

PETITION FOR ZONING RE-CLASSIFICATION AND/OR SPECIAL EXCEPTION AND VARIANCE

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, Merrell M. Rief & Murray Kirshenbaum, 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 (1) that the zoning status of the herein described property be re-classified, pursuant to the Zoning Law of Baltimore County, SECTION 10-2-2 for a special exception NW-8-F for a car wash KA for the following reasons:

And for a variance to Section 232.2 of the Baltimore County Zoning Regulations to permit a 5' side yard instead of the required 15'.

Strict compliance with the above section would cause undue hardship on the contract purchaser.

See attached description

and (2) for a Special Exception, under the said Zoning Law and Zoning Regulations of Baltimore County, to use the herein described property, for for a car wash.

Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above re-classification and/or Special Exception 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.

Angelo Barnabas
115 Hillside Road, Baltimore, Md.
Angelo Barnabas, Owner
Address: 115 Hillside Road
Baltimore, Maryland

Paul E. Mullins
Petitioner's Attorney
Address: 202 Loyola Federal Bldg., Towson
828-5688

ORDERED By The Zoning Commissioner of Baltimore County, this 7th day of August, 1970, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation through Baltimore County, that property be posted, and that the public hearing be held before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 9th day of September, 1970, at 2:00 o'clock.

Edward D. Hardisty
Zoning Commissioner of Baltimore County.

(over)

RE: PETITION FOR SPECIAL EXCEP-
TION AND VARIANCE
NE/S of Reisterstown Road, 182.23'
S of Village Road - 3rd District
Merrell M. Rief, et al - Petitioners
NO. 71-88-XA (Item No. 367)
BEFORE THE
DEPUTY ZONING
COMMISSIONER
OF
BALTIMORE COUNTY

The Petitioners have withdrawn their Petition and it is, therefore, ORDERED by the Deputy Zoning Commissioner of Baltimore County this 19th day of January, 1971, that the said Petition be and the same is hereby DISMISSED without prejudice.

H. D. H.
Deputy Zoning Commissioner of
Baltimore County

ORDER RECEIVED FOR FILING
DATE: 11/11
BY: JE. HARRIS

JOSEPH D. THOMPSON, P.E., A.L.S.
CIVIL ENGINEERS & LAND SURVEYORS
1180
101 SHELL BUILDING • 209 EAST JOPPA ROAD
TOWSON, MARYLAND 21204 • VAlley 3-0820

DESCRIPTION FOR SPECIAL EXCEPTION TO ZONING,
NO. 1707 REISTERSTOWN ROAD, 3RD DISTRICT,
BALTIMORE COUNTY, MARYLAND

BEGINNING for the same at a point on the Northeast side of Reisterstown Road, 66 feet wide, said point being at the distance of 182.23 feet measured Southeastly along the Northeast side of Reisterstown Road from the Southeast side of Village Road and running thence and binding on the Northeast side of Reisterstown Road South 34 Degrees 49 Minutes East 93.02 feet thence leaving the Northeast side of Reisterstown Road and running North 40 Degrees 34 Minutes East 236.73 feet, North 49 Degrees 26 Minutes West 90.00 feet and South 40 Degrees 34 Minutes West 213.27 feet to the place of beginning.

CONTAINING 0.46 acres of land, more or less.



5.27.70

OFFICE COPY
2C
NW 8 F

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Mr. Edward D. Hardisty, Zoning Commissioner
September 4, 1970
FROM: Mr. George E. Gavrelli, Director of Planning
SUBJECT: Petition 71-88-XA. Northeast side of Reisterstown Road 182.23 feet south of Village Road.
Petition for Variance to permit a car wash.
Merrell M. Rief, et al - Petitioners

3rd District

HEARING: Wednesday, September 9, 1970 (2:00 p.m.)

The Staff of the Office of Planning and Zoning has reviewed the subject petition for a special exception for a car wash. Although we deny the creation of yet another ribbon commercial activity here, we recognize that the property is zoned commercial and that the application seems to meet the requirements set forth in the Regulations for car wash facilities.

If granted, the granting should be conditioned upon provision of appropriate widening for Reisterstown Road, and complete compliance with a development plan approved by appropriate State and County agencies. A further condition should be imposed prohibiting any overflow stack-up on Reisterstown Road for vehicles awaiting entry to the facility during peak periods. An attendant should be required to wave off traffic in such instances.

GEG:msh



BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

July 20, 1970

COUNTY OFFICE BUILDING
111 E. CHESAPEAKE
TOWSON, MARYLAND 21204
MEMBERS
OLIVER L. MYERS
Chairman
BUREAU OF
ENGINEERING
DEPARTMENT OF
TRAFFIC ENGINEERING
STATE ROADS COMMISSION
BUREAU OF
HIGHWAY CONSTRUCTION
HEALTH DEPARTMENT
PLANNING
BUILDING DEPARTMENT
BUREAU OF
ZONING
REGISTRATION
DEPARTMENT

Fred E. Waldrop, Esquire
202 Loyola Federal Building
Towson, Maryland 21204

RE: Type of Hearing: Re-classification
and Special Exception
Location: N/E/S of Reisterstown Road
Petitioners: Merrell M. Rief and
Murray Kirshenbaum
Committee Meeting of June 23, 1970
3rd District
Item 367

Dear Mr. Waldrop:

The Zoning Advisory Committee has reviewed the plans submitted with the above referenced petition and has made an on site field inspection of the property. The following comments are a result of this review and inspection.

The subject property is located on the northeast side of Reisterstown Road. It is currently an undeveloped commercial lot that lies adjacent to the entrance to the Hillside Reservoir, property on the south is improved with a dwelling, an existing Shell Service Station on the north and residential property to the east. There is curb and gutter existing along Reisterstown Road at this point.

STATE OF MARYLAND

Reisterstown Road (U.S. 110) is a State Road; therefore, all improvements, intersections, and entrances on this road will be subject to State Roads Commission requirements.

Storm Drainage

Provisions for accommodating storm water or drainage have not been indicated on the submitted plan.

The petitioner must provide necessary drainage facilities (see above or provisions) to prevent creating any nuisance or damage 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.

Fred E. Waldrop, Esquire
Item 367

Reisterstown Road (U.S. 110) is a State Road. Therefore, drainage requirements as they affect the road come under the jurisdiction of the Maryland State Roads Commission.

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 a stripping of top soil.

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

Water

Public water supply is available to serve this property.

Sanitary Sewer

Public sanitary sewerage is available to serve this property.

BUILDING DEPARTMENT'S OFFICE

Petitioner to comply with all applicable requirements of Baltimore County Building Code and regulations when plans are submitted.

HEALTH DEPARTMENT

Public water and sewers are available.

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

DEPARTMENT OF PUBLIC WORKS

The subject petition is requesting a special exception for a car wash. Since the land is presently in, there should be no major increase in trip density. The plan appears to meet County standards as to stacking spaces.

REISTERSTOWN

The owner shall be required to comply to all applicable requirements of the 101 Fire Safety Code, 1967 edition, and the Fire Prevention Code when construction plans are submitted for approval.

Fred E. Waldrop, Esquire
Item 367

STATE ROADS COMMISSION

The proposed curb at the subject site must return into the adjacent road to the reservoir on a 10' radius. The existing inlet at the corner must be relocated accordingly.

A 30' wide entrance would be sufficient to serve the type of business proposed.

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

Access to Reisterstown Road will be subject to State Roads Commission approval and permit.

ROAD OF IMPROVEMENT

No bearing on student population.

ZONING ADMINISTRATION DIVISION

The subject petition is being withheld from a hearing date until the State Roads Commission comments are completed with and revised plans are received.

Very truly yours,
Oliver L. Myers
OLIVER L. MYERS
Chairman

OLM:m

Enclosures

251603

71-88-XA

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District: 3rd Date of Posting: Aug. 21-1970
Posted for: SPECIAL EXCEPTION & VARIANCE
Petitioner: MERRELL M. RIEF
Location of property: N/E/S OF REISTERSTOWN RD. 182.23' S OF VILLAGE RD.
Location of Sign: 1707 REISTERSTOWN RD.
Remarks: Charles T. Mull
Posted by: Charles T. Mull Date of return: Aug. 27-1970

**PETITION FOR SPECIAL
EXEMPTION AND VARIANCE
AND SURVEY**

ZONING: Petition for Special Exemption for a Car Wash, Station for Variance for Side Yard.

LOCATION: Northeast side of Chesapeake Road, 195.25 feet south of Village Road.

DATE & TIME: Wednesday, September 10, 1970, 8:00 P.M.

PUBLIC HEARING: Room 104, Courthouse Building, 111 W. Chesapeake Avenue, Towson, Maryland.

The Zoning Commissioner of Baltimore County, in accordance with the provisions of the Charter of Baltimore County, will hold a public hearing.

Petition for Special Exemption for a Car Wash, Station for Variance for Side Yard.

Referring to the variance from the Zoning Regulations of Baltimore County to permit a side yard of 10 feet instead of the required 15 feet, the Zoning Regulations to be amended to read:

Section 171-26 Side Yard-For commercial buildings, none required on interior lots, except that where the lot fronts a lot in a residential district, the side yard shall not be less than the greater of the width of the lot or the width of the lot fronting the lot.

Section 171-27 The width of the lot shall be not less than 10 feet.

Section 171-28 The width of the lot shall be not less than 10 feet.

Section 171-29 The width of the lot shall be not less than 10 feet.

Section 171-30 The width of the lot shall be not less than 10 feet.

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Section 171-100 The width of the lot shall be not less than 10 feet.

The Zoning Commissioner of Baltimore County, in accordance with the provisions of the Charter of Baltimore County, will hold a public hearing.

Petition for Special Exemption for a Car Wash, Station for Variance for Side Yard.

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CERTIFICATE OF PUBLICATION

TOWSON, MD. August 20, 1970.

THIS IS TO CERTIFY that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md. once in each of one time ~~times~~ weeks before the 9th day of September, 1970, the first publication appearing on the 20th day of August, 1970.

THE JEFFERSONIAN

Manager

Cost of Advertisement \$

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

Item 367

Frederic E. Waldrop, Esquire
302 Loyola Federal Building
Towson, Maryland 21204

County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your Petition has been received and accepted for filing this

7th day of August, 1970

Edward D. Handberg
Zoning Commissioner

Petitioner: Harrell H. Rief and Harvey Kirsch

Petitioner's Attorney: Fred E. Waldrop

Reviewed by: [Signature]
Chairman of the Advisory Committee

TELEPHONE
404-2413

INVOICE

No. 73773

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE

DATE: Aug. 12, 1970

Revenue Division
COURT HOUSE
TOWSON, MARYLAND 21204

BILLED BY

TO: Angelo Beraniche, Jr.
115 Hillside Road
Baltimore, Md. 21228

Zoning Dept. of Baltimore County

REPORT TO ACCOUNT NO. 91-622

RETURN THIS PORTION WITH YOUR REMITTANCE

TOTAL AMOUNT
\$50.00

DETACH ALONG PERFORATION AND KEEP THIS PORTION FOR YOUR RECORDS

QUANTITY

Petition for Special Exemption and Variance for Harrell H. Rief, et al
9/1-88-1

50.00

IMPORTANT: MAKE CHECKS PAYABLE TO BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE, REVENUE DIVISION
MAIL TO COURTHOUSE, TOWSON, MARYLAND 21204

TELEPHONE
404-2413

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE

No. 75473

DATE: Aug. 12, 1970

Revenue Division
COURT HOUSE
TOWSON, MARYLAND 21204

BILLED BY

Zoning Dept. of Baltimore County

TO: Monday Order #017537

REPORT TO ACCOUNT NO. 91-622

RETURN THIS PORTION WITH YOUR REMITTANCE

TOTAL AMOUNT
\$32.50

DETACH ALONG PERFORATION AND KEEP THIS PORTION FOR YOUR RECORDS

QUANTITY

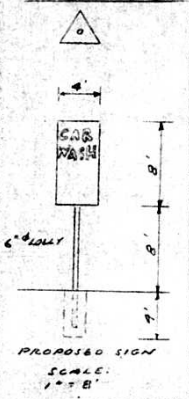
Advertising and posting of property for Harrell H. Rief, et al
9/1-88-1

32.50

IMPORTANT: MAKE CHECKS PAYABLE TO BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE, REVENUE DIVISION
MAIL TO COURTHOUSE, TOWSON, MARYLAND 21204

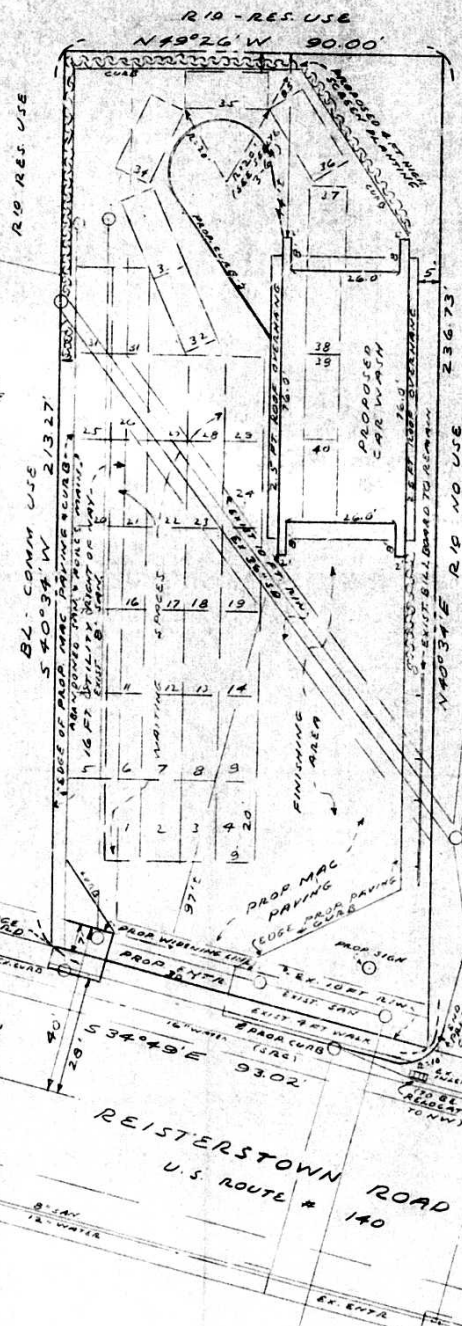
EXISTING ZONING BL
 PROPOSED ZONING BL
 WITH SPECIAL EXCEPTION FOR CAR
 WASH AND SIDE YARD VARIANCE
 NET AREA: 0.46 AC
 GROSS AREA: 0.53 AC
 PARKING FOR CAR WASH AS
 DEFINED IN SECTION 419.2
 40 STORAGE SPACES REQUIRED
 40 STORAGE SPACES PROVIDED
 NO LIGHTING TO BE PROVIDED
 VARIANCE:

TO SECTION 232.2 TO PERMIT
 5 FT SIDE YARD INSTEAD OF
 THE REQUIRED 15 FT
 (MANUFACTURER'S RATED
 HOURLY PRODUCTION
 CAPACITY: 55")
 3RD DISTRICT



EXIST SERVICE STATION

182.43 FT TO VILLAGE RD
 EX. ENTR.



CURRENT REQUEST
 FOR CHANGE FROM
 R19 TO BL

1STY
 SHINGLE
 GARAGE

2STY
 SHINGLE
 DWG

#267
 OFFICE COPY
 EX-ENTR

REVISED PLANS
 AUG 11: 70 AM



PLAT FOR SPECIAL EXCEPTION
 NO 1707 REISTERSTOWN RD
 3RD DISTRICT
 BALTIMORE CO, MD.



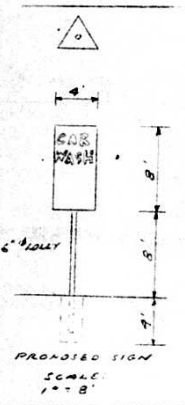
REVISED JULY 31, 1970
 JOSEPH D THOMPSON
 ENGINEERS AND SURVEYORS
 101 SHELL BLDG 2006 JONAH RD
 TOWSON, MD MAY 28, 1970
 SCALE: 1" = 20'



R10 - RES USE

N 49° 26' W 90.00'

EXISTING ZONING: BL
 PROPOSED ZONING: R10
 WITH SPECIAL EXCEPTION FOR CAR
 WASH AND SIDE YARD VARIANCE
 NET AREA: 0.46 AC
 GROSS AREA: 0.53 AC
 PARKING FOR CAR WASH AS
 DEFINED IN SECTION 419.2
 40 STORAGE SPACES REQUIRED
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 NO LIGHTING TO BE PROVIDED
 VARIANCE:
 TO SECTION 232.2 TO PERMIT
 5' SIDE YARD INSTEAD OF
 THE REQUIRED 15' (MANUFACTURER'S RATED
 HOURLY PRODUCTION
 CAPACITY: 551
 3RD DISTRICT



EXIST SERVICE STATION

192.27 FT TO VILLAGE
 EX. ENTR.

66' 10' 40' 29'

66' 10' 40' 29'

66' 10' 40' 29'

66' 10' 40' 29'

66' 10' 40' 29'

66' 10' 40' 29'

66' 10' 40' 29'

66' 10' 40' 29'

66' 10' 40' 29'

66' 10' 40' 29'

R10 RES USE

BL COMM USE

540.34' W 213.27'

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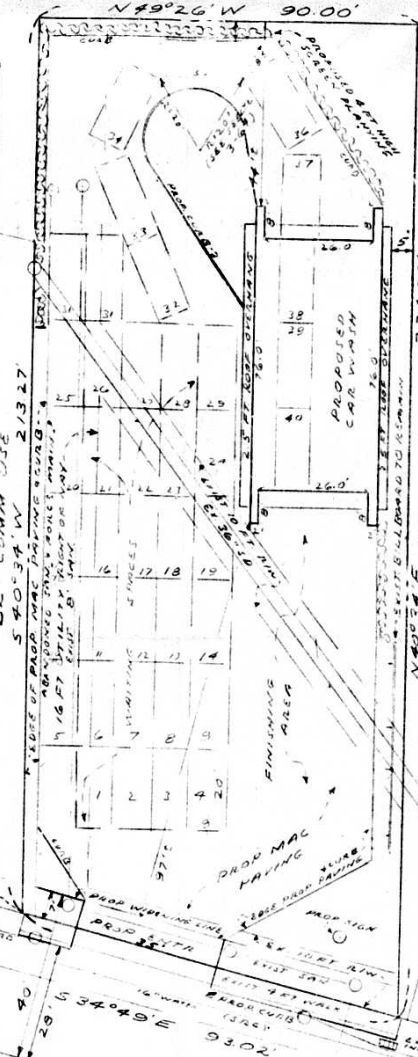
540.34' W 213.27'

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N 49° 26' W 236.73'

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EXIST 5.0

EXIST 5.0

EXIST 5.0

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EXIST 5.0

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EXIST 5.0

EXIST 5.0

36' WALK

36' WALK

36' WALK

36' WALK

36' WALK

36' WALK

36' WALK

36' WALK

36' WALK

36' WALK

NO ZONE

NO ZONE

NO ZONE

NO ZONE

NO ZONE

NO ZONE

CURRENT REQUEST
 FOR CHANGE FROM
 R10 TO BL

1STY
 SHINGLE
 GARAGE

2STY
 SHINGLE
 DWG

OFFICE COPY
 ZC NW 8F

REISTERSTOWN CO
 1000' SCALE

#71-88XA
 MAP
 #3
 SEC. 2-C
 NW-8-F

"XA"

PLAT FOR SPECIAL EXCEPTION
 NO 1707 REISTERSTOWN RD
 3RD DISTRICT
 BALTIMORE CO., MD

JOSEPH D THOMPSON
 ENGINEERS AND SURVEYORS
 101 SMALL BLVD 200E JOPPA RD
 TOWSON, MD MAY 28, 1970
 SCALE 1"=20'

3499

