

73-29-RAX **PETITION FOR ZONING RE-CLASSIFICATION AND/OR SPECIAL EXCEPTION**

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, Gene C. Nipper, 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 (1) that the zoning status of the herein described property be re-classified, pursuant to the Zoning Law of Baltimore County, from an D.R.16 zone to an B.L.

- and, for the following reasons:
- 1.) that the Council committed errors in classifying the subject property D.R.16 as fully set out on the attached exhibit, a copy of which is incorporated by reference herein; and
 - 2.) that substantial changes have occurred in the neighborhood so as to alter its character since the property was so zoned by the Council, again as shown on the attached exhibit which is incorporated by reference herein.

and (2) for a variance from Section 405.4A.3 to permit a curb tangent of 10 ft. in lieu of the required 20 ft. on Liberty Road, and for a variance from Sec. 405.4B.5 to permit light standards 16 ft. in height in lieu of the required 8 ft. and for a Special Exception, under the said Zoning Law and Zoning Regulations of Baltimore County, to use the herein described property, for A.U.S. in combination convenience food store with automobile service station pursuant to Sec. 405.4D.8.

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.

Yes No Oil Co. Contract purchaser
By Tom H. Ross
Address 4 Garrison Court
Reisterstown, Md. 21116

Yes Mrs. Gene C. Nipper, Legal Owner
Widow
Address 3620 Liberty Road
Randallstown, Md. 21133

James D. Nolan Petitioner's Attorney
Address 204 M. Pennsylvania Ave.
Towson, Md. 21204

James D. Nolan Protestor's Attorney
Address 204 M. Pennsylvania Ave.
Towson, Md. 21204

ORDERED BY THE Zoning Commissioner of Baltimore County, this 32nd day of February, 1973, 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 19th day of March, 1973, at 10:00 o'clock

James D. Nolan
Zoning Commissioner of Baltimore County.

PETITION FOR ZONING REDISTRICTING AND/OR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, Yes NO Oil Co. Contract purchaser
By Tom H. Ross
Address 4 Garrison Court
Reisterstown, Md. 21116

Yes NO Oil Co. Contract purchaser
By Tom H. Ross
Address 4 Garrison Court
Reisterstown, Md. 21116

Yes NO Oil Co. Contract purchaser
By Tom H. Ross
Address 4 Garrison Court
Reisterstown, Md. 21116

Yes NO Oil Co. Contract purchaser
By Tom H. Ross
Address 4 Garrison Court
Reisterstown, Md. 21116

- and (2) for a Special Exception, under the said Zoning Law and Zoning Regulations of Baltimore County, to use the herein described property, for use in combination convenience food store and convenience food store as set out on the attached Petition for Zoning Re-classification And/or Special Exception And Variance with Property is to be posted and advertised as prescribed by Zoning Regulations exhibits attached

I, or we, agree to pay expenses of above re-districting 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.

Yes No Oil Co. Contract purchaser
By Tom H. Ross
Address 4 Garrison Court
Reisterstown, Md. 21116

Yes Mrs. Gene C. Nipper, Legal Owner
Widow
Address 3620 Liberty Road
Randallstown, Md. 21133

James D. Nolan Petitioner's Attorney
Address 204 M. Pennsylvania Ave.
Towson, Md. 21204

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Address 204 M. Pennsylvania Ave.
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James D. Nolan
Zoning Commissioner of Baltimore County.

POINTS OF ERROR COMMITTED BY THE COUNTY COUNCIL IN CLASSIFYING THE SUBJECT PROPERTY D.R.16 AND CHANGES IN THE NEIGHBORHOOD

The Petitioner states that the County Council committed at least the following errors in placing the subject parcel in a D.R.16 zone:

- 1.) That the location of the subject parcel directly on Reisterstown Road in an area becoming increasingly commercial in character militates against its use for D.R.16 purposes, and it was error for the Council to so zone the property.
- 2.) That the future extension of Live Oak Road will even further increase the commercial potentials of this property and decrease its usefulness for D.R.16 uses, and it was error for the Council to overlook this factor.
- 3.) That the presence of a large D.R.16 zone to the northeast of this property obviates the need for D.R.16 zoning located directly on the Liberty Road frontage of this tract, and it was error for the Council to overlook this point.
- 4.) And such other and further errors as shall be revealed by a minute study of the area and which shall be brought out at the time of the hearing hereon.

CHANGES IN THE NEIGHBORHOOD

Since the County Council zoned this property, the following changes have occurred in the neighborhood, further rendering D.R.16 zoning inappropriate.

RE: PETITION FOR RECLASSIFICATION : BEFORE THE
SPECIAL EXCEPTION AND VARIANCE : ZONING COMMISSIONER
SE corner of Liberty Road and : OF
Live Oak Road - 2nd District : BALTIMORE COUNTY
Mrs. Gene C. Nipper - Petitioner :
NO. 73-219-RXA (Item No. 29)

The Petitioner request a Reclassification from a D.R.16 Zone to a B.L. Zone, in addition thereto a Special Exception for use in combination convenience store with automobile service station pursuant to Section 405.4D.8 and a Variance from 405.4A.3a for a curved tangent of ten (10) feet in lieu of the required twenty (20) feet and for a Variance from Section 405.4B.5 to permit light standards of sixteen (16) feet in height in lieu of the required eight (8) feet. Said property being located on the southeast corner of Liberty Road and Live Oak Road, extended, in the Second Election District of Baltimore County; containing 2.24 acres of land, more or less.

Testimony on behalf of the Petitioner indicated that the Tenneco Oil Company wishes to establish itself in Baltimore County and chose this site on the basis of market study as to the need of automobile service stations in this general vicinity. There was testimony as to possible error in the Comprehensive Zoning Map, classifying the subject property D.R.16, in that it was economically impossible to develop the subject property at its full density (D.R.16) and that if a request were made for a Special Exception for offices, it had been determined by the Petition that there would be no need for offices in the general vicinity.

Residents of the area in protest of the subject Petition were concerned with the traffic generation as a result of the anticipated use, the extreme amount of traffic and traffic hazards now existing on Liberty Road and for other reasons feeling that the granting of this request would be detrimental to the health, safety and general welfare of the community.

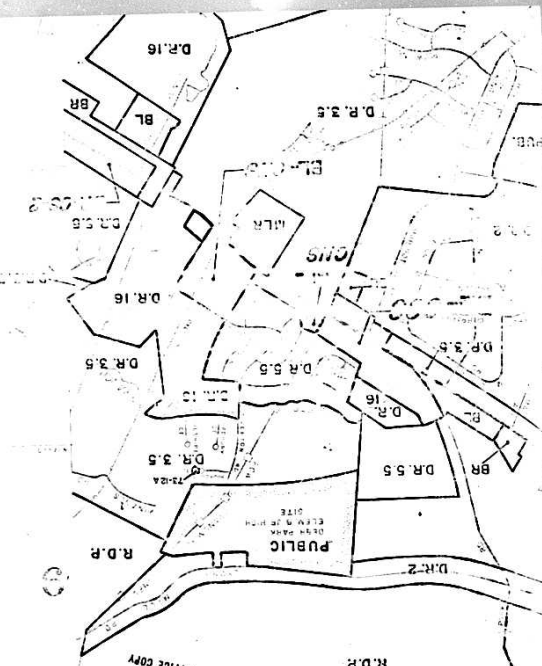
Without reviewing the evidence in detail, but based on all of the evidence presented at the hearing, in the judgement of the Zoning Commissioner, the property as presently zoned, is not in error. It was anticipated by the County Council that the subject property be classified D.R.16 in anticipation of office use as the result of a Special Exception being granted. Furthermore, it is a well known fact that the Liberty Road

corridor has ample amount of automotive service stations, at this time, to service the people in this general vicinity.

The Comprehensive Zoning Map, as adopted on March 24, 1971, is presumed to be correct and the burden of proving error or a substantial change in the character of the neighborhood is borne by the Petitioner, and in the instant case, this burden has not been met.

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 2nd day of November, 1973, that the Reclassification be and the same is hereby DENIED and that the subject property is hereby continued as and to remain a D.R.16 Zone, and, by necessity, the request for a Special Exception and Variance; be and the same are hereby DENIED.

James D. Nolan
Zoning Commissioner of Baltimore County



- 1.) Various developments on the Maryland State scene, including, but not only, the passage of the 2¢ extra gasoline tax have made many more tax dollars available for improvements to Baltimore County roads, including Liberty Road, and this road improvement factor will have tremendous impact upon the site.
- 2.) That additional D.R.16 land has been added to the D.R.16 zone, of which this case is a part, via the Sandusky Petition 2nd cycle, Item No. 36 (although this case is on appeal), and should this zoning be sustained on appeal, it will add additional zoning at the rear in order that the property on the Liberty Road frontage may be utilized for its highest and best use and proper zoning use, namely, commercial usages such as those proposed.
- 3.) Such other and further changes as shall be disclosed by a detailed study of this area in connection with the development of the case and which shall be brought out at the time of the hearing hereon.

Respectfully submitted,

James D. Nolan
James D. Nolan
Attorney for the Petitioner

Beginning at the southeast corner of the herein described parcel: said point also lying on the centerline of Liberty Road (66 feet wide) at a point approximately 338 feet from the centerline of Live Oak Road as presently existent West of Liberty Road, and as proposed to be extended east of Liberty Road, and being the end of the first course as described in deed between Marvin E. Choate and The Harrison Pidgeon Corp., as recorded in the land records of Baltimore County as Liber 4827, Folio 737.

Running thence westerly along the centerline of Liberty Road (66 feet wide) the following two (2) courses and distances:

1. N 46 degrees 38 minutes 00 seconds West 146.85 feet.
2. N 47 degrees 56 minutes 20 seconds West 204.62 feet.

Thence northerly along the westerly boundary of the herein described parcel North 34 degrees 37 minutes 20 seconds East, 285.04 feet to a point; said point also being the end of the third course of the aforesaid deed; thence easterly and southerly along the third and second course of the aforesaid deed the following two (2) courses and distances:

1. S 42 degrees 53 minutes 00 seconds East 353.33 feet.
2. S 34 degrees 37 minutes 20 seconds West 375.00 feet.

to the point or place of beginning and containing 2.24 acres of land more or less.

ORDER RECEIVED FOR FILING
DATE November 2, 1973
BY State of Maryland

ORDER RECEIVED FOR FILING
DATE November 2, 1973
BY State of Maryland

RE: PETITION FOR SPECIAL EXCEPTION * BEFORE THE
FOR INGLESIDE REALTY CORP.
CASE NO. 73-285-X (ITEM 173) *
73-211-222 * DEPUTY ZONING
COMMISSIONER
OF
BALTIMORE COUNTY



PETITIONER'S MEMORANDUM

The Contract Lessee, TENNECO OIL COMPANY, by James D. Nolan and Nolan, Plumhoff and Williams, its attorneys, respectfully presents the following Memorandum to the Deputy Zoning Commissioner.

As the Commissioner will recall, several issues requiring clarification arose at the hearing held on June 6, 1973. These issues are the current energy crisis and the question of the relationship of the adjoining retail stores, restaurant and facilities to the subject site, particularly with regard to whether these are separate parcels, and whether any part of this parcel has been included in a development or site plan of the adjoining retail stores and restaurant.

A. The Energy Crisis

All of us are well aware of the current problems which have arisen with regard to use and supply of energy in all forms in the United States today. Recently there have been numerous examples of this energy crisis, particularly with regard to the supply of gasoline, which have been in the news almost daily.

As in any other situation of this sort many of the proposed solutions to the problem have been at the very least simplistic, and made primarily

for their public and political effect. It is very easy to propose a universal ban on new gasoline stations, and indeed such a pronouncement is a popular and politic suggestion to make if one wishes to capture the public eye. However, we submit like most seemingly simple solutions it is not in fact a solution at all.

To the best of counsel's knowledge, the present energy crisis represents a temporary period during which for a variety of reasons the growing supply of gasoline is exceeded by the present growing demands. In overall terms the supply of gasoline and other oil products available in the Baltimore area is not shrinking or standing still, but rather the supply, while growing at a regular rate, is being outrun in growth by the demand for these products, with this temporary deficiency being accentuated by the peak summer demand for gasoline. There will continue to be an increase in the supply of gasoline and oil products and there will be more available next year than there is this year, but there will still be some shortages and allocation problems. Thus, in the interim, until the rate of supply growth meets and exceeds the rate of demand growth, various measures must be taken, including asking everyone to voluntarily conserve energy in all its forms, allocation by energy producers of the available supply to all users, public and private, as well as the cooperation of government, industry and the public to deal with both the short range effects and the long range solutions to the basic problems. In the meanwhile to ban all gas stations out of hand makes about as much sense as the king who had the messenger killed who brought him bad news. New gasoline stations and the modernization of present stations must be allowed to continue or when the supply problem is solved there will be a new problem of an inadequate and antiquated distribution system. When a form shortage looms we do not limit the number of farms, but rather we act to

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increase farm output and open new areas to cultivation, and the oil industry is no different in its basics.

Counsel only asks that each case be considered on its own merits, which is consistent with the quasi-judicial traditions of the administrative law field, rather than all oil companies and all cases being lumped together without a careful case by case study. If the present case is so considered, counsel believes that there are ample grounds upon which this case can be, and should be decided in favor of granting the requested special exception for use-in-combination service station and food store.

The primary public welfare basis for granting this request rests in the fact that this station will represent an additional oil company serving the public need in this Ingleside Avenue market area of two thousand seven hundred homes, according to the testimony. (Recall also that there are no closed stations within a one mile radius of this location.) If gasoline is rationed or allocated among various outlets by most or all oil companies, then this Tenneco station will be an additional source of gasoline from which this area's needs can be supplied. As Mr. Gordy, the Tenneco representative testified, Tenneco Oil for a number of years has maintained a bulk terminal at Baltimore. At present this terminal has available at least twenty million gallons of gasoline yearly, none of which is sold by Tenneco at retail. Also as was testified to, this station represents only the second retail outlet which Tenneco Oil has sought in Baltimore County, the first being located at Liberty and Live Oak Road. This first case has not, as yet, been decided, but the points applicable to this case are applicable there as well. These twenty million gallons are sufficient to supply approximately sixteen such stations as those proposed, since the gallonage demand was projected at about 25,000 gallons per week, 100,000 gallons per month, or about

- 3 -

1,200,000 gallons per year.

Tenneco has stated, again in Mr. Gordy's testimony, that this gallonage must be diverted more and more by the company into the retail market. Gasoline sold at wholesale it was testified brings less than a penny per gallon profit to a company, which is insufficient to support the costs of locating, extracting and refining more oil products to meet the rising demand. If this twenty million gallons is not sold at retail in the Baltimore area, then economic laws and factors will compel its diversion into retail markets elsewhere. That is if we want to keep this twenty million gallons here, then Tenneco must be allowed retail outlets here for its sale. Furthermore, the large retailers presently buying large amounts of this Baltimore supply have sufficient economic power to buy gasoline elsewhere, and it represents a very small portion of their sales volume.

In each of its Baltimore County cases Tenneco has carefully studied market needs, and requested outlets along commercial arteries, Liberty Road and Ingleside Avenue respectively. Accordingly, Tenneco only asks that its requests be carefully considered on a case by case basis on their own merits. Tenneco is confident that it will receive such careful consideration and evaluation.

B. The Tenneco Parcel and The Retail Stores and Restaurant

As to the relationship between the retail stores and restaurant and this proposed facility, it should be noted that the rear of these stores and restaurant adjoin the west side of this proposed Tenneco site. That is the stores are oriented to Johnnycake Road, while this facility is oriented to Ingleside Avenue. Also, according to the testimony and the photograph in the file, this lot is now, and has been even more so in former years, an eyesore to the area. It is rough, ungraded and apparently it was used to store plumbing

- 4 -

materials and discarded plumbing items in former years. It is serving little, if any, useful purpose with relation to the Johnnycake Road stores. Similarly, it is unproductive property as far as the County tax rolls are concerned. There is no question but that the proposed facility will upgrade its surroundings from a physical standpoint.

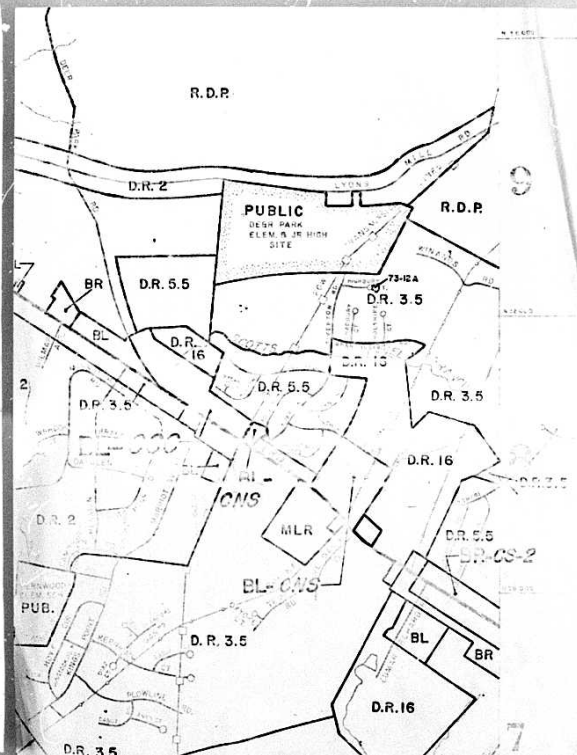
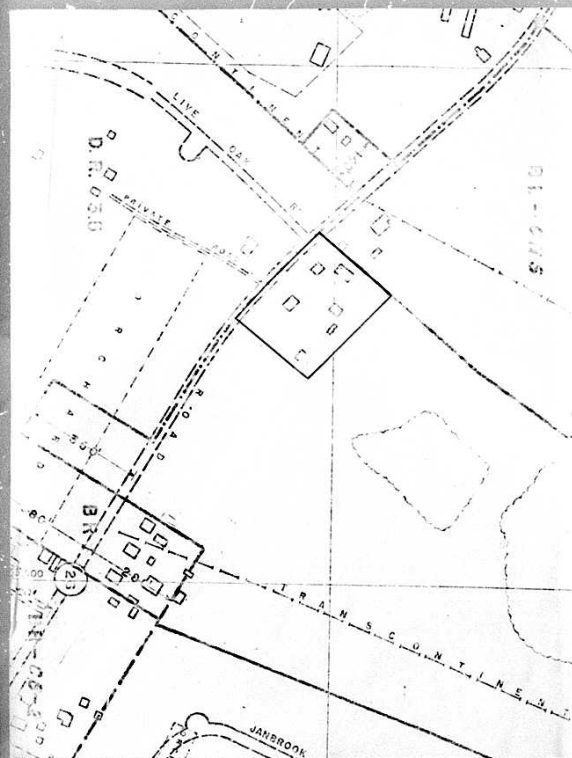
Efforts are presently under way by both the Petitioner and the personnel of the Zoning Commissioner's Office to determine the legal status of this tract as far as any previous site plans and the tax rolls are concerned. As soon as this data is available counsel will respond to the findings on this point.

Respectfully Submitted,

James D. Nolan
James D. Nolan
Nolan, Plumhoff and Williams
204 West Pennsylvania Avenue
Towson, Maryland 21204
Phone: VA 4-7800
Attorney for Contract Lessee,
Tenneco Oil Co.

I HEREBY CERTIFY, that on this 15th day of June 1973, I mailed a copy of the foregoing Petitioner's Memorandum to Mr. Ragan M. Doub, 6400 Johnnycake Road, Baltimore, Maryland 21207.

James D. Nolan
James D. Nolan



45160 13-39284

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 240 Date of Posting: _____
Posted for: DISSEMINATION, INFORMATION, SPECIAL EXEMPTION *
Petitioner: JAMES D. NOLAN
Location of property: 1/4 AC. OF LIBERTY RD. AND INGLESIDE RD.
Location of sign: 1/4 AC. OF LIBERTY RD. JUST S.E. CORNER BL.
Remarks: _____
Posted by: Charles D. Poff Date of return: MARCH 15, 1973

BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

COUNTY OFFICE BLDG.
1111 CHESAPEAKE AVE.
TOWSON, MARYLAND 21204JOHN J. DILLON, JR.,
Chairman

MEMBERS

BUREAU OF
ENGINEERINGBUREAU OF
ENGINEERING

STATE PLANNING

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November 15, 1972

James D. Nolan, Esq.,
204 W. Pennsylvania Avenue
Towson, Maryland 21204RE: Reclassification Petition
Item 29
Mrs. Gene C. Nipper, Widow - Petitioner

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 northeast side of Liberty Road at the intersection of Live Oak Road and is requesting a Reclassification from a DR 16 zone to a Business Local zone and for a CDS District. Also, a Special Exception is being requested for a use in combination for a food store. There are also variances being requested for curb tangents and light heights.

The subject property is currently improved with an attractive 2 1/2 story stone dwelling and several other outbuildings which are not indicated on the submitted site plan. The property to the rear and to the south is zoned DR 16 and the property immediately to the north is zoned Business Local. However, this side of Liberty Road is largely undeveloped. The south side of Liberty Road is developed with good quality residential homes.

This office is requesting a revised site plan that reflects the comments of the various agencies when so noted and also includes the location of the existing structures on the subject property and a method of the possible development on the area shown as Parcel 10, 2. Revised plans should also indicate the location of the existing dwellings or structures within 200 feet of this property.

This petition is accepted for filing on the date of the enclosed filing certificate. However, all corrections to site plans as requested shall be submitted to this office prior to

James D. Nolan, Esq.,
Page 2
November 15, 1972

Thursday, February 1, 1973 in order to allow time for advertising. Failure to comply may result in this petition not being scheduled for a hearing. Notice of the hearing date and time, which will be between March 1, 1973 and April 15th, 1973 will be forwarded to you in the near future.

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

JJD:JD
EnclosureBaltimore County, Maryland
Department of Public Works
COUNTY OFFICE BUILDING
TOWSON, MARYLAND 21204

October 17, 1972

Bureau of Engineering
ELLSWORTH H. DIVER, P. E., CHIEFMr. S. Eric DiNenna
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Re: Item #29 (Cycle Zoning IV Oct. 1972 - April 1973)
Property Owner: Mrs. Gene C. Nipper
East corner Liberty Rd. and Live Oak Rd.
Present Zoning: D.R. 16
Proposed Zoning: Reclass. from D.R. 16 to B.L.
District: 2nd No. Acres: 45,360 sq. ft.

Dear Mr. DiNenna:

The following comments are furnished in regard to the plan submitted to this office for review by the Zoning Advisory Committee in connection with the subject item.

Highway Comments:

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

Live Oak Road is proposed to extend through this site as a 16-foot curb and gutter street on a 60-foot right-of-way.

Storm Drain Comments:

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.

Liberty Road is a State Road. Therefore, drainage requirements as they affect the road come under the jurisdiction of the State Highway Administration.

In accordance with the drainage policy for this type development, the petitioner is responsible for the total actual cost of drainage facilities required to carry the storm water run-off through the property to be developed to a suitable outfall.

Sediment Control Comments:

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.

Item #29 (Cycle Zoning IV Oct. 1972 - April 1973)
Property Owner: Mrs. Gene C. Nipper
Page 2
October 18, 1972

Water Comments:

Public water is available to serve this site.

Sanitary Sewer Comments:

Public sewer will be available when the "Pikewood Apartment" development is constructed and appropriate easements and construction strips have been established.

State Health Department approval is required for improvements to this site.

Very truly yours,

Ellsworth H. Diver
ELLSWORTH H. DIVER, P.E.,
Chief, Bureau of Engineering

END:HAM:PMK:as

P-20 Key Sheet
101 3 J TopoBALTIMORE COUNTY, MARYLAND
JEFFERSON BUILDING TOWSON, MARYLAND 21204

DEPARTMENT OF TRAFFIC ENGINEERING

EUGENE J. CLIFFORD, P.E.
WILL T. MELSON
DIRECTOR
DEPUTY TRAFFIC ENGINEER

October 30, 1972

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

Re: Cycle Zoning IV
Item 29 - ZAC - Oct. 72 to Apr. 73
Property Owner: Mrs. Gene C. Nipper
Corner Liberty Road and Live Oak Road
Reclass. from DR 16 to BL
District 2

Dear Mr. DiNenna:

The subject petition is requesting a zoning reclassification from DR 16 to BL.

As presently zoned this site can be expected to generate approximately 120 trips per day. The reclassification to BL could generate approximately 500 trips per day.

Revised plans should be submitted showing the uses for the areas on the plan marked as Parcel I and Parcel II. An effort should be made to have a common entrance between Parcel II and the service station site.

Very truly yours,

Michael S. Flanigan
Michael S. Flanigan
Traffic Engineer Associate

MSF:nc

Maryland Department of Transportation
State Highway AdministrationHarry R. Hughes
Secretary
David H. Fisher
Administrator

October 17, 1972

Mr. S. Eric DiNenna
Zoning Commissioner
County Office Bldg.
Towson, Maryland 21204
Att. Mr. John J. Dillon

RE: Reclassification Oct. 1972
Property Owner: Mrs. Gene C. Nipper
Location: East corner Liberty Road (Rte. 26
and Live Oak Road
Present Zoning: D.R. 16
Proposed Zoning: Reclass. from D.R. 16 to B.L.
District: 2
No. Acres: 45,360 square feet

Dear Mr. DiNenna:

Stopping sight distance at the subject location meets the minimum standards, however it is less than desirable. This is due to the vertical and horizontal alignment of Liberty Road.

The proposed entrances are not in conformance with current standards. The sides of the entrances must be parallel and not flare out at the curb line. They must be a minimum of 10' tangent from the P. C. of the radius into Live Oak Road to P. C. of the radius into the entrance.

The standard 30' radius return at the corner must be indicated. The dimension from the centerline of Liberty Road to the roadside curb (24') must be indicated.

The entrances will be subject to approval and permit from the State Highway Administration. It is our opinion that the plan should be revised prior to the hearing.

The 1971 average daily traffic count for this section of Liberty Road is 13,400 vehicles.

Very truly yours,

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

CLJEM:In

Baltimore County Fire Department

J. Austin Deitz
ChiefTowson, Maryland 21204
822-7310Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204Attention: Mr. ~~John J. Dillon~~ Acting
Chairman
Zoning Advisory Committee

Re: Property Owner: Mrs. Gene C. Nipper

Location: E corner Liberty Road, and Live Oak Road

Item No: 29 Zoning Agenda IV ZONING CYCLE
October 1972 - April 1973

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 at _____

() 4. _____ EXCEEDS the maximum allowed by the Fire Department.

() 5. 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.

Reviewer: *John J. Dillon* Noted and Approved: _____

Planning Group Deputy Chief

Special Inspection Division Fire Prevention Bureau

nlis

4/25/72

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

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

Your Petition has been received* this 20th day of

Sept 1972. Item # —

S. Eric DiNenna
Zoning Commissioner

Petitioner Mrs. Gene Nipper Submitted by Newton Williams

Petitioner's Attorney same Reviewed by G. Perkins

* This is not to be interpreted as acceptance of the Petition for assignment of a hearing date.

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

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

Item 29

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

Your Petition has been received and accepted for filing

this 13th day of October 1972.

The attached Petition for a Special Exception will be accepted on the
19th day of February, 1973.

S. Eric DiNenna
Zoning Commissioner

Petitioner Mrs. Gene C. Nipper, Widow

Petitioner's Attorney James B. Nolan

Reviewed by John J. [Signature]
Chairman,
Zoning Advisory Committee

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

No. 5771

DATE Nov. 6, 1972 ACCOUNT 01-602

AMOUNT \$50.00

DISTRIBUTION
WHITE - CASHIER
PINK - AGENCY
YELLOW - CUSTOMER

James B. Nolan, Esq. & Williams
204 W. Penna. Ave.
Towson, Md. 21204
Petition for Reclassification and Variance for
Gene C. Nipper

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

No. 7099

DATE March 19, 1973 ACCOUNT 01-602

AMOUNT \$130.33

DISTRIBUTION
WHITE - CASHIER
PINK - AGENCY
YELLOW - CUSTOMER

James B. Nolan, Esq.
204 W. Penna. Ave.
Towson, Md. 21204
Advertising and posting of property for Mrs. Gene
C. Nipper - #73-260-RXA

ZONING NOTES

ZONING STATUS
 EXISTING ZONING - CR-1G
 PROPOSED ZONING - BL
 EXISTING DISTRICT - UNRESTRICTED
 PROPOSED DISTRICT - C-1S
 ELECTION DISTRICT - 214

ACCESS ROUTES
 NO. OF DRIVEWAYS ON LIBERTY ROAD - 2
 REQUIRED WIDTH - 2+05+130 FT. (ALONG E)
 ACTUAL SITE WIDTH - 177 FT.
 NO. OF DRIVEWAYS ON LIVE OAK ROAD - 2
 REQUIRED WIDTH - 2+05+130 FT. (ALONG E)
 ACTUAL SITE WIDTH - 234 FT.

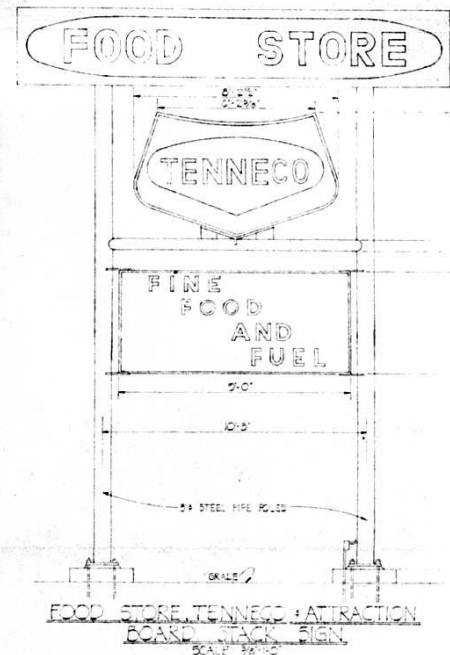
AREA REQUIREMENTS
 TWO DRIVEWAYS - 2 LANE WITH 4 DUAL
 AND 1 SINGLE DISPENSER PUMPS
 CAPABLE OF SERVING 2 CARS AT ANY
 ONE TIME
 TOTAL SERVING SPACES - 8
 TOTAL SERVING DAYS - 8
 TOTAL DAYS AND SPACES - 8
 SITE AREA REQUIRED - TOTAL DAYS AND
 SPACES - 8+1200+12000 SQ. FT.
 12000 SQ. FT. MINIMUM
 PROPOSED CONVENIENCE USE
 FOOD STORE
 ADDITIONAL AREA REQUIRED - 7800 SQ. FT.
 TOTAL AREA REQUIRED - 22,200 SQ. FT.
 TOTAL AREA OF PARCEL - 45,930 SQ. FT.

PARKING
 PARKING SPACES REQUIRED AT ONE SPACE
 FOR EVERY 200 SQ. FT. OF RETAIL SALES
 AREA - 1800+200+2 SPACES
 PARKING SPACES PROVIDED - 12 SPACES
LANDSCAPING
 AREA - 100
 AREA - 100
 AREA - 100
 AREA - 100
 TOTAL 30 FT. - 40% OF PARCEL
 REQUIRED 30 FT. - 22% OF PARCEL
 LANDSCAPING COMBINATION OF GRASS AND TREES
 SHOWN IN GRASS AREA C.

LIGHTING
 TYPE - MERCURY VAPOR
 AREA LIGHTS - 1000W - 10' HIGH
 CANOPY LIGHTS - SURFACE MOUNTED -
 100 W
 TYPE - FLOODLIGHT
 PRICE SIGN - MOUNTED TO AREA LIGHT
 POLE - 150W - 30' HIGH

6 to 12 GOLA MILK FOOD STORE BREAD ICE 6 to 12

BUILDING FASCIA SIGN
 NOT TO SCALE



OFFICE COPY
 REVISED PLANS



#29 cycle
 EXISTING FIRE HYDRANT

PRICE SIGN SET WHEN ON
 AREA - 10' X 10' BOARD
 SCALE 1/8" = 1'-0"

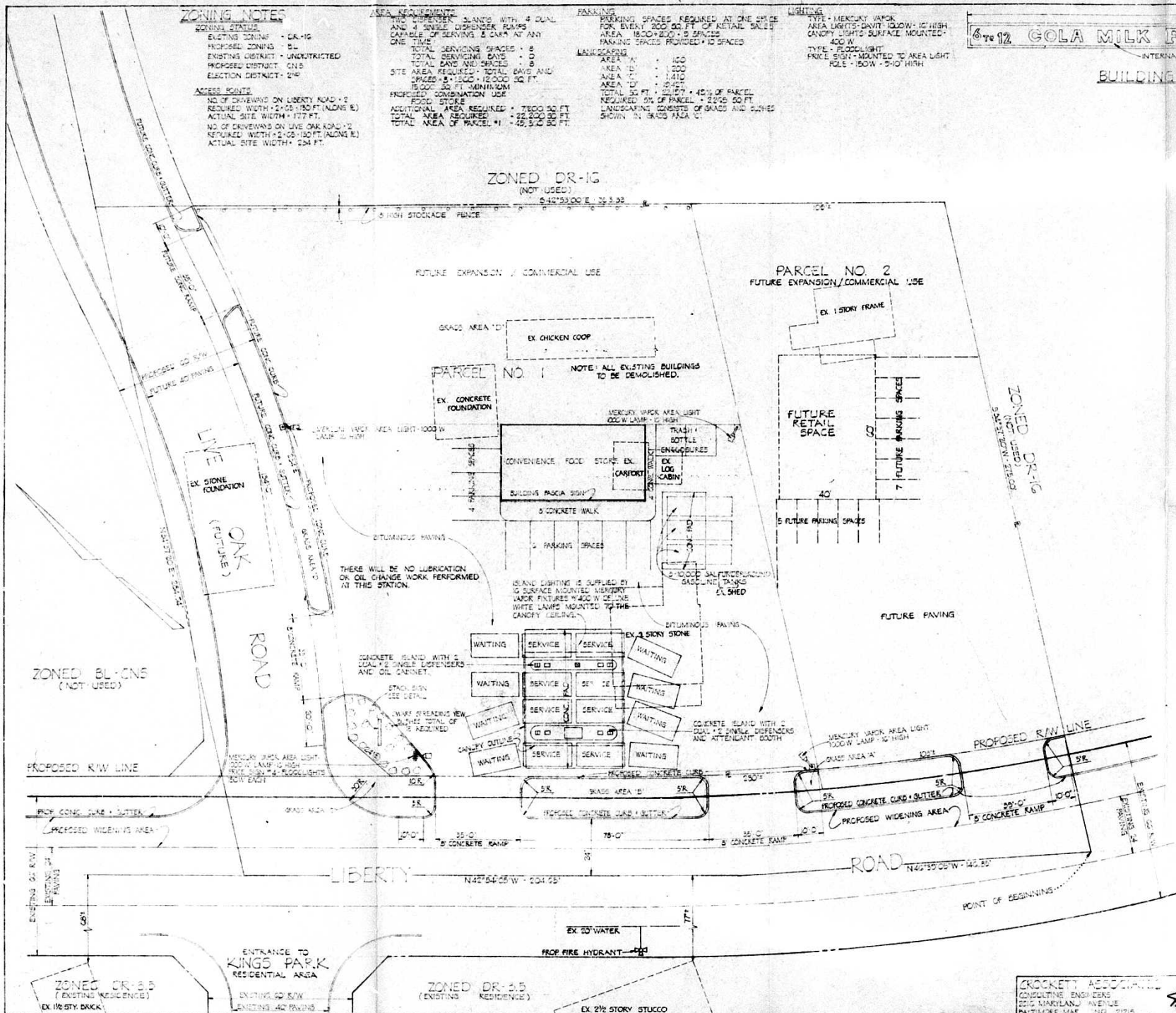


TENNECO OIL COMPANY
 BALTIMORE COUNTY, MARYLAND

EAST CORNER OF LIBERTY ROAD AND LIVE OAK ROAD (PROPOSED)
 SITE AND ZONING PLAN
 DRAWN BY: K.W.H.
 CHECKED BY: K.W.H.
 DESIGNED BY: K.W.H.
 SCALE: 1/8" = 1'-0"
 CRG. NO.

CROCKETT ASSOCIATES
 CONSULTING ENGINEERS
 2212 MARYLAND AVENUE
 BALTIMORE, MD 21206

REG. NO. 5777 9.4.77



JOINING STATISTICS

EXISTING JOINING	- DR-10
PROPOSED JOINING	- 81
EXISTING DISTRICT	- UNRESTRICTED
PROPOSED DISTRICT	- CN 2
ELECTION DISTRICT	- 215

ACKNOWLEDGMENTS

NO. OF DRIVEWAY ON LIBERTY ROAD = 2
REQUIRED WIDTH = 24.00 FT. ALONG R/L
ACTUAL SITE WIDTH = 177 FT.

NO. OF DRIVEWAY ON W. OAK ROAD = 2
REQUIRED WIDTH = 24.00 FT. ALONG R/L
ACTUAL SITE WIDTH = 254 FT.

[illegible]

PARKING

PARKING SPACES REQUIRED AT ONE SPACE
FOR EVERY 200 SQ FT OF RETAIL SALES
AREA 1500 SQA = 7-1/2 SPACES
PARKING SPACES PROVIDED 8 SPACES

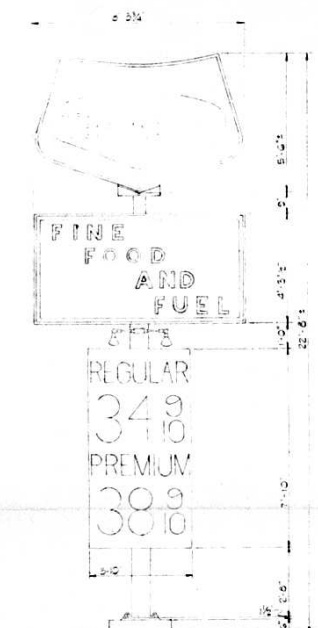
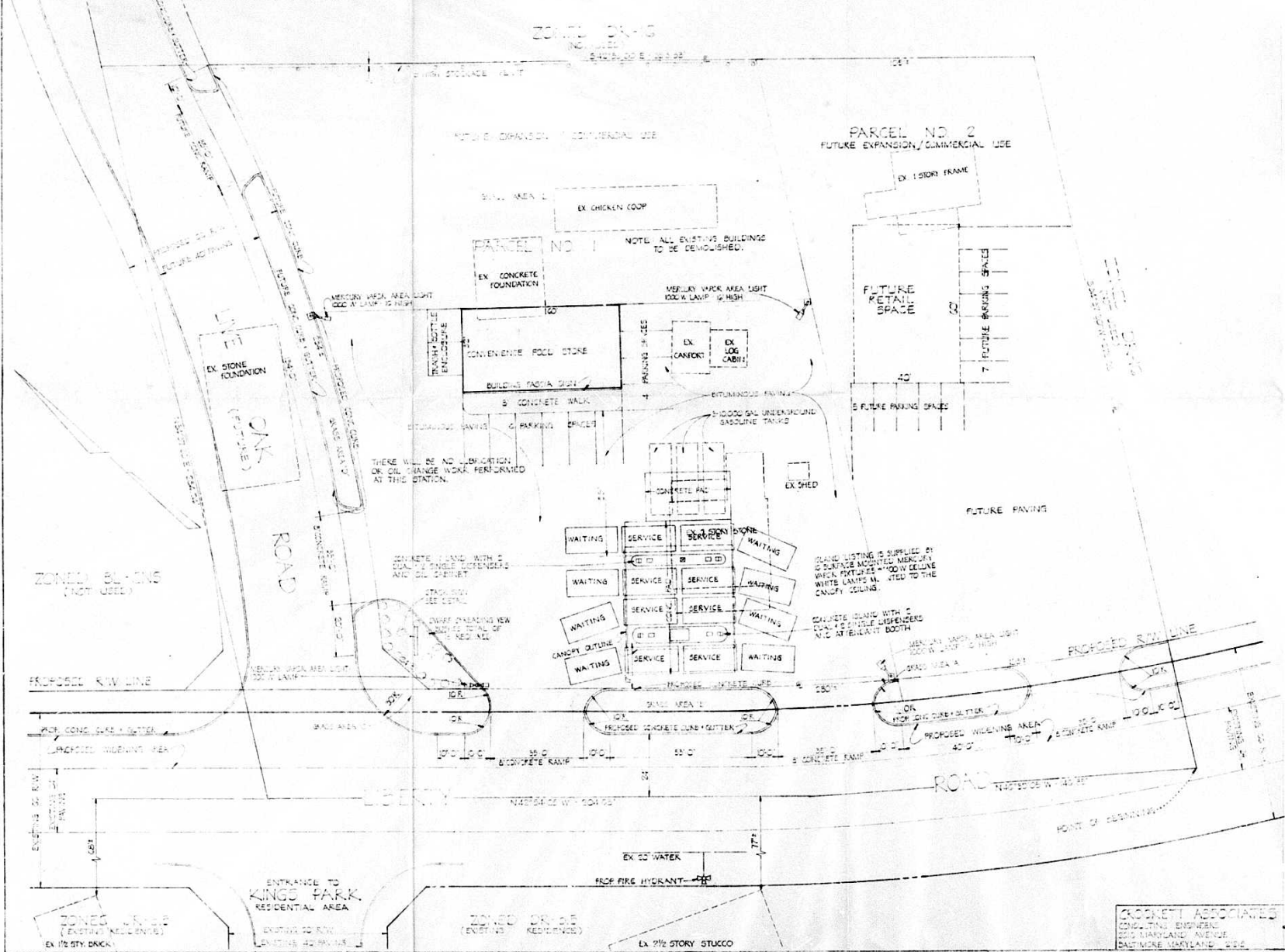
LAND REQUIREMENTS

ACREAGE	40
PAVED	260
AREA	1700
AREA	9200
TOTAL SQ. FT.	11,500 - 50% PARKED
APPROX. TOTAL AREA	17,250 SQ FT.
SUBTOTAL	OF GRASS AND OTHERS

TYPE - MERCURY VAPOR
AREA LIGHTS - 5A71-1000W - NO HIGH
CANOPY LIGHTS SURFACE MOUNTED -
400 W
TYPE - FLOOD LIGHT
EX 15 5A71-1000W TO AREA LIGHT
HOLE FROM 250 FT IN

67012 GOLA MILK FOOD STORE BREAD ICE 67012

BUILDING FASCIA SIGN



FOOD STORE / MINI FOOD MART
STACK SIGN

SCALE: 3/8" = 1'-0"

Per X

TECHNICO OIL COMPANY

BALTIMORE COUNTY, MARYLAND

SITE AND ZONING PLAN

AWN BY: EAC DATE: 6-20-01
APPROVED BY:

6. 2. 2018

Revised 3-13-73

PRINT 9.28.72

Part B

Greater Randallstown Community Council
Representing Civic and Service Organizations
P.O. Box 164
RANDALLSTOWN, MARYLAND 21133

THE FOLLOWING PICTURES ARE ENTERED AS EVIDENCE
IN PROTESTING THE RECLASSIFICATION OF THE
MRS. GENE C. NIPPER PROPERTY (ITEM 31).

All pictures taken on
Saturday, March 17, 1973
between the hours of 4 and
5 P.M. by Joseph Welsh.



VIC'S GETTY
.6 mile W. of subject's property



MARRIOTTSVILLE EXXON
.55 mile W. of subject's property



MARRIOTTSVILLE AMERICAN
.4 mile W. of subject's property



.6 mile W. of subject's property



1. mile W. of subject's property



NICK'S ARCO
.7 mile W. of subject's property