

Pursuant to the advertisement, posting of property, and public hearing on the Petition and it appearing that by reason of the requirements of Section 502.1 of the Baltimore County Zoning Regulations

BALTIMORE COUNTY PUBLIC SCHOOLS

Robert Y. Dubel, Superintendent

Towson, Maryland - 21204

Date: September 30, 1983

Mr. William E. Hammond
Zoning Commissioner
Baltimore County Office Building
1111 West Chesapeake Avenue
Towson, Maryland 21204

Z.A.C. Meeting of: October 4, 1983

RE: Item No: 79, 80, 81, 82, 83, & 84
Property Owner:
Location:
Present Zoning:
Proposed Zoning:

District:
No. Acres:

Dear Mr. Hammond:

The above mentioned items have no adverse effect on student population.

Very truly yours,

Mike Petrovich
Mr. Nick Petrovich, Assistant
Department of Planning

WNP/bf

BALTIMORE COUNTY DEPARTMENT OF HEALTH

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

Zoning Item # 80, Zoning Advisory Committee Meeting of Oct. 4, 1983

Property Owner: Amoco Oil Company
Location: NE Cor. Reisterstown Road District 3
Water Supply public Sewage Disposal public

COMMENTS ARE AS FOLLOWS:

- () Prior to approval of a Building Permit for construction, renovation and/or installation of equipment for any existing or proposed food service facility, complete plans and specifications must be submitted to the Plans Review Section, Environmental Support Services, for final review and approval.
- (✓) Prior to new installation/s of fuel burning equipment, the owner should contact the Division of Air Pollution Control, 494-3775, to obtain requirements for such installation/s before work begins.
- (✓) A permit to construct from the Division of Air Pollution Control is required for such items as spray paint processes, underground gasoline storage tank/s (5,000 gallons or more) and any other equipment or process which exhausts into the atmosphere.
- () A permit to construct from the Division of Air Pollution Control is required for any charbroiler operation which has a total cooking surface area of five (5) square feet or more.
- () Prior to approval of a Building Permit Application for renovations to existing or construction of new health care facilities, complete plans and specifications of the building, food service area and type of equipment to be used for the food service operation must be submitted to the Plans Review and Approval Section, Division of Engineering and Maintenance, State Department of Health and Mental Hygiene for review and approval.
- () Prior to any new construction or substantial alteration of public swimming pool, wading pool, bathhouse, saunas, whirlpools, hot tubs, water and sewerage facilities or other appurtenances pertaining to health and safety; two (2) copies of plans and specifications must be submitted to the Baltimore County Department of Health for review and approval. For more complete information, contact the Recreational Hygiene Section, Division of Environmental Support Services.
- () Prior to approval for a nursery school, owner or applicant must comply with all Baltimore County regulations. For more complete information, contact the Division of Maternal and Child Health.
- () If lubrication work and oil changes are performed at this location, the method providing for the elimination of waste oil must be in accordance with Water Resources Administration requirements.

SS 20 1082 (1)

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Arnold Jablon
TO: Zoning Commissioner Date: January 10, 1984
Norman E. Gerber, Director
FROM: Office of Planning and Zoning
Amoco Oil Company
SUBJECT: 84-183-X

This office is not opposed to the proposed use; however, a CRG meeting is required. Also, the zoning and use of the adjacent properties and the stacking for pumps should be shown on the plan. Finally, details of landscaping should be shown on the plan.

Norman E. Gerber
Norman E. Gerber, Director
Office of Planning and Zoning

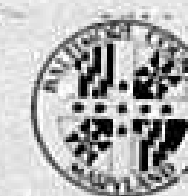
NEG/JGH/sf

Zoning Item # 80
Page 2

- () Any existing underground storage tanks containing gasoline, waste oil, solvents, etc., must have the contents removed by a licensed hauler and either be removed from the property or properly backfilled.
- () Soil percolation tests have been conducted.
{ } The results are valid until _____
{ } Revised plans must be submitted prior to approval of the percolation tests.
- () Prior to occupancy approval, the potability of the water supply must be verified by collection of bacteriological and chemical water samples.
- () In accordance with Section 13-117 of the Baltimore County Code, the water well yield test
{ } shall be valid until _____
{ } is not acceptable and must be retested. This must be accomplished prior to conveyance of property or approval of Building Permit Applications.
- () All roads and parking areas should be surfaced with a dustless, bonding material.
- () No health hazards are anticipated.
- (✓) Others This site is served by Metropolitan water and sewer and lies within the Guyan Falls watershed where a memorandum has been placed by the Maryland State Dept. of Health. A waste water recirculation system must be employed at this facility. However, since the final discharge of this wastewater must be into the sanitary sewer, no Building Permits utilizing the sanitary sewer will be issued by this office until the memorandum is lifted.
If plans are required to be submitted to the County Review Group for review, a Hydrogeological Study and an Environmental Effects Report must be submitted. Engineer has been notified of the above information.

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

SS 20 1080 (2)



BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3353

ARNOLD JABLON
ZONING COMMISSIONER

February 3, 1984

Joseph K. Pokorny, Esquire
408 Jefferson Building
Towson, Maryland 21204

IN RE: Petition Special Exception
NE corner of Reisterstown and
Village Roads (1717, 1719, and
1721 Reisterstown Road) - 3rd
Election District
Amoco Oil Company, Petitioner
Case No. 84-183-X

Dear Mr. Pokorny:

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

Sincerely,

Arnold Jablon
ARNOLD JABLON
Zoning Commissioner

AJ/srl

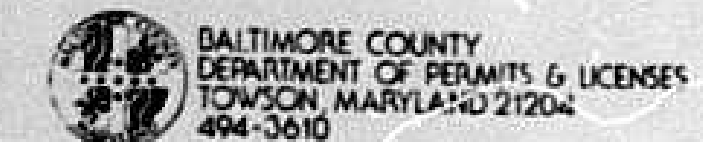
Attachments

cc: Mr. & Mrs. Alan Bernstein
1810 Rawling Ridge Lane, Apt. 201
Baltimore, Maryland 21209

Mr. Murray Kirschman
28 Woodholme Avenue
Baltimore, Maryland 21208

Ms. Frances Carmer
6 Felton Road
Lutherville, Maryland 21093

People's Counsel



BALTIMORE COUNTY
DEPARTMENT OF PERMITS & LICENSES
TOWSON, MARYLAND 21204
494-3610

TED JABLON, JR.
DIRECTOR

Mr. Arnold Jablon, Zoning Commissioner
Office of Planning and Zoning
County Office Building
Towson, Maryland 21204

Dear Mr. Jablon:

Comments on Item # 80 Zoning Advisory Committee Meeting are as follows:

Property Owner: Amoco Oil Company
Location: NE Cor. Reisterstown Road and Village Road
Existing Zoning: B.L.
Proposed Zoning: Special exception for use in combination automatic service station with automatic car washing equipment in existing bay.

Acres: 0.9075
District: 3rd.

The items checked below are applicable:

- X A. All structures shall conform to the Baltimore County Building Code 1981/Council Bill 4-82 State of Maryland Code for the Handicapped and Age; and other applicable Codes.
- X B. A building other miscellaneous shall be required before beginning construction.
- X C. Residential: Three sets of construction drawings are required to file a permit application. Architect/Engineer seal is/is not required. Non-reproduced seals and signatures are required on Plans and Technical Data.
- X D. Commercial: Three sets of construction drawings with a Maryland Registered Architect or Engineer shall be required to file a permit application.
- X E. An exterior wall erected within 6'0" for Commercial uses or 3'0" for One & Two Family use group of an adjacent lot line shall be of one hour fire resistive construction, no openings permitted within 3'0" of lot lines. A firewall is required if construction is on the lot line, see Table 401, line 2, Section 1407 and Table 1402, also Section 503.2.
- F. Requested variance appears to conflict with the Baltimore County Building Code, Section/s _____
- G. A change of occupancy shall be applied for, along with an alteration permit application, and three required sets of drawings indicating how the structure will meet the Code requirements for the proposed change. Drawings may require a professional seal.
- H. Before this office can comment on the above structure, please have the owner, thru the services of a Registered in Maryland Architect or Engineer certify to this office, that, the structure for which a proposed change in use is proposed can comply with the height/area requirements of Table 505 and the required construction classification of Table 401.
- X I. Comments - A second exit is required from this building and overhead doors are not permitted to be counted as an Exit. A minimum 2'-8" x 6'-8" side hinged door is required.

NOTES: These comments reflect only on the information provided by the drawings submitted to the office of Planning and Zoning and are not intended to be construed to the full extent of any permit. If desired, additional information may be obtained by visiting Room 122 (Plans Review) at 111 W. Chesapeake Ave., Towson.

Very truly yours,

Charles E. Burnham
Charles E. Burnham, Chief
Plans Review

CER:ec

IN RE: PETITION SPECIAL EXCEPTION
NE corner of Reisterstown and
Village Roads (1717, 1719, and
1721 Reisterstown Road) - 3rd
Election District
Amoco Oil Company,
Petitioner:
BEFORE THE
ZONING COMMISSIONER
OF BALTIMORE COUNTY
Case No. 84-183-X

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioner herein requests a special exception for a car wash as a use in combination with a service station (gas and go), as more fully described on Petitioner's Exhibit 1.

The Petitioner, Mr. Larry Hayward, Esquire, Amoco's counsel in charge of leases, contract review, and real estate acquisition, and Charles Bogdanowicz, its engineer, appeared and testified. The Petitioner was represented by Counsel. Four Protestants also appeared.

Testimony indicated that the property in question is zoned B.L. and is presently being utilized as a gas and go service station. The Petitioner conducted a marketing study and determined that a car wash was needed in the geographic area. The proposed car wash, as shown on Petitioner's Exhibit 1, is described as a "roll-over" wash, which allows one car to be washed at a time. Each car takes approximately 1 1/2 to 3 minutes. The system is a drip-wet one in that there is no provision for wiping and drying the cars. A car enters the 15' x 32' building and is parked by the driver who stays in the car until the procedure is completed. The operation is a short-cycle wash designed to get the car in and out quickly. Upon completion, the driver will exit the car wash and leave the site. The manufacturer estimates that the machine can process 12 cars in a 1-hour period. Twenty-two stacking spaces will be provided, as required by the Baltimore County Zoning Regulations (BCZS).

ORDER RECEIVED FOR FILING
February 3, 1984
DATE: *Feb 3 1984*
BY: *John P. Hayward*

Mr. Bogdanowicz, who has been involved with eight to ten car washes for the Petitioner, stated that, based on his experience, the number of stacking spaces provided is sufficient in that the number of cars waiting to use the car wash never reaches the degree provided for. The speed with which the car wash operates allows for prompt ingress and egress. The lack of wiping and drying facilities also allows for quick movement of the vehicles. It is his opinion that there will be no adverse impact on the community or on the traffic flow in the area, which is heavily commercial.

Mr. Hayward testified that the car wash operation is planned for speedy service and quick turnover. He explained that in his experience people using the car wash are interested in fast service and will not wait when they see a long line.

Vacuum machines will be available, at an extra cost, but no employees will be provided or made available to wipe, dry, or vacuum the cars. The operation would be totally self-service.

The gas and go operation will continue to operate, and it is expected that many who purchase their gas at the station will also utilize the car wash and vice-versa. It is also expected, based on prior experience of the witnesses, that if there is a line waiting for either, the customers will leave rather than wait. Again, the witnesses emphasized the importance of speedy service and quick turn-over to the operation of the car wash.

The Petitioner argued that the addition of the car wash would not add more traffic to an otherwise heavily travelled road system, but the car wash would be directed toward the existing traffic passing by on a daily basis. There will be no interference with users of the gas and go operation by users of the car wash.

The Protestants argued that the car wash will cause further deterioration of Reisterstown Road, which is already overly congested. The traffic flow is a continuous and encompassing problem made worse by continuing development.

Murray Kirschman, speaking for himself and as a member of the Pikeville Community Growth Corporation, argued that the stacking for the car wash might wind its way to Reisterstown Road causing further monumental traffic jams. Also, cars that cannot make a left turn across two lanes of on-coming traffic due to the traffic will cause a back-up of the cars waiting to turn. Mr. Kirschman disagrees with the Petitioner's witnesses that the car wash will attract users who currently travel Reisterstown Road and claims that additional traffic will be generated.

The Petitioner seeks relief from Section 230.13, pursuant to Section 502.1, of the BCZR.

It is clear that the BCZR permit the use requested by the Petitioner in a B.L. Zone by special exception. It is equally clear that the proposed use would not be detrimental to the primary user in the vicinity of the proposed car wash. Therefore, it must be determined whether the conditions as delineated by Section 502.1 are satisfied by the Petitioner.

After reviewing all of the testimony and evidence presented, it appears that the special exception as applied for by the Petitioner should be granted, with certain restrictions as more fully described below.

The Petitioner had the burden of adducing testimony and evidence which would show that the proposed use met the prescribed standards and requirements set forth in Section 502.1. In fact, the Petitioner has shown that the proposed use would be conducted without real detriment to the neighborhood and would not actually adversely affect the public interest. The facts and circumstances of the case proposed by the Petitioner does not show that the proposed use at the particular location described by Petitioner's Exhibit 1 would have any adverse impact above and beyond those inherently associated with such a special exception use irrespective of its location within the zone. Schultz v. Pritts, 432 A.2d 1319 (1981).

The proposed use will not be detrimental to the health, safety, or general welfare of the locality, nor tend to create congestion in roads, streets, or alleys therein, nor be inconsistent with the purposes of the property's zoning classification, nor in any other way inconsistent with the spirit and intent of the BCZR.

Pursuant to the advertisement, posting of property, and public hearing held, and it appearing that by reason of the requirements of Section 502.1 having been met and the health, safety, and general welfare of the community not being adversely affected, the special exception should be granted.

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 30 day of February, 1984, that the Petition for Special Exception for a car wash as a use in combination with a service station (gas and go), in accordance with the site plan introduced and accepted into evidence as Petitioner's Exhibit 1, be and is hereby GRANTED, from and after the date of this Order, subject, however, to the following restrictions:

1. The Petitioner may apply for its building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at its own risk until such time as the applicable appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.
2. A detailed landscaping plan shall be submitted to and approved by the Current Planning and Development Division.
3. Compliance with the comments submitted by the Baltimore County Zoning Plans Advisory Committee, which are adopted in their entirety and made a part of this Order.
4. Traffic flow signs shall be appropriately placed on the subject property to direct users to the car wash and gas and go operation and for purposes of ingress and egress.
5. The Petitioner shall not employ or provide attendants to wipe or dry any vehicles using the car wash facility

nor operate or help with the vacuum machines other than to repair the machinery in case of malfunction or make change for the customer.

6. The Petitioner shall not allow or permit any vehicles to stack up on any public access road awaiting ingress to the subject site but must provide an attendant at such entrance to motion said vehicles forward so that traffic will not be impeded.

Zoning Commissioner of
Baltimore County

ORDER RECEIVED FOR FILING

DATE February 3, 1984

BY John P. Lawry, Clerk

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ORDER RECEIVED FOR FILING

DATE February 3, 1984

BY John P. Lawry, Clerk

PETITION FOR SPECIAL EXCEPTION

3rd Election District

ZONING: Petition for Special Exception

LOCATION: Northeast corner Reisterstown and Village Roads (1713, 1717, 1719 and 1721 Reisterstown Road)

DATE & TIME: Monday, January 30, 1984 at 10:30 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 Special Exception for a car wash as a use in combination with a service station (gas and go)

Being the property of Amoco Oil Company, as shown on plat plan filed with the Zoning Department.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be received in writing, by the date of the hearing set above or made at the hearing.

BY ORDER OF
ARNOLD JABLON
ZONING COMMISSIONER
OF BALTIMORE COUNTY

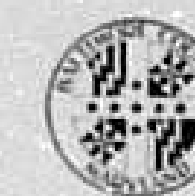
apc associates, inc.
surveyors-engineers

ALEXANDER R. RAYCH, PRINC. L.S.
RICHARD J. TRUELOVE, P.E.

DESCRIPTION OF PROPERTY
1713, 1717, 1719 and 1721 Reisterstown Road
Third Election District, Baltimore County, Maryland

BEGINNING FOR THE SAME at a point on the Northeasterly side of Reisterstown Road, 66 feet wide, and at the West end of a junction curve connecting the Northeasterly side of Reisterstown Road with the Northwestern side of Village Road, 50 feet wide; thence binding along the Northeasterly side of Reisterstown Road North 42 degrees 12 minutes 00 seconds West 179.81 feet; thence leaving Reisterstown Road and running North 32 degrees 51 minutes 00 seconds East 91.71 feet, thence North 39 degrees 09 minutes 30 seconds East 135.32 feet, thence South 42 minutes 12 minutes 00 seconds East 99.65 feet, thence South 37 degrees 49 minutes 00 seconds West 79.30 feet and thence South 44 degrees 56 minutes 00 seconds East 129.41 feet to intersect the Northwestern side of Village Road; thence binding along the Northwestern side of Village Road the following two courses and distances: (1) by a curve to the right having a radius of 429.35 feet for an arc length of 29.98 feet and (2) South 47 degrees 48 minutes 00 seconds West 100.00 feet to the East end of the before-mentioned junction curve having a radius of 20.00 feet; thence binding thereon 31.42 feet to the point of beginning; containing 0.9075 acres more or less.

9/15/1983



BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3353

ARNOLD JABLON
ZONING COMMISSIONER

March 15, 1984

Joseph K. Pokorny, Esquire
408 Jefferson Building
Towson, Maryland 21204

Re: Petition for Special Exception
NE/corner of Reisterstown and Village Roads
(1717, 1719 and 1721 Reisterstown Road)
Amoco Oil Company - Petitioner
Case No. 84-183-X

Dear Mr. Pokorny:

Please be advised that an appeal has been filed by Phyllis Cole Friedman, People's Counsel for Baltimore County, from the decision rendered by the Zoning Commissioner of Baltimore County, in the above referenced matter.

You will be notified of the date and time of the appeal hearing when it is scheduled by the County Board of Appeals.

Very truly yours,

Arnold Jablon
Zoning Commissioner

AJ:aj

cc: Mr. & Mrs. Alan Bernstein
1810 Rising Ridge Lane, Apt. 201
Baltimore, Maryland 21209

Mr. Murray Kirschman
28 Woodholme Avenue
Baltimore, Maryland 21204

Ms. Frances Garner
6 Felton Road
Lutherville, Maryland 21093



County Board of Appeals of Baltimore County

Room 200 Court House
Towson, Maryland 21204
(301) 494-3180

July 31, 1984

Phyllis Cole Friedman
People's Counsel for Baltimore County
Room 223 Courthouse
Towson, MD 21204

Re: Case No. 84-183-X
Amoco Oil Company

Dear Mrs. Friedman:

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

Very truly yours,

Edith T. Eisenhart, Attn. Secretary

Encl.

cc: Joseph K. Pokorny, Esquire
Amoco Oil Company
Alan Bernstein, et ux
Murray Kirschman
Frances Garner
Arnold Jablon
Jean M. H. Jung
James E. Dyer
Norman E. Gerber
James G. Hoswell

IN THE MATTER OF THE APPLICATION OF AMOCO OIL COMPANY FOR SPECIAL EXCEPTION FOR A CAR WASH AS A USE IN COMBINATION WITH A SERVICE STATION (GAS & GO) NE CORNER REISTERSTOWN AND VILLAGE ROADS 3RD DISTRICT

BEFORE
COUNTY BOARD OF APPEALS
OF
BALTIMORE COUNTY
NO. 84-183-X

OPINION

This case comes before the Board of Appeals of Baltimore County from an Opinion and Order of the Zoning Commissioner, dated February 3, 1984, granting the requested petition for a special exception for a Car Wash as a use in combination with a service station (gas & go). The subject property is located at the northeast corner of Reisterstown and Village Roads, in the Third Election District of Baltimore County. In granting the subject petition the Zoning Commissioner, in his Order of February 3, 1984, imposed a number of restrictions. From this Opinion and Order the People's Counsel for Baltimore County has appealed to this Board.

The rules governing the issuance of special exceptions are found in §502 of the Baltimore County Zoning Regulations (BCZR). Specifically, sub-section 502.1 sets forth the standards which this Board must consider in determining whether a special exception shall be issued. The issue before the Board is whether the Petitioner has met this standard. Particularly, the Board must determine whether the issuance of the special exception will "Be detrimental to the health, safety, or general welfare of the locality involved" (BCZR §502.1-a) or "Tend to create congestion in roads, streets or alleys therein" (BCZR §502.1-b).

At the hearing on this matter, the Board heard from a number of witnesses. Among them was Mr. Charles Bogdanowicz, a project engineer employed by Amoco Oil Company. The thrust of Mr. Bogdanowicz's testimony was to the nature of the wash facility contemplated by Amoco Oil Company. Specifically, the witness testified that this was a roll-over type wash. The inner machinery of the wash unit, housed in a 16 foot by 32 foot structure, would be mobile. That is, the vehicle being washed would not be rolled or driven through the facility as is done in the traditional tunnel type wash. Instead

AMOCO OIL CO. - #84-183-X

2.

the wash would be accomplished by a mobile hose and brush unit. As this type of wash provides only a "maintenance cleaning" as opposed to the more thorough cleaning provided in a tunnel wash facility, Mr. Bogdanowicz speculated that this installation would not create a large volume of customers because, by the witness' reasoning, the public will not wait any length of time for a service of the quality provided by this wash. Mr. Bogdanowicz stated that each wash cycle would take about five minutes.

The second witness before the Board was William Larney, also an Amoco employee. Mr. Larney, the Sales Manager for Amoco Oil Company in Maryland, testified that he projected the wash would generate an additional ten customers per day for this service station. His estimates were based upon the volume of gasoline sold at this station per month, the average gallon purchase per customer and results of similar operations at Amoco stations in the Baltimore area, none of which are in Baltimore County. The Board particularly noted what appeared to be inconsistent reasoning by this witness in that while he testified that the price of gasoline is the major influence in determining the amount of business at a service station and that the construction and use of this wash might allow Amoco to lower its gasoline prices, he also stated that this price reduction would cause only a slight increase in the number of customers at this station.

The final witness on behalf of Amoco was W. W. Swell, a traffic engineer. This expert witness testified that he had studied this locality on July 6, 1984. Based upon the results of this study and Mr. Larney's prediction that an additional ten cars would use this facility on a daily basis, it was Mr. Swell's opinion that the traffic in this area would not be adversely affected.

Another witness who testified about the traffic in this area was Michael S. Flanigan, an associate traffic engineer with Baltimore County. Mr. Flanigan testified that the section of Reisterstown Road where the subject property is located is, from a traffic standpoint, among the worst in Baltimore County. The area has traditionally been very high, both in number of traffic accidents and citations issued by the Police Department.

AMOCO OIL CO. - #84-183-X

3.

Also testifying before this Board was Gordon Sugar, a long time native of this locality and business neighbor of the Amoco station. The gist of Mr. Sugar's testimony was that, through his personal experience, he believed that this section of Reisterstown Road was a traffic "nightmare" and that any addition of traffic volume or strain, no matter how slight, would make an already disruptive situation intolerable.

Mr. Sugar's testimony was echoed by representatives of two corporations involved in the business growth of this area. Mrs. Diane Frederick and Mr. Jack Parks, appearing on behalf of the Pikesville Community Growth Corporation and Pikesville Chamber of Commerce, respectively, testified that the traffic situation around the subject property was abysmal and the area could stand no more burden on its already overtaxed traffic system.

Based upon the testimony, it is the Board's conclusion that the granting of the requested special exception would be detrimental to the general welfare of this locality by tending to create traffic congestion. Clearly, the traffic situation in this locality is already very poor. The infusion of additional traffic generated by this Wash would turn an already bad situation into a nightmare. Also, the Board was not moved by the expert testimony produced by Amoco. The traffic study relied upon was of questionable value as it was performed on a day shortly after a holiday, which could have affected the volume of traffic. Finally, the Board is not convinced as to Amoco's projection of the amount of customers this facility would generate. Based upon the highly competitive nature of the oil business, the Board is unwayed that the Amoco Oil Company would make a substantial investment in the construction of this facility without expecting sufficient return. This sufficient return could only be obtained by a high volume use of the Wash facility.

For these reasons, the Board is of the opinion that the Petitioner has failed to meet the burden of proof and that the Zoning Commissioner's Order of February 3, 1984 is improper and will, therefore, be reversed.

Amoco Oil Co. - #84-183-X

4.

ORDER

For the reasons set forth in the foregoing Opinion, it is this 31st day of July, 1984, by the County Board of Appeals, ORDERED that the Order of the Zoning Commissioner, dated February 3, 1984, be REVERSED, and that the special exception petitioned for be and the same is hereby DENIED.

Any appeal from this decision must be in accordance with Rules B-1 thru B-13 of the Maryland Rules of Procedure.

COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY

Keith S. Franz, Acting Chairman

Lawrence E. Schmidt

Patricia Phipps



County Board of Appeals of Baltimore County
Room 200 Court House (Hearing Room #218)
Towson, Maryland 21204
(301) 494-3100
May 2, 1984

NOTICE OF ASSIGNMENT

NO POSTPONEMENTS WILL BE GRANTED WITHOUT GOOD AND SUFFICIENT REASONS. REQUESTS FOR POSTPONEMENTS MUST BE IN WRITING AND IN STRICT COMPLIANCE WITH BOARD RULE 2(b). ABSOLUTELY NO POSTPONEMENTS WILL BE GRANTED WITHIN FIFTEEN (15) DAYS OF SCHEDULED HEARING DATE IN ACCORDANCE WITH RULE 2(c), COUNTY COUNCIL BILL #59-79

CASE NO. 84-183-X	AMOCO OIL COMPANY
	NE corner Reisterstown and Village Rd.
	3rd District
	SE-car wash as a use in combo. with service station (gas & go)
	2/3/84 - Z.C.'s Order-GRANTED w/restrictions
ASSIGNED FOR:	THURSDAY, JULY 12, 1984, at 10 a.m.
cc: Joseph K. Pokorny, Esq.	Counsel for Petitioners
Amoco Oil Company	Petitioner
Alan Bernstein, et al	Protestants
Murray Kirschman	Protestant
Frances Carner	Protestant
Phyllis Friedman	People's Counsel
A. Jallon	
Jean Jung	
N. Gerber	
J. Howell	
J. Dyer	

June Holmen, Secy.

August 30, 1984

BILLED TO: JOSEPH K. POKORNY, ESQUIRE
408 JEFFERSON BUILDING
TOWSON, MD. 21204

COST OF CERTIFIED COPIES OF DOCUMENTS
FILED IN CASE NO. 84-183-X.....\$21.00

AMOCO OIL CO.
NE CORNER REISTERSTOWN
AND VILLAGE ROADS
3RD DISTRICT

MAKE CHECKS PAYABLE TO: BALTIMORE COUNTY, MARYLAND

REMIT TO: COUNTY BOARD OF APPEALS
ROOM 200 COURTHOUSE
TOWSON, MD 21204

No. 85158

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

DATE 9/5/84 ACCOUNT 01712

AMOUNT \$21.00

RECEIVED FROM Joseph K. Pokorny

FOR Certified copies of documents from File #84-183-X Amoco Oil Co.

8 828*****21003 80587

VALIDATION OR SIGNATURE OF CASHIER

IN THE MATTER OF THE APPLICATION OF AMOCO OIL COMPANY FOR SPECIAL EXCEPTION FOR A CAR WASH AS A USE IN COMBINATION WITH A SERVICE STATION (GAS & GO) NE CORNER REISTERSTOWN AND VILLAGE ROADS 3RD DISTRICT

IN THE CIRCUIT COURT
FOR BALTIMORE COUNTY
AT LAW
File No. 84-CG-606

Zoning File No. 84-183-X

ANSWER TO PETITION ON APPEAL

People's Counsel for Baltimore County, Appellee, answers the Petition on Appeal in the above-entitled case, as follows:

- Appellee denies Paragraph 1 of the Petition.
- Appellee admits that the County Board of Appeals of Baltimore County denied Appellant's request by its Order dated July 31, 1984, but denies all other allegations in Paragraph 2.
- Appellee neither admits nor denies the allegations in Paragraph 3 inasmuch as Paragraph 3 is merely a prayer for relief.
- In further answering, Appellee states that the decision of the Board of Appeals was legal because of substantially competent evidence.

WHEREFORE, Appellee prays that the Court affirm the decision of the County Board of Appeals of Baltimore County.

Phyllis Cole Friedman
Phyllis Cole Friedman
People's Counsel for Baltimore County

Peter Max Zimmerman
Peter Max Zimmerman
Deputy People's Counsel
Rm. 223, Court House
Towson, Maryland 21204
494-2188

- 2 -

I HEREBY CERTIFY that on this 7th day of September, 1984, a copy of the foregoing Answer to Petition on Appeal was mailed to Joseph K. Pokorny, Esquire, 408 Jefferson Building, 105 W. Chesapeake Ave., Towson, MD 21204.

Phyllis Cole Friedman
Phyllis Cole Friedman

CASE NO. 84-183-X
AMOCO OIL CO. VS.

RECEIVED FROM THE COUNTY BOARD OF APPEALS, TRANSCRIPT, CERTIFIED DOCUMENTS, EXHIBITS, AND BOARD'S ANSWER FILED IN THE ABOVE ENTITLED CASE. Also, Stipulation filed by People's Counsel

Date: 9/27/84

RECEIVED
COUNTY BOARD OF APPEALS
SEP 27 1984

LAW

CIVIL - GENERAL

DOCKET 2 PAGE 306 CASE NO. 84CG606 CATEGORY APPEAL

IN THE MATTER OF
THE APPLICATION OF
AMOCO OIL COMPANY FOR
SPECIAL EXCEPTION FOR A
CAR WASH AS A USE IN
COMBINATION WITH A SERVICE
STATION (gas and go)
N.E. CORNER REISTERSTOWN
AND VILLAGE ROADS,
3rd DISTRICT

ATTORNEYS

Joseph K. Pokorny
105 W. Chesapeake Ave. 408 (4)
823-2000

ZONING COMMISSIONER FOR BALTIMORE COUNTY
PEOPLE'S COUNSEL FOR BALTIMORE COUNTY

Phyllis Cole Friedman
Peter Max Zimmerman
Room 223 Court House (04) 494-2188

2/25/85 n/k sent to People's Counsel

- (1) August 29, 1984 Appellant's Appeal from decision of the Zoning Commissioner for Baltimore County fd.
(2) Aug. 30, 1984 - Certificate of Notice fd.
(3) Aug. 31, 1984 - Appellant's Petition fd.
(4) Sept. 7, 1984 - App. of Phyllis Cole Friedman & Peter Max Zimmerman for the Def't (People's Counsel) & Same Day Answer to Petition on Appeal fd.
(5) Sept. 27, 1984 - Transcript of Record fd.
(6) Sept. 27, 1984 - Notice of Filing of Record fd. Copy sent.
(7) Jan. 31, 1985 - Def't's (People's Counsel) Motion to Dismiss the Appeal & Statement of Points & Authorities fd.
Feb. 22, 1985 - Motion to Dismiss (paper #7) granted, (JWB)

COSTS
CV GEN 84606 N
CV CLK 70.00
CLERK 5.00
CHECKED 75.00
#28814 C001 R02 T15:59
00/29/84

RECEIVED
COUNTY BOARD OF APPEALS
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DOCKET 2 PAGE 306 CASE NO. 84 CG- 606

- 2 -

Peter Max Zimmerman
Peter Max Zimmerman
Deputy People's Counsel
Room 223, Court House
Towson, MD 21204
494-2188

STATEMENT OF POINTS AND AUTHORITIES:

Maryland Annotated Code Rule B12.

People's Counsel v. Public Service Commission, 52 Md. App. 715,
451 A.2d 945 (1982).

I HEREBY CERTIFY that on this 22nd day of January, 1985,
a copy of the foregoing Motion to Dismiss was mailed to Joseph K. Pokorny,
Esquire, 408 Jefferson Bldg., Towson, MD 21204, Attorney for Petitioner/
Appellant.

Peter Max Zimmerman
Peter Max Zimmerman

In the Matter of the Application of
Amoco Oil Company for Special Exception
for a Car Wash as a use in Combination
with a Service Station (gas & go)
N.E. Corner Reisterstown & Village Rds. 3rd District
vs

IN THE CIRCUIT COURT

FOR

BALTIMORE COUNTY

DOCKET 2 FOLIO 306

CASE 84 CG606

Zoning Commissioner for Baltimore County
People's Counsel for Baltimore County

A ruling by Judge J. William Hinkel

ON A PLEADING IN THE ABOVE ENTITLED MATTER IS AS FOLLOWS:

Motion to Dismiss (paper #7) Granted.

DATE February 22, 1985

ELMER H. KAHLWE, JR.
Clerk, Circuit Court
for Baltimore County

PER April Gattus
Deputy Clerk

Joseph K. Pokorny, Esq.
105 W. Chesapeake Avenue, Suite 408
Towson, MD 21204

Phyllis Cole Friedman,
Peter Max Zimmerman
Mail Stop 2206

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COUNTY BOARD OF APPEALS
FEB 25 P 1:33

BALTIMORE COUNTY, MARYLAND
PEOPLE'S COUNSEL
OLD COURT HOUSE
TOWSON, MARYLAND 21204
494-2188

PHYLLIS COLE FRIEDMAN
PEOPLE'S COUNSEL

PETER MAX ZIMMERMAN
DEPUTY PEOPLE'S COUNSEL

September 25, 1984

Joseph K. Pokorny, Esquire
408 Jefferson Building
Towson, MD 21204

RE: Amoco Oil Co., Petitioner
Ckt. Ct. No. 84-CG-606

Dear Mr. Pokorny:

The attached speaks for itself. Would you please review it
and if it is agreeable to you, please sign it and return to us so that
it can be filed with the transcript of testimony.

Very truly yours,

Phyllis Cole Friedman
Phyllis Cole Friedman
People's Counsel for Baltimore County

Enclosure

PCF:sh

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IN THE MATTER OF THE
APPLICATION OF
AMOCO OIL COMPANY
FOR SPECIAL EXCEPTION
FOR A CAR WASH AS A USE
IN COMBINATION WITH A
SERVICE STATION (GAS & GO)
NE CORNER REISTERSTOWN
AND VILLAGE ROADS
3rd DISTRICT

Zoning File No. 84-183-X

IN THE CIRCUIT COURT
FOR BALTIMORE COUNTY
AT LAW

File No. 84-CG-606

ADDENDUM TO TRANSCRIPT OF TESTIMONY BEFORE THE COUNTY
BOARD OF APPEALS ON JULY 12, 1984

People's Counsel for Baltimore County and Joseph K. Pokorny, Attorney
for Appellant, having been advised that the record of the testimony of
Jack Parks was lost due to mechanical failure and having consulted with
the County Board of Appeals regarding their hearing notes, have agreed
to the following stipulation:

Jack Parks testified as a representative of the Pikesville Chamber
of Commerce that at their July 3, 1984 monthly meeting, they voted to
oppose the proposed car wash because they determined that it was not in
the best interest of the community.

Joseph K. Pokorny
408 Jefferson Building
Towson, MD 21204
823-2000
Attorney for Appellant

Phyllis Cole Friedman
People's Counsel for Baltimore County
Rm. 223, Court House
Towson, MD 21204
494-2188

COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY

AMOCO OIL COMPANY
APPELLANT
VS
BOARD OF MUNICIPAL
AND ZONING APPEALS
APPELLEE

IN THE
CIRCUIT COURT
FOR
BALTIMORE COUNTY
CASE NO. 84-183-X

84CG606 2/300

MOTION TO SET ASIDE ORDER OF DISMISSAL

NOW COMES, AMOCO OIL COMPANY, Movant, by its attorney, Joseph K. Pokorny,
and moves this Honorable Court to set aside its Order dismissing the above
captioned case, and says,

That on August 29, 1984, your Movant filed its Order for Appeal and on
August 31, 1984, your Movant filed its Petition and on September 27, 1984
the transcript of the Record was filed and;

On Petition by the Appellee, citing failure of your Movant to comply
with the B-12 rule of the Maryland Rules, this Honorable Court dismissed
the Movant's Appeal;

That your Movant's Petition set forth with great specificity the points
and areas germane to the Appeal but, inadvertently, failed to cite, in
accordance with Rule B-12, the parts of the transcript questioned and the
legal authorities;

That as a result, this Honorable Court dismissed the Appeal as a
sanction under People's Counsel vs Public Service Commission 52 Md. App 715,
451 ATL 2nd 945 (1982);

Whereby, such a sanction is harsh and does not "balance the purpose
and importance of the requirement against the circumstances of its violation";

AMOCO OIL COMPANY
Appellant
v.
ZONING COMMISSIONER
FOR BALTIMORE COUNTY,
ET AL.,
Appellees

IN THE CIRCUIT COURT
FOR BALTIMORE COUNTY
AT LAW

Case No. 84CG606

MOTION TO DISMISS

People's Counsel for Baltimore County, Protestant below and
Appellee herein, moves to dismiss the appeal in the above-captioned
matter on the following grounds:

1. The Appellant filed its Order for Appeal on August 29,
1985, and its Petition on Appeal on August 30, 1985. Certified copies
of proceedings before the County Board of Appeals were filed on September
27, 1984.

2. Rule B12 of the Annotated Code of Maryland states that
within thirty (30) days after being notified by the clerk of the filing
of the record, the appellant shall file a memorandum setting forth a con-
cise statement of all issues raised on appeal and argument on each issue,
including citations of legal authorities and references to pages of the
transcript and exhibits relied on.

3. Pursuant to Maryland Rule B12, the Court must dismiss this
appeal because no memorandum was timely filed by Appellant.

WHEREFORE, People's Counsel prays that the appeal of Amoco Oil
Company be dismissed.

Phyllis Cole Friedman
Phyllis Cole Friedman
People's Counsel for Baltimore County

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-2-

that the People's Counsel and the Municipal Board of Zoning Appeals
were not prejudiced by the lapse, nor was there any showing that they
were inconvenienced.

Wherefore, your Movant requests this Honorable Court to set aside
its Order of Dismissal and reinstate the case on the active court docket.

Joseph K. Pokorny
Joseph K. Pokorny

CERTIFICATION OF SERVICE

I HEREBY CERTIFY that on this 20th day of March, 1985, copies of the
aforegoing Motion to Set Aside Order of Dismissal were mailed to
Mr. Arnold Jablon, Zoning Commissioner of Baltimore County, Administration
Building, Chesapeake Avenue, Towson, Maryland 21204 and Phyllis C. Friedman,
People's Counsel for Baltimore County, Room 223 Courthouse, Towson, Maryland.

Joseph K. Pokorny
Joseph K. Pokorny

LAW OFFICE OF
JOSEPH K. POKORNY
408 JEFFERSON BLDG.
105 W. CHESAPEAKE AVE.
TOWSON, MD. 21204
823-2000

POINTS AND AUTHORITIES

Maryland Annotated Code Rule B-12

Peoples Counsel vs Public Service Commission 52 Md. App. 715, 451 ATL 2nd 945 (1982)

AMOCO OIL COMPANY, : IN THE CIRCUIT COURT
Appellant : FOR BALTIMORE COUNTY
v. : AT LAW
ZONING COMMISSIONER : Case No. 84CG606
FOR BALTIMORE COUNTY, :
et al., :
Appellees :

ANSWER TO MOTION TO SET ASIDE ORDER OF DISMISSAL AND REQUEST FOR HEARING

People's Counsel for Baltimore County states, in answer to the above Motion:

1. It is undisputed that Morant never filed a Memorandum pursuant to Maryland Rule B12.
2. Accordingly, it was appropriate for the Court to dismiss the appeal pursuant to People's Counsel v. Public Service Commission, 52 Md. App. 715, 451 A.2d 945 (1982).
3. There is no dispute that Appellant did file a Petition pursuant to Rule B2.e., along with its Order for Appeal, but this in no way satisfies the requirement of a Memorandum separately described in Rule B12.
4. Dismissal of the administrative appeal is the appropriate and preferred sanction for failure to comply with Maryland Rule B12.
5. The Rule was adopted by the Court of Appeals on October 1, 1980, effective January 1, 1981, and is now well established.
6. Furthermore, there was no fault on the part of the administrative agency or any other party which caused or contributed to Appellant's failure.
7. Under these circumstances, in accordance with People's Counsel

v. Public Service Commission, supra, it was appropriate for the Court to dismiss this case, there being no good cause or extenuating circumstances shown in reference to the violation.

WHEREFORE, People's Counsel requests that the Motion to Set Aside Order of Dismissal be denied and that the Court hold a hearing.

Phyllis Cole Friedman
Phyllis Cole Friedman
People's Counsel for Baltimore County

Peter Max Zimmerman
Peter Max Zimmerman
Deputy People's Counsel
Room 223, Court House
Towson, Maryland 21204
494-2183

I HEREBY CERTIFY that on this 3rd day of April, 1985, a copy of the foregoing Answer to Motion to Set Aside Order of Dismissal and Request for Hearing was mailed to Joseph K. Pokorny, Esquire, 408 Jefferson Building, 105 W. Chesapeake Avenue, Towson, Maryland 21204, Attorney for Appellant.

Peter Max Zimmerman
Peter Max Zimmerman

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COUNTY BOARD OF APPEALS
FEB 13 1985 3 P 1:48

AMOCO OIL COMPANY
APPELLANT
VS
MUNICIPAL BOARD OF ZONING
APPEALS
APPELLEES

IN THE
CIRCUIT COURT
FOR
BALTIMORE COUNTY
AT LAW
CASE NO. 84CG606

MEMORANDA

The above captioned matter came before the Zoning Commissioner and the request for Special Exception was granted, with reservations. An Appeal was taken by the People's Counsel and a hearing was had. The Board of Appeals of Baltimore County denied the Special Exception for a car wash as a use in combination with a service station.

Using the standards set forth in Section 502 of the Baltimore County Zoning Regulations, specifically sub-section 502.1, the Board cited that the standard to be proven was whether the issuance of the Special Exception would be "detrimental to the health, safety or general welfare" of the locality involved (BCZR502.1-b) or "tend to create congestion in the roads, streets or alleys therein".

The evidence presented by the Appellant was completely dismissed in the following cavalier manner "... the Board was not moved by the expert testimony produced by Amoco. The traffic study relied upon was of questionable value as it was performed on a day shortly after a holiday which could have affected the volume of traffic".

The Board assumes, as does People's Counsel, the traffic count was not reliable; however the Appellant's witness stated the traffic count was taken on a Friday and that Friday was the fourth of July weekend.

LAW OFFICE OF
JOSEPH K. POKORNY
408 JEFFERSON BLDG.
105 W. CHESAPEAKE AVE.
TOWSON, MD. 21204
823-2000

-2-

On cross-examination, Mr. Ewell stated there were peak traffic seasons which were, "during the summer months and ... at Easter and Christmas" (Tp 55). Mr. Ewell concludes, by saying, the facility would not affect the traffic on Reisterstown Road.

Peoples Counsel called on its expert, Michael Flannigan of the Baltimore County Department of Traffic who primarily testified that Reisterstown Road near the Belway had a high number of accidents (Peoples Counsel Exh. 2-Tp 76). This report was accepted into evidence over objection.

Mr. Flannigan stated the area in question would be rated an "F" level for traffic (Tp 81) and that means no building permits would be issued in that area so there could be no development (Tp 82-83). The evidence submitted could not show that one of the accidents that occurred at the intersection was caused by traffic entering or exiting the Amoco Service Station (Tp 89).

During the permit process, the Department of Traffic for Baltimore County, said they had "no comment" and on questioning, Mr. Flannigan stated "... the inclusion of this car wash would cause no perceptible problem with the flow of traffic on Reisterstown Road" (Tp 90) and neither did the State Department of Transportation have a comment except to find the plan generally acceptable (Tp 94).

"The Board is not convinced as to Amoco's projection of the amount of customers this facility would generate (Op. p3) and is unswayed that Amoco would make a substantial investment in the construction of this facility without expecting sufficient return."

Again, the Board is only listening to the testimony it wants to hear and not the testimony presented. The tenant, or operator, controls prices. Amoco charges the same price to all of its dealers. In this highly competitive atmosphere the car wash is but a tool to maintain the customers they have since the nature of the car wash and the time it would require precludes a drastic increase in business (Tp 12-14).

The only statistical, as apposed to emotional, data produced was produced by the Appellant and the one expert produced by the Appellee who stated "the use facility would not cause a problem."

Joseph K. Pokorny
Joseph K. Pokorny
Attorney for Appellant
408 Jefferson Building
Towson, Maryland 21204
823-2000

I hereby certify that on this 10th day of April, 1985, copies of the foregoing Memoranda were mailed to Phyllis Cole Friedman, People's Counsel for Baltimore County, Room 223 Courthouse, Towson, Maryland, and Mr. Arnold Jablon, Zoning Commissioner of Baltimore County, Administration Building, Chesapeake Avenue, Towson, Maryland 21204.

Joseph K. Pokorny
Joseph K. Pokorny

LAW OFFICE OF
JOSEPH K. POKORNY
408 JEFFERSON BLDG.
105 W. CHESAPEAKE AVE.
TOWSON, MD. 21204
823-2000

AMOCO OIL CO., et al., : IN THE CIRCUIT COURT
Appellants : FOR BALTIMORE COUNTY
v. : AT LAW
ZONING COMMISSIONER, et al., : File No. 84 CG 606
Appellees : #84-183-X

ORDER

Upon consideration of the record and argument of counsel, and for the reasons stated in open court, it is, this 2nd day of October, 1985, by the Circuit Court for Baltimore County,

ORDERED:
1. That the appeal of Amoco Oil Co., et al., is dismissed.
2. That the Order of the County Board of Appeals of Baltimore County dated July 31, 1984 denying Appellants' petition for Special Exception be, and hereby is, affirmed and upheld.

John E. Raine, Jr.
Chief Judge John E. Raine, Jr.

Glenn Butler
Glenn Butler
Deputy Clerk

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COUNTY BOARD OF APPEALS
FEB 13 1985 11 41:01

FILED OCT 2 1985



BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3353

ARNOLD JABLON
ZONING COMMISSIONER

January 18, 1984

Joseph K. Pokorny, Esquire
408 Jefferson Building
Towson, Maryland 21204

Re: Petition for Special Exception
NE/corner Reisterstown & Village Rds.
(1713, 1717, 1719 and 1721 Reisterstown Road)
Amoco Oil Company - Petitioner
Case No. 84-183-X

Dear Mr. Pokorny:

This is to advise you that \$52.30 is due for advertising and posting of the above property. This fee must be paid before an Order is issued.

Please make the check payable to Baltimore County, Maryland, and remit to Mrs. Arlene January, Zoning Office, Room 113, County Office Building, Towson, Maryland 21204, before the hearing.

Sincerely,

Arnold Jablon
ARNOLD JABLON
Zoning Commissioner

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

No. 126816

DATE 1-30-84 ACCOUNT 01-615-100

AMOUNT \$52.30

PAID TO Amoco Oil Co

FOR Posting & Ad. 84-183-X

048*****527016 53054

VALIDATION OR SIGNATURE OF CASHIER

January 3, 1984

Joseph K. Pokorny, Esquire
408 Jefferson Building
Towson, Maryland 21204

NOTICE OF HEARING

Re: Petition for Special Exception
NE/cor. Reisterstown and Village Roads
(1713, 1717, 1719 and 1721 Reisterstown Road)
Amoco Oil Company - Petitioner
Case No. 84-183-X

TIME: 10:30 A.M.

DATE: Monday, January 30, 1984

PLACE: Room 106, County Office Building, 111 West Chesapeake
Avenue, Towson, Maryland

[Signature]
Zoning Commissioner
of Baltimore County

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

No. 121599

DATE: 1-16-84 ACCOUNT: R-41-615-082

AMOUNT: 100.00

RECEIVED FROM: *[Signature]*
FOR: *Filing to Court for Amoco Oil Co.*
1 cl.

0 075*****1000000 01984

VALIDATION OR SIGNATURE OF CASHIER

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 3rd Date of Posting: January 11-84
Posted for: Special Exception
Petitioner: Amoco Oil Company
Location of property: NE/cor. of Reisterstown Road and Village Road
Location of Signs: NE/cor. of Reisterstown and Village Roads and signs
on E side of Reisterstown Road approx. 170' south of Village Road
Remarks: _____
Posted by: *[Signature]* Date of return: Jan 24-84
Number of Signs: 2

CERTIFICATE OF PUBLICATION

TOWSON, MD., January 12, 1984

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 each of the time ~~successive~~ before the 30th day of January, 1984, the last publication appearing on the 12th day of January, 1984.

THE JEFFERSONIAN,

[Signature]
Manager.

Cost of Advertisement, \$ 10.00

PETITION FOR SPECIAL EXCEPTION
3rd Election District
ZONING: Petition for Special Exception
LOCATION: Northeast corner Reisterstown and Village Roads (1713, 1717, 1719 and 1721 Reisterstown Road)
DATE & TIME: Monday, January 30, 1984 at 10:30 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 Special Exception for a car wash as a use in combination with a service station (see and go) Being the property of Amoco Oil Company, as shown on plat plan filed with the Zoning Department.
In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be received in writing by the date of the hearing set above or made at the hearing.
By Order of:
ARNOLD JABLON,
Zoning Commissioner
of Baltimore County
Jan. 12

PETITION FOR SPECIAL EXCEPTION
3rd Election District
ZONING: Petition for Special Exception
LOCATION: Northeast corner Reisterstown and Village Roads (1713, 1717, 1719 and 1721 Reisterstown Road)
DATE & TIME: Monday, January 30, 1984 at 10:30 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 Special Exception for a car wash as a use in combination with a service station (see and go) Being the property of Amoco Oil Company, as shown on plat plan filed with the Zoning Department.
In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be received in writing by the date of the hearing set above or made at the hearing.
BY ORDER OF: ARNOLD JABLON,
ZONING COMMISSIONER OF BALTIMORE COUNTY.

LANDMARK COMMUNITY NEWSPAPERS OF MARYLAND, INC.

Westminster, Md. Jan. 12, 1984

CERTIFY that the annexed Req. #154659 P.O. 51215

(1) ~~successive~~ days previous
day of January, 1984, in the
County Times, a daily newspaper published
in Westminster, Carroll County, Maryland.
Herald, a weekly newspaper published
in Eldersburg, Carroll County, Maryland.
County Times, a weekly newspaper published
in Reisterstown, Baltimore County, Maryland.

LANDMARK COMMUNITY NEWSPAPERS OF MARYLAND, INC.

Per: *[Signature]*

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 3rd Date of Posting: 3-29-84
Posted for: Appeal
Petitioner: Amoco Oil Company
Location of property: NE/cor. of Reisterstown and Village Roads
Location of Signs: NE/cor. of Reisterstown and Village Roads
Remarks: _____
Posted by: *[Signature]* Date of return: 3-30-84
Number of Signs: 1

84-183-X

3rd District

NE/cor. Reisterstown & Village Roads

Amoco Oil Company

2 SIGNS

ZONING STATUS

EXISTING ZONING: DISTRICT: NONE
 PROPOSED DISTRICT: NONE
 VARIANCE TO SECTION: NONE

AREA REQUIREMENTS

1. (N) DISPENSER 15' WITH 2 VS SINGLE DISPENSER 15' DIA DISP. CAPABLE OF SERVING 2 (N) CARS AT ANY ONE TIME. 2. (N) DISPENSER 15' WITH 2 (N) DIA DISPENSER PUMPS CAPABLE OF SERVING 2 (N) CARS AT ANY ONE TIME.
 TOTAL SERVING SPACES: 10
 TOTAL BAYS & SPACES: 10
 SITE AREA REQUIRED: TOTAL BAYS & SPACES: 10 (N) 1500' x 1500' = 2,250,000 SQ. FT.
 AREA OF LOT: 40,000 SQ. FT.

ACCESS POINTS

NUMBER OF DRIVEWAYS ON FRONT STREET: 2
 TIME & DATE: 1/30
 (REQUIRED WIDTH): 200.0' ±
 ACTUAL SITE WIDTH: 200.0' ±

LANDSCAPING

AREA A: 240' EXIST. 50' FT. AREA C: 150' 50' EXIST. 150' FT. AREA B: 150' 50' EXIST. 150' FT. AREA D: 150' 50' EXIST. 150' FT. TOTAL: 150' 50' EXIST. 150' FT. AREA E: 150' 50' EXIST. 150' FT. DOWN TRACT: 150' 50' EXIST. 150' FT. LANDSCAPING: 150' 50' EXIST. 150' FT.

LIGHTING

(1) TYPE: AREA HEIGHT: 15' 0" (DESCRIPTION):
 (2) TYPE: CANOPY HEIGHT: 15' 0" (DESCRIPTION):

PARKING

2. (N) PARKING SPACES REQUIRED FOR CASHIER:

SIGNS

IDENTIFICATION SIGN: 1 x 47' 10" FT. x 17' 5" FT.
 SELF-SERVICE SIGN: 1 x 47' 10" FT. x 17' 5" FT.
 AMOCO MOTOR CLUB: 1 x 47' 10" FT. x 17' 5" FT.
 ADVERTISING CURB SIGN: 1 x 47' 10" FT. x 17' 5" FT.
 TOTAL IDENTIFICATION: 1 x 47' 10" FT. x 17' 5" FT.
 TOTAL BUSINESS: 1 x 47' 10" FT. x 17' 5" FT.

APPLICABLE USE

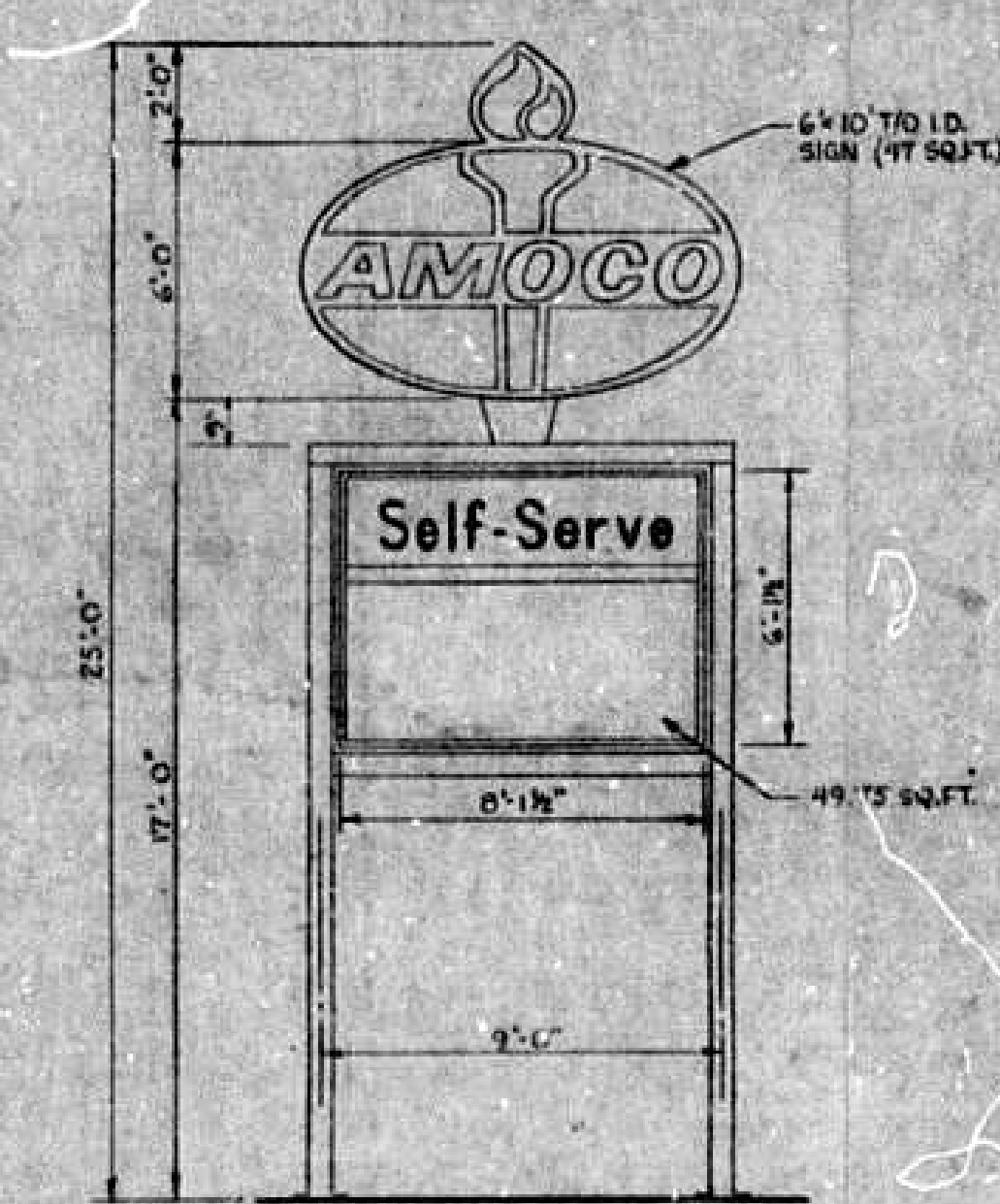
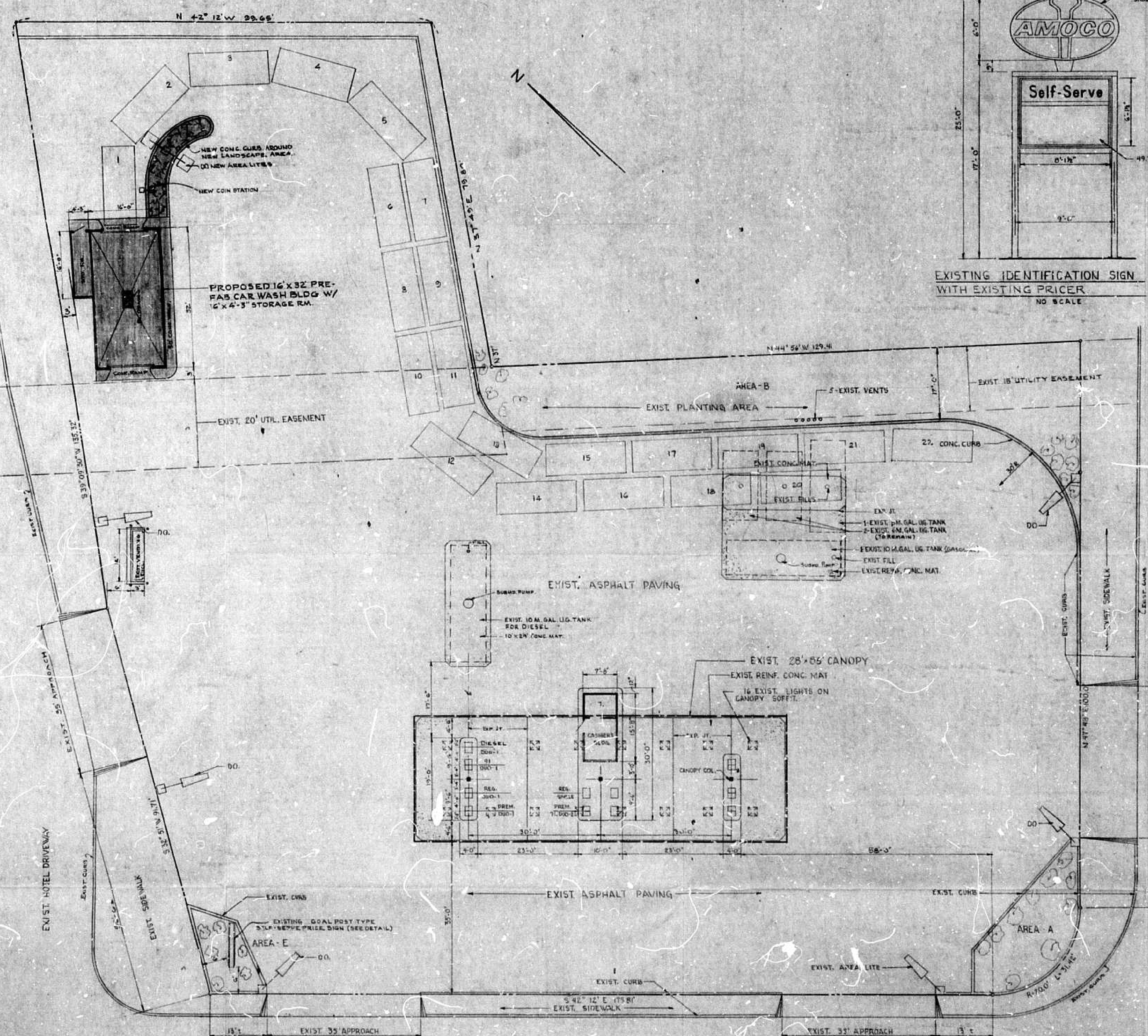
SALE OF CIGARETTES, CIGARS, ETC.

GENERAL NOTES

1. AREA OF BUILDING: 120' 10" 50' FT.
2. AREA OF LOT: 40,000 SQ. FT.
3. PERCENT OF LOT COVERED: 2.7%
4. AREA OF SIGN FACE: 47' 10" 17' 5" FT.
5. HEIGHT OF SIGN: 25' 0" H
6. ELECTRICAL SERVICE: ROOMS MINIMUM
7. CONTRACTOR SHALL FURNISH AND INSTALL STEEL CURB PAVING PERMITS ON EQUAL
8. CONTRACTOR SHALL INSPECT SITE FOR STRUCTURES, POLES, BUILDINGS, TREES, ETC. REQUIRING REMOVAL TO OBTAIN THE END RESULT. THE AMERICAN OIL COMPANY ASSUMES NO RESPONSIBILITY FOR CONSTRUCTION
9. GRADING LEGEND: 200.00 EXISTING GRADE 200.00 PROPOSED FINISHED GRADE
10. THE CONTRACTOR SHALL RESOLVE THE FINAL LOCATION OF TANKS AND FILLS WITH AREA ENGINEER WHEN THE STATION IS UNDER CONSTRUCTION.

ANCILLARY USE

PROPOSED CAR WASH
 ON SITE WAITING PERM. SEC. 413.2
 12 VEHICLES PROCESSED IN 1/2 HOUR
 10 ADDITIONAL VEHICLE SPACES.
 22 TOTAL



EXISTING IDENTIFICATION SIGN
 WITH EXISTING PRICER
 NO SCALE



NO.	REVISION	DATE	BY
1	ADDED NOTES ABOUT CAR WASH STRUCTURE	01-01	Q.C.
2	ADDED CAR WASH BLDG	01-01	Q.C.
3	ADDED VENDING BNG	01-01	Q.C.
4	RELOCATED NEW BUAL POST TYPE SIGN	01-01	Q.C.
5	ADDED DIESEL OIL & KEROSENE GAL. DIESEL STD. TANK	01-01	Q.C.
6	REVISED SIGN LOCATION & TYPE	01-01	Q.C.

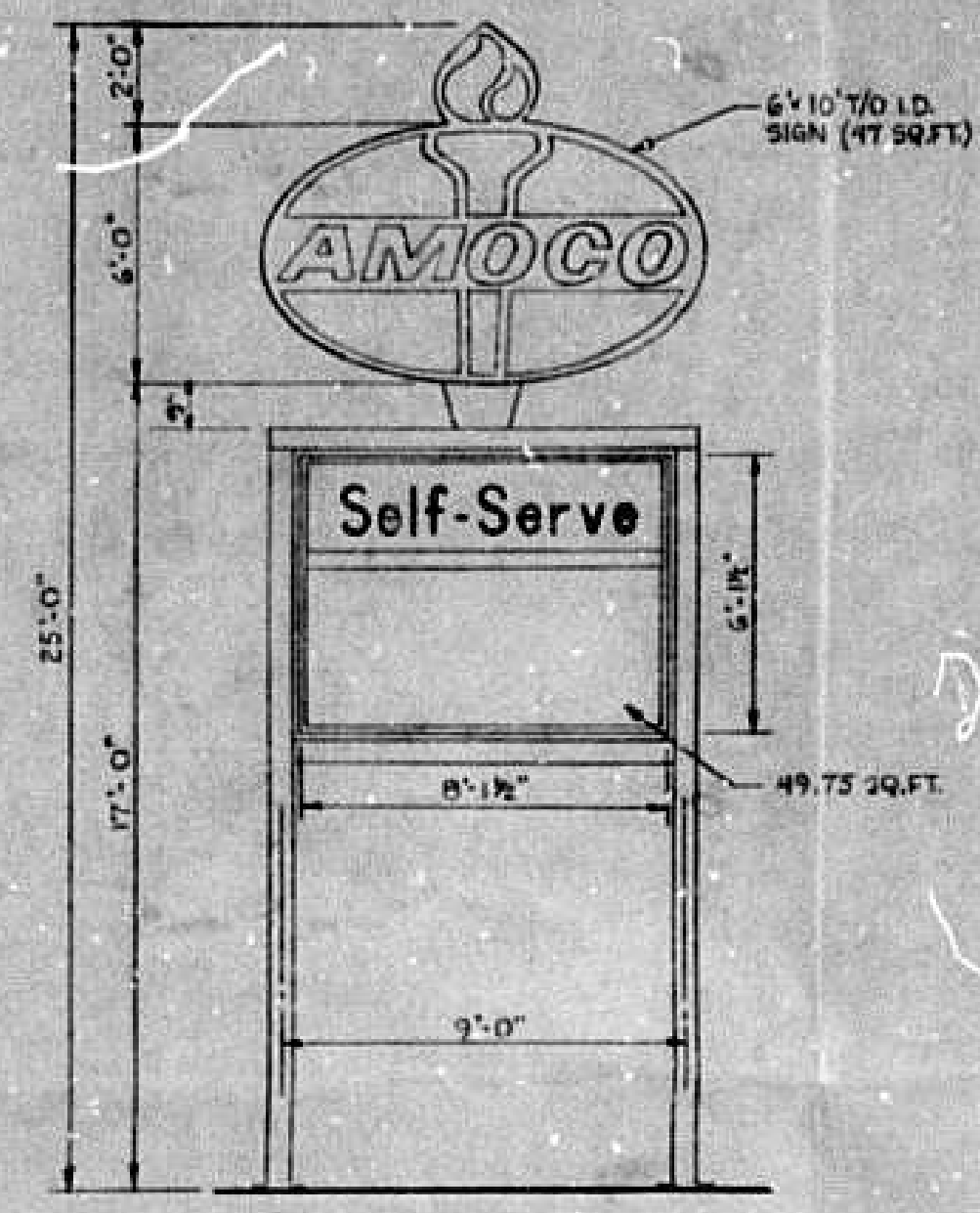
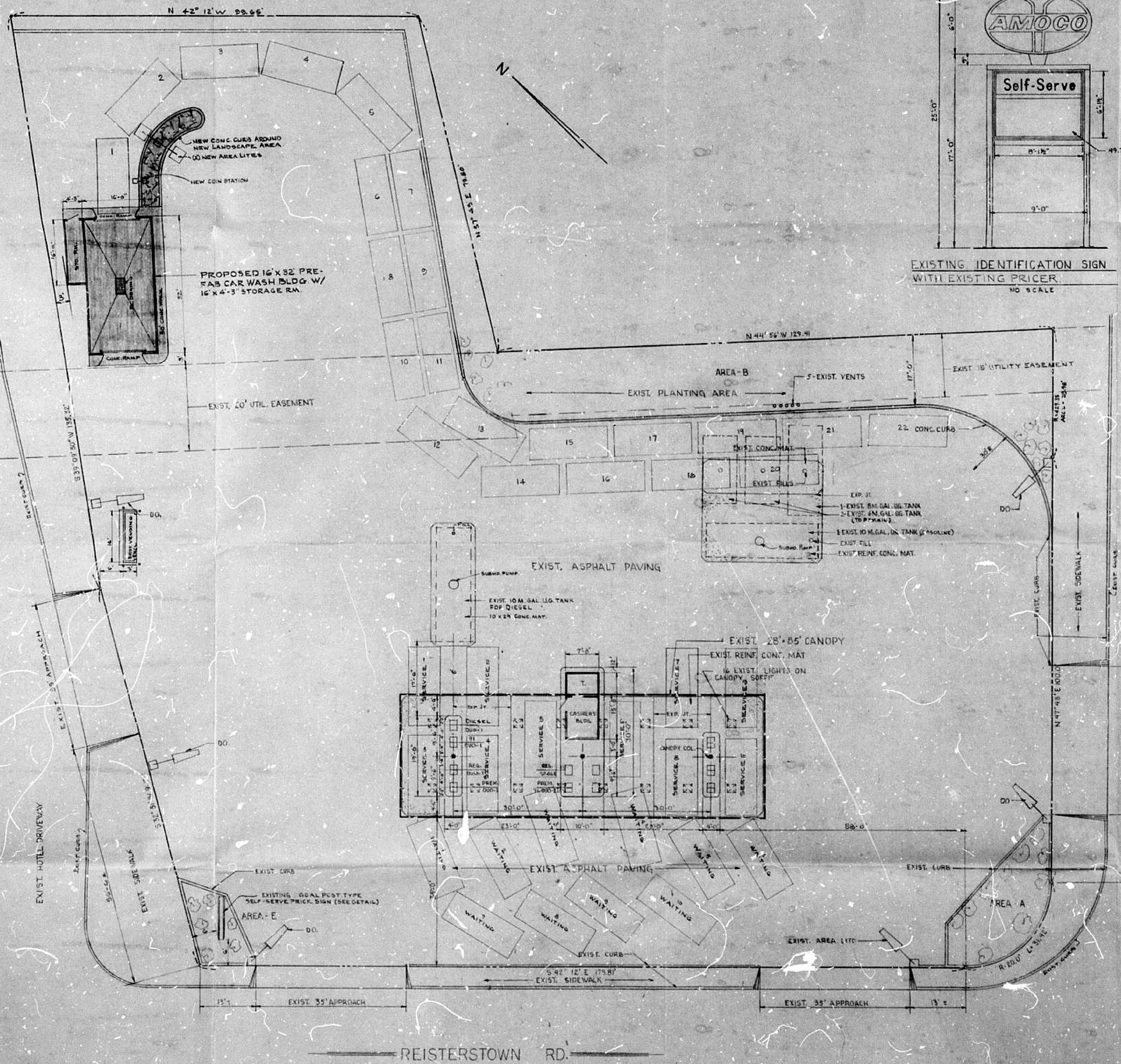
Amoco Oil Company
 Engineering Maintenance Department
 Eastern Region
 One North Ch. Hill Street
 Baltimore, Maryland 21201

PLOT PLAN for PUMPER
 REISTERSTOWN RD. & VILLAGE RD.
 BALTIMORE, MD.

Scale: 1" = 10' 0"
 Drawn By: J.A. Jones
 Checked By: J.A. Jones
 Date: 4-18-77
 Approved: J.A. Jones

BALTO. District
 SS-716
 Do not scale, use dimensions only





EXISTING IDENTIFICATION SIGN
WITH EXISTING PRICER
NO SCALE

ZONING STATUS

EXISTING ZONING: PARCEL #1 - B1, PARCEL #2 -
PROPOSED DISTRICT: NONC
VARIANCE TO SECTION: TO PERMIT
INSTEAD OF THE REQUIRED.

AREA REQUIREMENTS

1. (N) DISPENSER ISL. WITH 2 (N) SINGLE DISP. AND 2 (N) DUAL DISP. CAP-
ABLE OF SERVING 2 (N) CARS AT ANY ONE TIME. 2. (N) DISPENSER
ISLANDS WITH 2 (N) DUAL DISPENSER PUMPS CAPABLE OF SERVING
2 (N) CARS AT ANY ONE TIME.
TOTAL SERVING SPACES: 10
TOTAL CARS & SPACES: 10
SITE AREA REQUIRED: TOTAL BAYS & SPACES: 10 (N) W/5000: 15,000 S.F.
AREA OF LOT: 40,844 S.F.

ACCESS POINTS

NUMBER OF DRIVEWAYS ON FRONT STREET: 2
REQUIRED WIDTH: 20.0' ±
ACTUAL SITE WIDTH: 200' ±

LANDSCAPING

AREA A: 740 EXIST. SQ. FT. AREA C: 250 SQ. FT. (EXIST.)
AREA B: 2221 UNIM. SQ. FT. AREA D: 238 SQ. FT. (EXIST.)
TOTAL: 3219 SQ. FT. AREA E: 95 SQ. FT. (EXIST.)
20% OF TRACT: 644 SQ. FT. 2042 SQ. FT.
LANDSCAPING CONSISTS OF (DESCRIPTION):

LIGHTING

(1) TYPE: AREA HEIGHT: 18'-0" (DESCRIPTION):
(2) TYPE: CANOPY HEIGHT: 13'-0" (DESCRIPTION):

PARKING

2. (N) PARKING SPACES REQUIRED FOR CASHIER
SIGN IS
IDENTIFICATION SIGN: 1 x 47 SQ. FT. 47 SF.
(N) 10' T80 SIGN (EXIST.)
SELF-SERVE PUMP: 1 x 47 SQ. FT. 47 SF. SQ. FT.
AMOCO MOTOR CLUB: 1 x 33 SQ. FT. 33 SF.
ADVERTISING CLUB SIGN: 1 x 33 SQ. FT. 33 SF.
TOTAL IDENTIFICATION: 47 SQ. FT.
TOTAL BUSINESS: 40,844 S.F.

APPLICABLE USE

SALE OF CIGARETTES, CANDY, ETC.

GENERAL NOTES

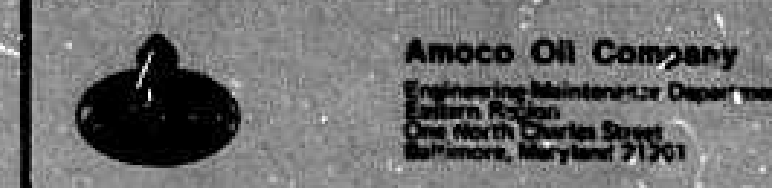
1. AREA OF BUILDING: 2049 SQ. FT.
2. AREA OF LOT: 40,844 SQ. FT.
3. PERCENT OF LOT COVERED: 23%
4. AREA OF SIGN FACE: 47 SQ. FT.
5. HEIGHT OF SIGN: 25'-0" H
6. ELECTRICAL SERVICE: 200 AMP. MINIMUM
7. CONTRACTOR SHALL FURNISH AND INSTALL STEEL CURB FORMS PERMCO OR EQUAL.
8. CONTRACTOR SHALL INSPECT SITE FOR STRUCTURES, POLES, BUILDINGS, TREES, ETC. REQUIRING REMOVAL TO OBTAIN THE E.O. RESULT. THE AMERICAN OIL COMPANY ASSUMES NO RESPONSIBILITY FOR OMISSIONS.
9. GRAVING LEGEND:
200.00 EXISTING GRADE
200.00 PROPOSED FINISHED GRADE
10. THE CONTRACTOR SHALL RESOLVE THE FINAL LOCATION OF TANKS AND FILLS WITH AREA ENGINEER WHEN THE STATION IS UNDER CONSTRUCTION.

ANCILLARY USE

PROPOSED CAR WASH
ON SITE WAITING PERM. SEC. 419.2
12 VEHICLES PROCESSED IN 1/2 HOUR
10 ADDITIONAL VEHICLE SPACES
22 TOTAL

**PETITIONER'S
EXHIBIT 1**

REV. NO.	1	ADDED SERVICE WAITING SPACES AT ISLANDS	C.E.
REV. NO.	2	ADDED MOTOR CLUB CAR WASH & PARKING	C.E.
REV. NO.	3	ADDED CAR WASH BLDG.	C.E.
REV. NO.	4	ADDED VENDING TND.	C.E.
REV. NO.	5	REVISED NEW GAS POST TYPE SIGN	C.E.
REV. NO.	6	ADDED DIESEL DSG & 1000 GAL. DIESEL STR. TANK	C.E.
REV. NO.	7	REVISED SIGN LOCATION & TYPE	C.E.
DATE	NOV. 1977	REVISION	BY



PLOT PLAN for PUMPER
REISTERSTOWN RD. & VILLAGE RD.
BALTIMORE, MD.

Scale: 1"=10'-0"	BALTO.	District
Drawn By: <u>MA Jones</u>	Not used by Rev. app.	
Checked By: <u>MA Jones</u>	Date: <u>4-12-77</u>	
Approved: <u>MA Jones</u>	SS-716	
Do not scale, use dimensions only.		