

M E M O R A N D U M

DATE: November 25, 2016
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2017-0047-SPHXA – Appeal Period Expired

The appeal period for the above-referenced case expired on November 23, 2016. 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

IN RE: PETITIONS FOR SPECIAL HEARING, *
SPECIAL EXCEPTION & VARIANCE
(5931 Baltimore National Pike) *
1st Election District
1st Council District
Sahi Petroleum Marketing, LLC,
 Legal Owner
Petitioner

BEFORE THE
OFFICE OF
ADMINISTRATIVE HEARINGS
FOR BALTIMORE COUNTY
Case No. 2017-0047-SPHXA

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (OAH) for Baltimore County for consideration of Petitions for Special Hearing, Special Exception and Variance filed on behalf of Sahi Petroleum Marketing, LLC, legal owner ("Petitioner").

The Petition for Special Hearing was filed pursuant to §500.7 of the Baltimore County Zoning Regulations ("B.C.Z.R") to approve a modification to the previously approved plan in Case No. 1982-225-SPH. In addition, a Petition for Variance seeks: (1) to permit a rear yard setback of 8 ft. in lieu of the required 20 ft.; (2) to have parking spaces with a 3 ft. setback from the public right-of-way in lieu of the required 10 ft.; (3) to provide as little as 0 ft. landscape strip for the existing curbs in lieu of the required 10 ft. and a landscape strip of 13 ft. in lieu of the required 15 ft. on the rear property line where the adjacent residentially zoned property is less than 50 ft. from the site; and (4) to permit a drive aisle of 7 ft. between a stacking space and curb in lieu of the required 12 ft. Finally, a Petition for Special Exception seeks approval for the addition to the existing fuel service station of a convenience store greater than 1500 sq. ft.

Appearing at the public hearing in support of the requests was professional engineer Rick Richardson, Maryann Hussain and Chris Allewa. Two neighbors attended and opposed the requests. The Petition was advertised and posted as required by the Baltimore County Zoning

ORDER RECEIVED FOR FILING

Date 10-24-16

By 10w

Regulations. Substantive Zoning Advisory Committee (ZAC) comments were submitted by the Bureau of Development Plans Review (DPR) and the Department of Planning (DOP). These comments are addressed below.

The subject property is approximately 0.83 acres in size and is zoned BL. A BP gas station is operated on the premises, and Mr. Richardson stated that the gas station use has existed here for over 50 years. Under the Regulations, Petitioner would be entitled without zoning relief to construct on the site a convenience store with a sales area of less than 1,500 sq. ft. This would be considered an "ancillary use" that is "permitted by right in conjunction with any fuel service station." B.C.Z.R. §405.4.D.2. Petitioner proposes to construct a convenience store greater than 1,500 sq. ft., which is permitted by special exception.

Variances

A variance request involves a two-step process, summarized as follows:

- (1) It must be shown the property is unique in a manner which makes it unlike surrounding properties, and that uniqueness or peculiarity must necessitate variance relief; and
- (2) If variance relief is denied, Petitioner will experience a practical difficulty or hardship.

Cromwell v. Ward, 102 Md. App. 691 (1995).

Petitioner has met this test. The property has a triangular shape and is therefore unique. In addition, findings that this property is unique have been made in prior zoning cases (1965-0383-A; 1975-0086-A; and 2008-0217-SPHA), and those orders are likely entitled to preclusive effect. If the Regulations were strictly interpreted, Petitioner would experience a practical difficulty because it would be unable to construct the proposed store. Finally, I find that the variance (with the modifications noted below) 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

ORDER RECEIVED FOR FILING

Date 10-24-16

2

By low

general welfare.

The subject property is adjacent to 6 Lincoln Avenue, which is improved with a single-family dwelling owned by Linda Hood. Ms. Hood expressed particular concern regarding the rear yard setback, and did not believe an 8 ft. setback would suffice. I concur, and will grant the variance to permit a 12 ft. setback in lieu of the required 20 ft., along with enhanced fencing and/or landscaping requirements. In my opinion, that will screen the view of the subject property, especially considering that the existing fence is in serious disrepair and provides little if any buffer. Ms. Hood also noted patrons of the station frequently make a left turn to exit the site and travel the wrong way on Lincoln Avenue, which provides access to Route 40. To minimize the impact of this use upon the neighborhood a condition will be included below to require closing this driveway.

Special Exception

Under Maryland law, a special exception use enjoys a presumption that it is in the interest of the general welfare, and therefore, valid. Schultz v. Pritts, 291 Md. 1 (1981). The Schultz standard was revisited in People's Counsel v. Loyola College, 406 Md. 54 (2008), where the court emphasized that a special exception is properly denied only when there are facts and circumstances showing that the adverse impacts of the use at the particular location in question would be above and beyond those inherently associated with the special exception use. Mr. Richardson testified Petitioner has satisfied the standards set forth in B.C.Z.R. §502.1, and thus I believe Petitioner has established a prima facie case. While the neighbors testified the site is poorly maintained and unsightly, that of course could be said of many fuel service stations. In other words, I think those negative impacts are inherent in the use, and are not sufficient to rebut Petitioner's evidence in the manner required by Maryland case law.

ORDER RECEIVED FOR FILING

Date 10-24-16

3

By [Signature]

Special Hearing

The special hearing request is essentially a "housekeeping" matter which seeks to amend (in light of the relief requested herein) the prior zoning plan approved for the subject property. The Petitioner indicated at the hearing, and on the petition itself, this request was made in the alternative to the special exception request discussed above. As such the petition for special hearing will be dismissed without prejudice.

The final issue concerns a Basic Services Map deficiency at the property. In its ZAC comment the Bureau of DPR noted the site is in a "deficient traffic shed." That agency also noted the site is likely exempt from the Basic Services legislation since it is located in a commercial revitalization district. DPR suggested Petitioner consult a traffic engineer to determine whether the number of peak hour trips would increase with the addition of the convenience store. Petitioner presented a letter (Petitioner's Exhibit 7) from traffic engineer Mike Nalepa, from Street Traffic Studies, Ltd., which states in pertinent part "the trip rates for gas stations/convenience stores are less per fueling position than a gas station without a convenience store." In light of this evidence, which was unrefuted, I believe Petitioner has addressed and satisfied that aspect of the DPR ZAC comment.

THEREFORE, IT IS ORDERED this 24th day of **October, 2016**, by this Administrative Law Judge, that the Petition for Special Hearing filed pursuant to §500.7 of the Baltimore County Zoning Regulations ("B.C.Z.R") to approve a modification to the previously approved plan in Case No. 1982-225-SPH, be and is hereby DISMISSED WITHOUT PREJUDICE.

IT IS FURTHER ORDERED that the Petition for Special Exception for approval of a Convenience Store greater than 1500 sq. ft., be and is hereby GRANTED.

ORDER RECEIVED FOR FILING

Date 10-24-16

4

By [Signature]

IT IS FURTHER ORDERED that the Petition for Variance: (1) to permit a rear yard setback of 12 ft. in lieu of the required 20 ft.; (2) to have parking spaces with a 3 ft. setback from the public right-of-way in lieu of the required 10 ft.; (3) to provide as little as 0 ft. landscape strip for the existing curbs in lieu of the required 10 ft.; and (4) to permit a drive aisle of 7 ft. between a stacking space and curb in lieu of the required 12 ft., be and is hereby GRANTED.

The relief granted herein shall be subject to the following:

1. Petitioner may apply for necessary permits and/or licenses upon receipt of this Order. However, Petitioner is hereby made aware that proceeding at this time is at its own risk until 30 days from the date hereof, during which time an appeal can be filed by any party. If for whatever reason this Order is reversed, Petitioner would be required to return the subject property to its original condition.
2. Prior to issuance of permits Petitioner must obtain from the State Highway Administration (SHA) an entrance permit.
3. Petitioner must comply with the ZAC comment of the DOP, a copy of which is attached hereto and made a part hereof.
4. Prior to issuance of permits Petitioner must provide landscaping, fencing and lighting at the site as determined in the sole discretion of the County's landscape architect. Such landscaping shall provide to the extent practicable a buffer between the subject property and the single family dwelling at 6 Lincoln Avenue.
5. Petitioner must close and remove the existing driveway located along the eastern boundary of site which now serves as a point of ingress/egress from Lincoln Avenue.
6. The convenience store shall be no larger than 1,792 square feet.

ORDER RECEIVED FOR FILING

Date 10-24-16

By DW

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:dlw

ORDER RECEIVED FOR FILING

Date 10-24-16

By dlw



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 5931 Baltimore National Pike which is presently zoned BL
 Deed References: 37490/74 10 Digit Tax Account # 0104002110
 Property Owner(s) Printed Name(s) Sahi Petroleum Marketing, 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
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) SEE ATTACHED FOR THE NEEDED VARIANCE REQUESTS

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 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:

Name- Type or Print

Signature

Mailing Address City State

Zip Code Telephone # Email Address

Attorney for Petitioner:

Name- Type or Print

Signature

Mailing Address City State

Zip Code Telephone # Email Address

Legal Owners:

Sahi Petroleum Marketing LLC/

Name #1 - Type or Print Name #2 - Type or Print

Signature #1

Signature #2

5931 Baltimore National Pike, Baltimore MD

Mailing Address City State

21228 / /
 Zip Code Telephone # Email Address

Representative to be contacted:

Richardson Engineering, LLC, Rick Richardson

Name - Type or Print

Signature

30 E. Padonia Road, Suite 500 Timonium, MD

Mailing Address City State

21093 / 410-560-1502 / rick@richardsonengineering.net
 Zip Code Telephone # Email Address

CASE NUMBER 2017-0047-SPHXA Filing Date 8/12/16

Do Not Schedule Dates:

Reviewer RJ

Zoning Relief for 5391 Baltimore National Pike

Special Hearing to approve a modification to the previously approved plan in Case 1982-225-SPH.

1. Variance per Section 232.3.B to permit a rear yard setback of 8' in lieu of the required 20'.
2. ~~Variance per Section 405.A.3.d to provide 11 parking spaces in lieu of the required 12 spaces.~~
3. Variance per Section 409.8.A.4 to have parking spaces with a 3' setback from the Public Right of Way in lieu of the required 10'.
4. Variance per Section 405.4.A.2.b to provide as little as 0' landscape strip for the existing curbs in lieu of the required 10' and a landscape strip of 13' in lieu of the required 15' on the rear property line where the adjacent residentially zoned property is less than 50' from the site.
5. Variance per Section 409.4.A to permit a drive aisle of 7' between a stacking space and curb in lieu of the required 12' one way drive aisle.

In lieu of the Special Hearing relief we are requesting a Special Exception for the addition of a Convenience Store greater than 1500 square feet.

Item #0047

11
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**ZONING DESCRIPTION FOR
BNP BP STATION
5931 BALTIMORE NATIONAL PIKE
1ST ELECTION DISTRICT
1ST COUNCILMANIC DISTRICT
BALTIMORE COUNTY, MARYLAND**

BEGINNING FOR THE SAME at a point on the South side right-of-way of Baltimore National Pike (150' width) at the intersection of Winters Lane which is (40 feet) wide, thence binding on the south side right-of-way of Baltimore National Pike the following courses and distances; (1) North 76 degrees 17 minutes 00 seconds East 193.75 feet to a point on the west side of a 40' right-of-way for Lincoln Avenue, thence binding on said right-of-way; (2) South 24 degrees 09 minutes 25 seconds East 26.07 feet, (3) South 17 degrees 24 minutes 10 seconds West 107.67 feet, (4) South 72 degrees 35 minutes 50 seconds West 5.00 feet (5) South 17 degrees 24 minutes 10 seconds West 40.00 feet, thence leaving Lincoln Avenue, (6) North 72 degrees 35 minutes 50 seconds West 95.00 feet, (7) North 72 degrees 35 minutes 50 seconds West 95.00 feet to a point on the east side right-of-way of Winters Lane, thence binding on Winters Lane the following course and distance; (8) North 16 degrees 09 minutes 00 seconds East 72.56 to the point of beginning.

Containing a net area of 23,223 square feet, or 0.53 acres of land, more or less.



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: 08-15-2017.

Item #0047



501 N. Calvert St., P.O. Box 1377
Baltimore, Maryland 21278-0001
tel: 410/332-6000
800/829-8000

WE HEREBY CERTIFY, that the annexed advertisement of Order No 4475630

Sold To:

Richardson Engineering - CU00226153
30 E Padonia Rd Suite 500
Lutherville Timonium, MD 21093

Bill To:

Richardson Engineering - CU00226153
30 E Padonia Rd Suite 500
Lutherville Timonium, MD 21093

Was published in "Jeffersonian", "Bi-Weekly", a newspaper printed and published in Baltimore County on the following dates:

Sep 27, 2016

The Baltimore Sun Media Group
By *S. Wilkinson*
Legal Advertising

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: # 2017-0047-SPHXA

5931 Baltimore National Pike
S/s Baltimore National Pike, 20 ft. E/of centerline of Winter's Lane

1st Election District - 1st Councilmanic District
Legal Owner(s) Sahi Petroleum Marketing, LLC

Special Hearing: to approve a modification to the previously approved plan in Case 1982-225-SPH.

Special Exception: in lieu of the Special Hearing relief, we are requesting a Special Exception for the addition of a convenience store greater than 1500 sq.

ft. Variance: 1. To permit a rear yard setback of 8 ft. in lieu of the required 20 ft. 2. To provide 11 parking spaces in lieu of the required 12 spaces. 3. To have parking spaces with a 3 ft. setback from the Public Right of Way in lieu of the required 10 ft. 4. To provide as little as 0 ft. landscape strip for the existing curbs in lieu of the required 10 ft. and a landscape strip of 13 ft. in lieu of the required 15 ft. on the rear property line where the adjacent residentially zoned property is less than 50 ft. from the site. 5. To permit a drive aisle of 7 ft. between a stacking space and curb in lieu of the required 12 ft. one way drive aisle.

Hearing: Monday, October 17, 2016 at 1:30 p.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 9/782 September 27

4475630

CERTIFICATE OF POSTING

2017-0047-SPHXA

RE: Case No.:

Petitioner/Developer:

Sahi Petroleum Marketing, LLC

October 17, 2016

Date of Hearing/Closing:

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

Attn: Kristen Lewis:

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:

5931 Baltimore National Pike

September 27, 2016

The sign(s) were posted on

(Month, Day, Year)

Sincerely,

September 27, 2016

(Signature of Sign Poster)

(Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)



100

100

100

100

100

100

100

ZONING NOTICE

CASE # **2017-0047-SPHXA**

**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: Monday, October 17, 2016 at 1:30 p.m.

REQUEST: Special Hearing to approve a modification to the previously approved plan in Case 1982-225-SPH. Special Exception in lieu of the Special Hearing relief, we are requesting a Special Exception for the addition of a convenience store greater than 1500 sq. ft. Variance 1. To permit a rear yard setback of 8 ft. in lieu of the required 20 ft. 2. To provide 11 parking spaces in lieu of the required 12 spaces. 3. To have parking spaces with a 3 ft. setback from

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

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

HANDICAPPED ACCESSIBLE

ZONING NOTICE

CASE # **2017-0047-SPHXA** (Continued 1)

**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: Monday, October 17, 2016 at 1:30 p.m.

REQUEST: the Public Right of Way in lieu of the required 10 ft. 4. To provide as little as 0 ft. landscape strip for the existing curbs in lieu of the required 10 ft. and a landscape strip of 13 ft. in lieu of the required 15 ft. on the rear property line where the adjacent residentially zoned property is less than 50 ft. from the site. 5. To permit a drive aisle of 7 ft. between a stacking space and curb in lieu of the required 12 ft. one way aisle.

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

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

HANDICAPPED ACCESSIBLE

TO: PATUXENT PUBLISHING COMPANY
Tuesday, September 27, 2016 Issue - Jeffersonian

Please forward billing to:

Rick Richardson
Richardson Engineering
30 E. Padonia Road, Ste. 500
Timonium, MD 21093

410-560-1502

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: 2017-0047-SPHXA

5931 Baltimore National Pike

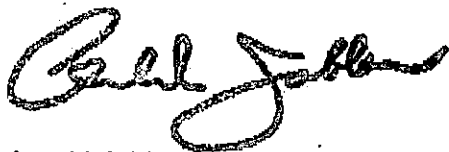
S/s Baltimore National Pike, 20 ft. E/of centerline of Winter's Lane

1st Election District – 1st Councilmanic District

Legal Owners: Sahi Petroleum Marketing, LLC

Special Hearing to approve a modification to the previously approved plan in Case 1982-225-SPH. Special Exception in lieu of the Special Hearing relief, we are requesting a Special Exception for the addition of a convenience store greater than 1500 sq. ft. Variance 1. To permit a rear yard setback of 8 ft. in lieu of the required 20 ft. 2. To provide 11 parking spaces in lieu of the required 12 spaces. 3. To have parking spaces with a 3 ft. setback from the Public Right of Way in lieu of the required 10 ft. 4. To provide as little as 0 ft. landscape strip for the existing curbs in lieu of the required 10 ft. and a landscape strip of 13 ft. in lieu of the required 15 ft. on the rear property line where the adjacent residentially zoned property is less than 50 ft. from the site. 5. To permit a drive aisle of 7 ft. between a stacking space and curb in lieu of the required 12 ft. one way drive aisle

Hearing: Monday, October 17, 2016 at 1:30 p.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

September 13, 2016

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

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: 2017-0047-SPHXA

5931 Baltimore National Pike

S/s Baltimore National Pike, 20 ft. E/of centerline of Winter's Lane

1st Election District – 1st Councilmanic District

Legal Owners: Sahi Petroleum Marketing, LLC

Special Hearing to approve a modification to the previously approved plan in Case 1982-225-SPH. Special Exception in lieu of the Special Hearing relief, we are requesting a Special Exception for the addition of a convenience store greater than 1500 sq. ft. Variance 1. To permit a rear yard setback of 8 ft. in lieu of the required 20 ft. 2. To provide 11 parking spaces in lieu of the required 12 spaces. 3. To have parking spaces with a 3 ft. setback from the Public Right of Way in lieu of the required 10 ft. 4. To provide as little as 0 ft. landscape strip for the existing curbs in lieu of the required 10 ft. and a landscape strip of 13 ft. in lieu of the required 15 ft. on the rear property line where the adjacent residentially zoned property is less than 50 ft. from the site. 5. To permit a drive aisle of 7 ft. between a stacking space and curb in lieu of the required 12 ft. one way drive aisle

Hearing: Monday, October 17, 2016 at 1:30 p.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: Sahi Petroleum Marketing, LLC, 5931 Baltimore National Pike, Baltimore 22128
Rick Richardson, 30 E. Padonia Rd., Ste. 500, Timonium 21093

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, SEPTEMBER 27, 2016.**
(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.

RE: PETITION FOR SPECIAL HEARING * BEFORE THE OFFICE
SPECIAL EXCEPTION AND VARIANCE *
5931 Baltimore National Pike; S/S Baltimore * OF ADMINISTRATIVE
National Pike, 20' E of c/line Winter's Lane *
1st Election and 1st Councilmanic Districts * HEARINGS FOR
Legal Owner(s): Sahi Petroleum Marketing, LLC *
Petitioner(s) * BALTIMORE COUNTY
* 2017-047-SPHXA

* * * * *

ENTRY OF APPEARANCE

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

RECEIVED

AUG 29 2016

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 29th day of August, 2016, a copy of the foregoing Entry of Appearance was mailed to Richardson Engineering, LLC, 30 E. Padonia Avenue, Suite 500, Towson, Maryland 21093, Representative for Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

**DEPARTMENT OF PERMITS, APPROVALS AND INSPECTIONS
ZONING REVIEW OFFICE**

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 legal owner/petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least twenty (20) days before the hearing.

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the legal owner/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:

Case Number: 2017-0047-SPHXA

Property Address: 5931 Baltimore National Pike

Property Description: south of Baltimore National Pike, 20' east.
of centerline Winter's Lane (ie: SE corner of intersection)

Legal Owners (Petitioners): Sahi Petroleum Marketing, LLC

Contract Purchaser/Lessee: _____

PLEASE FORWARD ADVERTISING BILL TO:

Name: Sahi Petroleum Marketing LLC

Company/Firm (if applicable): _____

Address: 5931 Baltimore National Pike
Baltimore MD 21228

Telephone Number: _____



KEVIN KAMENETZ
County Executive

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

October 12, 2016

Sahi Petroleum Marketing LLC
5931 Baltimore National Pike
Baltimore MD 21228

RE: Case Number: 2017-0047 SPHXA, Address: 5931 Baltimore National Pike

To Whom It May Concern:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on August 12, 2016. 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.", is written over a horizontal line.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: jaw

Enclosures

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

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE MEMORANDUM

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

DATE: October 12, 2016

FROM: Andrea Van Arsdale
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 17-047

INFORMATION:

Property Address: 5931 Baltimore National Pike and 8 Lincoln Avenue
Petitioner: Sahi Petroleum Marketing, LLC
Zoning: BL
Requested Action: Special Hearing, Special Exception and Variances

The Department of Planning has reviewed the petition for special hearing to determine whether or not the Administrative Law Judge should approve a modification to the previously approved plan in Case 1982-225-SPH together with the petition for special exception for the addition of a convenience store with an area greater than 1500 sq. ft. The Department has also reviewed the petition for variances as listed on the attachment filed in support of the petitions.

A site visit was conducted on August 25, 2016. A portion of the subject site is located within the Baltimore National Pike Commercial Revitalization District.

The Department has no objection to granting the petitioned zoning relief conditioned upon the following:

- Indicate on the plan the dumpster location meeting the requirements of Condition H of the Baltimore County Landscape Manual. This information must also be shown on any plans submitted to Baltimore County to include the required landscape plan.
- Remove all non-permitted, non-conforming signage from the property. Restore/repaint all signage poles that are to remain to an un-corroded finish.
- Repair any damaged paving to a safe condition so as to not present a tripping hazard.
- Remove any obstacles or impediments to pedestrians along Lincoln Avenue sidewalk to include reducing the extent the shrubbery projects onto the walk.
- Provide for a pedestrian connection from Lincoln Avenue to the convenience store in the vicinity of the handicapped parking space.
- Remove all outdoor vending machines now on site.
- The storage and/or sale of used autos on/from the site shall be prohibited.
- Prior to building permit application, provide building elevations of all sides of the proposed convenience store and details on all proposed fencing to the Department of Planning to the attention of the contact person listed below for review and approval.

ORDER RECEIVED FOR FILING

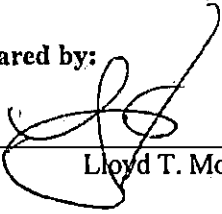
Date 10-24-16

By [Signature]

Date: October 12, 2016
Subject: ZAC #17-047
Page 2

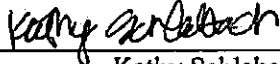
For further information concerning the matters stated herein, please contact Dennis Wertz at 410-887-3480.

Prepared by:



Lloyd T. Moxley

Division Chief:



Kathy Schlabach

AVA/KS/LTM/ka

c: Dennis Wertz

James Hermann, R.L.A., Department of Permits, Approvals and Inspections
Rick Richardson, Jr., Richardson Engineering, LLC
Office of the Administrative Hearings
People's Counsel for Baltimore County

ORDER RECEIVED FOR FILING

Date 10-24-16

By ISW

BALTIMORE COUNTY, MARYLAND INTER-OFFICE MEMORANDUM

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

DATE: October 12, 2016

FROM: Andrea Van Arsdale
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 17-047

INFORMATION:

Property Address: 5931 Baltimore National Pike and 8 Lincoln Avenue
Petitioner: Sahi Petroleum Marketing, LLC
Zoning: BL
Requested Action: Special Hearing, Special Exception and Variances

The Department of Planning has reviewed the petition for special hearing to determine whether or not the Administrative Law Judge should approve a modification to the previously approved plan in Case 1982-225-SPH together with the petition for special exception for the addition of a convenience store with an area greater than 1500 sq. ft. The Department has also reviewed the petition for variances as listed on the attachment filed in support of the petitions.

A site visit was conducted on August 25, 2016. A portion of the subject site is located within the Baltimore National Pike Commercial Revitalization District.

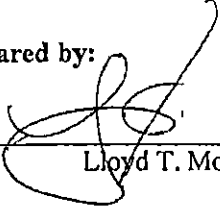
The Department has no objection to granting the petitioned zoning relief conditioned upon the following:

- Indicate on the plan the dumpster location meeting the requirements of Condition H of the Baltimore County Landscape Manual. This information must also be shown on any plans submitted to Baltimore County to include the required landscape plan.
- Remove all non-permitted, non-conforming signage from the property. Restore/repaint all signage poles that are to remain to an un-corroded finish.
- Repair any damaged paving to a safe condition so as to not present a tripping hazard.
- Remove any obstacles or impediments to pedestrians along Lincoln Avenue sidewalk to include reducing the extent the shrubbery projects onto the walk.
- Provide for a pedestrian connection from Lincoln Avenue to the convenience store in the vicinity of the handicapped parking space.
- Remove all outdoor vending machines now on site.
- The storage and/or sale of used autos on/from the site shall be prohibited.
- Prior to building permit application, provide building elevations of all sides of the proposed convenience store and details on all proposed fencing to the Department of Planning to the attention of the contact person listed below for review and approval.

Date: October 12, 2016
Subject: ZAC #17-047
Page 2

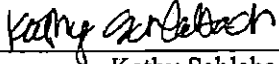
For further information concerning the matters stated herein, please contact Dennis Wertz at 410-887-3480.

Prepared by:



Lloyd T. Moxley

Division Chief:



Kathy Schlabach

AVA/KS/LTM/ka

c: Dennis Wertz
James Hermann, R.L.A., Department of Permits, Approvals and Inspections
Rick Richardson, Jr., Richardson Engineering, LLC
Office of the Administrative Hearings
People's Counsel for Baltimore County

Larry Hogan, Governor
Boyd K. Rutherford, Lt. Governor



Pete K. Rahn, Secretary
Gregory C. Johnson, P.E., Administrator

Date: 8/26/16

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

Dear Ms. Lewis:

We have reviewed the site plan to accompany petition for variance on the subject of the Case number referenced below, which was received on 8/22/16. A field inspection and internal review reveals that an entrance onto US40 consistent with current State Highway Administration guidelines is required. As a condition of approval for Variance, Case Number 2017-0047-S.PHX.

Special Hearing Special Exception Variance
Sahi Petroleum Marketing, LLC
5931 Baltimore National Pike
US40

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 410-229-2332 or 1-866-998-0367 (in Maryland only) extension 2332, or by email at (rzeller@sha.state.md.us).

Sincerely,

Wendy Wolcott, PLA
Acting Metropolitan District Engineer
Baltimore & Harford Counties

WW/RAZ

cc: Mr. Michael Pasquariello, Utility Engineer, SHA
Richardson Engineering, LLC / 30 East Podocia Road, Suite 500, Timonium, MD 21093

My telephone number/toll-free number is

Maryland Relay Service for Impaired or Speech 1-800-735-2258 Statewide Toll-Free

Street Address: 320 West Warren Road * Hunt Valley, Maryland 21030 * Phone 410-229-2300 or 1-866-998-0367 * Fax 410-527-4690

www.roads.maryland.gov

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

DATE: September 6, 2016

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

SUBJECT: Zoning Advisory Committee Meeting
For August 29, 2016
Item No. 2017-0047

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

Landscape and Lighting Plans are required as per requirements of the Landscape Manual.

Note number 25 on the Plan is not correct. This site is within a deficient traffic shed as shown on the current Basic Services Map. However, most of the site is exempt from Basic Services Legislation, because it is in a Commercial Revitalization District. The district overlay does not cover the property at #8 Lincoln Avenue which was purchased earlier this year. We question whether the District Boundaries are flexible. We feel that the petitioner should engage a traffic engineer to determine if adding a convenience store will increase the peak hour trips to and from the site, and then ask for relief from the Basic Services Legislation if there is an increase.

*

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*

*

*

*

DAK:CEN

Cc:file

ZAC-ITEM NO 17-0047-08292016.doc

10/17

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence

RECEIVED

AUG 25 2016



OFFICE OF ADMINISTRATIVE HEARINGS

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

FROM: Jeff Livingston, Department of Environmental Protection and
Sustainability (EPS) - Development Coordination

DATE: August 25, 2016

SUBJECT: DEPS Comment for Zoning Item # 2017-0047-SPHXA
Address 5931 Baltimore National Pike
(Sahi Petroleum Marketing, LLC
Property)

Zoning Advisory Committee Meeting of **AUGUST 29, 2016**

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

Reviewer: Steve Ford

Date: 08-25-2016

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



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

FROM: Jeff Livingston, Department of Environmental Protection and
Sustainability (EPS) - Development Coordination

DATE: August 25, 2016

SUBJECT: DEPS Comment for Zoning Item # 2017-0047-SPHXA
Address 5931 Baltimore National Pike
(Sahi Petroleum Marketing, LLC
Property)

Zoning Advisory Committee Meeting of **AUGUST 29, 2016**

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

Reviewer: Steve Ford Date: 08-25-2016

CASE NAME 5931 BALT. NATIONAL PK.
CASE NUMBER 2017-47-SPHXA
DATE 10/17/16

[illegible]

CASE NAME _____
CASE NUMBER 2017-0047
DATE 10-17-2016

NAME	ADDRESS	CITY, STATE, ZIP	E - MAIL
------	---------	------------------	----------

[illegible]

Debra Wiley

From: John E. Beverungen
Sent: Friday, October 21, 2016 12:28 PM
To: Debra Wiley
Subject: 2017-0047
Attachments: 2017-0047-SPHXA.docx

Deb, this is the final order. Can you make sure it looks OK. Only thing missing is the DOP ZAC comment, which I want to attach....do we have that or can you get it from DOP. Thanks

CASE NO. 2017-0047-SPHXA

CHECKLIST

Support/Oppose/
Conditions/
Comments/
No Comment

Comment
Received

Department

9/6/16

DEVELOPMENT PLANS REVIEW
(if not received, date e-mail sent _____)

C

8/25/16

DEPS
(if not received, date e-mail sent _____)

N/C

FIRE DEPARTMENT

PLANNING
(if not received, date e-mail sent _____)

8/26/16

STATE HIGHWAY ADMINISTRATION

Need entrance permit

TRAFFIC ENGINEERING

COMMUNITY ASSOCIATION

ADJACENT PROPERTY OWNERS

ZONING VIOLATION

(Case No. _____)

PRIOR ZONING

(Case No. 2008-0217-SPHA)

NEWSPAPER ADVERTISEMENT

Date:

9/27/16

SIGN POSTING

Date:

9/27/16

by SSG Black

PEOPLE'S COUNSEL APPEARANCE

Yes

☒

No

☐

PEOPLE'S COUNSEL COMMENT LETTER

Yes

☐

No

☐

Comments, if any: _____

Real Property Data Search (w2)

Guide to searching the database

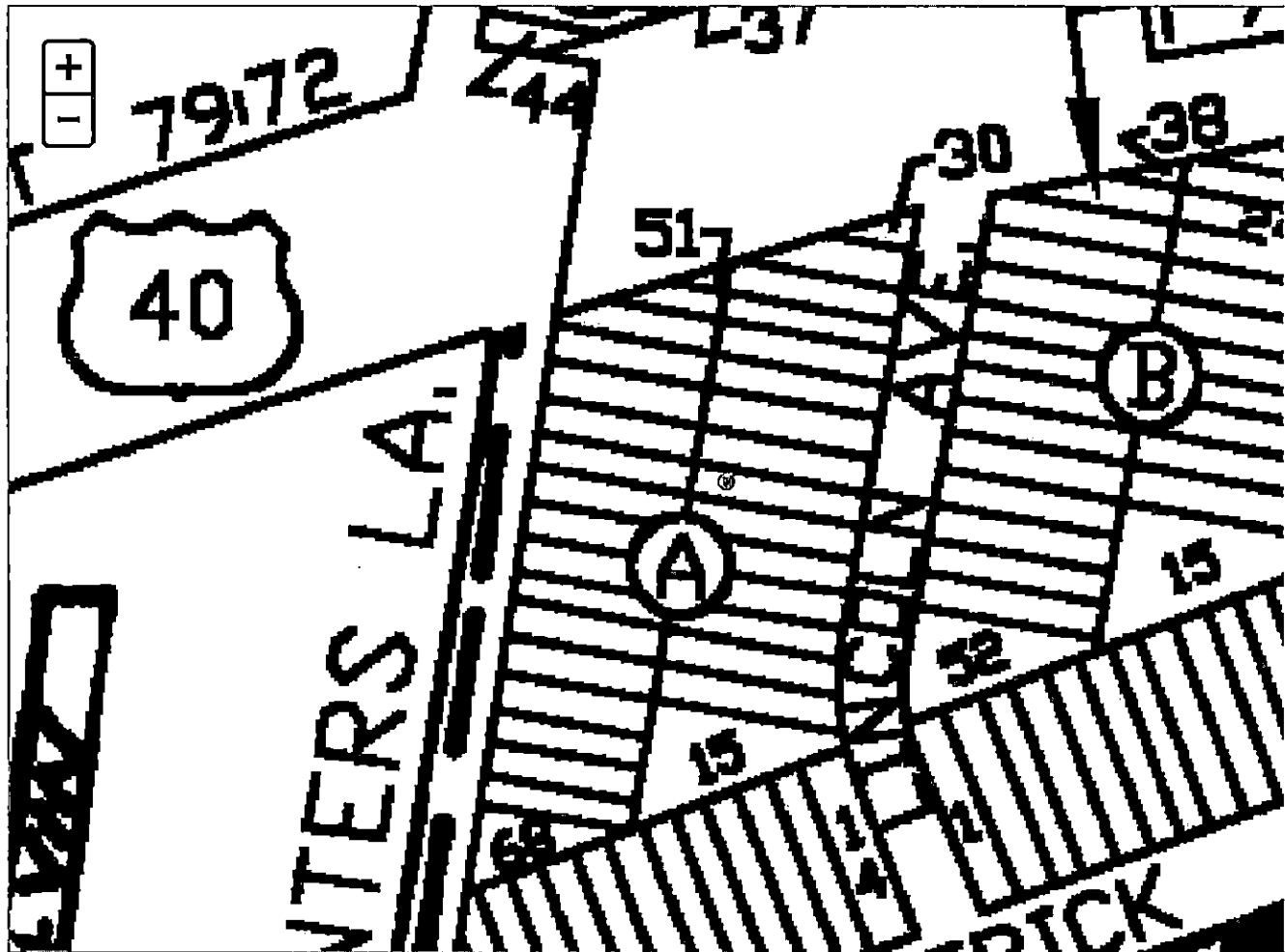
Search Result for BALTIMORE COUNTY

View Map		View GroundRent Redemption		View GroundRent Registration	
Account Identifier:		District - 01 Account Number - 0104002110			
Owner Information					
Owner Name:	SAHI PETROLEUM MARKETING LLC		Use:	RESIDENTIAL	
Mailing Address:	607 FREDERICK RD BALTIMORE MD 21228-		Principal Residence:	NO	
			Deed Reference:	/37490/ 00074	
Location & Structure Information					
Premises Address:		8 LINCOLN AVE BALTIMORE 21228-		Legal Description:	LTS 22,23 8 LINCOLN AVE CATONSVILLE PINES
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section:
0095	0019	0042		0000	
					Block:
					A
					Lot:
					22
					Assessment Year:
					2016
					Plat No:
					Plat Ref:
					0009/0041
Special Tax Areas:			Town:		
			NONE		
			Ad Valorem:		
			Tax Class:		
Primary Structure Built	Above Grade Enclosed Area	Finished Basement Area	Property Land Area	County Use	
1939	1,086 SF		4,400 SF	04	
Stories	Basement	Type	Exterior SIDING	Full/Half Bath	Garage
1 1/2	NO	STANDARD UNIT		1 full	
					Last Major Renovation
Value Information					
	Base Value	Value As of 01/01/2016	Phase-in Assessments		
			As of 07/01/2016	As of 07/01/2017	
Land:	49,500	49,500			
Improvements	83,100	96,800			
Total:	132,600	146,300	137,167	141,733	
Preferential Land:	0			0	
Transfer Information					
Seller: SAJID MUHAMMAD		Date: 05/10/2016		Price: \$0	
Type: NON-ARMS LENGTH OTHER		Deed1: /37490/ 00074		Deed2:	
Seller: SEBOUR PERRY B		Date: 09/13/2004		Price: \$150,000	
Type: ARMS LENGTH IMPROVED		Deed1: /20673/ 00075		Deed2:	
Seller: DANIEL SAMUEL		Date: 10/20/2003		Price: \$5,000	
Type: NON-ARMS LENGTH OTHER		Deed1: /18989/ 00399		Deed2:	
Exemption Information					
Partial Exempt Assessments:	Class	07/01/2016		07/01/2017	
County:	000	0.00			
State:	000	0.00			
Municipal:	000	0.00 0.00		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.dat.maryland.gov/RealProperty>)

District: 01 Account Number: 0104002110



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.

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>).

773
1-14-08

IN RE: PETITIONS FOR SPECIAL HEARING * BEFORE THE
AND VARIANCE *
E side Lincoln Avenue, 150 feet S of * DEPUTY ZONING
Baltimore National Pike *
1st Election District * COMMISSIONER
1st Councilmanic District *
(8 Lincoln Avenue) * FOR BALTIMORE COUNTY

Muhammad Sajid * Case No. 08-217-SPHA
Petitioner

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner for consideration of Petitions for Special Hearing and Variance filed by the legal owner of the subject property, Muhammad Sajid. The Special Hearing request was filed pursuant to Section 500.7 of the Baltimore County Zoning Regulations (B.C.Z.R.) to allow a commercial parking area in the D.R.5.5 zone. The Variance request is from Section 1B01.1.B.1.e.5 of the B.C.Z.R. to allow a parking lot with a 10 foot buffer and setback in lieu of the required 50 foot RTA buffer and 75 foot RTA setback. The subject property and requested relief are more fully described on the site plan which was marked and accepted into evidence as Petitioner's Exhibit 1.

Appearing at the requisite public hearing in support of the requested special hearing and variance relief was Petitioner Muhammad Sajid and his attorney, Francis X. Borgerding, Esquire. Also appearing in support of the requested relief was Bruce E. Doak with Gerhold Cross & Etzel, Ltd., the consultant who prepared the site plan, Kassandra Foster, Petitioner's business partner, and Deborah Sebour, Petitioner's realtor. Appearing as interested citizens was Colonel James R. Pennington of 5915 Old Frederick Road and President of the Banneker Community Development Association, Inc., and Alton Morrison of 166 Winters Lane.

Testimony and evidence offered revealed that the subject property is a rectangular-shaped parcel containing approximately 4,400 square feet and zoned D.R.5.5. The property is situated on the west side of Lincoln Avenue, south of Baltimore National Pike (U.S. Route 40), in the Catonsville area of Baltimore County. The property abuts an existing fuel service station located at the corner of Baltimore National Pike and Lincoln Avenue and is improved with an existing 1½-story dwelling built in approximately 1939. The fuel service station is also owned by Petitioner's corporation. At this juncture, Petitioner desires to provide better traffic flow and access for the fuel service station site by incorporating the subject property into the fuel service station property in order to make the entire property more square and provide additional parking. The special hearing is requested to permit the use of the D.R.5.5 zoned subject property for parking. As to the requested variance, the zoning regulations normally require that parking lots, either as principal or accessory use, provide a 50 foot buffer and 75 foot setback. Due to the location and configuration of the fuel service station in relation to the subject property, Petitioner is requesting a variance from this requirement.

In support of the requested relief, Petitioner called Bruce Doak as a witness. Mr. Doak is licensed property line surveyor with an extensive background in zoning and land use issues as applied to the Baltimore County Zoning Regulations. He has testified as an expert on a number of occasions before this Commission and the County Board of Appeals, and was offered and accepted as an expert in this case. Mr. Doak indicated that Petitioner is attempting to augment and update the fuel service station, in terms of its functionality and appearance. The goal is to make it more efficient, while also making it more aesthetically pleasing to the neighborhood. Marked and accepted into evidence as Petitioner's Exhibits 2A through 2D were photographs of the immediate area. Petitioner's Exhibit 2A is the Texaco fuel service station across the street on

the opposite side of Winters Lane; 2B is a view of Petitioner's BP fuel service station showing the entrances on Baltimore National Pike; 2C shows the entrance on Winters Lane; and 2D shows the rear area of the BP fuel service station.

Mr. Doak explained that the subject property is currently used by a number of individuals as a trash area and "public restroom." Persons walking through the area routinely throw away trash on the ground, while others, including patrons of the gas station, often cut through the fence that separates the fuel service station from the subject property in order to urinate on the subject property behind the fence. Photos depicting the trash and debris on the subject property were marked and accepted into evidence as Petitioner's Exhibits 3A through 3H. In support of the variance request, Mr. Doak indicated that site constraints make complying with the 50 foot buffer and 75 foot setback virtually impossible. As shown on the site plan, the parcel abuts a commercial property on two sides and is located adjacent to the beginning of a commercial corridor on Baltimore National Pike, less than one mile west of the Beltway. The configuration is also unique because it abuts commercially zoned property to the side and rear and was improved with the existing structure prior to the RTA regulations. The subject property is also tucked into the adjacent BP fuel service station, and presents a logical annexation for the fuel service station in order to improve its overall functionality, especially when balanced against the limited desirability of the subject property as a residence.

Next to testify was Deborah Sebour, Petitioner's real estate consultant. Ms. Sebour operates Real Estate Investments, LLC and provides counseling to clients regarding real estate and land use issues. Ms. Sebour became involved with the instant matter in July, 2007 when she was contacted by Petitioner. Petitioner had purchased the subject property in 2004 when it became available for sale, due to its location just next to the fuel service station. Petitioner

contacted Ms. Sebour seeking suggestions on how to better utilize both the fuel service station and the subject property, and alleviating problems including inefficient traffic flow, loiterers congregating on the station grounds, and urinating on the fence areas. In response, Ms. Sebour assisted in putting together an information packet for the community containing details of Petitioner's proposed plans for the combined properties. A copy of this packet was marked and accepted into evidence as Petitioner's Exhibit 4. The packet included a scheduling notice of the zoning hearing, a number of safety issues and proposed solutions identified in connection with the properties, a description and artist's rendering of proposed improvements including landscaping and improving the existing, dilapidated fence, and photos of the immediate area. Ms. Sebour also indicated that the closest neighbors to the subject property -- located at 5 Lincoln Avenue (across the street) and 6 Lincoln Avenue (next door) -- were given the aforementioned information and indicated they were in support of Petitioner's petitions and proposed improvements. Their letters of support were marked and accepted into evidence as Petitioner's Exhibits 5A and 5B, respectively.

Testifying as an interested citizen on behalf of the nearby community association was Colonel James R. Pennington. Mr. Pennington indicated he had been given the aforementioned information packet containing the details of Petitioner's plans for the fuel service station and the subject property, and had reviewed the information. He had also spoken with a number of neighbors and stated that the neighbors and the community association are in favor of Petitioner's plans because the overall area will be improved as a result. Next to testify was Alton Morrison. Mr. Morrison lives nearby on Winters Lane and indicated he is opposed to the requested relief. He sees tearing down the home on the subject property and using the property as parking in conjunction with the existing fuel service station as a negative use of the property,

and does not believe the zoning should be changed or any exceptions made to accommodate such a use. In short, he was concerned about trading a house for a parking lot.

The Zoning Advisory Committee (ZAC) comments were received and are contained within the case file. The comments received from the Office of Planning dated December 6, 2007 indicates that Office visited the subject site and observed that the existing wood fence located on the service station property is seven feet high rather than five feet high as indicated on the site plan, and is in very poor condition. Several product-advertising signs are also displayed on the fence, and the existing service station dumpster is not screened or enclosed. The comments further indicate that all existing fencing should be removed and replaced, display of signage on the fence should be prohibited, and the dumpster area should be screened and enclosed. The site plan should be revised to eliminate the proposed driveway cut on Lincoln Avenue, landscaping and lighting plans should be submitted to the County's landscape architect, and the landscaping and lighting should be upgraded for the entire site. Comments were also received from the Bureau of Development Plans Review dated November 29, 2007 which indicate they have no objection to granting the requested variance; however, the entrance off Lincoln Avenue may not be constricted by the handicap parking space shown on the site plan, and the existing fence shall also be removed.

In response to the ZAC comments, Mr. Doak indicated his client's willingness to comply with the comments, though he did not believe it was necessary to prepare and submit a full landscape plan to the County's landscape architect due to the limited nature and scope of the landscaping.

In regard to the requested special hearing, based on the testimony and evidence, I am persuaded to grant the requested relief and allow a commercial parking area in the D.R.5.5 zone

pursuant to Section 409.8.B of the B.C.Z.R. I find that the proposed parking configuration with 10 additional spaces, including a handicapped space, will not be adverse to the character of the surrounding community, and the anticipated impact on the community will be minimal. I also find based on the testimony, as well as the details of the site plan and the photographs accepted into evidence, that the requirements of Section 409.8.B.2 will be met, including that only passenger vehicles, excluding buses, may use the parking area; that no loading, service or any use other than parking shall be permitted; that lighting shall be regulated as to location, direction, hours of illumination, glare and intensity; and that method and area of operation, provision for maintenance and permitted hours of use shall be specified and regulated as required. A satisfactory plan showing parking arrangement and vehicular access has been provided as shown on the site plan.

In regard to the request for variance, considering all the testimony and evidence presented, I find that special circumstances or conditions exist that are peculiar to the land or structure which is the subject of the variance request. Hence, I find the property unique in a zoning sense. I also find that strict compliance with the Zoning Regulations for Baltimore County would result in practical difficulty or unreasonable hardship.

Finally, I find that this variance can be granted in strict harmony with the spirit and intent of said regulations and in a manner so 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 held, and after considering the testimony and evidence offered by Petitioner, I find that Petitioner's special hearing and variance requests should be granted with conditions.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County, this 5th day of February, 2008 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 allow a commercial parking area in the D.R.5.5 zone is hereby GRANTED; and

IT IS FURTHER ORDERED that Petitioner's request for Variance from Section 1B01.1B.1.e.5 of the Baltimore County Zoning Regulations (B.C.Z.R.) to allow a parking lot with a 10 foot buffer and setback in lieu of the required 50 foot RTA buffer and 75 foot RTA setback is hereby GRANTED, subject to the following which are conditions precedent to the relief granted herein:

1. Petitioner may apply for his permits and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at his own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, Petitioner will be required to return, and be responsible for returning, said property to its original condition.
2. Petitioner shall remove all existing fencing and replace with attractive wood fencing. In addition, the display of signage on the fence shall be prohibited.
3. The dumpster area shall be screened and enclosed.
4. Petitioner shall revise the site plan to eliminate the proposed driveway cut on Lincoln Avenue where the proposed paved parking area is located. Lincoln Avenue is predominantly a residential street. The service station already has sufficient driveway cuts, including one on Lincoln Avenue near Route 40. There is no need for an additional driveway cut on Lincoln Avenue.
5. Petitioner shall prepare a plan showing proposed landscaping, fencing, dumpster area screening, and lighting for the subject property and the service station property, which shall be submitted to Avery Harden for his review and approval prior to the issuance of any use permits.
6. Only passenger vehicles, excluding buses, may use the parking area; no loading, service or any use other than parking shall be permitted; lighting shall be regulated as to location, direction, hours of illumination, glare and intensity; and method and area of operation, provision for maintenance and permitted hours of use shall be specified and regulated as required.

7. The BP service station is within the Revitalization District. Every effort shall be made to upgrade landscaping and lighting for the entire site.

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


THOMAS H. BOSTWICK
Deputy Zoning Commissioner
for Baltimore County

THB:pz

Case No.: 2017-0047-SPHXA

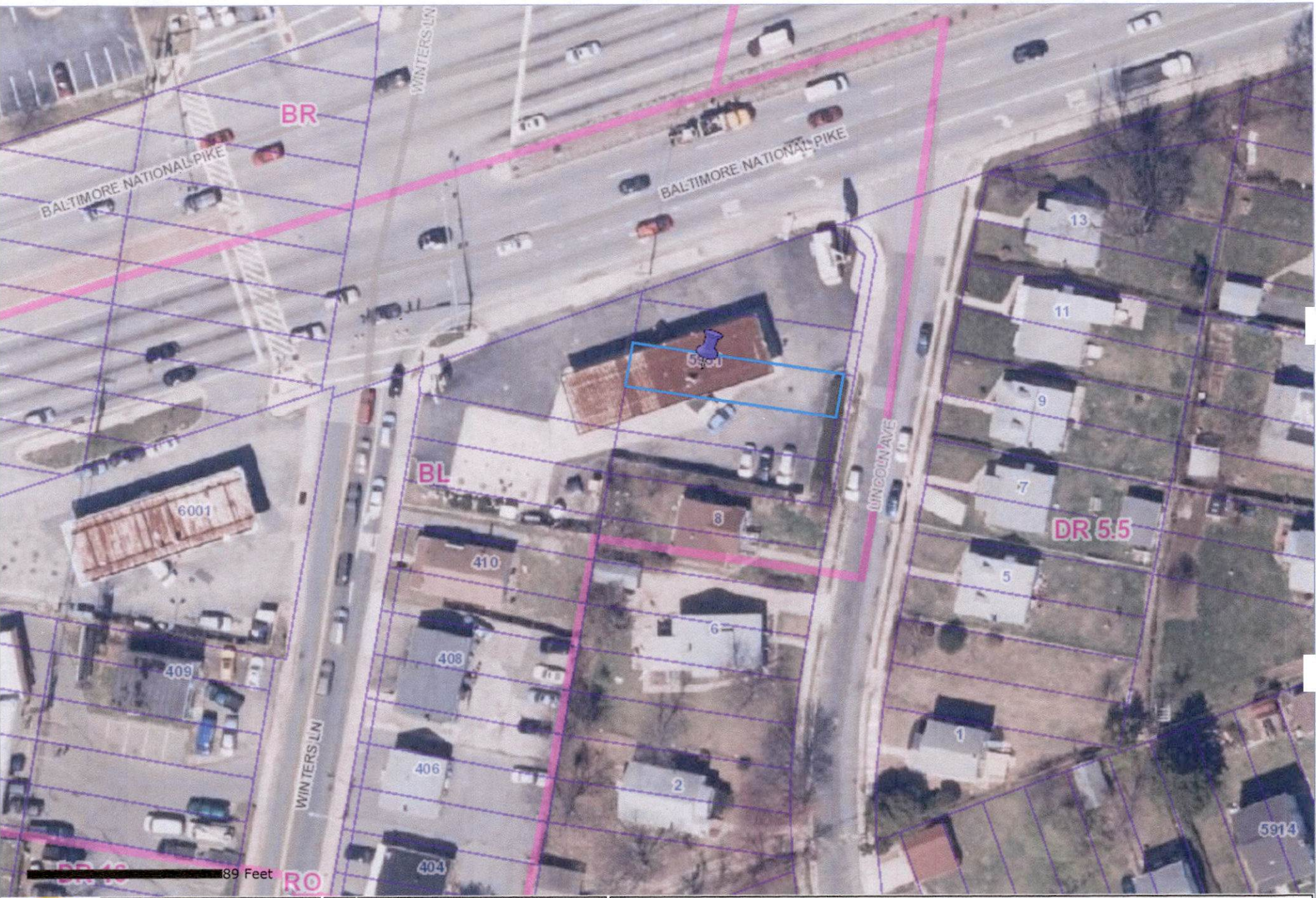
Exhibit Sheet

Petitioner/Developer

Protestant

DW 11-25-16
DW 10-24-16

No. 1	Plan (redline)	photos of vicinity
No. 2	Title survey	
No. 3	Aerial photo	
No. 4	photos of site	
No. 5	Plan from prior Amoco gas station	
No. 6	Letter 5-19-2009 Frank Bergerding, Esq.	
No. 7	Letter - 10/13/2016 Street Traffic Studies	
No. 8	Plan from prior zoning case	
No. 9		
No. 10		
No. 11		
No. 12		



My Neighborhood Map
Pet-Ex-3

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.

EX-4

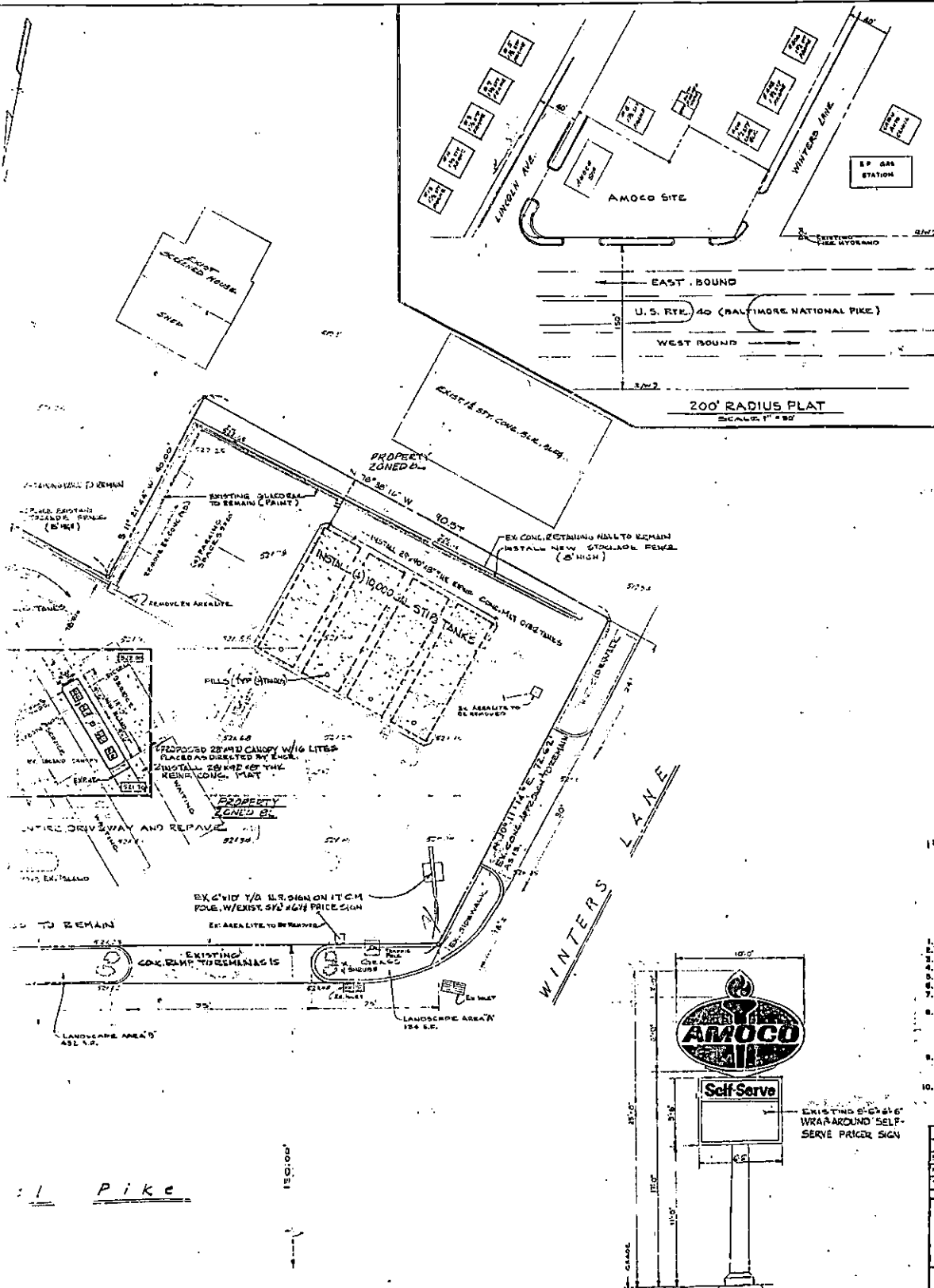












ZONING STATUS

EXISTING ZONING: PARCEL #1: B-1 PARCEL #2: B-1
 PROPOSED ZONING: PARCEL #1: B-1 PARCEL #2: B-1
 EXISTING DISTRICT: ALBANY
 PROPOSED DISTRICT: ALBANY
 VARIANCE TO SECTION: 13.1 INSTEAD OF THE REQUIRED

AREA REQUIREMENTS

LANDSCAPING ISLANDS WITH 2 (14) SINGLE DISPENSER PUMPS CAPABLE OF SERVING 2 (14) CARS AT ANY ONE TIME.
2 (14) DISPENSER ISLANDS WITH 2 (14) DUAL DISPENSER PUMPS CAPABLE OF SERVING 2 (14) CARS AT ANY ONE TIME.
 TOTAL SERVING SPACES: 28
 SITE AREA REQUIRED: 1000 TOTAL SPACES: 28 (14) x 1000
 SQUARE FEET: 1000 SQUARE FEET: 1000
 TOTAL AREA REQUIRED: 1000 SQUARE FEET
 TOTAL AREA OF TRACT: 1000 SQUARE FEET

ACCESS POINT

NUMBER OF DRIVEWAYS ON FRONT STREET: 2
 TIMES 65' = 130 (REQUIRED WIDTH)
 ACTUAL SITE WIDTH: 131

LANDSCAPING

AREA "A" = 131 60' FT. AREA "B" = 328
 AREA "A" = 131 60' FT. AREA "B" = 328
 TOTAL: 459 60' FT. 459 % OF TRACT
 5% OF TRACT: 50 60' FT. 50
 LANDSCAPING CONSISTS OF (DESCRIPTION): 28 60' FT. 28

LIGHTING

(1) TYPE: 13.1 HEIGHT: 13.1 (DESCRIPTION): 13.1
 (2) TYPE: 13.1 HEIGHT: 13.1 (DESCRIPTION): 13.1

PARKING

PARKING SPACES PROVIDED: 28 (ALL PARKING MUST BE SET BACK 5 FT. FROM STREET PROPERTY LINES)

SIGNS

IDENTIFICATION SIGN: 1 47' 60" FT. 47
 (1) (13.1)
 IDENTIFICATION SIGN: 1 34.8' 60" FT. 34.8
 (1) (13.1)
 PRODUCT PRICE SIGN: 1 30' 60" FT. 30
 (SELF-SERVE)
 (CAN-OPENS)
 ADVERTISING CURB SIGN: 1 13.1' 60" FT. 13.1
 TOTAL IDENTIFICATION: 2
 TOTAL BUSINESS: 2

ANCILLARY USES

ELECTION DISTRICT

GENERAL NOTES

1. AREA OF BUILDING = 120 S.F. CASHIERS LANE.
2. AREA OF LOT = 20,410 S.F.
3. PERCENT OF LOT COVERED BY CANOPY = 11.5%.
4. AREA OF SIGN FACE = 11.5%.
5. HEIGHT OF SIGN = 28' 60" FT.
6. ELECTRICAL SERVICE = 200 AMPS MINIMUM.
7. CONTRACTOR SHALL FURNISH AND INSTALL STEEL CURB FORMS PERMCO OR EQUAL.
8. CONTRACTOR SHALL INSPECT SITE FOR STRUCTURES, POLES, BUILDINGS, TREES, ETC. NECESSARY REMOVAL. TO OBTAIN THE END RESULT, THE AMERICAN OIL COMPANY ASSUMES NO RESPONSIBILITY FOR OMISSIONS.
9. GRADING LEGEND—
 800.00 EXISTING GRADE
 300.00 PROPOSED FINISHED GRADE
 10. THE CONTRACTOR SHALL RESOLVE THE FINAL LOCATION OF TANKS AND FILLS WITH AREA ENGINEER WHEN THE STATION IS UNDER CONSTRUCTION.

DATE	BY	REVISION	BY
5-2-82	B	REVISED HYPER-SALTO CO. REMOVED REQ.	D-C
10-19-81	B	ADDED 200' RADIUS PLAT & FIRE HYDRANT LOC.	D-C
7-18-81	B	REVISED CANOPY LITE. NOTE	D-C
LITE	BY	REVISION	BY

Amoco Oil Company
 1. Safety Department
 2. Planning Department
 3. Marketing Department
 4. Operations Department
 5. Finance Department
 6. Human Resources Department
 7. Information Systems Department
 8. Legal Department
 9. Environmental Department
 10. Public Relations Department
 11. Training Department
 12. Quality Control Department
 13. Maintenance Department
 14. Security Department
 15. Facilities Management Department
 16. Procurement Department
 17. Compliance Department
 18. Risk Management Department
 19. Sustainability Department
 20. Corporate Governance Department

PROPOSED PUMPS REBUILD
5931 BALTO NATIONAL PIKE
AND WINTERS LANE
CATONSVILLE, MARYLAND

Scale: 1"=10'
 Drawn By: 6/81
 Checked By: 6/81
 Approved: 6/81
 WASHINGTON District
 Not under license
 Date: 6/81
 No. 55-10
 Do not scale, use dimensions only

EXISTING IDENTIFICATION SIGN
 W/ EXISTING SELF-SERVE
 PRICE SIGN
 SIGN: 4' x 6' 0"

REVISED PLANS
 9/1/85

FRANCIS X. BORGERDING, JR.

Attorney at Law

MERCANTILE BUILDING - SUITE 600
409 WASHINGTON AVENUE
TOWSON, MARYLAND 21204
(410) 296-6820
FAX (410) 296-6884

RECEIVED

MAY 22 2009

May 19, 2009

ZONING COMMISSIONER

Thomas H. Bostwick
Deputy Zoning Commissioner for
Baltimore County
Jefferson Building
105 West Chesapeake Avenue, Suite 103
Towson, Maryland 21204

RE: Case No.: 2008-217-SPHA

Dear Mr. Bostwick:

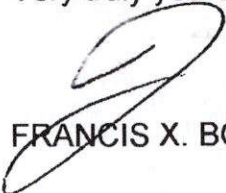
I am writing in response to your correspondence of March 16, 2009. My apologies for the delay in responding to your inquiry regarding the above-referenced matter.

Due to the re-zoning of the land at issue in the Baltimore County 2008 Comprehensive Zoning Map Issues filed in the above-referenced special hearing are now moot. Accordingly, my clients do not need to proceed with the remand of the above-referenced case.

Withdrawal of the requested relief at this time and dismissing is moot.

If you have any questions in relation to this matter, please do not hesitate to contact me. Thank you for your cooperation.

Very truly yours,


FRANCIS X. BORGERDING, JR.

FXBJr:bjk

cc: Mr. Majid Hussain

EX.6

DR-

DR 5.5 → B.L.
2008

RECEIVED

2008-05-13

COMMUNICATIONS SECTION

May 8 2008

Thomas J. ...
Department of Corrections
Baltimore County
Baltimore, Maryland
100 West Chesapeake Avenue
Baltimore, Maryland 21201

RE: Call No. 2008-217-SP1A

Dear Mr. Beal:

I am writing to respond to your call on May 7, 2008. I apologize for the delay in responding to your inquiry. The above-referenced matter is the subject of an ongoing investigation. The results of the investigation will be reported to you as soon as they are available. I am sorry that I cannot provide you with more information at this time.

Very truly yours,
[Signature]

F. AMER X BORRERO, JR.

DEPT. OF
CORRECTIONS



Street Traffic Studies, Ltd.

October 13, 2016

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

RE: 5931 Baltimore National Pike
STS No.: 6496

Dear Mr. Richardson:

This is in response to your inquiry regarding trip generation rates between gas stations and gas stations with convenience stores associated with them.

The Institute of Transportation Engineer's publication Trip Generation, Ninth Edition contains trip rates for both uses based on the number of fueling positions available. The trip rates for each use is shown below in Table 1.

TABLE 1

<u>LAND USE</u>	<u>MORNING PEAK HOUR</u>			<u>EVENING PEAK HOUR</u>		
	<u>IN</u>	<u>OUT</u>	<u>TOTAL</u>	<u>IN</u>	<u>OUT</u>	<u>TOTAL</u>
Gas Station (944) Trips/fueling position	T - 10.27(X) + 13.89			6.94	6.93	13.87
Gas Station/C Store (945) Trips/fueling position	5.08	5.08	10.16	6.76	6.75	13.51

In both cases the trip rates for gas station/convenience stores are less per fueling position than a gas station without a convenience store.

Please review the above and let me know if you have any questions or comments.

Sincerely,

Mike Nalepa
Senior Traffic Engineer

Ex-7







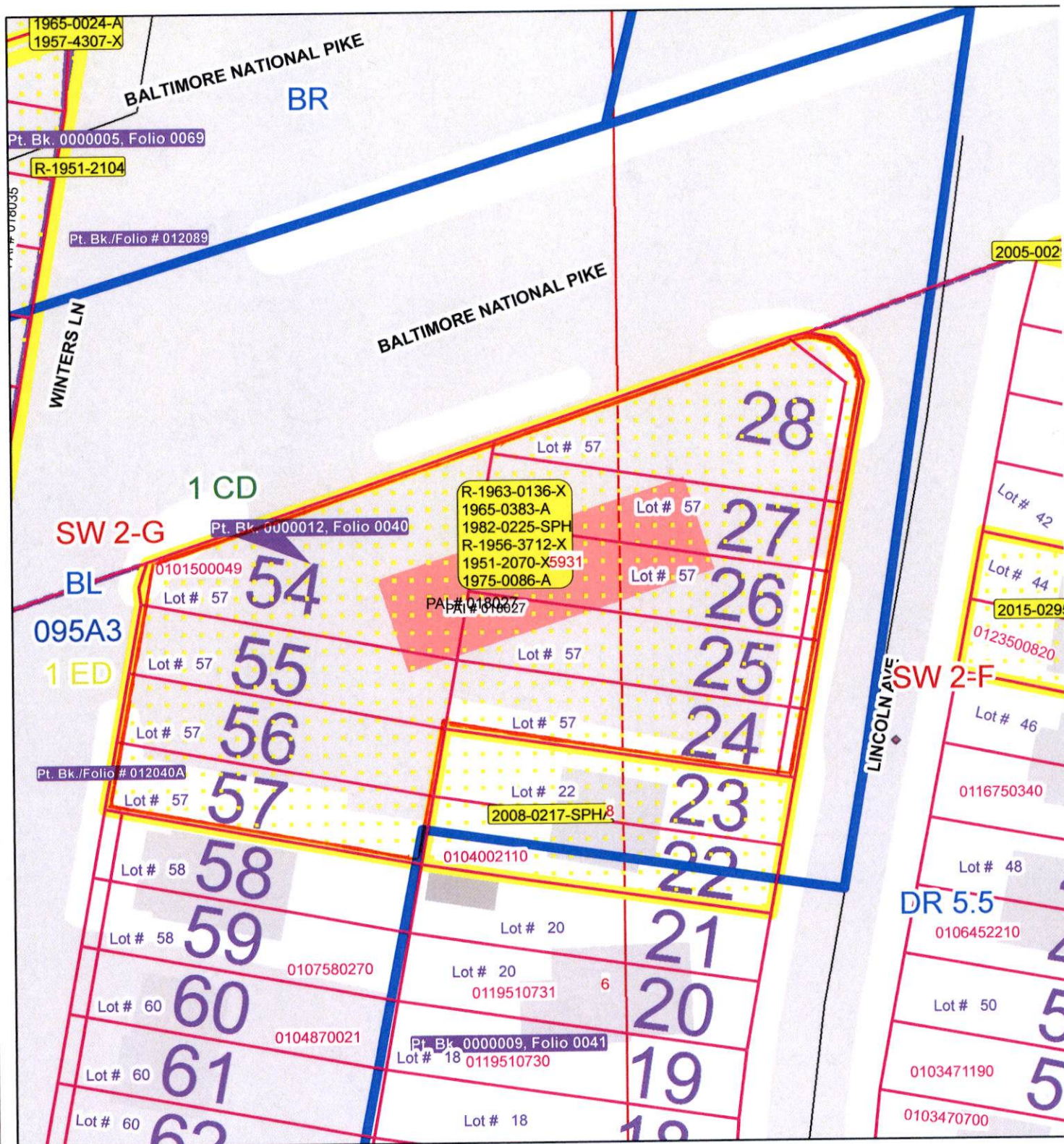


48





59 | Baltimore Nation Pike



Publication Date: 8/9/2016



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



0 10 20 40 60 80 Feet

1 inch = 40 feet

Item # 0047

LEGEND

- CONC. = CONCRETE
- ASP. = ASPHALT
- O/H = OVERHANG
- F = FOUND
- FP = FLAG POLE
- WM = WATER MAIN
- PP = POWER POLE
- FENCE
- LP = LIGHT POLE
- SLP = STOP LIGHT POLE
- EP = EDGE OF PAVEMENT
- C&G = CURB & GUTTER
- VAC = VACUUM
- P-T-TV — = OVERHEAD POWER, TELEPHONE & TELEVISION WIRES
- FC = FACE OF CURB
- CDI = CURB DROP INLET
- CHD = CHORD DISTANCE
- CHB = CHORD BEARING

SCHEDULE B

5. RIGHT OF WAY TO THE COUNTY COMMISSIONERS OF BALTIMORE COUNTY AS SHOWN ON PLAT RECORDED IN LIBER 15 AT FOLIO 90. (AS SHOWN HEREON)

6. EASEMENTS GRANTED TO THE STATE ROADS COMMISSION AS SET FORTH ON PLATS RECORDED IN LIBER 2872 (NOT PLOTTED, NO PLOTTABLE EASEMENTS), IN LIBER 1081 AT FOLIO 131 (AFFECTS SUBJECT PROPERTY, NOT PLOTTED, NO PLOTTABLE EASEMENTS), IN LIBER 1082 AT FOLIO 452 (NOT PLOTTED, DOCUMENT PROVIDED ILLEGIBLE), IN LIBER 1088 AT FOLIO 440 (AFFECTS SUBJECT PROPERTY, NOT PLOTTED, NO PLOTTABLE EASEMENTS); AS AFFECTED BY LIBER 2087 AT FOLIO 409 (NOT PLOTTED, DOCUMENT PROVIDED ILLEGIBLE), BUT OMITTING ANY CONVEYANTS OR RESTRICTIONS, IF ANY, BASED UPON RACE, COLOR, RELIGION, SEX, SEXUAL ORIENTATION, FAMILIAL STATUS, MARITAL STATUS, DISABILITY, HANDICAP, NATIONAL ORIGIN, ANCESTRY, OR SOURCE OF INCOME, AS SET FORTH IN APPLICABLE STATE OR FEDERAL LAWS, EXCEPT TO THE EXTENT THAT SAID COVENANT OR RESTRICTION IS PERMITTED BY APPLICABLE LAW.

7. TERMS, PROVISIONS, RESTRICTIONS, CONDITIONS, EASEMENTS AND RESERVATIONS CONTAINED IN THAT CERTAIN DEED RECORDED IN LIBER 1081 AT FOLIO 128 (AFFECTS SUBJECT PROPERTY, NOT PLOTTED, NO PLOTTABLE EASEMENTS), IN LIBER 1081 AT FOLIO 131 (AFFECTS SUBJECT PROPERTY, NOT PLOTTED, NO PLOTTABLE EASEMENTS), IN LIBER 1082 AT FOLIO 452 (NOT PLOTTED, DOCUMENT PROVIDED ILLEGIBLE), IN LIBER 1088 AT FOLIO 440 (AFFECTS SUBJECT PROPERTY, NOT PLOTTED, NO PLOTTABLE EASEMENTS); AS AFFECTED BY LIBER 2087 AT FOLIO 409 (NOT PLOTTED, DOCUMENT PROVIDED ILLEGIBLE), BUT OMITTING ANY CONVEYANTS OR RESTRICTIONS, IF ANY, BASED UPON RACE, COLOR, RELIGION, SEX, SEXUAL ORIENTATION, FAMILIAL STATUS, MARITAL STATUS, DISABILITY, HANDICAP, NATIONAL ORIGIN, ANCESTRY, OR SOURCE OF INCOME, AS SET FORTH IN APPLICABLE STATE OR FEDERAL LAWS, EXCEPT TO THE EXTENT THAT SAID COVENANT OR RESTRICTION IS PERMITTED BY APPLICABLE LAW.

8. EASEMENT GRANTED TO THE COUNTY COMMISSIONER OF BALTIMORE COUNTY RECORDED IN DEED BOOK 1078 AT FOLIO 525. (DOES NOT AFFECT SUBJECT PROPERTY LIES IN EXISTING LINCOLN ROAD RIGHT OF WAY)

9. EASEMENT GRANTED TO THE STATE OF MARYLAND BY INSTRUMENT RECORDED IN LIBER 1181 AT FOLIO 339. (AFFECTS SUBJECT PROPERTY, PLOTTED HEREON)

STATEMENT OF ENCROACHMENTS

- A ADJACENT PROPERTIES ASPHALT DRIVEWAY EXTENDS ONTO SOUTHERN PORTION OF SUBJECT PROPERTY 0.33'.
- B OVERHEAD CANOPY AND FUEL PUMP ISLANDS EXTEND OVER 20' BUILDING SETBACK AT SOUTHERN PORTION OF SUBJECT PROPERTY.

GENERAL NOTES

1. THIS PLAT WAS BASED ON A FIELD SURVEY WITH A LINEAR PRECISION CLOSURE OF 1 FOOT IN 22899 FEET.
2. THIS PROPERTY HAS DIRECT ACCESS TO BALTIMORE NATIONAL PIKE, LINCOLN AVENUE AND WINTERS LANE. ALL ARE DEDICATED PUBLIC STREETS OR HIGHWAYS.
3. THE NUMBER OF STRIPED PARKING SPACES IS 0 REGULAR AND 0 HANDICAPPED SPACES.
4. ALL FIELD MEASUREMENTS MATCHED RECORD MEASUREMENTS WITHIN THE MINIMUM STANDARDS SET FORTH FOR ALTA/ACSM LAND TITLE SURVEY.
5. WATERS OF THE UNITED STATES ARE NOT DESIGNATED BY THIS SURVEY.
6. RIGHTS OF THE STATE OF MARYLAND ARE NOT DESIGNATED BY THIS SURVEY.
7. WETLANDS AND SUBAQUEOUS AREA OF WETLANDS MAY BE SUBJECT TO THE FEE RIGHTS OF THE STATE OF MARYLAND. THESE AREAS HAVE NO SPECIFIC JUDICIAL DETERMINATION OF TITLE AND NO OPINION OF TITLE IS AVAILABLE AS OF DATE OF SURVEY. SUBJECT TO SECTION 28.2-1200 OF THE CODE OF VIRGINIA.
8. BY VISUAL INSPECTION THERE APPEARS TO BE NO EVIDENCE OF EARTH MOVING WORK, BUILDING CONSTRUCTION, OR BUILDING ADDITIONS WITHIN RECENT MONTHS.
9. BY VISUAL INSPECTION THERE APPEARS TO BE NO EVIDENCE OF SITE BEING USED AS A SOLID WASTE DUMP, SUMP OR SANITARY LANDFILL.
10. THERE APPEARS TO BE NO CHANGE TO RIGHT OF WAY LINES FOR ADJACENT ROADWAYS, OR STREET OR SIDEWALK CONSTRUCTION REPAIRS, BY VISUAL INSPECTION, OR ANY INFORMATION SUPPLIED TO SURVEYOR.
11. BEARINGS IN (xx) ARE FROM RECORD LEGAL DESCRIPTION.
12. SAID DESCRIBED PROPERTY IS LOCATED WITHIN AN AREA HAVING A ZONE DESIGNATION OF "X" BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA), ON FLOOD INSURANCE RATE MAP NO. 240010 0386G, WITH A DATE OF IDENTIFICATION OF 7/16/04, IN BALTIMORE COUNTY, STATE OF MARYLAND,

WHICH IS THE CURRENT FLOOD INSURANCE RATE MAP FOR THE COMMUNITY IN WHICH THE SAID PREMISES IS LOCATED.

UTILITY STATEMENT

THE UNDERGROUND UTILITIES SHOWN HAVE BEEN LOCATED FROM FIELD SURVEY INFORMATION AND EXISTING DRAWINGS. THE SURVEYOR MAKES NO GUARANTEE THAT THE UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN SERVICE OR ABANDONED. THE SURVEYOR FURTHER DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED ALTHOUGH HE DOES CERTIFY THAT THEY ARE LOCATED AS ACCURATELY AS POSSIBLE FROM INFORMATION AVAILABLE. THE SURVEYOR HAS NOT PHYSICALLY LOCATED THE UNDERGROUND UTILITIES.

ZONING DATA

ZONING: BL (BUSINESS LOCAL)

SETBACKS

NONE IF ADJOINING BL ZONE

20' IF ADJOINING RESIDENTIAL ZONE

HEIGHT - BASED ON APPROVED DEVELOPMENT PLAN

PARKING REQUIREMENTS

3.3 PER 1000 SQ. FT. GFA

BALTIMORE COUNTY ZONING DEPARTMENT

CONTACT: COUNTER PERSON 410-887-3391

20 0 20 40
SCALE 1" = 20' FEET

Landmark-fleet Surveyors, P.C.

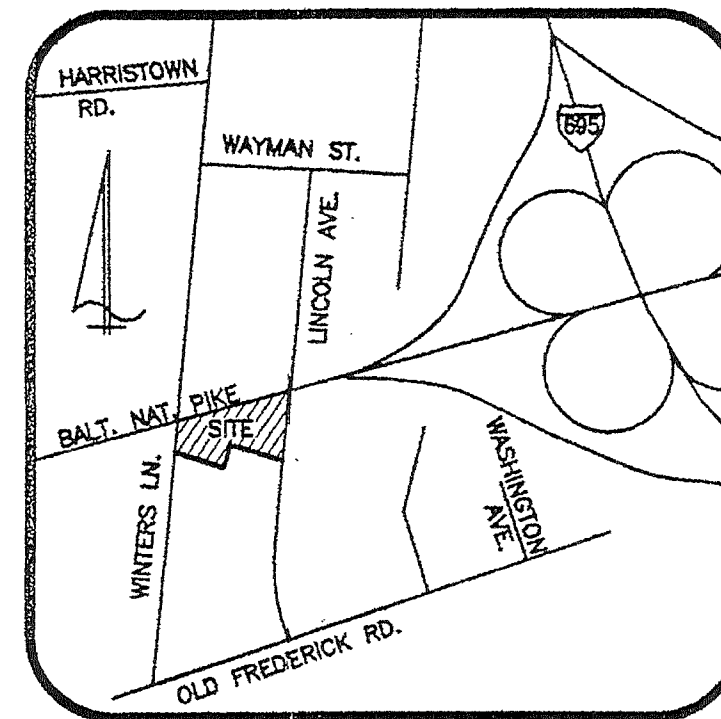
ENGINEERS • LAND SURVEYORS • PLANNERS

124 RUFORD ROAD

RICHMOND, VIRGINIA 23235

(804) 330-5666, (FAX) 330-5558

DATE: 7/21/05 DRAWN BY: BAC JN: 18616 SHEET 1 OF 1



VICINITY MAP
NOT TO SCALE

SURVEY DESCRIPTION

ALL THAT CERTAIN LOT OR PARCEL OF LAND LYING AND BEING SITUATE IN BALTIMORE COUNTY, MARYLAND AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A 1/2" INCH ROD SET, BEING ALONG THE SOUTH LINE OF BALTIMORE NATIONAL PIKE, AND AT THE NORTHWEST CORNER OF THE INTERSECTION OF AFOREMENTIONED BALTIMORE NATIONAL PIKE AND LINCOLN AVENUE, THENCE SOUTH 84 DEGREES 09 MINUTES 25 SECONDS EAST 26.07 FEET TO A 1/2" INCH ROD SET, THENCE SOUTH 17 DEGREES 24 MINUTES 10 SECONDS WEST 107.67 FEET TO A 1/2" INCH ROD SET, THENCE NORTH 72 DEGREES 35 MINUTES 50 SECONDS WEST 95.00 FEET TO A 1/2" INCH ROD SET, THENCE SOUTH 17 DEGREES 24 MINUTES 10 SECONDS WEST 40.00 FEET TO A 1/2" INCH ROD SET, THENCE NORTH 72 DEGREES 35 MINUTES 50 SECONDS WEST 90.58 FEET TO A 3/4" INCH ROD FOUND, THENCE NORTH 16 DEGREES 09 MINUTES 00 SECONDS EAST 72.56 FEET TO A 1/2" INCH ROD SET, THENCE ALONG A CURVE TO THE RIGHT 0.70 FEET TO A 1/2" INCH ROD SET, SAID CURVE HAVING A RADIUS OF 15.00 FEET, A CHORD BEARING OF NORTH 77 DEGREES 29 MINUTES 16 SECONDS EAST, A CHORD DISTANCE OF 0.70 FEET, THENCE NORTH 78 DEGREES 17 MINUTES 00 SECONDS EAST 193.75 FEET TO A 1/2" INCH ROD SET, BEING THE POINT AND PLACE OF BEGINNING, CONTAINING 0.4414 ACRES OR 19227.5 SQUARE FEET OF LAND.

THE ABOVE DESCRIBED PROPERTY IS THE SAME PROPERTY AS THAT DESCRIBED IN CHICAGO TITLE INSURANCE COMPANY COMMITMENT NO. 2950-50104 BEARING AN EFFECTIVE DATE OF APRIL 17, 2005 AT 800 AM.

RECORD LEGAL DESCRIPTION

CONTINUED...

SAID NORTHWEST SIDE OF LINCOLN AVENUE WITH THE SOUTH SIDE OF BALTIMORE NATIONAL PIKE, AS LAID OUT 150 FEET WIDE, SAID FILET CURVE BEING SHOWN ON SAID REVISED PLAT OF CATONSVILLE PINES, THENCE BINDING ON SAID FILET CURVE(2) NORTHWESTERLY BY A CURVE TO THE LEFT WITH A RADIUS OF 15.00 FEET, THE DISTANCE OF 31.18 FEET (SAID ARE BEING SUBTENDED BY A CHORD BEARING NORTH 42 DEGREES 09 MINUTES 25 SECONDS WEST 26.86 FEET TO THE SOUTH SIDE OF SAID BALTIMORE NATIONAL PIKE AND TO THE NORTH LINE OF LOT NO. 28, BLOCK A, AS SHOWN ON SAID LAST MENTIONED PLAT, THENCE BINDING ON SAID LINE AND ON THE SOUTH SIDE OF SAID BALTIMORE NATIONAL PIKE(3) SOUTH 78 DEGREES 17 MINUTES 00 SECONDS WEST 68.94 FEET TO THE DIVIDING LINE-BETWEEN SAID LOT NO. 28 AND LOT NO. 54, BLOCK A, AS SHOWN ON SAID LAST MENTIONED PLAT, THENCE BINDING ON SAID DIVIDING LINE, AND COUNTING THE SAME COURSE ALONG THE REAR LINE OF LOTS NOS. 27 AND 28, BLOCK A, IN ALL, (4) SOUTH 17 DEGREES 24 MINUTES 10 SECONDS WEST 43.90 FEET TO THE DIVIDING LINE FIRST HEREIN REFERRED TO, AND THENCE BINDING THEREON(S) SOUTH 72 DEGREES 35 MINUTES 50 SECONDS EAST 100.00 FEET TO THE PLACE OF BEGINNING, BEING ALSO FURTHER KNOWN AND DESIGNATED AS ALL OF LOTS 26, 27 AND 28, SECTION A, AS LAID OUT AND SHOWN ON THE PLATS OF CATONSVILLE PINES, WHICH PLATS ARE RECORDED AMONG THE LAND RECORDS OF BALTIMORE COUNTY IN PLAT BOOK 9, FOLIO 41 AND PLAT BOOK 12, FOLIO 40.

LESS AND EXCEPT FROM THE ABOVE PROPERTY THAT CERTAIN PARCEL OF PROPERTY CONVEYED TO BALTIMORE COUNTY, MARYLAND BY DEED DATED DECEMBER 30, 1965 AND RECORDED IN LIBER 4576 AT FOLIO 482.

CERTAIN PARCEL OF PROPERTY CONVEYED TO BALTIMORE COUNTY, MARYLAND BY DEED DATED APRIL 25, 1952 AND RECORDED IN LIBER 2178 AT FOLIO 122.

CONTINUED...

SURVEYOR'S CERTIFICATE

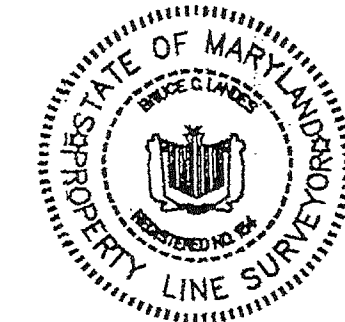
TO: BP PRODUCTS NORTH AMERICA, INC. AND CHICAGO TITLE INSURANCE COMPANY:

THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE (1) IN ACCORDANCE WITH THE MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/ACSM LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA, ACSM AND NSPS IN 1989, AND INCLUDES ITEMS 1-4, 6, 7(A)-(C), 8-10, 11(A) AND 13-16 OF TABLE A THEREOF, AND (2) PURSUANT TO THE ACCURACY STANDARDS(AS ADOPTED BY ALTA, NSPS AND ACSM AND IN EFFECT ON THE DATE OF THIS CERTIFICATION), THE UNDERSIGNED FURTHER CERTIFIES THAT THE POSITIONAL UNCERTAINTY RESULTING FROM THE SURVEY MEASUREMENTS MADE ON THE SURVEY DO NOT EXCEED THE ALLOWABLE POSITIONAL TOLERANCE.

THIS MAP OR PLAT OF SURVEY OF THE PREMISES SHOWN HEREON IS THE SAME AS THAT DESCRIBED IN CHICAGO TITLE INSURANCE COMPANY TITLE COMMITMENT NUMBER 2950-50104 DATED APRIL 17, 2005.

DATE: 8/11/05

REGISTRATION NO. 162



RECORD LEGAL DESCRIPTION

ALL THAT CERTAIN PIECE OR PARCEL OF LAND LYING IN BALTIMORE COUNTY, MARYLAND AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

TRACT I

BEGINNING FOR THE SAME AT A POINT IN THE NORTHWEST SIDE OF LINCOLN AVENUE, AS LAID OUT 40 FEET WIDE AND SHOWN ON THE PLAT OF CATONSVILLE PINES, RECORDED AMONG THE LAND RECORDS OF BALTIMORE COUNTY IN PLAT BOOK L, MCLM, NO. 9, FOLIO 41, AND ON THE REVISED PLAT OF CATONSVILLE PINES, RECORDED AMONG THE SAID LAND RECORDS IN PLAT BOOK C.W.B. JR. NO. 12, FOLIO 40, AT THE DIVIDING LINE BETWEEN LOTS NOS. 23 AND 24, BLOCK A, AS SHOWN ON BOTH OF SAID PLATS; AND RUNNING THENCE, BINDING ON SAID NORTHWEST SIDE OF LINCOLN AVENUE, (1) NORTH 17 DEGREES 24 MINUTES 10 SECONDS EAST 40.00 FEET TO THE DIVIDING LINE BETWEEN LOTS NOS. 25 AND 26, BLOCK A, AS SHOWN ON SAID PLATS; THENCE BINDING THEREON, (2) NORTH 72 DEGREES 35 MINUTES 50 SECONDS WEST 100.00 FEET; THENCE BINDING ON THE REAR LINES OF SAID LOTS NOS. 25 AND 24(3) SOUTH 17 DEGREES 24 MINUTES 10 SECONDS WEST 40.00 FEET TO THE DIVIDING LINE FIRST HEREIN REFERRED TO; AND THENCE BINDING THEREON(4) SOUTH 72 DEGREES 35 MINUTES 50 SECONDS EAST 100.00 FEET TO THE PLACE OF BEGINNING, BEING FURTHER KNOWN AND DESIGNATED AS ALL OF LOTS 24 AND 25, SECTION A, AS LAID OUT AND SHOWN ON THE PLAT OF CATONSVILLE PINES, WHICH PLAT IS RECORDED AMONG THE LAND RECORDS OF BALTIMORE COUNTY IN PLAT BOOK 9, FOLIO 41.

TRACT II

BEGINNING FOR THE SAME AT A POINT BEING ON THE SOUTH SIDE OF EDMONSON AVENUE EXTENDED KNOWN AS U.S. ROUTE 40 AT THE DISTANCE 18.04 FEET NORTH 78 DEGREES 17 MINUTES EAST FROM THE CORNER FORMED BY THE INTERSECTION OF THE SOUTH SIDE OF EDMONSON AVENUE EXTENDED WITH THE EAST SIDE OF WINTERS LANE IF THE SAID LINES OF SAID STREETS WERE PROJECTED AND RUNNING FROM SAID POINT OF BEGINNING BINDING ON SAID SOUTH SIDE OF EDMONSON AVENUE EXTENDED NORTH 78 DEGREES 17 MINUTES EAST 104.85 FEET TO THE DIVISION LINE BETWEEN LOT 28 AND 54 SHOWN ON PLAT OF BLOCK A CATONSVILLE PINES DULY RECORDED AMONG THE PLAT RECORDS OF BALTIMORE COUNTY IN LIBER PLAT BOOK C.W.B. NO. 23 FOLIO NO. 23 FOLIO 40 AND THENCE LEAVING EDMONSON AVENUE EXTENDED AND RUNNING SOUTH 17 DEGREES 22 MINUTES WEST 123.80 FEET BINDING ALONG THE DIVISION LINE BETWEEN LOTS 28 TO 22 BOTH INCLUSIVE AND 54 TO 57 BOTH INCLUSIVE BLOCK A PLAT AFORESAID TO THE DIVISION LINE BETWEEN LOTS 57 AND 58 BLOCK A PLAT AFORESAID THENCE BINDING ALONG SAID DIVISION LINE NORTH 72 DEGREES 38 MINUTES WEST 88.08 FEET INTERSECT THE EAST SIDE OF WINTERS LANE THENCE BINDING ON THE EAST SIDE OF WINTERS LANE NORTH 16 DEGREES 9 MINUTES EAST 58.41 FEET TO A POINT IN THE DIVISION LINE BETWEEN LOTS 58 AND 54 BLOCK A PLAT AFORESAID AND THENCE BY A CURVE HAVING THE RADIUS OF 15 FEET IN A NORTHEASTERLY DIRECTION DISTANCE OF 18.26 FEET TO THE PLACE OF BEGINNING.

BEING LOTS 54, 55, 56 AND 57 IN SECTION A AS LAID OUT ON THE REVISED PLAT OF CATONSVILLE PINES RECORDED AMONG THE LAND RECORDS OF BALTIMORE COUNTY IN PLAT BOOK C.W.B. NO. 12 FOLIO 40.

TRACT III

BEGINNING FOR THE SAME AT A POINT ON THE NORTHWEST SIDE OF LINCOLN AVENUE, AS LAID OUT 40 FEET WIDE AND SHOWN ON THE PLAT OF CATONSVILLE PINES, RECORDED AMONG THE LAND RECORDS OF BALTIMORE COUNTY IN PLAT BOOK L, MCLM, NO. 9, FOLIO 41, AND ON THE REVISED PLAT OF CATONSVILLE PINES, RECORDED AMONG THE SAID LAND RECORDS IN PLAT BOOK C.W.B. JR. NO. 12, FOLIO 40, AT THE DIVIDING LINE BETWEEN LOTS NOS. 25 AND 26, BLOCK A, AS SHOWN ON BOTH SAID PLATS; AND RUNNING THENCE, BINDING ON SAID NORTHWEST SIDE OF LINCOLN AVENUE(1) NORTH 17 DEGREES 24 MINUTES 10 SECONDS EAST 74.08 FEET TO THE SOUTHEAST END OF THE FILET CURVE CONNECTING

"ALTA/ACSM LAND TITLE SURVEY"

PREPARED FOR:

THE MATTHEWS COMPANY, Inc.
National ALTA Survey Management

17220 Newhope Street, Suites 108-110, Fountain Valley, CA 92708
Tel: (714)-979-7181 Fax: (714)-641-2840
www.themattthewscompany.com

MARK	DATE	PER	COMMENTS	REVISION	BY	APPROVED
1	8/11/05					

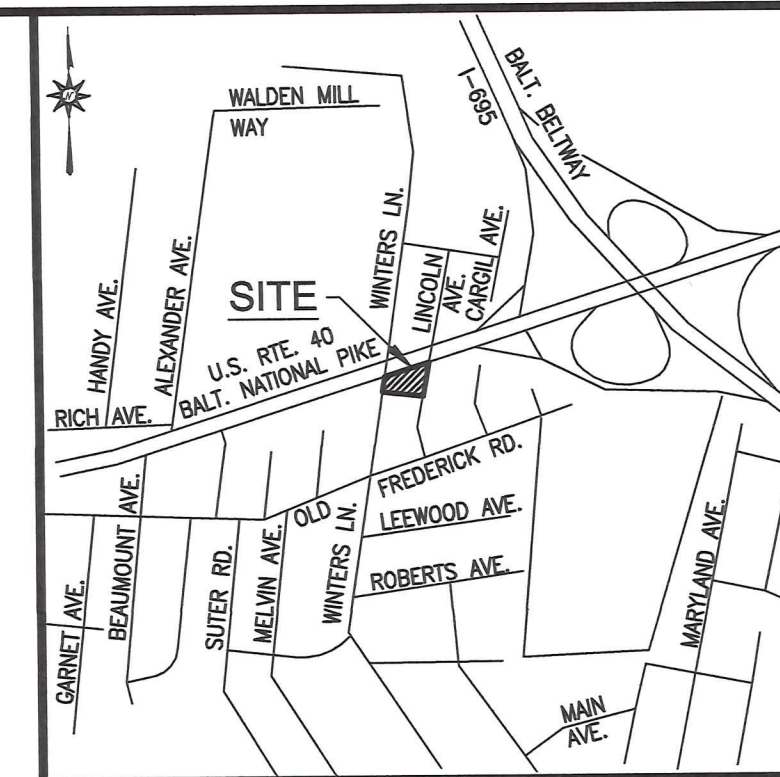
BP AMERICA, INC.

5931 BALTIMORE (NATIONAL PIKE)
CATONSVILLE, MD

SCALE: 1" = 20'	CHKD. / AP'V'D
DATE: 7/21/05	APPROVED:
DWN. BY: BAC	SS NO.: 84713
CHKD. BY: BCL	PACKAGE: F

JN: 27716

Ret. #2



LOCATION MAP

SCALE: 1" = 1,000'

GENERAL NOTES:

- OWNER/DEVELOPER:
SAHI PETROLEUM MARKETING LLC.
5931 BALTIMORE NATIONAL PIKE
BALTIMORE MD 21228
- SITE AREA
GROSS: 36,508 SF or 0.83 Ac.±
NET: 23,223 SF or 0.53 Ac.±
- UTILITIES:
PUBLIC WATER & SEWER
- BUILDING COVERAGE
EXISTING: 128 SF (GAS STATION KIOSK)
PROPOSED: 1,792 SF (CONVENIENCE STORE)
TOTAL: 1,792
- DEED REFERENCE: 23366/51 & 37490/74
- PLAT REFERENCE: 09/41,12/40
- TAX ACCOUNT: 0101500049, 0104002110
- COUNCILMANIC DISTRICT: 1ST
- ZONING: BL
(PER 1"-200' ZONING MAP 095A3)
- TAX MAP #95, GRID #19, PARCEL #42, LOT #57
- PREVIOUS ZONING CASES
1) 1951-2070-X SPECIAL PERMIT FOR GASOLINE FILLING STATION GRANTED 10/16/1951
2) R-1956-3712-X REZONE FROM R-6 TO B-R & USE CAR LOT DENIED 2/23/1956
3) R-1963-0136-X REZONE FROM R-6 TO B-L, CONSTRUCTION OF MODERN GASOLINE FILLING STATION. GRANTED 11/21/1963
4) 1965-0383-A ZONING VARIANCE, TO PERMIT A SIGN WITH A TOTAL HEIGHT OF 50 FEET INSTEAD OF THE REQUIRED HEIGHT OF 25 FEET. GRANTED 6/28/1965
5) 1975-0086-A ZONING VARIANCE, TO ALLOW A 5'0" SIDE YARD SET-BACK IN LIEU OF THE REQUIRED 10'0". GRANTED 10/21/1974
6) 1982-0225-SPH SPECIAL HEARING PETITION, TO CONVERT FROM A FULL-SERVICE GASOLINE STATION TO A SELF-SERVE PUMPER FACILITY. GRANTED 7/22/1982
7) 2008-217-SPHA SPECIAL HEARING TO ALLOW PARKING IN A RESIDENTIAL ZONE AND VARIANCE FOR RTA BUFFER AND SETBACK. DISMISSED AS MOOT AFTER THE PROPERTY WAS REZONED IN 2008 TO BL
- NO KNOWN ZONING VIOLATIONS EXISTING ON THE PROPERTY
- NO KNOWN PREVIOUS PERMITS EXIST ON FILE.
- BUILDING HEIGHT 24'
- PARKING CALCULATIONS
REQUIRED:
GAS STATION: 1,792 SF @ 5 SPACES / 1000 SF (>1,500 SF) = 9 SPACES
ATM: 1 1 SPACE / ATM = 1 SPACE
AIR & WATER: 1 1 SPACE / AIR & WATER = 1 SPACE
EMPLOYEES: 1 1 SPACE / EMPLOYEE = 1 SPACE
TOTAL REQUIRED: 12 SPACES
PROVIDED: 11 SPACES (1 HANDICAPPED, 10 STANDARD 8.5'x18')
- THE SITE IS NOT HISTORIC.
- THE SITE IS NOT LOCATED IN THE CHESAPEAKE BAY CRITICAL AREA.
- NO 100 YEAR FLOODPLAINS EXISTS ON SITE.
- CENSUS TRACT: 400800
- WATERSHED: PATAPSCO RIVER.
- THERE ARE NO KNOWN HAZARDOUS MATERIALS ONSITE.
- ANY PROPOSED SIGNS ARE TO CONFORM TO THE BCZR; SECTION 450.
- FLOOR AREA RATIO PROVIDED: (1,792)/23,027 = 0.08
- SETBACKS FOR BL:
REQUIRED PROVIDED
FRONT 35' 81'±
SIDE 25' 22'
REAR 20' 8'
- BASIC SERVICES MAP (2015)
TYPE DEFICIENT (Y/N)
WATER N
SEWER N
TRANSPORTATION N
- SERVICE STATION AREA:
REQUIRED: 1,500 SF / FUEL SERVICE SPACE = 6x1,500 = 7,500
OR 15,000 SF MINIMUM
C STORE AREA 1792x4 = 7,168 SF
ATM: 1,000 SF
TOTAL REQUIRED = 23,168 SF < 23,223 SF

Richardson Engineering, LLC

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

PLAN TO ACCOMPANY ZONING PERMIT FOR

BNP BP STATION

5931 BALTIMORE NATIONAL PIKE

1ST ELECTION DISTRICT

BALTIMORE COUNTY, MARYLAND

REVISIONS	DRAWN BY:	CHECKED BY:	SCALE:
10/17/16 TO ADDRESS PLANNING COMMENTS	CLB	PCR	1" = 20'
	DATE:	JOB NO.:	SHEET NO.:
	8/11/16	16027	1 OF 1

Petitioner No. 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: 08-15-2017





NOTE:
EXACT LOCATION OF UNDERGROUND UTILITIES ARE UNKNOWN. CONTRACTOR SHALL TEST PIT EXISTING UTILITIES TO DETERMINE EXACT DEPTH AND LOCATION OF UTILITIES PRIOR TO COMMENCING ANY CONSTRUCTION. RESULTS OF TEST FITTING SHALL BE PROVIDED TO THE ENGINEER 48 HOURS PRIOR TO THE ANTICIPATED TIME OF CONSTRUCTION.

THE CORRECTNESS OR COMPLETENESS OF EXISTING INFORMATION SHOWN ON THE DRAWINGS IS NOT WARRANTED OR GUARANTEED. THE CONTRACTOR SHALL VERIFY THE LOCATION OF UTILITIES AND UNDERGROUND FACILITIES, BY TEST PITS OR OTHER METHODS APPROVED BY THE OWNER'S REPRESENTATIVE, AS REQUIRED TO VERIFY EXACT LOCATIONS AND DEPTHS WITHIN THE LIMIT OF DISTURBANCE. ALL DISCREPANCIES BETWEEN INFORMATION SHOWN ON THE DRAWINGS AND THAT VERIFIED IN THE FIELD SHALL BE REPORTED TO THE OWNER'S REPRESENTATIVE PRIOR TO BEGINNING CONSTRUCTION.

PLAN
SCALE: 1" = 20'

BENCHMARKS

COORDINATES AND BEARINGS SHOWN HEREON ARE BASED ON THE NAVD-83-91 HORIZONTAL DATUM AS ESTABLISHED ON THE FOLLOWING BALTIMORE COUNTY CONTROL POINTS.

BCO 823 N: 590,043.50 E: 1,385,056.48 ELEV: 520.15 SPIKE
BCO 824 N: 590,580.42 E: 1,385,176.20 ELEV: 489.96 SPIKE
GS-176 N: 588,878.20 E: 1,382,270.03 ELEV: 516.55 BRASS DISK

ELEVATIONS AND CONTOURS SHOWN HEREON ARE BASED ON THE NAVD-88 VERTICAL DATUM AS ESTABLISHED ON THE ABOVE BALTIMORE COUNTY CONTROL POINTS.

REFERENCE DRAWINGS

ROADS:
STRUCTURES:
WATER:
SAN:
SD:
GAS:

1931-053
1949-1218
CONTACT BGE

GENERAL NOTES:

- OWNER/DEVELOPER:
SAHI PETROLEUM MARKETING LLC.
5931 BALTIMORE NATIONAL PIKE
BALTIMORE MD 21228
- SITE AREA
GROSS: 36,508 SF or 0.83 Ac.±
NET: 23,223 SF or 0.53 Ac.±
- UTILITIES:
PUBLIC WATER & SEWER
BUILDING COVERAGE
EXISTING: 128 SF (G/S STATION KIOSK)
PROPOSED: 1,680 SF (CONVENIENCE STORE)
TOTAL: 1,680
- DEED REFERENCE: 23366/51 & 37490/74
- PLAT REFERENCE: 09/41,12/40
- TAX ACCOUNT: 0101500049, 0104002110
- COUNCILMANIC DISTRICT: 1ST
- ZONING: BL
(PER 1"=200' ZONING MAP 095A3)
- TAX MAP: 95 GRID: 19 PARCEL: 42 LOT: 57
- PREVIOUS ZONING CASES:
1) 1961-2070-X SPECIAL PERMIT FOR GASOLINE FILLING STATION GRANTED 10/16/1951
2) R-1956-3712-X REZONE FROM R-6 TO B-R & USE CAR LOT DENIED 2/23/1956
3) R-1963-0136-X REZONE FROM R-6 TO B-L, CONSTRUCTION OF MODERN GASOLINE FILLING STATION. GRANTED 11/21/1963
4) 1965-0383-A ZONING VARIANCE, TO PERMIT A SIGN WITH A TOTAL HEIGHT OF 50 FEET INSTEAD OF THE REQUIRED HEIGHT OF 25 FEET. GRANTED 6/28/1965
5) 1975-0086-A ZONING VARIANCE, TO ALLOW A 5' SIDE YARD SET-BACK IN LIEU OF THE REQUIRED 10'. GRANTED 10/21/1974
6) 1982-0225-SPH SPECIAL HEARING PETITION, TO CONVERT FROM A FULL-SERVICE GASOLINE STATION TO A SELF-SERVE PUMPER FACILITY. GRANTED 7/22/1982
7) 2008-217-SPHA SPECIAL HEARING TO ALLOW PARKING IN A RESIDENTIAL ZONE AND VARIANCE FOR RTA BUFFER AND SETBACK. DISMISSED AS MOOT AFTER THE PROPERTY WAS REZONED IN 2008 TO BL
8) 2017-0047-SPHXA SPECIAL HEARING TO ALLOW: (1) A REAR YARD SETBACK OF 12' IN LIEU OF THE REQUIRED 20'; (2) PARKING SPACES WITH A 3' SETBACK FROM THE PUBLIC RIGHT OF WAY IN LIEU OF THE REQUIRED 10'; (3) LANDSCAPE STRIP OF 0' ALONG THE EXISTING CURBS IN LIEU OF THE REQUIRED 10' AND A LANDSCAPE STRIP OF 13' IN LIEU OF THE REQUIRED 15' ON THE REAR PROPERTY LINE; (4) A DRIVE ISLE OF 7' BETWEEN STACKING SPACE AND CURB IN LIEU OF THE REQUIRED 12'.
SPECIAL EXCEPTION TO PERMIT THE ADDITION TO AN EXISTING FUEL SERVICE STATION OF A CONVENIENCE STORE GREATER THAN 1500 SQUARE FEET. THE PETITION FOR VARIANCE AND THE PETITION FOR SPECIAL EXCEPTION GRANTED OCTOBER 24, 2016.
- NO KNOWN ZONING VIOLATIONS EXISTING ON THE PROPERTY
- NO KNOWN PREVIOUS PERMITS EXIST ON FILE.
- BUILDING HEIGHT: 14'
- PARKING CALCULATIONS
REQUIRED:
GAS STATION: 1,680 SF @ 5 SPACES / 1000 SF (>1,500 SF) = 9 SPACES
ATM: 1 1 SPACE / ATM = 1 SPACE
AIR & WATER: 1 1 SPACE / AIR & WATER = 1 SPACE
EMPLOYEES: 1 1 SPACE / EMPLOYEE = 1 SPACE
TOTAL REQUIRED: 12 SPACES
PROVIDED: 12 SPACES (1 HANDICAPPED, 11 STANDARD 8.5'x18')
- THE SITE IS NOT HISTORIC.
- THE SITE IS NOT LOCATED IN THE CHESAPEAKE BAY CRITICAL AREA.
- NO 100 YEAR FLOODPLAIN EXISTS ON SITE.
- CENSUS TRACT: 400800
- WATERSHED: PATAPSCO RIVER.
- THERE ARE NO KNOWN HAZARDOUS MATERIALS ON SITE.
- ANY PROPOSED SIGNS ARE TO CONFORM TO THE BCZR, SECTION 450.
- FLOOR AREA RATIO PROVIDED: (1,680)/23,027 = 0.07
- SETBACKS FOR BL:

	REQUIRED	PROVIDED
FRONT	35'	63'±
SIDE	25'	28'
REAR	20'	12'
- BASIC SERVICES MAP (2015)
TYPE: DEFICIENT (Y/N)
WATER: N
SEWER: N
TRANSPORTATION: N
- SERVICE STATION AREA:
REQUIRED: 1,500 SF / FUEL SERVICE SPACE = 6x1,500 = 7,500
OR 15,000 SF MINIMUM
C STORE AREA: 1,680x4 = 6,720 SF
ATM: 1,000 SF
TOTAL REQUIRED: 22,720 SF < 23,223 SF

DESIGN AND DRAWINGS ARE BASED ON MARYLAND COORDINATE SYSTEM (MCS).
HORIZONTAL - NAD 83(2011),
VERTICAL - NAVD 88.

Richardson Engineering, LLC

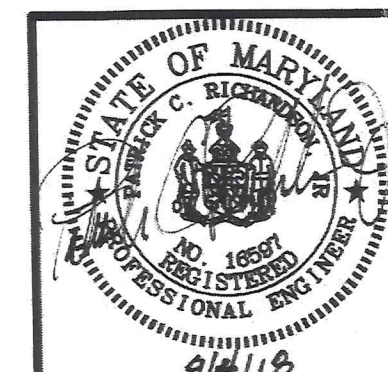
30 East Padonia Road, Suite 500
Timonium, Maryland 21093
Phone: 410-560-1502 Fax: 443-901-1208

PLAN TO ACCOMPANY BUILDING PERMIT

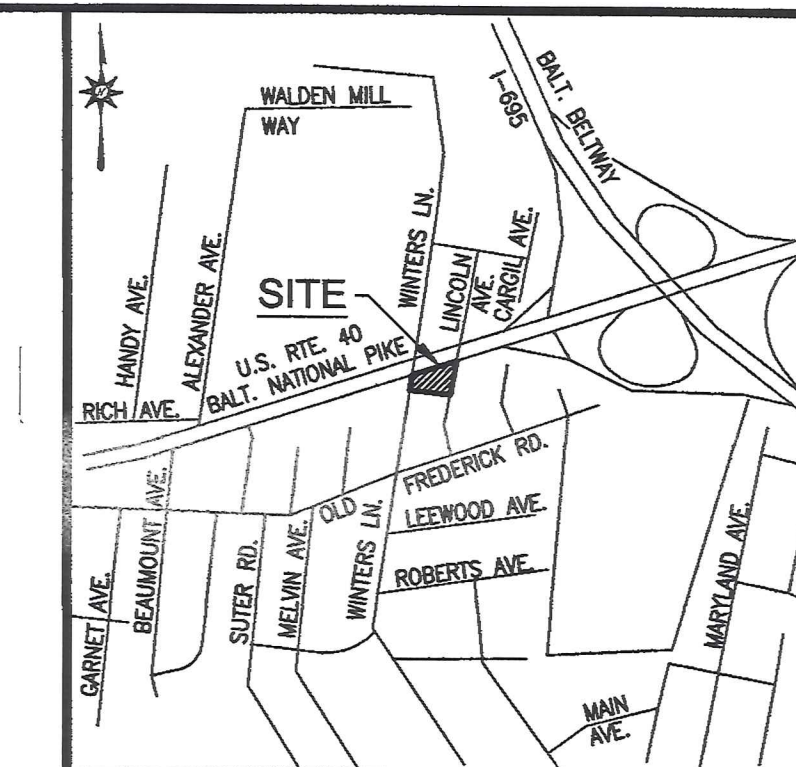
BNP BP STATION

5931 BALTIMORE NATIONAL PIKE
1ST ELECTION DISTRICT BALTIMORE COUNTY, MARYLAND

REVISIONS	DRAWN BY:	CHECKED BY:	SCALE:
	CLB	PCR	1" = 20'
DATE:	JOB NO.:	SHEET NO.:	
10-18-17	16027	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: 08-15-2019



LOCATION MAP

SCALE: 1" = 1,000'

GENERAL NOTES:

- OWNER/DEVELOPER:
SAHI PETROLEUM MARKETING LLC.
5931 BALTIMORE NATIONAL PIKE
BALTIMORE MD 21228
- SITE AREA
GROSS: 36,508 SF or 0.83 Ac.±
NET: 23,223 SF or 0.53 Ac.±
- UTILITIES:
PUBLIC WATER & SEWER
- BUILDING COVERAGE
EXISTING: 128 SF (GAS STATION KIOSK)
PROPOSED: 1,792 SF (CONVENIENCE STORE)
TOTAL: 1,792
- DEED REFERENCE: 23366/51 & 37490/74
- PLAT REFERENCE: 09/41,12/40
- TAX ACCOUNT: 0101500049, 0104002110
- COUNCILMANIC DISTRICT: 15T
- ZONING: BL
(PER 1"=200' ZONING MAP 095A3)
- TAX MAP #95, GRID #19, PARCEL #42, LOT #57
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REQUIRED PROVIDED
FRONT 35' 81'±
SIDE 25' 22'
REAR 20' 5'
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TYPE DEFICIENT (Y/N)
WATER N
SEWER N
TRANSPORTATION N
26. SERVICE STATION AREA:
REQUIRED: 1,500 SF / FUEL SERVICE SPACE = 6x1,500 = 7,500
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C STORE AREA 1792x4 = 7,168 SF
ATM: 1,000 SF
TOTAL REQUIRED = 23,168 SF < 23,223 SF

Richardson Engineering, LLC

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

PLAN TO ACCOMPANY ZONING PERMIT
FOR

BNP BP STATION

#2017-0047-SPHXA

RD

5931 BALTIMORE NATIONAL PIKE
1ST ELECTION DISTRICT BALTIMORE COUNTY, MARYLAND

REVISIONS	DRAWN BY:	CHECKED BY:	SCALE:
	CLB	PCR	1" = 20'
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I HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR
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