## PETITION FOR ZONING RE-CLA SIFICATION 76.39-RX AND/OR SPECIAL EXCEPTION (der \$0.3)

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY-

I, or we, John Q. Kluttz .....legal owner .. of the property situate in Baltin 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 ... B.L. CCC 

Petitioner desires to utilize the subject premises (1511 Martin Boulevard) as a used car lot separated from Sales Agency Building.

See attached description

R RECEIVED FOR

DATE

GIFES G. CHARLES & CONTROL

and (2) for a Special Exception, under the said Zoning Law and Zoning Regulations of County, to use the herein described property, for used car lot separated from Sales Agency Building.

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, osting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning ons of Baltimore County adopted pursuant to the Zoning Law for Baltimore

ol Q Klith Petitioner's Attorney
William E. Chamberlain
1760 Eastern Boulevard
Baltimore, MD 21221 686-9493

ioner of Baltimore County, this 15th ORDERED By The Zoning Commissi of April 197 5 that the subject matter of this petition be advertised as

required by the Zoning Law of Baltimore County, in two newspapers of general circulation through-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 \_ \_ hth 1975 at 10:00 clock

October 15, 1975

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

> RE: Petition for declassification and Special Exception
> SW/corner of Martin Boulevard
> and Orems Road - 15th Election

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

Very truly yours.

S. ERIC DI NENNA

SED/scw

cc: John W. Hessian, III. Esquire

BRIE? IN SUPPORT OF PETITION FOR ZONING RECLASSIFICATION

Zoning file No.

The owner of the premises known as 1511 Martin Boulevard (Southwest Corner of Orems Road and Martin Boulevard) requests reclassification of the aforesaid premises from B.L. Zone to B.R. Zone with special exception under regulation 236.4 for use of aforesaid premises for a used Motor Vehicle Business, outdoor sales, separated from sales agency building with all normal and incidental uses necessary for said business

In support of the aforesaid request and Petition, the property owner offers proof of the following facts and matters:

- 1) The Zoning Map under which the present zoning is established was adopted by the Baltimore County Council on March 24, 1971, more than two years prior to the filing of the aforesaid Petition and request for reclassification.
- 2) The aforesaid premises is bounded on the Northern side by Martin Boulevard on the Southeastern side by Orems Road, and on the Western side by Middle River Road, of which Martin Boulevard is an arterial highway, and Orems Road and Middle River Road are fifty feet wide and forty feet wide, respectively, each carrying four lanes of traffic.
- 3) That the premises located on Orems Road, Fuselage Ave. and Martin Boulevard, within two-hundred to three-hundred feet of subject premises, is classified BMCSA, and is a general shopping center.

4) That the premises located Northwest of the subject premises, within 400 feet of the same, is zoned BM-CCC.

- 5) That the subject premises were purchased by the present owner on or about the 26th day of July, 1974, from the Exxon Company.
- 6) That the Exxon Company, to the best of your Petitioner' knowledge, did conduct from the aforesaid premises, for many years, Automotive Service Station and did wash cars, dispense gasoline, store cars temporarily thereon, perform minor repairs on motor vehicles and sell minor accessories, dispense candy and soft drinks by vending machines and did perform all those services necessary and incident to the servicing of motor vehicles.
- 7) That your Petitioner's proposed use of the aforesaid premises, while requiring a technical reclassification under existing regulations, nevertheless, the said proposed use is not inconsistent with, nor greatly different from the uses which have heretofore been made of the said premises for many years prior to 7/26/74; the proposed uses consisting of servicing automobiles, minor auto repair, and sales of automobiles and storage of same for sales.
- 8) That the proposed reclassification is permitted as a special exception to B.R. Zone under Section 236.4 of the Baltimore County Zoning regulations.
- 9) That the proposed uses will not: a. Be detrimental to the health, safety, or general welfare of the locality involved. b. Tend to create congestion in roads, streets or alleys therein. c. Create a potential hazard from fire, panic or other dangers. d. Tend to overcrowd land and cause undue concentration of population

- e) Interfere with adequate provisions for schools, parks, water, sewerage, transportation or other public requirements.
  - f) Interefere with adequate light and air. 10) In consideration of all the aforegoing factors
- the Petitioner claims that the existing zoning map, classifying the subject premises BL-CCC is in error and should now be changed to BR with a special exception in accordance with the Petitioner's
- 11) That the neighborhood in which the Petitioner's subject property is located has so changed as to be not inconsistent with the proposed uses Petitioned for herewith.

lliam E. Chamberlain Attorney for John Q. Kluttz,

Bu

FRANK S. LEE

Phore: 687-6922

Registered Land Surveyor

1277 NEIGHBORS AVE. - BALTIMORE, MD. 2123

January 31, 1975

Southwest corner of tree Hoad and Martin Blvd. 15th District multimore County, Baryland

We mining for the same on the northwest side of Oren Hond at the distance of 147.62 feet measured along the northwest side of Oren Road from the east side of middle diver dead, and thence running and binding on the northwest side and the west side of Orem Road the two Collowing courses and distances wis; North 54 degrees 44 minutes that 205 feet and forth 4 degrees 58 minutes West 58.4 feet, to the south mide of Martin Blvd., thouse running and binding on the south side of Martin Elvd. South 85 degrees 02 m utos West 176 feet, and thoace running for a - line of division South 4 degrees 58 minutes out 158.97 feet to the place of beginning.

Containing 0.7s acres of land nore or lens.

BALTIMORE COUNTY **ZONING PLANS** ADVISORY COMMITTEE



PETITION AND SITE PLAN

**EVALUATION COMMENTS** 

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

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

filing this 15

Petitioner John O. Klutts

Petitioner's Attorney William E. Chamberlainviewed by Franklin T. |
1277 Meighbers Ave. Chairman,
Baltimore, No. 21237 Zoning Plans

Zoning Plans Advisory Committee

DEC 0 2 1975

	Pursuant to the advertisement, posting of preperty, and public hearing on the above Petition and
	it appearing that by reason of error in the original zoning map; substantial changes
	in the character of the neighborhood; and the health, eafety, and general wel-
	fare of the community not being adversely affected,
	the above Reclassification should be had; and it further appearing that by reason of the require-
	ments of Section 502. I of the Baltimore County Zoning Regulations having been
	met, a Special Exception for a used car lot separated from sales agency building
	should be granted.
1	day of October 1975 that the herein described property or area should be and
	18
5	the same is hereby reclassified from a B. L. Zone, with a C. C. C. District to a B. R.
	Zone, and a Special Exception for a used car lot separated from sales agency building should be and the same is GRANTED, from and after the date of this
	Order, subject to the approval of a
	steeplan by the State Highway Admin-
	works, and the Office of Planning and Zoning Commissioner of Baltimore County
	Zoming.
	Pursuant to the advertisement, posting of property and public hearing on the above cetition
	and it appearing that by reason of
	17
	· · · · · · · · · · · · · · · · · · ·
	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, thisday
	of, 197 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 azone; and/or the Special Exception for
	be and the same is hereby DENIED.
	Zoning Commissioner of Baltimore County

RE: PETITION FOR RECLASSIFICATION AND PETITION FOR SPECIAL EXCEPTION. Southwest corner of Martin Boulevard and Orems Road , 15th District : ZONTING COMMISSIONER OF JOHN Q. KLUTTZ, Petitioner Case No. 76-39-RX ORDER TO ENTER APPEARANCE Mr. Commissioner: Pursuant to the authority contained in Section 524.1 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. JOHN W. HESSIAN, OR? CHARLES E. KOUNTZ, JR. Deople's Counsel County Office Building Deputy People's Counsel

Towson, Maryland 21204 494-3211 I HEREBY CERTIFY that a copy of the foregoing Order was mailed this 29th day of August, 1975 to William F. Chamberlain. Esquire, 1760 Eastern Boulevard, Baltimore, Maryland, 21221.



是不够是了<sup>4</sup>18

June

#### Baltimore County, Margland Bepartment Of Jublic Works COUNTY OFFICE BUILDING TOWSON, MARYLAND 21204

Bureau of Engineering

April 22, 1975

DATE

Mr. S. Eric DiNenna Zoning Commissioner County Office Building Towson, Maryland 2120h

: Item #3 - Cycle #9 (April - October 1975)
Property Owner: John C. Kluttz
S/A cor. of Crem Rd. and Martin Rivd.
Existing Zoning: B-L. - C.C.C.
Proposed Coning: Re-class to B.R. and Special
Exception for used car lot separated from sales agency
building.
No. of Acres: 0.78 District: 15th

The following comments are furnished in regard to the plat sub-litted to this office for review by the Zoning Advisory Committee in connection with the subject item.

General:

The comments supplied in connection with the Zoning Advisory Committee review of this site for Item 163 (197-1975) remain valid and applicable. A copy of those comments is attached for your consideration.

Very truly yours,

BLISWORTH N. DIVER, P.B. Chief, Breau of Engineering

END: EAM: FWR: sa

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

Baltimore County, Maruland Bepartment Of Jublic Borks COUNTY OFFICE BUILDING

ELLSWORTH N. DITER. P. E. CHIEF

March 11, 1975

Mr. 5. Eric DiNenna Zoning Commissioner County Office Building Towson, Maryland 2120h

Res Itom \$163 (1976-1975)
Property Consert John Q. Klatts
\$5M corner of Oress Ed. and Markin Blvd.
Existing Zoning: EL - CCO
Proposed Zoning: SL-pcclal Exception for service garage. No. of Acres: 0.78 Acres Pistrict: 15th

Dear Hr. Dillennas

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

Richwayss

Orens Road (Md. 193) and Hartin Boulevard (Md. 700) are State Roads; therefore, all improvements, intersections, entrances and draintse requirements as they affect those reads come under the jurisdiction of the Haryland Hirhary Administration, Any utility construction within the State Boad right-colony will be subject to the standards, specifications and approval of the State in addition tothese of Paltimore

Sediment Controls

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

Storm Draines

The Potitioner sust provide necessary drainage facilities (temporary or permanent) to prevent creating any nutrances or desages to adjount properties, especially by the concentration of surface waters. Correction of any problem vinish may result, due to improper creating or improper installation of drainage facilities, would be the full responsibility of the Petitioner.

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

COUNTY OFFICE BUILDING 111 M. Chesapeake Avenue Towney, Maryland 21204

ranklin T. Hogans

PERMITE

HEALTH DEPARTMENT BUREAU OF FIRE PREVENTION

DEPARTMENT OF

STATE HIGHWAY

BUREAU OF

PROJECT AND DEVELOPMENT PLANN

NOARD OF EDUCATIO

OFFICE OF THE BUILDINGS ENGINEER

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

RE: Reclassification Petition Item 3 - Cycle Zoning 9 John O. Kluttz - Petitioner

April 30, 1975

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 Boulevard, and was the subject of previous review by this Committee as Item 163 (1974-75), Case No. 75-244-X. A request was made for Special Exception on this property for a service garage operation. The petitioner's current request involves the change of the existing B.L.,C.C.c. zoning to Business Roadside, with Special Exception for an outdoor used car sales lot.

The existing building on this property, a converted gasoline service station, is proposed to be utilized as used car sales office and service gazage operation. Adjacent properties exist as commercial development in the immediate environs of this site.

William E. Chamberlain, Esq. Item 3 - Cycle Zoning 9 April 30, 1975 Page 2

The comments of this Committee concerning the previous item, as noted in the foregoing, are referred to the petitioner for his consideration, as well as specific comments concerning the proposed car lot operation.

This petition for Reclamsification is accepted for filing on the date of the enclosed filing certificate. However, any revisions or corrections to petitions, descriptions, or plats, as may have been requested by this Committee, shall be submitted to this office prior to Monday, tune, 1975, in order to allow time for final Committee a petition and advertising. Failure to comply may result in the petition not being scheduled for a hearing. Notice of the hearing date and time, which will be between September 1, 1975 and October 15, 1975, 1975, will be forwarded to you well in advance of the date and time.

Very truly yours,

FRANKLIN T. HOGANS, OR. Chairman, Zoning Plans Advisory Committee

FTH:JD

Enclosure

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

Water and Sanitary Sewers

Item #163 (1971-1975) Property Owner: John C. Klutts Page 2 March 11, 1975

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

Tery truly yours, ELISHORTH N. DIVER, P.E.

PMD-EAM-PEREE

ons William Murchal I-NE Key Sheet 13 NE 33 Pos. Sheet NE & I Topo 90 Tax Map BALTIMORE COUNTY, MARYLAND JEFFERSON BUILDING TOWSON, MARYLAND 2120



EUGENE J. CLIFFORD. P.E.

April 28, 1975

Zoning Commissioner County Office Building Towson, Maryland - 21204

Re: Cycle Zoning 9
Item 3 - ZAC - April, 1975 - October, 1975
Property Owner: John O. Kluttz
Location: SM/C of Orem Md. & Martin Blvd.
Existing Zoning: B.L. - C.C. C.
Proposed Zoning: Re-class to B.R. : Special Exception for used car
lot separated from sales agency bldg.
No. of Acres: 0.78
District: 15th

The subject petition is requesting a change from B.L. to B.R.

This should not change the trip density of the property.

Very truly yours,

Charle

DEC 0 2 1975

C. Richard Moore Assistant Traffic Engineer

Bernard M. Evans

April 8, 1975

Mr. S. Eric Di Nenna Zoning Commissioner County Office Building Towson, Md. 21204 Rei Zoning Reclassification Cycle #9 Owner: John Q. Kluttz Location:SW/C Grea Rd. 5 Martin Slvd. (49) Exist. Zoning: S.L.-CCC Proposed Zoning: Re-class to B.R.5Special Exception for used car lot separated from Sales Agency Bidg. Acres: 0.78 District: 15th

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

The proposed closing of existing entrances 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 bys John E. Heyers

CL:JEM:bk

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

### Baltimore County Fire Department



025-7310

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

Attention: Mr. Jack Dillon, Chairman Zoning Advisory Committee

Re: Property Owner: John Q. Kluttz

Location: SW/C of Orem Road & Martin Blvd.

Item No. 3

Zoning Agenda CCYLE #9
April 1975 - October 1975

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.

- Fire hydrants for the referenced property are required and shall be located at intervals of feet along an approved read in accordance with Bultimore 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
- EXCEEDS the maximum allowed by the Fire Department.
- EICERDS the maximum allowed by the Fire Department.

  ( ) h. 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 eduting or proposed on the site shall
  comply with all applicable requirements of the Mational Fire Protection
  Association Standard No. 101 "The Life Safety Code", 1970 Edition prior
  to occupancy.
- ( ) 6. Site plans are approved as drawn.
- (xx) 7. The Fire Prevention Bureau has no comments at this time.

Reviewer: Home Well Approved: Planning Group Special Inspection Division

Deputy Chief Fire Prevention Bureau

BALTIMORE COUNTY, MARYLAND

DEPARTMENT OF HEALTH-

DONALD J. ROOP, M.D., M.P.H.

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

No. of Acres: 0.78 District: 15th

Metropolitan water and sewer are available.

April 3, 1975

Dear Mr. DiNenna:

Cycle #9, are as follows:

Property Owner: John Q. Klutts
Location: SWIC of Orem Rd. 4 Martin Blvd.
Existing Zoning: Bl. - CCC
Proposed Zoning: Re-class to B.R. 4 Special
Exception for used car lot
separated from sales agency
Mo. of Arms: 0.5103.

Thomas H. Devlin, Director BUREAU OF ENVIRONMENTAL SERVICES

& HVB:nce

CERTIFICATE OF PUBLICATION

August 14

day of \_\_\_\_\_September\_\_\_\_\_, 19.75., the Brist publication

#76-39-RX

Date of Posting 8-14-75

appearing on the \_\_\_\_lith \_day of \_\_\_\_August\_\_ 19.75

Cost of Advertis

CERTIFICATE OF POSTING

Location of Signe I Sugar Restel on Orines Bd 2 Sugar Posted.

Posted for Hearing Steers Sept - 4 1975 @ 10:00 AM

Location of property: SW/Lee of Martin Bled of Cheme Ked

Posted by Mill H. Miss. Date of return. 8-21-74

Petitioner John Q. Klutty

DEPARTMENT OF BALTIMORS COUNTY Towner, Maryland

Mr. S. Eric Di Nenna, Zoning Com Zoning Advisory Committee Office of Planning and Zoning Baltimore County Office Build

nts on Item # 3 , Zoning Cycle IX, April, 1975, are as follow

Location: 5W/c of Chem Road and Martin Blvd
Existing Zoning: B.L.- C.C.C.
Proposed Zoning: Re-class to B.R. and Special Exception for used car lot separated from
soles agency building
No. of Acres: 0,78
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 owere of plans or problems with regard to development plans that may have a bearing on this petition.

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

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

AREA CODE 301 PLANNING 404-3211 ZONING 404-3381

105 WEST CHESAPEAKE AVENUE

Property Owner: John Q. Kluttz Location: SW/c of Orem Road and Martin Bh

OFFICE OF

# BESSEXICIMES August 14 19 75

ESSEX, MD. 21221

THIS IS TO CERTIFY, that the annexed advertisement of PETITION - SOUTHWEST CORNER OF MARTIN BOULEVARD

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

weeks before the 4th, day of Sept. 1975 that is to say, the same

was inserted in the issues of August 14.1975

STROMBERG PUBLICATIONS. Inc.

By C. Curren

PETITION	MAPPING			<b>PROGRESS</b>			SHEET			
FUNCTION	Woll 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: 37 H		_			ec Pla e in ou		or des	cripti		
Previous case:				Man						No

May 2, 1975

John L Wimbles

John L. Wimble

**BOARD OF EDUCATION** OF BALTIMORE COUNTY

TOWSON, MARYLAND - 21204

Date: April 17, 1975

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

Z.A.C. Meeting of: April 1975-October 1975 Cycle #9

Re: Item 5
Property Owner: John Q. Kluttz
Location: SW/C of Orem Road & Martin Boulevard
Present Zoning: B.L. & C.C.C.
Proposed Zoning: Re-class to B.R. & Special Exception for used carlot separated from sales agency building.

District: No. Acres

Very truly yours. W. Nick Petrovich., Field Representative

WNP/ml

CUDENE C. HESS, vic milion MAS. ADDERT L. BERNEY

MARCUS M. BOTGADIS

No bearing on ctudent population.

T. BAYARD WILLIAMS JR

BALTIMORE COUNTY OFFICE OF PLAYNING AND ZONING

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

Your Petition has been received \* this 20 day of

MARCH 1975. Filing Fee \$ 50.00. Received \_Check

M. 23359

Petitioner's Attorney Charles

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

BALTIMORE COUNTY, MARYLAND

Established St.	AMOUNT	230.60
THE RESERVE TO SERVE THE RESERVE	m Q. Klutts, Man. Chambe Blve, Baltimore, Md. 2	The second secon
POR Mereti	sing and posting of pro-	## b #76-19-11
	100 3 1 5 Pau 15	230.60490
	VALIDATION OR RIGHATURE	OF CASHIER
OFFICE OF FINANCI	DUNTY, MARYLAN E-REVENUE DIVISION US CASH RECEIPT	20226
ATE Apri	1 22. 1975 ACCOUNT 01-	562
		. 20
	AMOUNT \$50	

DEC 0 2 1975









