



JOHN A. OLSZEWSKI, JR.
County Executive

MAUREEN E. MURPHY
Chief Administrative Law Judge
ANDREW M. BELT
Administrative Law Judge
DEREK J. BAUMGARDNER
Administrative Law Judge

January 21, 2025

David Karceski, Esquire – dhkarceski@venable.com
Adam M. Rosenblatt, Esquire – amrosenblatt@venable.com
Venable, LLP
210 W. Pennsylvania Avenue
Towson, MD 21204

RE: Petitions for Special Exception & Variance
Case No. 2024-0221-XA
Property: 4334 and 4336 North Point Boulevard and
8902 Wise Avenue

Dear Counsel:

Enclosed please find a copy of the Opinion and Order rendered in the above-captioned matter.

Pursuant to Baltimore County Code § 32-3-401(a), “a person aggrieved or feeling aggrieved” by this Decision and Order may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Office of Administrative Hearings at 410-887-3868.

Sincerely,

A handwritten signature in black ink that reads "Maureen E. Murphy".

MAUREEN E. MURPHY
Chief Administrative Law Judge
for Baltimore County

MEM;dln
Enclosure
c: -See Next Page-

Page Two

Case No: 2024-0221-XA

c: Tony Foderaro afoderar@sheetz.com
John Eidberger jeidberg@sheetz.com
Brandon Rowe browe@bohlereng.com
Crissie Baur Cbaur@bohlereng.com
Joe Caloggero jcaloggero@trafficgroup.com
John S. jamirbaker12@gmail.com

IN RE: PETITIONS FOR SPECIAL	*	BEFORE THE
EXCEPTION AND VARIANCE	*	OFFICE OF
(4334, 4336 North Point Blvd. and	*	ADMINISTRATIVE HEARINGS
8902 Wise Ave.)	*	FOR BALTIMORE COUNTY
15 th Election District	*	Case No: 2024-0221-XA
7 th Council District	*	
Linda Laskey, Susan Keller, Lia Anne	*	
Calabrese, Joseph Bruno, Trustee	*	
Legal Owners	*	
Sheetz, Inc.	*	
Lessee	*	
Petitioners	*	

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (“OAH”) as Petitions for Special Exception and Variance filed by Linda, Laskey, Susan Keller, Lia Anne Calabrese and Joseph Bruno, Trustee, legal owners, and Sheetz, Inc., lessee, (“Petitioners”) for the properties addressed as 4334, 4336 North Point Boulevard and 8902 Wise Avenue, Dundalk (the “Property”). A Petition for Special Exception was filed pursuant to Baltimore County Zoning Regulations (“BCZR”), §405.2B.1 and §405.4.E.1, to allow a fuel service station on an individual site in combination with a convenience store and carry-out restaurant with a gross floor area larger than 6,000 sf in the BR-AS zone. Petitions for Variance relief were also filed seeking relief from BCZR:

- (1) §409.6 to allow a total of 36 off-street parking spaces in lieu of the required 43 parking spaces;¹
- (2) §450.4, Table of Sign Regulations 5(a), to allow a total of four wall-mounted enterprise signs for a single tenant building in lieu of the three signs permitted, with no more than two signs on each facade (Sign Types A, B);

¹ During the hearing, Petitioners filed an Amended Petition to increase the number of available parking spaces from 36 to 37. (See File).

(3) §450.4. Table of Sign Regulations 3(a), to allow freestanding directional signs with a sign height of 13 and 14 ft. in lieu of the permitted 6 ft. (Sign Types 6, 7, 9A/9B);

(4) §450.4. Table of Sign Regulations 3(a), to allow sign areas/faces of 9, 11 and 17 sf in lieu of the permitted 8 sf (Sign Types 6, 7, 9A/9B);

(5) §450.4. Table of Sign Regulations 5(f) to allow an order board ancillary to a drive-through lane with a height of 7 ft in lieu of the permitted 6 ft (Sign Type 10).

A public WebEx hearing was conducted virtually in lieu of an in-person hearing on January 16, 2025. The Petition was properly advertised and posted. John Eidberger, Entitlement Manager for Sheetz, Inc., appeared at the hearing in support of the Petition along with Brandon Rowe, PE of Bohler, the civil engineering firm who prepared and sealed the site plan (the “Site Plan”). (Pet. Ex. 1). David Karceski, Esquire, and Adam Rosenblatt, Esquire of Venable, LLP represented the Petitioners. There were no Protestants or interested citizens who testified in opposition at the hearing.

Zoning Advisory Committee (“ZAC”) comments were received from the Department of Environmental Protection and Sustainability (“DEPS”), Department of Planning (“DOP”), and Development Plans Review (“DPR”)/Department of Public Works and Transportation (“DPWT”) which agencies did not oppose the requested relief.

FINDINGS OF FACT

The Property is comprised of three (3) parcels, each separately addressed and collectively measuring 4.42 acres +/- (192,535 sf). 4334 North Point Blvd. measures 1.76 ac +/-, 4336 North Point Blvd. measures 11, 365 sf, and 8902 Wise Ave. measures 2.400 ac +/- . Both 4334 North Point Blvd. and 4336 North Point Blvd., are rectangularly-shaped parcels which primarily front on North Point Blvd. 4336 North Point Blvd. also has some frontage along Wise Ave. 8902 Wise

Ave sits immediately behind those properties and has also some frontage along Wise Ave. Located along the rear boundary line of 8902 Wise Ave. is an access easement recorded in Land Records of Baltimore County (Liber 48468, folio 356, 364, 372) (the "Access Easement"), as well as a 10 ft. sanitary sewer easement.

As shown in street view photographs, the Property has several commercial buildings. (Pet. Ex. 5). The Property is zoned Business, Roadside with an Automotive Services overlay district (BR-AS). (Pet. Ex. 3A). The surrounding properties are largely commercial or industrial as depicted in the aerial photograph. (Pet. Ex. 3A). There are no residentially zoned properties within 50 ft. of this Property.

Petitioners propose to construct a Sheetz fuel service station with 16 fueling stations under a canopy, in combination with a 6,139 sf convenience store and carry out restaurant. (Pet. Ex. 1). There will also be a 380 sf outdoor seating area. There is no car wash being proposed, no auto repair services being offered, or sale of used vehicles at the Property. There are no vending machines or kiosks being proposed.

John Eidberger, whose job duties include managing all zoning and land use issues, handling permitting, retaining experts, and seeing new stores through to completion, testified that the proposed store would be the second Sheetz in Baltimore County. Sheetz is a family-owned and operated company with over 770 stores nationwide. (Pet. Ex. 12). Sheetz stores are known for their made-to-order food which can be purchased inside the store, or via a drive-thru. (Pet. Ex. 12). Sheetz stores are open 24 hours per day, 7 days per week, and 365 days per year and are automotive-intensive because they not only sell fuel, but encourage pre-ordering, paying and pick-up of food from a drive-thru, without the customer leaving their vehicle. All food and/or products (except tobacco) are ordered through a touch-screen menu board. A site rendering of a typical

Sheetz store and fuel service station was provided. (Pet Ex. 6). This Sheetz store will employ 7 employees at a given time.

Brandon Rowe, PE of Bohler was accepted as an expert in civil engineering, with special knowledge of the BCZR and Special Exceptions. (Pet. Ex. 2). The proffered testimony was that the Property dimensions are 192,535 sf, and the area of the Special Exception area for the fuel service station/convenience store and carryout restaurant will be 93,710 sf. Both of these site dimensions meet the requirements in BCZR, §405.4.A.1. The fuel pumps will be located on the side of the convenience store/carry out restaurant, and not in front of the store. A restroom(s) will be provided inside the convenience store, where customers can also purchase water. (BCZR, §405.4.B). At the request of the DOP, the original location of the dumpster was moved to the north eastern corner, so it will not be in direct view. Toward that end, Mr. Rowe revised the Site Plan.

The proposed use will also meet all of the bulk regulations specific to fuel service stations as set forth in BCZR, §405.4.A.2.a for the building (at least 35 ft. away from any street); fuel pumps (at least 25 ft. from any street); and fuel station canopy (at least 15 ft. away from any street). In regard to the required landscape transition areas required along the entire perimeter of all fuel service stations under BCZR, §405.4.A.2.b, Mr. Rowe confirmed that there are no residentially zoned lands within 50 ft. of the Property. (Pet Ex. 3A). That fact notwithstanding, the Petitioners here are providing a 15 ft. landscape buffer along the northern boundary line because the adjoining property is residentially-used (although not residentially zoned where only a 6 ft. wide landscape buffer is actually required). Otherwise, Petitioners meet the required landscaped buffer area widths providing a 6 ft. buffer along the rear (eastern) Property line, and 10 ft. wide buffers along the Wise Ave. (southern) and North Point Blvd. (western) sides. Petitioners will file a Landscape Plan

which shall require that all landscape transition areas be vegetated and screened in accordance with the Landscape Manual for automotive uses. (BCZR, §405.4.A.2.c). A Lighting Plan will also be filed. (BCZR, §409.8.A.3).

In regard to stacking spaces, the Site Plan provides for the required one (1) stacking space behind each fuel service space for all 16 fuel pump stations. Additionally, the single lane drive-thru can provide 5 stacking spaces behind the pick-up window. While the order board is located on the southern end of the Property ancillary to the drive-thru lane, that area can also provide for at least 5 stacking spaces. Each stacking space measures 20 ft. in length. As required by BCZR, §409.10.B, the drive-thru lane will be distinctly marked by special striping or pavement markings and will not block entry to or exit from any off-street parking spaces.

All circulation, and drive aisle width requirements have also been met under BCZR, §405.4A.3 and §409.4.C with two-way drive aisles, the narrowest aisle width being 22 ft. wide on the western side. Mr. Rowe also prepared a truck-turning radius which shows ample space for a truck to enter, load, or unload and to turn around. (Pet. Ex. 8). (BCZR, §409.11). There are no dead-ends with the proposed design. (BCZR, §409.8.A.5). All surfaces will be paved for parking, driveway, aisles and stacking. (BCZR, §405.4.A.3.b; BCZR, §409.8.A.2). All parking spaces will be striped. (BCZR, §409.8.A.6). All parking spaces, along with a crosswalk, will be provided within 500 ft. of the building entrance. (BCZR, §409.7.B.1; BCZR, §409.10.B). Sidewalks will be installed along both North Point Blvd. and Wise Ave. (Pet. Ex. 1, 6). Bike racks will also be provided as recommended by DOP.

Using the street view photographs, Mr. Rowe described the Property and existing structures, only 1 of which will remain. (Pet. Ex. 5). He addressed the final design concept with a colored-rendering of the finished store. (Pet. Ex. 6). Mr. Rowe explained that the location of the

access easement along the rear boundary line, along with the 10 ft. sewer easement, shrinks the developable area for the proposed use. The proffered testimony was that, these easements, in combination with the Property being bound by streets on two fronts, requires additional requirements to be met for the proposed use (i.e., landscape buffer areas), further reducing the developable area.

Mr. Rowe testified that the proposed use here will have no greater impact than elsewhere in the same BR-AS zone. Consequently, he opined that, because the surrounding uses are commercial and industrial, this Sheetz will not be detrimental to the health, safety or general welfare of the locality involved. It will not create a potential hazard from fire, panic or other danger as the new store will meet all building and fire codes. This Sheetz will not tend to overcrowd the land, or cause undue concentration of population, as the design of the building, parking, drive-thru lane, and location of fuel pumps provides good circulation, with two (2) access drives into and out of the Property, one from North Point Blvd. and one from Wise Avenue. The Sheetz will connect to public water and sewer as there are no wells or septic systems on the Property. The new building will not exceed 26 ft. in height and therefore will not interfere with light or air as the permitted height is 40 ft. The BR-AS zoning classification is one of the most intense zoning classifications and the AS overlay is specifically for automotive uses. The Sheetz design is an automotive intense use in that it sells fuel and encourages drive-thru food ordering. The use will not be inconsistent with impermeable surface and vegetative retention provisions as a Landscape Plan will be filed, ensuring that all landscaped buffer areas required for fuel service stations will be met and maintained. Lastly, Mr. Rowe confirmed that there are no environmental issues or natural resources on the Property.

In regard to abandoned fuel service stations within the area, based on his personal observations, Mr. Rowe prepared an exhibit showing that there are no abandoned fuel service stations with a ½ mile or a 1 mile radius. (Pet. Ex. 3B). (BCZR, §405.3). Summarily, Mr. Rowe opined that the proposed use of a fuel service station, carry-out restaurant and convenience store meets each of the BCZR, §502.1 Special Exception factors, as well as the requirements of BCZR, §405.2.B.1 and §405.4.E.1. He added that due to the length of time in which it typically takes to obtain permits and approvals, Petitioners are requesting that the Special Exception be valid for five (5) years. BCZR, §502.3.

Mr. Rowe testified that due to the Property's shape and its limited developable area caused by both the Access Easement and Sewer Easement, as well as the setback requirements generated by the adjoining roadways, the Property has unique physical features. Without the Access and/or Sewer Easements, 6 more parking spaces could be provided and no parking Variance would be needed. He emphasized that 37 off-street parking spaces are sufficient for this use as confirmed by Mr. Caloggero's Parking Analysis. Moreover, the addition of the drive-thru lane further reduces the need for 43 parking spaces as it encourages customers to remain in their vehicles. At most, customers accessing the fuel pumps and/or convenience store on average, complete their transactions within 15 minutes.

He opined that these unique physical features of the Property made the placement of the Sheetz building, the drive-thru and order board, fuel pumps, required parking and stacking spaces, as well as the landscape transition areas on the Property, more challenging. Consequently, the proposed 4th enterprise sign on the building in lieu of the permitted 3 signs, with no more than 2 signs on each building façade, is needed to properly identify the convenience store and restaurant (carry-out or dine-in) (Sign Types A, B). The remaining sign Variances being requested are for

the drive-thru lane and order board (Signs 6, 7, 9A, 9B and 10). Because there will be multiple uses operating simultaneously on the Property, visually it is helpful for safety reasons to have larger and taller signs. Specifically, for directional Signs 6, 7, 9A, 9B, the proffered testimony was that height and the area/face of those signs need to be larger to direct traffic safely to the food ordering area. Similarly, the touch-screen order board is not located along the drive-thru lane, and there are no employees taking food orders. Accordingly, those signs need to be 1 ft. taller so customers know where the order board is. (Sign 10). It was further proffered that the requested Variance relief for the signs are directly connected to the unique physical features of the Property. Accordingly, it was alleged that there would be no impact on health, safety or general welfare if parking and sign variances were granted.

Joseph Caloggero, PE of The Traffic Group was accepted as an expert in traffic engineering. (Pet. Ex. 10). In regard to the parking Variance, the total number of spaces required for this use is 43 spaces, calculated as: convenience store/fuel service station (6,139 sf) – 5/1000 sf = 31; outdoor seating area 380 sf – 5/1000 sf = 2 spaces; 1 space per employee on largest shift = 7 spaces; 1 space per ATM = 1 space; and 1 space per air machine = 2 spaces. As per the Amended Petition, Petitioners are providing 37 spaces. There will be 2 handicap parking spaces provided. (BCZR, §409.9). Mr. Caloggero prepared a Parking Analysis dated November 14, 2024 wherein he studied four (4) Sheetz locations in Frederick County using drone footage to determine the number of occupied parking spaces. (Pet. Ex, 11). The results of the Parking Analysis indicated that the required 43 parking spaces equates to 7 spaces per 1,000 sf, and the number of spaces proposed here is 6.02 spaces per 1,000 sf. (Pet. Ex. 10). After analyzing the drone footage of those other Sheetz locations, he confirmed that the highest average 15 min. parking peak rate was 3.76 vehicles/sf and 4.06 vehicles/sf which occurred during the mid-day peak hours. Thus,

He concluded that, because the highest average of 15 minute parkers is 24 and 25 vehicles, the proposed parking spaces of 37 being provided is more than sufficient. Mr. Caloggero added that the Property is not located within a failing traffic shed on the 2024 Basic Services Map. He opined that the proposed Sheetz will not cause congestion in the roads, streets or alley including either North Point Blvd. or Wise Avenue.

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 *Attar v. DMS Tollgate, LLC*, 451 Md. 272 (2017), where the court of appeals discussed the nature of the evidentiary presumption in special exception cases. The court again emphasized 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.

Based on the uncontroverted evidence in this Case, I find that the Special Exception request to use this Property as a fuel service station in combination with a convenience store and carry-out restaurant with a gross-floor area larger than 6,000 sf, satisfies the requirements of BCZR §502.1 as well as the requirements of BCZR, §405 and §409. Therefore the Special Exception should be granted. Specifically, I find that the proposed use will not have any greater impact at this location than those inherently associated with the Special Exception use elsewhere within the BR-AS zone. I further find that it is reasonable to allow the Special Exception to remain valid for a period of five (5) years as there will be many permits and approvals which will need to be obtained for these multiple uses.

Specifically, as required by BCZR, §405.2.B.1, this fuel service station is located within the Urban-Rural Demarcation Line (“URDL”), in an A.S. District, and no part of the Property is located in a Manufacturing, Restricted (M.R.) Zone. Additionally, Petitioners provided persuasive evidence that there are no abandoned fuel service stations, as defined in BCZR, §405.7, within a one-half-mile radius, or two such stations within a one-mile radius of this Property.

As required in BCZR, §405.4.E.1, a fuel service station in combination with a convenience store and carry-out restaurant, with a gross floor area larger than 6,000 square feet is permitted provided it meets the Special Exception factors in BCZR, §502.1. In regard to those factors, I find that the proposed Sheetz fuel service station in combination with a convenience store and carry out restaurant will not be detrimental to the health, safety or general welfare of the locality. Here, the limited 2.14 acres of net area (which is also the Special Exception area) was drawn by both the Access Easement and Sewer Easement. I find that the proposed use will not tend to create congestion on either Wise Avenue and North Point Blvd., or tend to overcrowd the land, particularly in light of the stacking spaces allotted for the fuel pumps and drive-thru lane, as well as the efficient access and circulation plan. (Pet. Ex. 1). I further find that the proposed use will not create a potential hazard from fire or other danger as all construction will meet all applicable codes and regulations. The proposed use will not interfere with adequate provisions for water, sewerage, or transportation because the Property will connect to public water and sewer. The Property is not located within a deficient area on the 2024 Basic Services Map. Likewise, there is no interference with light or air as the new store, at 22 ft. in height, will be below the permitted height of 40 ft.

The proposed use is certainly within the BR-AS zoning classification which is one of the most intense zones and is therefore consistent with that zone and overlay district. With this BR-AS zone, the County Council contemplated that a fuel service station, convenience store and carryout restaurant were potential uses for this Property. Consequently, there is a presumption of validity for this proposed use, on this Property, which is not adjoining any residential properties.

In regard to impermeable surface and vegetative retention provisions and impacts on environmental features, the evidence is clear that the Property meets the BCZR provisions in this regard. There are no environmental features on the Property. The use will require the approval of a Landscape Plan. Accordingly, the Special Exception relief will be granted.

VARIANCES

Under BCZR, §307, and Maryland common law, in order to be entitled to variance relief the Petitioners must satisfy a two-step legal analysis, 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 is what necessitates the requested 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).

As explained above, the Property is unique due to its irregular shape, and the presence of the Access Easement and Sewer Easement along the rear Property, both of which reduce the developable area. With regard to the requested Parking Variance, the existence of a drive-thru lane in itself effectively reduces the number of parking spaces actually needed for a carryout restaurant. The BCZR parking regulations do not account for the increased use of drive-thrus in recent years which improve efficiency of traffic flow and reduce the number of dine-in customers. I note the use of a touch-screen ordering and apps which allow for preordering of food, add to this efficiency.

Moreover, the Parking Analysis of 4 other Sheetz locations was persuasive in that at best, 26 parking spaces are actually occupied and 37 are proposed here. For this type of use, customers are generally considered to be passerby's, with an average stop of 15 minutes. Thus, I find that Petitioners would suffer a practical difficulty and unreasonable hardship if the parking Variance for 6 spaces were not granted.

Pertaining to the sign Variances, it is also clear that they are needed to direct customers within the Property, particularly given the multiple, simultaneous uses. I find that the Petitioners would suffer a practical difficulty and unreasonable hardship if the proposed sign Variances were not granted because there is an obvious safety issue from these simultaneous uses which can be minimized if customers know where to drive within the site. I also find that all of the requested Variance relief can be granted in strict harmony with the spirit and intent of the BCZR and without injury to the health, safety or general welfare, particularly in light of the lack of opposition.

THEREFORE, IT IS ORDERED by the Administrative Law Judge for Baltimore County, this 21st day of **January, 2025** that the Petition for Special Exception BCZR, §405.2B.1 and §405.4.E.1, to allow a fuel service station on an individual site in combination with a convenience store and carry-out restaurant with a gross floor area larger than 6,000 sf in the BR-AS zone be, and it is hereby, **GRANTED**; and

IT IS FURTHER ORDERED that, pursuant to BCZR, §502.3, the Special Exception is valid for a period of five (5) years from the date of this Order; and

IT IS FURTHER ORDERED that Variance relief from the BCZR, §409.6 to allow a total of 37 off-street parking spaces in lieu of the required 43 parking spaces, be, and it is hereby **GRANTED**; and

IT IS FURTHER ORDERED that Variance relief from BCZR, §450.4.Table of Sign Regulations 5(a), to allow a total of four wall-mounted enterprise signs for a single tenant building in lieu of the three signs permitted, with no more than two signs on each facade (Sign Types A, B) be, and it is hereby, **GRANTED**; and

IT IS FURTHER ORDERED that Variance relief from BCZR, §450.4.Table of Sign Regulations 3(a), to allow freestanding directional signs with a sign height of 13 and 14 ft. in lieu of the permitted 6 ft. (Sign Types 6,7,9A/B) be, and it is hereby, **GRANTED**; and

IT IS FURTHER ORDERED that Variance relief from BCZR, § 450.4.Table of Sign Regulations 3(a), to allow sign areas/faces of 9, 11 and 17 sf in lieu of the permitted 8 sf (Sign Types 6, 7, 9A/B) be, and it is hereby, **GRANTED**; and

IT IS FURTHER ORDERED that Variance relief from BCZR, §450.4.Table of Sign Regulations. 5(f) to allow an order board ancillary to a drive-through lane with a height of 7 ft. in lieu of the permitted 6 ft. (Sign Type 10) be, and it is hereby, **GRANTED**.

The relief granted herein shall be subject to the following:

1. Petitioners may apply for necessary permits and/or licenses upon receipt of this Order. However, Petitioners are hereby made aware that proceeding at this time is at their 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, Petitioners would be required to return the subject property to its original condition.
2. The Site Plan (Pet. Ex. 1) which is attached hereto shall be incorporated herein.
3. Prior to issuance of permits, Petitioners must comply with the ZAC comments made by DPR and DEPS which are attached hereto, incorporated herein and made a part hereof.
4. There shall not be any inoperable, untagged or unlicensed vehicles parked at the Property.
5. Pursuant to BCZR, §405.4.C.3, the Property shall be maintained in a clean and orderly condition. All landscaped areas shall be irrigated as needed and dead plants replaced. The responsibility for compliance with this condition lies with all parties

that individually or collectively have a lease or ownership interest in the fuel service station.

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

A handwritten signature in cursive script, reading "Maureen E. Murphy". The signature is written in dark ink and is positioned above a horizontal line.

MAUREEN E. MURPHY
Chief Administrative Law Judge
for Baltimore County

MEM/dlm

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Peter Gutwald, Director
Department of Permits, Approvals

FROM: Vishnu Desai, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
Case 2024-0221-XA

DATE: October 9, 2024

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

DPR: No comment.

DPW-T: No exception taken.

Landscaping: If Special Exception and Zoning relief is granted a Landscape Plan is required per the Baltimore Landscape Manual. A Lighting Plan is also required.

Recreations & Parks: No comment LOS & No Greenways affected.

VKD: sc
cc: file

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



TO: Hon. Maureen E. Murphy; Chief Administrative Law Judge
Office of Administrative Hearings

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

DATE: October 22, 2024

SUBJECT: DEPS Comment for Zoning Item # 2024-0221-XA
Address: 4334, 4336 NORTH POINT BOULEVARD
Legal Owner: Sheetz, Inc.

Zoning Advisory Committee Meeting of October 16, 2024.

X The Department of Environmental Protection and Sustainability offers the following comments on the above-referenced zoning item:

1. If the zoning variance is granted, Ground Water Management requests that it be conditioned to include the following:
 - a. Ground Water Management's approval of any building permit to replace the existing house would be contingent on a connection to public water and sewer and the abandonment of the existing well and septic system.

Reviewer: Mia Lowery, L.E.H.S.

Additional Comments:

- X Development of this property must comply with the Forest Conservation Regulations (Sections 33-6-101 through 33-6-122 of the Baltimore County Code).

A Forest Conservation Plan is required.

Reviewer: Libby Errickson 10/22/24



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 SEE ATTACHED SHEET

which is presently zoned BR-AS

Deed References: SEE ATTACHED SHEET

10 Digit Tax Account # SEE ATTACHED SHEET

Property Owner(s) Printed Name(s) SEE ATTACHED SHEET

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

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

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

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

3. X a **Variance** from Section(s)

SEE ATTACHED SHEET

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:

SEE ATTACHED SHEET

Name- Type or Print

Signature

Mailing Address City State

Zip Code Telephone # Email Address

Attorney for Petitioner:

David H. Karceski, Esquire

Name- Type or Print

Signature Venable LLP

210 W. Pennsylvania Ave., Ste. 500 Towson MD

Mailing Address City State

21204 / 410-494-6285 / dhkarceski@venable.com

Zip Code Telephone # Email Address

Legal Owners (Petitioners):

SEE ATTACHED SHEET

Name #1 - Type or Print

Name #2 - Type or Print

Signature #1

Signature # 2

Mailing Address City State

Zip Code Telephone # Email Address

Representative to be contacted:

David H. Karceski, Esquire

Name - Type or Print

Signature Venable LLP

210 W. Pennsylvania Ave., Ste. 500 Towson MD

Mailing Address City State

21204 / 410-494-6285 / dhkarceski@venable.com

Zip Code Telephone # Email Address

CASE NUMBER 2024-0221-XA Filing Date 10/8/24

Do Not Schedule Dates: Reviewer fk

REV. 10/4/11

**4336 NORTH POINT BOULEVARD
Tax Acct # 1600012045**

**4334 NORTH POINT BOULEVARD
Tax Acct # 1519000540**

**8902 WISE AVENUE
Tax Acct # 1502650360**

Deed Book 48957 Page 339

Deed Book 48957 Page 358

Deed Book 48957 Page 377

Deed Book 47814 Page 352

ATTACHMENT TO PETITION FOR SPECIAL EXCEPTION

1. Special Exception to allow a fuel service station on an individual site in combination with a convenience store and carry-out restaurant with a gross floor area larger than 6,000 square feet in the BR-AS zone, pursuant to Sections 405.2.B.1 and 405.4.E.1 of the Baltimore County Zoning Regulations.

**4336 NORTH POINT BOULEVARD
Tax Acct # 1600012045**

**4334 NORTH POINT BOULEVARD
Tax Acct # 1519000540**

**8902 WISE AVENUE
Tax Acct # 1502650360**

Deed Book 48957 Page 339

Deed Book 48957 Page 358

Deed Book 48957 Page 377

Deed Book 47814 Page 352

ATTACHMENT TO PETITION FOR VARIANCE

1. Variance from Section 409.6 of the Baltimore County Zoning Regulations ("BCZR") to allow a total of 36 off-street parking spaces in lieu of the required 43 parking spaces.
2. Variance from BCZR Section 450.4. Table of Sign Regulations 5(a) to allow a total of four wall-mounted enterprise signs for a single tenant building in lieu of the three signs permitted, with no more than two signs on each façade (Sign Types A, B).
3. Variance from BCZR Section 450.4. Table of Sign Regulations 3(a) to allow freestanding directional signs with a sign height of 13 and 14 feet in lieu of the permitted 6 feet (Sign Types 6, 7, 9A/B).
4. Variance from BCZR Section 450.4. Table of Sign Regulations 3(a) to allow sign areas/faces of 9, 11 and 17 square feet in lieu of the permitted 8 square feet (Sign Types 6, 7, 9A/B).
5. Variance from BCZR Section 450.4. Table of Sign Regulations 5(f) to allow an order board ancillary to a drive-through lane with a height of 7 feet in lieu of the permitted 6 feet (Sign Type 10).

4336 NORTH POINT BOULEVARD
Tax Acct # 1600012045

4334 NORTH POINT BOULEVARD
Tax Acct # 1519000540

8902 WISE AVENUE
Tax Acct # 1502650360

ATTACHMENT TO PETITION FOR VARIANCE & SPECIAL EXCEPTION

Property Owners (Continued):

Linda M. Laskey (1/6 ownership)
4331 Bunny Lane
Baltimore, MD 21219

By: *Linda M Laskey*
Linda M. Laskey

Phone No.: (410) 371-0475

Email: lindalaskey@gmail.com

Deed Book 48957 Page 377

4336 NORTH POINT BOULEVARD
Tax Acct # 1600012045

4334 NORTH POINT BOULEVARD
Tax Acct # 1519000540

8902 WISE AVENUE
Tax Acct # 1502650360

ATTACHMENT TO PETITION FOR VARIANCE & SPECIAL EXCEPTION

Property Owners (Continued):

Lisa Anne Calabrese (1/6 ownership)
621 Agnes Avenue
Brielle, NJ 08730

By: 
Lisa Anne Calabrese

Phone No.: (732) 208-2166

Email: lisabresse@gmail.com

Deed Book 48957 Page 358

4336 NORTH POINT BOULEVARD
Tax Acct # 1600012045

4334 NORTH POINT BOULEVARD
Tax Acct # 1519000540

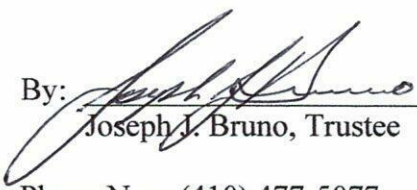
8902 WISE AVENUE
Tax Acct # 1502650360

ATTACHMENT TO PETITION FOR VARIANCE & SPECIAL EXCEPTION

Property Owners (Continued):

Trustee of the Joseph J. Bruno, Sr. Living Trust
dated December 7, 2011 - (1/2 ownership)

Joseph J. Bruno
3144 Main Avenue
Baltimore, MD 21219

By: 

Joseph J. Bruno, Trustee

Phone No.: (410) 477-5077

Email: midwaylumberoffice@comcast.net

Deed Book 47814 Page 352

4336 NORTH POINT BOULEVARD
Tax Acct # 1600012045

4334 NORTH POINT BOULEVARD
Tax Acct # 1519000540

8902 WISE AVENUE
Tax Acct # 1502650360

ATTACHMENT TO PETITION FOR VARIANCE & SPECIAL EXCEPTION

Petitioner:

Sheetz, Inc.
5700 6th Avenue
Altoona, PA
Phone:

By:



Brian T. Dinges

Title: AVP of Real Estate

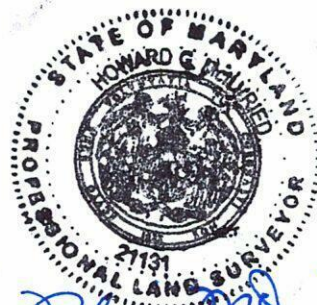
Phone No.: (814) 946-3611

Email: btdinges@sheetz.com

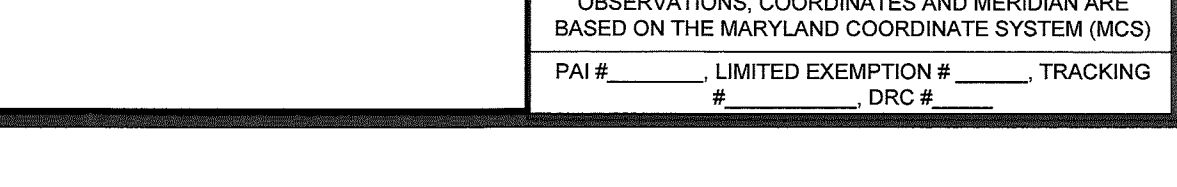
ZONING PROPERTY DESCRIPTION FOR 4434 & 4336 NORTH POINT BOULEVARD

Beginning at a point on the east side of North Point Boulevard which is 120 feet wide at the distance of 3.83 feet north of the centerline of the nearest improved intersecting street Wise Avenue Extension which is 27.58 feet wide.

Thence the following courses and distances: (1st Point of Call "POC") N. 7°25'51" W., 383.59 feet (2nd POC) N. 82°34'09" E, 61.19 feet (3rd POC) N. 82°05'23" E, 174.00 feet (4th POC) S. 8°06'03" E., 402.97 feet (5th POC) S. 86°50'07" W., 240.56 feet, back to the point of beginning as recorded in Deed Liber 47814, Page 369, containing 93,352.68 square feet. Located in the 15th Election District and 7th Council District.

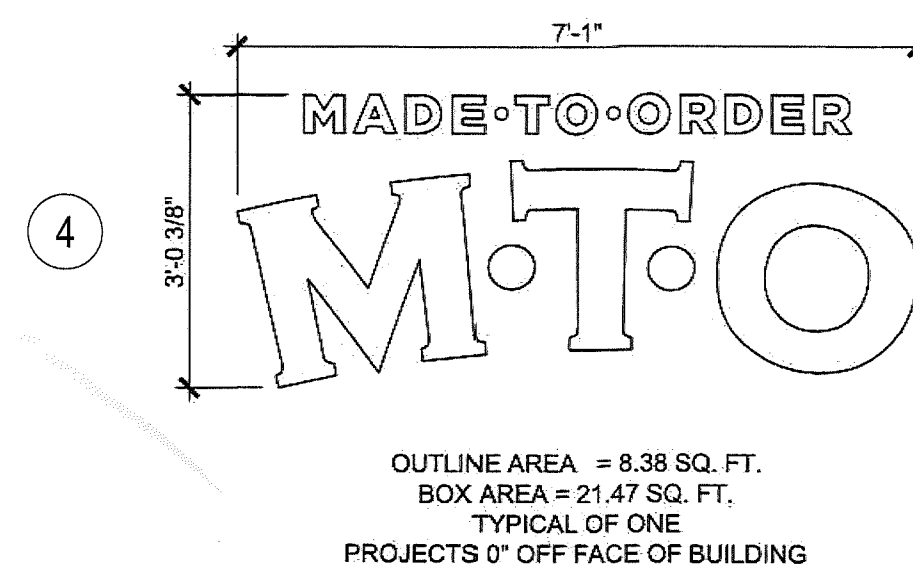
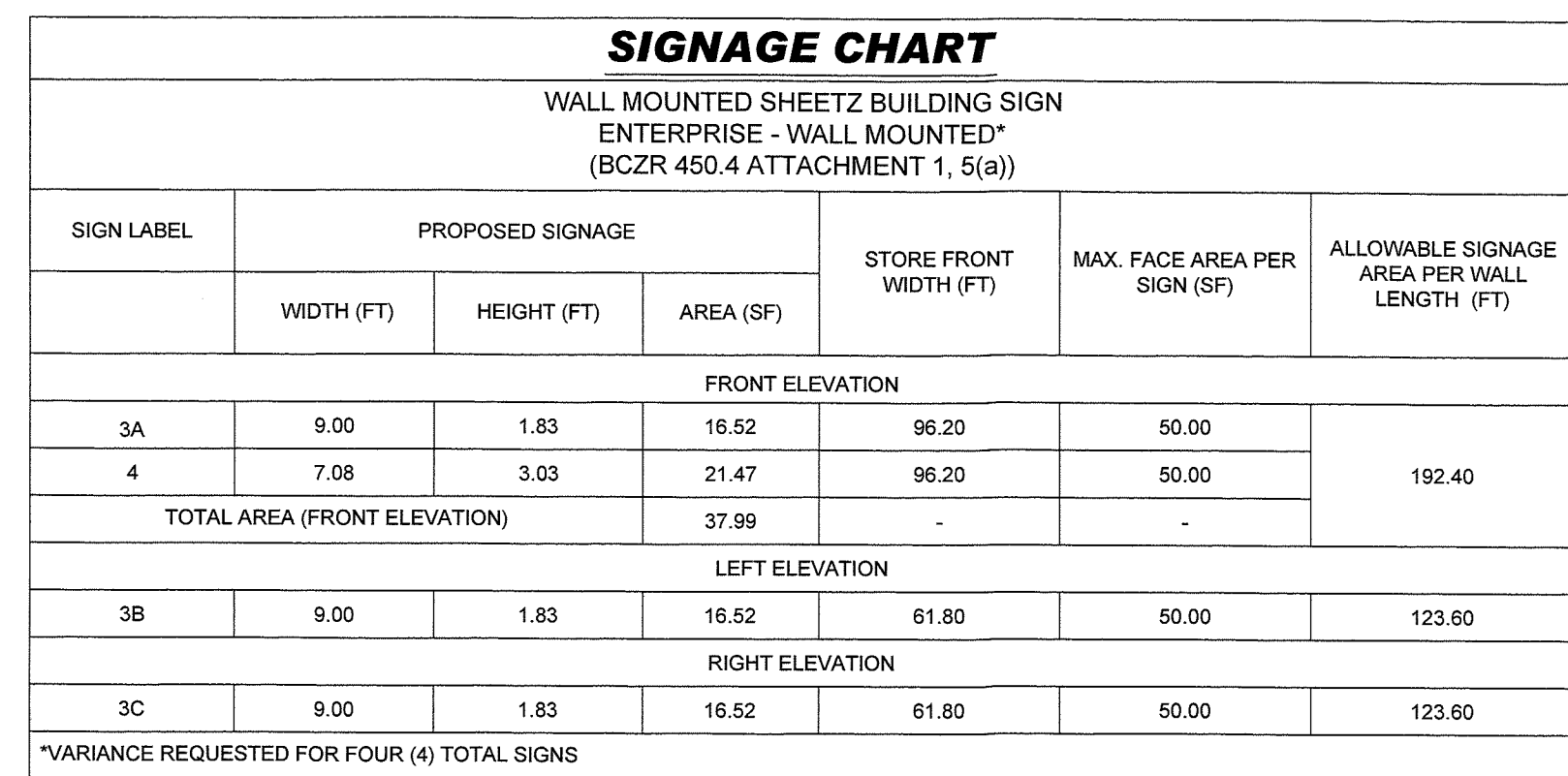


Howard G. Thirion
9/19/24 Expires 1/4/26

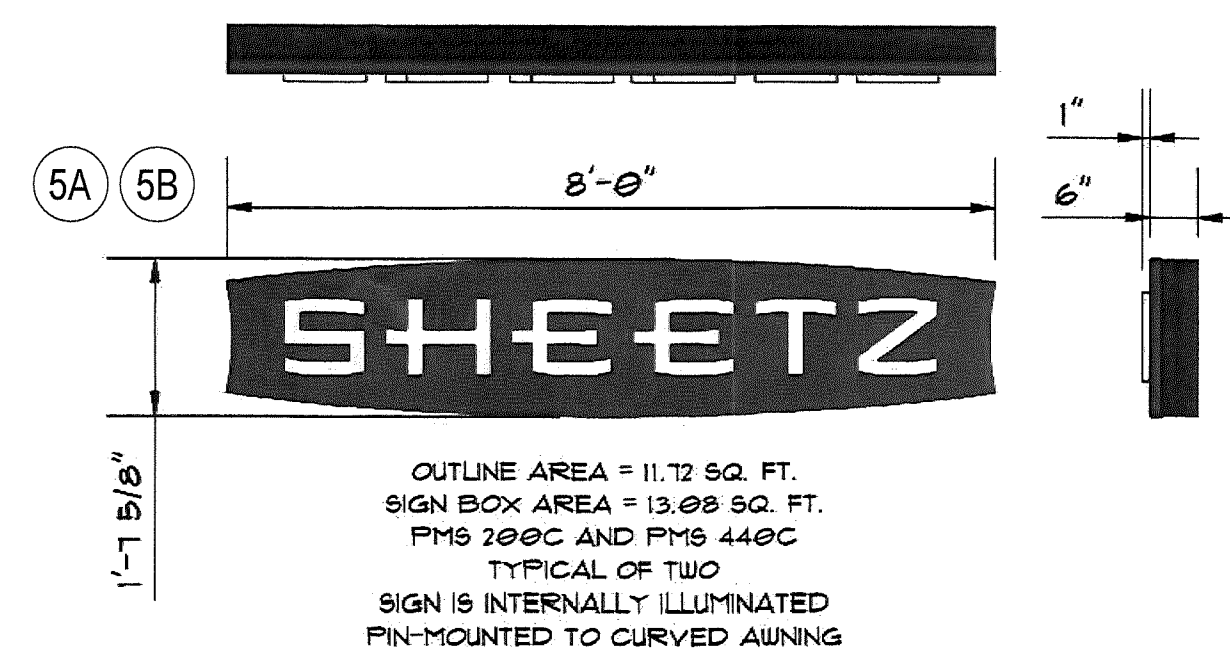


ORG. DATE - 9/10/2024

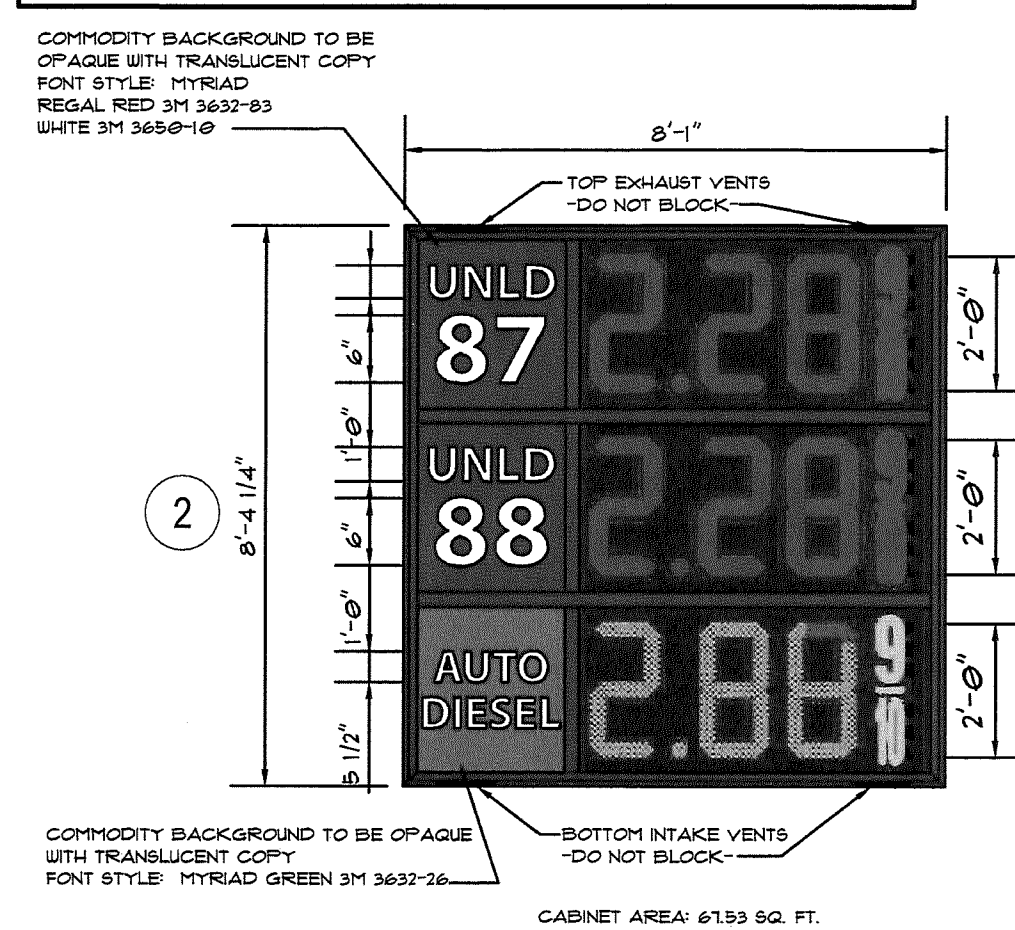
BN



SIGNAGE CHART FUEL STATION CANOPY MOUNTED SIGN ENTERPRISE - SERVICE STATION CANOPY (BCZR 450.4 ATTACHMENT 1, 5(e))						
SIGN LABEL	PROPOSED SIGNAGE			ALLOWABLE SIGNAGE AREA (SF)	PROPOSED SIGN HEIGHT (FT)	ALLOWABLE SIGN HEIGHT (FT)
	PANEL WIDTH (FT)	PANEL HEIGHT (FT)	PANEL AREA (SF)			
5A	8.00	1.64	13.08	25.00	N/A	N/A
5B	8.00	1.64	13.08	25.00		



SIGNAGE CHART						
DOUBLE FACED PYLON SIGN AND FUEL PRICE SIGN ENTERPRISE - FREESTANDING (BCZR 450.4 ATTACHMENT 1, 5(b))						
SIGN LABEL	PROPOSED SIGNAGE			ALLOWABLE SIGNAGE AREA (SF)	PROPOSED SIGN HEIGHT (FT)	ALLOWABLE SIGN HEIGHT (FT)
	PANEL WIDTH (FT)	PANEL HEIGHT (FT)	PANEL AREA (SF)			
1	11.00	4.77	52.47	100.00	25.00	25.00
2*	8.08	8.35	67.53			
TOTAL AREA (ALL ENTERPRISE SIGNS)			120.00			
*EXEMPT PURSUANT TO STATE REGULATIONS						



CABINET AREA: 67.53 SQ. FT.

ORG. DATE - 9/10/2024

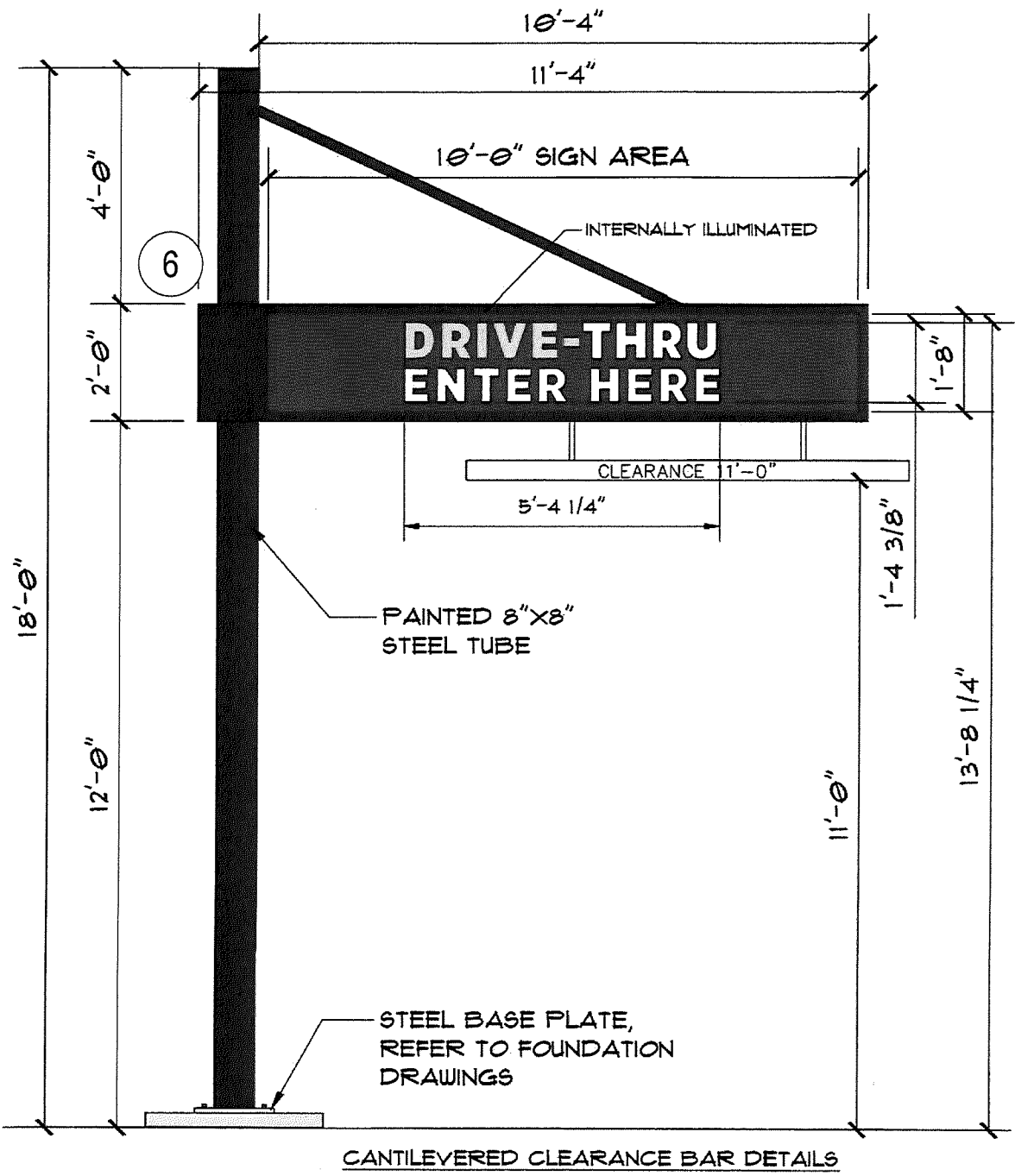
ELEVATIONS ARE BASED ON NAVD 88 PER GPS
OBSERVATIONS, COORDINATES AND MERIDIAN ARE
BASED ON THE MARYLAND COORDINATE SYSTEM (MC)

PAI # _____, LIMITED EXEMPTION # _____, TRACKING



The technical drawings illustrate the Drive-Thru Sign System with the following dimensions and callouts:

- Front Elevation:**
 - Top sign width: 6'-4 3/16"
 - Top sign height: 1'-0"
 - Sign text: "ORDER HERE 24/7"
 - Sign thickness: 1'-6"
 - Internally illuminated sign.
 - Post height: 12'-0"
 - Post diameter: 6"
 - Bottom sign width: 2'-0"
 - Bottom sign height: 4'-6"
 - Bottom sign text: "24/7 DRIVE-THRU"
 - Bottom sign thickness: 2'-1"
 - Bottom sign is internally illuminated.
 - Callout 8A points to the bottom sign.
 - Callout 8B points to the bottom sign.
- Left Elevation:**
 - Sign width: 6'-0"
 - Sign text: "DRIVE-THRU"
 - Callout 9A points to the sign.
 - Internally illuminated sign.
- Right Elevation:**
 - Sign width: 6'-0"
 - Sign text: "DRIVE-THRU"
 - Callout 9B points to the sign.
 - Internally illuminated sign.



OWNER

JOSEPH BRUNO TRUSTEE OF THE JOSEPH J. BRUNO
SR LIVING TRUST
SUSAN M KELLER ET AL.
406 CASSELL CLOSE
WESTMINSTER, MD 21158
CONTACT: DAVID KELLER
EMAIL: EVADRELLEK@COMCAST.NET

DEVELOPER

SHEETZ, INC.
351 SHEETZ WAY
CLAYSBURG, PA 16625
CONTACT: JOHN EIDBERGER
EMAIL: JEIDBERG@SHEETZ.COM

**PLAN TO
ACCOMPANY
PETITION FOR
SPECIAL EXCEPTION
AND VARIANCE**

3 OF 5

ORG. DATE - 9/10/2024



**Know what's below.
Call before you dig.
ALWAYS CALL 811
It's fast. It's free. It's the law.**

**FOR EXHIBIT
PURPOSES ONLY**

THIS DRAWING IS INTENDED FOR MUNICIPAL AND/OR AGENCY
REVIEW AND APPROVAL. IT IS NOT INTENDED AS A CONSTRUCTION
DOCUMENT UNLESS INDICATED OTHERWISE.

PROJECT No.: MDA240021.00-0
DRAWN BY: BN/EJ
CHECKED BY: CM
DATE: 9/10/202
CAD I.D.: P-SPEX-SIT

PROJECT:

SPECIAL EXCEPTION AND VARIANCE PLAN



**4434 & 4336 NORTH POINT BLVD
(MD RTE. 151)
BALTIMORE, MD 21222
TAX MAP 104, GRID 15, PARCELS
277 & 438
TAX MAP 104, GRID 21, PARCEL 454
15TH COUNCILMANIC DISTRICT
7TH ELECTION DISTRICT
BALTIMORE COUNTY**

BOHLER //

**901 DULANEY VALLEY ROAD, SUITE 801
TOWSON, MARYLAND 21204**
Phone: (410) 821-7900
Fax: (410) 821-7987
MD@BohlerEng.com

B.R. ROWE

PROFESSIONAL ENGINEER
MARYLAND LICENSE NO. 40808
PROFESSIONAL CERTIFICATION
I, BRANDON D. GRIFF, 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 NO. 40808, EXPIRATION DATE: 7/3/2025

SHEET TITLE: **PLAN TO
ACCOMPANY
PETITION FOR
SPECIAL EXCEPTION
AND VARIANCE**

3 OF 5

ORG. DATE - 9/10/2024



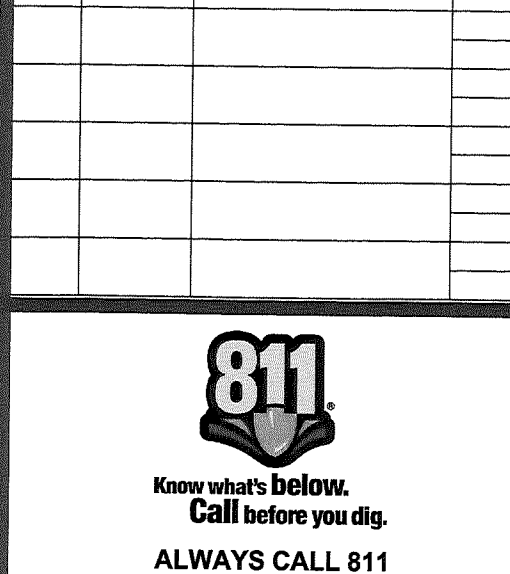
**Know what's below.
Call before you dig.**

ALWAYS CALL 811



**Know what's below.
Call before you dig.**

ALWAYS CALL 811



**Know what's below.
Call before you dig.**

ALWAYS CALL 811



**Know what's below.
Call before you dig.**

ALWAYS CALL 811



**Know what's below.
Call before you dig.**

ALWAYS CALL 811



**Know what's below.
Call before you dig.**

ALWAYS CALL 811



**Know what's below.
Call before you dig.**

ALWAYS CALL 811



**Know what's below.
Call before you dig.**

ALWAYS CALL 811



**Know what's below.
Call before you dig.**

ALWAYS CALL 811



**Know what's below.
Call before you dig.**

ALWAYS CALL 811



**Know what's below.
Call before you dig.**

ALWAYS CALL 811



**Know what's below.
Call before you dig.**

ALWAYS CALL 811



**Know what's below.
Call before you dig.**

ALWAYS CALL 811



**Know what's below.
Call before you dig.**

ALWAYS CALL 811



**Know what's below.
Call before you dig.**

ALWAYS CALL 811



**Know what's below.
Call before you dig.**

ALWAYS CALL 811

OWNER
JOSEPH BRUNO TRUSTEE OF THE JOSEPH J. BRUNO
SR LIVING TRUST
SUSAN M KELLER ET AL
406 CASSELL CLOVE
WESTMINSTER, MD 21158
CONTACT: DAVID KELLER
EMAIL: EVADRELLEK@COMCAST.NET

DEVELOPER
SHEETZ, INC.
351 SHEETZ WAY
CLAYSBURG, PA 16025
CONTACT: JOHN EIDBERGER
EMAIL: JEDBERG@SHEETZ.COM

ELEVATIONS ARE BASED ON NAVD 88 PER GPS
OBSERVATIONS. COORDINATES AND MERIDIAN ARE
BASED ON THE MARYLAND COORDINATE SYSTEM (MCS)

PAI # _____ LIMITED EXEMPTION # _____ TRACKING
_____ DRC # _____

OWNER
JOSEPH BRUNO TRUSTEE OF THE JOSEPH J. BRUNO
SR LIVING TRUST
SUSAN M KELLER ET AL
406 CASSELL CLOVE
WESTMINSTER, MD 21158
CONTACT: DAVID KELLER
EMAIL: EVADRELLEK@COMCAST.NET

DEVELOPER
SHEETZ, INC.
351 SHEETZ WAY
CLAYSBURG, PA 16025
CONTACT: JOHN EIDBERGER
EMAIL: JEDBERG@SHEETZ.COM

ELEVATIONS ARE BASED ON NAVD 88 PER GPS
OBSERVATIONS. COORDINATES AND MERIDIAN ARE
BASED ON THE MARYLAND COORDINATE SYSTEM (MCS)

PAI # _____ LIMITED EXEMPTION # _____ TRACKING
_____ DRC # _____

OWNER
JOSEPH BRUNO TRUSTEE OF THE JOSEPH J. BRUNO
SR LIVING TRUST
SUSAN M KELLER ET AL
406 CASSELL CLOVE
WESTMINSTER, MD 21158
CONTACT: DAVID KELLER
EMAIL: EVADRELLEK@COMCAST.NET

DEVELOPER
SHEETZ, INC.
351 SHEETZ WAY
CLAYSBURG, PA 16025
CONTACT: JOHN EIDBERGER
EMAIL: JEDBERG@SHEETZ.COM

ELEVATIONS ARE BASED ON NAVD 88 PER GPS
OBSERVATIONS. COORDINATES AND MERIDIAN ARE
BASED ON THE MARYLAND COORDINATE SYSTEM (MCS)

PAI # _____ LIMITED EXEMPTION # _____ TRACKING
_____ DRC # _____



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 SEE ATTACHED SHEET which is presently zoned BR-AS
Deed References: SEE ATTACHED SHEET 10 Digit Tax Account # SEE ATTACHED SHEET
Property Owner(s) Printed Name(s) SEE ATTACHED SHEET

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

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

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

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

3. X a **Variance** from Section(s)

SEE ATTACHED SHEET

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:

SEE ATTACHED SHEET

Name- Type or Print

Signature

Mailing Address City State

Zip Code Telephone # Email Address

Attorney for Petitioner:

David H. Karceski, Esquire

Name- Type or Print

Signature Venable LLP

210 W. Pennsylvania Ave., Ste. 500 Towson MD

Mailing Address City State

21204 / 410-494-6285 / dhkarceski@venable.com

Zip Code Telephone # Email Address

Legal Owners (Petitioners):

SEE ATTACHED SHEET

Name #1 - Type or Print

Name #2 - Type or Print

Signature #1

Signature # 2

Mailing Address City State

Zip Code Telephone # Email Address

Representative to be contacted:

David H. Karceski, Esquire

Name - Type or Print

Signature Venable LLP

210 W. Pennsylvania Ave., Ste. 500 Towson MD

Mailing Address City State

21204 / 410-494-6285 / dhkarceski@venable.com

Zip Code Telephone # Email Address

CASE NUMBER 2024-0221-XA

Filing Date 10/8/24

Do Not Schedule Dates: _____

Reviewer fk

REV. 10/4/11

4336 NORTH POINT BOULEVARD
Tax Acct # 1600012045

4334 NORTH POINT BOULEVARD
Tax Acct # 1519000540

8902 WISE AVENUE
Tax Acct # 1502650360

Deed Book 48957 Page 339

Deed Book 48957 Page 358

Deed Book 48957 Page 377

Deed Book 47814 Page 352

ATTACHMENT TO PETITION FOR SPECIAL EXCEPTION

1. Special Exception to allow a fuel service station on an individual site in combination with a convenience store and carry-out restaurant with a gross floor area larger than 6,000 square feet in the BR-AS zone, pursuant to Sections 405.2.B.1 and 405.4.E.1 of the Baltimore County Zoning Regulations.

**4336 NORTH POINT BOULEVARD
Tax Acct # 1600012045**

**4334 NORTH POINT BOULEVARD
Tax Acct # 1519000540**

**8902 WISE AVENUE
Tax Acct # 1502650360**

Deed Book 48957 Page 339

Deed Book 48957 Page 358

Deed Book 48957 Page 377

Deed Book 47814 Page 352

ATTACHMENT TO PETITION FOR VARIANCE

1. Variance from Section 409.6 of the Baltimore County Zoning Regulations ("BCZR") to allow a total of 36 off-street parking spaces in lieu of the required 43 parking spaces.
2. Variance from BCZR Section 450.4. Table of Sign Regulations 5(a) to allow a total of four wall-mounted enterprise signs for a single tenant building in lieu of the three signs permitted, with no more than two signs on each façade (Sign Types A, B).
3. Variance from BCZR Section 450.4. Table of Sign Regulations 3(a) to allow freestanding directional signs with a sign height of 13 and 14 feet in lieu of the permitted 6 feet (Sign Types 6, 7, 9A/B).
4. Variance from BCZR Section 450.4. Table of Sign Regulations 3(a) to allow sign areas/faces of 9, 11 and 17 square feet in lieu of the permitted 8 square feet (Sign Types 6, 7, 9A/B).
5. Variance from BCZR Section 450.4. Table of Sign Regulations 5(f) to allow an order board ancillary to a drive-through lane with a height of 7 feet in lieu of the permitted 6 feet (Sign Type 10).

4336 NORTH POINT BOULEVARD
Tax Acct # 1600012045

4334 NORTH POINT BOULEVARD
Tax Acct # 1519000540

8902 WISE AVENUE
Tax Acct # 1502650360

ATTACHMENT TO PETITION FOR VARIANCE & SPECIAL EXCEPTION

Property Owners (Continued):

Linda M. Laskey (1/6 ownership)
4331 Bunny Lane
Baltimore, MD 21219

By: Linda M Laskey
Linda M. Laskey

Phone No.: (410) 371-0475

Email: lindalaskey@gmail.com

Deed Book 48957 Page 377

4336 NORTH POINT BOULEVARD
Tax Acct # 1600012045

4334 NORTH POINT BOULEVARD
Tax Acct # 1519000540

8902 WISE AVENUE
Tax Acct # 1502650360

ATTACHMENT TO PETITION FOR VARIANCE & SPECIAL EXCEPTION

Property Owners (Continued):

Lisa Anne Calabrese (1/6 ownership)
621 Agnes Avenue
Brielle, NJ 08730

By: Lisa Anne Calabrese
Lisa Anne Calabrese

Phone No.: (732) 208-2166

Email: lisabresse@gmail.com

Deed Book 48957 Page 358

4336 NORTH POINT BOULEVARD
Tax Acct # 1600012045

4334 NORTH POINT BOULEVARD
Tax Acct # 1519000540

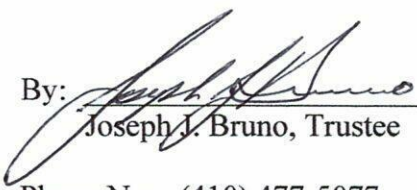
8902 WISE AVENUE
Tax Acct # 1502650360

ATTACHMENT TO PETITION FOR VARIANCE & SPECIAL EXCEPTION

Property Owners (Continued):

Trustee of the Joseph J. Bruno, Sr. Living Trust
dated December 7, 2011 - (1/2 ownership)

Joseph J. Bruno
3144 Main Avenue
Baltimore, MD 21219

By: 

Joseph J. Bruno, Trustee

Phone No.: (410) 477-5077

Email: midwaylumberoffice@comcast.net

Deed Book 47814 Page 352

4336 NORTH POINT BOULEVARD
Tax Acct # 1600012045

4334 NORTH POINT BOULEVARD
Tax Acct # 1519000540

8902 WISE AVENUE
Tax Acct # 1502650360

ATTACHMENT TO PETITION FOR VARIANCE & SPECIAL EXCEPTION

Petitioner:

Sheetz, Inc.
5700 6th Avenue
Altoona, PA
Phone:

By: 
Brian T. Dinges

Title: AVP of Real Estate

Phone No.: (814) 946-3611

Email: btdinges@sheetz.com

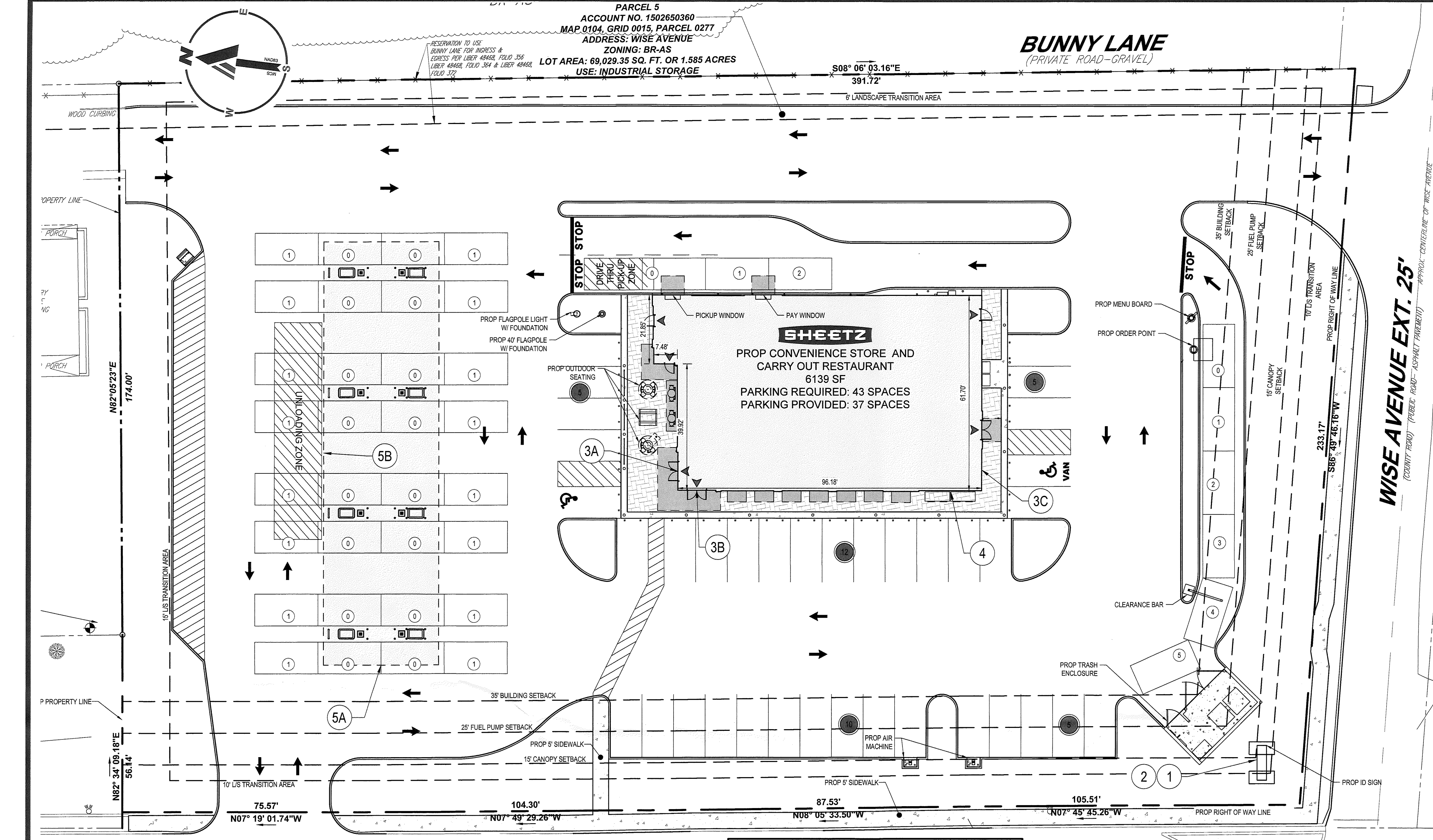
ZONING PROPERTY DESCRIPTION FOR 4434 & 4336 NORTH POINT BOULEVARD

Beginning at a point on the east side of North Point Boulevard which is 120 feet wide at the distance of 3.83 feet north of the centerline of the nearest improved intersecting street Wise Avenue Extension which is 27.58 feet wide.

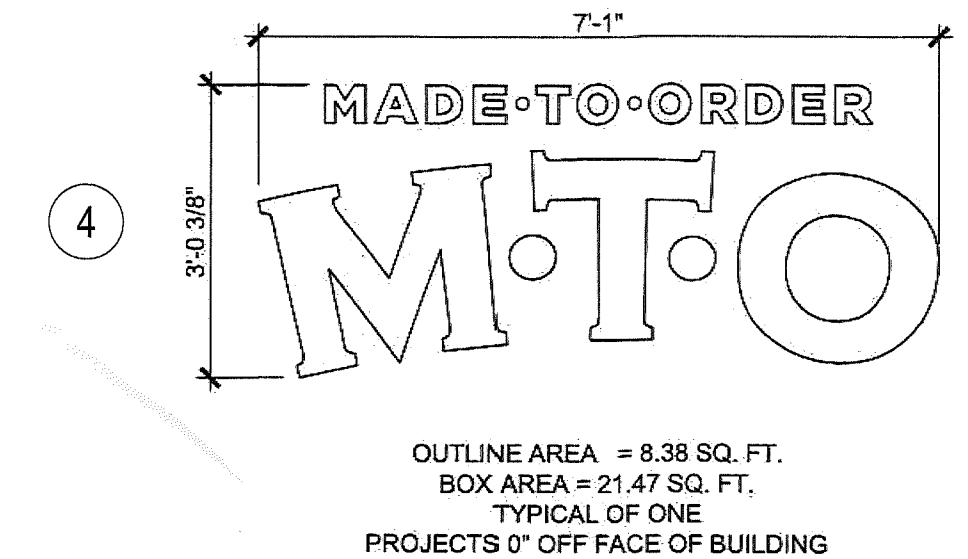
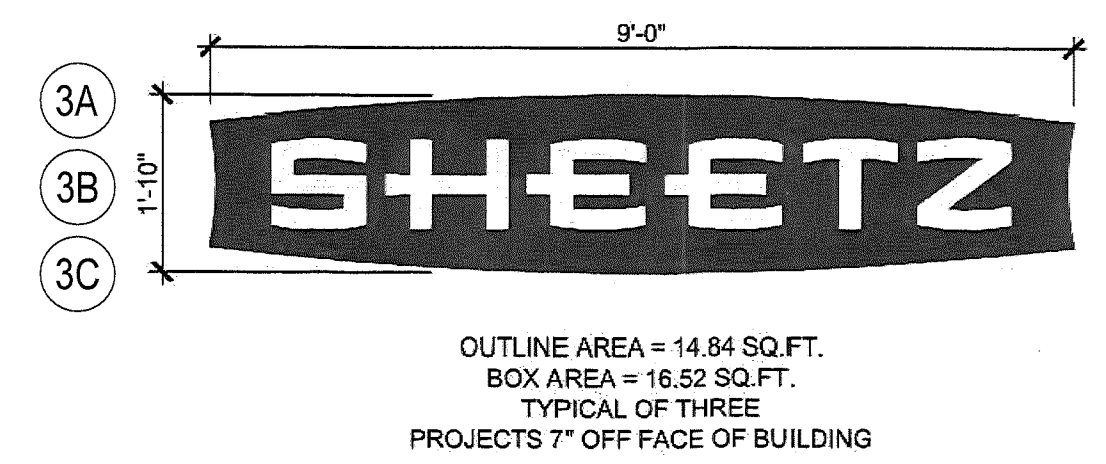
Thence the following courses and distances: (1st Point of Call "POC") N. 7°25'51" W., 383.59 feet (2nd POC) N. 82°34'09" E, 61.19 feet (3rd POC) N. 82°05'23" E, 174.00 feet (4th POC) S. 8°06'03" E., 402.97 feet (5th POC) S. 86°50'07" W., 240.56 feet, back to the point of beginning as recorded in Deed Liber 47814, Page 369, containing 93,352.68 square feet. Located in the 15th Election District and 7th Council District.



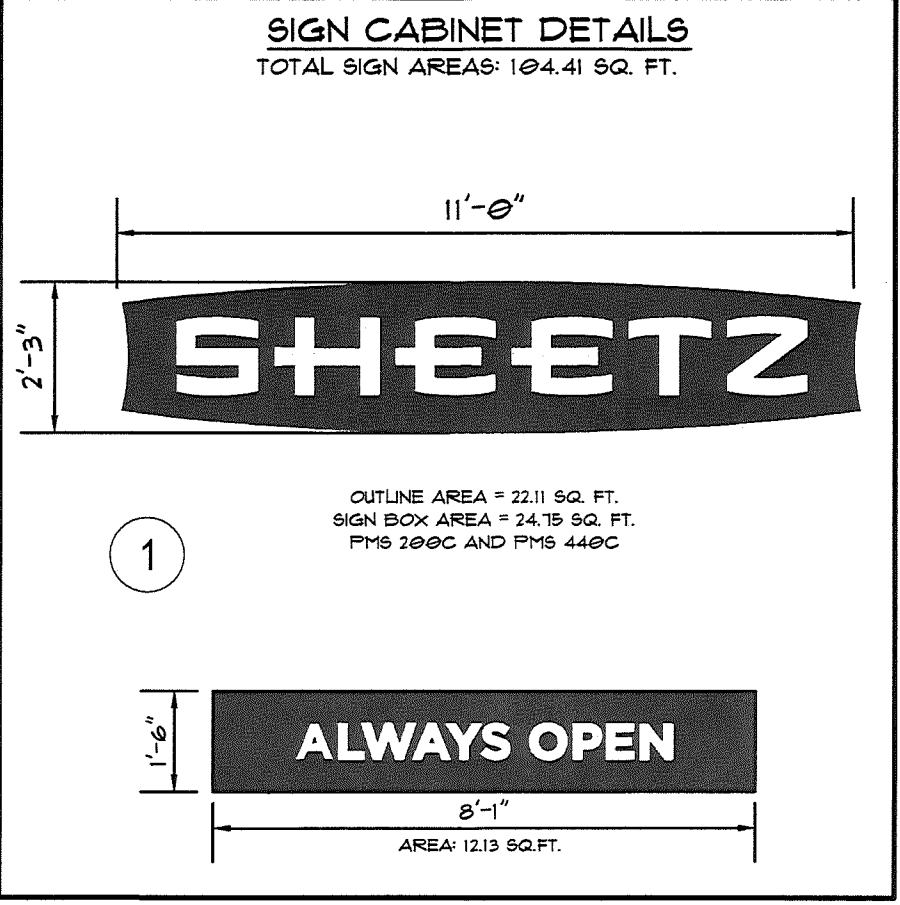
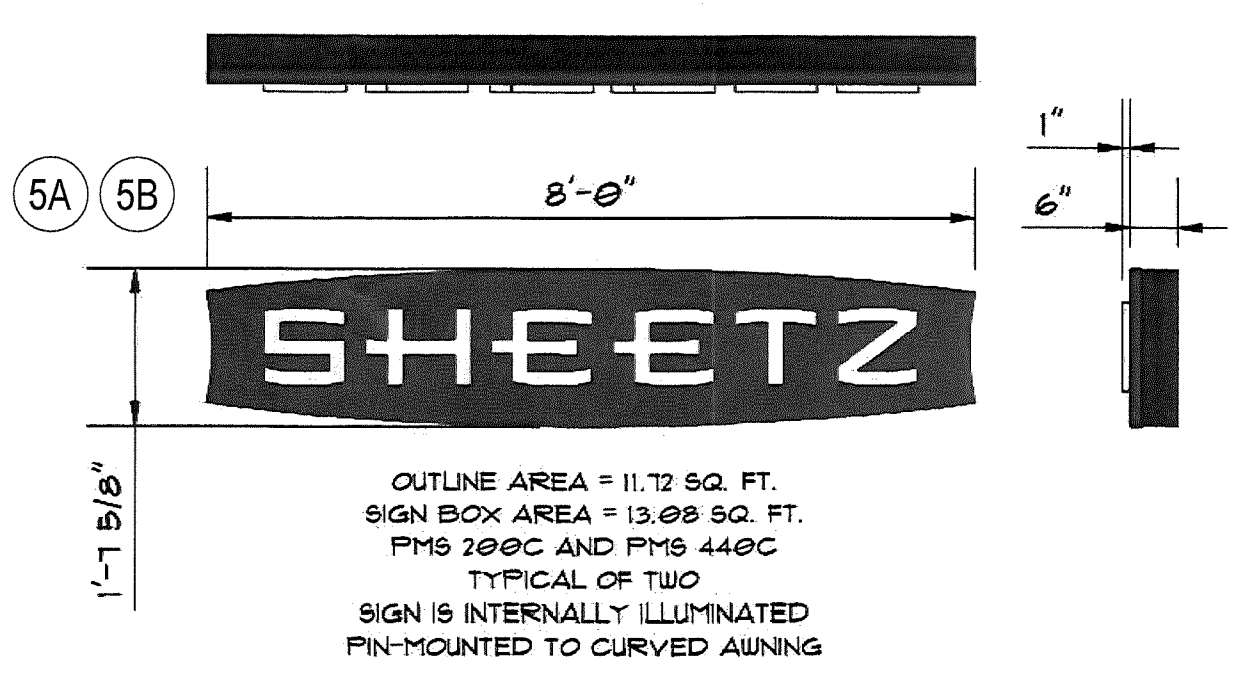
Howard G. Thirion
9/19/24 Expires 1/4/26



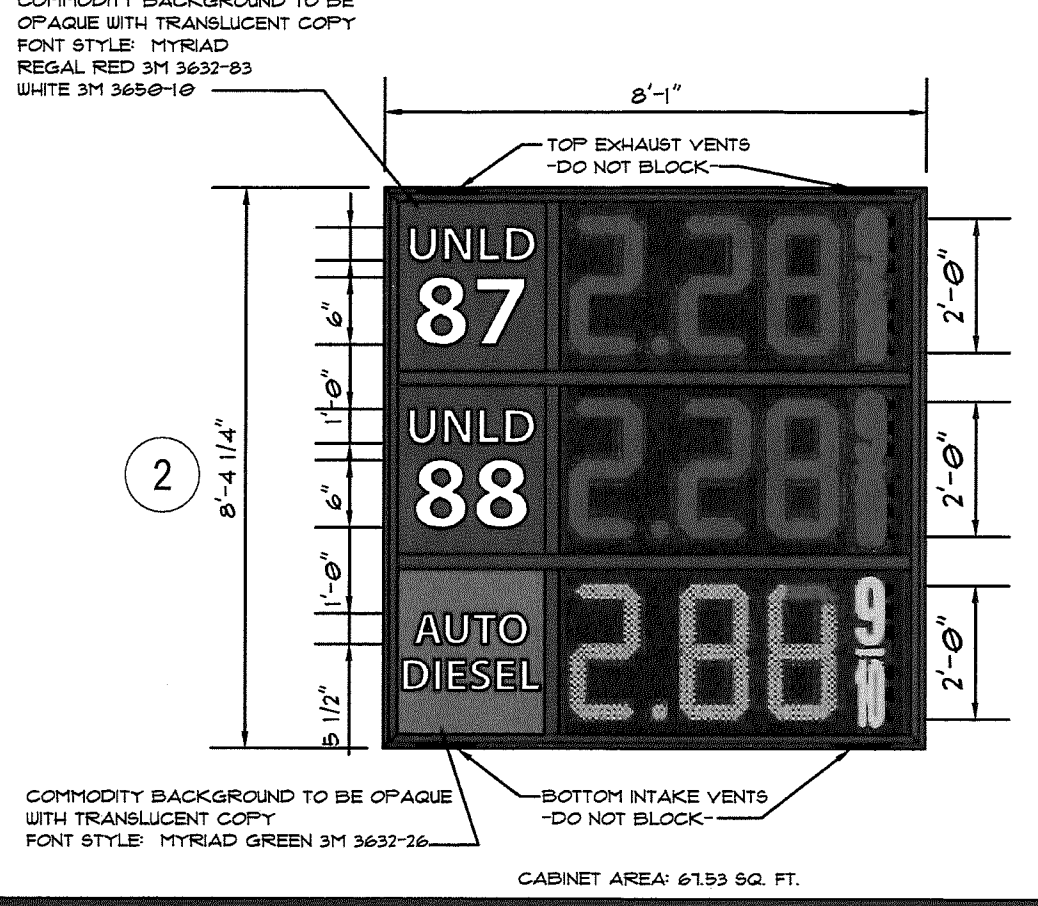
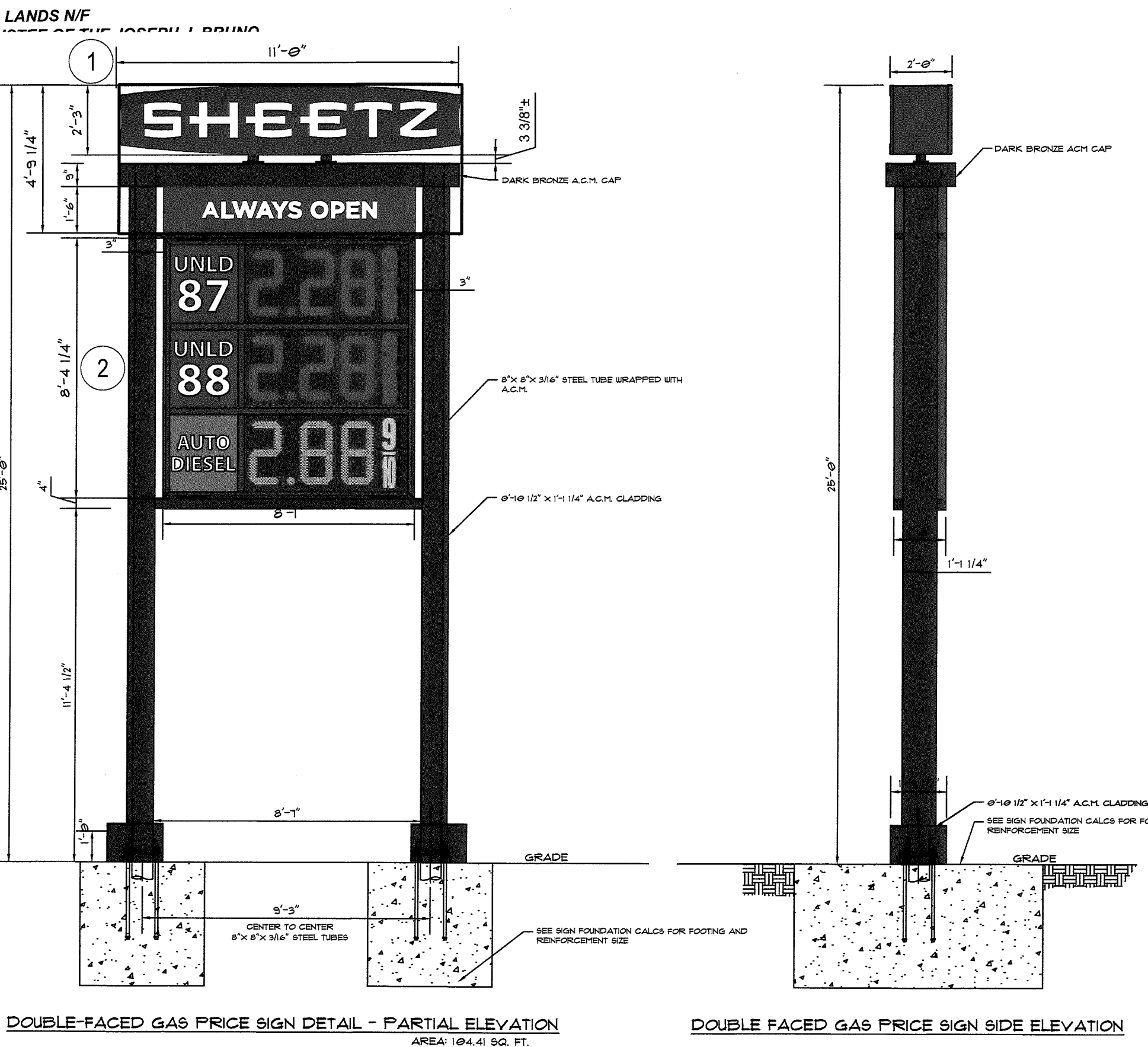
SIGNAGE CHART					
WALL MOUNTED SHEETZ BUILDING SIGN ENTERPRISE - WALL MOUNTED* (BCZR 450.4 ATTACHMENT 1, 5(a))					
SIGN LABEL	PROPOSED SIGNAGE			STORE FRONT WIDTH (FT)	MAX. FACE AREA PER SIGN (SF)
	WIDTH (FT)	HEIGHT (FT)	AREA (SF)		ALLOWABLE SIGNAGE AREA PER WALL LENGTH (FT)
FRONT ELEVATION					
3A	9.00	1.83	16.52	96.20	50.00
4	7.08	3.03	21.47	96.20	50.00
TOTAL AREA (FRONT ELEVATION)			37.99		192.40
LEFT ELEVATION					
3B	9.00	1.83	16.52	61.80	50.00
TOTAL AREA (LEFT ELEVATION)			16.52		123.60
RIGHT ELEVATION					
3C	9.00	1.83	16.52	61.80	50.00
TOTAL AREA (RIGHT ELEVATION)			16.52		123.60
*VARIANCE REQUESTED FOR FOUR (4) TOTAL SIGNS					



SIGNAGE CHART					
FUEL STATION CANOPY MOUNTED SIGN ENTERPRISE - SERVICE STATION CANOPY (BCZR 450.4 ATTACHMENT 1, 5(e))					
SIGN LABEL	PROPOSED SIGNAGE			ALLOWABLE SIGNAGE AREA (SF)	PROPOSED SIGN HEIGHT (FT)
	PANEL WIDTH (FT)	PANEL HEIGHT (FT)	PANEL AREA (SF)		ALLOWABLE SIGN HEIGHT (FT)
5A	8.00	1.64	13.08	25.00	N/A
5B	8.00	1.64	13.08	25.00	N/A



SIGNAGE CHART					
DOUBLE FACED PYLON SIGN AND FUEL PRICE SIGN ENTERPRISE - FREESTANDING (BCZR 450.4 ATTACHMENT 1, 5(b))					
SIGN LABEL	PROPOSED SIGNAGE			ALLOWABLE SIGNAGE AREA (SF)	PROPOSED SIGN HEIGHT (FT)
	PANEL WIDTH (FT)	PANEL HEIGHT (FT)	PANEL AREA (SF)		ALLOWABLE SIGN HEIGHT (FT)
1	11.00	4.77	52.47	100.00	25.00
2	8.08	8.35	67.53	100.00	25.00
TOTAL AREA (ALL ENTERPRISE SIGNS)			120.00		
*EXEMPT PURSUANT TO STATE REGULATIONS					



OWNER
JOSEPH BRUNO TRUSTEE OF THE JOSEPH J. BRUNO
SR LIVING TRUST
SUSAN M KELLER ET AL
408 CASSELL CLOSE
WESTMINSTER, MD 21158
CONTACT: DAVID KELLER
EMAIL: EVADRELLER@COMCAST.NET

DEVELOPER
SHEETZ, INC.
351 SHEETZ WAY
CLAYSBURG, PA 16625
CONTACT: JOHN EIDBERGER
EMAIL: JEIDBERG@SHEETZ.COM

ELEVATIONS ARE BASED ON NAVD 88 PER GPS
OBSERVATIONS. COORDINATES AND MERIDIAN ARE
BASED ON THE MARYLAND COORDINATE SYSTEM (MCS)
PAJ # _____ LIMITED EXEMPTION # _____ TRACKING
_____ DRC # _____

BOHLER
SITE CIVIL AND CONSULTING ENGINEERING
PROGRAM MANAGEMENT
LANDSCAPE ARCHITECTURE
SUSTAINABLE DESIGN
PERMITTING SERVICES
TRANSPORTATION SERVICES

REVISIONS
REV DATE COMMENT DRAWN BY CHECKED BY

811
Know what's below.
Call before you dig.
ALWAYS CALL 811
It's fast. It's free. It's the law.

FOR EXHIBIT PURPOSES ONLY
THIS DRAWING IS INTENDED FOR MUNICIPAL AND/OR AGENCY REVIEW AND APPROVAL. IT IS NOT INTENDED AS A CONSTRUCTION DOCUMENT UNLESS INDICATED OTHERWISE.

PROJECT No.: MDA240021-00-0B
DRAWN BY: BNEJD
CHECKED BY: CHMB
DATE: 9/10/2024
CAD I.D.: P-SPEX-SITE

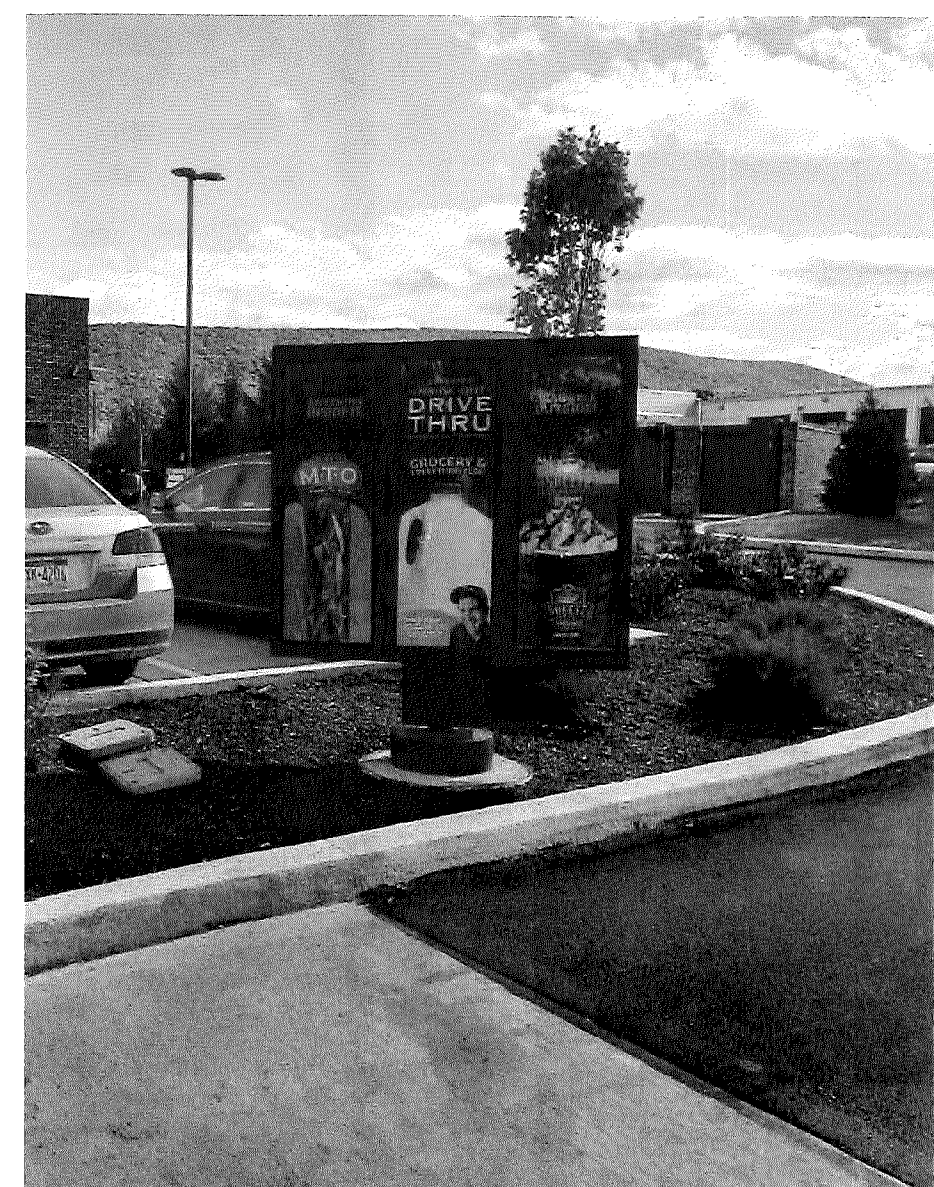
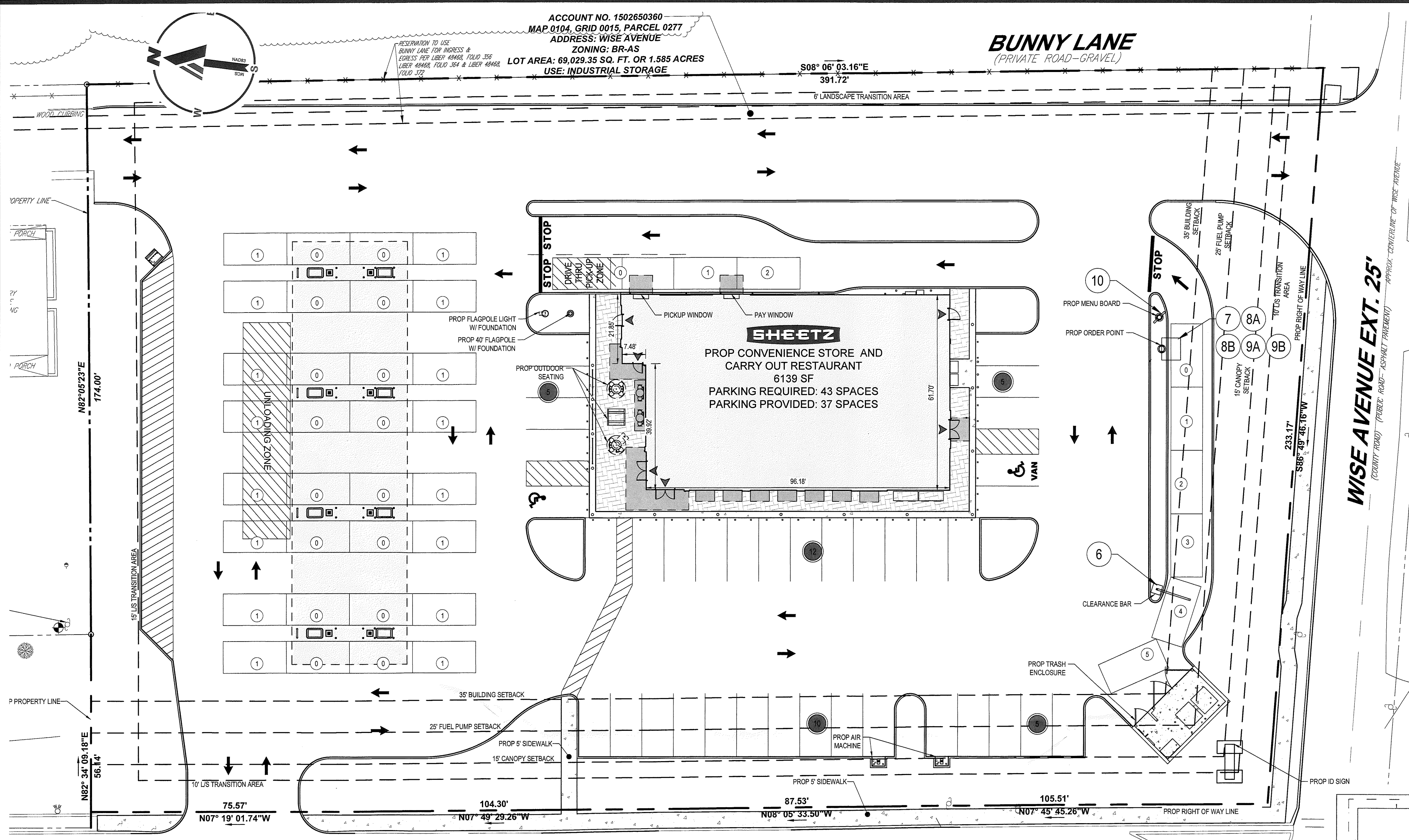
SPECIAL EXCEPTION AND VARIANCE PLAN
FOR

SHEETZ
4434 & 4336 NORTH POINT BLVD
(MD RTE. 151)
BALTIMORE, MD 21222
TAX MAP 104, GRID 15, PARCELS
277 & 438
TAX MAP 104, GRID 21, PARCEL 454
15TH COUNCILMANIC DISTRICT
7TH ELECTION DISTRICT
BALTIMORE COUNTY

BOHLER
901 DULANEY VALLEY ROAD, SUITE 801
TOWSON, MARYLAND 21204
Phone: (410) 821-7900
Fax: (410) 821-7987
MD@BohlerEng.com

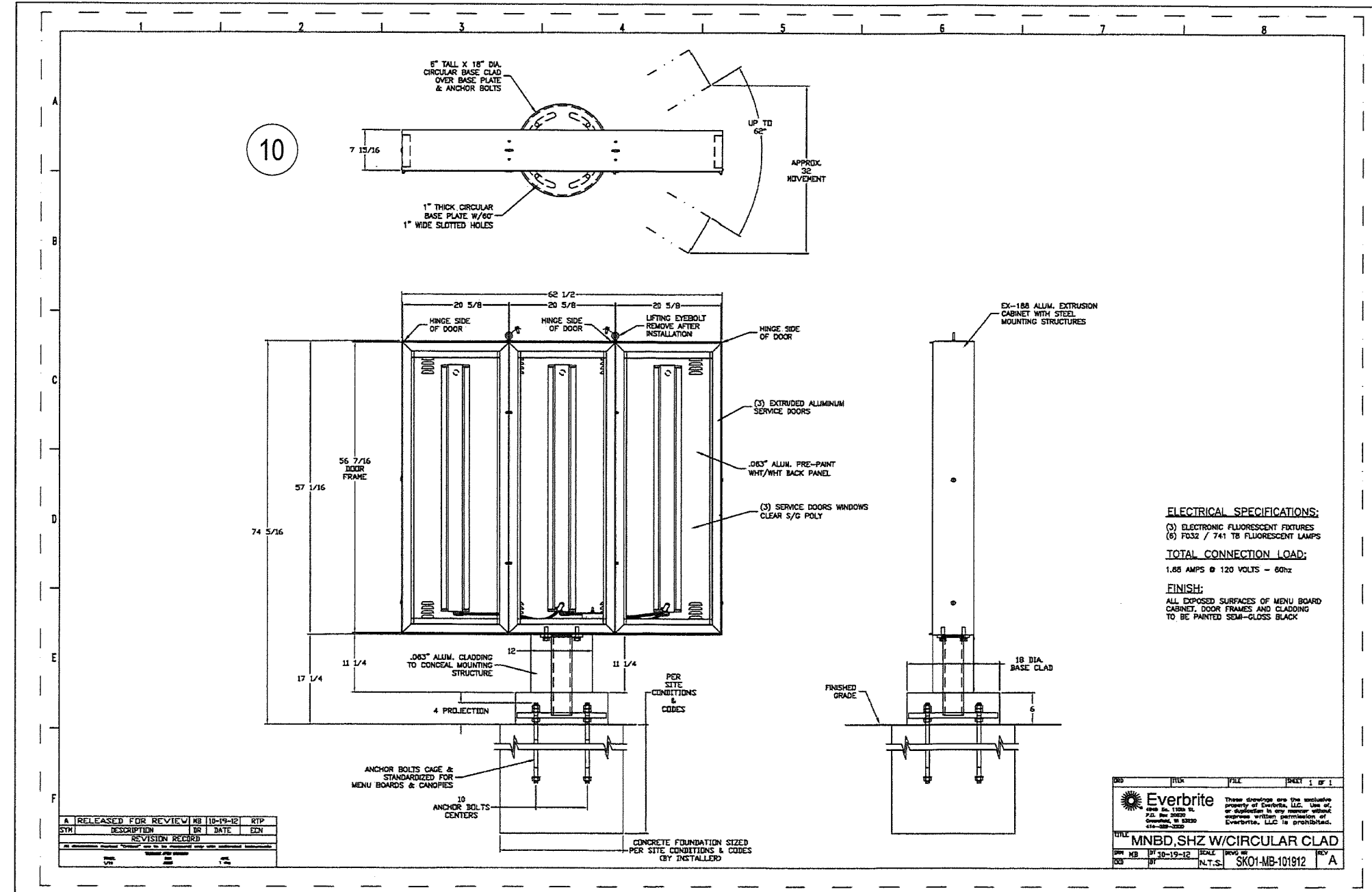
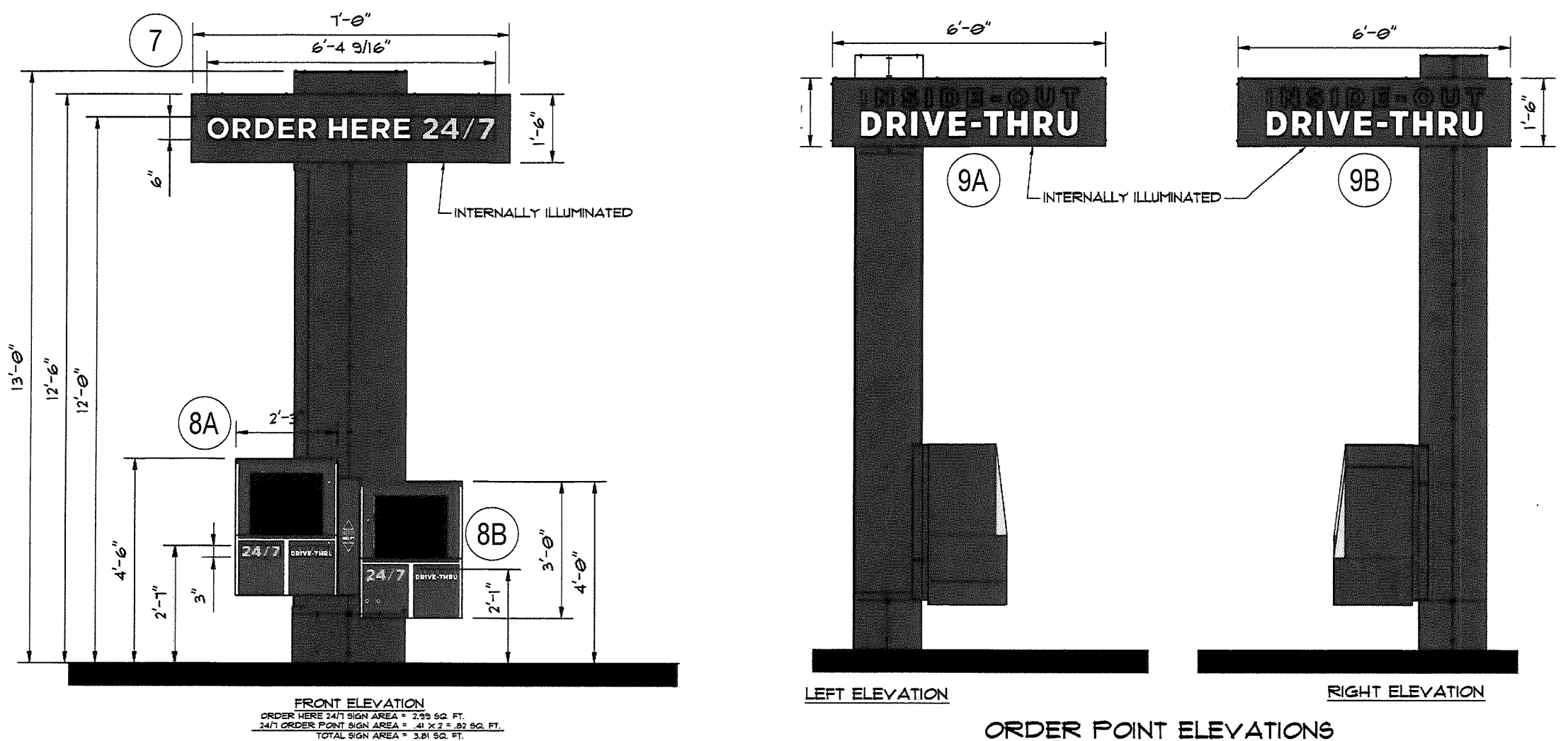
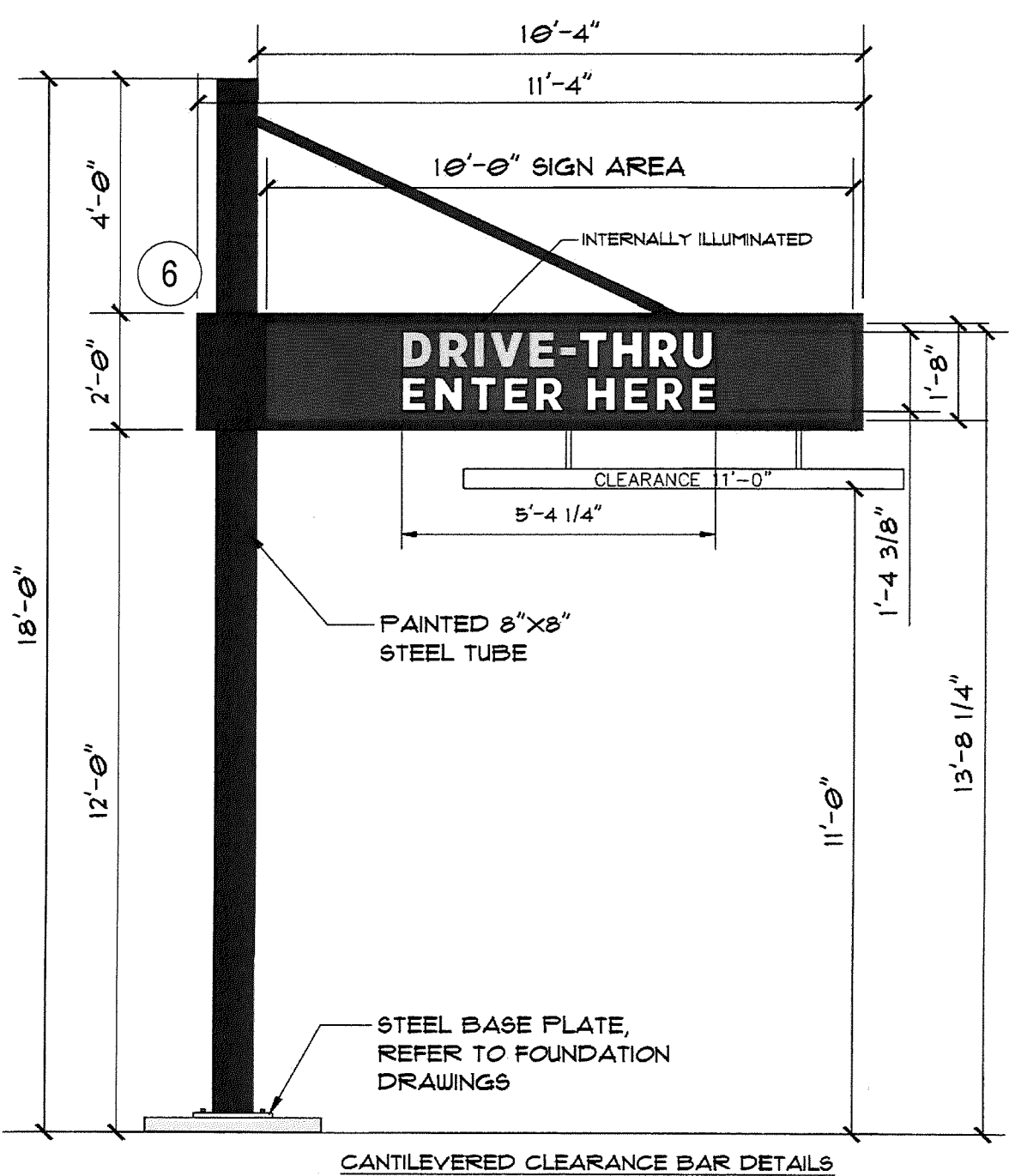
B.R. ROWE
PROFESSIONAL ENGINEER
3000 LEE ROAD, SUITE 400
BALTIMORE, MD 21204
I, BRANDON J. ROWE, HEREBY CERTIFY THAT THESE
DOCUMENTS WERE PREPARED OR SUPERVISED BY ME, AND
THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER
UNDER THE LAWS OF THE STATE OF MARYLAND,
LICENSE NO. 43008, EXPIRATION DATE: 7/30/2025

PLAN TO ACCOMPANY PETITION FOR SPECIAL EXCEPTION AND VARIANCE
SHEET NUMBER:
2 OF 5
ORG. DATE - 9/10/2024



SIGNAGE CHART					
OUTDOOR DIGITAL MENU BOARD ENTERPRISE - FREESTANDING (BCZR 450.4 ATTACHMENT 1, 5(b))*					
SIGN LABEL	PANEL WIDTH (FT)	PANEL HEIGHT (FT)	PANEL AREA (SF)	ALLOWABLE SIGNAGE AREA (SF)	PROPOSED SIGN HEIGHT (FT)
10*	5.21	4.76	24.77	50.00	6.19
TOTAL AREA			24.77		6.00
*VARIANCE REQUESTED FOR SIGN HEIGHT					

SIGNAGE CHART					
DRIVE THRU CLEARANCE SIGN & DRIVE THRU ORDER POINT SIGN DIRECTIONAL - FREESTANDING (BCZR 450.4 ATTACHMENT 1, 3(f))*					
SIGN LABEL	PANEL WIDTH (FT)	PANEL HEIGHT (FT)	PANEL AREA (SF)	ALLOWABLE SIGNAGE AREA (SF)	PROPOSED SIGN HEIGHT (FT)
6*	10.00	1.67	16.70	8.00	14.00
7*	7.00	1.50	10.50	8.00	12.50
8A	2.25	3.00	6.75	8.00	4.50
8B	2.25	3.00	6.75	8.00	4.00
9A*	6.00	1.50	9.00	8.00	12.50
9B*	6.00	1.50	9.00	8.00	12.50
*VARIANCE REQUESTED FOR SIGN HEIGHT					



OWNER
JOSEPH BRUNO TRUSTEE OF THE JOSEPH J. BRUNO
SR LIVING TRUST
SUSAN M KELLER ET AL.
400 CASSELL CLOSE
WESTMINSTER, MD 21158
CONTACT: DAVID KELLER
EMAIL: EVADORELLE@COMCAST.NET

DEVELOPER
SHEETZ, INC.
351 SHEETZ WAY
CLAYSBURG, PA 16625
CONTACT: JOHN EIDBERGER
EMAIL: JEIDBERG@SHEETZ.COM

ELEVATIONS ARE BASED ON NAVD 88 PER GPS
OBSERVATIONS. COORDINATES AND MERIDIAN ARE
BASED ON THE MARYLAND COORDINATE SYSTEM (MCS).
PAI # _____ LIMITED EXEMPTION # _____ TRACKING
_____ DRC # _____

BOHLER

SITE CIVIL AND CONSULTING ENGINEERING
LAND SURVEYING
PROGRAM MANAGEMENT
LANDSCAPE ARCHITECTURE
LANDSCAPE CONSTRUCTION
PERMITTING SERVICES
TRANSPORTATION SERVICES

REVISIONS			
REV	DATE	COMMENT	CHECKED BY

811

Know what's below.
Call before you dig.
ALWAYS CALL 811
It's fast. It's free. It's the law.

FOR EXHIBIT PURPOSES ONLY

THIS DRAWING IS INTENDED FOR MUNICIPAL AND/OR AGENCY REVIEW AND APPROVAL. IT IS NOT TO BE USED AS A CONSTRUCTION DOCUMENT UNLESS INDICATED OTHERWISE.

PROJECT No.: MDA240021.00-0B
DRAWN BY: BNE/JD
CHECKED BY: CMR
DATE: 9/10/2024
CAD ID: P-SPEX-SITE

SPECIAL EXCEPTION AND VARIANCE PLAN

FOR

SHEETZ

4434 & 4336 NORTH POINT BLVD
(MD RTE. 151)
BALTIMORE, MD 21222
TAX MAP 104, GRID 15, PARCELS 277 & 438
TAX MAP 104, GRID 21, PARCEL 454
15TH COUNCILMANIC DISTRICT
7TH ELECTION DISTRICT
BALTIMORE COUNTY

BOHLER

901 DULANEY VALLEY ROAD, SUITE 801
TOWSON, MARYLAND 21204
Phone: (410) 821-7900
Fax: (410) 821-7987
MD@BohlerEng.com

B.K. ROWE

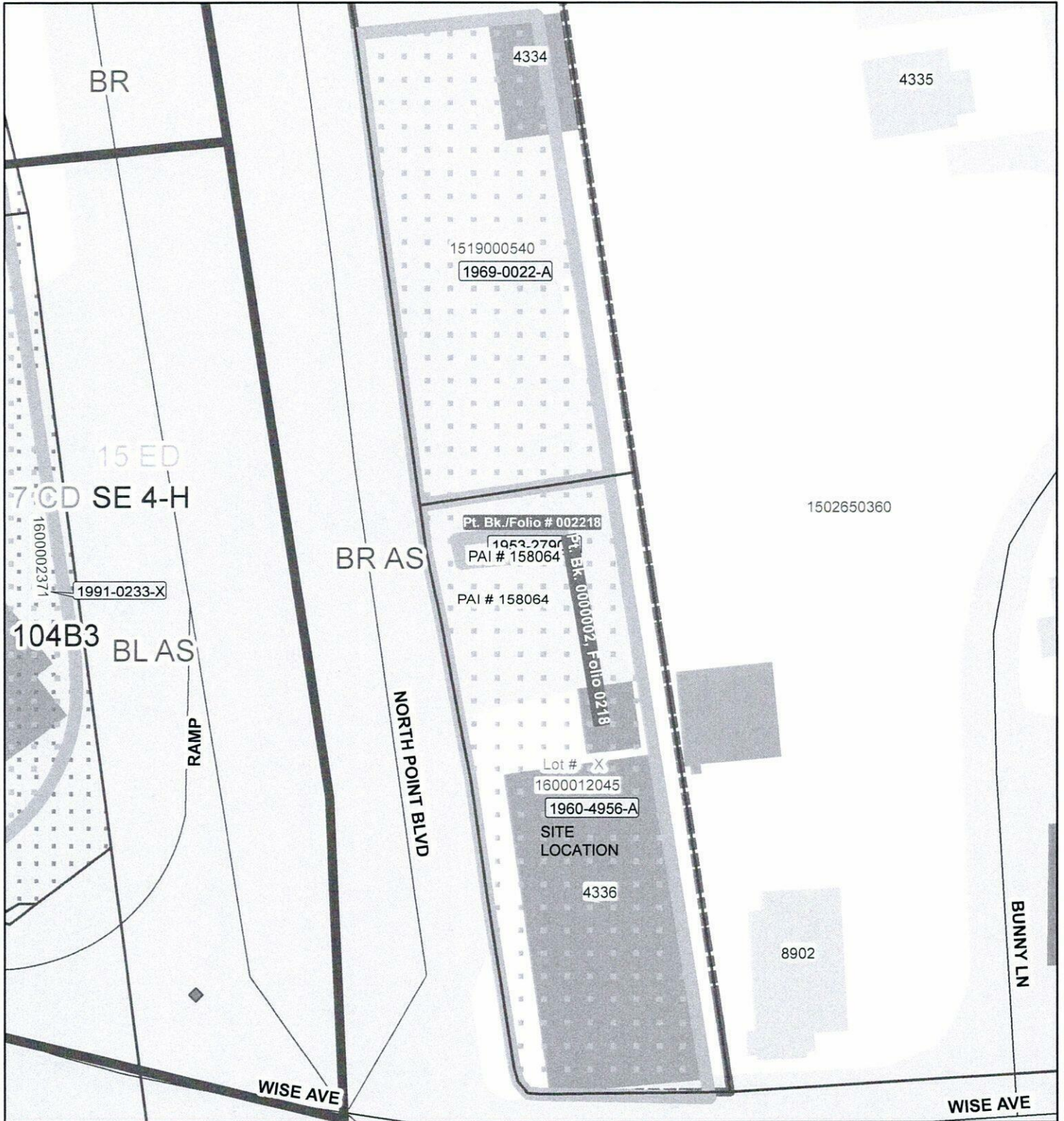
PROFESSIONAL ENGINEER
MARYLAND LICENSE NO. 40806
PROFESSIONAL CERTIFICATION
I, BRUCE K. ROWE, HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR SUPERVISED BY ME, AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MARYLAND. LICENSE NO. 40806, EXPIRATION DATE: 7/31/2025

PLAN TO ACCOMPANY PETITION FOR SPECIAL EXCEPTION AND VARIANCE

SHEET NUMBER:
3 OF 5

ORG. DATE - 9/10/2024

4336 & 4334 NORTH POINT BLVD



Publication Date: 10/7/2024



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



0 12.5 25 50 75 100 Feet

1 inch = 44.842202 feet

October 15, 2024

Ms. Kristen L. Lewis
Permits and Development Management
County Office Building-Room 109
111 West Chesapeake Avenue
Towson, MD 21204

Dear Ms. Lewis:

Thank you for the opportunity to review your referral request for the Special Exception, Variance Case number referenced below. While SHA has no jurisdiction over the Baltimore County zoning request for Case No.2024-0221-XA, we do advise that SHA will require a Traffic Impact Study (TIS) for review towards approval. The results of the review may require roadway improvements on MD 151 and the surrounding roadway network.

Should you have any questions regarding this matter, please contact Ms. Teresa Eller at 410-229-2424.

Sincerely,

Teresa Eller, for
Ms. Claudine Myers
Acting Metropolitan District Engineer
Maryland Department of Transportation
State Highway Administration
District 4 - Baltimore and Harford Counties

October 15, 2024

Ms. Kristen L. Lewis
Permits and Development Management
County Office Building-Room 109
111 West Chesapeake Avenue
Towson, MD 21204

Dear Ms. Lewis:

Thank you for the opportunity to review your referral request for the Special Exception, Variance Case number referenced below. While SHA has no jurisdiction over the Baltimore County zoning request for Case No.2024-0221-XA, we do advise that SHA will require a Traffic Impact Study (TIS) for review towards approval. The results of the review may require roadway improvements on MD 151 and the surrounding roadway network.

Should you have any questions regarding this matter, please contact Ms. Teresa Eller at 410-229-2424.

Sincerely,

Teresa Eller, for
Ms. Claudine Myers
Acting Metropolitan District Engineer
Maryland Department of Transportation
State Highway Administration
District 4 - Baltimore and Harford Counties

**BALTIMORE COUNTY, MARYLAND
INTER-OFFICE MEMORANDUM**

TO: C. Pete Gutwald
Director, Department of Permits, Approvals and Inspections

DATE: 11/18/2024

FROM: Steve Lafferty
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS – Revised

INFORMATION: Case Number: 2024-0221-XA
Property Address: 4334 & 4336 North Point Boulevard and 8902 Wise Avenue, Sheetz
Petitioner: Linda M. Laskey, Lisa A. Calabrese, Trustee of Joseph J Bruno, Sheetz, Inc.
Zoning: BR-AS
Requested Action: Variance and Special Exception

The Department of Planning has reviewed the petition for the following:

Variance – Relief from Baltimore County Zoning Regulations:

1. Section 409.6 to allow a total of 36 off-street parking spaces in lieu of the required 43 parking spaces.
2. Section 450.4 table of sign regulations 5(a) to allow a total of four wall-mounted enterprise signs for a single tenant building in lieu of the three signs permitted, with no more than two signs per façade (Sign Types A, B).
3. Section 450.4 table of sign regulations 5(a) to allow free standing directional signs with a sign height of 13 and 14 in lieu of the permitted 6 feet (Sign Types 6, 7, 9A/B).
4. Section 450.4, sign regulations 3(a) to allow sign areas/faces of 9, 11 and 17 square feet in lieu of the permitted 8 square feet (Sign Types 6, 7, 9A/B).
5. For any further relief that may be deemed necessary by the Administrative Law Judge.

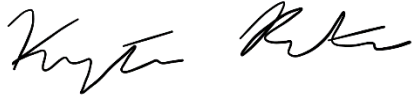
Special Exception – Under section 405.2.B.1 and 405.4.E.1 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should allow a fuel service station, on an individual site, in combination with a convenience store and carry-out restaurant, with a gross floor area larger than 6,000 square feet in the BR-AS Zone.

The subject site is 4.42-acre parcel at the corner of North Point Boulevard and Wise Avenue in Dundalk. The site is currently improved with an office building, retail building and storage warehouse. The owners are looking to raze the existing buildings and construct a fuel service station with a 6,139 square foot carry-out and convenience store.

The Department of Planning has reviewed a revised site and landscaping plan received on November 14, 2024 from the applicant's Attorney, Mr. David Karceski. The revised plans were submitted in response to Planning's previous ZAC comment letter dated October 18, 2024. All of the previous ZAC comments listed below have been addressed as shown on the revised plans. The Department of Planning recommends approval of the requested variance relief and special exception.

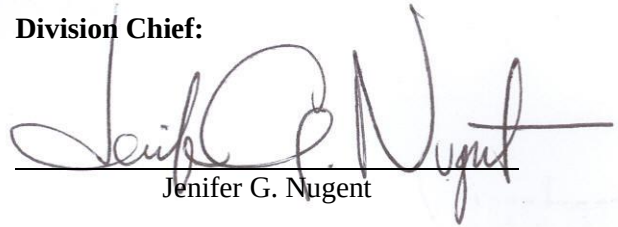
For further information concerning the matters stated herein, please contact Shawn Frankton at 410-887-3482.

Prepared by:



Krystle Patchak

Division Chief:



Jenifer G. Nugent

SL/JGN/KP

c: David H. Karceski, Esquire, Venable, LLP.
Maria Mougridis, Community Planner – Department of Planning
Jeff Perlow, Zoning Review
Office of Administrative Hearings
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/ neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting **two** signs 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: 2024-0221-XA
Property Address: 4334-4336 North Point Boulevard, 8902 Wise Ave
Legal Owners (Petitioners): Linda M. Laskey Et al
Contract Purchaser/Lessee: Sheetz, Inc.

PLEASE FORWARD ADVERTISING BILL TO:

Name: Company/Firm (if applicable): Venable LLP
Address: David Kargoski, Esquire
210 West Pennsylvania Avenue, Suite 500
Towson MD 21204
Telephone Number: (410) 494-6285

*Failure to advertise and/or post a sign on the property within the designated time will result in the Hearing request being delayed. The delayed Hearing Case will be cycled to the end of pending case files and rescheduled in the order that it is received. Also, a \$250.00 rescheduling fee may be required after two failed advertisings and/or postings.

CERTIFICATE OF POSTING

2024-0221-XA

RE: Case No.: _____

Petitioner/Developer: _____

Sheetz, Inc.

Linda Laskey, Susan Keller, Lia Anne Calabrese, Joseph Bruno, Trustee

November 19, 2024

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: Jeff Perlow:

Ladies and Gentlemen:

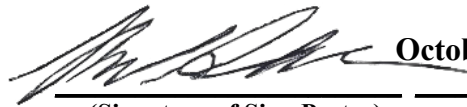
This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at: _____

4334, 4336 North Point Boulevard ***SIGN 1A & 1B***

October 29, 2024

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

Sincerely,



October 29, 2024

(Signature of Sign Poster)

(Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

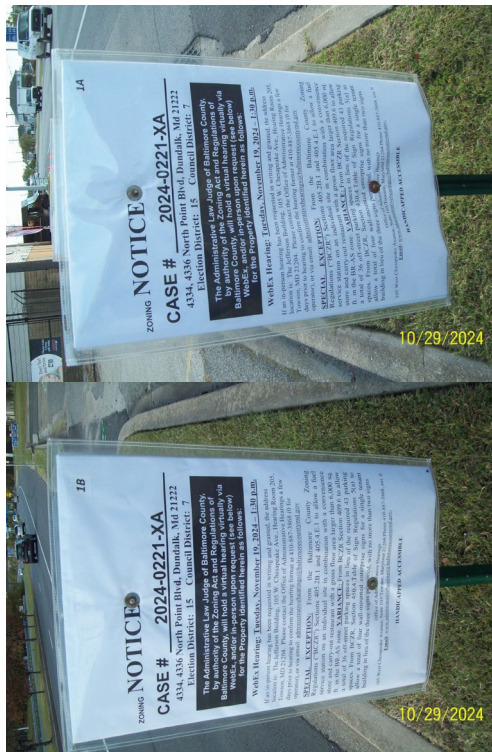
(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)



CERTIFICATE OF POSTING

2024-0221-XA

RE: Case No.: _____

Petitioner/Developer: _____

Sheetz, Inc.

Linda Laskey, Susan Keller, Lia Anne Calabrese, Joseph Bruno, Trustee

January 16, 2025

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: Jeff Perlow:

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: _____

4334, 4336 North Point Boulevard ***SIGN 1A & 1B***

December 26, 2024

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

Sincerely,

December 26, 2024

(Signature of Sign Poster)

(Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

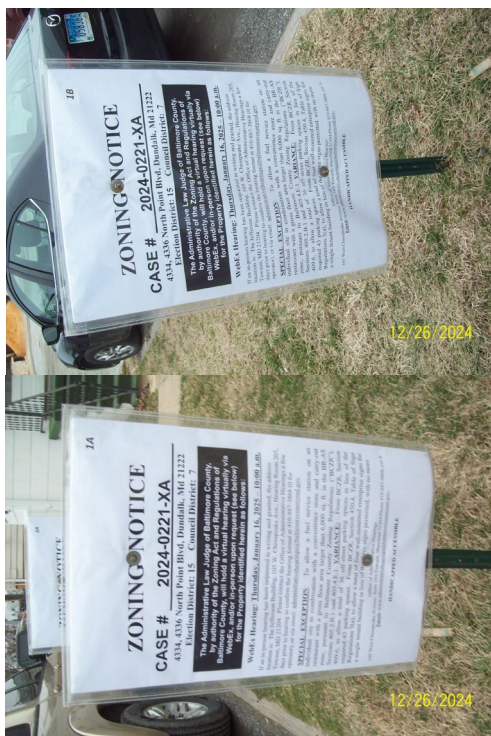
(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)



BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



TO: Hon. Maureen E. Murphy; Chief Administrative Law Judge
Office of Administrative Hearings

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

DATE: October 22, 2024

SUBJECT: DEPS Comment for Zoning Item # 2024-0221-XA
Address: 4334, 4336 NORTH POINT BOULEVARD
Legal Owner: Sheetz, Inc.

Zoning Advisory Committee Meeting of October 16, 2024.

X The Department of Environmental Protection and Sustainability offers the following comments on the above-referenced zoning item:

1. If the zoning variance is granted, Ground Water Management requests that it be conditioned to include the following:
 - a. Ground Water Management's approval of any building permit to replace the existing house would be contingent on a connection to public water and sewer and the abandonment of the existing well and septic system.

Reviewer: Mia Lowery, L.E.H.S.

Additional Comments:

X Development of this property must comply with the Forest Conservation Regulations (Sections 33-6-101 through 33-6-122 of the Baltimore County Code).

A Forest Conservation Plan is required.

Reviewer: Libby Errickson 10/22/24

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Peter Gutwald, Director
Department of Permits, Approvals

DATE: October 9, 2024

FROM: Vishnu Desai, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
Case 2024-0221-XA

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

DPR: No comment.

DPW-T: No exception taken.

Landscaping: If Special Exception and Zoning relief is granted a Landscape Plan is required per the Baltimore Landscape Manual. A Lighting Plan is also required.

Recreations & Parks: No comment LOS & No Greenways affected.

**BALTIMORE COUNTY, MARYLAND
INTER-OFFICE MEMORANDUM**

TO: C. Pete Gutwald
Director, Department of Permits, Approvals and Inspections

DATE: 10/23/2024

FROM: Steve Lafferty
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS

INFORMATION: Case Number: 2024-0221-XA
Property Address: 4334 & 4336 North Point Boulevard and 8902 Wise Avenue, Sheetz
Petitioner: Linda M. Laskey, Lisa A. Calabrese, Trustee of Joseph J Bruno, Sheetz, Inc.
Zoning: BR-AS
Requested Action: Variance and Special Exception

The Department of Planning has reviewed the petition for the following:

Variance(s) –

1. From Section 409.6 to allow a total of 36 off-street parking spaces in lieu of the required 43 parking spaces.
2. From Section 450.4 table of sign regulations 5(a) to allow a total of four wall-mounted enterprise signs for a single tenant building in lieu of the three signs permitted, with no more than two signs per façade (Sign Types A, B).
3. From Section 450.4 table of sign regulations 5(a) to allow free standing directional signs with a sign height of 13 and 14 in lieu of the permitted 6 feet (Sign Types 6, 7, 9A/B).
4. From Section 450.4, sign regulations 3(a) to allow sign areas/faces of 9, 11 and 17 square feet in lieu of the permitted 8 square feet (Sign Types 6, 7, 9A/B).
5. For any further relief that may be deemed necessary by the Administrative Law Judge.

Special Exception – Under section 405.2.B.1 and 405.4.E.1 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should allow a fuel service station, on an individual site, in combination with a convenience store and carry-out restaurant, with a gross floor area larger than 6,000 square feet in the BR-AS Zone.

The subject site is 4.42-acre parcel at the corner of North Point Boulevard and Wise Avenue in Dundalk. The site is currently improved with an office building, retail building and storage warehouse. The owners are looking to raze the existing buildings and construct a fuel service station with a 6,139 square foot carry-out and convenience store.

The Department of Planning offers the following recommendations regarding the proposed site plan submitted with this request:

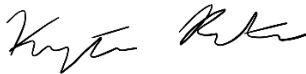
1. The dumpster location should be located in an area that minimizes public view. Relocate the currently proposed dumpster from the corner of North Point Boulevard and Wise Avenue to Bunny Lane in the North Eastern corner of the site.

2. Provide enhanced landscaping along North Point Boulevard and Wise Avenue.
3. The development should comply with CMDP, Division III. Commercial Development within the Urban - Rural Demarcation Line, Section B. Freestanding; specifically:
 - b. SITE PLANNING (g) For sites with combined refueling station and convenience store uses, the convenience store should front to the road, with refueling stations either to the side or behind the storefront in order to reduce the vehicular dominance of the use. There should also be a pedestrian pathway that directly connects the convenience store to sidewalks along the major roadway.
 - c. LANDSCAPING (c) Screening/buffering of major roadways; and (f) Adequate landscape screening along the drive-thru lanes that does not block the line of sight.
 - d. CIRCULATION (f) Provide bike racks near the proposed building.

The Department of Planning has no objections to the requested Special Exception and Variance relief pending the site plan issues are addressed to create a better design. The requested land use and proposed signage are similar to that of a fuel service station, convenience store, and carry-out located at the same intersection just opposite of this site. Additionally, the signage appears to be appropriately scaled to the building façade and seems to provide the necessary identification and advertising for the overall site.

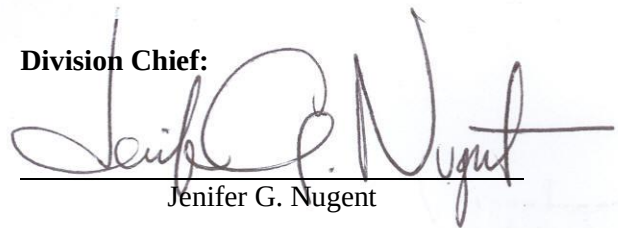
For further information concerning the matters stated herein, please contact Shawn Frankton at 410-887-3482.

Prepared by:



Krystle Patchak

Division Chief:



Jenifer G. Nugent

SL/JGN/KP

c: David H. Karceski, Esquire, Venable, LLP.
Maria Mougridis, Community Planner – Department of Planning
Jeff Perlow, Zoning Review
Office of Administrative Hearings
People's Counsel for Baltimore County

Real Property Data Search ()
Search Result for BALTIMORE COUNTY

[View Map](#)

[View GroundRent Redemption](#)

[View GroundRent Registration](#)

Special Tax Recapture: None

Account Identifier: District - 15 Account Number - 1600012045

Owner Information

Owner Name: BRUNO JOSEPH TRUSTEE OF THE JOSEPH J BRUNO SR LIVING TRUST Use: COMMERCIAL
KELLER SUSAN M ET AL Principal Residence: NO
Mailing Address: 406 CASSELL CLOSE Deed Reference: /48957/ 00377
WESTMINSTER MD 21158-

Location & Structure Information

Premises Address: 4336 NORTH POINT BLVD Legal Description: PT LT 7-79
BALTIMORE 21219- NE COR WISE AVE EXT
H C SNAVELY

Map:	Grid:	Parcel:	Neighborhood:	Subdivision:	Section:	Block:	Lot:	Assessment Year:	Plat No:
0104	0021	0454	31503.04	0000			X	2024	
									Plat Ref: 0002/ 0218

Town: None

Primary Structure Built	Above Grade Living Area	Finished Basement Area	Property Land Area	County Use
	4,949 SF		11,365 SF	06

Stories	Basement	Type	Exterior	Quality	Full/Half Bath	Garage	Last Notice of Major Improvements
		RETAIL STORE	/	C3			

Value Information

	Base Value	Value	Phase-in Assessments	
		As of	As of	As of
		01/01/2024	07/01/2024	07/01/2025
Land:	179,200	179,200		
Improvements	157,600	155,800		
Total:	336,800	335,000	335,000	335,000
Preferential Land:	0	0		

Transfer Information

Seller: LASKEY MARY TRUSTEE OF THE MARY B LASKEY LIVING TRUST	Date: 04/16/2024	Price: \$0
Type: NON-ARMS LENGTH OTHER	Deed1: /48957/ 00377	Deed2:
Seller: LASKEY MARY TRUSTEE OF THE MARY B LASKEY LIVING TRUST	Date: 04/16/2024	Price: \$0
Type: NON-ARMS LENGTH OTHER	Deed1: /48957/ 00358	Deed2:
Seller: LASKEY MARY TRUSTEE OF THE MARY B LASKEY LIVING TRUST	Date: 04/16/2024	Price: \$0
Type: NON-ARMS LENGTH OTHER	Deed1: /48957/ 00339	Deed2:

Exemption Information

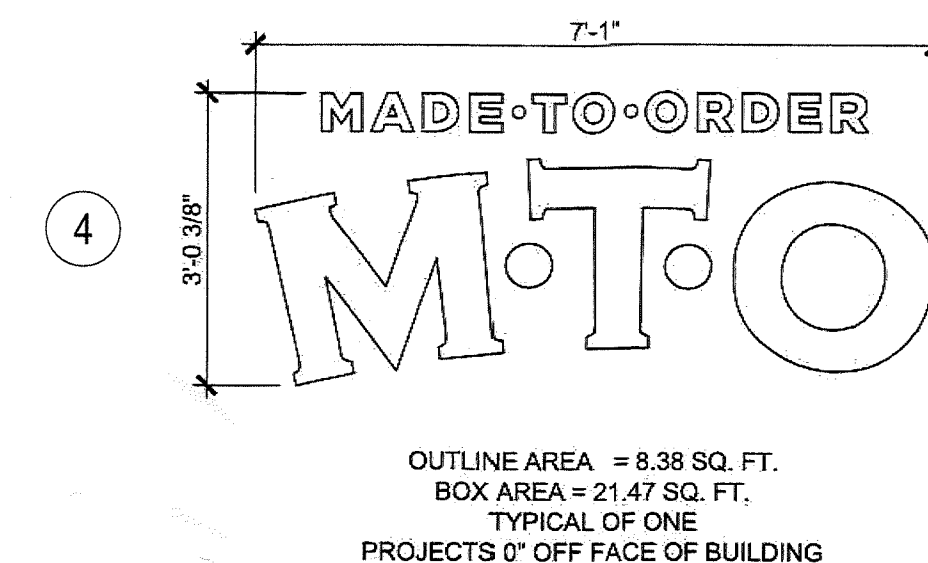
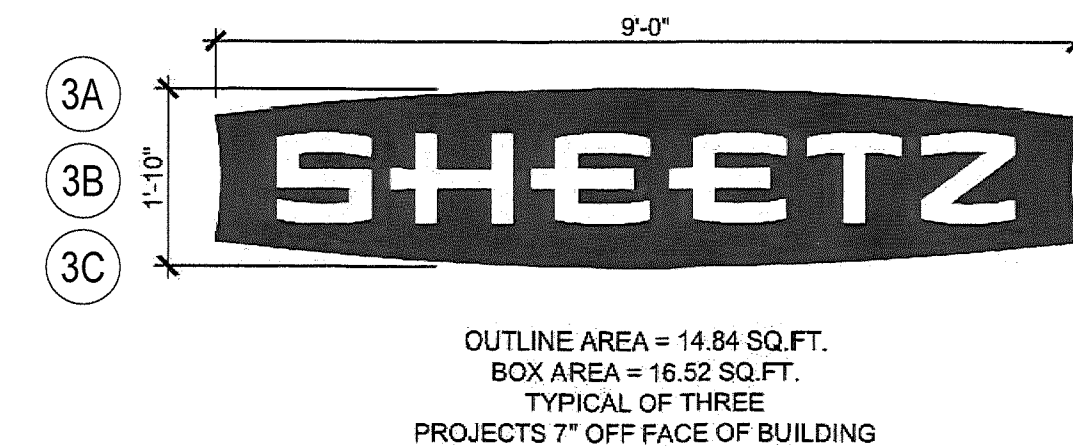
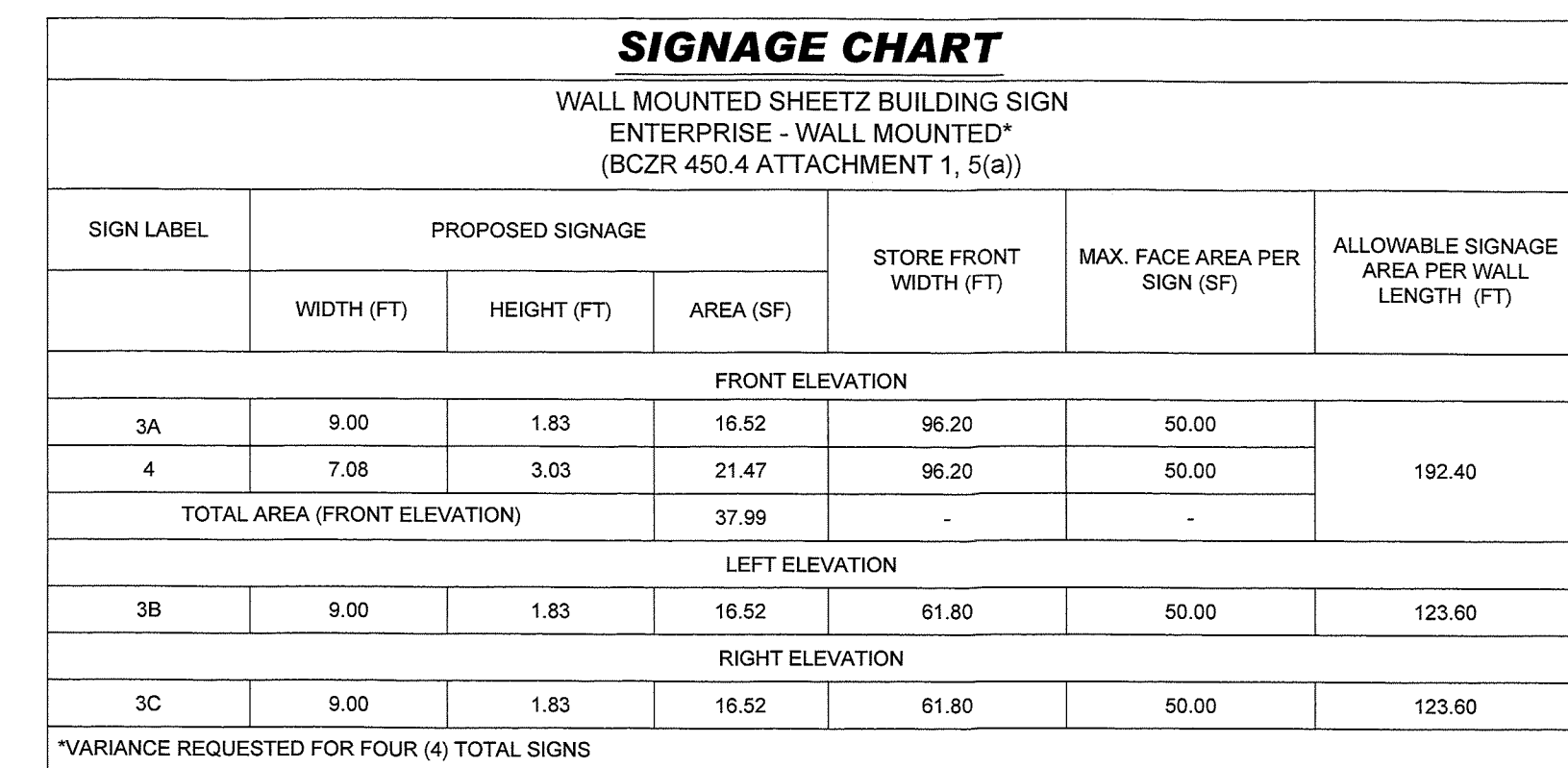
Partial Exempt Assessments:Class		07/01/2024	07/01/2025
County:	000	0.00	
State:	000	0.00	
Municipal:	000	0.00 0.00	0.00 0.00
Special Tax Recapture: None			

Homestead Application Information

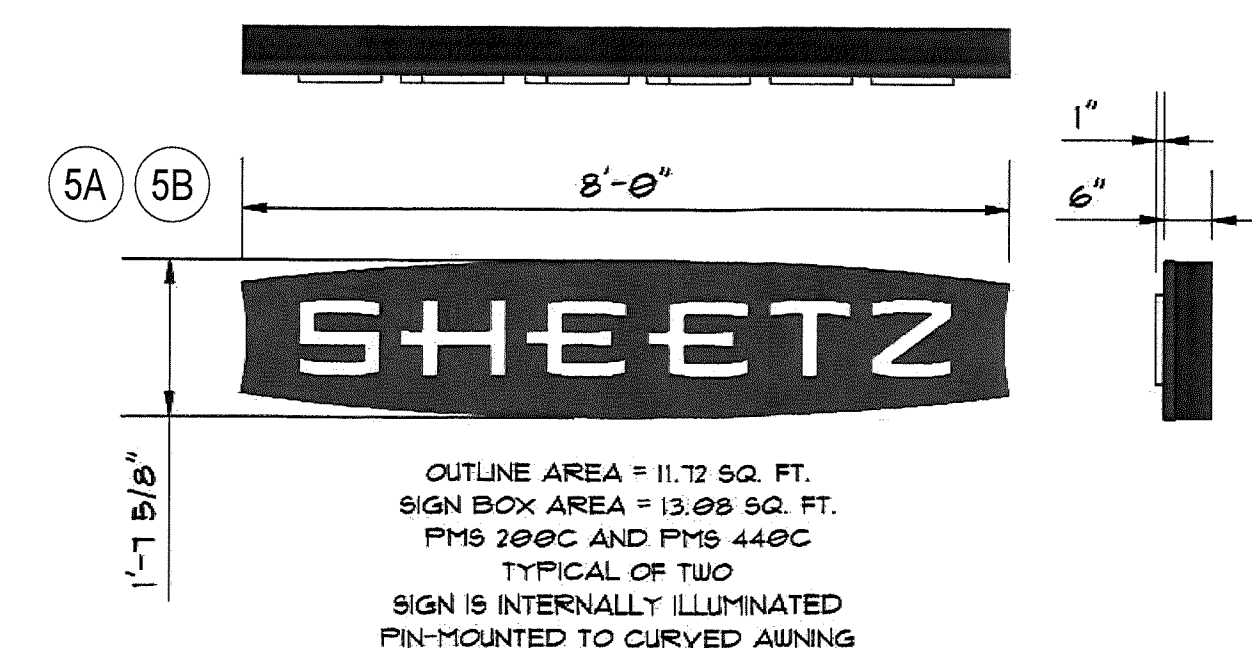
Homestead Application Status: No Application

Homeowners' Tax Credit Application Information

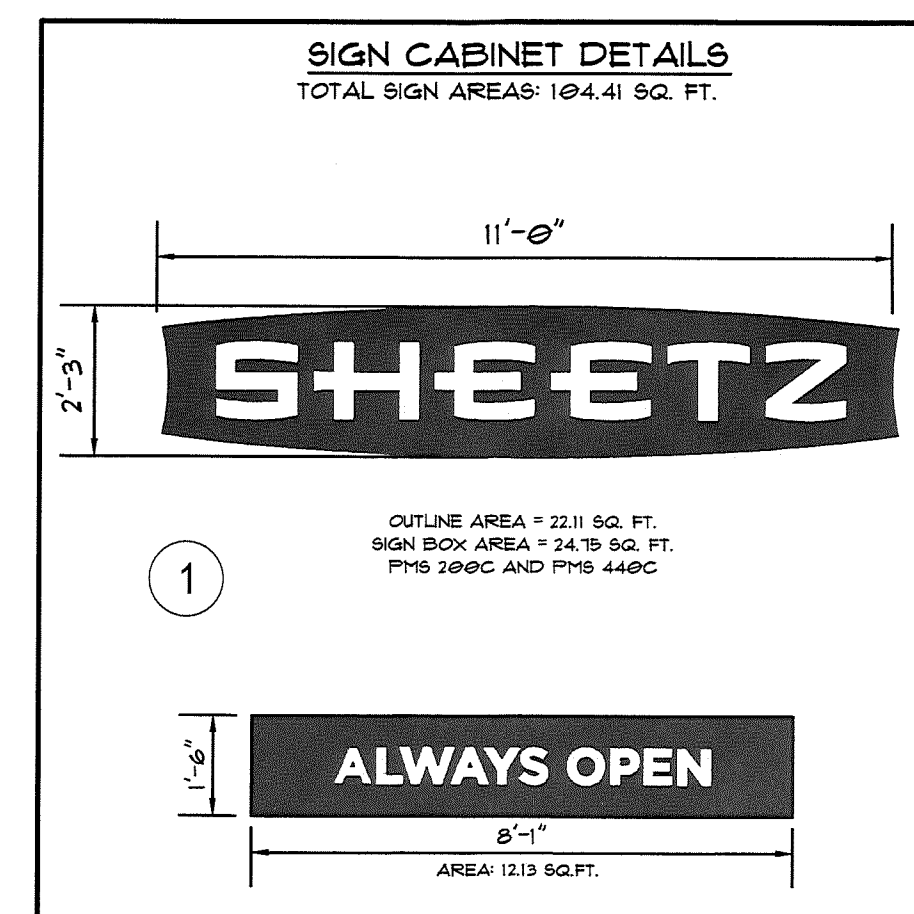
Homeowners' Tax Credit Application Status: No Application Date:



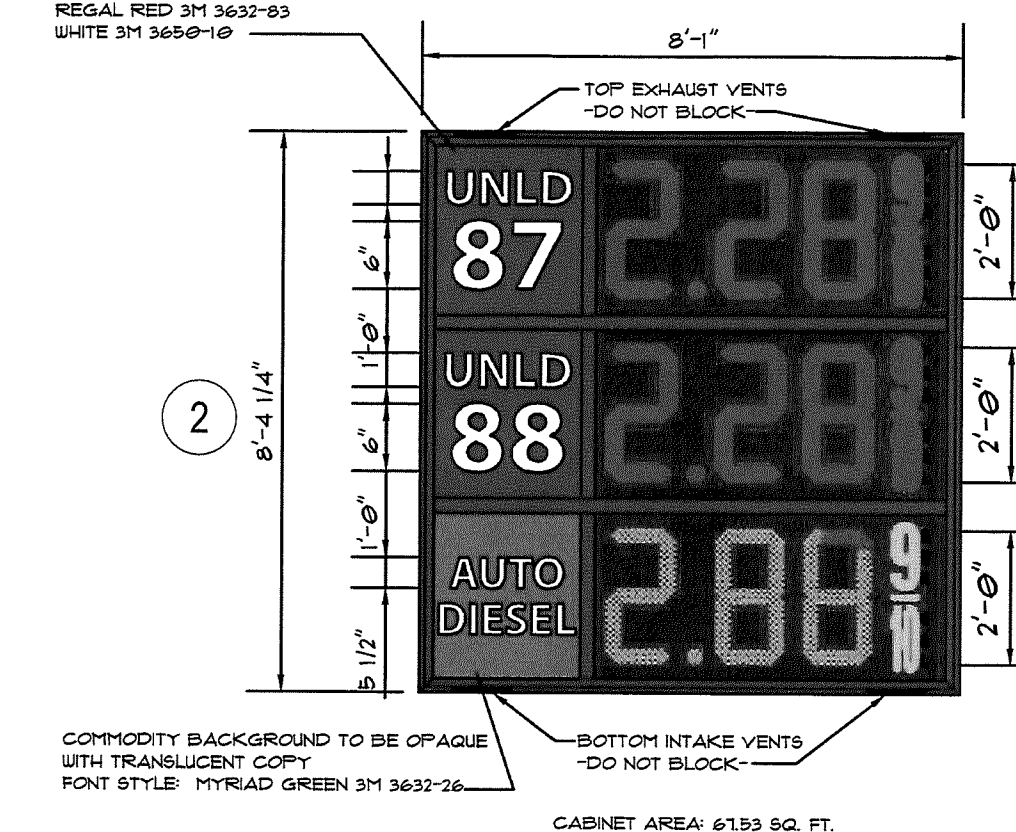
SIGNAGE CHART						
FUEL STATION CANOPY MOUNTED SIGN ENTERPRISE - SERVICE STATION CANOPY (BCZR 450.4 ATTACHMENT 1, 5(e))						
SIGN LABEL	PROPOSED SIGNAGE			ALLOWABLE SIGNAGE AREA (SF)	PROPOSED SIGN HEIGHT (FT)	ALLOWABLE SIGN HEIGHT (FT)
	PANEL WIDTH (FT)	PANEL HEIGHT (FT)	PANEL AREA (SF)			
5A	8.00	1.64	13.08	25.00	N/A	N/A
5B	8.00	1.64	13.08	25.00		



CANOPY MOUNTED SHEETZ SIGN DETAIL
SCALE: 1/2" = 1'-0"



SIGNAGE CHART						
DOUBLE FACED PYLON SIGN AND FUEL PRICE SIGN ENTERPRISE - FREESTANDING (BCZR 450.4 ATTACHMENT 1, 5(b))						
SIGN LABEL	PROPOSED SIGNAGE			ALLOWABLE SIGNAGE AREA (SF)	PROPOSED SIGN HEIGHT (FT)	ALLOWABLE SIGN HEIGHT (FT)
	PANEL WIDTH (FT)	PANEL HEIGHT (FT)	PANEL AREA (SF)	100.00	25.00	25.00
1	11.00	4.77	52.47			
2*	8.08	8.35	67.53			
TOTAL AREA (ALL ENTERPRISE SIGNS)			120.00			
*EXEMPT PURSUANT TO STATE REGULATIONS						



OWNER
JOSEPH BRUNO TRUSTEE OF THE JOSEPH J. BRUNO
SR LIVING TRUST
SUSAN N KELLER ET AL
406 CASSELL, CLOSE
WESTMINSTER, MD 21158
CONTACT: DAVID KELLER
EMAIL: EVADRELLEK@COMCAST.NET

DEVELOPER
SHEETZ, INC.
351 SHEETZ WAY
CLAYSBURG, PA 16025
CONTACT: JOHN BURGER
EMAIL: JELDBERO@SHEETZ.COM

ELEVATIONS ARE BASED ON NAVD 88 PER GPS
OBSERVATIONS, COORDINATES AND MERIDIAN AREA
BASED ON THE MARYLAND COORDINATE SYSTEM (MCS)

PAI # _____ LIMITED EXEMPTION # _____ TRACKING

BOHLER™

SITE CIVIL AND CONSULTING ENGINEERING

LAND SURVEYING

PROGRAM MANAGEMENT

LANDSCAPE ARCHITECTURE

SUSTAINABLE DESIGN

WATER RESOURCES

TRANSPORTATION SERVICES

BOHLER ENGINEERING, INC. IS AN AFFILIATE OF THE BOHLER GROUP, A DIVERSIFIED ENGINEERING AND CONSTRUCTION COMPANY. BOHLER GROUP HAS OVER 100 YEARS OF EXPERIENCE IN THE DESIGN AND CONSTRUCTION OF A WIDE VARIETY OF CIVIL AND INDUSTRIAL PROJECTS. BOHLER GROUP HAS BEEN A LEADER IN THE CONSTRUCTION INDUSTRY SINCE 1911.

[illegible]

Know what's **below**.
Call before you dig.

ALWAYS CALL 811

It's fast. It's free. It's the law.

**FOR EXHIBIT
PURPOSES ONLY**

THIS DRAWING IS INTENDED FOR MUNICIPAL AND/OR AGENCY
REVIEW AND APPROVAL. IT IS NOT INTENDED AS A CONSTRUCTION
DOCUMENT UNLESS INDICATED OTHERWISE.

PROJECT No.:	MDA240021.00-2A
DRAWN BY:	BN/RMS
CHECKED BY:	CMB
DATE:	11/22/2024
CAD I.D.:	P-SPEX-SITE

PROJECT:

**SPECIAL
EXCEPTION AND
VARIANCE PLAN**

SHEET 2

4434 & 4336 NORTH POINT BLVD
(MD RTE. 151)
BALTIMORE, MD 21222
TAX MAP 104, GRID 15, PARCELS
277 & 438
TAX MAP 104, GRID 21, PARCEL 454
15TH COUNCILMANIC DISTRICT
7TH ELECTION DISTRICT
BALTIMORE COUNTY

BOHLER //

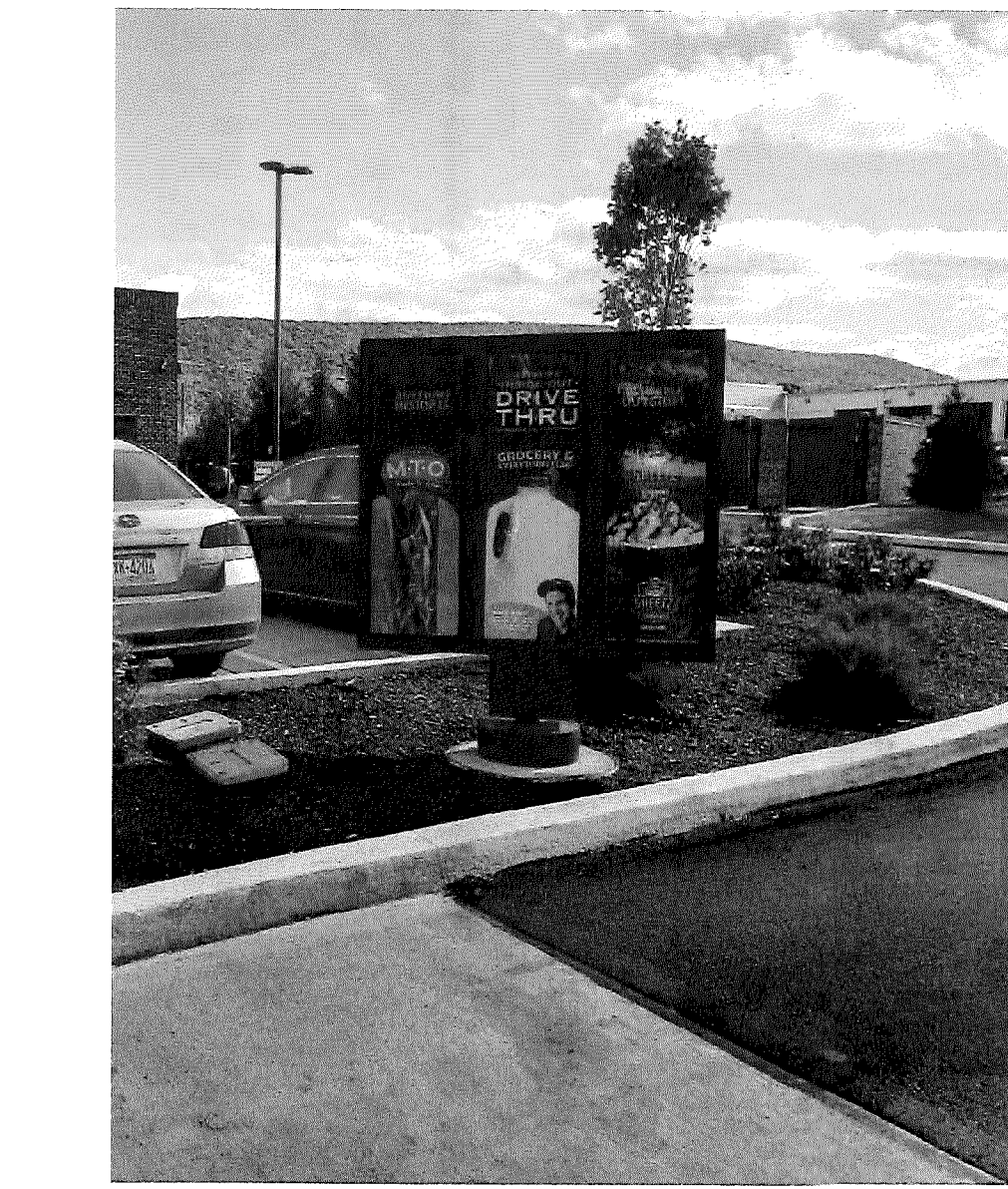
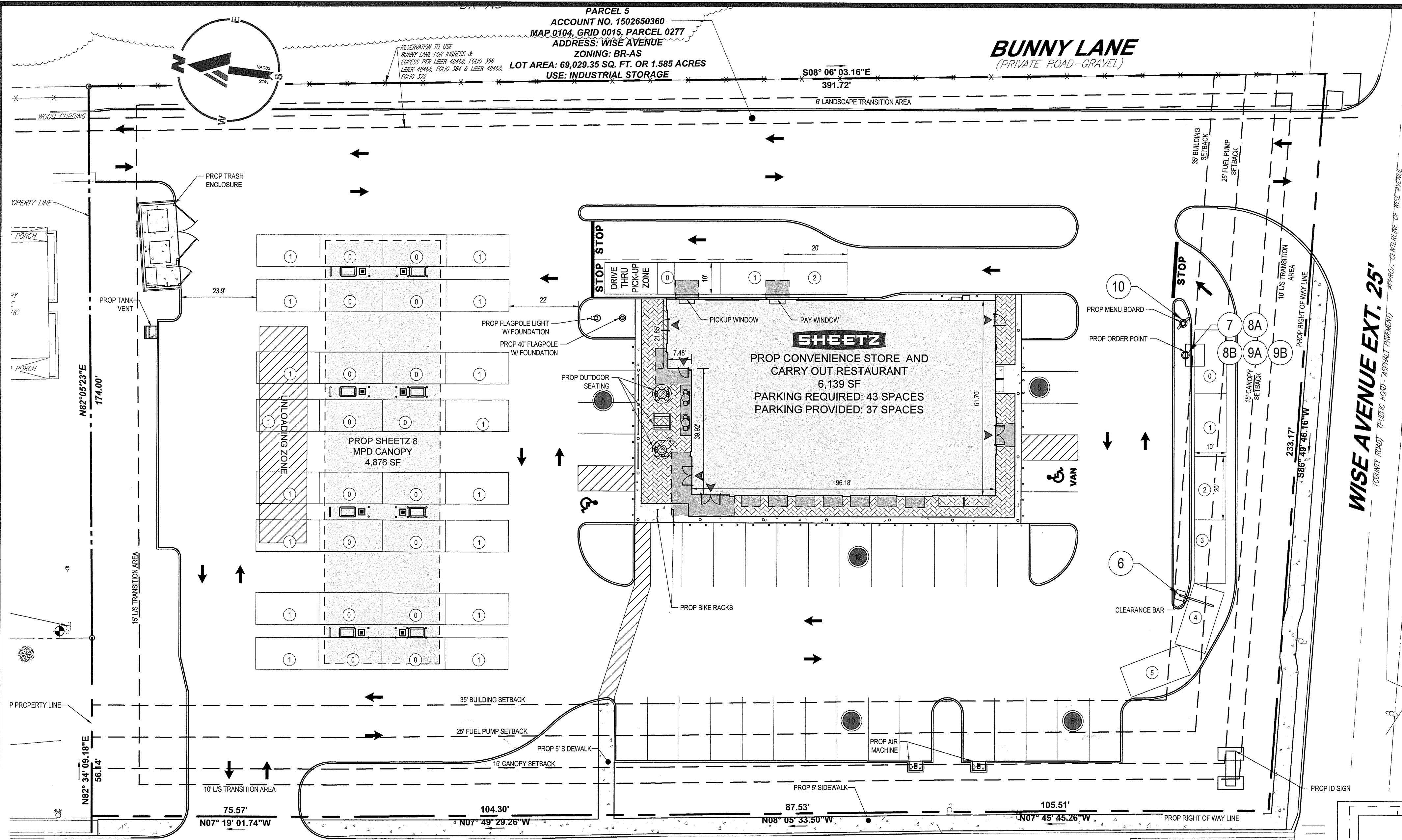
901 DULANEY VALLEY ROAD, SUITE 801
TOWSON, MARYLAND 21204
Phone: (410) 821-7900
Fax: (410) 821-7987
MD@BohlerEng.com

B. P. ROWE
 PROFESSIONAL ENGINEER
 MARYLAND LICENSE NO. 40809
 PROFESSIONAL CERTIFICATION
 I, BRANDEY P. ROWE, HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED BY ME OR BY ME AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MARYLAND.
 LICENSE NO. 40809, EXPIRATION DATE: 7/20/24

**PLAN TO
ACCOMPANY
PETITION FOR
SPECIAL EXCEPTION
AND VARIANCE**

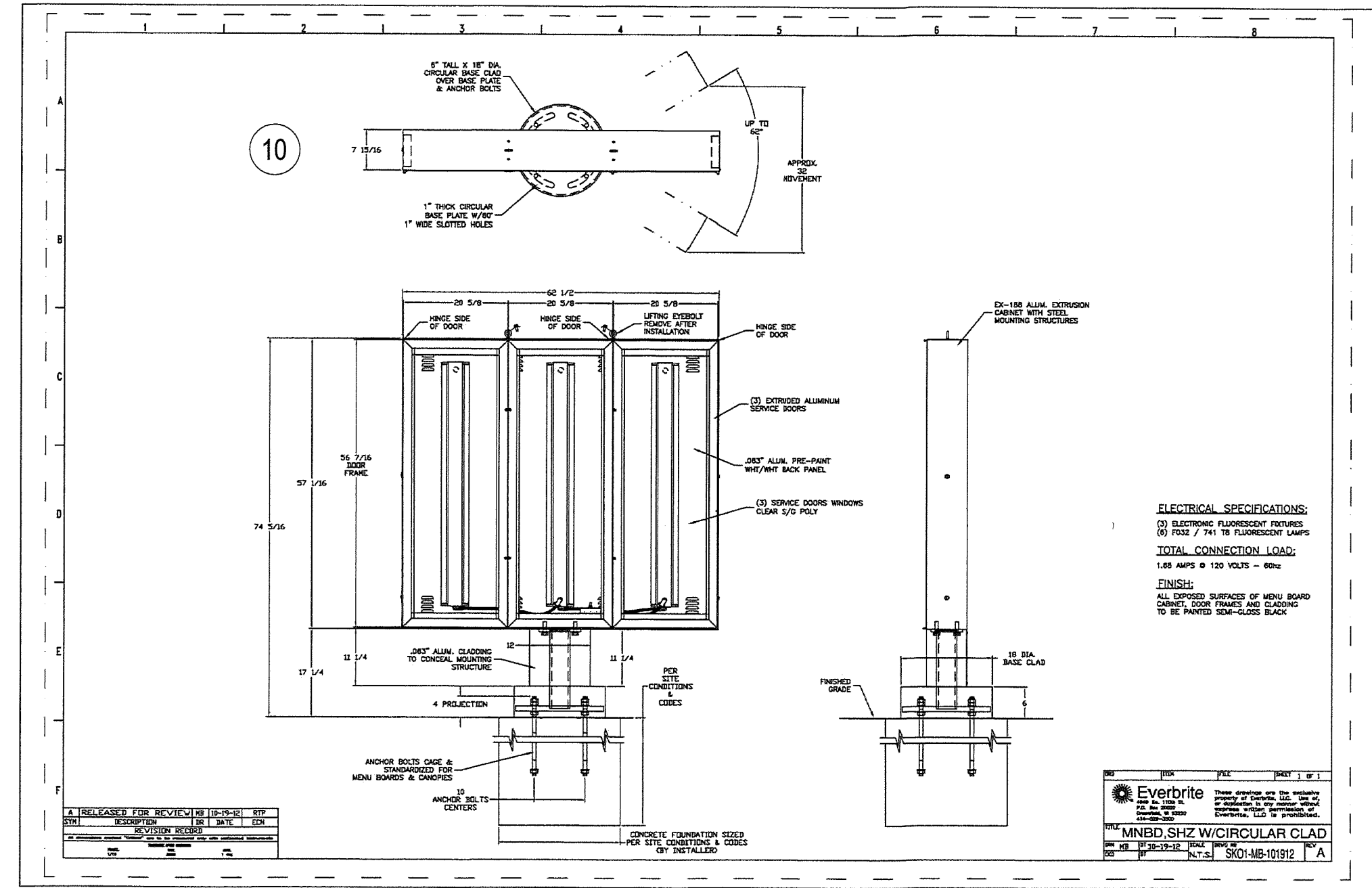
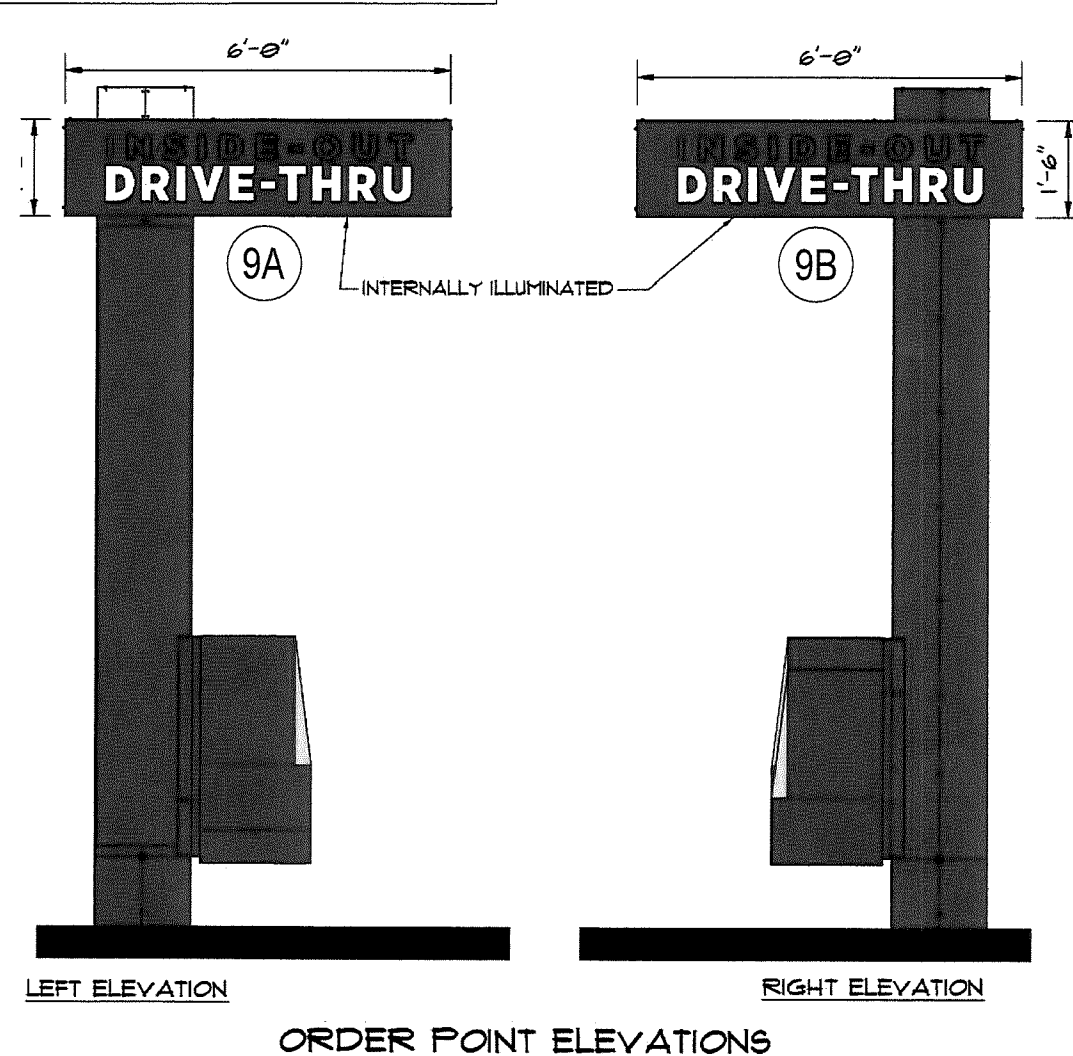
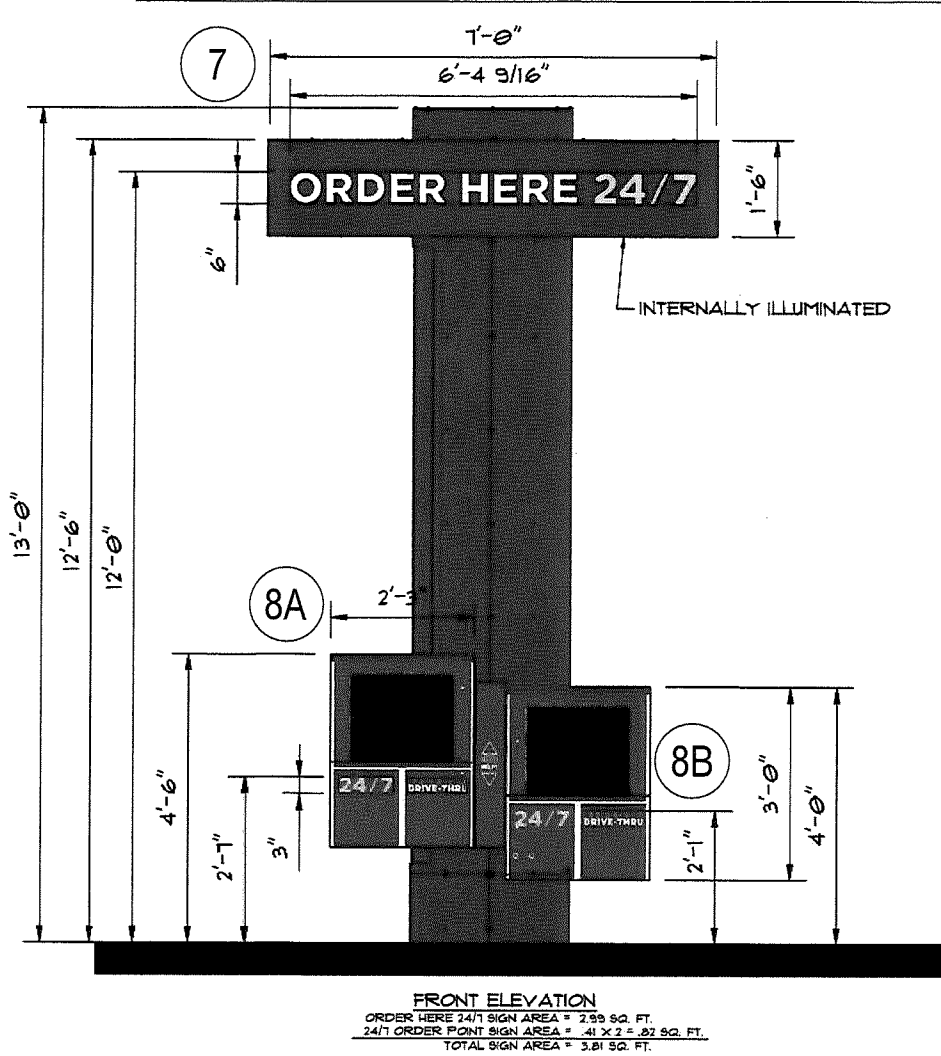
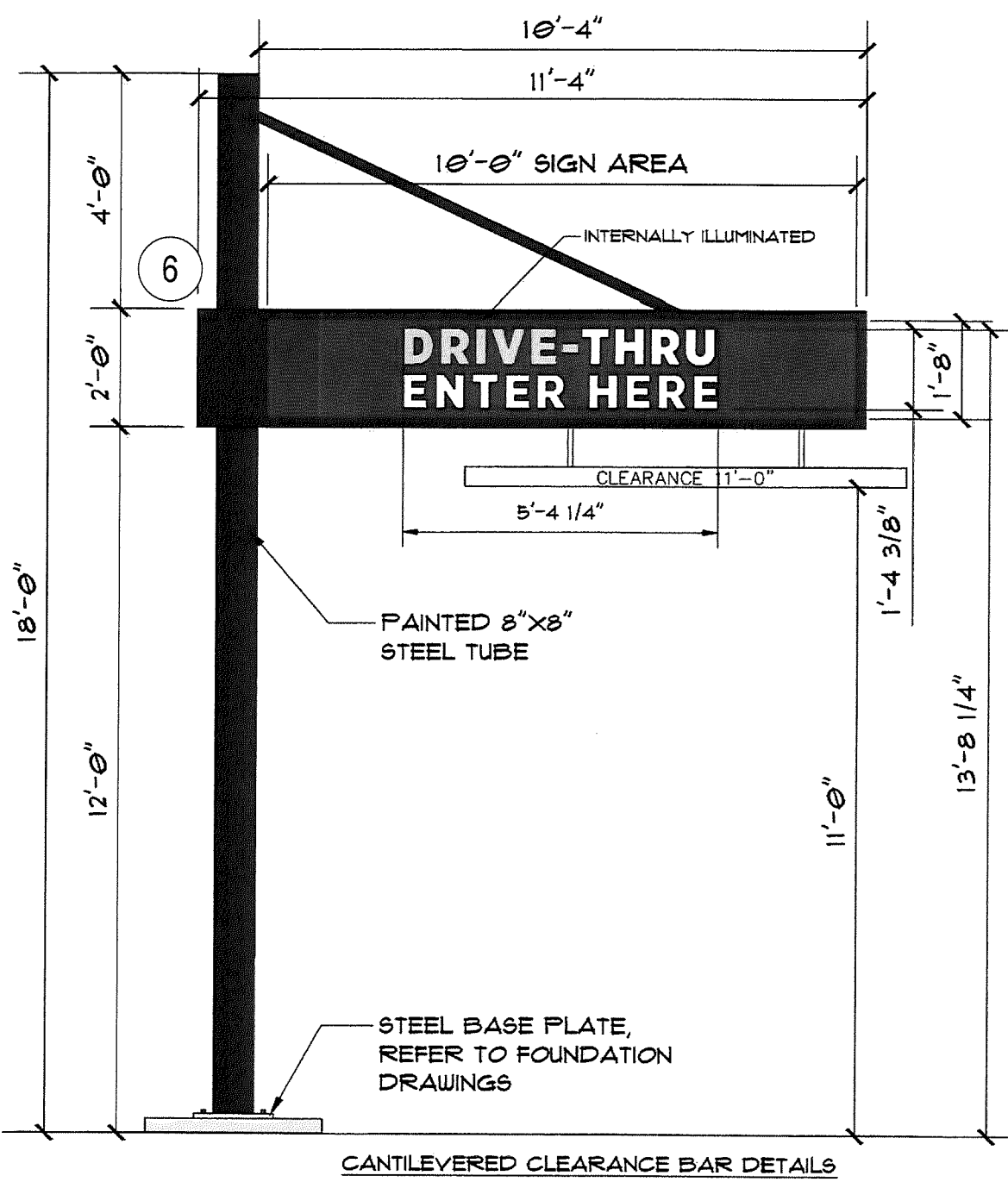
SHEET NUMBER:
2 OF 5

ORG. DATE - 11/22/2024



SIGNAGE CHART					
OUTDOOR DIGITAL MENU BOARD ENTERPRISE - FREESTANDING (BCZR 450.4 ATTACHMENT 1, 5(b))*					
SIGN LABEL	PROPOSED SIGNAGE			PROPOSED SIGN HEIGHT (FT)	ALLOWABLE SIGN HEIGHT (FT)
	PANEL WIDTH (FT)	PANEL HEIGHT (FT)	PANEL AREA (SF)		
10"	5.21	4.76	24.77	50.00	6.19
TOTAL AREA				24.77	6.00
*VARIANCE REQUESTED FOR SIGN HEIGHT					

SIGNAGE CHART					
DRIVE THRU CLEARANCE SIGN & DRIVE THRU ORDER POINT SIGN DIRECTIONAL - FREESTANDING (BCZR 450.4 ATTACHMENT 1, 3(f))*					
SIGN LABEL	PROPOSED SIGNAGE			PROPOSED SIGN HEIGHT (FT)	ALLOWABLE SIGN HEIGHT (FT)
	PANEL WIDTH (FT)	PANEL HEIGHT (FT)	PANEL AREA (SF)		
6"	10.00	1.67	16.70	8.00	14.00
7"	7.00	1.50	10.50	8.00	12.50
8A	2.25	3.00	6.75	8.00	4.50
8B	2.25	3.00	6.75	8.00	4.00
9A*	6.00	1.50	9.00	8.00	12.50
9B*	6.00	1.50	9.00	8.00	12.50
*VARIANCE REQUESTED FOR SIGN HEIGHT *VARIANCE REQUESTED FOR SIGN AREA					



OWNER
JOSEPH BRUNO TRUSTEE OF THE JOSEPH J. BRUNO
SR LIVING TRUST
SUSAN M KELLER ET AL
408 CASSELL CLOSE
WESTMINSTER, MD 21158
CONTACT: DAVID KELLER
EMAIL: EVADRELLER@COMCAST.NET

DEVELOPER
SHEETZ, INC.
351 SHEETZ WAY
CLAYSBURG, PA 16625
CONTACT: JOHN EIDBERGER
EMAIL: JEIDBERG@SHEETZ.COM

ELEVATIONS ARE BASED ON NAVD 88 PER GPS
OBSERVATIONS. COORDINATES AND MERIDIAN ARE
BASED ON THE MARYLAND COORDINATE SYSTEM (MCS)
PAI # _____ LIMITED EXEMPTION # _____ TRACKING
_____ ORC # _____

BOHLER
SITE CIVIL AND CONSULTING ENGINEERING
LAND SURVEYING
PROFESSIONAL ARCHITECTURE
LANDSCAPE ARCHITECTURE
SUSTAINABLE DESIGN
PERMITTING SERVICES
TRANSPORTATION SERVICES

REVISIONS			
REV	DATE	COMMENT	DRAWN BY / CHECKED BY

811
Know what's below.
Call before you dig.
ALWAYS CALL 811
It's fast. It's free. It's the law.

**FOR EXHIBIT
PURPOSES ONLY**

PROJECT No.: MDA240021 00-2A
DRAWN BY: BNR/MS
CHECKED BY: CMB
DATE: 11/22/2024
CAD I.D.: P-SPEX-SITE

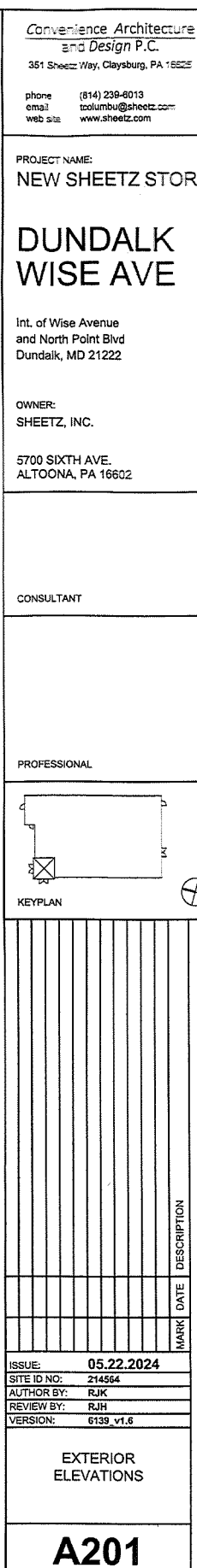
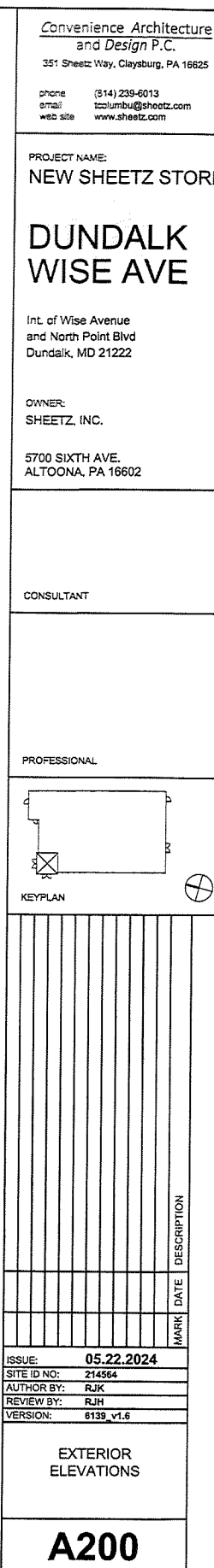
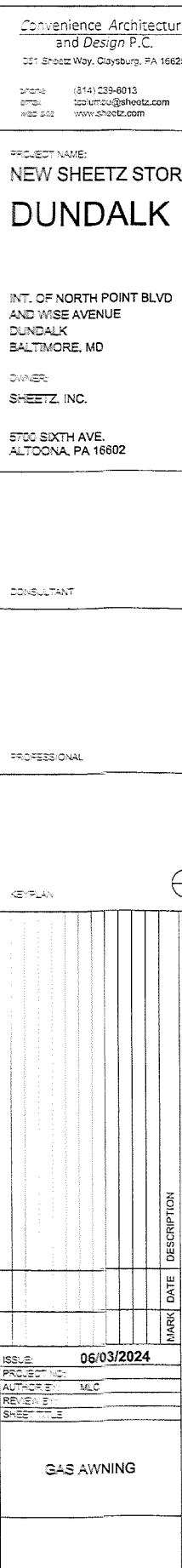
**SPECIAL
EXCEPTION AND
VARIANCE PLAN**
FOR

SHEETZ
4434 & 4336 NORTH POINT BLVD
(MD RTE. 151)
BALTIMORE, MD 21222
TAX MAP 104, GRID 15, PARCELS
277 & 438
TAX MAP 104, GRID 21, PARCEL 454
15TH COUNCILMANIC DISTRICT
7TH ELECTION DISTRICT
BALTIMORE COUNTY

BOHLER
901 DULANEY VALLEY ROAD, SUITE 801
TOWSON, MARYLAND 21204
Phone: (410) 821-7900
Fax: (410) 821-7987
MD@BohlerEng.com

B.F. ROWE
PROFESSIONAL ENGINEER
MARYLAND LICENSE NO. 40808
I, BRUCE F. ROWE, THE ISSUING ENGINEER, CERTIFY THAT THESE
DOCUMENTS WERE CAREFULLY REVIEWED BY ME, AND
THAT I AM A DULANEY VALLEY PROFESSIONAL ENGINEER
UNDER THE LAWS OF THE STATE OF MARYLAND,
LICENSE NO. 40808, EXPIRATION DATE: 7/3/2025

SHEET TITLE:
**PLAN TO
ACCOMPANY
PETITION FOR
SPECIAL EXCEPTION
AND VARIANCE**
SHEET NUMBER:
3 OF 5
ORG. DATE - 11/22/2024



SHEET TITLE: **PLAN TO
ACCOMPANY
PETITION FOR
SPECIAL EXCEPTION
AND VARIANCE**

SHEET NUMBER: **4 OF 5**

ORG. DATE: 11/23/2024

[illegible]

Know what's below.
Call before you dig.
ALWAYS CALL 811
It's fast. It's free. It's the law.

FOR EXHIBIT
PURPOSES ONLY

THIS DRAWING IS INTENDED FOR MUNICIPAL AND/OR AGENCY
REVIEW AND APPROVAL. IT IS NOT INTENDED AS A CONSTRUCTION
DOCUMENT UNLESS INDICATED OTHERWISE.

PROJECT No.:	MDA240021.00-2A
DRAWN BY:	BN/RMS
CHECKED BY:	CMB
DATE:	11/22/2024
CAD I.D.:	P-SPEX-SITE

PROJECT:

SPECIAL EXCEPTION AND VARIANCE PLAN

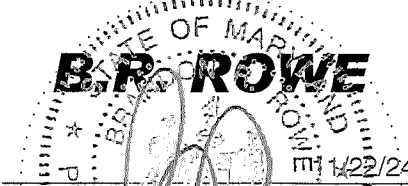
— FOR —



4434 & 4336 NORTH POINT BLVD
(MD RTE. 151)
BALTIMORE, MD 21222
TAX MAP 104, GRID 15, PARCELS
277 & 438
TAX MAP 104, GRID 21, PARCEL 454
15TH COUNCILMANIC DISTRICT
7TH ELECTION DISTRICT
BALTIMORE COUNTY

BOHLER//

901 DULANEY VALLEY ROAD, SUITE 801
TOWSON, MARYLAND 21204
Phone: (410) 821-7900
Fax: (410) 821-7987
MD@BohlerEng.com



PROFESSIONAL ENGINEER
MARYLAND LICENSE No. 40808
PROFESSIONAL CERTIFICATION
 I, BRANDON S. OWEN, HEREBY CERTIFY THAT THESE
 DOCUMENTS WERE PREPARED AND APPROVED BY ME, AND
 THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER
 UNDER THE LAWS OF THE STATE OF MARYLAND,
 LICENSE NO. 40808, EXPIRATION DATE: 7/3/2025

SHEET TITLE:

**PLAN TO
ACCOMPANY
PETITION FOR
SPECIAL EXCEPTION
AND VARIANCE**

SHEET NUMBER:

4 OF 5

ORG DATE - 11/23/202

ORG. DATE - 11/22/2024

