PETITION FOR ZONING VARIANCE

85-95-XA

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 405.4 (A.1 and D.8) to allow a site area of 18,107.7 square feet in lieu of the required 18,200 square feet.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty)

In our opinion, the added time and expense required for the preparation and recordation of new lease deeds for the purpose of acquiring a mere 92 square feet would be a wasteful endeavor. As the existing service station sits on a lease area, an additional 92 square feet would be arbitrary and not visibly or practically benefit the site, likewise, the site being deficient by 92 square feet would in no way adversely affect the health, safety or welfare of the general public.

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

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law For Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

MAP NE 6H 4B E.D. 15 DATE 3-20-87 200 1000 DP PRIOR 1953-S N 20,280 E-45,785

85-95-XA

Contract Purchaser: (Lessee)
Shell Oil Company R.M. Tambascio
(Type or Print Name)
Signature
5565 Sterrett Place
Address
Columbia, Maryland 21044
City and State

Legal Owner(s):
Roscoe Vandevander
(Type or Print Name)
Signature
(Type or Print Name)
Signature

MAP NE 6H 4B 15 3/15 19

Attorney for Petitioner:
John O. Seiland
(Type or Print Name)
Signature
25 W. Chesapeake Avenue
Address
Towson, Maryland 21204
City and State

44 Seaford Avenue ( )
Address Phone No.
Baltimore, Maryland 21221
City and State

Name, address and phone number of legal owner, contract purchaser or representative to be contacted
Mark Riddle c/o STV/Lyon Associates, Inc.
Name
7131 Rutherford Rd., Baltimore, MD 21207
Address Phone No. 944-9112

Attorney's Telephone No.: 321-8200

7-31 10-30

ORDERED By The Zoning Commissioner of Baltimore County, this 31st day of July, 19 84, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 9th day of October, 19 84, at 10:30 o'clock A. M.

Zoning Commissioner of Baltimore County.

(over)

ORDER RECEIVED FOR FILING
Date 8/7/84
By Kathy Gallagher

Roscoe Vandevander - NE/Cor. Pulaski Hwy. and Middle River Road 15th

85-95-XA

IN RE: PETITION FOR SPECIAL EXCEPTION AND ZONING VARIANCE - NE/cor. Pulaski Highway and Middle River Road, 15th Election District
Roscoe Vandevander
Petitioner

BEFORE THE DEPUTY ZONING COMMISSIONER OF BALTIMORE COUNTY
Case No. 85-95-XA

* * * * * * * * * * * *

ORDER OF DISMISSAL

Pursuant to receipt of a written request for withdrawal to the Deputy Zoning Commissioner of Baltimore County on March 5, 1987, IT IS ORDERED this 6th day of March, 1987 that the above-referenced matter be and is hereby DISMISSED without prejudice.

Jean M. H. Jung
Deputy Zoning Commissioner
of Baltimore County

ORDER RECEIVED FOR FILING
Date 3/6/87
By Kathy Gallagher

BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3353

ARNOLD JABLON
ZONING COMMISSIONER

JEAN M. H. JUNG
DEPUTY ZONING COMMISSIONER

March 6, 1987

Charles A. Jednorski, Esquire
Seiland and Jednorski, P.A.
25 W. Chesapeake Avenue
Towson, Maryland 21204

RE: Petitions for Special Exception and Zoning Variance - NE/Cor. Pulaski Hwy. & Middle River Rd. 15th Election District Case No. 85-95-XA

Dear Mr. Jednorski:

Enclosed please find a copy of the decision rendered on the above-referenced case. Your Petitions for Special Exception and Zoning Variance have been Dismissed without prejudice in accordance with the attached Order.

If you have any questions concerning this matter, please do not hesitate to contact this office.

Very truly yours,

Jean M. H. Jung
JEAN M. H. JUNG
Deputy Zoning Commissioner

JMHJ:bjs

Enclosures

cc: People's Counsel

STV LYON ASSOCIATES.
ENGINEERS, ARCHITECTS & PLANNERS.
21 GOVERNOR'S COURT
BALTIMORE MD 21207-2722
301/944-9112

Zoning Description
Existing Shell Service Station
9605 Pulaski Highway

BEGINNING FOR THE SAME at a point on the southeastern right-of-way line of Pulaski Highway, at the intersection of Pulaski Highway and Middle River Road; thence running with and binding on the southeastern right-of-way line of Pulaski Highway North 40° 57' 13" East 157.94 feet; thence leaving said right-of-way South 49° 02' 47" East 120.00 feet; thence South 40° 57' 13" West 30.00 feet; thence South 68° 26' 13" West 45.65 feet; thence South 40° 57' 13" West 85.00 feet; thence South 82° 26' 15" West 23.48 feet to a point on the northeastern right-of-way line of Middle River Road; thence running with and binding on the northeastern right-of-way line of Middle River Road by a curve to the left having a radius of 746.00 feet, an arc length of 59.31 feet, said curve being subtended by a chord bearing North 54° 50' 46" West 59.30 feet; thence by a site flare North 08° 10' 29" West 32.40 feet to the place of beginning.

Containing in all 18,107.7 SF or 0.4157 acre of land, more or less.

Mark A. Riddle
Mark A. Riddle
Md. Reg. P.L.S. No. 244

SEPT. 10, 1984
Date

STATE OF MARYLAND MARK ALAN RIDDLE No. 244 PROFESSIONAL PROPERTY LINE SURVEYOR

STV ENGINEERS, Engineers, Architects, Planners, Construction Managers. Professional Member Firms: STV/Baltimore Transportation Associates, STV/Lyon Associates, STV/Management Consultants Group, STV/H D Nottingham & Associates, STV/Sanders & Thomas, STV/Sanitetec, STV/Seelye Stevenson Value & Knecht.

PETITIONS FOR SPECIAL EXCEPTION AND VARIANCES
15th Election District

LOCATION: Northeast corner of Pulaski Highway and Middle River Road

DATE & TIME: Tuesday, October 9, 1984, at 10:30 a.m.

PUBLIC HEARING: Room 106, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:

Petition for Special Exception to permit the use of a food store with less than 5,000 square feet in combination with an existing "gas and go" service station under Section 405.4(D.8) and a Variance to permit a site area of 18,107.7 square feet in lieu of the required 18,200 square feet.

Being the property of Roscoe Vandevander, as shown on the plat filed with the Zoning Office.

In the event that these Petitions are granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be received in writing by the date of the hearing set above or made at the hearing.

BY ORDER OF
ARNOLD JABLON
ZONING COMMISSIONER
OF BALTIMORE COUNTY

85-95-XA

CERTIFICATE OF PUBLICATION

TOWSON, MD., Sept. 20, 19 84

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., appearing on Sept. 20, 19 84.

THE JEFFERSONIAN,

Publisher

$ 20.00

PETITIONS FOR SPECIAL EXCEPTION AND VARIANCE
15th Election District
LOCATION: Northeast corner of Pulaski Highway and Middle River Road
DATE & TIME: Tuesday, October 9, 1984 at 10:30 a.m.
PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland
The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:
Petition for Special Exception to permit the use of a food store with less than 5,000 square feet in combination with an existing "gas and go" service station under Section 405.4(D.8) and a Variance to permit a site area of 18,107.7 square feet in lieu of the required 18,200 square feet.
Being the property of Roscoe Vandevander, as shown on the plat filed with the Zoning Office.
In the event that these Petitions are granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be received in writing by the date of the hearing set above or made at the hearing.
By Order Of
ARNOLD JABLON
Zoning Commissioner
of Baltimore County
Sept. 20.

RE: PETITION FOR SPECIAL EXCEPTION
PETITION FOR VARIANCE
NE Corner of Pulaski Hwy. and Middle River Rd., 15th Dist.
ROSCOE VANDEVANDER, Petitioner

: BEFORE THE ZONING COMMISSIONER
: OF BALTIMORE COUNTY
: Case No. 85-95-XA

: : : : : :

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notices should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Phyllis Cole-Friedman
Phyllis Cole Friedman
People's Counsel for Baltimore County

Peter Max Zimmerman
Peter Max Zimmerman
Deputy People's Counsel
Rm. 223, Court House
Towson, MD 21204
494-2188

I HEREBY CERTIFY that on this 17th day of September, 1984, a copy of the foregoing Entry of Appearance was mailed to John O. Seiland, Esquire, 25 W. Chesapeake Ave., Towson, MD 21204, Attorney for Petitioner; Mr. R. M. Tambascio, Shell Oil Co., 5565 Sterrett Pl., Columbia, MD 21044; and Mr. Mark Riddle, c/o STV/Lyon Associates, Inc., 7131 Rutherford Rd., Baltimore, MD 21207, who requested notification.

Peter Max Zimmerman
Peter Max Zimmerman

BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3353

ARNOLD JABLON
ZONING COMMISSIONER

September 25, 1984

Mr. Mark Riddle
STV/Lyon Associates, Inc.
7131 Rutherford Road
Baltimore, Maryland 21207

Re: Petitions for Special Exception and Variance
NE/corner Pulaski Hwy. & Middle River Road
Roscoe Vandevander - Petitioner
Case No. 85-95-XA

Dear Sir:

This is to advise you that $45.05 is due for advertising and posting of the above property.

This fee must be paid and our zoning sign and post returned on the day of the hearing before an Order is issued. Do not remove sign until day of hearing.

Please make the check payable to Baltimore County, Maryland, and remit to Mrs. Arlene January, Zoning Office, Room 113, County Office Building, Towson, Maryland 21204, before the hearing.

Sincerely,

ARNOLD JABLON
Zoning Commissioner

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 134365

DATE 10/11/84 ACCOUNT R-01-615-000
AMOUNT $45.05
RECEIVED FROM: John O. Seiland, Esquire
FOR: Advertising and Posting for Case No. 85-95-XA (Roscoe Vandevander)

B 080*****4505:a 215:F

VALIDATION OR SIGNATURE OF CASHIER

6/22/87

Petition for Special Exception and Variances

LOCATION: Northeast corner of Pulaski Highway and Middle River Road.

DATE & TIME: Tuesday, October 9, 1984, at 10:30 a.m.

PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland.

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:

Petition for Special Exception to permit the use of a food store with less than 6,000 square feet in combination with an existing "gas and go" service station under Section 405.2C(2) and a Variance to permit a site area of 18,167.7 square feet in lieu of the required 18,500 square feet.

Being the property of Roscoe Vandevander, as shown on plat plan filed with the Zoning Department.

In the event that these Petitions are granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be received in writing by the date of the hearing set above or made at the hearing.

By Order Of
Arnold Jablon
Zoning Commissioner
of Baltimore County

The Times

Middle River, Md., Sept 20 19 84

This is to Certify, That the annexed

Petition

was inserted in The Times, a newspaper printed and published in Baltimore County, once in each of one successive weeks before the 20th day of Sept, 19 84

S. D. Wolf Jr. Publisher.

85-95-XA

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District 15 Date of Posting 9-21-84
Posted for: Special Exception & Variance
Petitioner: Roscoe Vandevander
Location of property: N/W Cor. Pulaski Hwy & Middle River Rd.
Location of Signs: Corner
Remarks:
Posted by G. Freund Signature Date of return: 9-21-84
Number of Signs: 2

September 20, 1984

John O. Seiland, Esquire
25 W. Chesapeake Avenue
Towson, Maryland 21204

NOTICE OF HEARING

RE: Petition for Special Exception and Variances
NE/Cor. Pulaski Highway and Middle River Road
Roscoe Vandevander - Petitioner
Case No. 85-95-XA

TIME: 10:30 a.m.

DATE: Tuesday, October 9, 1984

PLACE: Room 106, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland

cc: R.M. Tambascio
c/o Shell Oil Company

Mark Riddle
c/o STV/Lyon Associates, Inc.

Zoning Commissioner
of Baltimore County

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 131927

DATE 7-19-84 ACCOUNT R 01 615 000
AMOUNT 200.00
RECEIVED FROM: John Seiland
FOR: Filing fee for item

B 180*****200001a b204F

VALIDATION OR SIGNATURE OF CASHIER

87-475

SEILAND AND JEDNORSKI, P. A.
ATTORNEYS AT LAW
SUITE 204
25 WEST CHESAPEAKE AVENUE
POST OFFICE BOX 5404
TOWSON, MARYLAND 21204
(301) 321 8200

CHARLES A. JEDNORSKI
DONALD M. BARRICK
J. MICHAEL RECHER
J. NEIL LANZI

JOHN O. SEILAND
OF COUNSEL

March 4, 1987 FILE: 81118

RECEIVED
MAR 5 1987
ZONING OFFICE

Ms. Jung
Deputy Zoning Commissioner
Baltimore County
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

Re: Petition for Special Exception and Variance
N. E. Corner of Pulaski Highway and Middle River Road
Case No.: 85-95-XA ROSCOE VANDEVANDER

Dear Ms. Jung:

In response to your telephone call to our office regarding the status of our request for an indefinite postponement of the above captioned petition, please be advised that our client, Shell Oil Company, wishes to dismiss their Petition for Special Exception and Variance of the above captioned property. Please advise if you have any questions or require any additional information.

Very truly yours,

Charles A. Jednorski

CAJ:ps

cc: Mr. John Jatho
Shell Oil Company

Ms. Jung
October 9, 1984
Page -2-

cc: Mr. Robert Philburn
Shell Oil Company

Mr. Mark Riddle
c/o STV/Lion Associates, Inc.

Phyllis Cole Friedman, Esquire
People's Counsel for Baltimore County

85-95-XA

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your petition has been received and accepted for filing this 21st day of July, 1984.

ARNOLD JABLON
Zoning Commissioner

Received by: Nicholas B. Commodari
Chairman, Zoning Plans
Advisory Committee

Petitioner: Roscoe Vandevander
Petitioner's Attorney: John O. Seiland

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO Zoning Commissioner Date September 18, 1984

FROM Norman E. Gerber, Director
Office of Planning and Zoning

SUBJECT Roscoe Vandevander
No. 85-95-XA

In view of the comments of the Division of Current Planning and Development's representative on the Zoning Plans Advisory Committee, this office is opposed to the granting of the subject request based on the submitted site plan.

Norman E. Gerber
Norman E. Gerber, Director
Office of Planning and Zoning

NEG/JGH/sf

85-95-XA

SEILAND AND JEDNORSKI
ATTORNEYS AT LAW
SUITE 204
25 WEST CHESAPEAKE AVENUE
TOWSON, MARYLAND 21204
POST OFFICE BOX 5404

JOHN O. SEILAND
CHARLES A. JEDNORSKI
J. DOUGLAS KNIFFIN
DONALD M. BARRICK
DOUGLAS B. PFEIFFER
J. MICHAEL RECHER

October 9, 1984

REC'D OCT 10 AM
FILE: ZONING DEPARTMENT
By: 81118

Ms. Jung
Deputy Zoning Commissioner
Baltimore County
111 West Chesapeake Avenue
Towson, Maryland 21204

Re: Petition for Special Exception & Variances
N. E. Corner of Pulaski Highway & Middle River Road
Case No.: 85-95-XA ROSCOE VANDEVANDER

Dear Ms. Jung:

This will confirm the request for an indefinite postponement by my client, Shell Oil Company, presented to you at the hearing of Tuesday, October 9, 1984. As explained at the hearing, Shell Oil Company has had a recent change of district managers for the area encompassing Maryland and Virginia, and Shell management wishes to reevaluate the costs and benefits of the proposed "marketer" in the Maryland area.

As requested, I am enclosing our check in the amount of $45.05 made payable to Baltimore County, Maryland for advertising costs in this case.

Thank you for your cooperation in this matter.

Very truly yours,

John O. Seiland

JOS:aw
Enclosure check

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

COUNTY OFFICE BLDG.
111 W. Chesapeake Ave.
Towson, Maryland 21204

Nicholas B. Commodari
Chairman

MEMBERS
Bureau of Engineering
Department of Traffic Engineering
State Roads Commission
Bureau of Fire Prevention
Health Department
Project Planning
Building Department
Board of Education
Zoning Administration
Industrial Development

October 1, 1984

John O. Seiland, Esquire
25 W. Chesapeake Avenue
Towson, Maryland 21204

RE: Case No. 85-95-XA (Item No. 19)
Petitioner - Roscoe Vandevander
Variance and Special Exception Petition

Dear Mr. Seiland:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

In view of your client's proposal to raze the existing kiosk and construct a "marketer", this combination hearing is required.

As you are aware, this property, which is a part of a larger tract, was the subject of a previous hearing (Case #83-26-SPHA), while the adjacent parcel to the southeast was also the subject of a previous hearing (Case #83-214-XA).

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

Very truly yours,

Nicholas B. Commodari /ms

NICHOLAS B. COMMODARI
Chairman
Zoning Plan Advisory Committee

NBC:mcb

Enclosures
cc: STV/Lyon Assoc.
7131 Rutherford Road
Baltimore, Maryland 21207

6/22/87

BALTIMORE COUNTY
DEPARTMENT OF PUBLIC WORKS
TOWSON, MARYLAND 21204

HARRY J. PISTEL, P. E.
DIRECTOR

August 24, 1984

Mr. Arnold Jablon
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Re: Item #19 (1984-1985)
Property Owner: Roscoe Vandevander
N/E cor. Pulaski Hwy. and Middle River Rd.
Acres: 0.4157
District: 15th

Dear Mr. Jablon:

The following comments are furnished in regard to the plat submitted to this office for review by the Zoning Advisory Committee in connection with the subject item.

General:

The comments supplied in conjunction with the Zoning Advisory Committee reviews of this property for Items 71 (1982-1983), 198 (1981-1982) and 190 (1979-1980) are referred to for your consideration.

Very truly yours,

GILBERT S. BENSON, P.E., Asst. Chief
Bureau of Public Services

GSB:EAM:FWR:ss

M-SE Key Sheet
21 NE 31 Pos. Sheet
NE 6 H Topo
82 Tax Map

Encl.

BALTIMORE COUNTY
DEPARTMENT OF PUBLIC WORKS
TOWSON, MARYLAND 21204

November 10, 1982

HARRY J. PISTEL, P. E.
DIRECTOR

Mr. William E. Hammond
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Re: Item #71 (1982-83)
Property Owner: Roscoe Vandevander
S/S Pulaski Highway 157.94' E. of Middle
River Road
Acres: 0.45 District: 15th

Dear Mr. Hammond:

The following comments are furnished in regard to the plat submitted to this office for review by the Zoning Advisory Committee in connection with the subject item:

GENERAL:

The comments supplied in conjunction with the Zoning Advisory Committee review of this property in connection with Items 190 (1979-1980) and 198 (1981-1982) are referred to for your consideration.

The indicated private drive along the southeasterly outline of this property, if improved in the future as a public road, would be as a 30 foot closed section roadway on a 50 foot right-of-way.

Very truly yours,

(SIGNED) EDWARD A. MCDONOUGH
Robert A. Morton, P.E., Chief
Bureau of Public Services

RAM:EAM:FWR:pmg
cc: Jack Wimbley

M-SE Key Sheet
21 NE 31 Pos. Sheet
NE 6 H Topo
82 Tax Map

May 19, 1982

Mr. William E. Hammond
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Re: Item #198 (1981-1982)
Property Owner: Roscoe Vandevander
S/E corner Pulaski Highway and Middle River Road
Acres: 18,107 sq. ft. District: 15th

Dear Mr. Hammond:

The following comments are furnished in regard to the plat submitted to this office for review by the Zoning Advisory Committee in connection with the subject item.

General:

The comments which were supplied in conjunction with the Zoning Advisory Committee review of this property in connection with Item 190 (1979-1980) are valid and referred to for your consideration.

This office has no further comment in regard to the plan submitted for Zoning Advisory Committee review in connection with this Item 198 (1981-1982).

Very truly yours,

(SIGNED) ROBERT A. MORTON

ROBERT A. MORTON, P.E., Chief
Bureau of Public Services

RAM:EAM:FWR:ss

cc: Jack Wimbley

M-SE Key Sheet
21 NE 31 Pos. Sheet
NE 6 H Topo
82 Tax Map

Item 2190 (1979-1980)
Property Owner: Roscoe Vandevander
Page 2
April 22, 1980

Storm Drains:

The Petitioner must provide necessary drainage facilities (temporary or permanent) to prevent creating any nuisances or damages to adjacent properties, especially by the concentration of surface waters. Correction of any problem which may result, due to improper grading or improper installation of drainage facilities, would be the full responsibility of the Petitioner.

Water and Sanitary Sewer:

Public water supply and sanitary sewerage serve the present service station. The Petitioner is responsible for the cost of capping and plugging the water and sanitary sewerage service connections, if not used to serve the proposed improvements.

Very truly yours,

(SIGNED) EDWARD A. MCDONOUGH

ELLSWORTH N. DIVER, P.E.
Chief, Bureau of Engineering

END:EAM:FWR:ss

M-SE Key Sheet
21 NE 31 Pos. Sheet
NE 6 H Topo
82 Tax Map

April 22, 1980

Mr. William E. Hammond
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Re: Item #190 (1979-1980)
Property Owner: Roscoe Vandevander
S/E corner Pulaski Highway & Middle River Road
Existing Zoning: M.L.-C.S. 1
Proposed Zoning: Variance to permit a front setback of 4.5' in lieu of the required 10'.
Acres: 0.4157 District: 15th

Dear Mr. Hammond:

The following comments are furnished in regard to the plat submitted to this office for review by the Zoning Advisory Committee in connection with the subject item.

Highways:

Pulaski Highway (U.S. 40) is a State Road; therefore, all improvements, intersections, entrances and drainage requirements as they affect the road come under the jurisdiction of the Maryland State Highway Administration. Any utility construction within the State Road right-of-way will be subject to the standards, specifications and approval of the State in addition to those of Baltimore County.

Middle River Road, an existing County road, was improved in this vicinity as a 44-foot closed section roadway on a 60-foot right-of-way, see Drawings #72-0425 thru 0428, File 5; no further highway improvements are proposed at this time.

The reconstruction of concrete sidewalks, curb and gutter, aprons, etc. will be the full responsibility of the Petitioner.

The entrance locations are subject to approval by the Department of Traffic Engineering, and are to be reconstructed in accordance with Baltimore County and State Highway Administration Standards, as applicable.

Sediment Control:

Development of this property through stripping, grading and stabilization could result in a sediment pollution problem, damaging private and public holdings downstream of the property. A grading permit is, therefore, necessary for all grading, including the stripping of top soil.

Maryland Department of Transportation
State Highway Administration

William K. Hellmann
Secretary
Hal Kassoff
Administrator

August 6, 1984

Mr. Arnold Jablon
Zoning Commissioner
County Office Bldg.
Towson, Md. 21204

Attention: Mr. N. Commodari

Re: ZAC Meeting of 8-31-84
ITEM: #19.
Property Owner: Roscoe Vandevander
Location: N/E corner Pulaski Hwy (Route 40) & Middle River Road
Existing Zoning: B.R.-CS-1
Proposed Zoning: Special Exception for the use of Food Store with less than 5,000 sq. ft. in combination with an existing gas & go service station. Variance to allow a site area of 18,107.7 sq. ft. in lieu of the required 18,200 sq. ft.
Acres: 0.4157
District: 15th

Dear Mr. Jablon:

The existing entrances are acceptable to the State Highway Administration. Although the proposed sales area and parking spaces, located between the pump islands, could cause on-site traffic problems, we do not anticipate any problems on the highway.

Very truly yours,

Charles Lee, Chief
Bureau of Engineering
Access Permits

By: John Meyers

CL:JM:vrd

cc: Mr. E.A. McDonough
Ms. S. Carrell
Mr. G. Jones
Mr. G. Wittman

My telephone number is (301) 659-1350
Teletypewriter for Impaired Hearing or Speech
383-7555 Baltimore Metro — 565-0451 D.C. Metro — 1-800-492-5062 Statewide Toll Free
P.O. Box 717 / 707 North Calvert St., Baltimore, Maryland 21203 - 0717

BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
TOWSON, MARYLAND 21204
494-3211

NORMAN E. GERBER
DIRECTOR

Mr. Arnold Jablon
Zoning Commissioner
County Office Building
Towson, Maryland 21204

8-3-84

Re: Zoning Advisory Meeting of 7-31-84
Item # 19
Property Owner: Roscoe Vandevander
Location: N.E. cor. Pulaski Hwy + Middle River Rd.

Dear Mr. Jablon:

The Division of Current Planning and Development has reviewed the subject petition and offers the following comments. The items checked below are applicable.

( )There are no site planning factors requiring comment.
(X)A County Review Group Meeting is required.
( )A County Review Group meeting was held and the minutes will be forward by the Bureau of Public Services.
(X)This site is part of a larger tract; therfore it is defined as a subdivision. The plan must show the entire tract.
( )A record plat will be required and must be recorded prior to issuance of a building permit.
( )The access is not satisfactory.
( )The circulation on this site is not satisfactory.
(X)The parking arrangement is not satisfactory.
( )Parking calculations must be shown on the plan.
( )This property contains soils which are defined as wetlands, and development on these soils is prohibited.
( )Construction in or alteration of the floodplain is prohibited under the provisions of Section 22-98 of the Development Regulations.
( )Development of this site may constitute a potential conflict with the Baltimore County Master Plan.
( )The amended Development Plan was approved by the Planning Board on _____.
(X)Landscaping should be provided on this site and shown on the plan.
( )The property is located in a deficient service area as defined by Bill 178-79. No building permit may be issued until a Reserve Capacity Use Certificate has been issued. The deficient service is _____
( )The property is located in a traffic area controlled by a "D" level intersection as defined by Bill 178-79, and as conditions change traffic capacity may become more limited. The Basic Services Areas are re-evaluated annually by the County Council.
(X)Additional comments:

A landscape plan is required in accordance with the Baltimore County Landscape Manual. As overall site plan for the entire tract is required. Study possibility of providing geographically parking spaces in the area of gas station spaces.

Eugene A. Bober
Chief, Current Planning and Development

cc: James Hoswell

BALTIMORE COUNTY
DEPARTMENT OF TRAFFIC ENGINEERING
TOWSON, MARYLAND 21204
494-3550

STEPHEN E. COLLINS
DIRECTOR

July 27, 1984

Mr. Arnold Jablon
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Item No. 9, 17, 18, 19, and 21 ZAC-Meeting of July 31, 1984
Property Owner:
Location:
Existing Zoning:
Proposed Zoning:

Acres:
District:

Dear Mr. Jablon:

The Department of Traffic Engineering has no comments for item numbers 9, 17, 18, 19, and 21.

Michael S. Flanigan
Traffic Engineering Assoc. II

MSF/ccm

6/22/87

BALTIMORE COUNTY
FIRE DEPARTMENT
TOWSON, MARYLAND 21204-2586
494-4500

PAUL H. RENCKE
CHIEF

August 14, 1984

Mr. Arnold Jablon
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, MD 21204

Attention: Nick Commodari, Chairman
Zoning Plans Advisory Committee

RE: Property Owner: Roscoe Vandevander

Location: NE/Cor. Pulaski Hwy. and Middle River Road

Item No.: 19 *Zoning Agenda:* Meeting of July 31, 1984

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

( ) 1. *Fire hydrants for the referenced property are required and shall be located at intervals or* _____ *feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.*

( ) 2. *A second means of vehicle access is required for the site.*

( ) 3. *The vehicle dead end condition shown at* _____
EXCEEDS the maximum allowed by the Fire Department.

(X) 4. *The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.* See Attachment

(X) 5. *The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1976 Edition prior to occupancy.*

( ) 6. *Site plans are approved, as drawn.*

( ) 7. *The Fire Prevention Bureau has no comments, at this time.*

REVIEWER: [signature] 8-15-84 *Noted and Approved:* [signature]
Planning Group *Fire Prevention Bureau*
Special Inspection Division

JK/mb/cm

BALTIMORE COUNTY
DEPARTMENT OF PERMITS & LICENSES
TOWSON, MARYLAND 21204
494-3610

TED ZALESKI, JR.
DIRECTOR

August 29, 1984

Mr. Arnold Jablon, Zoning Commissioner
Office of Planning and Zoning
County Office Building
Towson, Maryland 21204

Dear Mr. Jablon:

Comments on Item # 19 Zoning Advisory Committee Meeting are as follows:

Property Owner: Roscoe Vandevander
Location: NE/Cor. Pulaski Highway and Middle River Road
Existing Zoning: B.R. - CS- 1
Proposed Zoning: Special exception for the use of food store with less than 5,000 sq. ft. in combination with an existing gas and go service station. Variance to allow a site area of 18, 107.7 sq. ft. in lieu of the required 18,200 sq. ft.
Acres: 0.4157
District: 15th.

The items checked below are applicable:

A. All structures shall conform to the Baltimore County Building Code 1981/Council Bill 4-82 State of Maryland Code for the Handicapped and Aged; and other applicable Codes.

B. A building/ & other / miscellaneous permit shall be required before beginning construction.

C. Residential: Three sets of construction drawings are required to file a permit application. Architect/Engineer seal is/is not required. Non-reproduced seals and signatures are required on Plans and Technical Data.

D. Commercial: Three sets of construction drawings with a Maryland Registered Architect or Engineer shall be required to file a permit application.

E. An exterior wall erected within 6'0 for Commercial uses or 3'0 for One & Two Family use group of an adjacent lot line shall be of one hour fire resistive construction, no openings permitted within 3'0 of lot lines. A firewall is required if construction is on the lot line, see Table 401, line 2, Section 1407 and Table 1402, also Section 503.2.

F. Requested variance appears to conflict with the Baltimore County Building Code, Section/s _____.

G. A change of occupancy shall be applied for, along with an alteration permit application, and three required sets of drawings indicating how the structure will meet the Code requirements for the proposed change. Drawings may require a professional seal.

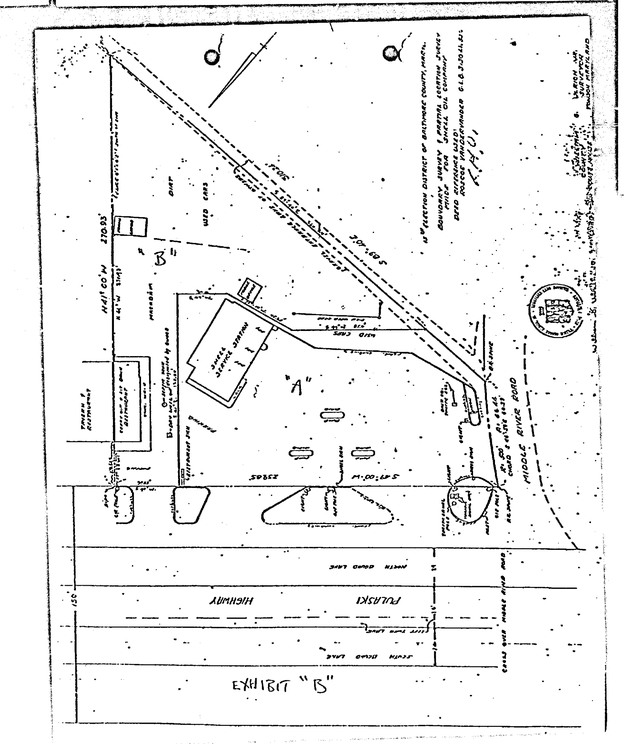
H. Before this office can comment on the above structure, please have the owner, thru the services of a Registered in Maryland Architect or Engineer certify to this office, that, the structure for which a proposed change in use is proposed can comply with the height/area requirements of Table 505 and the required construction classification of Table 401.

I. Comments - A razing permit to remove existing structure is required. Provide approved Handicapped Parking Signs.

NOTE: These comments reflect only on the information provided by the drawings submitted to the office of Planning and Zoning and are not intended to be construed as the full extent of any permit. If desired, additional information may be obtained by visiting Room 122 (Plans Review) at 111 W. Chesapeake Ave., Towson.

Very truly yours,
Charles E. Burnham
Charles E. Burnham, Chief
Plans Review

CEB:ss



D 293-E (Rev. 7/70)

LEASE

THIS IS A LEASE dated October 24, 19 78 between ROSCOE VANDEVANDER of in (herein called "Lessor", whether one or more), and SHELL OIL COMPANY, a Delaware corporation with offices at 5565 Sterrett Place in Columbia, Maryland (herein called "Shell").

1. LEASE. Lessor hereby leases to Shell, and Shell hereby leases from Lessor, the following described land situated at 9605 Pulaski Highway in Middle River, County of Baltimore, State of Maryland:

All that piece of land situated at the southeast corner of Pulaski Highway and Middle River Road Having a frontage of 200 feet on Pulaski Highway and a depth of 120 feet as described in Exhibit "B" attached hereto and to be more accurately described by survey.

together with all rights, privileges and appurtenances thereto, and all of Lessor's buildings, improvements, equipment and other property now or hereafter located thereon, including those described in Exhibit A hereof (herein, with the land, collectively called "Premises").

2. TERM. The primary term of this Lease shall be Twenty (20) years beginning on the 1st day of May, 1979, and ending on the 30th day of April (1999) ~~Shell shall have options to extend this Lease for ( ) additional period(s) of ( ) year(s) each, on the same covenants and conditions as herein provided, any one or more of which options Shell may exercise by giving Lessor notice at least forty five days prior to the expiration of the primary term or the then current extension period (as the case may be).~~ If Shell does not have or does not exercise any then-current option to extend, this Lease shall be automatically extended from year to year, on the same covenants and conditions as herein provided, unless and until either Lessor or Shell terminates this Lease at the end of the primary term or the then-current extension period or any subsequent year, by giving the other at least thirty days' notice. DRH

~~3. RENT. Shell shall pay, as rent for each calendar month, the sum of Dollars ($), by check to the order of in advance on or before the first day of each such month. Rent for any period less than a calendar month shall be prorated.~~ DRH

4. USE OF PREMISES. Shell shall have the rights, at Shell's expense: to use the Premises for any lawful purpose; to paint all or any part of the Premises in colors of Shell's selection; to make any alterations that Shell may desire in the Premises, including modernizing, reconstructions or replacements of existing buildings and improvements; and to construct and install on the Premises, and alter, any additional buildings, improvements and equipment (including advertising signs and billboards) that Shell may desire. Lessor shall remove from the Premises any of Lessor's equipment that Shell elects to replace with its own equipment.

~~5. TAXES-LIENS. Lessor shall pay all taxes, assessments and other charges on the Premises, excepting taxes on Shell's property on the Premises, and license, utilities, and other such charges incurred by Shell's use of or operations on the Premises. If Lessor defaults at any time in any such payment or in performance of the obligations of any mortgage or other lien affecting the Premises, Shell may remedy such default, in whole or in part, charge to Lessor all costs incurred thereby, and be subrogated to the rights of the holder of such mortgage or other lien.~~ DRH

6. REPAIRS-REPLACEMENTS. Lessor shall maintain the Premises in good condition and shall repair or replace any of the buildings, improvements and equipment damaged or destroyed because other than Shell's negligence, or by fire or explosion whether or not caused by Shell. If Lessor fails to commence making repairs or replacements within five days after Shell's notice requesting Lessor so to do, or fails to complete the same promptly, Shell may make such repairs or replacements and charge to Lessor the cost thereof. If the Premises are rendered wholly or partially unfit for occupancy by any such damage or destruction, or if, for any reason other than Shell's negligence, possession or beneficial use of the Premises is interfered with, the rent shall abate until the Premises are fully restored to fitness for occupancy or such interference has ceased.

7. CHARGES. All sums charged to Lessor by Shell hereunder shall be indebtedness of Lessor to Shell payable on demand. If any such indebtedness or any other indebtedness of Lessor to Shell is due at any time, Shell may, in addition to other remedies, withhold all or any part of the rent thereafter accruing and apply the same to the payment of such indebtedness. If all such indebtedness is not fully paid at the end of the primary term or any extension period, Shell may, at its option, extend this Lease on the same covenants and conditions as herein provided, until such indebtedness is fully paid by application of all rent thereto.

~~8. PURCHASE OPTION. At any time during the primary term, any extension period or any tenancy after either, Shell shall have the option to purchase the Premises for the sum of Dollars ($), on the terms provided in article 10, which option Shell may exercise by notice to Lessor.~~ LH DVD

9. PURCHASE REFUSAL. If at any time during the primary term, any extension period or any tenancy after either, Lessor receives from a ready, willing and able purchaser an acceptable bona fide offer to purchase, or makes a bona fide offer to sell to such purchaser, the Premises or any part thereof or any property which includes all or part of the Premises, Lessor shall give Shell notice, specifying the name and address of the purchaser and the price and terms of the offer, accompanied by Lessor's affidavit that the proposed sale is in good faith. Shell shall thereupon have, in addition and without prejudice to its rights under article 8, the prior option to purchase the Premises or the part thereof or the entire property covered by such offer, at the price and on the terms of the offer but subject to the terms provided in article 10, which option Shell may exercise by giving Lessor notice within thirty days after Shell's receipt of Lessor's notice of the offer. Shell's failure at any time to exercise its option under this article shall not affect this Lease or the continuance of Shell's rights and options under this article or any other article hereof.

10. PURCHASE PROCEDURE. In Shell's notice exercising any purchase option herein, Shell shall designate an Escrow Agent; and within twenty days after receipt of such notice, Lessor shall deposit with Escrow Agent Lessor's recordable Special Warranty deed to Shell, in form satisfactory to it, of the property covered by the exercised option. Promptly thereafter, Lessor shall (or Shell may, for Lessor's account) order from the Title Company which Shell shall also have designated in its exercise notice, a report on Lessor's title to that property, looking to Title Company's issuance to Shell of an owner's policy of title insurance. Lessor shall clear the title of all liens, encumbrances, restrictions and other defects specified in that report. Upon receipt from Shell of the purchase price and notice that title is acceptable, Escrow Agent shall deliver to Shell the deed and to Lessor the purchase price, less the amounts of any liens subject to which Shell elected to accept title, and all documentary, transfer and like taxes not otherwise paid by Lessor. Taxes and rent shall be prorated as of the date of delivery of the deed. Upon receipt from Shell of notice that the title is not acceptable, Escrow Agent shall return to Lessor the deed; and this Lease shall continue in effect.

11. LEASE REFUSAL. If at any time during the primary term, any extension period or any tenancy after either, Lessor receives from a ready, willing and able lessee an acceptable bona fide offer, or makes a bona fide offer to such a lessee, to lease the Premises or any part thereof or any property which includes all or part of the Premises, for a term beginning after the termination of this Lease, Lessor shall give Shell notice thereof, specifying the name and address of the lessee and the term, rent and other provisions of the proposed lease, accompanied by Lessor's affidavit that such lease is in good faith. Shell shall thereupon have the prior option to lease the Premises or the part thereof or the entire property covered by the offer, for the term, at the rent and on the other provisions specified in such notice, which option Shell may exercise by giving Lessor notice within thirty days after Shell's receipt of Lessor's notice of the offer; and promptly upon Shell's submission to Lessor of a written lease with such term, rent and other provisions, Lessor shall execute the same with Shell in recordable form. Shell's failure at any time to exercise its option under this article shall not affect this Lease or the continuance of Shell's rights and options under this article or any other article hereof.

12. ASSIGNMENT-SUBLEASING. Shell may at any time assign this Lease or sublease all or any part of the Premises, but shall not be relieved thereby of any of its obligations hereunder.

13. TERMINATION-ABATEMENT. If, without Shell's fault, the operation on the Premises of an automobile service station becomes illegal or is prevented or substantially impaired for more than ninety days by any act or omission of any governmental authority, or by the closing, relocation, change of grade or alteration of, or rerouting of traffic on or away from, any street or highway adjoining the Premises, or by the deprivation or limitation of any access thereto or therefrom; or if all or any part of the Premises is acquired or taken for public or quasi-public use as a result of negotiation or a condemnation proceeding: Shell may terminate this Lease by giving Lessor at least thirty days notice; provided that, in the event of any such acquisition or taking, such notice may be given at any time not later than ninety days after physical possession of the Premises is taken or the judgment in the condemnation proceeding becomes final, whichever occurs later; and if the taking is total, the rent shall immediately abate, or if only partial but sufficient, in Shell's judgment, to prevent or substantially impair operation of the service station as then located on the Premises, the rent shall abate when physical possession of the Premises is taken. Neither the existence nor Shell's exercise of any right under this Lease to terminate, nor any abatement of rent, shall waive, limit or affect in any way Shell's rights, then accrued or thereafter to accrue, in any proceeding, settlement or award for condemnation or for damages resulting from any other of the events specified in this article.

~~14. SPECIAL TERMINATION. Shell shall have the unconditional right to terminate this Lease at any time by giving Lessor at least ninety days' notice.~~ DRH LH

6/22/87

15. **REMOVAL-SURRENDER-FORFEITURE.** All buildings, improvements, equipment and other property constructed, installed or placed on the Premises by Shell or acquired by Shell, at any time during the continuance of this or any previous Lease or any tenancy thereafter, shall be and remain Shell's property, and Shell shall have the right to remove any or all of the same from the Premises at any time during, and within sixty days after any termination of, this Lease or any tenancy thereafter. At any termination of this Lease or any tenancy thereafter, Shell shall surrender the Premises to Lessor, subject to ordinary wear and tear, to any damage or destruction which Lessor is obligated to repair or replace under article 6, and to Shell's rights under articles 4 and 15. Any holdover by Shell after any termination of this Lease shall create no more than a month-to-month tenancy at the rent and on all other applicable provisions hereof. If forfeiture of this Lease is permitted by law for Shell's default, Lessor shall not be entitled to declare any such forfeiture unless Lessor has given Shell notice of such default and Shell has failed to remedy same with thirty days after receipt of such notice.

16. **WARRANTY OF TITLE.** Lessor covenants that Lessor is well seized of and has good right to lease the Premises, will warrant and defend the title thereto, and will indemnify Shell against any damage and expense which Shell may suffer by reason of any lien, encumbrance, restriction or defect in the title to or description herein of the Premises. If at any time Lessor's title or right to receive rent hereunder is disputed, or there is a change of ownership of Lessor's estate by act of the parties or operation of law, Shell may withhold rent thereafter accruing until Shell is furnished proof satisfactory to it as to the party entitled thereto.

17. **NOTICES.** Notices hereunder shall be given only by certified or registered letter or telegram and shall be deemed given when the letter is deposited in the mail or the telegram with the telegraph company, postage or charges prepaid, and addressed to the party for whom intended at such party's address first herein specified, or at such other address as such party may have substituted therefor by notice so given to the other.

18. **ENTIRETY-EXECUTION-SUCCESSION.** This Lease merges and supersedes all prior representations and agreements, and constitutes the entire contract, between Lessor and Shell concerning the leasing of the Premises and the consideration therefor. Neither this Lease nor any agreement amending, supplementing or terminating this Lease shall be binding on Shell unless and until it is signed in Shell's behalf by a representative duly authorized by its Board of Directors. This Lease and all options herein shall bind and inure to the benefit of the heirs, administrators, executors, successors and assigns of Lessor, and the successors and assigns of Shell.

EXECUTED as of the date first herein specified.

Witnesses to execution by Lessor:

..... Roscoe Vandevander (Seal)

....(Seal)

Witnesses to execution by Shell:

..... SHELL OIL COMPANY

..... By D.R. Healy

EXHIBIT A

(Lessor's buildings, improvements, equipment and other property located on the Premises.)

ITEM	DESCRIPTION
BUILDINGS	3 Bay service station building masonry construction, two rest rooms, 1-550 gallon furnace oil tank, 1-550 gallon waste oil tank, suspended furnace, water pump and 100 gallon resevoir tank.
IMPROVEMENTS	hard surface yard and driveways.
EQUIPMENT	
OTHER PROPERTY	

(Append Lessor's acknowledgment and, if this is a sublease, Owner's Consent and Agreement.)

INDIVIDUAL MARYLAND

STATE OF Maryland)
County OF Howard)SS:

On this 12 day of December, 1978, before me, Raymond M. Hertz, a Notary Public in and for said Howard County in said State, personally appeared Roscoe Vandevander, to me personally known and known to me to be the same person described in and who executed the foregoing instrument, and, being fully informed by me of the contents of said instrument, severally acknowledged to me that he signed, sealed and delivered the same as his free and voluntary act and deed, for the uses, purposes and consideration therein expressed.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal on the aforesaid day and year.

My Commission expires: 8/1/1982

Notary Public

STATE OF MARYLAND }
COUNTY OF BALTIMORE }SS:

On this 13 day of MARCH, 1979, before me, W. F. SCHAEFER, a Notary Public in and for said County and State, personally appeared D. R. HEALY to me personally known who, being by me duly sworn, said that he resides in MONTGOMERY COUNTY, MARYLAND and that he is a DISTRICT MANAGER, of SHELL OIL COMPANY, the corporation which executed the foregoing instrument, and acknowledged to me that he signed said instrument, as such DISTRICT MANAGER in the name and behalf of said corporation, that he was thereunto duly authorized by said corporation's board of directors, and that said instrument is his free and voluntary act and deed and the free and voluntary act and deed of said corporation, for the uses and purposes therein set forth.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal on the aforesaid day and year.

My Commission expires: 7-1-82 William F. Schaefer
Notary Public

D-283-A (REV. 11-76)

ADDENDUM

To, and part of, printed LEASE dated October 24, 1978,
Between ROSCOE VANDEVANDER ("Lessor")
and SHELL OIL COMPANY ("Shell"), of premises situated at Southeast corner of Pulaski Hwy & Middle River Rd., in Middle River, Maryland:

A. Confirming that article(s) 2 has/~~have~~ been modified on the face thereof.

B. Confirming that article(s) 8 has/~~have~~ been wholly deleted on the face thereof.

C. Confirming that article(s) 3, 5, 14 ~~has~~/have been wholly deleted on the face thereof; and substituting therefor the article(s) set forth in this Addendum, bearing the same respective number(s).

D. Adding thereto article(s) 4A, 6A set forth in this Addendum.

3. RENT. Shell shall pay, as rent for each calendar month during the primary term, the following sum:

From May 1, 1979 to April 30, 1984 - $ 708.33
From May 1, 1984 to April 30, 1989 - $ 833.33
From May 1, 1989 to April 30, 1994 - $ 958.33
From May 1, 1994 to April 30, 1999 - $1,083.33

by check to the order of Roscoe Vandevander, in advance on or before the first day of each such month. Rent for any period less than a calendar month shall be prorated.

4A. Shell shall have the unconditional right at any time during this Lease to raze the existing improvements and replace the same with improvements of Shell's selection. Lessor agrees to cooperate with Shell in the securing of all necessary legal permission to accomplish any such reconstruction and agrees to make such appearances and execute necessary documents as Shell may reasonably request. Lessor shall not be obligated to incur any expense under this article.

In the event that Shell does raze the existing service station building, Shell shall be obligated to pay Lessor, at Lessor's option, the sum of Twenty Thousand Dollars ($20,000.00) as consideration therefor, within ninety days after the razing, provided that Lessor has notified Shell accordingly within 30 days after razing. If Lessor does elect to receive the above stated consideration, Lessor and Shell agree that the monthly rental shall be reduced by the sum of One Hundred and Twenty Five Dollars ($125.00) beginning with the month following such payment of consideration and for every succeeding month thereafter. If Lessor does not elect to receive the stated consideration within the stipulated time period, the monthly rent will remain unchanged.

5. TAXES-LIENS. Shell shall pay (a) all taxes, assessments and other governmental charges on the premises which are allocable to the term of this Lease, and the bills for which have been presented to Shell, and (b) all taxes on Shell's property on the premises, and license, utilities and other such charges incurred by Shell's use of or operation on the premises. Shell shall have the right to contest, in its and/or Lessor's name any assessment for and/or levy of any tax, assessment or other charge on the premises; and at Shell's request Lessor shall execute such documents, make such appearances and do such other things as Shell may reasonably request in connection with the prosecution of any such contest (in default of any which Shell have no further obligation to reimburse Lessor with respect to an increase of such taxes, assessments and charges). If Lessor defaults at anytime

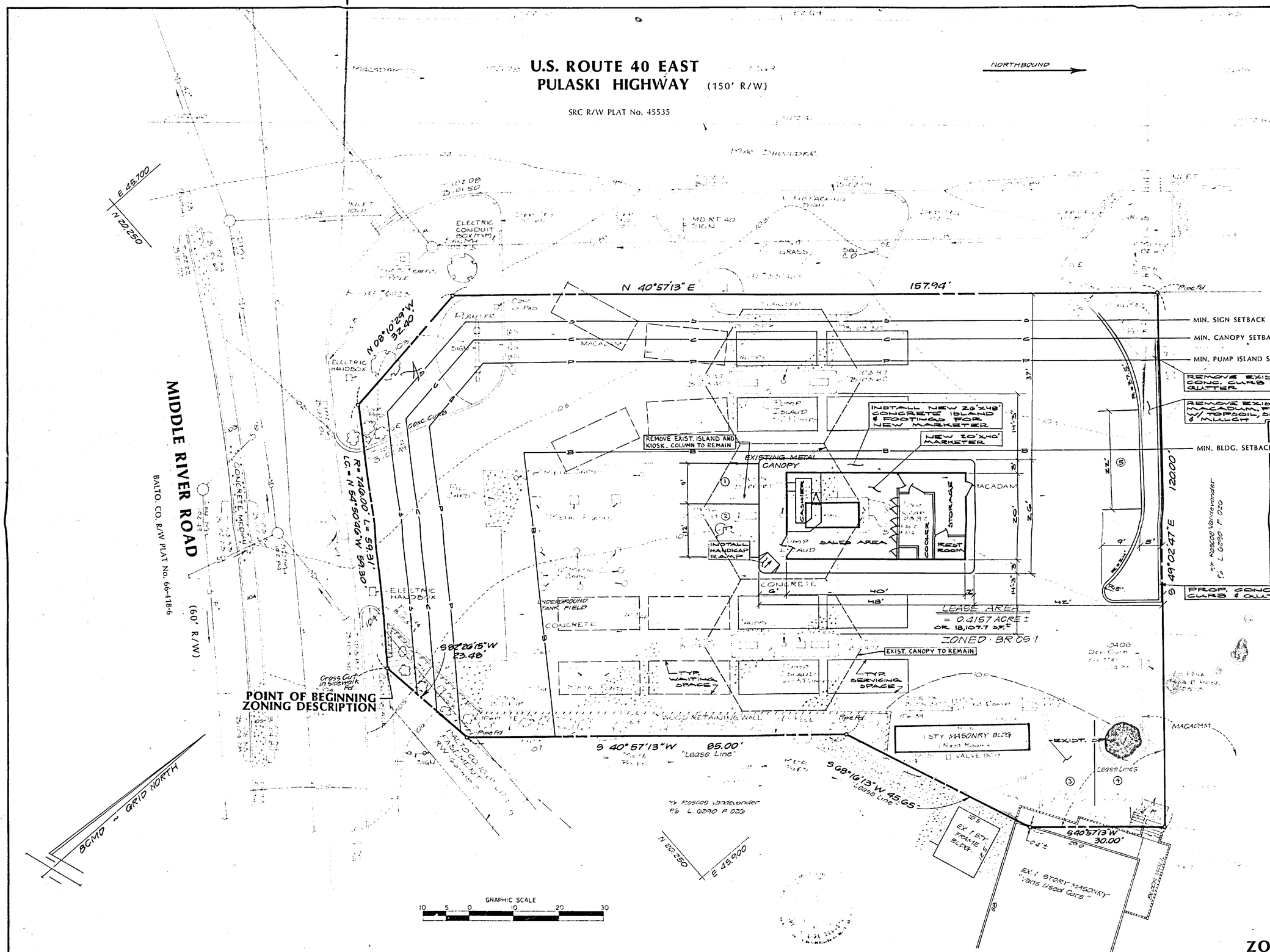
SHELL OIL COMPANY
By D.R. Healy

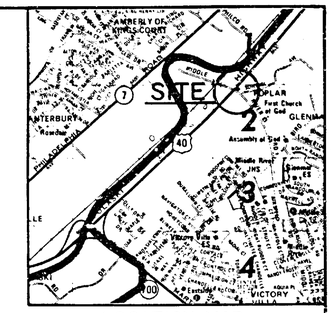
Roscoe Vandevander
LESSOR

U.S. ROUTE 40 EAST
PULASKI HIGHWAY (150' R/W)

SRC R/W PLAT No. 45535

NORTHBOUND





LOCATION MAP
SCALE: 1" = 2000'

NOTES

1. COORDINATES AND BEARINGS SHOWN ARE BASED ON BALTIMORE COUNTY TRAVERSE STATIONS:

11005	N 20,672.51	E 44,578.80
11006	N 20,833.60	E 44,224.15

STATION 11005
ELEVATION = 118.73'

2. ELEVATIONS SHOWN ARE BASED ON
3. UTILITIES AND OTHER OBSTRUCTIONS AS SHOWN HEREON HAVE BEEN MADE BY ACTUAL FIELD MEASUREMENTS SUPPLEMENTED BY INFORMATION OBTAINED FROM THE VARIOUS AGENCIES INVOLVED. HOWEVER, WE DO NOT GUARANTEE THE ACCURACY OR THE COMPLETENESS OF THE INFORMATION GIVEN. THE CONTRACTOR MUST VERIFY ALL SUCH INFORMATION TO HIS OWN SATISFACTION AND MUST NOTIFY THE UTILITY COMPANIES INVOLVED PRIOR TO COMMENCING WORK.

OWNER / LESSOR
ROSCOE VANDEVANDER et al
DEED REF. EHKJr. 6290-026

LESSEE
SHELL OIL CO.
5565 STERRETT PL.
COLUMBIA, MD. 21044

GENERAL NOTES

1. BEARINGS AND DISTANCES AS SHOWN HEREON ARE BASED ON DEEDS OF RECORD.
2. EXISTING TOPOGRAPHY AS SHOWN HEREON IS BASED ON AN AS-BUILT SURVEY COMPLETED BY LYON ASSOCIATES IN FEBRUARY, 1984.
3. OWNER: ROSCOE VANDEVANDER 6290-026 — LESSEE: SHELL OIL COMPANY 2488-35
4. OBSTRUCTIONS AS SHOWN HEREON HAVE BEEN LOCATED BY FIELD INSPECTION SUPPLEMENTED BY INFORMATION OBTAINED FROM THE VARIOUS AGENCIES INVOLVED. HOWEVER, WE DO NOT GUARANTEE THE ACCURACY OR THE COMPLETENESS OF THE INFORMATION GIVEN. THE CONTRACTOR MUST VERIFY ALL SUCH INFORMATION TO HIS OWN SATISFACTION.

ZONING NOTES

EXISTING ZONING: BR-CS-1

PROPOSED ZONING: NO CHANGE BUT WITH A SPECIAL EXCEPTION UNDER SECTION 405.4.DB TO PERMIT A FOOD STORE (LESS THAN 5,000 SF) IN COMBINATION WITH A SERVICE STATION.

AREA REQUIREMENTS:
TWO DISPENSER ISLANDS WITH TWO MPD'S EACH. EACH ISLAND CAPABLE OF SERVING FOUR CARS AT ONE TIME.

TOTAL SERVICING SPACES = 8
TOTAL SERVICING BAYS = 0
TOTAL SPACES AND BAYS = 8
TOTAL AREA REQUIRED = 8 X 1,500 SF = 12,000 SF (USE 15,000 SF MIN.)
TOTAL WAITING SPACES = 8

ANCILLARY USES: NONE

COMBINATION USES:
FOOD STORE SALES (MINI MARKET)
ADDITIONAL SQUARE FOOTAGE = FACTOR 4 X 800 SF = 3,200 SF

TOTAL AREA REQUIRED = 15,000 SF + 3,200 SF = 18,200 SF ±
TOTAL AREA OF TRACT = 18,107.7 S.F.± VARIANCE REQUIRED

ACCESS POINTS:
NUMBER OF DRIVEWAYS ON MAJOR STREET = 2
REQUIRED SITE WIDTH = 130'
ACTUAL SITE WIDTH = 181'

LANDSCAPING:
LANDSCAPING REQUIRED (5% OF SITE) = 915 SF
LANDSCAPING PROVIDED = 1,917 S.F.

PARKING:
PARKING SPACES REQUIRED = 1 PER 200 SF OF GROSS FLOOR AREA = 4
PARKING SPACES PROVIDED = 8 (INCLUDING ONE HANDICAPPED)

AREA DISTURBED BY NEW CONSTRUCTION = 1,500 SF ±

SEE ALSO ZONING CASE NO. 83-26 SPH

#19

ZONING PLAT

LYON ASSOCIATES, INC.
Engineers Surveyors Planners
7131 Rutherford Road, Baltimore, Maryland 21207
Telephone: 301-944-9112

REVISIONS

NO.	DATE	DESCRIPTION

SURVEYOR'S CERTIFICATION
I, MARK A. RIDDLE, A REGISTERED PROPERTY LINE SURVEYOR OF THE STATE OF MARYLAND, DO HEREBY CERTIFY THAT THE LAND SHOWN HEREON HAS BEEN SURVEYED BY LYON ASSOCIATES, INC., AND TO THE BEST OF MY KNOWLEDGE MEETS ALL OF THE REQUIREMENTS AS CONTRACTED FOR BY SHELL OIL CO.

MARK A. RIDDLE, L.S. NO. 242 — DATE FEB. 17, 1984

PLAN PREPARATION

DRAWN D.C. SMITH	DATE FEB. 17, 1984
DESIGNED SVM	SCALE 1" = 10'
CHECKED T. KERTSEN	

SHELL OIL COMPANY
9605 PULASKI HIGHWAY
ELECT. DIST. 15
BALTIMORE COUNTY, MARYLAND

DRAWING NO. 7399-59-001

SHEET NO. 1 of 1