

PETITION FOR SPECIAL HEARING

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, BP Oil Corporation, legal owner of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing Under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner and/or Deputy Zoning Commissioner should amend the previously granted Special Exception Case No. 72-139 to revise the previously submitted site plan.

See attached description

Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above Special Hearing of arising, 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 BP Oil Corporation Legal Owner
Address Bank & N. H. Street
Baltimore, Md. 21224
Petitioner's Attorney John P. H. Jones Protestant's Attorney

ORDERED by the Zoning Commissioner of Baltimore County, this 11th day of June, 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 11th day of June, 1973, at 11:00 o'clock A.M.

John P. H. Jones
Zoning Commissioner of Baltimore County

(over)

RE: PETITION FOR SPECIAL HEARING BEFORE THE
NWS of Eastern Avenue, 113.14 feet DEPUTY ZONING
NE of Kitty Hawk Road - 15th District
B.P. Oil Corporation - Petitioner DEPUTY ZONING
NO. 73-300-SPH (Item No. 206) COMMISSIONER

OF
BALTIMORE COUNTY

This Petition represents a request to amend the site layout and area of a tract of ground as originally presented to the Zoning Commissioner and subsequently granted a Special Exception for a service station and use in combination car wash and food store.

Testimony and evidence indicated that the original size of the site is proposed to be reduced from 58,000 square feet to 36,000 square feet, more or less. The site frontage is to be reduced from 327.55 feet to 232.55 feet on Eastern Boulevard, and from 314.72 feet to 164.72 feet, on Eastern Avenue. Major changes in the site layout consist of relocating the two (2) entrances on Eastern Boulevard and removal of the two (2) entrances on Eastern Avenue. Otherwise the layout remains basically unchanged.

There were no Protestants present at the hearing, however, the State Highway Administration and the Baltimore County Department of Traffic Engineering made adverse comments with respect to entrance locations and stacking spaces for the car wash. The State Highway Administration felt that the entrance locations could best serve the site if located opposite the crossover on Eastern Boulevard, however, subsequent meetings between the B.P. Oil Corporation and the State Highway Administration have apparently solved this problem. Insofar as the stacking spaces are concerned, the Petitioner's engineer testified to the effect that the draftsman had shown more spaces than required or necessary and that the plan could be revised to eliminate the stacking spaces that conflict with the entrance and driveway traffic circulation.

After reviewing the above testimony and evidence, it is the opinion of the Deputy Zoning Commissioner that the Petitioner's site plan, as amended, meets the requirements of Section 502.1 and that, with certain additional amendments and restrictions, his request can be granted without being detrimental to the health, safety, or general welfare of the locality involved. The site area, as reduced, is still more than double the minimum 15,000 square feet required for a service station. The entrances and interior circulation are satisfactory and adequate to serve all functions of the site. Therefore, IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County, this 29th day of June, 1973, that Petitioner's request to amend his site plan as originally presented by Petition No. 73-139-RX is hereby GRANTED, subject, however, to the following restrictions:

- The amended site plan submitted with this request and marked Petitioner's Exhibit No. 1 be further amended as follows:
 - All stacking places over and above those needed for the car wash must be removed from the plan, a note must be inserted on the plan, indicating that an attendant will be on duty during the busy periods to keep the vicinity around the entrance and pump servicing areas free and clear for traffic circulation. The note should also indicate how the vehicles waiting in the five (5) stacking lanes will be controlled and regulated through the car wash.
 - Complete bearing and distances of the area to be utilized, as well as the residue parcel created by this Petition, must be indicated on the amended plan.
 - Curo and gutter and all other improvements normally required for commercial road frontages, including the location of anticipated entrances, shall be indicated for the residue parcel and shall be constructed at the time the amended site is improved.
- The final amended plan shall be reviewed and approved by the State Highway Administration, the Department of Traffic Engineering, the Department of Public Works, and the Office of Planning and Zoning.

James E. H. Jones
Deputy Zoning Commissioner of Baltimore County

William G. Ulrich, Jr.
- COUNTY SURVEYOR
Professional Land Surveyor

18 FULLERTON HEIGHTS AVE. BALTIMORE, MD. 21254

FOR THE PURPOSE OF ZONING ONLY

Beginning for the same on the northwest right of way line of Eastern Avenue (60 feet wide) at the northeasternmost corner of lot No. 1 of the plat of Section One Bigwater Addition as recorded among the plat records of Baltimore County in Flat Book No. 13 Folio 24 etc. at the distance of 113.41 feet measured northeasterly from the center line of Kitty Hawk Road running thence and binding on the northernmost outline of Section One Bigwater Addition north 54 degrees 13 minutes 11 seconds west 235.51 feet to the southeasternmost right of way line of Eastern Boulevard, running thence and binding on the said easternmost right of way line north 51 degrees 18 minutes 12 seconds east 327.55 feet, running thence leaving Eastern Boulevard south 54 degrees 10 minutes 50 seconds east 145.30 feet to intersect the aforementioned northwest right of way line of Eastern Avenue running thence and binding on said northwest right of way line of Eastern Avenue south 35 degrees 49 minutes 10 seconds west 314.72 feet to the place of beginning.

Containing 1.373 acres of land more or less.



BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Mr. Eric DiNenna, Zoning Commissioner Date: May 31, 1973
FROM: William D. Fromm, Director
SUBJECT: Petition 73-300-SPH. Northwest side of Eastern Avenue 113.41 feet northeast of Kitty Hawk Road.
Petition for Special Hearing to Amend the previously granted Special Exception Case 72-139 Petitioner- BP Oil Corporation
15th District

HEARING: Monday, June 11, 1973 (11:00 A.M.)

The staff of the Office of Planning and Zoning will offer no comment on this petition at this time.

William D. Fromm
William D. Fromm, Director
Office of Planning and Zoning

WDF:NEG:rw

BALTIMORE COUNTY, MARYLAND

DEPARTMENT OF HEALTH

JEFFERSON BUILDING
TOWSON, MARYLAND 21204

April 19, 1973

DONALD 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 200, Zoning Advisory Committee Meeting
April 17, 1973, are as follows:

Property Owner: Order of Elks, Baltimore Lodge #7
Location: S/E End of Rices Lane
Present Zoning: R.D.P.
Proposed Zoning: Special Exception for community buildings and other structural and land uses for civic, social, recreational and educational activities in an R.D.P. zone, pursuant to Section 1A00.28.6
District: 2
No. Acres: 12.96

Prior to approval of building application, complete soil evaluation must be conducted and approved, and all data concerning maximum use of property must be submitted for review and approval.

Food Service Comments: If a food service facility is proposed, complete plans and specifications must be submitted to the Division of Food Protection, Baltimore County Department of Health, for review and approval.

Air Pollution Comments: The building or buildings on this site may be subject to a permit to construct and a permit to operate any and all fuel burning and processing equipment. Additional information may be obtained from the Division of Air Pollution and Industrial Hygiene, Baltimore County Department of Health.

Very truly yours,

Thomas M. Devlin
Thomas M. Devlin, Director
BUREAU OF ENVIRONMENTAL SERVICES

HVB:mmg
cc: L.A. Schuppert
W.L. Phillips

BALTIMORE COUNTY, MARYLAND
JEFFERSON BUILDING TOWSON, MARYLAND 21204

DEPARTMENT OF TRAFFIC ENGINEERING
EUGENE J. CLIFFORD, P.E.
DIRECTOR

Wm. T. Mullen
DEPUTY TRAFFIC ENGINEER

May 30, 1973

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

Re: Item 206 - ZAC - April 24, 1973
Property Owner: BP Oil Corporation
NW/5 of Eastern Avenue
Special Hearing to Amend the previously granted Special Exception, Case No. 72-139 to revise prev submitted site plan District 15

Dear Mr. DiNenna:

The stacking spaces for the proposed car wash interfere with access to the site and may cause traffic to back up on Eastern Boulevard.

Very truly yours,

Michael S. Flanigan
Michael S. Flanigan
Traffic Engineer Associate

MSF/pk

PETITION MAPPING PROGRESS SHEET

FUNCTION	Well Map	Original	Duplicates	Tracing	200 Sheet
	date	by	date	by	date
Descriptions checked and outline plotted on map					
Petition number added to outline					
Denied					
Granted by ZC, BA, CC, CA					
Reviewed by: <u>JPB</u>					
Previous case: <u>72-139-RX</u>					
Revised Plans: Change in outline or description					
Map #					

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

#73-300SPH

District 15* Date of Posting 5-24-73
 Posted for: Hearing Monday June 11th 1973 @ 11:00 A.M.
 Petitioner: B.B. Oil Corp.
 Location of property: N.W. 1/4 of Section One 113, 14 NE of Kelly Hand Rd
 Location of Signs: Sign posted on Section One April 11, 14 NE of Kelly Hand Rd
 Remarks: 4 12th Hand Rd
 Posted by: Mark J. Hase Date of return: 5-31-73
 Signature

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

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

Your Petition has been received* this 10th day of April 1973
 WPS. Item #

S. Eric Dittman
Zoning Commissioner

Petitioner B.B. Oil Submitted by Burkling
 Petitioner's Attorney Reviewed by

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

Dr. Howard C. Harding
20 01 Corporation
Bank & Haven Streets
Baltimore, Md. 21204

Form 204

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

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

Your Petition has been received and accepted for filing

this 10th day of May 1973

S. Eric Dittman
Zoning Commissioner

Petitioner 20 01 Corporation

Petitioner's Attorney Howard C. Harding
 20 01 Corporation
 Bank & Haven Streets (21204)

Chairman
Zoning Advisory Committee

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

No. **8386**

DATE May 18, 1973 ACCOUNT 01-662

AMOUNT \$25.00

WHITE - CASHIER DISTRIBUTION
PINK - AGENCY YELLOW - CUSTOMER

BP Oil Corp.
Bank & Haven Sts.
Baltimore, Md. 21224
Petitioner for Special Hearing--#73-300-SPH

1973 JUN 16

25.00 MSC

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

No. **10841**

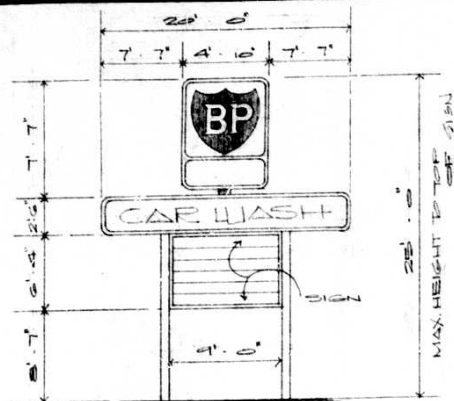
DATE June 13, 1973 ACCOUNT 01-662

AMOUNT \$56.00

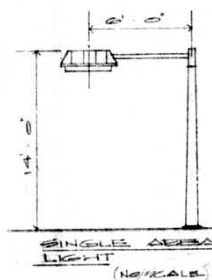
WHITE - CASHIER DISTRIBUTION
PINK - AGENCY YELLOW - CUSTOMER

BP Oil Corp.
Bank & Haven Sts.
Baltimore, Md. 21224
Advertising and posting of property--#73-300-SPH

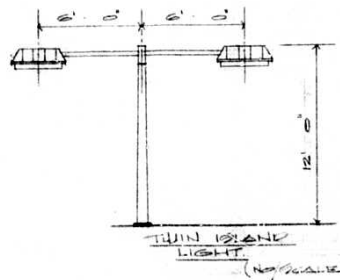
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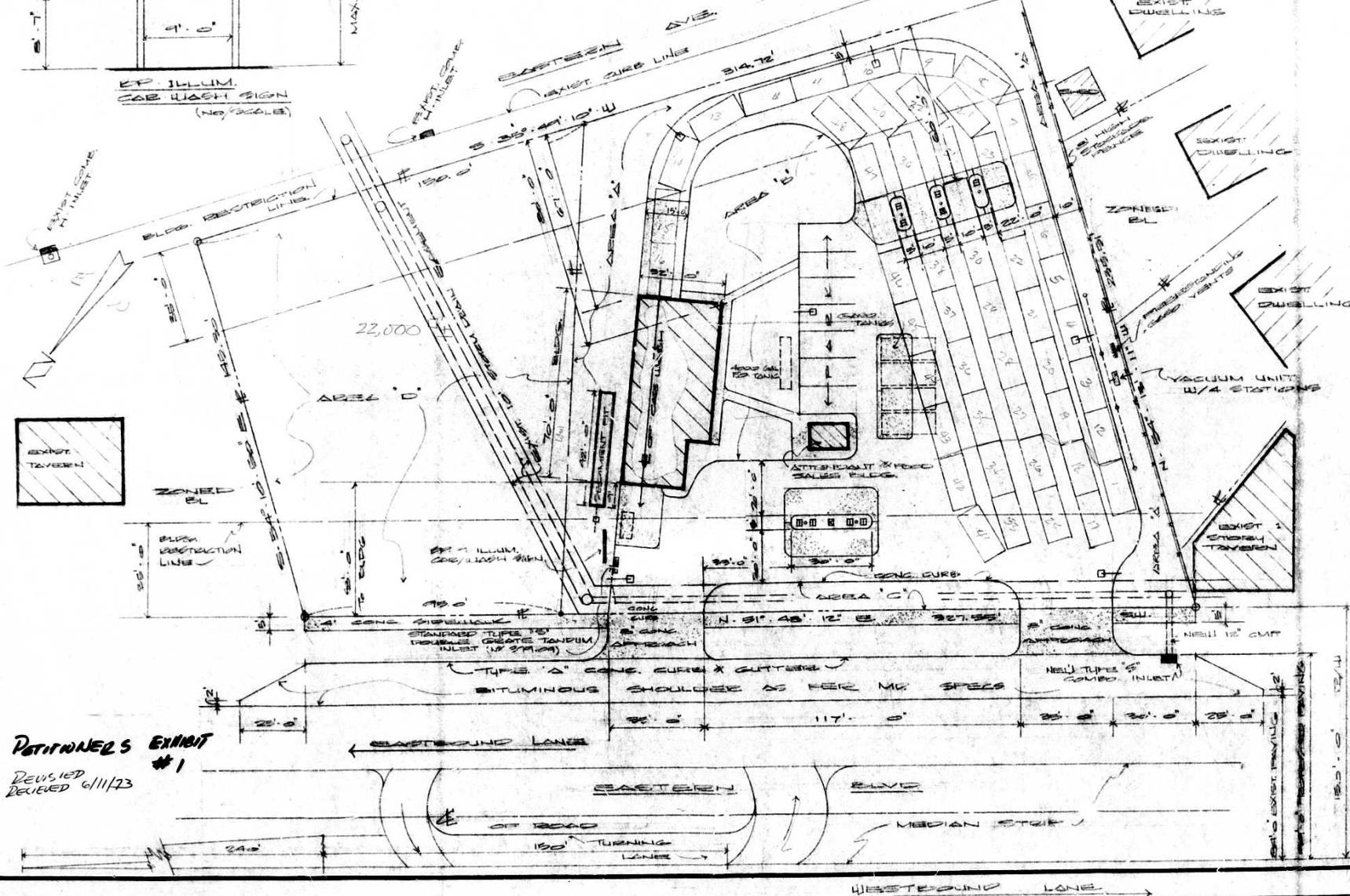
BP ILLUM. CAR WASH SIGN
(NO SCALE)



SINGLE AREA LIGHT
(NO SCALE)



TWIN ISLAND LIGHT
(NO SCALE)



POTTER'S EXHIBIT
#1
REVISED
REVISED 6/11/23

ZONING STATUS

EXIST. ZONING: EL
FIFTEENTH (15TH) ELECTION DISTRICT
325 FT TO NEAREST INTERSECTING ST
AREA OF PARCEL 52,000 SQ. FT. ±
MAX. BUILDING HEIGHT 14' 0"

SHOULDER PAVING
12" COMPACTED PLANT MIX SIZED 5/8" SCREEN
CONCRETE (3" 4" COURSES) PLUS 3/4" COMPACTED MIX SPEC. 2 BITUMINOUS CONCRETE (2" BASE - 1 1/2" SURFACE)
- OR -
1" COMPACTED MIX SPEC. 2 BITUMINOUS CONCRETE PLACED IN (2) 3" COURSES 6" BASE / 3" SURFACE.
- OR -
3" STATE BOARD COMMISSION CLASS "P" CONCRETE

ON SITE PAVING:
7" COMPACTED MIX SPEC. 2 BITUMINOUS CONCRETE / 3" BASE / 3" SURFACE

AREA LIGHTS - 14' 0" HIGH MEDIUM VOLUME SINGLE ARM ONLY ARM ONLY (5) ISLAND LIGHTS, 12' HIGH MEDIUM VOLUME SINGLE ARM (1) TWIN ARM (4)

LANDSCAPING:
AREA "A" 3,170 SQ. FT.
AREA "B" 4,378 SQ. FT.
AREA "C" 170 SQ. FT.
AREA "D" 17,954 SQ. FT.
TOTAL 25,672 SQ. FT.
52% OF TOTAL TRACT: 13,340 SQ. FT.
5% OF TOTAL TRACT: 1,283 SQ. FT.

ROSE SPRAW (COTON EASTER HORIZONTALIS) 2' HIGH
LILIES (LILIES) 2' TO 3' HIGH
RUSSIAN CAMEL (ELAEAGUS ALNUSIFOLIA) 3' TO 6' HIGH

5' SERVICING SPACE
11' WAITING SPACE
SLEEPER PITS:
NO OF DRIVEWAYS ON FRONT STREET: 2 x 24' x 150' REAR WITH ACTUAL SITE WIDTH 227.25' (NO DRIVEWAYS ON REAR STREET)

AREA REQUIREMENTS:
3' EXPANDED ISLANDS CAPABLE OF SERVICING 4 CARS AT ANY ONE TIME
TOTAL SERVICING SPACES: 4
TOTAL SERVICING BAYS: 1
TOTAL BAYS x SPACES: 4

(TOTAL WAITING SPACE FOR CARWASH: 3)
SITE AREA REAR: TOTAL BAYS x SPACES (5) x 1500 = 7500 SQ. FT.
SITE: 52,000 SQ. FT.

CAR WASH NOTES:
SPACES PROVIDED FOR CAR WASH: 5 (25 1/2' x 10')
1 AUTOMATIC CAR WASH CAPABLE OF SERVICING 60 CARS IN 1 HOUR

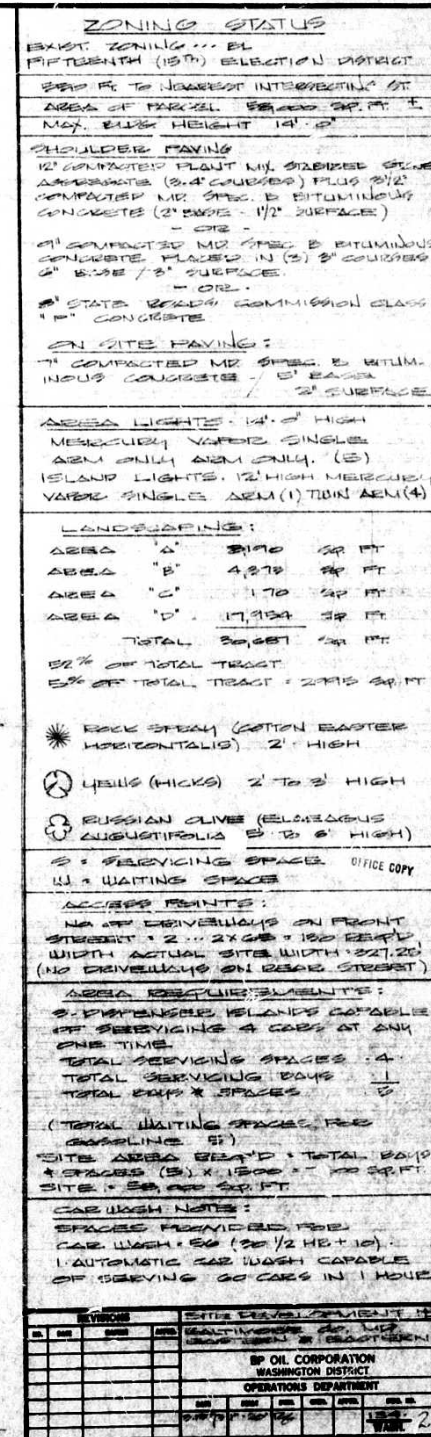
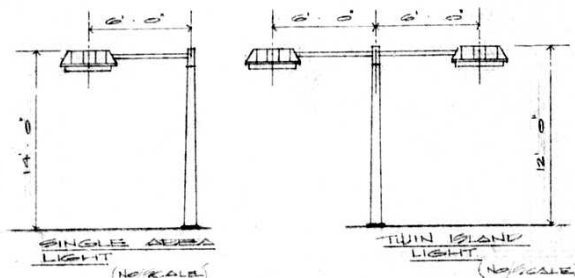
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Old Plot