

PETITION FOR SPECIAL EXCEPTION AND VARIANCES

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, **Salvo Realty, Inc.**, legal owner 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 405.44 of the Zoning Regulations of Baltimore County, to permit curb tangent length of ten (10) feet instead of the required twenty (20) feet between the entrance and the point of tangency of the thirty (30) foot radius curve at the intersection of the South side of Route 40 at intersection of Allender Road and six (6) feet at the property line curb tangent on Route 40 instead of the required ten (10) feet for the following reasons: The wide corner radius required by the State Roads Commission, and other factors cause unreasonable hardship and practical difficulty without these variances.

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 an automotive-service station.

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.

SHELL OIL COMPANY	SALVO REALTY, INC.
by: <i>Frank F. Kelly, III, Agent</i>	by: <i>James D. Nolan</i>
Contract purchaser	Legal Owner
Address: 6201 Greenbelt Road	Address: 11509 Pulaski Highway
College Park, Md. 20740	White Marsh, Md. 21162
<i>James D. Nolan</i>	<i>James D. Nolan</i>
Petitioner's Attorney	Protestant's Attorney
Address: 204 W. Pennsylvania Ave.	Address: 204 W. Pennsylvania Ave.
Towson, Maryland 21204	Towson, Maryland 21204

ORDERED By The Zoning Commissioner of Baltimore County, this 7th day of September, 1971, 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 held before the Zoning Commission of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 27th day of October, 1971, at 10:30 o'clock.

Shirley D. Williams
Zoning Commissioner of Baltimore County

(over)

71087
1/4c
10/25/71

Re: PETITION FOR SPECIAL EXCEPTION AND VARIANCE FOR SALVO REALTY, INC. OF BALTIMORE COUNTY
Petition No. 72-106-XA

ORDER OF DISMISSAL WITHOUT PREJUDICE

Mr. Commissioner:

Please dismiss the within proceedings "Without Prejudice" to the rights of the Legal Owner, SALVO REALTY, INC., and Shell Oil Company, the Contract Purchasee.

James D. Nolan
James D. Nolan
Nolan, Plumbhoff & Williams
Attorney for the Petitioner
204 West Pennsylvania Ave.
Towson, Maryland 21204
Telephone: 853-7800

RE: PETITION FOR SPECIAL EXCEPTION AND VARIANCES
NE/corner of U.S. Route 40 and Allender Road - 11th District
Salvo Realty, Incorporated - Petitioner
NO. 72-106-XA (Item No. 20)

BEFORE THE
ZONING COMMISSIONER
OF
BALTIMORE COUNTY

The Petitioner has withdrawn its Petition, and it is, therefore, ORDERED by the Zoning Commissioner of Baltimore County this 2nd day of November, 1971, that the said Petition be and the same is hereby DISMISSED without prejudice.

Shirley D. Williams
Zoning Commissioner of Baltimore County

ORDER RECEIVED FOR FILING
9A 11/2/71
BY *Shirley D. Williams*

2515
HARFORD SURVEY ASSOCIATES
PROFESSIONAL LAND SURVEYORS AND ENGINEERS
March 25, 1971
LEO CLARK DOWNS, L.B.
ROBERT H. BYAL, L.B.
THOMAS H. STARK, L.B.
AREA CODE 201
DEL. AIR 830-0000
BALTO. 679-7920

PARTICULAR DESCRIPTION PARCEL OF LAND TO BE CONVEYED THE SHELL OIL COMPANY

BEGINNING FOR THE SAME at the point of intersection of the southeasterly right of way line of U.S. Route 40, 150 feet wide, and the northeasterly right of way line of Allender Road, 30 feet wide, said pipe being also set at the beginning of the 1st or North 45° - 26' - 13" East 175.0 foot line of the secondly described parcel of land conveyed by and described in a deed from B. Conway Taylor, Jr. to Salvo Realty, Inc. dated 5 May 1960 and recorded among the Land Records of Baltimore County in Liber M.J.R. 3704 folio 537, running thence and binding on the 1st line of the above mentioned parcel as now surveyed,

(1) North 45° - 06' - 07" East 175.00 feet to an iron spike now set at the beginning of the 2nd or South 44° - 33' - 47" East 75.0 foot line of the above mentioned parcel, running thence and binding on said 2nd line an binding reversely on part of the 4th or North 44° - 33' - 47" East 140.98 foot line of the thirdly described parcel of land of the above mentioned deed recorded in Liber M.J.R. 3704 folio 537,

(2) South 44° - 53' - 53" East 150.00 feet to an iron pipe now set, thence for a new line of division through and across the land of the herein named grantor,

(3) South 46° - 34' - 29" West 215.45 feet to an iron pipe now set to intersect the 1st or South 28° - 56' - 47" East 59.10 foot line of the thirdly described parcel of land of the above mentioned deed recorded in Liber M.J.R. 3704 folio 537, thence binding reversely on part of the said 1st line of the thirdly described parcel and on the 4th or

THE SHELL OIL COMPANY

MARCH 25, 1971

North 28° - 56' - 47" West 120.0 foot line of the secondly described parcel of the aforesaid deed recorded in Liber M.J.R. 3704 folio 537, as now surveyed,
(4) North 20° - 16' - 53" West 150.00 feet to the place of beginning. Containing 0.66 acres of land more or less as surveyed by Harford Survey Associates in March 1971.
BEING A PART OF THAT PARCEL of land conveyed by and described in a deed from B. Conway Taylor, Jr. to Salvo Realty, Inc. dated 5 May 1960 and recorded among the Land Records of Baltimore County in Liber M.J.R. 3704 folio 537.

BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

August 11, 1971

James D. Nolan, Esq.,
204 W. Pennsylvania Avenue
Towson, Maryland 21204

RE: Type of Hearings: Special Exception
Locations: S/E Cor. Pulaski Highway and Allender Road

Petitioner: Salvo Realty, Inc.
Committee Meeting of July 20, 1971
15th District
Item 20

Dear Sirs:

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 east side of Pulaski Highway and just north of Allender Road. It is an unimproved, vacant tract of land that is adjacent to an existing one story building that is used for the sale of concrete pipes. There is existing curbing along Route 40 - Pulaski Highway at this location. However, none exists along Allender Road. To the south of the subject site there is a restaurant and commercial uses on the opposite side of Pulaski Highway. The rear is open farm land.

BUREAU OF ENGINEERING:

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 and entrances on this road will be subject to the State Highway Administration requirements.

Allender Road, an existing County road, is proposed to be improved as a 40-foot closed type highway cross section on a 70 foot right of way. Highway improvements, including highway right of way widening will be required in connection with any grading or building permit application. The petitioner is advised to contact the Chief of the Street, Road and Bridge Design Group of the Baltimore County Bureau of Engineering in regard thereto.

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The entrance locations are subject to approval by the Department of Traffic Engineering, and shall be constructed in accordance with Baltimore County Standards.

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.

Storm Drains:

Pulaski Highway (U.S. 40) is a State road. Therefore, drainage requirements as they affect the road come under the jurisdiction of the State Highway Administration.

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

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. Corrosion of any portion which may result, due to improper grading or improper installation of drainage facilities, could be the full responsibility of the petitioner.

Water and Sanitary Sewers:

Public water supply and sanitary sewerage are not available to serve this property which is utilizing private on site water and sanitary sewer facilities.

This property is located beyond the Baltimore County Metropolitan District and the Baltimore County Comprehensive Water and Sewerage Plan for 1970-1980.

DEPT. OF TRAFFIC ENGINEERING:

Since the land is presently zoned BR, the construction of a service station should not increase the trip density above that of BR.

BOARD OF EDUCATION:

No bearing on student population.

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STATE HIGHWAY ADMINISTRATION:

The subject plan indicates entrance channelization that meets minimum State Highway Administration requirements.

The entrances from Pulaski Highway will be subject to the Administration's approval and permit.

BUILDINGS ENGINEER'S OFFICE:

Petitioner to comply with all applicable requirements of Baltimore County Building Code and regulations. Also, see Section 409.5 and 514.4 on service stations.

ZONING ADMINISTRATION DIVISION:

This office is approving the subject petition; however, revised plans as required by the Bureau of Engineering and the Health Department will be required prior to the hearing. Also, the petitioner is advised that all phases of 8011 No. 40 will be enforced at the time of construction of the subject property regarding the service station.

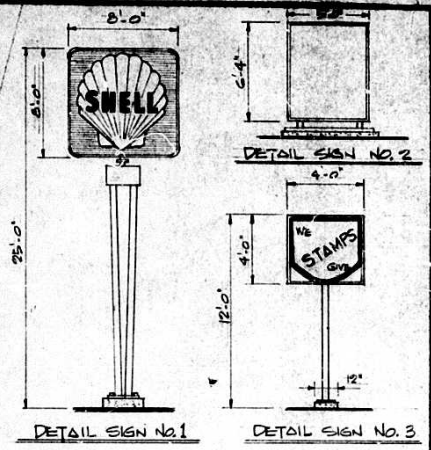
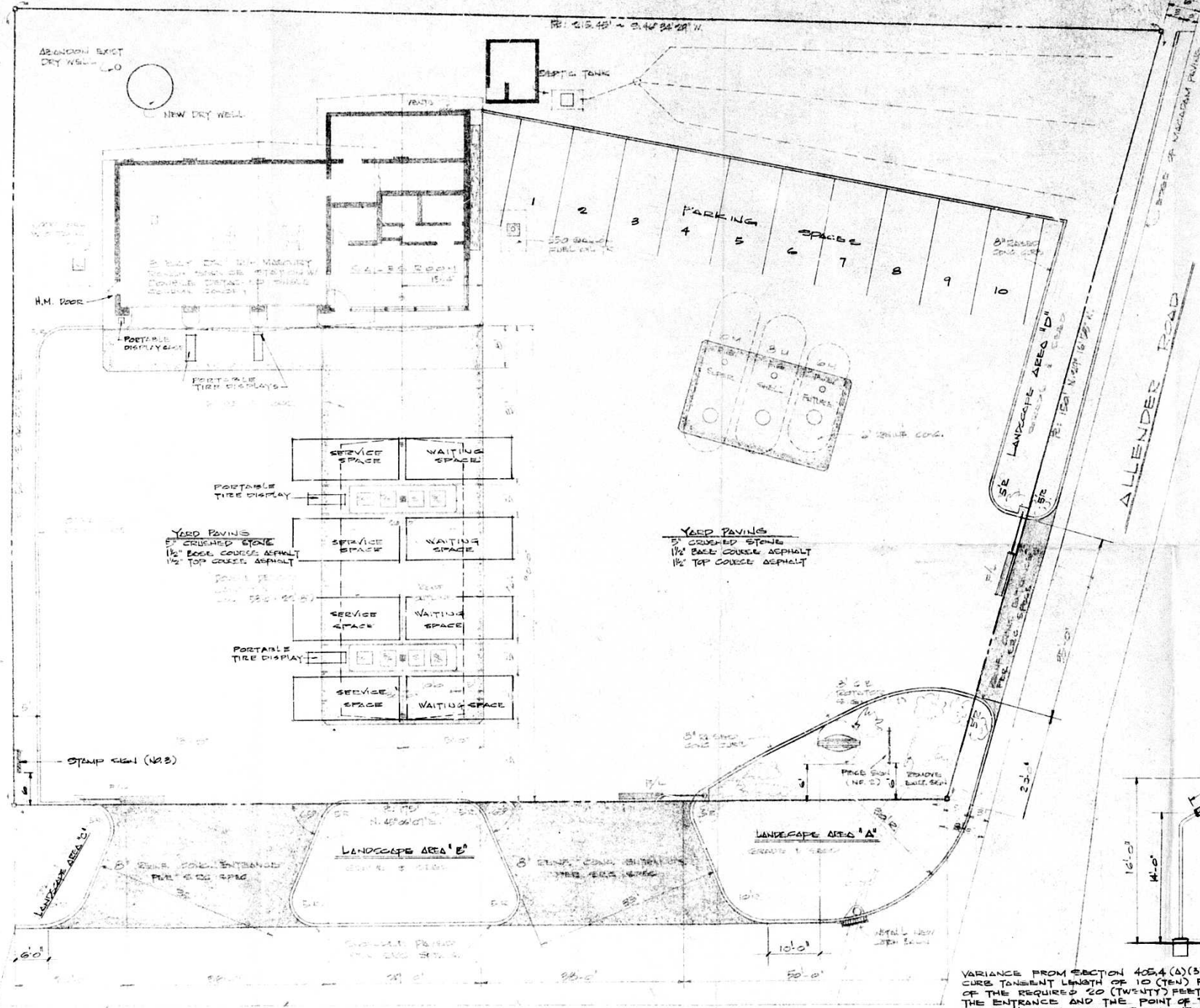
This petition is accepted for filing on the date of the enclosed filing certificate. Notice of the hearing date and time, which will be held not less than 30, nor more than 90 days after the date on the filing certificate, will be forwarded to you in the near future.

Very truly yours,

Oliver L. Myers
OLIVER L. MYERS, Chairman

CLH:JD
Enc.

N



ZONING NOTES

ZONING STATUS:
 EXISTING ZONING: BR EXISTING DISTRICT: C.S.I.

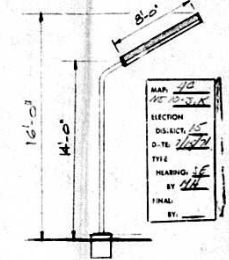
AREA REQUIREMENTS:
 TWO DISPENSER ISLANDS WITH 3 SINGLE DISPENSER PUMPS SERVING 4 CARS AT ONE TIME.
 TOTAL SERVICING SPACES - 4; TOTAL SERVICING BAYS - 3
 TOTAL BAYS & SPACES - 7
 SITE AREA REQUIRED - 7 X 1500 SQ. FT. = 10,500

ANCILLARY USES:
 1. VENDING MACHINES (4400) 2. TIRE SALES & INSTALLATION
 3. SALE AUTO PARTS & ACCESSORIES 4. VEHICLE REPAIR SERVICE
 5. MINOR ACCESSORY USES 6. LAWN MOWER SALES & REPAIR
 ADDITIONAL AREA REQUIRED - NONE
 PROPOSED COMBINATION USES - NONE
 TOTAL AREA REQUIRED - 10,500
 TOTAL AREA OF TRACTS - 29,250 SQ. FT.

ACCESS DRIVE:
 TWO DRIVEWAYS ON ROUTE #40 @ 35 FEET WIDE.
 ONE DRIVEWAY ON ALLENDER RD. @ 35 FEET WIDE.

LANDSCAPING:
 AREA 'A' = 1700 SQ. FT. AREA 'C' = 350 SQ. FT.
 AREA 'B' = 790 SQ. FT. AREA 'D' = 720 SQ. FT.
 TOTAL 3614 SQ. FT. = 12.3% OF TRACT
 8% OF BR TRACT = 1452.5 SQ. FT. MIN. REQUIRED.
 LANDSCAPING TO CONSIST OF 600 # VARIOUS LOW LEVEL SHRUBS.
PARKING:
 PARKING SPACES REQ'D - 9
 PARKING SPACES PROVIDED - 10

LIGHTING:
 THREE FLUORESCENT FLATLIGHTS ON CONCRETE BASE.



VARIANCE FROM SECTION 405.4 (A)(5)(A) TO FRONT CURB TANGENT LENGTH OF 10 (TEN) FEET INSTEAD OF THE REQUIRED 20 (TWENTY) FEET BETWEEN THE ENTRANCE AND THE POINT OF TANGENCY OF THE 30' RADIUS CURVE AT THE INTERSECTION AND 6 (SIX) FEET AT THE PROPERTY LINE CURVE TANGENT INSTEAD OF THE REQUIRED 10 (TEN) FEET.

U.S. ROUTE No. 40

1	4/71	4	ADDED PERMIT REQUIREMENTS
2	5/71	6	REVIEW OF D.D. 0142 PERM.
NO. DATE BY			REVISIONS
SHELL OIL COMPANY EASTERN MARKETING REGION			
SERVICE STATION - GENERAL LAYOUT U.S. ROUTE #40 & ALLENDER BALTIMORE COUNTY, MARYLAND			
APPROVALS		SCALE 1" = 10'	
REGION	DISTRICT	DATE	BY
ENGR. MGR.	DIST. ENGR.	4/15/71	J. DAVE
DETAL. MGR.	PLANT SUPV.		
R.E. MGR.	R.E. REP.		
INTS. MGR.	SALES SUPV.		
	DIST. MGR.		
			D-7112-1

