

ORDER RECEIVED FOR FILING
DATE 10/1/1978

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, the Special Exception for a car wash should be granted.

IT IS ORDERED by the Zoning Commissioner of Baltimore County this 14th day of December, 1978, that the herein Petition for Special Exception for a car wash should be and the same is GRANTED, from and after the date of this Order, subject to the approval of a site plan by the State Highway Administration, 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...

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, this 14th day of December, 1978, 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...

Zoning Commissioner of Baltimore County

Mr. Ginsberg
Page 2
September 29, 1978

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,
Nicholas B. Commadari
NICHOLAS B. COMMADARI
Chairman,
Zoning Plans Advisory Committee

NBC:cmr
Enclosure

cc: D. S. Thaler and Associates
3809 Clarke Lane
Baltimore, Maryland 21215

Baltimore County
Department of Public Works
TOWSON, MARYLAND 21204
THOMSON M. MOURING, P.E.
DIRECTOR

August 10, 1978

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

Re: Item #1 (1978-1979)
Property Owner: William C. & Mary E. Breckenridge
4615 Reisterstown Rd. 100' E/W Painters Mill Rd.
Existing Zoning: B1
Proposed Zoning: Special Exception for a car wash.
Address: 1.037 District: 4th

Dear Mr. DiMenna:

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:

Reisterstown Road (U.S. 140) is a State Road; therefore, all improvements, intersections, entrances and drainage requirements as they affect the road come under the jurisdiction of the Maryland State 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.

Painters Mill Road, an existing County road, west of Reisterstown Road, is proposed to be extended northwesterly through the northerly (eastmost) portion of this property, as a dual lane roadway with closed sections on an 89-foot right-of-way. Highway right-of-way, including any necessary reversible easements for slopes will be required in connection with any grading or building permit application.

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 striping, 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 striping of top soil.

Storm Drains:

Provisions for accommodating storm water or drainage have not been indicated on the submitted plan. Public storm drainage together with a drainage and utility easement will be required in conjunction with further development of this property.

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

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

Your Petition has been received and accepted for filing this 29th day of August 1978.

Eric DiMenna
S. ERIC DIMENNA
Zoning Commissioner

Petitioner: Breckenridge
Petitioner's Attorney: L. M. Gregory
Reviewed by: Nicholas B. Commadari
Lawrence K. O'Shara, Esquire
4615 Reisterstown Road-101
Baltimore, Maryland 21215
Exam No. 1
Chairman, Zoning Plans Advisory Committee

cc: D. S. Thaler and Associates
3809 Clarke Lane
Baltimore, Maryland 21215

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

September 29, 1978

COUNTY OFFICE BLDG.
111 W. Chesapeake Ave.
Towson, Maryland 21204

cc: Nicholas B. Commadari
Chairman

MEMORANDUM
Bureau of Engineering
Department of Traffic Engineering
State Road Commission
Bureau of Planning
Bureau of Public Works
Health Department
Project Planning
Building Department
Bureau of Education
Zoning Administration
Industrial Development

Lawrence K. Ginsberg, Esquire
4615 Reisterstown Road-301
Baltimore, Maryland 21215

RE: Special Exception
Item No. 1
Petitioner - Breckenridge

Dear Mr. Ginsberg:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition and has made an on-site filed inspection of the property. The following 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 suitability of the requested zoning.

Located on the northeast side of Reisterstown Road approximately 100' southeast of Painters Mill Road in the 4th Election District, the subject property, currently zoned B. L. and D. R. 3.5, is improved with an existing two story frame dwelling and shed. Immediately adjacent properties to the north and south are improved with a bank and restaurant, respectively.

Because of your client's proposal to raise the existing building and construct a car wash facility on this property, this Special Exception is required. As a result of the large drainage ditch which traverses the southeasterly portion of this site along Reisterstown Road, the entrance must be altered in order to comply with the requirements of the State Highway Administration. The site plan must be revised prior to the scheduled hearing to include all the requested revisions from this department as well as an indication of the location of the proposed extension of Painters Mill Road, which is indicated in the comments of the Bureau of Engineering, and the proposed landscaping of the property.

Item #1 (1978-1979)
Property Owner: William C. & Mary E. Breckenridge
Page 2
August 10, 1978

Storm Drains: (Cont'd)

In accordance with the drainage policy, the Developer is responsible for the total actual cost of drainage facilities required to carry the storm water run-off through the property to be developed to a suitable outfall.

There are several drains contributing offsite storm water and drainage to this site, which then flows via an open drainage course within this property, to the indicated culvert beneath U.S. Route 140.

The Petitioner must provide necessary drainage facilities (temporary or permanent) to prevent creating any nuisance or damage 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 Sewers:

Public water supply and sanitary sewerage exist in Reisterstown Road.

Very truly yours,

Charles Lee
CHARLES LEE, P.E.
Chief, Bureau of Engineering

END/CM: PWR:SS

cc: J. Freeman
J. Rogers
D. Drive

T-SE Key Sheet
43 & 44 NW 30 Pos. Sheet
SD 11 N Topo
SD & 67 Tax Map

Maryland Department of Transportation
State Highway Administration

Memorandum
to: Mr. C. Lee
from: Mr. G. J. Martinik

July 18, 1978

Mr. George J. Martinik
Deputy Zoning Commissioner
County Office Building
Towson, Maryland 21204

Attention: Mr. N. Commadari

Re: Z.A.C. Meeting, July 11, 1978
ITEM: 1
Property Owners: William C. & Mary E. Breckenridge
Location: NE/2 Reisterstown Rd. (Route 140) 100' SE Painters Mill Rd.
Existing Zoning: P.L.
Proposed Zoning: Special Exception for a car wash
Acres: 1.037
District: 4th

Dear Mr. Martinik:

The proposed entrance is at the location of a large culvert crossing under the highway and at the location of a low point on the highway. A large combination curb opening and grate type inlet will be required at the low point. Since the entrance must be clear of the inlet, it must be reduced in width. Any appreciable reduction in entrance width could cause traffic problems, considering the type of business proposed, the high volume of traffic on Reisterstown Road, and the close proximity to Painters Mill Road. Ideally, a car wash should have two points of access.

The plan must be revised to indicate the entire frontage to be improved with curb and gutter and sidewalks. The low point and proposed inlet must be indicated. The entrance must be indicated in the plan and in accordance with State Highway Administration standards; a minimum of 5' from the property line to the beginning of the radius turning. The radius must also be indicated. Some detail of the proposed piping of the ditch must also be shown.

The plan must be revised prior to a hearing date being assigned.

Very truly yours,

Charles Lee, Chief
Bureau of Engineering
Access, Permits

John E. McGeary
By: John E. McGeary

CL:JEM:mvd

August 25, 1978

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

Dear Mr. DiNenna:

Comments on Item #1, Zoning Advisory Committee Meeting, July 11, 1978, are as follows:

Property Owner: William C. and Mary E. Breckenridge
Location: NE/S Reisterstown Rd. 100' SE Painters Mill Rd.
Existing Zoning: R.L.
Proposed Zoning: Special Exception for a car wash
Acres: 1.037
District: 4th

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.

Landscape should be provided for the property.

Very truly yours,

John L. Wimbler
John L. Wimbler
Planner III
Current Planning and Development

STEPHEN COLLINS
DIRECTOR

July 21, 1978

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

Item No. 1 - SAC - July 11, 1978
Property Owner: William C. & Mary E. Breckenridge
Location: NE/S Reisterstown Rd. 100' SE Painters Mill Rd.
Existing Zoning: R.L.
Proposed Zoning: Special Exception for a car wash

Acres: 1.037
District: 4th

Dear Mr. DiNenna:

The proposed Special Exception for a car wash is not expected to cause any major traffic problems.

The existing on site storm drain may cause problems and plans must be submitted showing how the drainage problem will be taken care of.

Very truly yours,

Stephen E. Weber
Stephen E. Weber
Engineer I

SED/mr

DONALD A. ROOP, M.D., M.P.H.
DISTRICT STATE AND COUNTY HEALTH OFFICER

August 28, 1978

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

Dear Mr. DiNenna:

Comments on Item #1, Zoning Advisory Committee Meeting of July 11, 1978, are as follows:

Property Owner: William C. & Mary E. Breckenridge
Location: NE/S Reisterstown Rd. 100' SE Painters Mill Rd.
Existing Zoning: R.L.
Proposed Zoning: Special Exception for a car wash
Acres: 1.037
District: 4th

Metropolitan water and sewer exist, therefore no health hazards are anticipated.

A permit to construct will be required for underground gasoline storage tank/s (5,000 gallons or more) and any other equipment or process which exhausts into the atmosphere.

Any new installation of fuel burning equipment should contain the Division of Air Pollution Control, 404-3775, to obtain requirements for the installation before work begins.

Very truly yours,

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

TEB/EB/Fuk

cc: W. L. Phillips

Paul H. Reische
CHIEF

Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204
Attention: N. Commodari, Chairman
Zoning Advisory Committee

Re: Property Owner: William C. & Mary E. Breckenridge

Location: NE/S Reisterstown Rd. 100' SE Painters Mill Rd.

Item No. 1 Zoning Agenda Meeting of 07/11/78

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 _____
EXCEEDS the maximum allowed by the Fire Department.
- () 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 "Life Safety Code", 1976 Edition prior to occupancy.
- () 6. Site plans are approved as drawn.
- () 7. The Fire Prevention Bureau has no comments at this time.

REVIEWED BY: *George M. McGehee* Noted and Approved: *George M. McGehee*
Planning Group/ Special Inspection Division Fire Prevention Bureau

JOHN S. SEYFERT
DIRECTOR

August 15, 1978

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

Dear Mr. DiNenna:

Comments on Item #1 Zoning Advisory Committee Meeting, July 11, 1978 are as follows:

Property Owner: William C. & Mary E. Breckenridge
Location: NE/S Reisterstown Rd. 100' SE Painters Mill Rd.
Existing Zoning: R.L.
Proposed Zoning: Special Exception for a car wash

Acres: 1.037
District: 4th

The items checked below are applicable:

- X A. Structures shall conform to Baltimore County Building Code (B.C.B.C.) 1975 Edition and the 1977 Supplement, State of Maryland Code for the Uncodebook and aged and other applicable codes.
- X B. A building permit shall be required before construction can begin.
- X C. Additional change of occupancy permits shall be required.
- D. Building shall be upgraded to new use - requires alteration permit.
- E. Three sets of construction drawings will be required to file an application for a building permit.
- X F. Three sets of construction drawings with a registered Maryland Architect or Engineer's original seal will be required to file an application for a building permit.
- X G. Wood frame walls are not permitted within 3'0" of a property line. Contact Building Department if distance is between 3'0" and 6'0" of property line.
- H. Requested setback variance conflicts with the Baltimore County Building Code. See Section _____.

1. No Comment.
2. Comments:

Very truly yours,

Charles E. Bunnell
Charles E. Bunnell
Plans Review Chief

BOARD OF EDUCATION OF BALTIMORE COUNTY

TOWSON, MARYLAND - 21204

Date: July 10, 1978

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

Z.A.C. Meeting of: July 11, 1978

RE: Item No. 1
Property Owner: William C. & Mary E. Breckenridge
Location: NE/S Reisterstown Rd. 100' SE Painters Mill Rd.
Present Zoning: R.L.
Proposed Zoning: Special Exception for a car wash

District: 4th
No. Acres: 1.037

Dear Mr. DiNenna:

No bearing on student population.

Very truly yours,

W. Nick Petrovich
W. Nick Petrovich
Field Representative

WNP/bp

JOSEPH H. HUGHMAN, PRESIDENT
T. BARBARA WILLIAMS, JR., VICE-PRESIDENT
MARCOUS H. BUTLER

THOMAS H. BRYER
MRS. LORNADEE F. CHURCH
ROBERT H. BAYTER

ALVIN LORECK
MRS. WILTON R. SMITH, JR.
RICHARD W. TRACY, D.V.M.

S. ERIC DINENNA
ZONING COMMISSIONER
George J. Martinak
Deputy Zoning Commissioner

December 14, 1978

Milton S. Goldbloom, Esquire
1020 Munsey Building
Calvert & Fayette Streets
Baltimore, Maryland 21202

RE: Petition for Special Exception
NE/S of Reisterstown Road, 100'
SE of Painters Mill Road - 4th
Election District
William C. Breckenridge, et ux -
Petitioners
NO. 79-89-X (Item No. 1)

Dear Mr. Goldbloom:

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

Very truly yours,

S. Eric DiNenna
S. ERIC DINENNA
Zoning Commissioner

SED:mr

Attachments

cc: Lawrence K. Ginsberg, Esquire
6615 Reisterstown Road, Suite 301
Baltimore, Maryland 21215

Mrs. Alice LeGrande
25 Olive Lane
Owings Mills, Maryland 21117

John W. Heslian, III, Esquire
People's Counsel

June 21, 1979

John W. Heslian, III, Esq.
People's Counsel for Baltimore County
County Office Building
Towson, Maryland 21204

Re: File No. 79-09-X
William C. Breckenridge, et ux

Dear Mr. Heslian:

Enclosed herewith is a copy of the Motion for Dismissal and Order passed today by the County Board of Appeals in the above entitled case.

Very truly yours,

Muriel E. Buddemeier
Muriel E. Buddemeier

Encl.

cc: Milton S. Goldbloom, Esq.
Lawrence K. Ginsberg, Esq.
Mr. and Mrs. William C. Breckenridge
Abraham L. Adler, Esq.
Mrs. Alice LeGrande
Mr. William E. Hammond
Mr. James Dyer
Mr. Leslie Groat
Mr. James Howell

D. S. THALER & ASSOCIATES

A DIVISION OF
OMEGA INDUSTRIES, INCORPORATED
3809 CLAREN LANE - BALTIMORE, MD 21215 - 301 - 386-1800

June 27, 1978

DESCRIPTION OF THE BRECKENRIDGE PROPERTY

Beginning for the same at an iron pipe set on the northeastern most right of way line of Reisterstown Road, 66 feet wide, approximately 100 feet as measured southeasterly from the centerline of Painters Mill Road as now existing, and also being at the end of the 6th or South 41°51'30" West 668.32 foot line described in a deed to Regal Savings and Loan Association, dated July 17, 1973 and recorded among the land records of Baltimore County, Maryland in Liber E.H.K. Jr. 5378 folio 861 and running thence and reversely with said 6th line, as now surveyed North 42°33'32" East 667.62 feet to an iron pipe set and to intersect the 2nd or North 44°22' West 554.26 foot line described in a deed to Hal B. Lucas and Beasle Lucas his wife, dated April 1, 1971 and recorded among the aforesaid land records in Liber O.T.G 5178 folio 807, and running thence and reversely with part of the said 2nd line as now surveyed South 47°51'54" East 69.30 feet to an iron pipe set, thence leaving said 2nd line and running reversely with the North 41°57'42" East 668.65 foot line shown on a plat entitled "Subdivision Plat of Lawrence H. Goodman Property," recorded on February 24, 1976 in the aforesaid land records in Liber O.T.G. 34 folio 11 as now surveyed, South 42°50'30" West 668.37 feet to an iron pipe set and to intersect the northeastern most right of way line of Reisterstown Road, and running with and binding on said right of way line as now surveyed, North 47°24'49" CIVIL ENGINEERS - SITE PLANNERS

Description of the Breckenridge Property
Page 2
June 27, 1978

West 66.00 feet to the place of beginning.

Containing 1.037 acres of land more or less.

Saving and excepting therefrom all that portion of land zoned DR 3.5 and comprising approximately 0.51 of an acre.



Maryland Department of Transportation

State Highway Administration

James J. O'Donnell
Secretary
H. S. Calender
Assistant Secretary

July 18, 1978

Mr. George J. Martinak
Deputy Zoning Commissioner
County Office Bldg.
Towson, Maryland 21204

Attention: Mr. N. Commodari

Re: Z.A.C. Meeting, July 11, 1978
ITEM: 1
Property Owner: William C. & Mary E. Breckenridge
Location: NE/S Reisterstown Rd.
(Route 140) 100' SE Painters Mill Rd.
Existing Zoning: B.L.
Proposed Zoning: Special
Exception for a car wash
Acres: 1.037
District: 4th

Dear Mr. Martinak:

The proposed entrance is at the location of a large culvert crossing under the highway and at the location of a low point on the highway. A large combination curb opening and grate type inlet will be required at the low point. Since the entrance must be clear of the inlet, it must be reduced in width. Any appreciable reduction in entrance width could cause traffic problems, considering the type of business proposed, the high volume of traffic on Reisterstown Road, and the close proximity to Painters Mill Road. Ideally, a car wash should have two points of access.

The plan must be revised to indicate the entire frontage to be improved with curb and gutter and sidewalks. The low point and proposed inlet must be indicated. The entrance must be indicated clear of the inlet in accordance with State Highway Administration standards; a minimum of 5' from the property line to the beginning of the radius return. The radius must also be indicated. Some detail of the proposed piping of the ditch must also be shown.

The plan must be revised prior to a hearing date being assigned.

Very truly yours,

Charles Lee, Chief
Bureau of Engineering
Access Permits

PETITIONER'S EXHIBIT NO. 1

CL:JEM:ivd

By: John E. Meyers

P.O. Box 717 / 300 West Preston Street, Baltimore, Maryland 21202



Maryland Department of Transportation

State Highway Administration

James J. O'Donnell
Secretary
H. S. Calender
Assistant Secretary

May 21, 1979

Mr. John Hession
Peoples Counsel
County Office Bldg.
Towson, Maryland 21204

Re: Breckenridge Property
Zoning Petition, Item 1,
July 1978
Reisterstown Rd. (Route 140)
S. of Painters Mill Road
Special Exception for a
Car Wash

Dear Mr. Hession:

We are in receipt of a plan of the subject site, revised April 11, 1979, that indicates proposed entrance and storm drain that are generally acceptable to the State Highway Administration.

Very truly yours,

Charles Lee, Chief
Bureau of Engineering
Access Permits

By: John E. Meyers

CL:JEM:ivd

cc: Mr. W. Duval

PETITIONER'S EXHIBIT NO. 2

My telephone number is: (301) 383-4320

P.O. Box 717 / 300 West Preston Street, Baltimore, Maryland 21202

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

To: S. Eric DiNenna
Zoning Commissioner
Lettie H. Groat
Director of Planning
FROM: Petition #79-89-X, Item #1
SUBJECT: Petition for Special Exception for a car wash
Northeast side of Reisterstown Road, 100 feet Southeast of Painters Mill Road
Petitioner - William C. and Mary E. Breckenridge
4th District
HEARING: Wednesday, October 18, 1978 (10:00 A.M.)

This office is concerned by the location of a car wash in such close proximity to the intersection of Painters Mill and Reisterstown Roads. It is this office's opinion that other uses permitted in a B.L. zone would be more appropriate for this location.

Lettie H. Groat
Director of Planning

LHG:JCH:iv

D. S. THALER & ASSOCIATES

A DIVISION OF
OMEGA INDUSTRIES, INCORPORATED
3809 CLAREN LANE - BALTIMORE, MD 21215 - 301 - 386-1800

PROFESSIONAL QUALIFICATIONS OF DAVID S. THALER, P.E.

EDUCATION

Baltimore Polytechnic Institute	1966
Lehigh University	BS(Civil Engineering) 1970
Lehigh University	MS(Management) 1971
Lehigh University	MA (Economics) 1978
Lehigh University	PhD (Completed all but dissertation)

PROFESSIONAL ENGINEER

Maryland
Pennsylvania
Virginia

PROFESSIONAL MEMBERSHIPS

National Society of Professional Engineers
Maryland Society of Professional Engineers
Engineering Society of Baltimore
Society of American Military Engineers
American Society of Civil Engineers
American Economic Association
Royal Economic Society
American Real Estate and Urban Economics Association
Metropolitan Association of Urban Designers and Environmental Planners
Beta Gamma Sigma (National Business Honorary)
Home Builders Association of Maryland
Urban Land Institute
American Institute of Timber Construction
Board of Directors of the Baltimore Chapter, Maryland Home Builders Association

HISTORICAL SOCIETY MEMBERSHIPS

Maryland Historical Society
Society for the Preservation of Maryland Antiquities

CIVIL ENGINEERS - SITE PLANNERS

Professional Qualifications of David S. Thaler, P.E.
Page 2

STATE OF MARYLAND COMMISSION MEMBERSHIPS

Advisory Commission of Energy Utilization in Buildings
Committee of the Maryland Building Code for Handicapped and Aged

LECTURES

John Hopkins University - Seminar in Marketing Management
Lehigh University - Senior Civil Engineering Seminar

PUBLICATIONS

"The Herzberg Dual Factor Theory - Consistency VS. Method Dependency"
Journal of Personnel Psychology, 1973
"Optimal Marketing Cost in Residential Housing" *Journal of Land Economics*,
(Publication Pending)

CURRENT POSITIONS

President	Omega Land Development Corporation (Home Builders and Land Developers)
Chairman of the Board	Omega Industries, Incorporated (General Contractors)
Principal	D.S. Thaler & Associates, Inc. (Civil Engineering and Site Planners)

EXPERIENCE

Direct responsibility for the construction of approximately 2,500 homes since 1970. Direct responsibility for the construction of shopping centers, apartments, and industrial complexes. Complete responsibility for the design of hundreds of engineering projects.

Cardin and Weinstein, P.A.

ATTORNEYS AT LAW
805 REISTERSTOWN ROAD
BALTIMORE, MARYLAND 21202

October 18, 1978

Mr. S. Eric DiNenna
Zoning Commissioner
Department of Planning and Zoning
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: N/S Reisterstown Road 100' S/E Painters Mill Road
Request: Zoning Special Exception for a Car Wash
CASE NO. 79-89-X a.m. c. BRECKENRIDGE, et al

Dear Mr. DiNenna:

Pursuant to your request for several cases indicating that once an applicant has met the requirements of the Zoning Ordinance, the hearing officer must grant the application - please see the enclosed photocopies from *Abrams Guide to Maryland Zoning Decisions* and *The Maryland Digest*.

There are many, many cases indicating that once the requirements are met, the hearing officer or board must grant the application.

If there are any further questions or if there is anything that you may need with regard to this case, please do not hesitate to contact me.

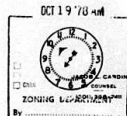
Thanking you for your immediate attention and cooperation in this matter, I am,

Very truly yours,

Lawrence K. Ginsberg

LKG:h

encl.



MARYLAND ZONING DECISIONS
1978 SUPPLEMENT
CHAPTER 11
TAKING OF PROPERTY
REASONABLE
LOCATION
Burden of Alleging
Appeals of Baltimore County, 23 Md. App. 112 (1974)
and this Court has stated that an expert is not evidence along or error in the comprehensive reasoning given by the expert as the basis for a finding relied upon by him, and is strong enough to do so.
The reasons of opinion by experts that we derive greatest under existing zoning problems and proximity to large scale family homes could be built, and further the expert witness admitted development costs under existing zoning or analyzed. Also acknowledged the construction on adjoining property.
County Council for Prince Georges
of Rockville v. Henley, 268 Md. 469 (1974)
and expert testimony including the "infeasibility" are insufficient to

MARYLAND ZONING DECISIONS
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MARYLAND ZONING DECISIONS
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County Council for Prince Georges
of Rockville v. Henley, 268 Md. 469 (1974)
and expert testimony including the "infeasibility" are insufficient to

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204
Your Petition has been received * this 28 day of June 1978 Filing Fee \$ 50 Received Check Cash Other
Petitioner: Mr. & Mrs. [Name] Submitted by [Name]
Petitioner's Attorney: [Name] reviewed by [Name]
* This is not to be interpreted as acceptance of the Petition for assignment of a hearing date.

79-89-X
CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland
District: 4th Date of Posting: Feb. 3, 1978
Posted for: Appeal
Petitioner: William C. Broekert, et al.
Location of property: NE 1/4 of Reisterstown Rd, 100 SE of Painter Mill Rd
Location of Sign: Front 10121 Reisterstown Rd
Remarks: [Signature]
Posted by: [Signature] Date of return: Feb. 9, 1978
1-SIGN

CERTIFICATE OF PUBLICATION
TOWSON, MD., September 28, 1978
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 September 28, 1978, the first publication appearing on the 28th day of September, 1978.
THE JEFFERSONIAN
[Signature]
Manager
Cost of Advertisement, \$ 66.74

STROMBERG PUBLICATIONS, INC.
BY [Signature]
weekly newspapers published in Baltimore, County, Maryland, on a week for 28 successive weeks before the 29th day of September, 1978, that is to say, the same was inserted in the issues of September 28, 1978

PETITION MAPPING PROGRESS SHEET
FUNCTION: Descriptions checked and outline plotted on map
Petition number added to outline
Denied
Granted by: ZG, BA, CG, CA
Reviewed by: [Signature] Revised Plans: Change in outline or description Yes Map 4/6/11/H

79-89-X
CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland
District: 4th Date of Posting: Oct. 3, 1978
Posted for: PETITION FOR SPECIAL EXCEPTION
Petitioner: William C. Broekert, et al.
Location of property: NE 1/4 of Reisterstown Rd, 100 SE of Painter Mill Rd
Location of Sign: Front 10121 Reisterstown Rd
Remarks: [Signature]
Posted by: [Signature] Date of return: Oct. 6, 1978
1-SIGN

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT
No. 76082
DATE: October 18, 1978 ACCOUNT: 01-660
AMOUNT: \$ 66.74
RECEIVED: [Signature]
FOR: Posting & Advertising for Case No. 79-89-X
William C. Broekert, Petitioner

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT
No. 73521
DATE: Sept. 20, 1978 ACCOUNT: 01-660
AMOUNT: \$50.00
RECEIVED: [Signature]
FOR: Filing Fee for Case No. 79-89-X

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

No. 76253

DATE January 25, 1979 ACCOUNT 01-662

AMOUNT \$75.00

RECEIVED John W. Heslian, J. I. Requir
 FROM Cost of Appeal Case J.I. 79-09-X

7500 HES

VALIDATION OR SIGNATURE OF CASHIER





Baltimore County
Department of Public Engineering
TOWSON, MARYLAND 21204
(301) 494-3550

STEPHEN E. COLLINS
DIRECTOR

2C
PLANNONER'S
EXHIBIT #1

July 21, 1978

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

Item No. 1 - ZAC - July 11, 1978
Property Owner: William C. & Mary E. Bruckenridge
Location: NE/S Reisterstown Rd. 100' SE Painters Mill Rd.
Existing Zoning: B.L.
Proposed Zoning: Special Exception for a car wash

Acres: 1.037
District: 4th

Dear Mr. Dihenna:

The proposed Special Exception for a car wash is not expected to cause any major traffic problems.

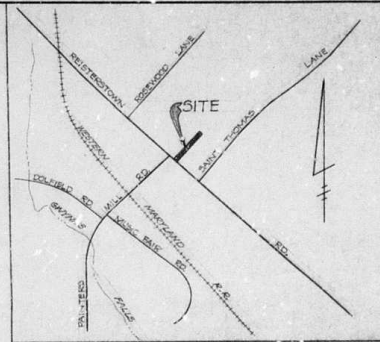
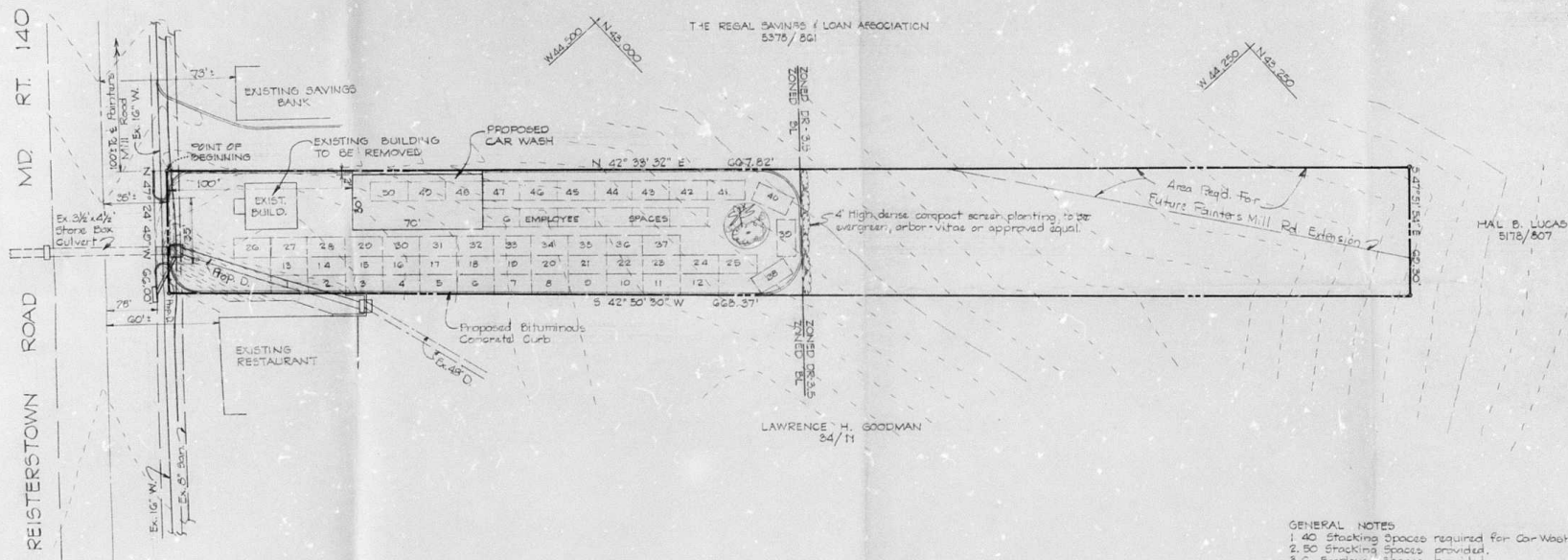
The existing on site storm drain may cause problems and plans must be submitted showing how the drainage problem will be taken care of.

Very truly yours,

Stephen E. Weber
Stephen E. Weber
Engineer I

SEN/hms

ENGINEERS
D. S. THALER & ASSOCIATES
3809 CLARKS LANE
BALTIMORE, MD. 21215



LOCATION MAP
Scale: 1"=1000'

- GENERAL NOTES
1. 40 Stacking Spaces required for Car Wash.
 2. 50 Stacking Spaces provided.
 3. 50 Employee Spaces provided.
 4. Area of tract = 1.027 Acs.
 5. Paving to be Bituminous Concrete.

2nd PETITIONER'S
EXHIBIT #2

PLAT TO ACCOMPANY SPECIAL EXCEPTION
FOR
BRECKENRIDGE PROPERTY
4TH ELECTION DISTRICT BALTIMORE CO. MD.
SCALE: 1"=30' MAY 26, 1978

