

PETITION FOR ZONING REDISTRICTING AND/OR SPECIAL EXCEPTION VARIANCES AND ANCILLARY USES

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, **Franklin L. Byers & Son, Inc.**, 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-districted, pursuant to the Zoning Law of Baltimore County, from **B.L.-C.C.C.A. (Commercial Core) District** to a **B.L.-C.S.A. (Commercial) District**, for the following reasons:

- (a) The property meets all the criteria for a C.S.A. District due to its location on Liberty Road and its proximity to the Liberty Plaza Shopping Center.
- (b) And for such other and further reasons as shall be shown at the time of the hearing hereon.
- (2) For a Variance from Section 405.4B.5. of the Zoning Regulations of Baltimore County to permit light standards or luminaires fifteen (15) feet in height, in lieu of the required eight (8) feet.

see attached description

and (3) for a Special Exception, under the said Zoning Law and Zoning Regulations of Baltimore County, to use the herein described property for **an R.E.E. in combination car wash with automotive service station** pursuant to Section 405.4D.4 and 410; and the following ancillary uses, as set forth in Sections 405.4D.5, 405.4E.5, and 410, in connection with the automotive service station and use in combination car wash, as permitted by zoning regulations. (see attached sheet)

I, or we, agree to pay expenses of above redistricting and/or Special Exception advertising, printing etc. upon filing of his petition, and irriter agree to and are to be bound by the zoning ordinances and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Franklin L. Byers and Son, Inc.
Bank and Haven Streets, Baltimore, Md.
By: **Anthony J. Tampieri**, Contract purchaser
Address: **401 Eageret St., N.E.** Washington, D.C. 20001
Address: **8728 Liberty Road** Randallstown, Maryland 21133

James D. Nolan, Petitioner's Attorney
Address: **204 West Pennsylvania Avenue** Towson, Md. 21284 823-7800

ORDERED By The Zoning Commissioner of Baltimore County, this 15th day of February, 1974, 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 104, County Office Building in Towson, Baltimore County, on the 17th day of February, 1974, at 10:00 o'clock

Eric DiNenna, Zoning Commissioner of Baltimore County, 12/13/72

ORDER RECEIVED FOR FILING

73-142-RXA
73-142-RXA
73-142-RXA

RE: PETITION FOR DISTRICTING : BEFORE :
from CCC to CSA District; : :
SPECIAL EXCEPTION for : :
Combination Carwash with : :
Automotive Service Station; : :
VARIANCE from Section 405.4B.5 : BALTIMORE COUNTY :
of Baltimore County Zoning Regulations : :
NE corner of Liberty Road and : :
Brenbrook Road : :
2nd District : :
Franklin L. Byers and Son., Inc. : No. 73-142-RXA :
(BP Oil Corporation, contr. pur.) : :
Petitioners : : : : : :

ORDER OF DISMISSAL

Petition of Franklin L. Byers and Son, Inc. (BP Oil Corporation, contract purchaser) for redistricting from CCC to CSA District, Special Exception for use in combination carwash with automotive service station, and Variance from Section 405.4B.5 of the Baltimore County Zoning Regulations, on a property located on the northeast corner of Liberty Road and Brenbrook Road, in the 2nd District of Baltimore County.

WHEREAS, the Board of Appeals is in receipt of an Order of Dismissal of appeal filed February 15, 1974 (a copy of which is attached hereto and made a part hereof) from the attorney representing the Protestants-Appellants in the above entitled matter.

WHEREAS, the said attorney for the said Protestants-Appellants requests that the appeal filed on behalf of said Protestants be dismissed and withdrawn as of February 15, 1974.

IT IS HEREBY ORDERED, this 20th day of February, 1974, that said appeal be and the same is Dismissed.

COUNTY BOARD OF APPEALS OF BALTIMORE COUNTY

John A. Slawik, Chairman
W. Giles Parker
Walter A. Keiser, Jr.

FRANKLIN L. BYERS & SON, INC. :
(BP Oil Corporation; Contract Purchase) : :
Petitioners : :
ANTHONY J. TAMPIERI : Protestants : :
in behalf of : :
JOHN J. FERNANDEZ : :
Case no. 73-142-RXA

ORDER OF DISMISSAL

MR. CLERK:

Please dismiss our Request for an Appeal on the above referred matter, without prejudice.

John J. Fernandez
John J. Fernandez
Attorney for Protestants
400 Loyola Fed. Bldg.
Towson, Md. 21204
Phone: 821-9387

Anthony J. Tampieri
Anthony J. Tampieri
February 15, 1974

ANTHONY J. TAMPIERI, P.A.
ATTORNEY AT LAW
SUITE 400
LOYOLA FEDERAL BLDG.
24 W. PENNSYLVANIA AVENUE
TOWSON, MD. 21204

MARYLAND SURVEYING AND ENGINEERING CO., INC.

6707 WHITESTONE ROAD BALTIMORE, MARYLAND 21207 TELEPHONE: 301-944-9251
ENGINEERING SURVEYING PLANNING

ZONING DESCRIPTION

B. P. OIL CORPORATION
N.W. CORNER OF LIBERTY ROAD @ BRENBROOK DR.

Beginning for the same at a point formed by the intersection of the North Side of Liberty Road, 66 feet wide, and the West Side of Brenbrook Road, 70 feet wide; thence leaving said point of beginning and running and binding on the Northeast right-of-way line of said Liberty Road, as now surveyed N 64° 40' 12" W, 169.12 feet; thence leaving the Northeast Right-of-Way line of said Liberty Road and running for two "New-Line-of-Division" (1) N 25° 19' 48" E, 207.00 feet, (2) S 64° 40' 12" E, 160.00 feet, to intersect the Northeast Right-of-Way line of Brenbrook Drive, 70 feet wide, as shown on Baltimore County Right-of-Way Plat No. 58-027; thence running and binding on said Northwest Side of Brenbrook Drive S 25° 19' 48" W, 190.00 feet; thence S 72° 44' 36" W, 14.78 feet; thence S 25° 19' 48" W, 7.00 feet to the place of beginning.

Containing 0.757 acres more or less. (before widening).

Being part of the land described in a conveyance from Franklin L. Byers & wife to Franklin L. Byers & Son, Inc. by deed dated November 4, 1955 and recorded among the Land Records of Baltimore County in Liber 2871 at folio 1.

Subject to a S.R.C. Widening along Liberty Road as shown on Maryland State Roads Commission Right-of-Way Plat No. 25145.

Signed This 15th day of February, 1974

SCALE _____ ft. - 1 inch

File No. 2215-2



BP OIL INC.

BANK AND HAVEN STREETS, BALTIMORE, MD. 21204

February 21, 1974

Baltimore County Office of Planning & Zoning
111 W. Chesapeake Avenue
Towson, Maryland 21204

Attn: Mr. Eric DiNenna,
Zoning Commissioner

Re: Liberty Road & Brenbrook Drive
Baltimore County, Maryland

Dear Mr. DiNenna:

On March 15, 1973 re-districting from a CCC to a CSA and a Special Exception for a use in combination car wash with an automobile service station was granted for the subject location.

An Appeal was made by Mr. Anthony J. Tampieri, Attorney in Behalf of John J. Fernandez, Protestants. Mr. Tampieri requested, without prejudice, a dismissal of this Appeal and said order of dismissal was signed by the Board of Appeals on February 20, 1974.

Although there existed a thirty (30) day appeal period, I would appreciate your office processing the building permits for the subject location prior to the expiration of the appeal period.

I fully understand that should the permits issue during the appeal period, your office will hold said permits until the appeal period has expired. Should an appeal be filed during the prescribe period, BP shall assume and relieve Baltimore County of all cost, liability, and responsibility regarding building permits for the subject location.



FILE 73-142-RXA

Mr. Eric DiNenna
February 21, 1974
Page 2

Your continued cooperation in this matter is greatly appreciated. If I can be of any further service regarding this matter, please advise.

Respectfully yours,
BP OIL INC.

S. K. Dunn
S. K. Dunn
Real Estate Representative

SKD:d1l

ANTHONY J. TAMPIERI
ATTORNEY AT LAW
SUITE 400
LOYOLA FEDERAL BUILDING
24 W. PENNSYLVANIA AVENUE
TOWSON, MARYLAND 21204

April 5, 1973

Balto. Co. Office of Planning & Zoning
Office of Zoning Commissioner
111 W. Chesapeake Avenue
Towson, Maryland 21204

Attention: Mr. S. Eric DiNenna
Zoning Commissioner

Re: Petition for re-districting special exception and variance N.E. corner of Liberty and Brenbrook Roads, 2nd District Franklin L. Byers and son, inc. - petitioners No. 73-142-RXA (item no. 43) Protestants - John J. Fernandez, Jr.

Dear Mr. Commissioner:

Please enter an appeal to the County Board of Appeals on behalf of the Protestants, John J. Fernandez, Jr., from the decision of S. Eric DiNenna, Zoning Commissioner, entered in favor of the Petitioner on March 15, 1973 on the above referenced petition. Attached hereto is my personal check in the amount of \$50.00 for the cost of the appeal and the posting of the signs.

Very truly yours,

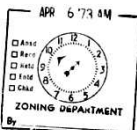
Anthony J. Tampieri
Anthony J. Tampieri
Attorney for Protestants

AJT:tar

CC: James D. Nolan, Attorney for Petitioner
204 W. Pennsylvania Avenue
Towson, Maryland 21204

CC: Louis A. Scholz, Esq.
850 State Route #32
Sykesville, Md. 21784

CC: Mr. John J. Fernandez, Jr.
1007 Arvon Road
Baltimore, Maryland 21212



MAY 17 1974

PETITION FOR SPECIAL EXCEPTION
BALTIMORE COUNTY, MARYLAND

Pursuant to the advertisement, posting of property, and public hearing on the above Petition and it appearing that by reason of the requirements of Section 259.2.B. of the Baltimore County Zoning Regulations having been met, the Redistricting should be had, and it further appearing that by reason of the requirements of Sections 405.4D.4., 419., 405.3., 405.4C.2., 8., and 12., and 502.1 of the Baltimore County Zoning Regulations having been met, a Special Exception for a Use in Combination Car Wash with an Automotive Service Station, including the above ancillary uses in connection with the Automotive Service Station and Use in Combination Car Wash, should be granted.

IT IS ORDERED by the Zoning Commissioner of Baltimore County this 15th day of March, 1972, that the herein described property or area should be and the same is hereby re-districted from a C.C.C. District to a C.S.A. District and a Special Exception for a Use in Combination Car Wash with an Automotive Service Station, including the above ancillary uses in connection with the Automotive Service Station and Use in Combination Car Wash, should be and the same is GRANTED, from and after the date of this Order, subject to the approval of a site plan by the State Highway Administration, the Department of Public Works, and the Office of Planning and Zoning, posting of property and public hearing on the above petition and it appearing that by reason of failure to show practical difficulty or unreasonable hardship, the Variance should NOT BE GRANTED.

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 15th day of March, 1972, that the herein described property or area should be and the same is hereby re-districted from a C.C.C. District to a C.S.A. District and a Special Exception for a Use in Combination Car Wash with an Automotive Service Station, including the above ancillary uses in connection with the Automotive Service Station and Use in Combination Car Wash, should be and the same is GRANTED, from and after the date of this Order, subject to the approval of a site plan by the State Highway Administration, the Department of Public Works, and the Office of Planning and Zoning, posting of property and public hearing on the above petition and it appearing that by reason of failure to show practical difficulty or unreasonable hardship, the Variance be and the same is hereby DENIED.

John J. Dillon, Jr.
Zoning Commissioner of Baltimore County

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Mr. S. Eric DiNenna, Zoning Commissioner Date: December 4, 1972
FROM: Norman E. Corber, Office of Planning
SUBJECT: Petition 73-142-RKA, Northeast corner of Liberty Road and Brenbrook Road. Petition for Special Exception for a use in combination carwash with automotive service station and the following ancillary uses in connection with the automotive service station and use in combination carwash. Petition for Variance for light standards. Petitioner - Franklin L. Byers and Sons, Inc.

2nd District
HEARING: Wednesday, December 13, 1972 (10:00 A.M.)

The staff of the Office of Planning and Zoning has reviewed the subject petition and has the following comments to offer.

The owner should submit a development plan for the entire property before any decision is made on the use for this parcel.

This location meets the criteria for location of a C.S.A. District, and was part of a somewhat larger area recommended for C.S.A. by the Planning Board to the County Council in 1967. After review and public hearing the County Council then adopted C.C.C. for this parcel in 1968. This was not an issue during the Comprehensive Map procedure leading to the 1971 adoption of the Comprehensive Zoning Maps.

If the proof of Sec. 502.1 are met for the carwash any construction should be conditioned to conformance with an approved plan.

NEG:rw



BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

COUNTY OFFICE BUILDING
JEFFERSON BUILDING
TOWSON, MARYLAND 21284

September 19, 1972
James D. Nolan, Esq.,
204 W. Pennsylvania Avenue
Towson, Maryland 21284

Re: Redistrict from C.C.C. to C.S.A., Special Exception for car wash and Variance from light height - Petition Item #43
Franklin L. Byers & Son, Inc., - Petitioners

Dear Mr. Nolan:

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 northwest corner of Liberty Road and Brenbrook Drive, in the 2nd District of Baltimore County. The subject property is inherently a part of a larger tract of land owned by Mr. Byers and is currently improved with a small wooden structure that is used as a tavern and town office. The property to the west is improved with the Loring Byers Funeral Home and the property to the north is owned by Baltimore County and is improved with the Randallstown Fire Department. The property on the east side of Brenbrook Drive is improved with an ABC Service Station, which is directly adjacent to the Liberty Plaza Shopping Center. The south side of Liberty Road is improved with various establishments including a SP Service Station. There is an existing car wash immediately to the rear of the road station and whose exit is on the Brenbrook Drive.

After review of the subject petition and site plan, this office has the following comments:

A revised site plan must be submitted that indicates the existing uses on the south side of Liberty Road and any entrances that are opposite the subject site.

Also, the plan must indicate the existing entrances into the service station and the east side of Brenbrook Drive.

The petitioner is also advised that if he cannot

James D. Nolan, Esq.
Item 43
Page 2
September 19, 1972

revise his site plan to indicate a 90-foot curb tangent from the southernmost entrance to should amend his petition and request a Variance to Section 405.4A 3e.

Petitioner is also advised to familiarize himself with the comments of the Baltimore County Fire Department, State Highway Administration, Project Planning and Bureau of Engineering.

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,
John J. Dillon, Jr.
JOHN J. DILLON, JR.,
Chairman
Zoning Advisory Committee

Baltimore County, Maryland
Department of Public Works
COUNTY OFFICE BUILDING
TOWSON, MARYLAND 21284

Bureau of Engineering
ELLsworth H. DYER, P. E. CHIEF
September 19, 1972

Mr. S. Eric DiNenna
Zoning Board member
County Office Building
Towson, Maryland 21284

Re: Item #43 (1972-1973)
Property Owner: Franklin L. Byers and Son
Present District: C.C.C.
Proposed District: C.S.A.
Special Exception for use and Variance from light height
District: 2nd Dist. (C.C.C. District)

Dear Mr. DiNenna:

The following comments are submitted in regard to the petition submitted to this office for review by the Zoning Advisory Committee re: the above subject item.

Highways:

Liberty Road (96.26) is a State Road; therefore, all improvements, intersections and entrances on this road will be subject to State Highway Administration requirements.

Brenbrook Drive, a County road, is improved as a 44-foot close-type roadway cross-section on a 70-foot right-of-way. No additional Highway improvements are proposed at this time. However, any construction or reconstruction of sidewalks, curb and gutter, entrance, apron, etc. in connection with the development of this site will be the full financial responsibility of the Petitioner.

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:

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

Item #43 (1972-1973)
Property Owner: Franklin L. Byers and Son
Page 2
September 19, 1972

Storm Drains: (Cont'd)

Liberty Road (96.26) is a State Road. Therefore, drainage requirements on any street that runs under the jurisdiction of the State Highway Administration.

The Petitioner must provide necessary drainage facilities (temporary or permanent) 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.

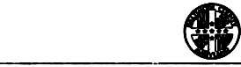
Water and Sanitary Sewer:

Public water and sanitary sewerage are available to serve this site.

Very truly yours,
Ellsworth H. Dyer
ELLSWORTH H. DYER, P. E.,
Chief, Bureau of Engineering

END:RNP:RW:MS
1-24 Key Sheet
25 TN 32 Petition Sheet
08/18/72
77 Tax Map

BALTIMORE COUNTY, MARYLAND
JEFFERSON BUILDING TOWSON, MARYLAND 21284



DEPARTMENT OF TRAFFIC ENGINEERING
EUGENE J. CLIFFORD, P. E.
Wm. T. NELSON
DEPT. TRAFFIC ENGINEER

September 18, 1972

Mr. S. Eric DiNenna
Zoning Commissioner
County Office Building
Towson, Maryland 21284

Re: Item 43 - ZAC - September 5, 1972
Property Owner: Franklin L. Byers and Son
Liberty Road & Brenbrook Road
Redistrict from C.C.C. to C.S.A., Special exception for car wash and variance from light height Dist. 2

Dear Mr. DiNenna:

This plan must be revised to show the future road widening on Brenbrook Drive prior to setting a hearing date.

Very truly yours,
Michael S. Flanagan
Michael S. Flanagan
Traffic Engineer Associate

MSF:nc

JJD:JD
Enclosure

Harry R. Hughes
Secretary
David H. Fisher
Admin. Director

September 5, 1972

Mr. S. Eric DiNenna
Zoning Commissioner
County Office Bldg.
Towson, Md.

Re: S.A.C. meeting, Sept. 5, 1972
Item #3, Property Owner:
Franklin L. Byers and Son
Location: Liberty Rd & S.
Brenbrook Rd.
Present Zoning: B.L.
Proposed Zoning: Redistrict
from C.C.C. to C.S.A.,
Special Exception for car-
wash and Variance from Light
height.
District 2 No. Acres 0.757

Dear Mr. DiNenna:

The subject plan is not clear, however it appears that the points of access from Liberty Road will be one way. If this is the case, we question the need for 35' wide entrance silt is our opinion that the widths could be reduced considerably.

The entrances must be depressed curb type. The plan must ultimately be revised. The entrances will be subject to approval and permit from the State Highway Administration.

Very truly yours
Charles Lee Chief,
Development Engineering Section
by: John E. Meyers
Asst. Development Engineer

CL-JEM:ms



P.O. Box 717 / 300 West Preston Street, Baltimore, Maryland 21203

Baltimore County Fire Department

J. Austin Deitz
Chief



Towson, Maryland 21204
928-7918

Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204

Attention: Mr. Jack Dillon, Acting
Zoning Advisory Committee
Chairman

Re: Property Owner: Franklin L. Byers and Son
Location: Liberty Road and Brenbrook Road
Item No. 43 Zoning Agenda Tuesday September 5, 1972

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.

- (X) 1. Fire hydrants for the referenced property are required and shall be located at intervals of 300 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 as...
(X) 4. EXCEEDS the maximum allowed by the Fire Department. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operations.
(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 "The Life Safety Code", 1970 Edition prior to occupancy.
() 6. Site plans are approved as drawn.
() 7. The Fire Prevention Bureau has no comments at this time.

Reviewed: John E. Meyers, Planning Group Deputy Chief
Special Inspection Division Fire Prevention Bureau

mls
4/25/72

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF HEALTH



JEFFERSON BUILDING
TOWSON, MARYLAND 21204

September 14, 1972

RONALD J. ROOP, M.D., M.P.H.
DEPUTY STATE AND COUNTY HEALTH OFFICER

Mr. S. Eric DiNenna, Zoning Commissioner
Office of Planning and Zoning
County Office Building
Towson, Maryland 21204

Dear Mr. DiNenna:

Comments on Item 43, Zoning Advisory Committee Meeting September 14, 1972, are as follows:

Property Owner: Franklin L. Byers and Son
Location: Liberty Road and Brenbrook Road
Present Zoning: B.L.
Proposed Zoning: Redistrict from C.C.C. to C.S.A., Special Exception for carwash and Variance from light height.
District: 2
No. Acres: 0.757

Department of Water Resources Comments: If lubrication work and oil changes are performed at this location, revised plans must be submitted showing method providing for the elimination of waste oil in accordance with the Department of Water Resources requirements.
Metropolitan water and sewer are available.

Very truly yours,
Thomas H. Devlin, Director
BUREAU OF ENVIRONMENTAL SERVICES

HVB:mms

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

A. V. Quimby
Acting Director

JEFFERSON BUILDING
TOWSON, MARYLAND 21204

September 18, 1972

S. ERIC DINENNA
Zoning Commissioner
County Office Building
111 W. Chesapeake Ave.
Towson, Md. 21284
963231

Mr. S. Eric DiNenna
Zoning Advisory Committee
Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204

Dear Mr. DiNenna:

Comments on Item #43, Zoning Advisory Committee Meeting, September 5, 1972, are as follows:

Property Owner: Franklin L. Byers and Son
Location: Liberty Road and Brenbrook Road
Present Zoning: B.L.
Proposed Zoning: Redistrict from C.C.C. to C.S.A., Special Exception for car-wash and Variance from light height.
District: 2
No. Acres: 0.757 acres

The site plan should be revised to show the following:

- 1. The proper tangent lengths for the driveway along Liberty Road.
2. The location of the driveway and parking areas for the adjacent property on Liberty Road

Very truly yours,

John L. Wimbley
Planning Specialist II
Project Planning Division
Office of Planning and Zoning

BOARD OF EDUCATION
OF BALTIMORE COUNTY

TOWSON, MARYLAND 21204

Date: September 5, 1972

Mr. S. Eric DiNenna
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Re: Item #43 ZAC meeting of September 5, 1972
Property Owner: Franklin L. Byers and Son
Location: Liberty Rd. and Brenbrook Rd.
Present Zoning: B.L.
Proposed Zoning: Redistrict from C.C.C. to C.S.A., Special Exception for car-wash and Variance from light height.

District: 2
No. Acres: 0.757 acres

Dear Mr. DiNenna:

No bearing on student population.

Very truly yours,
Wick Patonick
W. Mick Patonick
Field Representative

MHP:ld

BALTIMORE COUNTY
ZONING ADVISORY COMMITTEE



PETITION AND SITE PLAN
EVALUATION COMMENTS

PETITION FOR ADMINISTRATION
SPECIAL EXCEPTION AND
VARIANCE

RECORD: From C.C.C. District of C.S.A. District, Petition for Special Exception for a use in combination carwash, with automatic marine wash in combination with car wash and car wash in combination carwash.

LOCATION: Northeast corner of Liberty Road and Brenbrook Road.

The Zoning Commissioner of the Board of Commissioners of Baltimore County, will hold a public hearing on this petition...

CERTIFICATE OF PUBLICATION

TOWSON, MD. November 23, 1972

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 one time consecutive weeks before the 13th day of December, 1972, the first publication appearing on the 23rd day of November 1972.

THE JEFFERSONIAN
Manager

Cost of Advertisement, \$.....

LEGALS
PETITION FOR ADMINISTRATION SPECIAL EXCEPTION AND VARIANCE

LEGALS
To the information of the Board of Commissioners of Baltimore County, the following petition was filed...

CERTIFICATE OF PUBLICATION

70911
Pikesville, Md., Nov. 23, 1972

TO CERTIFY, that the annexed advertisement published in THE NORTHWEST STAR, a newspaper printed and published in Pikesville County, Maryland, once in each one time before the 13th day of December, 1972.

THE NORTHWEST STAR
Manager

Cost of Advertisement, \$ 38.50

73-142-RXA

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District 2nd Date of Posting MAY 8 - 1973
Posted for: APPEAL
Petitioner: FRANKLIN L. BYERS & SON, INC.
Location of property: N.E. CORNER LIBERTY RD AND BRENBROOK RD.
Location of Signs: 1/3 of LIBERTY RD. SO. W. OF BRENBROOK RD.
4-5-6 N/S OF BRENBROOK RD. SO. E. OF LIBERTY RD.
Remarks: _____
Posted by Charles P. Nolan Date of return MAY 11, 1973
Signature

6 51005 73-142-RXA

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District 2nd Date of Posting MAY 25, 1972
Posted for: REDISTRICTING & SPECIAL EXCEPTION & VARIANCE
Petitioner: FRANKLIN L. BYERS & SONS, INC.
Location of property: NE/COR. OF LIBERTY AND BRENBROOK ROADS.
Location of Signs: 1-2-3 N/S OF BRENBROOK RD. 75 FEET OF LIBERTY RD.
4-5-6 N/S OF LIBERTY RD. 40 FEET N. OF BRENBROOK RD.
Remarks: _____
Posted by Charles P. Nolan Date of return DEC. 4, 1972
Signature

PETITION MAPPING PROGRESS SHEET

FUNCTION	Wall Map		Original		Duplicate		Tracing		200 Sheet	
	date	by	date	by	date	by	date	by	date	by
Descriptions checked and outline plotted on map										
Petition number added to outline										
Denied										
Granted by ZC, BA, CC, CA										
Reviewed by: <u>JBN</u>					Revised Plans: Change in outline or description Yes _____ No _____					
Previous case:					Map # _____					

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

Item 43

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

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

Your Petition has been received and accepted for filing

this 20th day of September 1972.

Eric Dineen
Eric Dineen,
Zoning Commissioner

Petitioner Franklin L. Byers & Son, Inc.

Petitioner's Attorney James B. Nolan, Esq.

Reviewed by Eric Dineen
Chairman
Advisory Committee

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

No. 8260

DATE April 10, 1973 ACCOUNT 01-662

AMOUNT \$80.00

DISTRIBUTION
WHITE - CASHIER
PINK - AGENCY
YELLOW - CUSTOMER
Cost of Appeal and Posting of Property on Case
No. 73-142-RXA
NE/corner of Liberty and Brendbrook Roads - 2nd
District
Franklin L. Byers and Son, Incorporated - Petitioner
Anthony J. Tampieri, Esquire

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

No. 5847

DATE Dec. 11, 1972 ACCOUNT 01-662

AMOUNT \$28.50

DISTRIBUTION
WHITE - CASHIER
PINK - AGENCY
YELLOW - CUSTOMER
Messrs. Nolan, Plumbhoff and Williams
204 W. Penna. Ave.
Towson, Md. 21204
Advertising and posting of property for Franklin Byers
#73-142-RXA

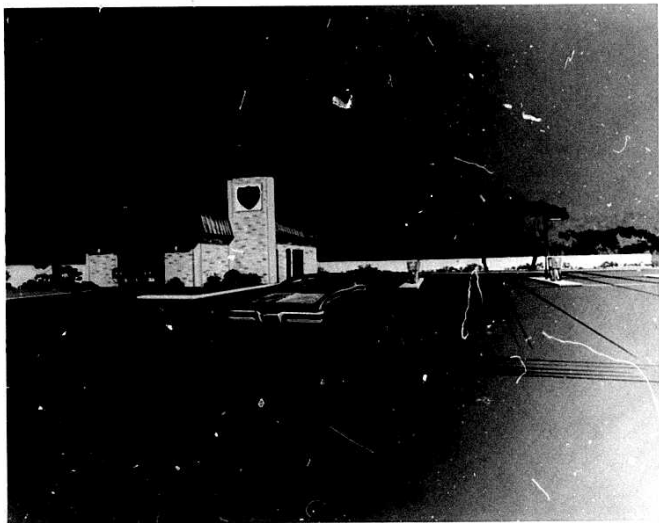
BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 5877

DATE Nov. 20, 1972 ACCOUNT 01-662

AMOUNT \$50.00

DISTRIBUTION
WHITE - CASHIER
PINK - AGENCY
YELLOW - CUSTOMER
Messrs. Nolan, Plumbhoff and Williams
204 W. Penna. Ave.
Towson, Md. 21204
Petition for Redistricting, Special Exception and Variance
for Franklin L. Byers and Sons, Inc. - #73-142-RXA



1000 1000



*Mr. Anderson
Young*

entA

RE: PETITION FOR DISTRICTING : BEFORE
 from CCC to CSA District; :
 SPECIAL EXCEPTION for : COUNTY BOARD OF APPEALS
 Combination Carwash with :
 Automotive Service Station; : OF
 VARIANCE from Section 405.4b.5 :
 of Baltimore County Zoning Regulations : BALTIMORE COUNTY
 NE corner of Liberty Road and :
 Brenbrook Road :
 2nd District :
 :
 Franklin L. Byers and Son., Inc. : No. 73-142-RXA
 (BP Oil Corporation, contr. pur.) :
 Petitioners :

ORDER OF DISMISSAL

Petition of Franklin L. Byers & Son, Inc. (BP Oil Corporation, contract purchaser) for redistricting from CCC to CSA District, Special Exception for use in combination carwash with automotive service station, and Variance from Section 405.4B.5 of the Baltimore County Zoning Regulations, on property located on the northeast corner of Liberty Road and Brenbrook Road, in the 2nd District of Baltimore County.

WHEREAS, the Board of Appeals is in receipt of an Order of Dismissal of appeal filed February 15, 1974 (a copy of which is attached hereto and made a part hereof) from the attorney representing the Protestant-Appellant in the above entitled matter.

WHEREAS, the said attorney for the said Protestant-Appellant requests that the appeal filed on behalf of said Protestant be dismissed and withdrawn as of February 15, 1974.

IT IS HEREBY ORDERED, this 20th day of February, 1974, that said appeal be and the same is Dismissed.

COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY

John A. Slowik
John A. Slowik, Chairman

W. Giles Parker
W. Giles Parker

Walter A. Reiter, Jr.
Walter A. Reiter, Jr.

FRANKLIN L. BYERS & SON, INC. *
 (B P Oil Corporation; Contract Purchase) *
 Petitioners *
 ANTHONY J. TAMPIERI * Protestant *
 in behalf of *
 JOHN J. FERNANDEZ *
 *
 *

BEFORE THE
COUNTY BOARD OF APPEALS

Case no. 73-142-RXA

ORDER OF DISMISSAL

MR. CLERK:

Please dismiss our Request for an Appeal on the above referred to matter, without prejudice.

John J. Fernandez
 John J. Fernandez
 by Anthony J. Tampieri
 Attorney for Protestant
 400 Loyola Fed. Bldg.
 Towson, Md. 21204
 Phone: 821-9387

Anthony J. Tampieri
 Anthony J. Tampieri
 February 15, 1974

Sec'd - 2 15794
March 14/74 - 2 158100

ANTHONY J. TAMPIERI, P.A.
 ATTORNEY AT LAW
 SUITE 400
 LOYOLA FEDERAL BLDG.
 22 W. PENNSYLVANIA AVE.
 TOWSON, MD. 21204