

75-86-A #36 PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, Amoco Oil Company, 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 Variance from Section 232.2-b to allow a 5'0" side yard set-back in lieu of the required 10'0".

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (Indicate hardship or practical difficulty)

To allow the construction of a third service bay to existing gasoline service station in order that station operator may more efficiently compete with other similar businesses in the area.

See attached description

See attached description

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

I, or we, agree to pay expenses of above Variance 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

Project Eng./Amoco Oil Company

Legal Owner

Address: One North Charles Street

Baltimore, Maryland

Protestant's Attorney

ORDERED By The Zoning Commissioner of Baltimore County, this 17th day

of September 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 held before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 21st day of October 1974 at 10:30 o'clock.

Zoning Commissioner of Baltimore County.

(over)

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

September 23, 1974

L. J. Hayward, Esq.
c/o Amoco Oil Company
P.O. Box 507
Baltimore, Maryland 21203

RE: Variance Petition
Item 38
Amoco Oil Company - Petitioners

Dear Mr. Hayward:

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 plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the appropriateness of the requested zoning.

The subject property is located at the southeast corner of Baltimore National Pike and Lincoln Avenue, in the 1st Election District of Baltimore County, and is presently improved with an existing automotive service station. A site inspection revealed numerous violations with respect to Bill No. 40.

The properties abutting the subject site to the south along both Lincoln Avenue and Winters Lane are improved with various 1-1/2 story frame dwellings. A BP automotive service station exists opposite the site on Winters Lane, and various other commercial uses exist opposite the site on Baltimore National Pike.

The petitioner is requesting a Variance to permit a side yard setback of 5 feet instead of the required 10 feet and proposes a one-bay

October 21, 1974

L. J. Hayward, Esquire
Amoco Oil Company
P. O. Box 507
Baltimore, Maryland 21203

RE: Petition for Variance
SE/corner of Baltimore National
Pike and Winters Lane - 1st District
Amoco Oil Company - Petitioner
NO. 75-86-A (Item No. 38)

Dear Mr. Hayward:

I have this date passed my Order in the above captioned matter in accordance with the attached.

Very truly yours,

JAMES E. DYER
Deputy Zoning Commissioner

JED/mc

Attachments

L. J. Hayward, Esq.
Item 38
September 23, 1974

Page 2

addition to the existing two-bay structure.

This Committee questions the ultimate use of the addition as the dealer indicated he was under the impression it would be in conjunction with an automatic carwash.

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
Chairman,
Zoning Advisory Committee

JBB:JD

Enclosure

cc: Samuel Hamilton Mortimer, Jr.,
c/o Amoco Oil Company

SS #10
Baltimore National Pike
Catonville, Maryland

Beginning at the point of intersection of the easterly line of Winter's Lane and the southerly line of Baltimore National Pike; thence along said easterly line of Winter's Lane S 16° 13' 40" W a distance of 72.62 feet; thence S 72° 35' 50" E a distance of 90.57 feet; thence N 17° 24' 10" E a distance of 40.00 feet; thence S 72° 35' 50" E a distance of 100.00 feet to a point in the westerly line of Lincoln Avenue; thence along said westerly line of Lincoln Avenue N 17° 24' 10" E a distance of 114.08 feet; thence by a curve to the left with radius of 15.00 feet an arc distance of 31.19 feet to a point in said southerly line of Baltimore National Pike; thence along said Southerly line of Baltimore National Pike S 78° 17' W a distance of 193.78 feet; thence by a curve to the left with a radius of 15.00 feet an arc distance of 0.54 feet to the point of beginning.

Situate in the 1st Election District of Baltimore County, Maryland and containing 0.47 acres, more or less.



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

Division of Engineering
ELLENWORTH N. DYER, P. E. CHIEF

September 11, 1974

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

Re: Item #38 (1974-1975)
Property Owner: Amoco Oil Company
S/E corner of Baltimore National Pike & Winters Lane
Existing Zoning: R.L.
Proposed Zoning: Variance from Section 232.2-b to allow a 5'0" side yard setback in lieu of the required 10'0"
No. of Acres: 0.47 District: 1st

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:

Baltimore National Pike (U.S. 40) is a State Road; therefore, all improvements, intersections, entrances and drainage requirements as they affect the road come under the jurisdiction of the Maryland Highway Administration. Any utility construction within the State Road right-of-way will be subject to the standards, specifications and approval of the State in addition to those of Baltimore County.

Lincoln Avenue and Winters Lane, existing County roads, are proposed to be improved in the future as 30-foot closed section roadways on 50-foot right-of-way. Highway improvements including highway right-of-way widening and any necessary reversible easements for slopes will be required in connection with any grading or building permit application.

The construction or reconstruction of sidewalks, curb and gutter, entrances, aprons, 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.

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: S. Eric DiNenna, Zoning Commissioner Date: October 15, 1974

FROM: William D. From, Director of Planning

SUBJECT: Petition #75-86. Southeast corner of Baltimore National Pike and Winters Lane
Petition for Variance for a Side Yard.
Petitioner - Amoco Oil Company

1st District

HEARING: Monday, October 21, 1974 (10:30 A.M.)

The staff of the Office of Planning and Zoning has reviewed the subject petition and has the following comment to offer.

The granting of this request is not inconsistent with the policies of the 1980 Guideplan, the County's official master plan.

William D. From
Director of Planning

WDF:NGG:rv

Item #38 (1974-1975)
Property Owner: Amoco Oil Company
Page 2
September 11, 1974

Storm Drains:

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 serving the present service station on this property.

Very truly yours,

Ellenworth N. Dyer, P.E.
Chief, Bureau of Engineering

END:EAM:FWR:as

cc: G. Reter

H-NE Key Sheet
5 SW 24 & 25 Pos. Sheets
SW 20 & P Topo
SS Tax Map

JAN. 17, 1975

Pursuant to the advertisement, posting of property, and public hearing on the above petition and it 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 Petitioner

the above Variance should be had; and it further appearing that by reason of the foregoing of the Variance requested not adversely affecting the health, safety and general welfare of the community

to permit a side yard setback of five feet instead of the Variance required 10 feet should be granted. Deputy Zoning Commissioner of Baltimore County this 21st day of October, 1974, that the herein Petition for a Variance should be and the same granted, from and after the date of this order, subject to the approval of a site plan by 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

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this day of 1974, that the above Variance be and the same is hereby DENIED. Zoning Commissioner of Baltimore County



Harry R. Hughes
Secretary
Bernard M. Evans
Administrator

August 27, 1974

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

ITEM 38
Re: Z.A.C. Meeting, Aug. 20, 1974
Property Owner: Amoco Oil Co.,
Location: SE/C of Balto. National Pike and Winter's Lane.
Existing Zoning: BL
Proposed Zoning: Variance from Section 232.2-b to allow a 5'0" side yard set-back in lieu of the required 10'0".
No. of Acres: 0.47
District: 1st.

Dear Mr. DiNenna:

The existing entrances into the subject site from Baltimore National Pike are acceptable. The proposed addition should cause no adverse effects to the State Highway.

The 1973 average daily traffic count on this section of Baltimore National Pike is 36,500 vehicles.

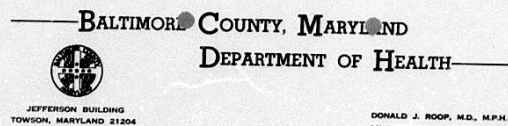
Very truly yours,

Charles Lee, Chief
Bureau of Engineering
Access Permits

By: John E. Meyers

CLJEM:jn

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



DONALD J. ROOP, M.D., M.P.H.
DEPUTY STATE AND COUNTY HEALTH OFFICER

August 21, 1974

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

Dear Mr. DiNenna:

Comments on Item 38, Zoning Advisory Committee Meeting, August 20, 1974, are as follows:

Property Owner: Amoco Oil Company
Location: SE/C of Balto. National Pike and Winter's Lane.
Existing Zoning: BL
Proposed Zoning: Variance from Section 232.2-b to allow a 5'0" side yard setback in lieu of the required 10'0".

No. of Acres: 0.47
District: 1st

Metropolitan water and sewer are available.

Water Resources Administration Comments: If lubrication work and oil 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 Administration requirements.

Very truly yours,

Thomas H. Devlin, Director
BUREAU OF ENVIRONMENTAL SERVICES

HVB/nc

WILLIAM D. FROMM
DIRECTOR
S. ERIC DINENNA
ZONING COMMISSIONER



September 18, 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 #38, Zoning Advisory Committee Meeting, August 20, 1974, are as follows:

Property Owner: Amoco Oil Company
Location: SE/C of Balto. National Pike and Winter's Lane
Existing Zoning: BL
Proposed Zoning: Variance from Section 232.2-b to allow a 5'0" side yard set-back in lieu of the required 10'0".
District: 1

This office has reviewed the subject petition and offers the following comments. These comments are not intended to indicate the appropriateness of the zoning in question, but are to assure that all parties are made aware of plans or problems with regard to development plans that may have a bearing on this petition.

If the site is developed in accordance with the site plan there are no site planning factors requiring comment; however, if the bay addition is to be used for a car wash, a special exception will be required.

Very truly yours,

John L. Wimbley
Planning Specialist II
Project and Development Planning

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING
SUITE 301 JEFFERSON BUILDING 105 WEST CHEESAPEAKE AVENUE TOWSON, MARYLAND 21204
AREA CODE 301 PLANNING 434-3211 ZONING 434-3211

BALTIMORE COUNTY, MARYLAND
JEFFERSON BUILDING TOWSON, MARYLAND 21204



DEPARTMENT OF TRAFFIC ENGINEERING
EUGENE J. CLIFFORD, P.E. Wm. T. MELTZER
DIRECTOR DEPUTY TRAFFIC ENGINEER

September 27, 1974

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

Re: Item 38 - ZAC - August 20, 1974
Property Owner: Amoco Oil Company
Location: SE/C of Balto. National Pike and Winter's Lane.
Existing Zoning: BL
Proposed Zoning: Variance from Section 232.2-b to allow a 5'0" side yard set-back in lieu of the required 10'0".
No. of Acres: 0.47
District: 9th

Dear Mr. DiNenna:

There are no major traffic problems anticipated by the request variance to the side yard set-back.

Very truly yours,

Michael S. Flanagan
Traffic Engineer Asso.

MSF/lb

BOARD OF EDUCATION OF BALTIMORE COUNTY

TOWSON, MARYLAND 21204

Date: August 20, 1974

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

Z.A.C. Meeting of: August 20, 1974

Re: Item 38

Property Owner: Amoco Oil Company

Location: SE/C of Baltimore National Pike and Winter's Lane

Present Zoning: BL

Proposed Zoning: Variance from Section 232.2-b to allow a 5'0" side yard set-back in lieu of the required 10'0"

District: 1st

No. Acres: 0.47

Dear Mr. DiNenna:

No bearing on student population.

Very truly yours,

W. Nick Patrovlch,
Field Representative.

WNP/ml

H. ENSLEY PARKS, President
CUREN E. HESS, Vice President
MRS. ROBERT L. BERNY

MARSH W. BOTSCHUS
JUDITH A. MORGAN
ALVIN LORICK
JOSHUA E. ANGLER

T. BAYARD WILLIAMS, JR.
RICHARD W. TRACEY, V.M.D.
MRS. RICHARD K. KUDRINSKY

PETITION FOR VARIANCE SEE INSTRUCTIONS

FOR VARIANCE FROM SECTION 232.2-b TO ALLOW A 5'0" SIDE YARD SET-BACK IN LIEU OF THE REQUIRED 10'0".

DATE & TIME: Monday, October 11, 1974 at 10:30 A.M.

PUBLIC HEARING: Room 105, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland.

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the following:

A petition for Variance from the Zoning Regulations of Baltimore County to permit a side yard set-back of 5 feet in lieu of the required 10 feet.

The Zoning Regulations to be varied are as follows:

Section 232.2-b - Side Yard - 10 feet.

All that parcel of land in the First District of Baltimore County, Maryland, known as the property of Amoco Oil Company, located at the intersection of Winter's Lane and the westerly line of Baltimore National Pike, known as Section 232.2-b, to allow a side yard set-back of 5 feet in lieu of the required 10 feet.

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The Zoning Regulations to be varied are as follows:

Section 232.2-b - Side Yard - 10 feet.

CERTIFICATE OF PUBLICATION

TOWSON, MD. October 3, 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 the 1st day of October, 1974, the said publication appearing on the 1st day of October, 1974.

THE JEFFERSONIAN
Manager

Cost of Advertisement, \$.

PETITION FOR VARIANCE SEE INSTRUCTIONS

FOR VARIANCE FROM SECTION 232.2-b TO ALLOW A 5'0" SIDE YARD SET-BACK IN LIEU OF THE REQUIRED 10'0".

DATE & TIME: Monday, October 11, 1974 at 10:30 A.M.

PUBLIC HEARING: Room 105, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland.

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Section 232.2-b - Side Yard - 10 feet.



CATONSVILLE, MD. 21228 Oct. 7 - 1974

THIS IS TO CERTIFY, that the annexed advertisement was published in THE CATONSVILLE TIMES, a weekly newspaper published in Baltimore County, Maryland, once a week for one week before the 7th day of October, 1974, that is to say, the same was inserted in the issue of October 3 - 1974.

STROMBERG PUBLICATIONS, Inc.

By: [Signature]

2-8165

75-86-A

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
 Towson, Maryland

District 1st Date of Posting OCT. 5, 1974
 Posted for: PETITION FOR VARIANCE
 Petitioner: AMOCO OIL CO.
 Location of property: SE 1/4 COR. OF BALTO. NAT. PIKE & WINTERS LANE
 Location of Sign: SE 1/4 COR. OF BALTO. NAT. PIKE & WINTERS LANE
Q. SW 1/4 COR. OF BALTO. NAT. PIKE & LANSER AVE.
 Remarks: Thomas E. Poland
 Posted by Thomas E. Poland Signature Date of return: OCT. 10, 1974

PETITION MAPPING PROGRESS SHEET

FUNCTION	Wall Map		Original		Duplicate		Tracing		200 Sheet	
	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: <u>JEH</u>	Revised Plans:				Change in outline or description Yes					
Previous case:	Map #				No					

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

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

Your Petition has been received * this 6th day of

August 1974 Item #

S. Eric DiNenna
 S. ERIC DINENNA,
 Zoning Commissioner

Petitioner Amoco Submitted by
 Petitioner's Attorney Reviewed by JEH

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

Ben Item 38
 L. J. Hayward, Esq.
 c/o Amoco Oil Company
 P.O. Box 507
 Baltimore, Maryland 21203

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

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

Your Petition has been received and accepted
 for filing this 17th day of September 1974.

S. Eric DiNenna
 S. ERIC DINENNA,
 Zoning Commissioner

Petitioner Amoco Oil Company

Petitioner's Attorney Reviewed by Amoco Oil Company
 cc: Samuel Hamilton Mortimer, Jr.
 c/o Amoco Oil Company Chairman, Zoning Advisory Committee

L. J. Hayward, Esq.
 c/o Amoco Oil Company
 P.O. Box 507
 Baltimore, Maryland 21203

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

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

Your Petition has been received and accepted
 for filing this 17th day of September 1974.

S. Eric DiNenna
 S. ERIC DINENNA,
 Zoning Commissioner

Petitioner Amoco Oil Company

Petitioner's Attorney Reviewed by Amoco Oil Company
 cc: Samuel Hamilton Mortimer, Jr.
 c/o Amoco Oil Company Chairman, Zoning Advisory Committee

BALTIMORE COUNTY, MARYLAND No. 16911
 OFFICE OF FINANCE - REVENUE DIVISION
 MISCELLANEOUS CASH RECEIPT

DATE Sept. 30, 1974 ACCOUNT 01-662

AMOUNT \$25.00

WHITE - CASHIER DISTRIBUTION
 PINK - AGENCY YELLOW - CUSTOMER
 Richard W. Harrison
 803 Southwick Dr.
 Towson, Md. 21204
 Petition for Variance for Amoco Oil Co.
 #75-86-A 25.00

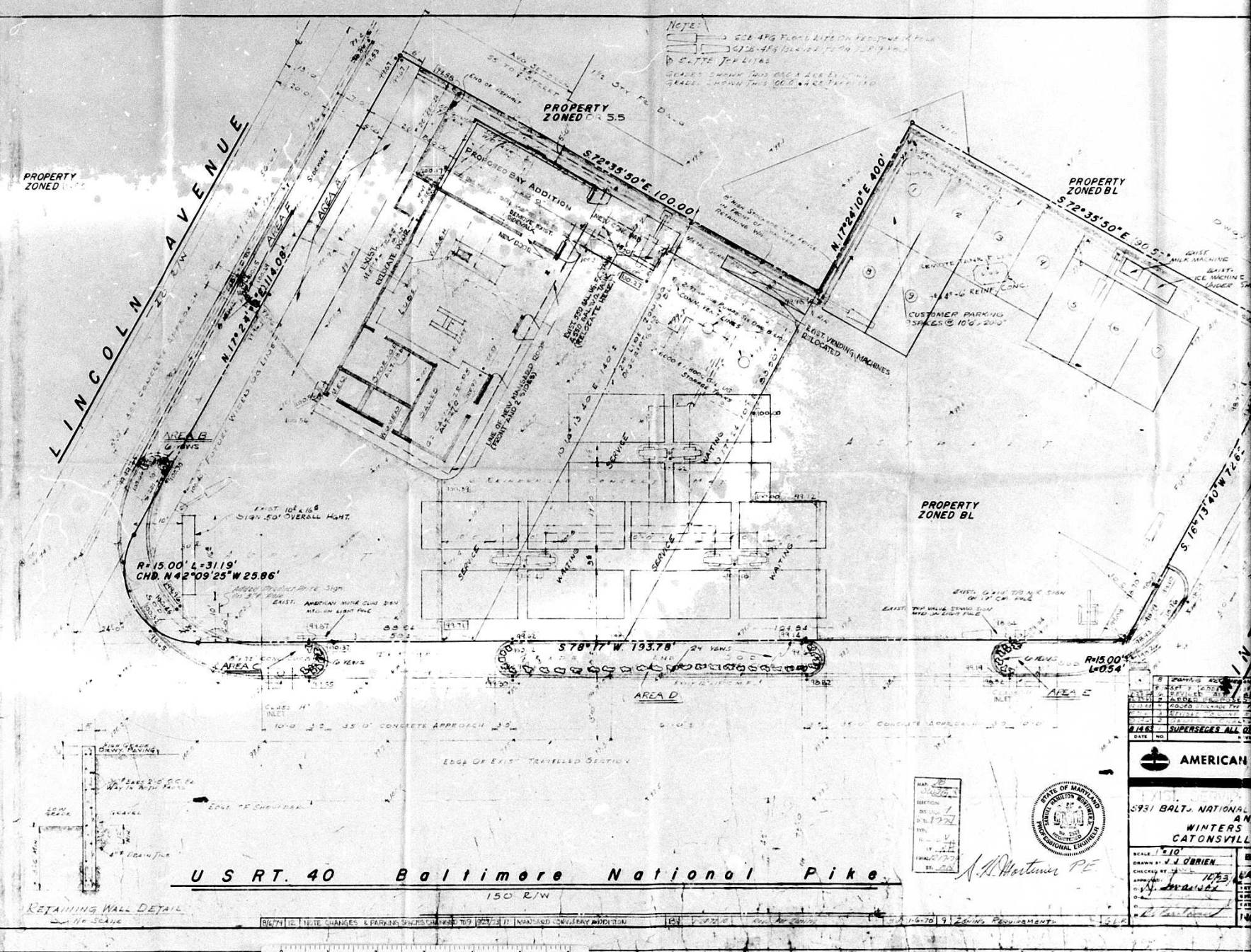
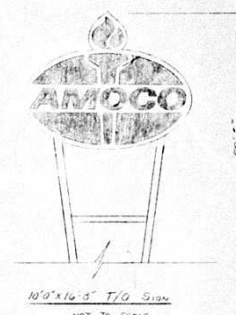
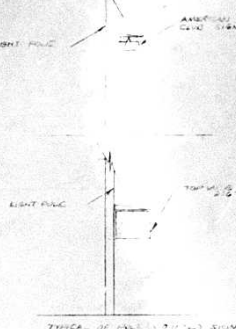
BALTIMORE COUNTY, MARYLAND No. 16962
 OFFICE OF FINANCE - REVENUE DIVISION
 MISCELLANEOUS CASH RECEIPT

DATE Oct. 21, 1974 ACCOUNT 01-662

AMOUNT \$60.00

WHITE - CASHIER DISTRIBUTION
 PINK - AGENCY YELLOW - CUSTOMER
 Richard W. Harrison
 803 Southwick Dr.
 Towson, Md. 21204
 Advertising and posting of property for
 Amoco Oil Co. #75-86-A





U S RT. 40 Baltimore National Pike.
150 R/W

MAP: 20
5/25/72
 SECTION:
 DIS. 1
0172
 TYPE:
 H. 1
 LY. 1
 FINAL 172
 BY: 172

[illegible]

JAN. 17, 1975

