

PETITION FOR ZONING RE-CLASSIFICATION AND/OR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, JOHN Q. KLUTZ, 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 (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

and (2) for a Special Exception, under the said Zoning Law and Zoning Regulations of Baltimore County, to use the herein described property for: garage service (vehicle repair, vehicle storage, vending machines, tire & auto accessory sales & service).

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 _____ Legal Owner _____
Address _____
BY John Q. Klutz _____
Petitioner's Attorney _____
Address _____
Protestant's Attorney _____

ORDERED BY The Zoning Commissioner of Baltimore County, this _____ day of _____, 1975, 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 _____, 1975, at _____ o'clock _____ A.M.

Zoning Commissioner of Baltimore County.

(over)

April 24, 1975

William E. Chamberlain, Esquire
1760 Eastern Boulevard
Baltimore, Maryland 21221

RE: Petition for Special Exception
NW/4 of Orem Road, 147.62' E of
Middle River Road - 15th Election
District
John Q. Klutz - Petitioner
NO. 75-244-X (Item No. 163)

Dear Mr. Chamberlain:

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

Very truly yours,

James E. Dyer
JAMES E. DYER
Deputy Zoning Commissioner

JED/mc

Attachments

cc: John W. Hessian, III, Esquire
People's Counsel

RE: PETITION FOR SPECIAL EXCEPTION : BEFORE THE
NW/4 of Orem Road, 147.62' E of : DEPUTY ZONING
Middle River Road - 15th Election District :
John Q. Klutz - Petitioner : COMMISSIONER
NO. 75-244-X (Item No. 163) :
: FOR
: BALTIMORE COUNTY

This Petition represents a request for a Special Exception to utilize the subject property for a service garage. Said property is situated on the north-west side of Orem Road, 147.62 feet east of Middle River Road, in the Fifteenth Election District of Baltimore County, and is presently improved with an abandoned three bay service station.

Testimony, during the course of the hearing, established that the site would be modernized with necessary paving, the closing of one entrance on the service drive paralleling Martin Boulevard, establishment of curbing, and a channelized entrance on the Orem Road side of the site. The Petitioner indicated that he would not and/or did not intend to perform any body and fender work in the service garage. The use of the garage was described as being solely for the purpose of major and minor tune-up or repairs of automobiles sold on the Petitioner's used car lot, located on the opposite side of Orem Road.

Without reviewing all testimony and evidence in detail, but based on all such testimony and evidence presented, it is the opinion of the Deputy Zoning Commissioner that the use, as presently proposed, would be of a similar or lesser intensity than that of the previous service station. With the proposed improvements, channelization, etc., said use will comply with all of the requisite requirements of Section 502.1 and can be granted.

Therefore, IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County, this 24 day of April, 1975, that the herein requested Special Exception for a service garage should be and the same is

hereby GRANTED. Said granting is subject to the following restrictions:

1. No body and fender work shall be performed on the site.
2. Compliance with a site plan to be approved by the Department of Public Works, State Highway Administration, and the Office of Planning and Zoning.

James E. Dyer
Deputy Zoning Commissioner of
Baltimore County

ORDER RECEIVED FOR FILING
DATE April 24, 1975
BY John Q. Klutz

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PETITION FOR SPECIAL EXCEPTION * BEFORE THE
FOR GARAGE, SERVICE. * ZONING COMMISSIONER
Northwest side of Orem Road * OF
147.62 feet East of Middle *
River Road, 15th District * BALTIMORE COUNTY
JOHN Q. KLUTZ * Case No. 75-244-X

ORDER TO ENTER APPEARANCE

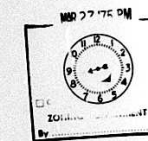
Mr. Commissioner:

Pursuant to the authority contained in Section 520.1 of the Baltimore County Charter, I hereby enter my appearance in this proceeding. You are requested to notify me of any hearing date or dates which may be now or hereafter designated therefore, and of the passage of any preliminary or final Order in connection therewith.

Charles E. Buntz, Jr.
CHARLES E. BUNTZ, JR.,
Deputy People's Counsel

John W. Hessian, III
JOHN W. HESSIAN, III
People's Counsel
County Office Building
Towson, Maryland 21204
494-3511

I HEREBY CERTIFY That a copy of the foregoing Order was mailed this 27 day of March, 1975 to William E. Chamberlain, Esquire, 1760 Eastern Boulevard, Baltimore, Maryland 21221, Attorney for Petitioner.



John W. Hessian, III
JOHN W. HESSIAN, III

I WILL NOT ATTEND. JON.

Phone: 687-0072

FRANK S. LEE

Registered Land Surveyor

1277 NEIGHBORS AVE. BALTIMORE, MD. 21227

January 31, 1975

Chesoon Motors

Southwest corner of Orem Road and Martin Blvd.
15th District Baltimore County, Maryland

Beginning for the same on the northwest side of Orem Road at the distance of 147.62 feet measured along the northwest side of Orem Road from the east side of Middle River Road, and thence running and binding on the northwest side and the west side of Orem Road the two following courses and distances viz: North 54 degrees 44 minutes East 205 feet and North 6 degrees 50 minutes East 50.4 feet, to the south side of Martin Blvd., thence running and binding on the south side of Martin Blvd. South 85 degrees 02 minutes East 176 feet, and thence running for a line of division South 4 degrees 50 minutes East 150.97 feet to the place of beginning.

Containing 0.73 acres of land more or less.

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Mr. Eric DiNenna, Zoning Commissioner Date: April 10, 1975
FROM: William D. Fromm, Director of Planning
SUBJECT: Petition #75-244-X, Petition for Special Exception for Garage, Service Northwest side of Orem Road 147.62 feet East of Middle River Road. Petitioner - John Q. Klutz

15th District

HEARING: Wednesday, April 16, 1975 (10:30 A.M.)

There are no adverse planning factors requiring comment on this petition at this time.

William D. Fromm
WILLIAM D. FROMM
Director of Planning

WDF:REG:rw



BALTIMORE COUNTY

ZONING PLANS

ADVISORY COMMITTEE



PETITION AND SITE PLAN

EVALUATION COMMENTS



Item 163
William E. Chamberlain, Esq.
1760 Eastern Blvd.
Baltimore, Md. 21221

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

Your Petition has been received and accepted for
filing this 4th day of March 1975

S. Eric DiNenna
S. Eric DiNenna,
Zoning Commissioner

Petitioner John O. Kluttz

Petitioner's Attorney William E. Chamberlain reviewed by Franklin T. Hoggans, Jr.
Chairman,
Zoning Advisory
Committee

cc: Frank S. Lee
1277 Neighbors Avenue
Baltimore, Md. 21237

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

March 26, 1975

COUNTY OFFICE BUILDING
111 W. Chesapeake Avenue
Towson, Maryland 21204

XXXXXXXXXXXXXXXXXXXX
Franklin T. Hoggans,
Jr.

MEMBERS
BOARDING ADMINISTRATION
HEALTH DEPARTMENT
BUREAU OF
FIRE PREVENTION
DEPARTMENT OF
TRAFFIC ENGINEERING
STATE HIGHWAY
ADMINISTRATION
BUREAU OF
ENGINEERING
PROJECTS AND
DEVELOPMENT PLANNING
INDUSTRIAL
DEVELOPMENT
COMMISSION
BOARD OF EDUCATION
OFFICE OF THE
BUILDINGS COMMISSIONER

William E. Chamberlain, Esq.
1760 Eastern Blvd.
Baltimore, Maryland 21221

RE: Special Exception Petition
Item 163
John O. Kluttz - Petitioner

Dear Mr. Chamberlain:

The Zoning Plans 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 southwest corner of Orem Road and Martin Blvd. and exists as a converted abandoned gas service station, now used for the storage and repair of automobiles.

The petitioner is requesting a Special Exception to permit this use of a service garage, and is also requesting under separate petition the reclassification of this property to B.R., with a Special Exception to permit the use of outdoor used car sales. This aforementioned reclassification petition should be the subject of a public hearing before the Zoning Commissioner in the hearing cycle beginning September 1, 1975.

William E. Chamberlain, Esq.
Re: Item 163
John O. Kluttz - Petitioner
March 26, 1975

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Field inspection of the subject site revealed the bays of the existing building currently to be in use for the repair of automobiles, and the existing parking areas to be used for the storage of automobiles. Two oil trucks were noted in storage to the west and rear of the existing building. A sign at the easternmost corner of the property apparently exists without benefit of requisite Baltimore County permits.

In light of the fact that the storage of the oil trucks is not a permitted use in the existing B.L. zone, these vehicles should be removed and this matter shall be forwarded to the Zoning Enforcement Division for appropriate action.

Please note the comments of the State Highway Administration concerning ingress and egress, and also those comments of the Project and Development Planning Office.

Existing macadam paving as shown on the submitted plan does not accurately reflect those areas actually paved on the site. It should be noted that all areas to be used for parking or drives must be paved with a durable and dustless surface (macadam, tar and chip or bituminous concrete).

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,
Franklin T. Hoggans, Jr.
FRANKLIN T. HOGGANS, JR.
Chairman,
Zoning Plans Advisory Committee

FTH:JD
Enclosure
cc: Frank S. Lee
1277 Neighbors Avenue
Baltimore, Md. 21237

Maryland Department of Transportation
State Highway Administration

Harry R. Hughes
Secretary
Bernard M. Evans
Assistant Secretary

February 27, 1975

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

ITEM 163
Re: Item 163, March 4, 1975
Property Owner: John O. Kluttz
Location: SW/Cor. Orem Rd. & Martin Blvd.
Proposed Zoning: Special Exception for service garage
No. of Acres: 0.78 Acres
District: 15th

Dear Sir:

At present there is no curbing along the Orem Road frontage of the subject property. This results in no control of traffic entering or leaving the site by way of Orem Road. It is our opinion that this frontage should be curbed and the plan revised accordingly.

The proposed closing of an existing entrance from the Martin Blvd. service road must be accomplished by the use of concrete curb.

All work within the State right of way must be done under permit from the State Highway Administration.

Very truly yours,

Charles Lee, Chief
Bureau of Engineering
Access Permits

John E. Meyers
by: John E. Meyers

CLJ:JHB

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

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

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

March 11, 1975

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

Re: Item #163 (1974-1975)
Property Owner: John O. Kluttz
S/W corner of Orem Rd. and Martin Blvd.
Existing Zoning: BL - CCC
Proposed Zoning: Special Exception for service garage.
No. of Acres: 0.78 Acres 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.

Highways:

Orem Road (Md. 493) and Martin Boulevard (I. 700) are State Roads; therefore, all improvements, intersections, entrances and drainage requirements as they affect these roads 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.

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:

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.

Item #163 (1974-1975)
Property Owner: John O. Kluttz
Page 2
March 11, 1975

Water and Sanitary Sewer:

Public water supply and sanitary sewerage are serving this property. It appears that additional fire hydrant protection may be required in the vicinity.

Very truly yours,
Ellsworth N. Diver, Jr.
ELLSWORTH N. DIVER, JR.
Chief, Bureau of Engineering

END:RAM:PMH:as

cc: William Munchal

I-NE Key Sheet
13 NE 33 Pos. Sheet
NE 4 I Topo
90 Tax Map

BALTIMORE COUNTY, MARYLAND DEPARTMENT OF HEALTH

JEFFERSON BUILDING
TOWSON, MARYLAND 21204

DONALD J. ROOP, M.D., M.P.H.
HEALTH, SAFETY AND QUALITY HEALTH OFFICER

February 27, 1975

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

Dear Mr. DiNenna:

Comments on Item 163, Zoning Advisory Committee Meeting, March 4, 1975, are as follows:

Property Owner: John O. Kluttz
Location: SW/Cor. of Orem Rd. & Martin Blvd.
Existing Zoning: BL - CCC
Proposed Zoning: SPECIAL EXCEPTION for service garage.

No. of Acres: 0.78 Acres
District: 15th

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
Thomas H. Devlin, Director
BUREAU OF ENVIRONMENTAL SERVICES

HVB:ncf

BALTIMORE COUNTY, MARYLAND
JEFFERSON BUILDING, TOWSON, MARYLAND 21204



DEPARTMENT OF TRAFFIC ENGINEERING

EUGENE J. CLIFFORD, P.E.
DIRECTOR

WM. T. MILLER
DEPUTY TRAFFIC ENGINEER

March 10, 1975

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

Re: Item 163 - 2AC - March 4, 1975
Property Owner: John O. Kluttz
Location: SW/Cor. of Orem Rd. & Martin Blvd.
Existing Zoning: BL-CCC
Proposed Zoning: SPECIAL EXCEPTION for service garage.
No. of Acres: 0.78 Acres
District: 15th

Dear Mr. DiNenna:

No major traffic problems are anticipated by the requested special exception for a service garage.

Very truly yours,

Richard H. Flanigan
Michael S. Flanigan
Traffic Engineering Assoc.

HSF/bza

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

Comments on Item #163, Zoning Advisory Committee Meeting, March 4, 1975, are as follows:

Property Owner: John Q. Kluttz
Location: SW/cor of Orem Road and Martin Blvd.
Existing Zoning: B.L.-C.C.C.
Proposed Zoning: Special Exception for service garage
No. of Acres: 0.78 acres
District: 15th

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.

Curb must be provided around the perimeter of the parking areas. The storage area for damaged and disabled vehicles must be in accordance with Section 405A of the Zoning Regulations.

Very truly yours,

John L. Wimbley
John L. Wimbley
Planning Specialist II
Project and Development Planning

TOWSON, MARYLAND 21204

Date: February 26, 1975

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

Z.A.C. Meeting of: March 4, 1975

Re: Item 163
Property Owner: John Q. Klutts
Location: SW/Cor. of Orem Road and Martin Boulevard
Present Zoning: BL-CCC
Proposed Zoning: Special Exception for service garage

District: 15th
No. Acres: 0.78

Dear Mr. DuBois:

No bearing on student population

Very truly yours,

W. Nick Petrovich,
Field Representative

H. EMILIE PARKS, President
EUGENE C. HESS, Vice President
MRS. ROBERT L. BERNEY

MARCUS M. BOTTSANG
JOSEPH N. McDONNAN
ALVIN LOREFF
JOSHUA R. WHEELER, *Guest Editor*

T. SAYANO WILLIAMS, JR.
RICHARD W. TRACEY, V.M.D.
MRS. RICHARD E. WUENTEL

PETITION MAPPING PROGRESS SHEET

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

#75-244-X

District: 15 Date of Posting: 3-22-78
 Posted for: Harvey Paul Allen, 16125 or 16130 Ave.
 Petitioner: John W. Harty
 Location of property: N. 1/2 of Sec. 58 of T. 22 S. E. of R. 10 W. S. 10
 Location of Signs: 1 Sign located on an access Rd. NW 1/4 of
Quartz Lake station
 Remarks:
 Posted by: Med. H. Harty Date of return: 4-2-78

CERTIFICATE OF PUBLICATION

OFFICE OF

Essex Times

March 26 1975

THIS IS TO CERTIFY, that the annexed advertisement of
PETITION - MONTGOMERY AVE. OF GRASS ROAD
was inserted in **ESSEX TIMES** a weekly newspaper published in Baltimore County, Maryland, once a week for one successive weeks before the 16th day of April 19 75; that is to say, the same was inserted in the issues of March 27, 1975

Stromberg Publications, Inc.
Publisher

By C. Curran[illegible][illegible]

CERTIFICATE OF PUBLICATION

TOWSON, MD. March 27 1979

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., ~~once in each~~
~~one~~ one ~~time~~ successive weeks before the 15th
 day of April, 1975, the first publication
 appearing on the 27th day of March
 19 75

THE JEFFERSONIAN

Cost of Advertisement, \$

BALTIMORE COUNTY, MARYLAND No. 17961

DATE March 21, 1975 ACCOUNT 01-662

AMOUNT \$50.00

WHITE - CASHIER DISTRIBUTION
PINK - AGENCY FOLLOW - CUSTOMER

Chesaco Motors, Inc.
2105 Greens Rd.
Baltimore, Md. 21220
Petition for Special Exception for John Klutts.
875-244-X

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

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

Your Petition has been received * this 11 day of
1975. Item #

Petitioner KLUTZ Submitted by CHANDLER
Petitioner's Attorney CHANDLER Reviewed by APC
* This is not to be interpreted as acceptance of the Petition for assignment of a hearing date.

