

80-74-P
6

MERRITT PARK ASSOCIATES
80-74-A
W/S Merritt Blvd., 630' N Searles Rd
12th



— — — — —

Wm. T. Lusk - President

Metropolitan Management Co.
Legal Officer
Address 3723 Old Court Road, Suite 204
Baltimore, Maryland 21208

Protestant's Attorney

Baltimore County, this 2nd day

ject matter of this petition be advertised, as
in two newspapers of general circulation through-
out the County that the public hearing be had before the Zoning
County Office Building in Towson, Baltimore
September 1979, at 9:30 o'clock

Zoning Commissioner of Baltimore County

er)

ORDER TO ENTER APPEARANCE

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. Hession, III
John W. Hession, III

I HEREBY CERTIFY that on this 29th day of August, 1979, a copy of the foregoing Order was mailed to Merritt Park Associates, 3723 Old Court Road, Suite 204, Baltimore, Maryland 21203; and Mr. R. M. Tambascio, Shell Oil Company, 5565 Sterrett Place, Columbia, Maryland 21044. Contract Purchaser.

INTER-OFFICE CORRESPONDENCE

12th District

There are no comprehensive planning factors requiring comment on this petition.

JDS:JGH:rv

Job No. 6492

DATE MARCH 7, 1979

Being all the same property described in a Lease Agreement dated August 10, 1959 between Merritt Park Shopping Center, Inc. and Shell Oil Company, recorded among the Land Records of Baltimore County, in Liber 7629 folio 416.

7a. c

ZONING PLANS



EVALUATION COMMENTS

September 27, 197

Dear Mr. Klein:

Very truly yours,

WEH/sr

cc: Mr. R. M. Tandascio
Shell Oil Company
P. O. Box 21685
Houston, Texas 77025

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

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

WILLIAM E. HAMMOND
Zoning Commissioner

Nicholas E. Commodari
Chairman, Zoning Plan
Advisory Committee

August 31, 1979

RE: Item No. 6
Petitioners - Merritt Park
Associates
Variance Petition

1. 2. 3. 4. 5. 6. 7. 8. 9. 10. 11. 12. 13. 14. 15. 16. 17. 18. 19. 20. 21. 22. 23. 24. 25. 26. 27. 28. 29. 30. 31. 32. 33. 34. 35. 36. 37. 38. 39. 40. 41. 42. 43. 44. 45. 46. 47. 48. 49. 50. 51. 52. 53. 54. 55. 56. 57. 58. 59. 60. 61. 62. 63. 64. 65. 66. 67. 68. 69. 70. 71. 72. 73. 74. 75. 76. 77. 78. 79. 80. 81. 82. 83. 84. 85. 86. 87. 88. 89. 90. 91. 92. 93. 94. 95. 96. 97. 98. 99. 100. 101. 102. 103. 104. 105. 106. 107. 108. 109. 110. 111. 112. 113. 114. 115. 116. 117. 118. 119. 120. 121. 122. 123. 124. 125. 126. 127. 128. 129. 130. 131. 132. 133. 134. 135. 136. 137. 138. 139. 140. 141. 142. 143. 144. 145. 146. 147. 148. 149. 150. 151. 152. 153. 154. 155. 156. 157. 158. 159. 160. 161. 162. 163. 164. 165. 166. 167. 168. 169. 170. 171. 172. 173. 174. 175. 176. 177. 178. 179. 180. 181. 182. 183. 184. 185. 186. 187. 188. 189. 190. 191. 192. 193. 194. 195. 196. 197. 198. 199. 200. 201. 202. 203. 204. 205. 206. 207. 208. 209. 210. 211. 212. 213. 214. 215. 216. 217. 218. 219. 220. 221. 222. 223. 224. 225. 226. 227. 228. 229. 230. 231. 232. 233. 234. 235. 236. 237. 238. 239. 240. 241. 242. 243. 244. 245. 246. 247. 248. 249. 250. 251. 252. 253. 254. 255. 256. 257. 258. 259. 260. 261. 262. 263. 264. 265. 266. 267. 268. 269. 270. 271. 272. 273. 274. 275. 276. 277. 278. 279. 280. 281. 282. 283. 284. 285. 286. 287. 288. 289. 290. 291. 292. 293. 294. 295. 296. 297. 298. 299. 300. 301. 302. 303. 304. 305. 306. 307. 308. 309. 310. 311. 312. 313. 314. 315. 316. 317. 318. 319. 320. 321. 322. 323. 324. 325. 326. 327. 328. 329. 330. 331. 332. 333. 334. 335. 336. 337. 338. 339. 340. 341. 342. 343. 344. 345. 346. 347. 348. 349. 350. 351. 352. 353. 354. 355. 356. 357. 358. 359. 360. 361. 362. 363. 364. 365. 366. 367. 368. 369. 370. 371. 372. 373. 374. 375. 376. 377. 378. 379. 380. 381. 382. 383. 384. 385. 386. 387. 388. 389. 390. 391. 392. 393. 394. 395. 396. 397. 398. 399. 400. 401. 402. 403. 404. 405. 406. 407. 408. 409. 410. 411. 412. 413. 414. 415. 416. 417. 418. 419. 420. 421. 422. 423. 424. 425. 426. 427. 428. 429. 430. 431. 432. 433. 434. 435. 436. 437. 438. 439. 440. 441. 442. 443. 444. 445. 446. 447. 448. 449. 450. 451. 452. 453. 454. 455. 456. 457. 458. 459. 460. 461. 462. 463. 464. 465. 466. 467. 468. 469. 470. 471. 472. 473. 474. 475. 476. 477. 478. 479. 480. 481. 482. 483. 484. 485. 486. 487. 488. 489. 490. 491. 492. 493. 494. 495. 496. 497. 498. 499. 500. 501. 502. 503. 504. 505. 506. 507. 508. 509. 510. 511. 512. 513. 514. 515. 516. 517. 518. 519. 520. 521. 522. 523. 524. 525. 526. 527. 528. 529. 530. 531. 532. 533. 534. 535. 536. 537. 538. 539. 540. 541. 542. 543. 544. 545. 546. 547. 548. 549. 550. 551. 552. 553. 554. 555. 556. 557. 558. 559. 560. 561. 562. 563. 564. 565. 566. 567. 568. 569. 570. 571. 572. 573. 574. 575. 576. 577. 578. 579. 580. 581. 582. 583. 584. 585. 586. 587. 588. 589. 590. 591. 592. 593. 594. 595. 596. 597. 598. 599. 600. 601. 602. 603. 604. 605. 606. 607. 608. 609. 610. 611. 612. 613. 614. 615. 616. 617. 618. 619. 620. 621. 622. 623. 624. 625. 626. 627. 628. 629. 630. 631. 632. 633. 634. 635. 636. 637. 638. 639. 640. 641. 642. 643. 644. 645. 646. 647. 648. 649. 650. 651. 652. 653. 654. 655. 656. 657. 658. 659. 660. 661. 662. 663. 664. 665. 666. 667. 668. 669. 670. 671. 672. 673. 674. 675. 676. 677. 678. 679. 680. 681. 682. 683. 684. 685. 686. 687. 688. 689. 690. 691. 692. 693. 694. 695. 696. 697. 698. 699. 700. 701. 702. 703. 704. 705. 706. 707. 708. 709. 710. 711. 712. 713. 714. 715. 716. 717. 718. 719. 720. 721. 722. 723. 724. 725. 726. 727. 728. 729. 730. 731. 732. 733. 734. 735. 736. 737. 738. 739. 740. 741. 742. 743. 744. 745. 746. 747. 748. 749. 750. 751. 752. 753. 754. 755. 756. 757. 758. 759. 760. 761. 762. 763. 764. 765. 766. 767. 768. 769. 770. 771. 772. 773. 774. 775. 776. 777. 778. 779. 780. 781. 782. 783. 784. 785. 786. 787. 788. 789. 790. 791. 792. 793. 794. 795. 796. 797. 798. 799. 800. 801. 802. 803. 804. 805. 806. 807. 808. 809. 810. 811. 812. 813. 814. 815. 816. 817. 818. 819. 820. 821. 822. 823. 824. 825. 826. 827. 828. 829. 830. 831. 832. 833. 834. 835. 836. 837. 838. 839. 840. 84

Enclosed are all comments submitted from the Committee to this office. The remaining members felt that no comment was warranted. 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 forward to you in the near future.

Nicholas B. Commodari
NICHOLAS B. COMMODARI
Chairman
Zoning Plans Advisory Committee

Enclosures

cc: R. M. Tambascio
for Shell Oil Company
5565 Sterrett Place
Columbia, Maryland 21044

ORDER RECEIVED FOR FILING

Pursuant to the advertisement, posting of property, and public hearing on the 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(s), the Variance(s) should be had; and it further appears that the granting of the Variance requested will not adversely affect the health, safety, and general welfare of the community; and, therefore, the Variance should be granted.

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 27th day of September, 1977, that the herein Petition for Variance to permit a front yard setback of one foot six inches from the road right of way of Merritt Boulevard in lieu of the required ten feet, to allow the erection and maintenance of one canopy over an existing pump island, 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 Department of Public Works and the Office of Planning and Zoning.

William E. Hammond
Zoning Commissioner of
Baltimore County

Pursuant to the advertisement, posting of property, and public hearing on the Petition and it appearing that by reason of failure to show practical difficulty and/or unreasonable hardship, the Variance(s) should not be granted.

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this _____ day of _____, 19____, that the herein Petition for the Variance(s) to permit _____

Zoning Commissioner of Baltimore County



THORNTON M. MOWAT, P.E.
DIRECTOR

August 2, 1979

Mr. William E. Hammond
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Re: Item #6 (1979-1980)
Property Owner: Merritt Park Associates
W/S Merritt Blvd, 630' N. Searles Rd.
Existing Zoning: B.L.-C.T.
Proposed Zoning: Variance to permit a canopy to be
setback 1.5' from the right-of-way line in lieu of
the required 10'.
Acres: 0.5165 District: 12th

Dear Mr. Hammond:

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

General:

Baltimore County highway and utility improvements are not directly involved.

This office has no further comment in regard to the plan submitted for Zoning Advisory Committee review in connection with this Item 6 (1979-1980).

Very truly yours,

Ellsworth N. Diver
ELLSWORTH N. DIVER, P.E.
Chief, Bureau of Engineering

END:EAM:EWR:ss

E-SW Key Sheet
11 SE 21 & 22 Pos. Sheets
SE 3 P Topo
103 Tax Map



John D. Seyffert
DIRECTOR

August 28, 1979

Mr. William Hammond, Zoning Commissioner
Zoning Advisory Committee
Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204

Dear Mr. Hammond:

Comments on Item #6, Zoning Advisory Committee Meeting, July 2, 1979, are as follows:

Property Owner: Merritt Park Associates
Location: W/S Merritt Blvd 630' N. Searles Road
Existing Zoning: B.L.-C.T.
Proposed Zoning: Variance to permit a canopy to be set back 1.5' from the right-of-way
line in lieu of the required 10'.
Acres: 0.5165
District: 12th

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.

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

Very truly yours,

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



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

August 27, 1979

Mr. William E. Hammond, Zoning Commissioner
Office of Planning and Zoning
County Office Building
Towson, Maryland 21204

Dear Mr. Hammond:

Comments on Item #6, Zoning Advisory Committee meeting of July 2, 1979, are as follows:

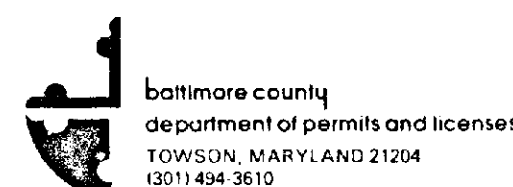
Property Owner: Merritt Park Associates
Location: W/S Merritt Blvd. 630' N Searles Rd.
Existing Zoning: B.L. - C.T.
Proposed Zoning: Variance to permit a canopy to be set back 1.5' from the right-of way line in lieu of the required 10'.
Acres: 0.5165
District: 12

Metropolitan water and sewer exist. Therefore, the proposed canopy will not pose any health hazards.

Very truly yours,

Ian J. Forrest
Ian J. Forrest
Director
BUREAU OF ENVIRONMENTAL SERVICES

LJF/JRP:phz



JOHN D. SEYFFERT
DIRECTOR

July 10, 1979

Mr. William E. Hammond, Zoning Commissioner
Office of Planning and Zoning
County Office Building
Towson, Maryland 21204

Dear Mr. Hammond:

Comments on Item # 6 Zoning Advisory Committee Meeting, July 2, 1979 are as follows:

Property Owner: Merritt Park Associates
Location: W/S Merritt Blvd. 630' N Searles Road
Existing Zoning: B.L. - C.T.
Proposed Zoning: Variance to permit a canopy to be set back 1.5' from the right of way line in lieu of the required 10'.

Acres: 0.5165
District: 12th

The items checked below are applicable:

X A. Structure shall conform to Baltimore County Building Code (B.O.C.A.) 1970 Edition and the 1971 Supplement, State of Maryland Code for the Handicapped and aged and other applicable code.

X B. A building permit shall be required before construction can begin.

C. Additional _____ 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.

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 _____.

I. No Comment.

J. Comment:

NOTE: These comments reflect only on the information provided by the drawing submitted to the office of Planning and Zoning and are not to be construed as the full extent of any permit.

Very truly yours,

Charles S. Flanigan
Charles S. Flanigan, Chief
Plans Review

CEB:rrj



STEPHEN E. COLLINS
DIRECTOR

August 27, 1979

Mr. William Hammond
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Dear Mr. Hammond:

The Department of Traffic Engineering has

no comments on the following items for the July 2,

1979 Zoning Advisory Committee: Items 3, 4, 5, 6,

and 7.

Very truly yours,

Michael S. Flanigan
Michael S. Flanigan
Associate Engineer II

MSF/hmd

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: William E. Hammond
Zoning Commissioner

Date: AUGUST 9, 1979

FROM: _____

SUBJECT: Zoning Advisory Committee Meeting of July 2, 1979

Attention: Nick Commodari, Chairman
Zoning Plans Advisory Committee

ITEM # 1 Property Owner: Estate of T. M. Gentrup
Location: E/S York Rd. 135' NW Radcliffe Rd.
No Comments

ITEM # 5 Property Owner: Louis M. & Catherine Ray
Location: W/S Windsor Blvd. 116.08' NE Yataruba Rd.
No Comments

ITEM # 6 Property Owner: Merritt Park Associates
Location: W/S Merritt Blvd. 630' N Searles Rd.
No Comments

ITEM # 7 Property Owner: Blanche C. Kenney
Location: SE/S Eastern Blvd. 40' NE Stemmers Run Rd.
No Comments

BOARD OF EDUCATION
OF BALTIMORE COUNTY

TOWSON, MARYLAND 21204

Mr. S. Eric Flanagan
Chairman
County Office Building
Towson, Maryland 21204

Meeting of: July 2, 1979

Items 1, 2, 3, 4, 5, 6, 7
District: _____
No. _____

District:
No. _____

Dear Mr. _____:

Enclosed is a copy of _____

Very truly yours,

William E. Hammond
William E. Hammond
Zoning Commissioner

PETITION FOR VARIANCE
12th DISTRICT

ZONING: Petition for Variance for front yard setback
LOCATION: West side of Merritt Boulevard, 630 feet North
DATE & TIME: Tuesday, September 11, 1979 at 9:30 A.M.
PUBLIC HEARING: Room 106, 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:

Petition for Variance to allow a canopy to be set back 1 foot 6 inches from the right-of-way in lieu of the required 10 feet.

The Zoning Regulation to be excepted as follows:
Section 405.4A.2a - front yard setback

All that parcel of land in the Twelfth District of Baltimore County

Beginning for the same at a point on the westernmost side of Merritt Boulevard, as widened, located approximately 630 feet northerly of Bearles Road, thence running and binding along the westernmost side of Merritt Boulevard.

North 24 degrees 49 minutes 12 seconds East 150.00 feet, thence leaving Merritt Boulevard and running North 65 degrees 10 minutes 42 seconds West 150.00 feet, South 24 degrees 49 minutes 18 seconds West 150.00 feet, and South 65 degrees 10 minutes 42 seconds East 150.00 feet to the place of beginning. Containing 22,500 square feet of land, more or less.

Being the property of Merritt Park Associates, as shown on plat plan filed with the Zoning Department.

Hearing Date: Tuesday, September 11, 1979 at 9:30 A.M.

Public Hearing: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland.

By Order Of
WILLIAM E. HAMMOND,
Zoning Commissioner
of Baltimore County

Aug. 23.

CERTIFICATE OF PUBLICATION

TOWSON, MD., August 23, 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 each~~ ~~one time~~ before the 11th day of September, 1979, the first publication appearing on the 23rd day of August, 1979.

THE JEFFERSONIAN,
L. Frank Striffler
Manager.

Cost of Advertisement, \$.

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District 12 Date of Posting 8/31/79
Posted for: Petition for Variance
Petitioner: Merritt Park Associates
Location of property: 1734 Merritt Blvd.
Location of Signs: front of property (1734 Merritt Blvd.)
Remarks: 1 sign
Posted by William E. Hammond Date of return: 8/31/79
Signature

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

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

Your Petition has been received this 25th day of June, 1979.*

Filing Fee \$ 25.00 Received: ✓ Check
 Cash
 Other

William E. Hammond
William E. Hammond, Zoning Commissioner

Petitioner Blanche C. Kenny Submitted by W.T. Sadler, Inc.
Petitioner's Attorney R.M. Tambascio Reviewed by WTF

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

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>WTF</u> | | | | | Revised Plans:
Change in outline or description <u> </u> Yes
<u> </u> No | | | | | |
| Previous case: <u> </u> | | | | | Map # <u> </u> | | | | | |

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT
No. 83105

DATE August 14, 1979 ACCOUNT 01-662

AMOUNT \$50.00

RECEIVED FROM W.T. Sadler, Inc.

FOR Filing fee for case no. 80-74-A and 80-75-A

50.00

VALIDATION OR SIGNATURE OF CASHIER

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT
No. 83209

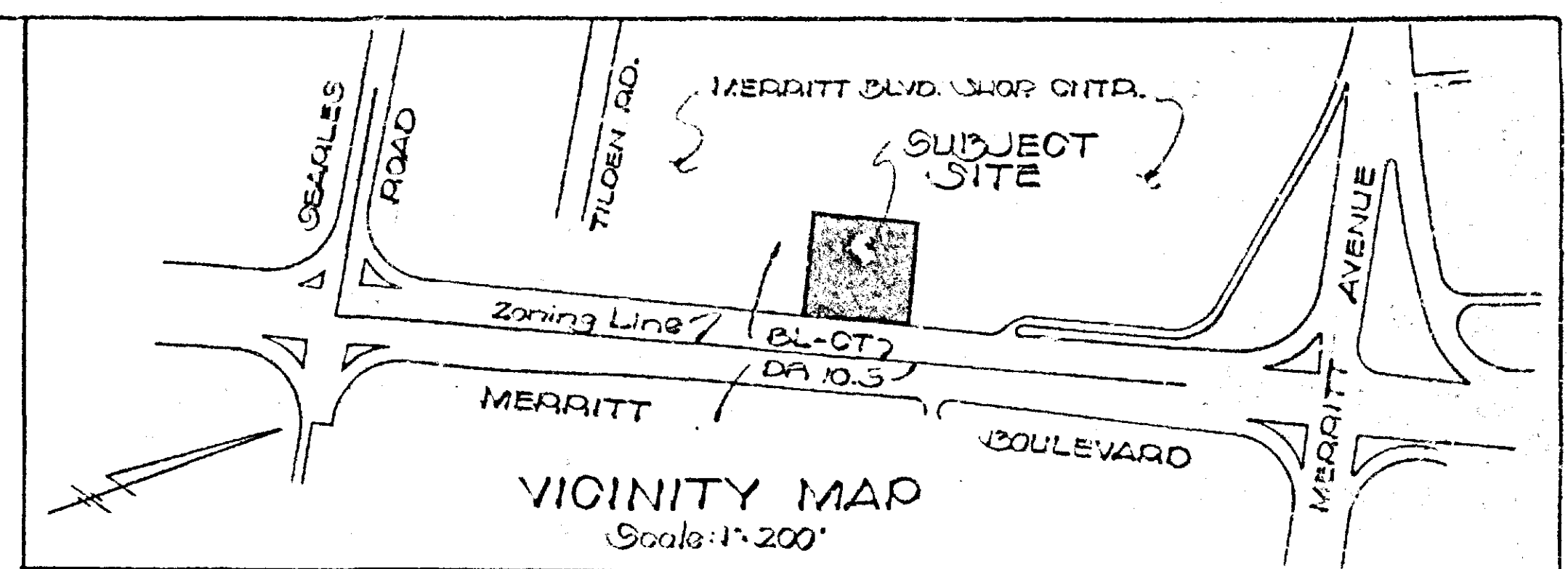
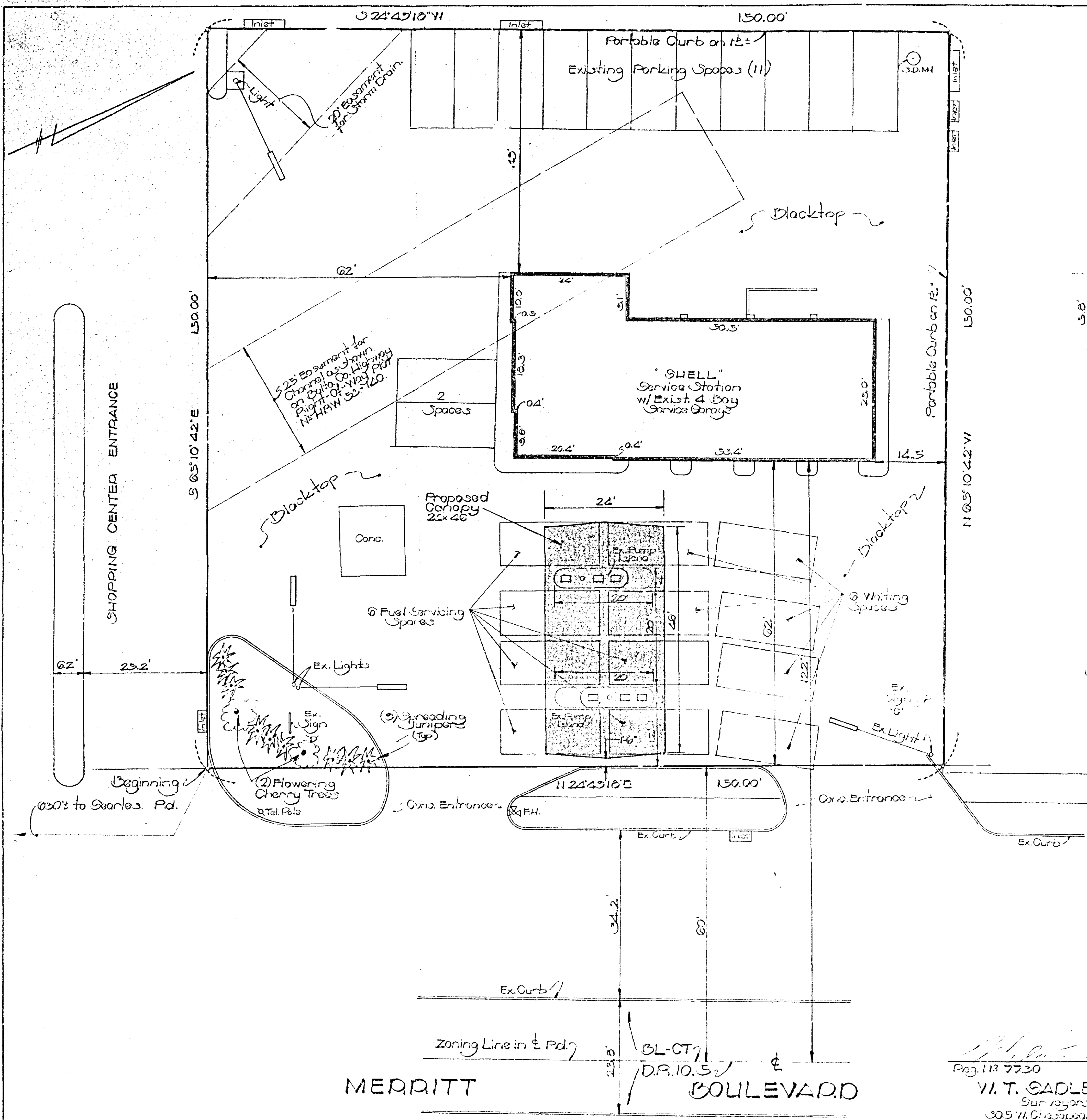
DATE August 20, 1979 ACCOUNT 01-662

AMOUNT \$100.00

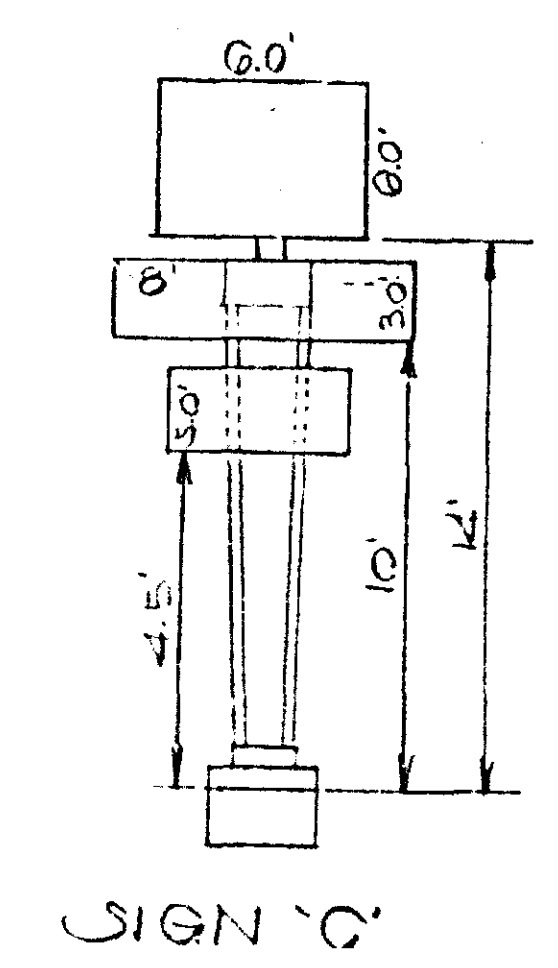
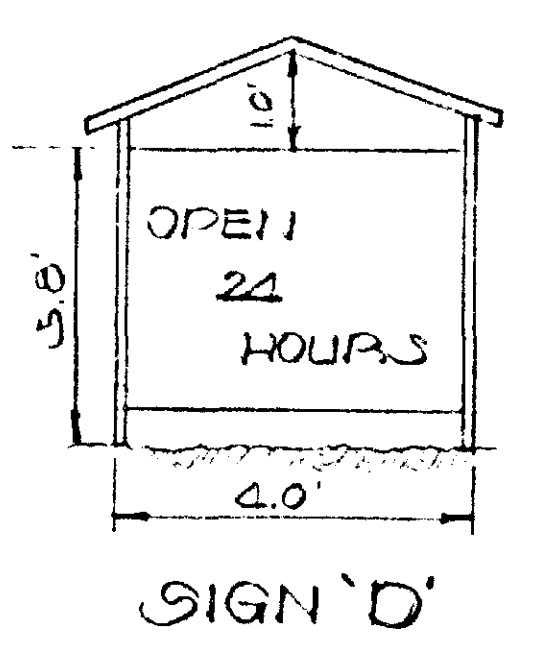
RECEIVED FROM W.T. Sadler, Inc.

FOR Filing fee for case no. 80-74-A and 80-75-A

VALIDATION OR SIGNATURE OF CASHIER



- ### GENERAL NOTES:
- Existing Zoning: BL-CT
 - Site Dimensions & Size:
Minimum Area Required: 15,000 sq. ft.
6 Fuel Service Spaces + 4 Service Bays, Times 1,500 sq. ft. = 22,500 sq. ft.
 - Area of Site Shown: 22,500 sq. ft.
 - Minimum Width required along Merritt Blvd. 150'.
 - 2 Driveways Times 0.5' = 1.0'.
 - Width of Site shown along Merritt Blvd. 150'.
 - Accessory Uses:
Vehicle Repair Services
Sale of Cigarettes, Etc. from Vending Machines
Tire Sales & Installation
Sale of Small Auto Parts & Accessories
Christmas Tree Sales
Minor Accessory Uses
 - Landscaping:
Required: 5% of Tract Area = (5% x 22,500) = 1,125 sq. ft.
Provided: Due to tract being totally paved = 450 sq. ft.



- ### PARKING DATA
- Required Vehicle Passenger Capacity:
1 Fuel Servicing Space per Fuel Dispenser: 6 Fuel Servicing Spaces Required.
1 Waiting Space per Fuel Servicing Space: 6 Waiting Spaces Required.
Vehicle Passenger Capacity Shown: 6 Fuel Servicing Spaces, 6 Waiting Spaces.
- Required Parking Capacity:
3 Spaces per Service Bay (3x4) = 12 Spaces.
Parking Capacity Shown: 13 Spaces.
- Typical Spaces (Fuel Servicing, Waiting, Parking) = 3x20'.



PLAT TO ACCOMPANY APPLICATION FOR
SETBACK VARIANCE & BLDG. PERMIT
For Property Located At
N2 1734 MERRITT BOULEVARD
12th Election District
Scale: 1" = 10' Baltimore County, Md.
March 7, 1979

V. T. GADLER, INC.
Surveyors
305 W. Glassboro Ave.
Towson, Maryland 21204

OWNER
Merritt Park Center, Inc.
211 E. Fayette St.
Baltimore, Md. 21202

APPLICANT
Shell Oil Company
200 E. Joppa Rd.
Baltimore, Md. 21204