

<p><b>IN RE: PETITIONS FOR SPECIAL HEARING, SPECIAL EXCEPTION &amp; VARIANCE</b>          SW side of Liberty Road; intersection of Liberty Road and Marriotts Lane          2<sup>nd</sup> Election District          4<sup>th</sup> Councilmanic District          (8207 Liberty Road)</p> <p><b>KF Ghauri, LLC</b>  <i>Legal Owner</i></p>	<p>*</p> <p>*</p> <p>*</p> <p>*</p> <p>*</p> <p>*</p>	<p>BEFORE THE</p> <p>DEPUTY ZONING</p> <p>COMMISSIONER</p> <p>FOR BALTIMORE COUNTY</p> <p><b>Case No. 2010-0110-SPHXA</b></p>
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**FINDINGS OF FACT AND CONCLUSIONS OF LAW**

This matter comes before this Deputy Zoning Commissioner for consideration of Petitions for Special Hearing, Special Exception and Variance, filed by Khalid Azam, Authorized Signatory, on behalf of the legal owner of the subject property, KF Ghauri, LLC. The relief requested is as follows:

The Special Hearing relief is requested in accordance with Section 500.7 of the Baltimore County Zoning Regulations (“B.C.Z.R.”):

1. To amend the site plan previously approved in Case No. 03-417-SPH; and
2. To confirm that the square footage of the portion of the overall site that is zoned D.R.16 may be counted within overall special exception site area for the purpose of calculating the minimum site area required under Sections 405.4.A, 405.4.D, and 405.4.E of the B.C.Z.R.; and
3. To confirm landscaping to be located within the portion of the site that is zoned D.R.16 may be utilized as the landscape transition area required under Section 405.4.A.2.b of the B.C.Z.R.; and
4. To permit stacking spaces for a roll-over car wash and a dumpster to be located within the portion of the site that is zoned D.R.16.

The Special Exception is requested to use the subject property as follows:

1. For a convenience store with a sales area larger than 1,500 square feet use in combination with a fuel service station in B.R.-A.S. and B.L.-A.S. Zones pursuant to

Sections 405.2.B.1 and 405.4.E.1 of the B.C.Z.R., which had been previously approved in Case No. 01-507-SPHXA, but not utilized; and

2. For a roll-over car wash use in combination with a fuel service station in B.R.-A.S. and B.L.-A.S. Zones pursuant to Sections 405.2.B.1 and 405.4.E.2 of the B.C.Z.R., which had been approved in Case No. 73-216-XA, but not utilized.

The Variance relief is also requested as follows:

1. From Sections 405.4.A.1, 405.4.D.1, 405.4.D.3 and 405.4.E.1 of the B.C.Z.R. to permit a site area of 32,184 square feet in lieu of the required 34,160 square feet; and
2. From Sections 409.4.C and 419.3 of the B.C.Z.R. to permit stacking spaces for a roll-over car wash to be located within a drive aisle that provides onsite parking spaces; and
3. From Section 419.4.A.1 of the B.C.Z.R. to permit a roll-over car wash building to be located as close as 16 feet to the lot line of a residentially zoned property in lieu of the required 50 feet; and
4. From Section 419.4.B.1 of the B.C.Z.R. to permit the tunnel entrance of a roll-over car wash to face an adjacent residentially zoned property; and
5. From Section 238.2 of the B.C.Z.R. to permit a side yard setback of 10 feet in lieu of the required 30 feet; and
6. From Section 405.4.A.2.a of the B.C.Z.R. to permit existing fuel pumps to be located a minimum of 17 feet from the Liberty Road right-of-way in lieu of the required 25 feet or, in the alternative, to determine that a variance is not required; and
7. From Section 405.4.A.2.a of the B.C.Z.R. to permit an existing fuel pump canopy to be located a minimum of 7 feet from the Liberty Road right-of-way in lieu of the required 15 feet or, in the alternative, to determine that a variance is not required; and
8. From Sections 405.4.A.3.d, 409.6.A.2, and 419.3.B of the B.C.Z.R. to permit 29 parking spaces in lieu of the required 36 spaces; and
9. From Section 405.4.A.2.b of the B.C.Z.R. to permit landscape transition areas of as little as 0 feet along the Liberty Road frontage in lieu of the required 10 feet, 0 feet along the side yards abutting non-residentially zone land in lieu of the required 6 feet, and as little as 2 feet along the rear yard abutting residentially zoned land in lieu of the required 15 feet.

The subject property and the requested relief are more fully depicted on the redlined site plan which was marked and accepted into evidence as Petitioner's Exhibit 1.

Appearing at the requisite public hearing in support of the special hearing, special exception, and variance requests on behalf of Petitioner KF Ghauri, LLC were members Khalid Azam and Abida Khalid. Arnold Jablon, Esquire and Christopher Mudd, Esquire with Venable, LLP represented Petitioner at the hearing. Also appearing in support of the requested relief were David Flowers, land planner, who is familiar with the site and has been recognized and accepted as an expert witness on land use and the Baltimore County Zoning Regulations before this Commission and was accepted as an expert in the instant matter, specifically as to Sections 307.1, 502.1, 405, 409, and 419 of the B.C.Z.R., and Amrish Patel, the professional engineer who prepared the site plan.

Letters from the Liberty Road Community Council and from the Liberty Road Business Association were received. Both expressed support for the requested relief, subject to certain conditions, similar to those recommended by the Office of Planning, which are expounded on further in this Order. In addition, Mark McFadden, a representative of the Liberty Road Business Association, appeared and confirmed his organization's support for the requested relief.

Two Baltimore County representatives, Peirce Macgill of the Department of Economic Development, and David Green of the Office of Planning, appeared to express their departments' support for the requested relief. Specifically, Mr. Macgill indicated that the subject property is located within a Commercial Revitalization District and that Petitioner's plan to spend significant money -- approximately \$800,000.00 to \$1,000,000.00 as proffered by Mr. Jablon -- on the proposed improvements, together with the opportunity for additional jobs, is exactly what his Department seeks within such districts. He also expressed some hope that other property owners in the area would be inspired to follow in Petitioner's footsteps and likewise give their own properties a facelift similar to that proposed here. Mr. Green presented a revised comment

from the Office of Planning that was marked and accepted into evidence as Petitioner's Exhibit 2, which conveyed his Office's support for the requested relief, provided Petitioner installs a 10 foot wood privacy fence along the southern boundary of the subject property, limits the hours of the car wash from 7:00 AM to 10:00 PM, installs landscaping along the Liberty Road frontage, and directs onsite lighting away from adjacent residential uses.

There were no Protestants or other interested persons present at the hearing. Following the initial input from Messrs. McFadden, Magill, and Green, the hearing proceeded by way of a combination of testimony from Petitioner's witnesses and a proffer by Mr. Jablon.

Testimony and evidence offered revealed that the subject property is comprised of approximately 0.7388 acres and is situated on the southwest side of Liberty Road, across from Marriotts Lane, in the Randallstown area of Baltimore County, as more particularly described on the redlined site plan. The subject property is split-zoned B.L.-A.S., B.R.-A.S., and D.R.16, as is shown and indicated on the aerial photograph / zoning map that was marked and accepted into evidence as Petitioner's Exhibit 10.

The property is presently improved with a fuel service station use in combination with three automotive service bays, a convenience store, and a stand-alone automated teller machine. Photographs that were marked and accepted into evidence as Petitioner's Exhibits 15A through 15J depict the present site improvements. Petitioner proposes to invest significant financial resources into improving the site by increasing the size of the convenience store to 2,740 square feet, adding an automotive service bay to continue conducting the minor repairs permitted under Section 405.4.D.1 of the B.C.Z.R., and installing a roll-over car wash use on the site. A floor plan and elevation drawings of the proposed improvements that was marked and accepted into evidence as Petitioner's Exhibit 14, together with the redlined site plan, show the proposed

layout for the various uses on the site. As explained below, the requested zoning relief pertains to these proposed improvements.

The existing fuel service station has been located on the subject property since at least 1968 as confirmed by its zoning history. Petitioner offered site plans and orders from four prior zoning cases -- Case Nos. 69-89-X, 73-216-A, 2001-507-XSPHA, and 2003-417-SPH -- and briefly explained the various approvals obtained for the site over the past 40 years. In Case No. 69-89X, the Zoning Commissioner granted, by way of an Order dated October 11, 1968 (marked and accepted into evidence as Petitioner's Exhibit 4), a special exception for the expansion of an automotive service station use. In Case No. 73-216-A, the Zoning Commissioner granted a variance to permit 20 stacking spaces in lieu of the required 40 spaces and a special exception for a car wash use in combination with a service station, in an Order dated November 7, 1973 (marked and accepted into evidence as Petitioner's Exhibit 6). In Case No. 2001-507-XSPHA, the Zoning Commissioner, in an Order dated August 20, 2001 (marked and accepted into evidence as Petitioner's Exhibit 8), granted a special exception to allow an ancillary ATM machine with an existing fuel service station use in combination with a convenience store / carryout restaurant, together with a variance for a freestanding sign of 80 square feet in lieu of the maximum permitted 75 square feet and a special hearing to amend previously approved plans. Finally, in Case No. 2003-417-SPH, the Deputy Zoning Commissioner issued an Order on May 20, 2003 (marked and accepted into evidence as Petitioner's Exhibit 9) granting a special hearing to extend the period of time for utilization of the special exceptions granted in 2001 to August 20, 2006. While there is a small convenience store presently existing, there is no evidence that the car wash was ever utilized pursuant to the relief granted in 1973. The site plans accompanying each of the petitions referred to above delineate the zoning then in existence on

the subject property. The property in each was split zoned, as it is today, and the zoning designations are the same as they are today.

Mr. Jablon went on to explain that this extensive zoning history and the longevity of this same fuel service station use on the site are important for several reasons. First, much of the zoning relief requested was previously approved and is presented here at the request of the Zoning Office to bring the existing setbacks and conditions into compliance with the current Zoning Regulations. With or without Petitioner's proposed improvements, a comparison of the redlined site plan in this case with the site plans approved in prior cases demonstrates that many of these deficiencies, including canopy and fuel pump setbacks and the lack of landscape transition areas, already exist and were approved. The prior site plans for Case Nos. 69-89-X and 73-216-A were marked and accepted into evidence as Petitioner's Exhibits 5 and 7, respectively.

Second, Mr. Jablon cited Section 405.6 of the B.C.Z.R., which applies to certain expansion, reconstruction, or addition of uses for fuel service stations existing prior to the effective date of Bill No. 172-1993. In particular, Section 405.6.A.1 provides that any fuel service station existing prior to the adoption of Bill No. 172-1993 may be expanded or reconstructed provided that the project is confined to the limits of the site as it existed on the effective date of Bill No. 172-1993. As confirmed by the previously approved site plans of 1968 and 1973, the limits of the present site are the same today. Further, Section 405.6.A.4 confirms that "[a]ny structure or expansion of the use that is shown on a plan approved prior to the effective date of Bill No. 172-1993 shall be considered as being in compliance with Section 405.4.A.2.a," which governs setbacks for fuel pumps and canopies; thus, Mr. Jablon asserted that this Section should eliminate the need for Petitioner's variance requests for existing setbacks for

fuel pumps and canopies -- Variance request Nos. 6 and 7 above -- that were shown on plans previously approved by the Zoning Commissioner. Additionally, as previously mentioned, the zoning history shows that the car wash and convenience store uses proposed by Petitioner were previously approved on this site (including the D.R.16 zoned portion of the property within the limits of the site as shown on the previously approved site plans), which helps to bolster the case for approving those uses again. Mr. Jablon indicated that, upon review of the previously approved plans, it appears that the special exception area proposed and granted in Case No. 69-89-X, and continued in each succeeding case, is the same as shown here on the redlined site plan, Petitioner's Exhibit 1.

Third, Mr. Jablon points to section 419.5 of the B.C.Z.R., which provides exemptions from the current car wash regulations. This section states that the current regulations do not apply to car washes "legally existing" prior to the effective date of Bill No. 172-1993 and that the regulations adopted pursuant to Bill No. 172-1993 do not "affect the validity of any order granting a special exception or any plan approved... for a car wash which occurred prior to" its effective date. Any previously approved special exception or plan is subject to the applicable provisions of the B.C.Z.R. in effect at the time the special exception or plan was approved. While he acknowledges that the car wash as approved in Case No. 73-216-A does not exist currently, Mr. Jablon argues that the exemption from the current regulations apply to any plan approved, even if not utilized. Thus, he maintains that the special exception requested here, variance requests Nos. 2, 3, and 4 above, and special hearing request No. 4 relating to the car wash (as it relates to car wash stacking spaces), are not needed.

Finally, the side landscape transition area (LTA) request of zero feet along Liberty Road and zero feet along the side yards abutting non-residentially zoned land are not necessary

because the setbacks are pre-existing and are shown on the site plans previously approved. Further, variance No. 1 is requested to permit a site area of 32,184 square feet in lieu of the required 34,160 square feet. The testimony and evidence presented confirms that there has been no change to the site area since at least 1968. Therefore, Mr. Jablon asserts that the variance and special hearing are not required.

Against this backdrop, Petitioner directly addressed the burdens of proof for the requested zoning relief. With regard to the special exceptions, Mr. Jablon proffered, and Mr. Flowers confirmed, that if called to testify, Mr. Flowers would state the proposed 2,740 square foot convenience store and car wash uses would not be detrimental to the health, safety, or general welfare of the locale, nor would the uses have any negative impacts on the community, to which the community agrees as indicated in Petitioner's Exhibits 12 and 13. Petitioner specifically addressed community concerns over potential noise from the car wash by presenting a noise calculation report that was marked and accepted into evidence as Petitioner's Exhibit 16, in which noise levels for roll over car washes at specific distances are differentiated. Mr. Jablon proffered that car wash noise levels have historically dissipated as the technology has improved and pointed out that the noise level emanating from use of a current typical roll-over car wash would merge into that of the existing noise from Liberty Road. Testimony and evidence presented confirmed that, with the installation of the 10 foot tall fence, the existence of doors on both sides of the car wash that would be closed when in operation, and the existing road noise from busy Liberty Road, the noise level of the car wash would not affect the adjacent residential uses. Mr. Flowers' testimony was further proffered that the proposed uses would meet all criteria set forth in Section 502.1 of the B.C.Z.R. and would be consistent with the property's zoning classifications and the spirit and intent of the B.C.Z.R. Mr. Jablon again pointed out that

all prior zoning cases on the subject property for this use have included the residential property within the overall site area; thus, the inclusion of the D.R.16 zoning on the current site plan is consistent with all prior relief granted on the site. Mr. Jablon also requested that, if the instant special exceptions were granted, that the time frame for utilization of the special exception be extended from the normal two years to five years, pursuant to Section 502.3 of the B.C.Z.R.

Regarding the special hearing, Mr. Jablon indicated that most of the requests were made to confirm conditions that have existed for years. He reiterated that the residential portion of the site has been included in the overall site area and shown on the plans in the prior cases approving the existing uses and that there has always been a landscaped area within the residential portion to buffer the fuel station use from the adjacent residential uses. Regarding the stacking within the D.R.16 zoned portion of the site, Mr. Jablon explained that it is really nothing more than a drive-aisle to allow customers to have access to the car wash; there will be no parking there. Put simply, the stacking / drive aisle is really no different than the driveway that serves the adjacent parking complex and, therefore, should be permitted in the residential zone, just as that driveway is permitted. Additionally, Mr. Flowers pointed to the site plan approved in Case No 73-216-A, in which the D.R.16 portion of the property included access to the car wash therein approved. Mr. Jablon indicated that these same analogies apply to the dumpster, in that it is already located in the D.R.16 Zone and is no different than the dumpsters that are located on the adjacent property that serve the apartment use. In sum, Mr. Jablon proffered and Mr. Flowers confirmed that, with regard to each of the special hearing requests, Petitioner meets the requirements of Section 502.1 of the B.C.Z.R., and the stacking spaces / drive aisle, dumpster, and landscape transition areas would have no adverse impact on the health, safety, or general welfare of the adjacent property owners.

Mr. Jablon also proffered and Mr. Flowers confirmed that if the standards of Section 502.1 were to be applicable to the amendment of a previously approved site plan, the amendment proposed here would conform to each of those standards and would be consistent with the previously approved plan. In addition, Mr. Flowers would testify that in his opinion, there would be no adverse impact to the public health, safety and welfare or to the community.

As for the variances, to the extent that they are even required, Petitioner offered testimony and evidence demonstrating that the site is unique by virtue of its age, size, split-zoning and extensive zoning history. As mentioned, this site has been in existence and utilized as a service station for over 40 years and it is -- and always has been -- a small site. Additionally, the site has limited access from Liberty Road; vehicles travelling westbound on Liberty have a difficult, if not illegal, turn to make into the site, thus making it, for the most part, accessible primarily from the eastbound lane. Finally, as confirmed by the testimony of Mr. Macgill and the aerial photograph accepted into evidence as Petitioner's Exhibit 3, the site is located within a Commercial Revitalization District, thus making it a prime candidate for redevelopment. However, this very fact is also what creates the practical difficulty on the site. In order to revitalize the site and provide a proper facelift, Petitioner explained that it must make the proposed improvements, which its customer base demands; yet, due to the small size of the site, Petitioner's improvement options are "pinched" by the limitations imposed by today's Regulations; hence, if the requested variances were denied, Petitioner would not be able to accomplish an adequate revitalization of the site. Furthermore, Mr. Flowers testified that the variances, if granted, would not be detrimental to the adjacent properties and would not impair the purpose of the B.C.Z.R.

In addition to the verbal comments offered by Mr. Macgill and the revised Planning Comment discussed above, the Zoning Advisory Committee (ZAC) comments were received, which are contained within the case file. No agency objected to the approval of the requested relief. The Bureau of Development Plans Review submitted a comment dated October 9, 2009 which indicates that Petitioner is advised that this site is within an area of special concern for sewer, and that Petitioner's engineer should contact the Bureau of Engineering with projected wastewater flow data.

After considering the testimony and evidence presented, I am persuaded to grant the requested relief. Regarding the special exceptions, Section 419.5 of the B.C.Z.R. raised the issue that the special exception here for the car wash is not necessary inasmuch as, by Case No. 73-216-A, a car wash was already approved, though not utilized. While a convincing argument can be so made, the language of this section is not so clear as to convince me that the previously approved car wash is controlling. While it is important to consider in context, especially as to the conditions contained in Section 502.1 of the B.C.Z.R., I believe it is more prudent to consider the special exception as requested on its own merits.

In my judgment, both the proposed car wash and convenience store with sales area greater than 1,500 square feet will not be detrimental to the community, and based upon the letters and comments in support of the proposed uses, will prove to be an asset by providing services for the community and a much needed "shot in the arm" that will hopefully encourage other business owners to likewise give their properties a facelift. I also find that the proposed uses meet the special exception criteria set forth in Section 502.1 of the B.C.Z.R. and that the uses will not have any adverse impacts above and beyond those inherently associated with such uses irrespective of their location within the zone. *See, Schultz v. Pritts*, 291 Md. 1 (1981). I am

also inclined to extend the time for utilization of the special exceptions for a period not to exceed five years.

Regarding the variances, Sections 405.6 and 419.5 of the B.C.Z.R. raise valid arguments that certain of the requested variances are not necessary. The previously approved site plans also present and confirm the existence of the current setback areas. In effect, each is “grandfathered” and protected by the previously approved plans. Therefore, I find that Variance Nos. 2, 3, 4, 6, 7, and the portion of No. 9 for the front and side yard LTAs are not required.

However, even in the alternative, if the variances requested are not controlled by the earlier approved petitions and site plans or by Sections 405.6 and 419.5 of the B.C.Z.R., I find ample evidence that special circumstances or conditions exist which are peculiar to the subject property. I agree with Petitioner that the variance requests are driven by the unusual size, history, and constraints identified during the testimony. I conclude that the subject property is unique in a zoning sense and that Petitioner would suffer practical difficulty if the variances requested were to be denied. Moreover, the variances can be granted in strict harmony with the spirit and intent of said regulations, and in such manner as to grant relief without injury to the public health, safety and general welfare. In fact, approving the variances enables Petitioner to further the County’s revitalization goals for properties along the Liberty Road corridor. Thus, I find that the variance requests can be granted in such a manner as to meet the requirements of Section 307 of the B.C.Z.R., as interpreted in *Cromwell v. Ward*, 102 Md. App. 691 (1995).

Finally, I find that Petitioner has met its burden with respect to the petition for special hearing. For the same reasons discussed above, Petitioner satisfied the requirements of Section 502.1 and *Schultz*.

Pursuant to the advertisement, posting of the property, and public hearing on these Petitions held, and after considering the testimony and evidence offered, I find that Petitioner's requests for special exception, special hearing, and variance should be granted.

THEREFORE, IT IS ORDERED this 7<sup>th</sup> day of January, 2010 by the Deputy Zoning Commissioner that Petitioner's requests for Special Hearing in accordance with Section 500.7 of the B.C.Z.R. as follows:

1. To amend the site plan previously approved in Case No. 03-417-SPH; and
2. To confirm that the square footage of the portion of the overall site that is zoned D.R.16 may be counted within overall special exception site area for the purpose of calculating the minimum site area required under Sections 405.4.A, 405.4.D, and 405.4.E of the B.C.Z.R.; and
3. To confirm landscaping to be located within the portion of the site that is zoned D.R.16 may be utilized as the landscape transition area required under Section 405.4.A.2.b of the B.C.Z.R.; and
4. To permit stacking spaces for a roll-over car wash and a dumpster to be located within the portion of the site that is zoned D.R.16.,

be and are hereby **GRANTED**; and

IT IS FURTHER ORDERED that Petitioner's requests for Special Exception to use the property as follows:

1. For a convenience store with a sales area larger than 1,500 square feet use in combination with a fuel service station in a B.R.-A.S. and B.L.-A.S. Zones pursuant to Sections 405.2.B.1 and 405.4.E.1 of the B.C.Z.R. which had been previously approved in Case No. 01-507-SPHXA, but not utilized; and
2. For a roll-over car wash use in combination with a fuel service station in a B.R.-A.S. and B.L.-A.S. Zones pursuant to Sections 405.2.B.1 and 405.4.E.2 of the B.C.Z.R. which had been approved in Case No. 73-216-XA, but not utilized,

be and are hereby **GRANTED**, and the time for utilization of the special exceptions shall be extended for a period not to exceed five years, pursuant to Section 502.3 of the B.C.Z.R.; and

IT IS FURTHER ORDERED that Petitioner's requests for Variance as follows:

1. From Sections 405.4.A.1, 405.4.D.1, 405.4.D.3 and 405.4.E.1 of the B.C.Z.R. to permit a site area of 32,184 square feet in lieu of the required 34,160 square feet; and
2. From Sections 409.4.C and 419.3 of the B.C.Z.R. to permit stacking spaces for a roll-over car wash to be located within a drive aisle that provides onsite parking spaces; and
3. From Section 419.4.A.1 of the B.C.Z.R. to permit a roll-over car wash building to be located as close as 16 feet to the lot line of a residentially zoned property in lieu of the required 50 feet; and
4. From Section 419.4.B.1 of the B.C.Z.R. to permit the tunnel entrance of a roll-over car wash to face an adjustment residentially zoned property; and
5. From Section 238.2 of the B.C.Z.R. to permit a side yard setback of 10 feet in lieu of the required 30 feet; and
6. From Section 405.4.A.2.a of the B.C.Z.R. to permit existing fuel pumps to be located a minimum of 17 feet from the Liberty Road right-of-way in lieu of the required 25 feet; and
7. From Section 405.4.A.2.a of the B.C.Z.R. to permit an existing fuel pump canopy to be located a minimum of 7 feet from the Liberty Road right-of-way in lieu of the required 15 feet; and
8. From Sections 405.4.A.3.d, 409.6.A.2, and 419.3.B of the B.C.Z.R. to permit 29 parking spaces in lieu of the required 36 spaces; and
9. From Section 405.4.A.2.b of the B.C.Z.R. to permit landscape transition areas of as little as 0 feet along the Liberty Road frontage in lieu of the required 10 feet, 0 feet along the side yards abutting non-residentially zone land in lieu of the required 6 feet, and as little as 2 feet along the rear yard abutting residentially zoned land in lieu of the required 15 feet,

be and are hereby **GRANTED**.

The relief granted herein shall be subject to the following conditions:

1. Petitioner may apply for its permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at its own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, Petitioner will be required to return, and be responsible for returning, said property to its original condition.

2. The time for utilization of the special exceptions granted shall be extended to a period not to exceed five years.
3. Petitioner shall install a 10 foot tall wood privacy fence along the rear property line, between the service station use and the adjacent residential use.
4. The hours of operation for the car wash shall be limited to 7:00 AM to 10:00 PM year round.
5. To the extent possible, Petitioner shall install additional landscaping along the site's Liberty Road frontage.
6. All onsite lighting shall be directed away from the adjacent residential use.
7. Petitioner is advised that this site is within an area of special concern for sewer. Petitioner's engineer should contact the Bureau of Engineering with projected wastewater flow data.

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

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SIGNED  
THOMAS H. BOSTWICK  
Deputy Zoning Commissioner  
for Baltimore County

THB:pz