

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

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, Tate Smith, President, legal owner, and 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:

See attached description

MAP: 44-255-X  
SECTION: 15  
D: 1165  
E: 1165  
F: 1165  
G: 1165  
H: 1165  
I: 1165  
J: 1165  
K: 1165  
L: 1165  
M: 1165  
N: 1165  
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P: 1165  
Q: 1165  
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S: 1165  
T: 1165  
U: 1165  
V: 1165  
W: 1165  
X: 1165  
Y: 1165  
Z: 1165

and (2) for a Special Exception, under the said Zoning Law and Zoning Regulations of Baltimore County, to use the herein described property, for \_\_\_\_\_

Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expense of above reclassification 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.

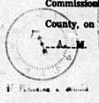
Contract purchaser: Espersen Tire Company (Tate Smith, President)  
Address: 1165 North Point Road, Baltimore, Maryland 21222  
Petitioner's Attorney: \_\_\_\_\_  
Protestant's Attorney: \_\_\_\_\_

By \_\_\_\_\_, Zoning Commissioner of Baltimore County, this \_\_\_\_\_ day of \_\_\_\_\_, 1974, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the \_\_\_\_\_ day of \_\_\_\_\_, 1974, at 10:00 o'clock \_\_\_\_\_.

ORDER RECEIVED FOR FILING

DATE: 4/10/74

APR 5



(over)

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

Bureau of Engineering  
ELLSWORTH H. DYER, P.E., CHIEF

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

Re: Item #157 (1973-1974)  
Property Owner: Tate Smith  
The center of Back River Neck Rd., 161' S. of Hopewell Ave.  
Existing Zoning: B.L.  
Proposed Zoning: Special Exception for Tire Service Center  
No. of Acres: 4.060 sq. ft. District: 15th

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.

General:

The submitted plan should be revised in relation with the recorded plat entitled "Schott Property" (B.S.G. 29 Folio 121), as the subject property appears to incorporate portions of Lots 1 and 2 shown thereon.

Highways:

Back River Neck Road, an existing County road, was recently improved in this vicinity. No further highway improvements are required at this time.

Construction or reconstruction of sidewalks, curb and gutter, entrances, apron, etc. will be the full responsibility of the Petitioner.

The entrance locations are subject to approval by the Department of Traffic Engineering, and shall be constructed in accordance with Baltimore County Standards.

Sediment Control:

Development of this property through stripping, grading and stabilization could result in a sediment pollution problem, damaging private and public holdings downstream of the property. A grading permit is, therefore, necessary for all grading, including the stripping of top soil.

Storm Drains:

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

Item #157 (1973-1974)  
Property Owner: Tate Smith  
Page 2  
April 8, 1974

Storm Drains: (Cont'd)

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.

Water and Sanitary Sewer:

Public water supply and sanitary sewerage are available and served the former service station on this site. It appears that additional fire hydrant protection may be required in the vicinity.

Very truly yours,

*Ellsworth H. Dyer*  
ELLSWORTH H. DYER, P.E.,  
Chief, Bureau of Engineering

END:RAM:FM:rss

cc: G. Reiser

I-SE Key Sheet  
5 & 6 NE 33 Pos. Sheets  
NE 2 H Topo  
97' Tax Map

May 21, 1974

Mr. Tate Smith  
President  
Eastern Tire Company  
1105 North Point Road  
Baltimore, Maryland 21222

RE: Petition for Special Exception  
SW 1/8 of Back River Neck Road, 161'  
S of Hopewell Avenue - 15th District  
Eastern Tire Company - Petitioner  
NO. 74-255-X (Item No. 157)

Dear Mr. Smith:

I have this date passed my Order in the above referenced matter. Copy of said Order is attached.

Very truly yours,

*S. Eric DiNenna*  
S. ERIC DI NENNA  
Zoning Commissioner

SED/srl

Attachments

SITE DESCRIPTION

Beginning at a point in the center of Back River Neck Road, approximately 161 feet south of Hopewell Avenue and thence running the four (4) following courses and distances:

1. S 31°52' E 128'
2. S 50°27' W 150' to the division line between the B.L. and D.R. 10.5 zones.
3. thence along the aforementioned line of division in a northerly direction, approximately 128 feet.
4. thence N 50°27' E 150' to the point of beginning.

**Baltimore County Fire Department**

J Austin Deitz  
Chief



Towson, Maryland 21204

823-7310

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

Attention: Mr. Jack Dillon, Chairman  
Zoning Advisory Committee

Re: Property Owner: Tate Smith

Location: The center of Back River Neck Road, 161 feet S of Hopewell Avenue  
Item No. 157 Zoning Agenda March 19, 1974

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 \_\_\_\_\_
- (X) 4. 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", 1973 edition prior to occupancy.
- ( ) 6. Site plans are approved as drawn.
- ( ) 7. The Fire Prevention Bureau has no comments at this time.

Reviewed by: *John L. Wimbley*  
Planning Group  
Special Inspection Division

Noted and Approved: *Paul H. Reinisch*  
Deputy Chief  
Fire Prevention Bureau

mls  
4/16/74

BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

April 10, 1974

JAMES B. BYRNES, III  
ZONING COMMISSIONER

Mr. Tate Smith, President  
Eastern Tire Company  
1105 North Point Road  
Baltimore, Maryland 21222

RE: Special Exception Petition  
Item 157  
Tate Smith - Petitioner

Dear Mr. Smith:

This office is in receipt of revised plans and/or descriptions which reflect the required changes of the participating agency(s) of the Zoning Advisory Committee.

This petition is accepted for filing on the date of the enclosed filing certificate. Notice of the hearing date and time, which will be held not less than 30, nor more than 90 days after the date on the filing certificate, will be forwarded to you in the near future.

Very truly yours,

*James B. Byrnes, III*  
JAMES B. BYRNES, III  
Chairman,  
Zoning Advisory Committee

JBB:JD

Enclosure

WILLIAM D. FROMM  
DIRECTOR

S. ERIC DINENNA  
ZONING COMMISSIONER



April 5, 1974

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

Dear Mr. DiNenna:

Comments on Item #157, Zoning Advisory Committee Meeting, March 19, 1974, are as follows:

Property Owner: Tate Smith  
Location: The center of Back River Neck Road, 161 feet S of Hopewell Avenue  
Existing Zoning: B.L.  
Proposed Zoning: Special Exception for Tire Service Center  
No. of Acres: 4.060 square feet  
District: 15th

This plan has been reviewed and there are no site-planning factors requiring comment.

Very truly yours,

*John L. Wimbley*  
John L. Wimbley  
Planning Specialist II  
Project & Development Planning

Pursuant to the advertisement, posting of property, and public hearing on the above petition and it appearing that by reason of the requirements of Section 502.1 of the Baltimore County Zoning Regulations having been met...

Special Exception for a Garage, Service should be granted. It is ORDERED by the Zoning Commissioner of Baltimore County, this 21st day of May, 1974, that the above described property not be subject to the above re-classification should NOT BE HAD, and/or the Special Exception should NOT BE GRANTED.

Pursuant to the advertisement, posting of property and public hearing on the above petition and it appearing that by reason of...

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 21st day of May, 1974, 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, MARYLAND DEPARTMENT OF HEALTH

JEFFERSON BUILDING TOWSON, MARYLAND 21204

March 20, 1974

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 157, Zoning Advisory Committee Meeting March 19, 1974, are as follows:

Property Owner: Tate Smith Location: W/S Back River Neck Rd., 161' S of Hopewell Ave. Present Zoning: B.L. Proposed Zoning: Special Exception for Tire Service Center No. Acres: 4060 Sq. ft. District: 15

Metropolitan water and sewer are available.

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.

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

Very truly yours,

Thomas H. Devlin, Director BUREAU OF ENVIRONMENTAL SERVICES

HVB:tmg

cc: W.L. Phillips

BOARD OF EDUCATION OF BALTIMORE COUNTY

TOWSON, MARYLAND - 21204

Date: March 20, 1974

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

Re: Item 157 Property Owner: Tate Smith Location: The center of Back River Neck Rd, 161 ft. S. of Hopewell Ave Present Zoning: B.L. Proposed Zoning: Special Exception for Tire Service Center

District: 15th No. Acres: 4060 sq. ft.

Dear Mr. DiNenna:

No bearing on student population.

Very truly yours, W. Wick Powell, Field Representative

WNP/ml

H. EMILE PARKS, TREASURER EUGENE D. HESS, CLERK MRS. ROBERT L. HERVEY

MARCUS M. BELFRANS JUDITH M. MCGEE ALVIN LORLICK JOSHUA H. WHEELER, SUPERVISOR

T. HAROLD WILLIAMS, JR. RICHARD W. TRACY, V.P. MRS. RICHARD W. TRACY

BALTIMORE COUNTY, MARYLAND

JEFFERSON BUILDING TOWSON, MARYLAND 21204

DEPARTMENT OF TRAFFIC ENGINEERING

EUGENE J. CLIFFORD, P.E. DIRECTOR W. T. MALLEY DEPUTY TRAFFIC ENGINEER

April 11, 1974

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

Re: Item 157 - 2nd - March 19, 1974

Property Owner: Tate Smith The center of Back River Neck Road, 161 feet S of Hopewell Avenue District 15

Dear Mr. DiNenna:

The special exception for a Tire Service Center should not increase the trip density of the property since it is presently zoned commercial.

Very truly yours,

C. Richard Moore Assistant Traffic Engineer

CRH/pk

OFFICE OF THE ESSEX TIMES

ESSEX, MD. 21221 April 22 - 19 74

THIS IS TO CERTIFY, that the annexed advertisement of S. Eric DiNenna Zoning Commissioner of Baltimore County

was inserted in THE ESSEX TIMES, a weekly newspaper published in Baltimore County, Maryland, once a week for one week

before the 22 day of April 19 74 that is to say, the same was inserted in the issue of April 18 - 1974.

STROMBERG PUBLICATIONS, Inc.

By Ruth Morgan

CERTIFICATE OF PUBLICATION

TOWSON, MD., April 18, 1974

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., on one time... before the 18th day of April 1974

THE JEFFERSONIAN

S. Leland Strickland, Manager

Cost of Advertisement, \$

PETITION MAPPING PROGRESS SHEET

Table with columns: FUNCTION, Well Map date by, Original date by, Duplicate date by, Tracing date by, 200 Sheet date by. Rows include: Descriptions checked and outline plotted on map, Petition number added to outline, Denied, Granted by ZC, BA, CC, CA, Reviewed by: GTH, Revised Plans: Change in outline or description Yes/No, Previous case: Map #

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District: 15th Date of Posting: 4-16-74 Posted for: Henry Wick Powell, 1974, 161 ft. S of Hopewell Ave Location of property: S. of Back River Neck Rd. 161 ft. S of Hopewell Ave Location of Signs: 1 sign posted on Dept. of Planning Bldg. 1 sign posted on Dept. of Planning Bldg. Remarks: Signed by S. Eric DiNenna Date of return: 4-16-74

Mr. Tate Smith, President Essex Tire Company 1105 North Point Rd. Baltimore, Maryland BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING 21222

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

Your Petition has been received and accepted for filing this 8th day of April 1974.

S. Eric DiNenna, Zoning Commissioner

Petitioner: Tate Smith Petitioner's Attorney: Reviewed by: Chairman

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

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

Your Petition has been received \* this 1st day of April 1974

S. Eric DiNenna, Zoning Commissioner

Petitioner: Tate Smith Submitted by: McKinney Petitioner's Attorney: Reviewed by: S. Eric DiNenna

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

BALTIMORE COUNTY, MARYLAND OFFICE OF FINANCE - REVENUE DIVISION MISCELLANEOUS CASH RECEIPT No. 14718

DATE: April 15, 1974 ACCOUNT: 01-662

AMOUNT: \$50.00

DISTRIBUTION WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

Eastern Tire Company, Inc. 1105 North Point Rd. Baltimore, Md. 21222 Petition for Special Exception #74-255-X 74 APR 15 5 00 PM '74

BALTIMORE COUNTY, MARYLAND OFFICE OF FINANCE - REVENUE DIVISION MISCELLANEOUS CASH RECEIPT No. 15004

DATE: May 30, 1974 ACCOUNT: 03-662

AMOUNT: \$40.50

DISTRIBUTION WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

Essex Tire Co., Inc. 118 Back River Neck Rd. Baltimore, Md. 21222 Advertising and posting of property #74-255-X 4 05 PM '74

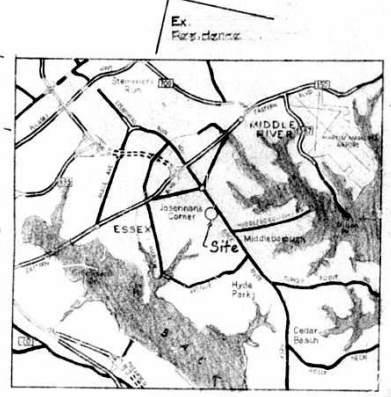
**PARKING DATA**

Exist. Service Area: 1285 Sq. Ft.  
 Proposed Service Area: 984 Sq. Ft.  
 Proposed Service Area: 425 Sq. Ft.  
 Proposed Storage Area: 889 Sq. Ft.  
**TOTAL AREA: 4000**

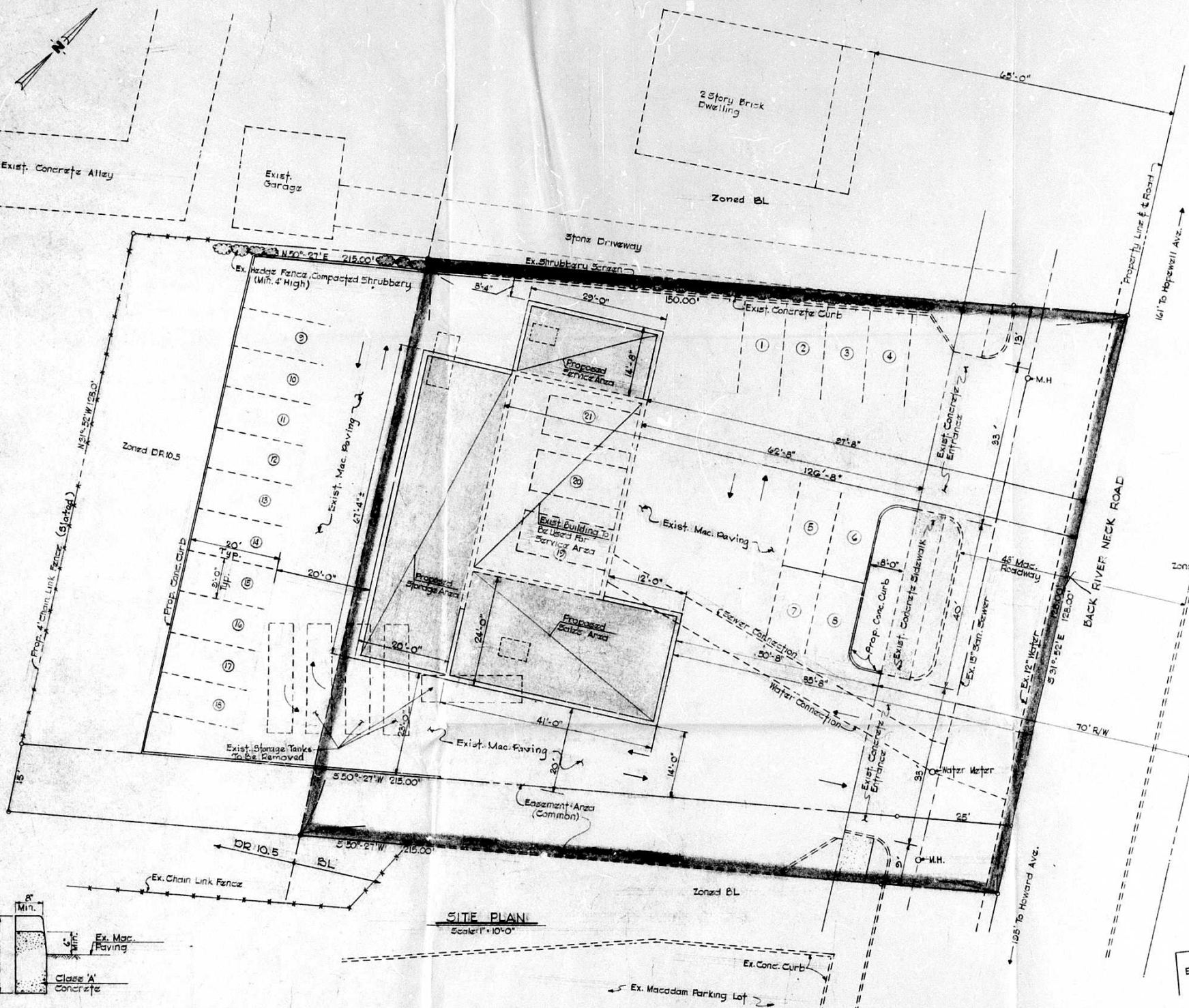
**SPACES REQUIRED**

4000/200 = 21 Spaces  
 Spaces Provided = 21 Spaces

Property Zoned: BL  
 Elzation District: 151  
 Lot Area: 24,295 Sq. Ft.

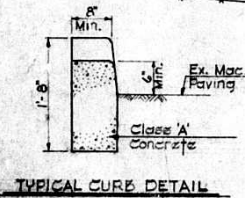


**LOCATION MAP**  
 Scale: 1" = 1 Mile



**SITE PLAN**  
 Scale: 1" = 10'-0"

**NOTE:**  
 Property Will Not Be Used To Store Damaged Or Disabled Vehicles.  
 Rear Parking Area (Existing) To Be Used For Customer Parking Only. Will Not Be Eliminated.  
 Proposed Use: Tire Service Center.



**TYPICAL CURB DETAIL**

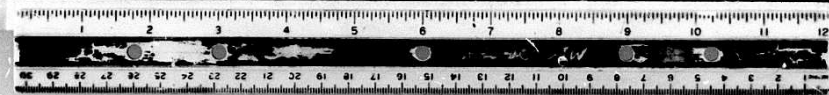
Maryland  
 National Bank

**KENNEDY-BODE ENGINEERING INC.**  
 CONSULTING ENGINEERS  
 BALTIMORE, MARYLAND



**PROPOSED ALTERATIONS AND ADDITIONS TO BUILDING AT**  
 118 BACK RIVER NECK ROAD  
 BALTIMORE, MARYLAND

DATE: Feb. 12, 1974  
 Rev. 2-25-74  
 DWG NO. **A-1**



*John E. Bode*