not be detrimental to the health, safety, or general welfare of the locality, nor tend to create congestion in roads, streets, or alleys therein, nor be inconsistent with the purposes of the property's zoning classification, nor in any other way be inconsistent with the spirit and intent of the B.C.Z.R.

After reviewing all of the testimony and evidence presented, it appears that the special exception should be granted with certain restrictions as more fully described below.

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to the Petitioner and

Date 6/1/98
By [Signature]

his property. McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the Petitioner must meet the following:

- 1) whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;
- 2) whether a grant of the variance would do a substantial justice to the applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give sufficient 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).

After due consideration of the testimony and evidence presented, it is clear that practical difficulty or unreasonable hardship would result if the special hearing and variances were not granted. It has been established that the requirements from which the Petitioner seeks relief would unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the relief requested will not be detrimental to the public health, safety, and general welfare.

Pursuant to the advertisement, posting of the property, and public hearing on these Petitions held, and for the reasons given above, the special hearing, special exception and variance should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 1st day of June, 1998 that the Petition for Special Hearing to approve the conversion of existing service station bays to a carry-out restaurant use, and an amendment to the previously approved site plans in prior Cases Nos. 68-171-RX and 90-12-SPHXA to reflect the

proposed modifications, and approval of a modified parking plan and requirements for the uses proposed, pursuant to Sections 409.12.B and 409.8.B.1 of the Baltimore County Zoning Regulations (B.C.Z.R.), in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that the Petition for Special Exception to permit the continuation of an automotive fuel service station, pursuant to Section 230.13 of the B.C.Z.R., as a use in combination with a convenience store with a sales area greater than 1500 sq.ft., pursuant to Section 405.4.E.1 of the B.C.Z.R.; a roll-over car wash, pursuant to Sections 405.4.E.2 and 419.1 of the B.C.Z.R.; and a carry-out restaurant, pursuant to Section 405.4.E.10 of the B.C.Z.R., in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that the Petition for Variance seeking relief from the B.C.Z.R. as follows: 1) From Section 419.4.B.1 to permit a car wash entrance to face, obliquely, adjacent residentially zoned property, and, 2) from Section 450.4.F.5(a) to permit the three, wall-mounted enterprise signs otherwise allowed to be located on the front facade in lieu of the maximum allowed two signs per facade permitted as of right, in accordance with Petitioner's Exhibit 1, be and are hereby GRANTED, subject to the following restrictions:

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

2) Prior to the issuance of any use permits, the Petitioners shall submit a landscape plan for review and approval by Mr. Avery Harden, Landscape Architect for Baltimore County. Said plan shall show all landscaping that is to take place on the property, as well as the repair and maintenance of the wood screening

Date 6/1/98
By [Signature]

fence located on the southern boundary of the subject property.

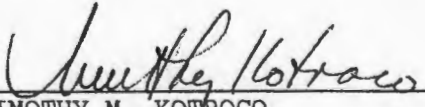
3) The Petitioners shall prohibit loitering on the subject property by those individuals who do not have legitimate business at this facility. All old signs and poles which shall not be used in conjunction with the proposed renovations to the subject site shall be removed from the premises within ninety (90) days of the date of this Order.

4) The car wash facility shall be permitted to operate between the hours of 8:00 AM to 10:00 PM, only, seven days a week.

5) The Petitioners shall cooperate with the River-view community in its efforts to erect a community identification sign on the Petitioner's property. Specifically, should the Riverview Community Association be successful in obtaining a permit from Baltimore County for the erection of such a sign on the Petitioner's property, the Petitioner shall donate an area on their property for the installation of the subject sign. In the event the community association is unsuccessful in obtaining a sign permit to locate an identification sign on the Petitioner's property, but is able to obtain a sign permit to locate a community identification sign elsewhere in the neighborhood, the Petitioner shall be required, pursuant to this Order, to make a contribution of \$250 towards the cost of constructing and erecting that sign. The Petitioners indicated at the hearing that they would cooperate with the community in their renovation efforts of this area of Baltimore County. This restriction is being imposed in furtherance of the intention of the Petitioner to work with the community associations.

6) When applying for a building permit, the site plan and landscaping plan filed must reference this case and set forth and address the restrictions of this Order.

IT IS FURTHER ORDERED that the variance from Section 409.6.A.2 of the B.C.Z.R. to permit 13 parking spaces for the carry-out/convenience store in lieu of the required 15, be and is hereby DISMISSED AS MOOT.


TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs



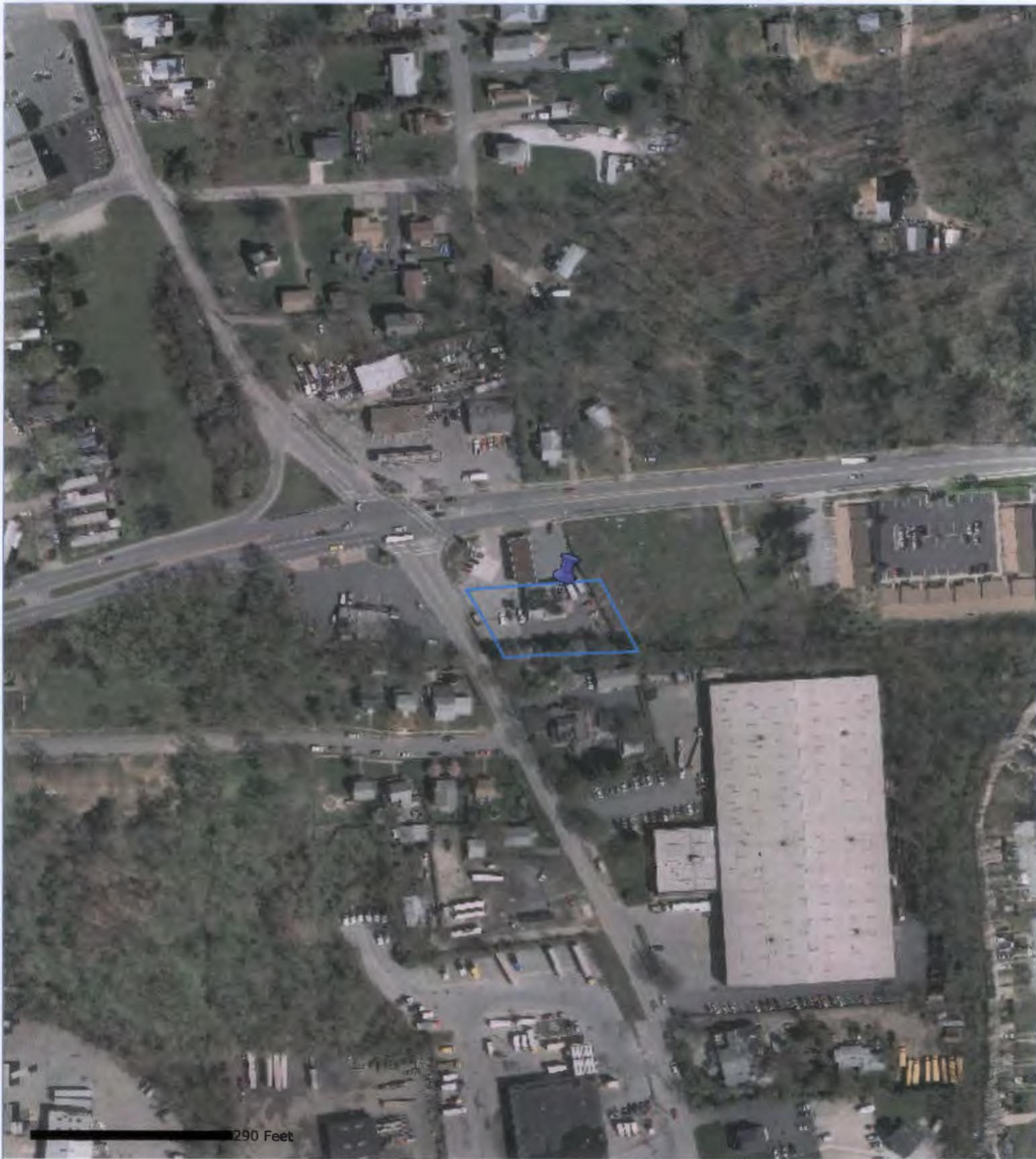
PETITIONER'S

EXHIBIT NO. 5A



PETITIONER'S

EXHIBIT NO. 5B



My Neighborhood Map

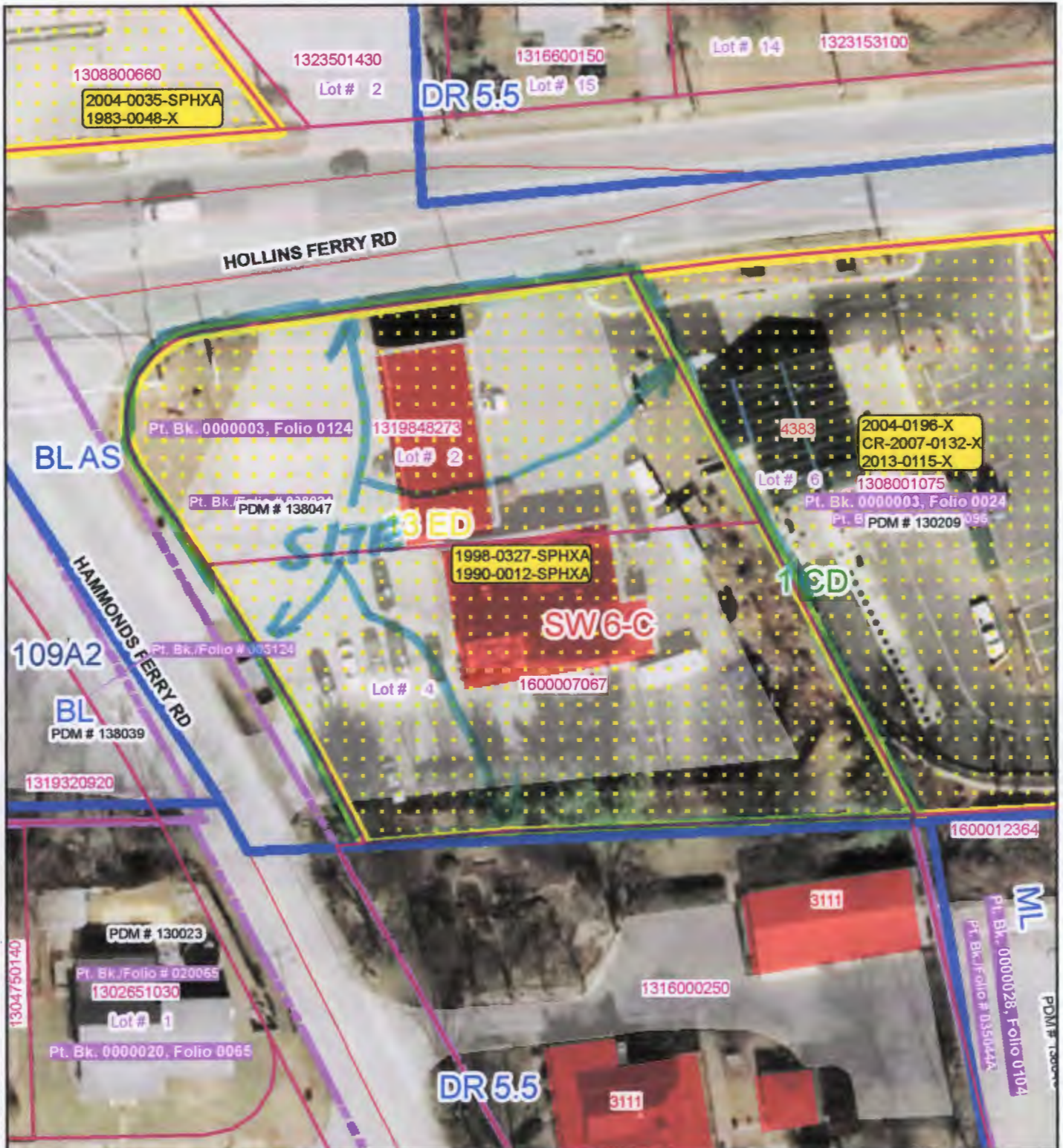
Created By
Baltimore County
My Neighborhood



Printed 4/3/2014

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 an
inc
co
US
PETITIONER'S
EXHIBIT NO. 6

3107 Hammonds Ferry Road



Publication Date: 2/4/2014



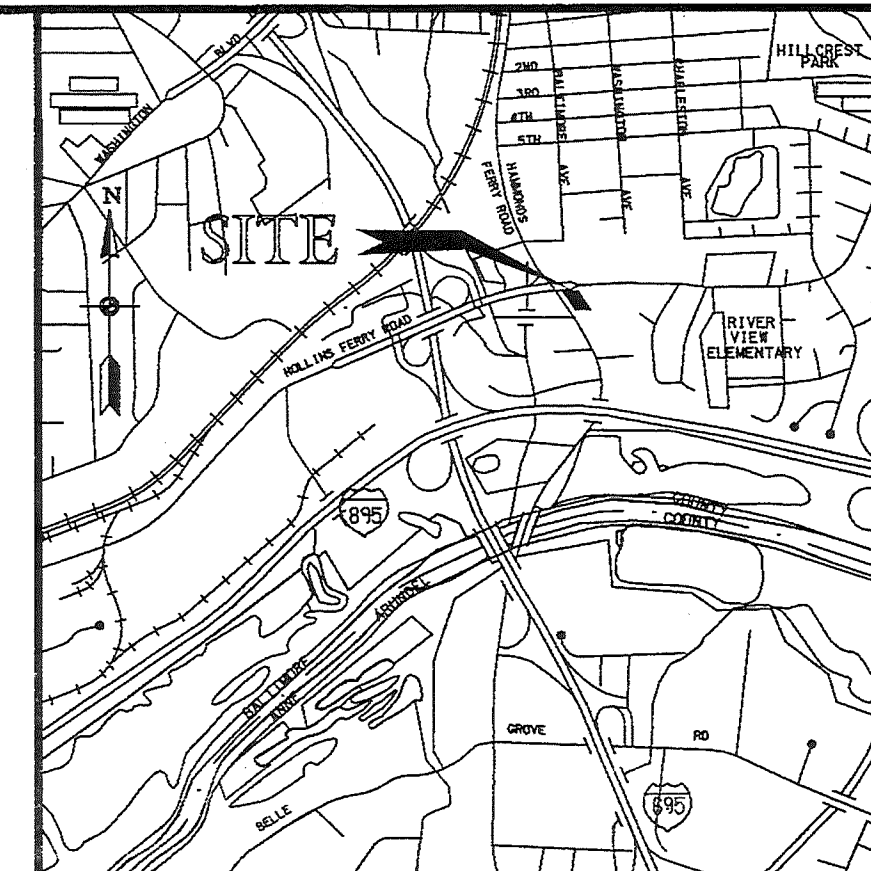
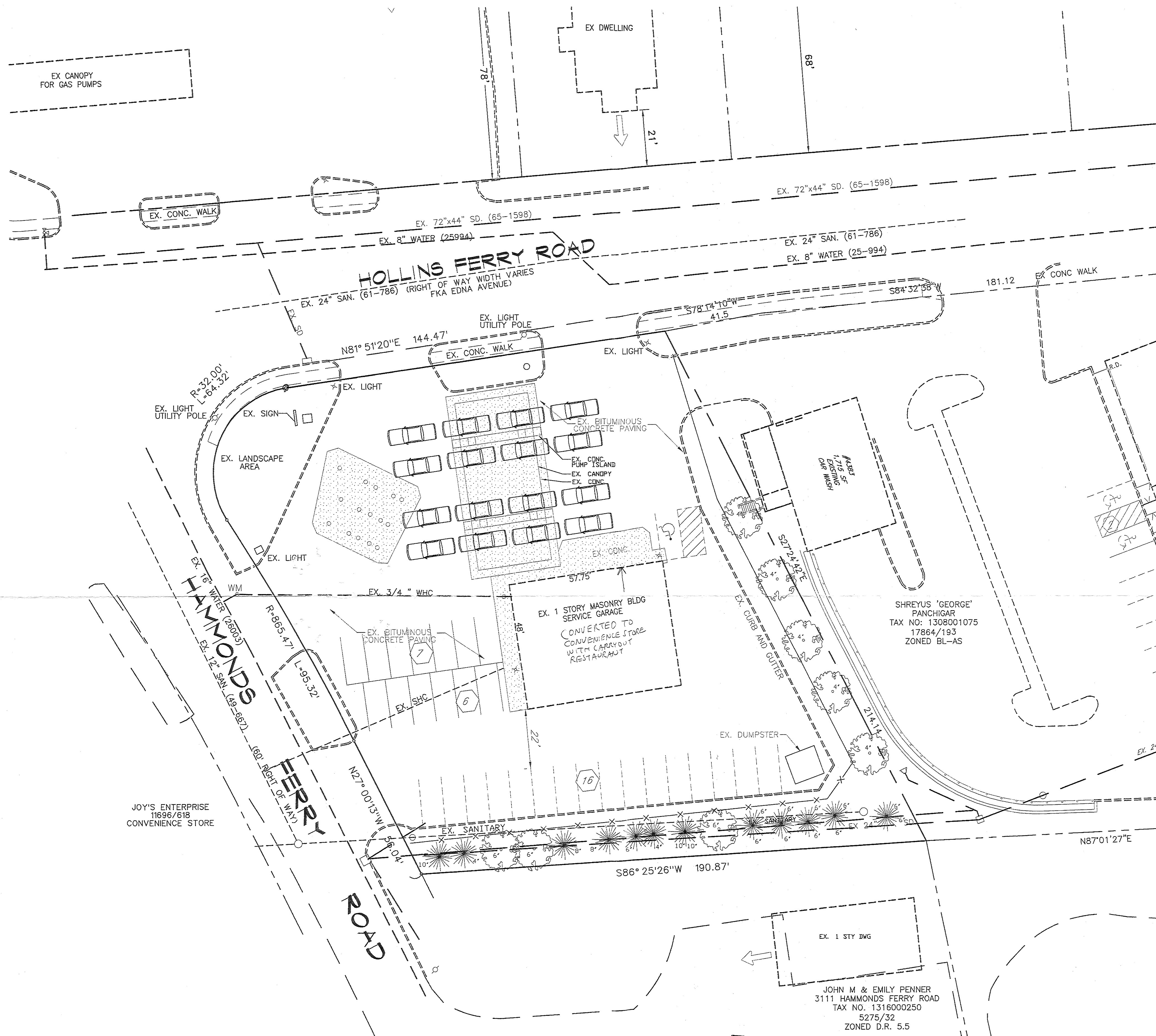
Publication Agency: Permits, Approvals & Inspections
Projection/Datum: Maryland State Plane,
FIPS 1900, NAD 1983/91 HARN, US Foot



0 12.5 25 50 75 100 Feet

1 inch = 50 feet

2014-0169-SPHX



LOCATION MAP

SCALE: 1" = 2000'

GENERAL NOTES:

- OWNER:
HUR-BENSON VENTURE LLC
2700 LOCH RAVEN BOULEVARD
BALTIMORE, MD. 21218
- DEVELOPER:
GH TRADERS, INC.
3023 HAMMONDS FERRY ROAD
BALTIMORE, MD 21227
- ADDRESS OF PROPERTY
3107 HAMMONDS FERRY ROAD
- DEED REF: 11962/639
- TAX ACCOUNT NO. 1600007067
- SITE AREA: NET: 36,535 SF. OR 0.838 AC.
GROSS: 47,339 SF OR 1.09 AC
- ELECTION DISTRICT 13
COUNCILMANIC DISTRICT 1
- LOT AREA: AUTOMOTIVE FUEL SERVICE STATION = 15,000 SF
C-STORE: 4 X 1819 SF = 7,256 SF
CARRY OUT: 6 X 960 SF = 5,760 SF
TOTAL = 28,036 SF < 36,535 SF
- REGIONAL PLANNING 3258
- CENSUS TRACT 4303
- WATERSHED PATAPSCO RIVER
- ZONING: BL-AS
(PER 1"=200' ZONING MAP S.W. 6C)
- EXISTING LAND USE:
IMPROVED WITH AUTOMOTIVE SERVICE STATION
INCLUDING SERVICE BAYS, FUEL PUMPS,
AIR HOSE AND PARKING.
- TAX MAP: 109 P.392
- PARKING REQUIRED:
C-STORE 2,779 SF @ 5/1000 SF = 14 SPACES
7 EMPLOYEES @ 1 PER EMPLOYEE = 7 SPACES
1 VACUUM @ 1 PER EACH = 1 SPACE
TOTAL REQUIRED: 22 SPACES
- PARKING PROVIDED: 30 SPACES
- PREVIOUS ZONING CASES:
88-171RX TO REZONE FROM R-6 TO BL DISTRICT GRANTED
2/19/88
90-12-SPHXA TO PERMIT A FOOD STORE WITH LESS THAN
5,000 SF AND A SIGN VARIANCE OF 291SF IN LIEU OF THE
PERMITTED 100 SF GRANTED 8/22/89
*98-327-SPHXA TO CONVERT THE EXISTING SERVICE
STATION TO A CARRY-OUT RESTAURANT USE AND A
CAR WASH, GRANTED 6/1/98 *THESE IMPROVEMENTS
NOT CONSTRUCTED AND THE APPROVAL HAS EXPIRED.
- OFFICE OF PLANNING REQUIREMENT:
DEVELOPER AGREES TO ALLOW INSTALLATION OF A
COMMUNITY SIGN IN THE ISLAND AT THE INTERSECTION
OF HAMMONDS FERRY AND HOLLINS FERRY ROADS IN
ACCORDANCE WITH THE ORDER OF 98-327-SPHXA.
- EXISTING LIGHTS TO REMAIN. NO NEW LIGHTS ARE
PROPOSED FOR THIS DEVELOPMENT.
- LIMITED EXEMPTION APPROVED MAY 20, 2002 PER
DRC NO. 052002A, FOR AN A-2 EXEMPTION TO CONSTRUCT
ADDITION TO EXISTING BUILDING.
- PREVIOUS PERMITS: 8490344 TO CONSTRUCT ADDITION
TO EXISTING BUILDING FOR 3 ADDITIONAL SERVICE BAYS, JULY 2002
10/27/89, B032936 REMOVE & REPLACE PUMP DISPENSERS
10/26/89, B034764 REMOVE & REPLACE EXISTING LIGHTS
6/13/89, B019842 INTERIOR RENOVATIONS TO BUILDING.
- FAR: 0.09
- SITE WAS APPROVED FOR A MORE IN KEEPING IN JUNE,
2002 TO CONSTRUCT THE ADDITIONAL SERVICE BAYS.
- PURPOSE OF PLAN: TO PERMIT CONSTRUCTION OF A CONVENIENCE STORE
OF 2,779 SF INCLUDING A CARRYOUT RESTAURANT

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

LANDSDOWNE BP
3107 HAMMONDS FERRY ROAD
BALTIMORE, MD 21227

1ST ELECTION DISTRICT

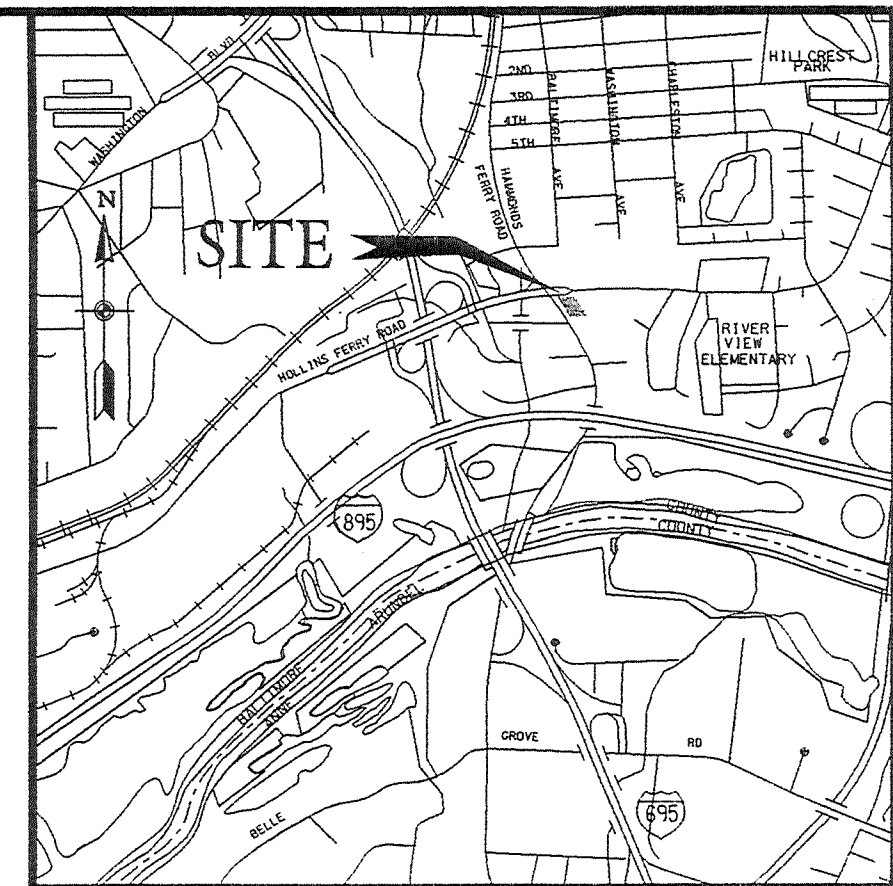
BALTIMORE COUNTY, MARYLAND

REVISIONS	PETITIONER'S	DRAWN BY:	DESIGNED BY:	SCALE:
		CND	PCR	1" = 20'
		DATE:	JOB NO.:	SHEET NO.:
		12-27-13	13138	1 OF 1

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



2014-0167-SPHX



VICINITY MAP
1"=2000'

GENERAL NOTES:

- OWNER:
HJR-BENSON VENTURE LLC
2700 LOCH RAVEN BOULEVARD
BALTIMORE, MD. 21218
- DEVELOPER:
GEORGE PANCHIGAR
3023 HAMMONDS FERRY ROAD
BALTIMORE, MD 21227
- ADDRESS OF PROPERTY
3107 HAMMONDS FERRY ROAD
- DEED REF: 11962/639
- TAX ACCOUNT NO. 1600007067
- AREA : NET: 36,535 SF OR 0.838 AC.
GROSS: 47,339 SF OR 1.09 AC
- ELECTION DISTRICT 13
COUNCILMANIC DISTRICT 1
- LOT AREA: AUTOMOTIVE FUEL SERVICE STATION = 15,000 SF
6 SERVICE BAYS X 1,300 SF PER BAY = 7,800 SF
TOTAL = 22,800 SF < 36,535 SF
- REGIONAL PLANNING 3258
- CENSUS TRACT 4303
- WATERSHED PATAPSCO RIVER
- ZONING: BL-AS
(PER 1"=200' ZONING MAP S.W. 6C)
- EXISTING LAND USE:
IMPROVED WITH AUTOMOTIVE SERVICE STATION
INCLUDING SERVICE BAYS, FUEL PUMPS,
AIR HOSE AND PARKING.
- TAX MAP: 109 P.392
- PARKING REQUIRED:
6 SERVICE BAYS @ 3 PER BAY = 18 SPACES
7 EMPLOYEES @ 1 PER EMPLOYEE = 7 SPACES
1 VACUUM @ 1 PER EACH = 1 SPACE
TOTAL REQUIRED: 26 SPACES
- PARKING PROVIDED: 26 SPACES
- PREVIOUS ZONING CASES:
68-171RX TO REZONE FROM R-6 TO BL DISTRICT GRANTED
2/19/68
90-12-SPHXA TO PERMIT A FOOD STORE WITH LESS THAN
5,000 SF AND A SIGN VARIANCE OF 291SF IN LIEU OF THE
PERMITTED 100 SF GRANTED 6/22/69
98-327-SPHXA TO CONVERT THE EXISTING SERVICE
STATION TO A CARRY-OUT RESTAURANT USE AND A
CAR WASH, GRANTED 6/11/98 *THESE IMPROVEMENTS
NOT CONSTRUCTED AND THE APPROVAL HAS EXPIRED.
- OFFICE OF PLANNING REQUIREMENT:
DEVELOPER AGREES TO ALLOW INSTALLATION OF A
COMMUNITY SIGN IN THE ISLAND AT THE INTERSECTION
OF HAMMONDS FERRY AND HOLLINS FERRY ROADS IN
ACCORDANCE WITH THE ORDER OF 96-327-SPHXA.
- EXISTING LIGHTS TO REMAIN. NO NEW LIGHTS ARE
PROPOSED FOR THIS DEVELOPMENT.
- LIMITED EXEMPTION APPROVED MAY 20, 2002 PER
DRC NO. 052002A, FOR AN A-2 EXEMPTION TO CONSTRUCT
ADDITION TO EXISTING BUILDING.
- PREVIOUS PERMITS: B490344 TO CONSTRUCT ADDITION
TO EXISTING BUILDING FOR 3 ADDITIONAL SERVICE BAYS, JULY 2002
10/21/89, B032386 REMOVE & REPLACE PUMP DISPENSERS
10/26/89, B034704 REMOVE & REPLACE EXISTING LIGHTS
6/13/89, B019642 INTERIOR RENOVATIONS TO BUILDING.
- FAR: 0.09
- SITE WAS APPROVED FOR A MORE IN KEEPING IN JUNE,
2002 TO CONSTRUCT THE ADDITIONAL SERVICE BAYS.
- PURPOSE OF PLAN: TO PERMIT INSTALLATION OF A
250 GAL. PROPANE TANK. SITE IS MORE IN KEEPING BECAUSE
THE TANK DOES NOT EFFECT PARKING, FUELING OR LOT SIZE.
LANDSCAPE BUFFERS WILL BE PROVIDED TO SCREEN THE TANK.

OCT 23 2003
DEPT. OF PUBLIC WORKS
BALTIMORE, MD

Richardson Engineering, LLC

730 W. Padonia Road, Suite 101
Cockeysville, Maryland 21030
Phone: 410-560-1502 Fax: 410-560-0827

MORE IN KEEPING PLAN

**MOBIL GAS STATION
LANSDOWNE**

3107 HAMMONDS FERRY ROAD
BALTIMORE COUNTY, MARYLAND

13TH ELECTION DISTRICT COUNCILMANIC DISTRICT: 1

REVISIONS	DRAWN BY: TLS	DESIGNED BY: PCR	SCALE: 1" = 20'
PETITIONER'S EXHIBIT NO. 4	DATE: 09/16/2003	JOB NO.: 02012	SHEET NO.: 1 OF 1

PURSUANT TO SECTION 405 & A, BCZR THIS PLAN HAS BEEN
SOUND TO BE MORE IN KEEPING WITH THE REQUIREMENTS
FOR FUEL SERVICE STATIONS AS SET FORTH IN THE
BALTIMORE COUNTY ZONING REGULATIONS

<i>John J. Lark</i>	10/21/03	DATE
OFFICE OF PLANNING		
<i>Robert W. Bowling</i>	10/30/03	DATE
DEVELOPMENT PLANS REVIEW FOR DPW		
<i>John M. Penner</i>	11/05/03	DATE
ZONING REVIEW (PDM)		

*MUST COMPLY WITH NFPA 58, SEPARATE PERMIT
REQUIRED FOR INSTALLATION OF PROPANE TANK

