

PETITION FOR ZONING VARIANCE **FROM AREA AND HEIGHT REGULATIONS**

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, THE AMERICAN OIL COMPANY, legal owner of the property situated 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 405-8-5 to permit light height of 14 feet instead of required 8 feet.

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

1. Said increased height of lighting will allow better illumination of the site in the area of care date which in turn will remove any undue hazard from ingress and egress. All lighting will be directed downward and have no light scattered on adjoining property.

Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above Special Hearing 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.

THE AMERICAN OIL COMPANY
 Lessee/Owner
 Address: One North Charles Street
 Baltimore, Maryland 21201

THE AMERICAN OIL COMPANY
 Lessee/Owner
 Address: One North Charles Street
 Baltimore, Maryland 21201

ORDERED By The Zoning Commissioner of Baltimore County, this 5th day of July, 1969, 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 10th day of July, 1969, at 10:00 o'clock A.M.

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Zoning Commissioner of Baltimore County.

PETITION FOR SPECIAL HEARING

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, THE AMERICAN OIL COMPANY, legal owner of the property situated in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing Under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner and/or Deputy Zoning Commissioner should approve the expansion of service station facilities located at the intersection of the west side of Bishop Lane and the south side of Frederick Road, County of Baltimore, State of Maryland.

Frederick Road, County of Baltimore, State of Maryland. Said property currently improved by two service stations which will be demolished and one service station erected in their place. The expansion of service station facilities will take an additional 50 feet to the rear of current service station, all of which will be in a BL zone.

See attached description

Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above Special Hearing 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.

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Zoning Commissioner of Baltimore County.

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PROPERTY DESCRIPTION
EXPANSION PARCEL (20')

BEGINNING for the same on the west side of Bishop Lane at a point distant S 17° 39' 24" E 100.06 feet from the corner formed by the intersection of the west side of Bishop Lane and the south side of Frederick Road, running thence binding on said west side of Bishop Lane, as now surveyed (1) S 17° 39' 24" E 50.03 feet; (2) thence running S 74° 21' 19" W along a line parallel to and 150 feet south of the westerly line of Frederick Road a distance of 230.69 feet to intersect the fourth or N 103° W 544' 6" line of that parcel of land conveyed by Louise McGill, widow, to John Charles McGill, running thence binding on part of said line (3) N 14° 50' 21" W 50.01 feet, running thence for a line of division (4) W 71° 21' 19" E 229.23 feet along a line parallel to and 100 feet south of the southerly line of Frederick Road 50.01 feet to the place of BEGINNING.

Re: Petition for Variance and Special Hearing
 S/W Cor. Frederick Road and Bishop Lane, 1st Dist.
 The American Oil Co.,
 Petitioner

Before

Zoning Commissioner

of

Baltimore County

No. 70-9-A

SPH

The petitioners have requested service station site expansion and variance for property located at the southwest corner of Frederick Road and Bishop Lane. This property consists of two parcels; parcel 1 being improved with an existing Shell Service Station and parcel 2 improved with an existing American Service Station. These properties are presently zoned Business Local for a depth of 150 feet measured from the south side of Frederick Road.

The petitioner proposes to expand the existing sites from the present 100 foot special exception depth to include the entire commercially zoned property. The petitioner plans to demolish the existing service stations and replace them with one modern station.

The request for site expansion complies with Section 405.8-b as it is a commercial zone and will be improved in such manner as to be more in keeping with Sections 405.4 and 405.5 to the Zoning Regulations.

The request for a variance from Section 4.4-b-5 to permit a light of standard height of 14 feet instead of the permitted 8 feet should be granted as it would be a practical difficulty to erect this light at a height of only 8 feet.

For the above reasons the petition should be granted

It is this 17th day of July, 1969 by the Zoning Commissioner of Baltimore County, ORDERED that (1) the request to expand the two parcels, parcels 1 and 2, to a depth of 150 feet as herein described should be and the same is hereby granted; and (2) that the variance to permit a light height of 14 feet instead of the permitted 8 feet is hereby granted.

The plan for the development of the subject property is subject to approval of the Bureau of Traffic Engineering, Bureau of Public Services, State Roads Commission, the Director of Planning and the Zoning Commissioner.

Zoning Commissioner of Baltimore County

INTER-OFFICE CORRESPONDENCE **BUREAU OF TRAFFIC ENGINEERING** **Baltimore County, Maryland** **Towson, Maryland, 21204**

TO: John G. Rose
 FROM: C. Richard Moore
 SUBJECT: REVISED COMMENTS
 Item 297 - ZAC - June 17, 1969
 Property Owner: American Oil Company
 Frederick Road and Bishop Lane
 S.W. for site expansion and Var. to Sec. 405.8-b-5 Light Height

Date: July 21, 1969

Revised plans dated May 22, 1969 conform to previous comments.

C. Richard Moore
 Assistant Traffic Engineer

CRH:jc

BUREAU OF ENGINEERING **Zoning Plat - Comment**

297. Property Owner: American Oil Company
 Location: S/W cor. Frederick Road and Bishop Lane

District: 1st
 Present Zoning: BL
 Proposed Zoning: S.W. for site expansion and Var. to Sec. 405.8-b-5 Light Height
 No. Acres: 55,000 sq. ft.

Highways

Frederick Road is a State Road; therefore, this site will be subject to State Roads Commission review and all street improvements and entrance locations on this road will be subject to State Roads Commission requirements.

Bishop Lane is an existing County road which will be improved as a 30-foot closed section with double paving on a 50-foot right-of-way. Highway widening will be required. Sufficient information has not been shown on the subject plan to determine the extent of highway widening required at this time; however, it shall be the greater width required to provide a 50-foot right-of-way based either on the centerline of existing paving in Bishop Lane or existing right-of-way beyond the limits of the subject property.

The entrance locations are subject to approval by the Department of Traffic Engineering.

Storm Drainage

Frederick Road is a State Road. Therefore, drainage requirements as they affect the road are under the jurisdiction of the Maryland State Roads Commission.

The applicant must provide necessary drainage facilities (temporary or otherwise) to prevent creating any nuisance or damages to adjacent properties, especially by the concentration of surface waters. Correction of any problem which may result, due to increased drainage or other drainage facilities, would be the full responsibility of the Applicant.

Soil and Control

Development of this property through striping, grading and stabilization could result in a serious pollution problem, due to oil and grease and other pollutants. Therefore, a grading permit is, therefore, necessary for all grading, including the striping of the road.

Grading studies and soil control measures will be necessary to be reviewed and approved prior to the issuance of any grading or building permits.

297. Property Owner: American Oil Company
 Page 2

Sanitary Sewers

Public sanitary sewerage exists to serve this property.

Water

Public water supply exists to serve this property.

PDMS

Mr. N.W. Key Sheet
 20 S.W. 22 Position Sheet
 S.W. 3 3 200' Scale Topo



STATE OF MARYLAND
 STATE ROADS COMMISSION
 300 WEST PATTERSON STREET
 BALTIMORE, MD 21201
 JUNE 15, 1969

Mr. John G. Rose, Zoning Commissioner
 County Office Building
 Towson, Maryland 21204

Attn: Mr. C. L. Myers

Dear Mr. Rose:

A new curb return on a 30' radius must be constructed at the corner of Frederick Road and Bishop Lane. The existing return is on a 10' radius. The radius indicated on the plan scales 20 ft.

The plan indicates proposed 6" concrete entrance aprons. The State Roads Commission specification is 8".

The plan must be revised prior to a hearing date being assigned.

The entrances will be subject to State Roads Commission approval and permit.

Very truly yours,

Charles Lee, Chief
 Development Engineering Section
 by John E. Meyers
 Asst. Development Engineer

CLJ:EMH

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Mr. John G. Rose, Zoning Commissioner
Office of Planning & Zoning
Date: 6-25-69

FROM: Richard B. Williams, Planner
Office of Planning - Project Planning Division

SUBJECT: Zoning Advisory Agenda Item #297

June 17, 1969
American Oil Company
SW/Cor. Frederick Rd. &
Bishop Lane
1st. District

This plan has been reviewed and there are no site-planning factors requiring comment.

INTER-OFFICE CORRESPONDENCE
BUREAU OF TRAFFIC ENGINEERING
Baltimore County, Maryland
Towson, Maryland, 21204

TO: Mr. John G. Rose
Attn: Oliver L. Myers
Date: June 25, 1969

FROM: C. Richard Moore

SUBJECT: Item 297 - ZAC - June 17, 1969
Property Owner: American Oil Company
Frederick Road & Bishop Lane
S.W. for site expansion & var. to Sec. 405.4 B 5
Light Height

Review of the subject petition indicates that the plan does not meet the requirements for curb tangent distance. The curb tangent distance is measured from the P.T. of the curb radius to the P.C. of the entrance. The combining of the two existing service stations into one should improve circulation.

C. Richard Moore
Engineer II

CRK:mf

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Mr. John G. Rose, Zoning Commissioner
Attn: Mr. Myers
Date: June 23, 1969

FROM: John Litter, Inspector
Fire Department

SUBJECT: Property Owner: American Oil Company

Location: Frederick Avenue and Bishop Lane

Item: #297 June 17, 1969

Petitioner shall be required to meet all Fire Department regulations pertaining to gas service stations, when plans are submitted for approval.

John Litter
Inspector John Litter

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Mr. John Rose
Date: June 26, 1969

FROM: John Franco

SUBJECT: SW Cor. Frederick Rd. & Bishop Lane
American Oil Company

Must meet all requirements of Baltimore County Building Code.

JF:ms

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Mr. Oliver L. Myers
Date: June 17, 1969

FROM: William M. Greenwalt

SUBJECT: Item 297 - Zoning Advisory Committee Meeting, June 17, 1969

297. Property Owner: American Oil Company
Location: SW/Cor. Frederick Rd. & Bishop Lane
District: 1st
Present Zoning: M
Proposed Zoning: S.W. for site expansion & Var.
to Sec. 405.4 B 5 Light Height
No. Acres: 55,020 sq. ft.

Public water and sewers are available to the site.

Air Pollution Comments: The building or buildings on this site may be subject to registration and compliance with the Maryland State Health Air Pollution Control Regulations. Additional information may be obtained from the Division of Air Pollution, Baltimore County Department of Health.

William M. Greenwalt
Chief
Water and Sewer Section
BUREAU OF ENVIRONMENTAL HEALTH

WMS/CA

BALTIMORE COUNTY BOARD OF EDUCATION

ZONING ADVISORY COMMITTEE MEETING

OF JUNE 17, 1969

Petitioner: American Oil Co.
Location: SW COR. FREDERICK RD. & BISHOP LANE
District: 1
Present Zoning: M
Proposed Zoning: S.W. FOR SITE EXPANSION & VAR.
No. of Acres: 55,020 sq. ft.

Comments: NO DEPEND ON STUDENT POPULATION

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Mr. John G. Rose, Zoning Commissioner
Date: June 27, 1969

FROM: Leslie H. Groef, Deputy Director of Planning

SUBJECT: Petition #70-9-ASPH. Southwest corner of Frederick Road and Bishop Lane.
Petition for Variance to permit a light height of 14 feet instead of the required 8 feet; and Petition for Special Hearing to approve the expansion of gasoline service station facilities.
American Oil Company - Petitioners

1st District

HEARING: Wednesday, July 9, 1969 (10:00 A.M.)

The planning staff of the Office of Planning and Zoning has reviewed the subject petition and offers the following comments:

- Inasmuch as the proposed service station - in a C.C.C. District - is a "special" case since it could not be built at all if the use had not been previously established, we are taking our review of the subject proposal into some detail in the interest of offering critically constructive comments. While the comments apply specifically to the case at hand, they are also meant to indicate generally our feelings about some of the provisions of Bill 40.
- Requirements relative to the granting of special exceptions can serve as guidelines in the case. In particular, it would seem appropriate to consider Paragraph A of Subsection 403.3, relating to traffic conflict near schools, etc.

Also, the petitioner's plan indicates that a price sign would be installed. While we are not aware of the present status of the "price-sign law" (Bill No. 72, 1966 - Section 18-14 in Title 18 of the Baltimore County Code, 1968 edition), it would be appropriate, as well, to take into account Paragraph C of Subsection 403.3, which deals with general legal requirements of Baltimore County.

- The petitioner's plan shows a large sign in an area where such obstructions are prohibited under Paragraph A of Subsection 405.4 (Sub-subparagraph b of Subparagraph 2). The plan also shows an "adv. curb sign" located within an area marked "grade and seed"; yet, an inset shows that such a sign would be secured "to driveway with...bolts set in lead anchors." Among additional signing matters that might be questioned is whether the price sign and "advertising curb sign" shown, even though anchored to the ground, constitute "portable" or "sandwich board" signs, which are prohibited.)

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BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Mr. John G. Rose, Zoning Commissioner
Date: June 27, 1969

FROM: Leslie H. Groef, Deputy Director of Planning

SUBJECT: Petition #70-9-ASPH.

- From a site-planning viewpoint, the mere grading and seeding of portions of the site does not, in our judgement, constitute landscaping. Certainly, even sodding of the ground would fall far short of meeting the spirit of the service-station regulations. Trees and shrubs should be required (as they have been provided on many of the recently upgraded stations in the County).
- Since close-to-the-ground lighting can be designed to provide safe and attractive illumination for this site (as for nearly any other service-station site), we are at a loss to understand the request for a variance to permit a light standard 75 per cent higher than the maximum height stipulated in the Zoning Regulations.

[illegible]

same manner as is required under these regulations for operating service stations. If any service station is not operating for a period of twelve consecutive months or more, the Zoning Commissioner, after public hearing, may determine that such service station has been abandoned and may terminate any special exception applying thereto. FURTHER, ANY SPECIAL EXCEPTION APPLYING TO A SERVICE STATION WHICH HAS BEEN CONVERTED TO ANOTHER USE SHALL TERMINATE AS OF THE TIME OF THE CONVERSION.

405.8—Service Stations Existing on December 31, 1967. Notwithstanding other provisions of these Zoning Regulations TO THE CONTRARY, ANY AUTOMOTIVE-SERVICE STATION WHICH LEGALLY EXISTED ON DECEMBER 31, 1967 AND WHICH HAS NOT LOST ITS PERMITTED STATUS BY REASON OF THE TERMINATION OF A SPECIAL EXCEPTION APPLYING THERETO SHALL BE GOVERNED BY THE PROVISIONS OF THE FOLLOWING PARAGRAPHS:

- A. Subject to the provisions of Paragraph C, below ~~any~~ THE MAIN STRUCTURE OF ANY SUCH automotive-service station ~~building existing on December 31, 1967~~ may be expanded or reconstructed and any ancillary uses listed in paragraph 405.4C may be added to any such establishment, provided that such ~~existing~~ station and all such expansion, reconstruction, or addition of uses: is either confined to the limits of the site as it existed on December 31, 1967 or to an expanded site as approved under Paragraph B; is located in a B.L., B.R., B.M., M.L., or M.H. Zone; and ~~complies with the zoning regulations in effect on April 30, 1967,~~ IN THE JUDGEMENT OF THE ZONING COMMISSIONER, WOULD BE DONE IN SUCH A MANNER THAT THE STATION WOULD BE IMPROVED SO AS TO BE MORE IN KEEP-ING WITH THE PURPOSES OF SUBSECTIONS 405.4 AND 405.5 OF THESE REGULATIONS.
- B. Subject to the provisions of Paragraph C, below, the site of any SUCH automotive-service station ~~existing on December 31, 1967~~ may be expanded provided that such expansion and the arrangement of the entire site ~~are determined by,~~ IN THE JUDGEMENT OF the Zoning Commissioner, after public hearing, ~~to be in accordance with the purposes of this Section 405~~ WOULD BE DONE IN SUCH A MANNER THAT THE STATION WOULD BE IMPROVED SO AS TO BE MORE IN KEEPING WITH THE PURPOSES OF SUBSECTIONS 405.4 AND 405.5 OF THESE REGULATIONS, and provided that such expansion is limited to a B.L., B.M., B.R., M.L., or M.H. Zone.
- C. ANY EXPANSION, RECONSTRUCTION, OR ADDITION OF ANCILLARY USES PERMITTED UNDER PARA-

GRAPHS A AND B SHALL BE IN ACCORD WITH A PLAN FOR THE ENTIRE SITE AS APPROVED BY THE DIRECTOR OF PLANNING AND THE ZONING COMMISSIONER. FURTHER, ANY ADDITION OF ANCILLARY USES SHALL BE SUBJECT TO THE SITE-AREA AND SCREENING REQUIREMENTS OF SUBSECTION 405.4 OR 405.5.

SECTION 1A. *BE IT FURTHER ENACTED* THAT PARAGRAPH G IN SUBSECTION 405.8 OF THE BALTIMORE COUNTY ZONING REGULATIONS, 1955, AS AMENDED, BE AND IT IS HEREBY RE-DESIGNATED AS PARAGRAPH D.

SECTION 2. *Be it further enacted*, That ~~subsection~~ SUBSECTION 405.9 of the Baltimore County Zoning Regulations, ~~1963~~ 1955, as amended, be and it is hereby repealed; and that subsection 405.10 be and it is hereby renumbered to 405.9.

SECTION 3. *Be it further enacted*, That this Act ~~shall take effect forty five days after its enactment.~~ IS HEREBY DECLARED TO BE AN EMERGENCY MEASURE AFFECTING THE PUBLIC HEALTH, SAFETY AND WELFARE AND HAVING BEEN PASSED BY THE AFFIRMATIVE VOTE OF FIVE (5) MEMBERS OF THE COUNTY COUNCIL, THE SAME SHALL TAKE EFFECT FROM THE DATE OF ITS ENACTMENT.

READ AND PASSED this 1st day of July, 1968.

By Order:

Herbert Hohenberger, Secretary

PRESENTED to the County Executive, for his approval this 3rd day of July, 1968.

Herbert Hohenberger, Secretary

APPROVED AND ENACTED: July 9, 1968.

Dale Anderson

County Executive

I HEREBY CERTIFY THAT BILL NO. 69 IS TRUE AND CORRECT AND WILL TAKE EFFECT ON JULY 9, 1968.

Harry J. Bartenfelder

Chairman, County Council

EXPLANATION: *Italics indicate new matter added to existing law.*
[Brackets] indicate matter stricken from existing law.
CAPITALS indicate amendments to bill.
~~Strike out~~ indicates matter stricken out of bill.

