RE- PETITION FOR REDISTRICTING from C.S. 2 to C.S. 1 District; SPECIAL EXCEPTION for Automotive COUNTY BOARD OF APPEALS OF VARIANCE for access to Commercial Motorway NE/S of Liberty Road 223.5' BALTIMORE COUNTY No. 73-244-RXA William F. Wilhelm, et ux Petitioners Crown Stations, Inc. Contract Purchaser

OPINION

The subject case comes before the Board on an appeal by the Petitioners from an Order of the Deputy Zoning Commissioner which denied in tota the Petitioners' requests. The subject property is located on the northeast side of Liberty Road approximately 223.5 feet narrhwest of Pikeswood Road, in the 2nd Election District of Baltimore County. Same contains about 0.596 acres and is part of a larger tract owned by William F. Wilhelm, et ux. Crown Stations, Inc. are contract purchasers of the subject property, and as such are co-petitioners along with the property owners, Mr. and Mrs. Wilhelm. The petition is three-fold in that it seeks a redistricting from a C.S. 2 District to a C.S. 1 District, a special exception for an automotive service station, and a variance to permit access to a Class II commercial motorway from an individual site. The zoning of the subject property is B.R.; no zoning reclassification is sought.

The Petitioners presented two witnesses to the Board; both were employees of the Crown Central Petroleum Company. They were Mr. Wolfe, the real estate manager, and Mr. McCurdy, the manager of the engineering and design section.

The burden is en. - y upon the Petitioners to prove to this Board that the granting of these recuests would satisfy the applicable provisions of the Zoning Regulations, including Section 405.3 and Section 502.1. In the judgment of this Board the Petitioners did not get close to such proof.

Mr. Wolfe labored to show need, but testified to the existence of twenty-three gas stations within 4.9 miles along the Liberty Roar. He also acknowledged at least three abandoned stations less than three miles away, as well as telling the Board that a proposed shopping center immediately across the street from the subject property will MICROFILMED

PETUTION FOR ZONING REDATRIC AND/OR SPECIAL EXCEPTION

William F. Wilhelm, et ux (Crown Stations, Inc.) - No. 73-244-RXA

be entitled to a gas station as a matter of right. Mr. Wolfe cited that Crown Stations, Inc. proposed a twenty-four hour sever, day a week operation.

As a note, the hearing was concluded on September 17, 1973, a bit before the late t energy crunch. Frankly, in light of same, the Board wonders whether even Crown Stations, Inc. would now seek this station. However, seek or not, the Petitioners have failed to make a case, and the Board will affirm the Order of the Deputy Zoning Commissioner and deny this petition in toto.

ORDER

For the reasons set forth in the aforegoing Opinion, the Board affirm the Order of the Deputy Zoning Commissioner dated April 18, 1973, and it is this 9th day of January, 1974, by the County Board of Appeals ORDERED, that the redistricting, special exception and variance petitioned for be and the same are hereby DENIED.

Any appeal from this decision must be in accordance with Chapter 1100, subtitle B of the Maryland Rules of Procedure.

COUNTY BOARD OF APPEALS

OF BALTIMORE COUNTY

MICROFILMED

ORDER NECEIVED FOR FILING

ZONING VARANCE
HEIGHT REGULATIONS FOR A

of a change in Districting and a Variance to permit direct access to an individual site could effectively destroy the spirit and intent of the very Regulations that were designed to protect the health, safety, and general welfare of the subject community.

The Petitioners have not attempted to prove need or present the Deputy Zoning Commissioner with any of the findings necessary to grant a Special Exception for an Automotive Service Station under Sections 405.3 and 502.1 of the Balta ore County Zoning

For the above reasons, it i: the opinion of the Deputy Zoning Commissioner that the Petitioners request for Redistricting, Special Exception, and Variance should be denied.

Therefore, IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County, this 18 day of April, 1973, that the herein requested Redistricting from a C.S-2 District to a C.S-1 District, the Special Exception for an Automotive Service Station, and the Variance to permit access to an individual site on a Class II Commercial Motorway should be DENIED.

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ORDER RECEIVED FOR FR. ING

- 2 -

The site in question contains 25,519 square feet and is located on the north side of Liberty Road, 223.5 feet northwest of Pikeswood Road, in the Second Election District of Baltimore Coun-

The Petitioners' property is presently classified as Business, Roadside (B.R.). The uses permitted and, as limited within this classification, are further restricted by the C.S-2 District that has been superimposed on said B.R. classification, as well as the designation of Liberty Road as a Class II Commercial Motorway.

COMMISSIONER

BALTIMORE COUNTY

111 111 111

ment within the County Class II Motorways are applied to roadside commercial areas on which commercial useage has not developed to an extent precluding the usefulness of restrictive site-accessibility stan-

The effect of the C.S-2 District and Class II Motorway

intended to further the purposes of zones and to provide greater

refinement in land-use regulations for critical areas of develop-

Districts are described under Section 100.1B.1. as being

This Petition represents a request for a Redistricting

from a C.S-2 District to a C.S-1 District, a Special Exception for

an Automotive Service Station, and a Variance to permit access to

a Class II Commercial Motorway for an individual site.

RE: PETITION FOR REDISTRICTING, SPECIAL EXCEPTION, AND VARI-

NE/S of Liberty Road, 223.5'
NW of Pikeswood Road - 2nd

William F. Wilhelm, et ux - :

NO. 73-244-RXA (Item No. 97) :

111 111

limited to service drives. In consideration of these Regulations and in the absence of any testimony to the contrary, one must assume that the granting

to control the number of entrances on a motorway by restrict-

ing automotive oriented uses to clusters of at least three (3)

acres in net area with access to all uses in the cluster being

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DABER RECEIVED FOR FALING

DESCRIPTION

Beginning at a point on the said Sortheset side of said Lilerty 8d, distant 223. 5° Northeesterly measured along said Northeast side of said Liberty 8d, from the corner formed by the intersection of the said Northeast side of said Liberty 8d, and the Sortheest side of Pikenwood 8d, 50° vides and running thence from said place of beginning, leaving the said sortheast side of said Liberty 8d, and binding on part of said 4th line at said whole tract of land, 8, 19° 03° 00° E, 163,02° thence for lines of Vivision the two following courses and distances 8, 59° 36° 00° W, 150,00° and 8, 27° 15° 0W. Lib.00° to terract the said fortheast side of said Liberty 8d, thence briding on said Gort-vast side of said Liberty 8d, and running 8, 59° 30° 00° E, 175,00° and the place of the said Liberty 8d, and running 8.

Cutl.me and topographical survey of 0.596 Ac.: tract on the Northern side of Liberty Rd., 223, 5' Northwest of Pikeswood Rd. Randallstown, Rd. 21133 Ind Elec. Dist. Baltisore County, Maryland

DATE: September 27, 1972

James H. Codk, Esq., 409 Washington Avenue Tomson, Maryland 21204 BALTIMORE COUNTY OFFICE OF PLANNING AND FONING County Office Building 111 W. Chesapeake Avenue Towson, Maryland 21204 Your Petition has been received and accepted for filing day of February _____1973. PetitionerWilliam F. & Hery L. Wilhelm

> 73-244-RXA 15 61

MULICUTILINED

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY

Date of Posting Harrie 1278 Petit oner MILLIAM F. B. M. HELLI Location of property A 5/5 OF MINETS IN 2015 FT LIV OF Location of Signs FLE CF LIBERTY By 2.43.FT. + L'OF Jukidwand Rd Posted by Signature Date of return: 1144 30 1993

PHONE: HAMILTON 6-0322

KELLER & KELLER

State Registered Land Surveyors

3914 WOODLEA AVENUE BALTIMORE, MARYLAND 21206

DESCRIPTION

Feb. 1st, 1973.

BESIMILES for the sense at the Seathwest corner of an Extering 10. Draining and Utility I assembles shown on Firth of Section 2 "Plinamond" of County in Fit Book Cart. 187 2 May 10 May

COTED TO 1.747 ... TRE of Local, more on loss.

SHIFEOF to a ROUTE powery Constitution Engenery continued about the above Case Mai Departure.

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TELEPHO 494-241	BALTIMERE COUNTY, MARYLOID No. 74061
	OFFICE OF FINANCE Are now Division OOM AT HOUSE TOWNON, MANYLAND 21204 PARTS OFFICE
To:	Mr. Worky H. Ho Hum Genetic Standard County Security County Genetic Standard Cleaning 992 Head Coule Smith Coule Smith County Mr. 20152
DEPOSIT T	TO ACCOUNT 01.712 RETURN THIS PORTION WITH YOUR REMITTANCE \$.50
CT TH'00	Cost of easy of discounsed farm Zening File F79-564-525, William F. William of the Part of the F79-564-525, William F. William of the F
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.50 m	4.

PETITION	MAPPING			PROGRESS			SHEET			
FUNCTION	Wall Map				Duplicate		Tracing		200 Sheet	
FUNCTION	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:					ed Pla e in ou		or des	c ripti	on	Yes
Previous case:	1000		1	Map #			CRC	-11		

COURTHOUSE, TOWSON, MARYLAND 21204

73-244-RAA

CERTIFICATE OF POSTING DEPARTMENT OF BALTIMORE COUNTY

Date of Posting 14ROH 24.197
Marine & Lance
16 227 5 NW OF PARMOON POL
For Alla 345 AT. 1 - NOT PAGENONS TO
Date of return: ANNIE 3 1973

SPECIAL EXCEPTION AND VARIANCE — IND DISTRICT CERTIFICATE OF PUBLICATION THIS IS TO CERTIFY, that the annexed advertisement was appearing on the 22nd day of March THE JEFFERSONIAN, L. Leank Strucks

> BALTIMORE COUNTY, MARYLAND ISCELLANEOUS CASH RECEIPT March 19, 1973 ware Calenda Para Assert Valow Customer Joseph Control of Control of Calendar Calend for Wa. F. Wilhelm

BALTIMORE O NTY, MARYLAND OFFICE OF FINANCE - REVENUE DIVISION MISCELLANEOUS CASH RECEIPT DATE April 12, 1973 ACCOUNT 01-662 AMOUNT_ \$77.88

DE OF	ORE COUNTY, M	E DIVISION	Ma. 83	316 om 200 S
	May 2, 1973		11-662	73
h	AICROFILA	AED AMOUNT	575.00	1
James H Cost of		Posting of P	renow . co	a Case
2nd Di	Liberty Rose strict F. Wilhelm,			beorg bood

CERTIFICATE OF PUBLICATION

2691 Pikesville, Md. March 22, . 19 73 THIS IS TO CERTIFY, that the annexed advertisement was published in THE NORTHWEST STAR, a weekly newspaper printed and published in Pikesville, Baltimore County, Maryland, once in each of one time before the 11 the first publication appearing on the 22nd THE NORTHWEST STAR Cost of Advertisement, \$ 35.88 MICROFILMED

January 15, 1973

RE: Special Exception Petition Item 97 William F. & Hary L. Wilhelm - Petitioners

BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

COUNTY OFFICE BLDG 111 W. Chesapuaks Ave. Toward, Maryland 21204

John J. DILLON, JR. 409 Washington Avenue

Dear Mr. Cook: STATE BOADS COMM

FURIAL OF SEALTH DEPARTMENT BUILDING DEPARTMENT SOMED OF EDUCATION ZONING ADMINISTRATIO

PARTY REAL

The Zoning Advisory Committee has reviewed the plans submitted with the above referenced netition and has received and inspection of the property. The rollowing comments are a result of this review and inspection. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made saure of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations on the appropriateness of the recuested zoning.

on the appropriateness of the recuested zoning.

The subject property is located on the northeast side of Liberty Road, 223 feet northwest of Pikeswood Road, in the 2nd District of Baltimore Country. The subject property is currently zoned Business Roadside with a C.S.-2 District and is undeveloped. The pattirner is requesting a redistricting from a C.S.-2 to a C.S.-1 and a Special Exception for an automotive service station. Commercial Motorway, and a veriance to permit secest to a Class 2 commercial Motorway, and a veriance to permit secest to a Class 2 commercial Motorway, and a veriance to permit secest to a Class 2 content of the required 13 parking spaces. The properties one there side are developed commercially. On the east side of the subject site there is a package goods store, on the west side is an oil servicing company. The property to the north in the subject site there is a package goods store, on the west side of the subject site there is a package goods store, on the west side of the subject site there is a package goods the property of the south side of Liberty Road of Commercial Motorway and subject of the property of the south side of Liberty Road of Commercial Polymory of the property of the property of the south side of Liberty Road st this location.

The property of t

Commenting specifically on the submitted site plan, we are concerned about several factors: First, the wrience request for 7 steeking spaces instead of the required 13 is, in the opinion of this Committee, an error. Since this car wash is of an assertly line nature, the indimum number of stecking spaces is 60, Secondly, we believe that many more steeking spaces can be accommodated. First of all by either reversing the car wash

MICROFILMED

James H. Crok, Esq. Page 2 January 15, 1973

building, which would arrotte the humaner's Office and the rest recommend preser ask at a recessfully to the multicultuous crossing the multicultuous crossing the the care wash, or relocating the car wash building on the westernows side of the arrometry arralled to the wast side property lines, then additional stacking snaces may be eccommodated, possibly to the fullest extent of the stacking requirements.

Since Section -19 requires that the site planum accepted by the Dept. of Traffic Engineering of Baltimore County, the Dest. of Public Works, and the Office of Planning, Doning, and after a review of their comments, this office cannot accept this petition for a hearing at this time. We recomment that the petitioners review the comments attached and submit a revised site plan that would be acceptable by these departments. At that time a hearing will be scheduled for this petitions.

With repard to the request for the Social Excention for an automative service station, it annears th. t. all factors required by Bill No. No are in combinance at this time. Nowever, an enchance detailed site plan indicating all signs that are anticlosted with dimensions and illustrations of each sign, along with this extracks for the signs shall be required, as well as the B foot high screen fencing shall be indicated. Also, all lother factors as recuired under Bill No. No must be strictly adhered to.

John J Dillon J John J Dillon J Chairman, Zoning Advisory Committee

cc: Mr. G. Kenneth Holmes, Crown Stations, Inc., 1 North Sharles Street (21201)

Baltimore County, Margland Bepartment Gi Bublic Borks

COUNTY OFFICE BUILDING TOWSON, MARYLAND 21204 December 28, 1972

Bureau of Engineering

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

Re: Item #97 (1972-1973) Item 877 (1972-1973)
Froperty Curver: William F. and Mary L. Wilhelm
Froperty Curver: William F. and Mary L. Wilhelm
Froperty Content of the Content of the

Dear Mr. DiNenna:

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.

Liberty Road (Md. 26) is a State Road; therefore, all improvements, intersections and entrances on this road will be subject to State Highway Administration requirements.

Provisions for accommodating storm water or drainage have not been indicated on

The Petitioner must provide necessary drainage facilities (temporary or permanent) to prevent creating any museances or deseges to adjacent properties, especially by the concentration of surface waters. Correction of suproper grading or improper installation of drainage ficilities, would be the full responsibility of the Petitions.

Liberty Road (Md. 26) is a State Road. Therefore, drainage requirements as they of the road come under the jurisdiction of the State Highway Ammanistration.

Public wate: supply is available and serving this property.

Public samitary severage can be made available to serve this site by extension from the severage shown on Drawing #66-0762, File 1. It is assumed that this site is employing private omits eswage disposal.

The plan must be revised to include the overall property of which this site is a part and to indicate the present/proposed methods of sewage disposal.

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Item #97 (1972-1973) Property Owner: William F. and Mary L. Wilhelm Page 2 December 28. 1072 mber 28, 1972

Samitary Sewer: (Cont'd)

The Petitioner is cautioned as to the disposal of industrial wastes. Wastes detriental to the : blic sawer system, or to the functioning of the sewage pumping stations end/or treatment plants, shall be treated or disposed of as found encersary and directed by the Administrative Authority or other authority having jurisdiction.

Further, it shall be unlawful for any person to deposit by any means into the building drainage system or sewer, any sabes, cinders or regs - flammable, poisonous or explosive liquids - sease, oils, rease, or any other material which would or could obstruct, damage or overload such system or sewer.

The Petitioner is responsible for the preparation and submittal of such analyses of his industrial wantes as may be required to determine either the method of disposal; or, the pretreatment to be employed by his if the industrial wastes are to be discharged into the public sanitary sever system, prior to issuance of a building permit.

The Petitioner must submit r plan indicating satisfactory means for the disposal of the wash-rack effluent or industrial waste, storm drainage and sanitary sewage, before an application for a building permit can be approved.

Very truly yours,

Ellaworth V. Jure p. w. Chief, Bureau of Engineering

END . PAM . FWR . SS

cc: Andrew Oravetz Samuel Bellestri

P-SW Key Sheet 29 NW 37 Position Sheet NW 8 J Topo 76 Tax Map

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Maryland Department of Transportation

December 8, 1972

RE: Z.A.C. Meeting 12,5/72 Z.A.C. Meeting 12,5/T2
Item: 97
Property Owner: William F. and Mary
I. wilhelm
Location: 3/8/3 Liberty Road (Noute 26)
22,3-5 N/W of Pikeswood Cond
Freeent Zoning: S.R.
Freeent Zoning: S.R.
Location: 3/8/3 Liberty Road
Freeent Zoning: S.R.
Location: S.R.
Locati

Mr. S. Eric DiNenne Zoning Commissioner County Office Building

Dear Mr. DiNenna:

The entrances into the subject site must be radius return type with 10° radius returns. There must be a minimum of 10° tangent between all entrances. The entrances must be paved with bituminous material rather than concrete as

The proposed right of way for Liberty Hoad is 41' from the existing

At present, little or no storm water from the site reaches liberty Road. The subject plan indicates that the site will be graded so that most of the site will not be permitted, therefore, the plan must be revised to indicate no diversion of storm water. It is our opinion that the plan should be revised prior to the hearing.

The entrances will be subject to State Highway Administration approval

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

Very truly yours,

Charles Lee, Chief evelopment Engineering Section

Alin E Mugan

BY: John E. Meyers Asst. Development Engineer

CL:JEM:bh

. .. .

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

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

January 29, 1973

A. V. Quimby Acting Director SERRES-BUGAVERDI BHARREXXXXXXXX Jefferson Building Suits 301 Towson, Md. 21204 494-3211

Zoning Cummissioner County Office Building 111 W. Chesapecke Av Towson, Md. 21204

Mr. S. Eric DiNenna, Zoning Commissioner Zoning Advisory Committee Office of Planning and Zoning

Towson, Maryland 21204 Dear Mr. Di Nenna:

Baltimore County Office Building

Comments on Item *97, Zoning Advisory Committee Meeting, December 5, 1973,

Property Owner: William F. and Mary L. Wilhelm Location: N/E/S Liberty Road, 223.5' N/W of Pikeswood Road Present Zoning: B.R. Present Zoning: B.K.

Proposed Zoning: Redistrict from C.S.2. to C.S.1 and Special Exception for Automotive Service Station.

No. Acres: 25,519 square feet

It is suggested that the site plan be revised in order to accommodate more stacking spaces for the car wash

All adjacent uses and zoning must be shown on the site plan. This property appears to be larger than what is proposed for the Service Station-Car Wash, if that is the case an overall site plan for the entire property must be submitted.

John & Wienshley
Planner I Project Planning Division Office of Planning and Zoning

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BALTIMORE COUNTY, MARYLAND DEPATMENT OF HEALTH-

JEFFERSON BUILDING WSON, MARYLAND 21204

December 6, 1972

DONALD J. ROOP, N.D. M.P.M.

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

Dear Mr. DiNenna:

Comments on Item 97, Zoning Advisory Committee Meeting December 5, 1972, are as follows:

Property Owner: William F. and Mary L. Wilhelm Location: N/E/S Liberty Road, 223.5' N/W of Pikeswood Road Present Zoning: B.R. Pikeswood Road Proposed Zoning: Redistrict from C.S.2 to C.S.1 and Special Exception for Automotive Service Station District: 2 No.Acres: 25,519 sq.ft.

Metropolitan water is available to the site.

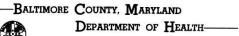
Department of Water Resources Comments: If lubrication work and oil changes are performed at this location, revised plane must be subsitted showing method providing for the elimination of waste oil in accordance with the Department of Water Resources requirements.

Prior to hearing date being assigned, revised plan should be submitted to this office showing method of extending public sever to the site.

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

HVB:mne

MICROFILMED.



March 15, 1973

DONALD J. ROOP, M.D., M.P.H.

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

MICROFILMED

Dear Mr. Di Nenna:

Revised comments on Item 97, Zoning Advisory Committee Meeting, December 5, 1972, are as follows:

Property Owner: William F. and Mary L. Wilhelm Location: N/E/S Liberty Road, 223.5' N/W of Pikesword Road District: 2

Revised plot plan has been received which shows a proposed samitary sewer extension. Sanitary sewer must be extended ... the site prior to approval of building permit.

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

HVB:mn&



December 8, 1972

WM T. MELZER

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

Re: Item 97 - ZAC - December 5, 1972 Property Owner: William F. & Hary L. Wilhelm Liberty Road NW of Pikeswood Road Redistrict from C.S. 2 to C.S. 1 and S.E. for automotive service station - District 2

The subject petition is requesting a special exception for a car wash, which this office has the following comment.

A car wash is required to show stacking spaces for 30 minute capacity plus 10 or 40 which ever is larger. Also, there shall be no entrances into this stacking line.

C. listen Aller Assistant Traffic Engineer

CRM: nc

Baltimore County Fire Department

J Austin Deitz



Towson. Maryland 21204

....

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

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

Re: Property Owner: William F. and Mary L. Wilhelm

Location: N/E/S Liberty Road, 223.5 N/W of Pikeswood Road

Zoning Agenda Tuesday, December 5, 1972

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "%" are applicable and required to be corrected or incorporated into the final plans for the property.

i. Fire hydrants for the referenced property are required and shall be located at intervals of 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

EXCEEDS the max mun 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 the Fire Prevention Code prior to occupancy of Deginnin of operations.

() 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the Mational Fire Protection Association Standard Mo. 101

() 6. Stee plans are approved as Trans.

(x) 7. The Fire Prevention Bureau has no comments at this time.

Noted and Approved:
Deputy Chief Fice Prevention Bureau

m's 4/25/72

BALMMORE COUNTY, MARYIMAND

INTER-OFFICE CORRESPONDENCE

TO S. Eric DiNenna, Zoning Commissioner Date April 6, 1973

FROM Norman E. Gerber, Chief Land Use Master Plans

SUBJECT Fetition. 173-244 REA. Mortnesst side of Liberty Road 223.5 feet Northwest of Piteswoon Road Petition for Special Exceptin for Automotive Service Station Petition for Variance for Access to Commercial Motorway

2nd District

HEARING: Wednesday, April 11, 1973 (1:00 P.M.)

The staff questions whether this case should not be heard under the

Section 259.2F of the Zoning Regulations .tates that "...C.5.-1
Districts must be applied to certain strips of land which are zoned
of the Control of the Co

The staff does not believe the granting of the request would be in keeping with the spirit or legality of the regulations or the actions of the County Council In designating Liberty Roads as a Liass II Motorway, The subject property is located in a C.S.-2 District, and according to Section 405.28.1, a service station is permitted vy special exception. We suggest the petitioner investigate these potentials.

Within a 1 mile radius of the subject site there are six (6) service stations; there is one service station within a 1/2 mile radius. There are no abandoned or converted stations.

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LAW OFFICES

COOK, MUDE, MURRAY & HOWARD

TOWSON, MARYLAND 21204

APEA CODE 301

April 23, 1973

Zoning Commissioner for Baltimore County County Office Building Towson, Maryland 21204

> Re: Petition No. 73-244-RXA William F. Wilhelm

Dear Mr. Commissioner:

Will you kindly note an appeal to the County Board of Appeals from the Order of your office in the above case under date of April 18, 1973.

Very truly yours,

James H. Cook

JHC: rm





