

PETITION FOR ZONING RE-CLASSIFICATION AND/OR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

JOHN H. KLOHR and
I, or we, THE AMERICAN OIL COMPANY, legal owners 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 _____ zone to an _____ zone; for the following reasons:

Petition for Variance from Section 419.2 - To permit 20 stacking spaces instead of the required 40 spaces.

See attached description.

and (2) for a Special Exception, under the said Zoning Law and Zoning Regulations of Baltimore County, to use the herein described property for a Car Wash as a use in combination with a _____ Service Station.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above re-classification and/or Special Exception advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract purchaser: JOHN H. KLOHR - Legal Owner - 1
THE AMERICAN OIL COMPANY - Legal Owner - 2
Address: 8207 Liberty Road, Rockdale, Maryland
A. N. Charles, Sec., Baltimore, MD - 2
Petitioner's Attorney: JOSEPH M. POKORSKY
Address: Jefferson Building, Towson, Maryland
Protestant's Attorney: _____

ORDERED BY The Zoning Commissioner of Baltimore County, this _____ day of _____, 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, Maryland, on the _____ day of _____, 1973, at _____ o'clock.

Eric DiNenna
Zoning Commissioner of Baltimore County.

(over)

EWELL, BOMHARDT & ASSOCIATES
CONSULTING ENGINEERS
1800 NORTH CHARLES STREET
BALTIMORE, MARYLAND 21201

PROJECT: TRAFFIC STUDY
SUBJECT: LIBERTY RD.
J28 NO. _____
SHEET NO. _____ OF _____
DATE _____

EXISTING STATION 35,860 Sq. Ft.

LIBERTY RD. TO RANDALLSTOWN

DATE: TUES. APRIL 24, 1973
TIME: 4 PM - 5 PM
1 1122 1372 4 8

ADT - 35,700

25% of Mission - 75% of Airspace, 30% More Traffic, 100% More Gals.

WINNETKA & MEDICINE - 50% of Airspace, 10% More Traffic, 100% More Gals.

PETITIONER'S
EXHIBIT 3
73-266-XA

8207 Liberty Road
Rockdale, Maryland

BEGINNING for the same at a point on the southwest side of Liberty Road, said point being situate 189 feet, more or less, measured in a westerly direction from the northwest side of Langrehr Road; thence leaving said point of beginning and running South 29° 48' 43" West 180.26 feet; thence running North 65° 14' 30" West 180.0 feet thence running North 29° 48' 43" East 180.26 feet to intersect the beforementioned southwest side of Liberty Road; thence running with and binding along said southwest side of Liberty Road South 65° 14' 10" West 180.14 feet to the point of BEGINNING; being situate in the Second Election District, County of Baltimore, State of Maryland.

William D. Fromm, Director

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: S. Eric DiNenna, Zoning Commissioner Date: April 23, 1973

FROM: William D. Fromm, Director

SUBJECT: Petition #73-266-XA. Southwest side of Liberty Road 189 feet Northwest of Langrehr Rd. Petition for Special Exception for a Car Wash as a use in combination with a service station.
Petition for Variance for Stacking Spaces.
Petitioners - John H. Klohr and the American Oil Company
2nd District

HEARING: Thursday, April 26, 1973 (11:00 A.M.)

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

If the proofs of Section 502-1 of the Zoning Regulations are met, any development on this site should be conditioned to conformance to an approved site plan.

William D. Fromm, Director



Item #95 (1972-1973)
Property Owner: John H. Klohr and American Oil Company
Page 2
December 26, 1972

Sanitary Sewer (Cont'd)

The Petitioner is cautioned as to the disposal of industrial wastes. Wastes detrimental to the public sewer system, or to the functioning of the sewage pumping stations and/or treatment plants, shall be treated or disposed of as found necessary 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 ashes, cinders or rags - flammable, poisonous, or explosive liquids - gases, oils, grease, 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 wastes as may be required to determine either the method of disposal; or, the pretreatment to be employed by him if the industrial wastes are to be discharged into the public sanitary sewer system, prior to issuance of a building permit.

The Petitioner must submit a 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,

Ellsworth N. Diver, P.E.
Chief, Bureau of Engineering

END:ZAM:FW:iss

cc: Andrew Gravets

P-38 Key Sheet
22 NW 28 and 29 Position Sheet
NW 6 0 Topo
77 Tax Map

Baltimore County, Maryland
Department of Public Works
COUNTY OFFICE BUILDING
TOWSON, MARYLAND 21204

December 26, 1972

Bureau of Engineering
ELLSWORTH N. DIVER, P. E. CHIEF

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

Re: Item #95 (1972-1973)
Property Owner: John H. Klohr and American Oil Company
S/W Liberty Road, 189' W. of Langrehr Road
Present Zoning: B.R.
Proposed Zoning: Special Exception - conversion from manual to automatic car wash
District: 2nd No. Acres: 35,860 sq. ft.

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.

Highways:

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.

Storm Drains:

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

The Petitioner must provide necessary drainage facilities (temporary or permanent) to prevent creating any nuisances or damages to adjacent properties, especially by the concentration of surface waters. 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 (Md. 26) is a State Road. Therefore, drainage requirements as they affect the road come under the jurisdiction of the State Highway Administration.

Water:

Public water supply is available and serving this property.

Sanitary Sewer:

Public sanitary sewerage is available and serving this property.

BALTIMORE COUNTY, MARYLAND
JEFFERSON BUILDING TOWSON, MARYLAND 21204

DEPARTMENT OF TRAFFIC ENGINEERING

EUGENE J. CLIFFORD, P.E.

DIRECTOR

Wm. T. MELZER

DEPUTY TRAFFIC ENGINEER

December 8, 1972

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

Re: Item 95 - ZAC - December 5, 1972
Property Owner: John H. Klohr & American Oil Co.
Liberty Road W. of Langrehr Road
S.E. - conversion from manual to automatic car wash
District 2

Dear Mr. DiNenna:

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

1. 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.

2. Some conflict can be anticipated with the cars exiting from the car wash and vehicles entering from Liberty Road to the gas pumps. As volume increases, this conflict can become quite serious and cause some delay with vehicles on Liberty Road.

Very truly yours,

C. Richard Moore
Assistant Traffic Engineer

CAM:nc

PETITIONER'S
EXHIBIT 3

AMERICAN SERVICE STATION SITES PROPOSED FOR ONE-BAY CAR WASH FACILITY, COMPARED WITH 21 EXISTING OPERATIONS IN MINNEAPOLIS, DES MOINES, KANSAS CITY AND OMAHA.

Comparison:

1. Less Airspace - more chance of crowding
2. Less Gallonage - more vehicles using
3. Greater A.D.T. - more possibility of traffic conflicts.

21 EXISTING STATIONS SHOW FOLLOWING CHARACTERISTICS WHEN COMPARED WITH 7 STATIONS PROPOSED IN BALTIMORE COUNTY.

	LESS AIRSPACE	SEWER VOLUME	MORE TRAFFIC
6204 Kenwood Avenue	4	21	30
Middle River & Compass	3	21	18
Eastern & Stuart	5	13	4
Lappa & Pleasant Plains	8	17	16
6228 Charles Street	0	13	13
607 Frederick Road	16	13	12
8207 Liberty Road	16	13	6

ORDER RECEIVED FOR FILING
DATE: 1/10/73
FILED: 1/10/73

Pursuant to the advertisement, posting of property, and public hearing on the above petition and it appearing that by reason of the requirements of Sections 405.3, 405.4D, 405.419, and 405.41 of the Baltimore County Zoning Regulations having been met, a Special Exception for a Car Wash as a Use in Combination with a Service Station should be granted; and, it further appearing that by reason of the following finding of facts that strict compliance with the Baltimore County Zoning Regulations would result in practical difficulty and unreasonable hardship upon the Petitioners and the granting of the requested Variance not adversely affecting the health, safety, and general welfare of the community, a Variance to permit twenty (20) stacking spaces in lieu of the required forty (40) spaces should be granted.

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 7th day of November, 1973, that a Special Exception for a Car Wash as a Use in Combination with a Service Station should be and the same is GRANTED and the Variance to permit twenty (20) stacking spaces in lieu of the required forty (40) spaces should be and the same is GRANTED, from and after the date of this Order, subject to the approval of the Zoning Commissioner of Baltimore County a site plan by the State Highway Administration, the Department of Public Works, and the Office of Planning and Zoning. Pursuant to the advertisement, posting of property and public hearing on the above petition and it appearing that by reason of the

the above re-classification should NOT BE HAD, and/or the Special Exception should NOT BE GRANTED.

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this day of 1973, that the above re-classification be and the same is hereby DENIED and that the above described property or area be and the same is hereby continued as and to remain a zone; and/or the Special Exception for be and the same is hereby DENIED.

Zoning Commissioner of Baltimore County

BALTIMORE COUNTY ZONING ADVISORY COMMITTEE



PETITION AND SITE PLAN EVALUATION COMMENTS

BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

March 29, 1973

JOHN J. DILLON, JR.,
Chairman

JOHN J. DILLON, JR.,
Chairman

MEMBERS:

JOHN J. DILLON, JR.,
Chairman

JOHN J. DILLON, JR.,
Chairman

JOHN J. DILLON, JR.,
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JOHN J. DILLON, JR.,
Chairman

Joseph K. Pokorny, Esq.,
408 Jefferson Building
Towson, Maryland 21204

- RE: Special Petitions -
6309 Kenwood Avenue - Item #111
Eastern Ave. and Stuart St. - Item #96
8207 Liberty Road - Item #95
Joppa Rd. and Pleasant Plains Rd. - Item #94
6223 Charles Street Avenue - Item #93
Middle River and Compass Rd. - Item #92
607 Frederick Road - Item #91

Dear Mr. Pokorny:

Please be advised that I have received revised site plans from the American Oil Company with reference to the above mentioned locations, and I have scheduled these Special Exceptions for hearings on April 25th and April 26th, 1973. You will be notified as to the precise time and date in the near future.

As you know, these petitions have not been fully accepted by the Zoning Advisory Committee. However, at your specific request we have scheduled these cases for hearings.

In order to comply with the zoning requirements of Baltimore County, I am accepting these petitions as of the 20th day of March 1973, with the understanding that they do not have the full endorsement of the Zoning Advisory Committee.

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

JJD:JD

cc: B. L. Brehm, Esq.,
American Oil Company
621 York Road (21204)

KIMMEL & POKORNY
ATTORNEYS AT LAW
ONE JEFFERSON BUILDING
100 W. CHESAPEAKE AVENUE
TOWSON, MARYLAND 21204

TELEPHONE
VA. 8-9000

March 12, 1973

John J. Dillon, Jr.,
Chairman
Zoning Advisory Committee
County Office Bldg.
111 W. Chesapeake Avenue
Towson, Maryland 21204

- RE: Special Exception Petitions -
6309 Kenwood Avenue - Item #111
Eastern Ave and Stuart St. - Item #96
8207 Liberty Road - Item #95
Joppa Rd. and Pleasant Plains Rd - Item #94
6223 Charles Street Avenue - Item #93
Middle River and Compass Rd - Item #92
607 Frederick Road - Item #91

Gentlemen:

Please be advised that your comments relative to the Special Exceptions and Violations to the above referenced have been noted and my client wishes to have a hearing on the matter.

It would be appreciated if all of the above captioned could be heard at once. In this way it would reduce the bulk of the Plaintiff's testimonies and permit any individual sites idiosyncrasies to be heard.

Very truly yours,

Joseph K. Pokorny
JOSEPH K. POKORNY

dih

BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

January 12, 1973

Joseph J. Pokorny, Esq.,
Jefferson Building
Towson, Maryland 21204

- RE: Special Exception Petition
Item #95
John H. Kiohr and American Oil Company
Petitioners

Dear Mr. Pokorny:

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.

These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development shown on any plans submitted on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations on the appropriateness of the requested zoning.

The subject property is located on the southwest side of Liberty Road, 189 feet west of Langrehr Road, in the 2nd District of Baltimore County. The subject property is currently improved with a 3-bay car wash and has made an on site field inspection of the property. The following comments are a result of this review and inspection.

In a review of the submitted site plan it is noted that this car wash is proposed to be developed as a pull in from the front drive through and exit at the rear. Since this is of an assembly line nature, it would require a minimum of 10 on site storage stacking spaces. The petitioner is proposing a minimum of 12, therefore, a variance will be required to permit 12 stacking spaces.

Joseph J. Pokorny, Esq.,
Re: John H. Kiohr and American Oil Company
Page 2
January 12, 1973

In general, the appearance of this service station would be considered good to excellent. However, the 8 foot high screen fencing does not exist along the southernmost boundary line as required under Bill No. 40. There was no evidence of any ancillary uses, such as parking school buses or rental trucks or trailers. It was not determined whether or not this station is a State Inspection service station.

Pursuant to Section 419.3, the petition must meet the approval of the Bureau of Engineering and the Department of Traffic Engineering. However, this plan does not meet the approval of the Department of Traffic Engineering or the Planning Office. Therefore, this petition is being withheld from a hearing date until revised site plans are submitted that comply with their comments.

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

JJD:JD

Enclosure



Harry R. Hughes
Secretary
David H. Fisher
Administrator

December 8, 1972

- RE: Z.A.C. Meeting 12/5/72
Item: 95
Property Owner: John H. Kiohr and American Oil Company
Location: S/W side Liberty Road, 189' W of Langrehr Road
Present Zoning: B.R.
Proposed Zoning: Special Exception - Conversion from manual to automatic car wash
District: 2
No. Acres: 35,860 square feet

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

Dear Mr. McNamee:

The existing entrances into the subject site are satisfactory. The plan indicates that the proposed car wash will have no adverse effects on the highway.

The 1972 average daily traffic count for this section of Liberty Road is 34,650 vehicles.

Very truly yours,
Charles Lee, Chief
Development Engineering Section
John E. Meyer
JOHN E. MEYER
Asst. Development Engineer

CLJ:JTB

Baltimore County Fire Department



Towson, Maryland 21204
855-7516

J. Austin Deitz
Chief

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

Attention: Mr. Jack Dillon, Acting
Zoning Advisory Committee

Re: Property Owner: John H. Kiohr and American Oil Company

Location: S/W side Liberty Road, 189' W of Langrehr Road

Item No. 95

Zoning Agenda Tuesday, December 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.

- () 1. Fire hydrants for the referenced property are required and shall be located at intervals of 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. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operations.
- () 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. Site plans are approved as drawn.
- () 6. The Fire Prevention Bureau has no comments at this time.
- (X) 7. The Fire Prevention Bureau has no comments at this time.

Reviewed: *J. Austin Deitz* Noted and Approved: Deputy Chief
Planning Group Division Fire Prevention Bureau
Special Inspection Division

mls
4/23/72



EXIST. ZONING - CR-16
EXIST. USE - APARTMENTS

EXIST. EVERGREEN TREES

EXIST. METAL RAILING

GRADING NOTES

000.0 DENOTES EXISTING GRADES.
000.9 DENOTES PROPOSED GRADES.
PUMP ISLANDS TO HAVE A 6" CURB.
BENCH MARK - BALTO. CO. B.M. 3132 - HARRIOT LANE. ELEV. 100.0

NOTES

1. CONTRACTOR SHALL REMOVE ALL EXIST. INCLUDING ALL UNDERGROUND TANKS.
2. ALL REMOVED EQUIPMENT SHALL BECOME EXCEPT THE FOLLOWING ITEMS:
1- 60" x 60" TIO. N/R SIGN 11-11-14 CM
1- 6" FLUOR TYPE AREA LITES
1- MODEL FOR THE BOOTH
2- GASOLINE DISP. PUMPS (WAYNE #738)
THE ROCKS & COUNTER DISPLAY
SHELF ROOM ADJUSTABLE SHELVING
1- DESK
1- CHAIR
1- 6" FLUOR TYPE ISL. LITE (TWIN)
1- 1/2" ISLAND LITE POLE
1- 6" LITE, 5000 LITE ASS.
1- 5" 80 BAL. U.S. FLUORIDE TAVERN
3. DISPOSITION OF THE REMAINING EQUIPMENT SHALL BE DETERMINED BY OUR ENGINEER.

AREA REQUIREMENTS

EXISTING BUILDING: PARCEL #1 BR & BL PARCEL'S: BR & BL
PERMITTED ZONING: PARCEL #1 SAME PARCEL'S: SAME
DISTRICT: C-10-3 - SPECIAL HEARING FOR SITE EXPANSION
DEAL ACB
ELECTION DISTRICT: 2ND

AREA REQUIREMENTS

1. THREE DISPERSED ISLANDS WITH 2. MINIMUM DISPERSED PAVING CAPABLE OF SERVING 10 CARS AT ANY ONE TIME.
2. TOTAL PAVING: 13,000 SQ. FT.
TOTAL DRIVE & DRIVEWAY: 3,000 SQ. FT.
3. SITE AREA REQUIRED: TOTAL DRIVE & DRIVEWAY: 13,000 SQ. FT.
4. PAVING ANNUALITY USED: NONE
5. ADDITIONAL AREA REQUIRED: 1.000 SQ. FT.
6. PROPOSED LUBRICATION USED: NONE
7. ADDITIONAL AREA REQUIRED: 1.000 SQ. FT.
8. TOTAL AREA REQUIRED: 13,000 SQ. FT.
9. TOTAL AREA OF TRACT: 35,000 SQ. FT.

ACCESS POINTS

1. NUMBER OF DRIVEWAYS: 11 FRONT STREET 12
THIRD 10-150 FT. BEHIND WIDTH
2. ACTUAL SITE WIDTH: 120 FT.

LANDSCAPING

1. AREA "A" = 25,000 SQUARE FEET
2. TOTAL 25,000 SQ. FT. = 100% OF TRACT
3. 75% OF TRACT = 18,750 SQ. FT.
4. LANDSCAPING: 10% OF TRACT
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99. LANDSCAPING: 10% OF TRACT
100. LANDSCAPING: 10% OF TRACT

LIGHTING

1. TYPE ISLAND LIGHTS: HEIGHT 10 FEET
2. TYPE AREA LIGHTS: (LOWBALL TYPE)
HEIGHT: 14 FEET

PARKING

1. PARKING SPACES PROVIDED @ 9' SPACES FOR EACH DAY = 9
2. PARKING SPACES PROVIDED = 9

A/B CRAB HOUSE

EXIST. ZONING - BR

LIBERTY

(MO. RTE. NO. 26)

ROAD (66' WIDE)