

IN RE: PETITION FOR SPECIAL EXCEPTION BEFORE THE
E/S Middle River Road • ZONING COMMISSIONER
680' N Bird River Road • OF BALTIMORE COUNTY
15th Election District •
5 Councilmanic District •
Two River Roads Partnership, Petitioner

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioner herein requests a special exception for a car wash in a ML-IM zone. This use is allowed by special exception pursuant to Section 253.2b.2. subject to the provisions of Section 419 all of the Baltimore County Zoning Regulations (B.C.Z.R.).

Petitioner presented testimony from its engineer, William Bafitis, who prepared the site plan (Petitioner's Exhibit 1). The Petitioner also presented testimony from John O. Hennegan, Esquire, one of the general partners with respect to the proposed use of the site.

There were no protestants.

The Petitioner desires to place the car wash on a tract containing approximately 6.6 acres gross. The property now contains a strip commercial shopping center in a portion of the tract zoned B.L., and a manufacturing facility in the ML-IM zone. The proposed car wash, as indicated by Petitioner's Exhibit 1, will be located on the northern corner of the property and would have a floor area of approximately 3,822 square feet. Testimony indicated that the site already is

fully developed and paved with gutter and sidewalk along it. Testimony from Mr. Bafitis as well as from Mr. Hennegan indicate that the requirements of Section 419 can be met. The car wash would be a self-service car wash enabling trucks and other commercial and manufacturing vehicles to be washed by hand as opposed to the automated car washes. The car wash is not to be subdivided from the balance of the property, and the building is situated so as to accommodate larger vehicles, which have larger turning radii. It is estimated that the site at maximum capacity will accommodate two vehicles per half hour, which appears to be reasonable given the nature of the car wash involved. Stacking area is provided to accommodate this flow.

Testimony was also put into evidence pertaining to the requirements of Section 502.1.

In review of the application, the exhibits presented, and the testimony, it is clear that the location of this use on this site will meet the requirements of Section 419, and will serve the adjacent manufacturing properties as is required by Section 253.2b. The special exception criteria in Section 502.1 having been met the special exception should be granted.

THEREFORE, IT IS ORDERED, by the Zoning Commissioner for Baltimore County this 14th day of October, 1989, that the petition for Special Exception for a car wash in a ML-IM zone by and the same IS HEREBY GRANTED, subject,

however, to the following restrictions which are conditions precedent to the relief granted herein:

1) Petitioner shall comply with all Baltimore County development regulations or obtain waivers of same.

MICROFILMED

J. Robert Haines
Zoning Commissioner

PETITION FOR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

90-102-X

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Exception under the Zoning Law and Zoning Regulations of Baltimore County, to use the herein described property for a car wash in a MLIM zone

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Special Exception advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser:

(Type or Print Name)

Signature

Address

City and State

Attorney for Petitioner:

Romadka, Gontrum & Hennegan, P.A.

(Type or Print Name)

Signature

809 Eastern Boulevard

Address

Baltimore, Maryland 21221

City and State

Attorney's Telephone No.: 686-8274

Legal Owner(s):

Two River Roads, a Limited Partnership

(Type or Print Name)

Signature John B. Gontrum, General Partner

(Type or Print Name)

Signature

Name, address and phone number of legal owner, contract purchaser or representative to be contacted

City and State

Name

Address

Phone No.

ORDERED By The Zoning Commissioner of Baltimore County, this 6th day

of July, 1989, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 19th day of August, 1989, at 8:30 o'clock

A.M.

J. Robert Haines

Zoning Commissioner of Baltimore County

MAP 155H
78
S.D. 15
DATE 12/5/90
200
1000
25

ZONING DESCRIPTION

MIDDLE RIVER RETAIL AND MANUFACTURING COMPLEX
CAR WASH LEASE AREA

Beginning at a point, said point being on the east side of Middle River Road, 60 feet wide, 680 feet North from the centerline of Bird River Road and thence leaving said east side of Middle River road North 45°-18'-35" East 76.21 feet, to said point of beginning being the beginning of the Car Wash Lease Area, thence running the following five courses and distances:

1. North 45°-18'-35" East 200.00 feet to a point, thence
2. South 46°-04'-10" East 200.00 feet to a point, thence
3. South 43°-55'-50" West 100.00 feet to a point, thence
4. South 73°-59'-18" West 119.50 feet to a point, thence
5. North 44°-41'-25" West 145.00 feet to the point of beginning.

Containing 37,836 square feet or 0.868 acres of land, more or less.



William H. Bafitis, P.E.
MD. Reg. No. 11641

Civil Engineers / Land Planners / Surveyors - 1249 Englebert Road / Baltimore, Maryland 21221 / 301-391-2336

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(410) 887-3353

J. Robert Haines
Zoning Commissioner

July 9, 1990

Robert J. Romadka, Esq.
809 Eastern Boulevard
Baltimore, Maryland 21221

RE: Notification of Abandonment of a
Auto Service Station
Zoning Case No. 5260-X
Also see 90-102-X
Middle River Road Retail Stores &
Manufacturing Complex
CRG Waiver #90-190
15th Election District

Dear Mr. Romadka:

This letter is in reference to your request for the abandonment of the auto service station use which was approved for the above referenced location in Zoning Case #5260-X. After a review of your request, the Zoning Commissioner, J. Robert Haines, has accepted this letter as an official notice of abandonment, and declares this Special Exception for the operation of a service station void as of the date of this letter.

If you need further assistance, please do not hesitate to call me at 887-3391.

Very truly yours,

James E. Dyer

JAMES E. DYER
Zoning Supervisor

By: John L. Lewis
Planning & Zoning Associate

JLL:jat
cc: File

LAW FIRM
Romadka, Gontrum & Hennegan, P.A.
IRVINGTON FEDERAL BUILDING
809 EASTERN BOULEVARD
ESSEX, MARYLAND 21221
TELEPHONE (301) 686-8274
FAX # 686-0118

ROBERT J. ROMADKA
JOHN B. GONTRUM
JOHN O. HENNEGAN
DONALD H. SHEFFY
NANCY E. DWYER
SHARON R. GAMBLE

RECEIVED
JUN 29 1990
ZONING OFFICE

June 28, 1990

J. Robert Haines
Zoning Commissioner
Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204

Re: CRG Plan
Middle River Road Retail Stores and Manufacturing Complex
Project #90-190
District 15C6

Dear Mr. Haines:

In accordance with written comments from your office dated June 6, 1990 pertaining to the above captioned matter, please be advised that the auto service station that was previously located on said premises had been removed from said site several years ago. Said use as a auto service station is now abandoned and this letter is being written to you requesting approval of the abandonment on the service station use without a public hearing (see S.405.6.D, B.C.Z.R.).

I appreciate, therefore, your reviewing this matter and will await your further reply.

Very truly yours,

Robert J. Romadka

RJR/ej
cc: John Lewis
Frank Fisher
John Sullivan

CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY

Towson, Maryland

District 15C6 Date of Posting 8/4/89
Posted for Special Exception
Petitioner: Two River Roads, a Limited Partnership
Location of property: 809 Eastern Blvd., 680' N Bird River Rd.
Location of Sign: Facing Middle River Rd., 680' N Bird River Rd.
Remarks: On property of Petitioner
Posted by: [Signature] Date of return: 8/8/89
Number of Signs: 1

CERTIFICATE OF PUBLICATION

TOWSON, MD. August 29, 1989

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., appearing on August 24, 1989.

THE JEFFERSONIAN,

S. Zeke Olson

Publisher

NOTICE OF HEARING
The Zoning Commission of Baltimore County, by authority of the Zoning Law and Regulations of Baltimore County, will hold a public hearing on the property described herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland 21204 at 8:30 a.m. on Wednesday, August 23, 1989 at 8:30 a.m.
Petition for Special Exception Case Number 90-102-X
E/S Middle River Road, 680' N Bird River Road, 15th Election District, 5th Councilmanic District
Petitioner: Two River Roads, a Limited Partnership
Hearing Date: Wednesday, August 23, 1989 at 8:30 a.m.
Special Exceptions: A Car wash in a ML zone.
In the event that the Petition is granted, a building permit may be issued within the sixty (60) day appeal period. The Zoning Commission will, however, entertain any request for a stay of the issuance of said permit during the period for good cause shown. Such request must be in writing and received in the office by the date of the hearing or before it is presented at the hearing.
J. ROBERT HAINES
Zoning Commissioner of Baltimore County
8/27/89 Aug 24

PO 16230
rg 134141
90-102-X
price \$ 37.43

NOTICE OF HEARING

The Zoning Commission of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the application for a Special Exception to the Zoning Regulations of Baltimore County, located at 111 W. Chesapeake Avenue in Towson, Maryland, on Wednesday, September 20, 1989 at 8:30 a.m.

HEARING SCHEDULED: WEDNESDAY, SEPTEMBER 20, 1989 at 8:30 a.m.

This is to Certify, That the annexed Petition # 16231 was inserted in the 8/23/89, a newspaper printed and published in Baltimore County, once in each of one successive weeks before the 23rd day of August, 1989.

Microfilmed

J. Robert Haines, Zoning Commissioner

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 887-3353

J. Robert Haines
Zoning Commissioner

August 9, 1989

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 105 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland as follows:

Petition for Special Exception
CASE NUMBER: 90-102-X
E/S Middle River Road, 680' N 8th River Road
15th Election District - 5th Councilmanic
Petitioner(s): Two River Roads, a Limited Partnership
HEARING SCHEDULED: WEDNESDAY, SEPTEMBER 20, 1989 at 8:30 a.m.

Special Exceptions A car wash in a M.L.M. zone.

Microfilmed

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 in writing and received in this office by the date of the hearing set above or presented at the hearing.

J. Robert Haines
J. ROBERT HAINES
ZONING COMMISSIONER
BALTIMORE COUNTY, MARYLAND

JRH:gs
cc: John Gortum
File

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 887-3353

J. Robert Haines
Zoning Commissioner

July 9, 1990

Clyde F. Hinkle, Vice President
Bafitis & Associates, Inc.
1249 Engleberth Road
Baltimore, Maryland 21221

Dennis F. Rasmussen
County Executive

RE: Approval of a Redlined Plan
Zoning Case #90-102-X
Middle River Retail & Manufacturing Complex
15th Election District

Dear Mr. Hinkle:

In response to your request, the Zoning Commissioner, J. Robert Haines, has reviewed the red lined print, dated June 27, 1990, which shows a revised location for the car wash building as approved in Zoning Hearing 90-102-X. This plan revision has been determined to be within the spirit and intent of the original order and is therefore approved without additional public zoning hearings.

Should you require further assistance, please do not hesitate to call me at 887-3391.

Very truly yours,
James E. Dyer
JAMES E. DYER
Zoning Supervisor

By: John L. Lewis
Planning & Zoning Associate

JLL:jat
cc: File

7-5-3-304

RECEIVED
JUL 2 1990
ZONING OFFICE

Baltimore County
J. Robert Haines, Zoning Commissioner
Office of Planning and Zoning
111 West Chesapeake Avenue
Towson, Maryland 21204
Attention: Mr. John L. Lewis

Ref: Middle River Retail & Manufacturing Complex
15th Election District Case #90-102X

Dear Mr. Lewis:

Pursuant to the zoning office's review of the C.R.G. Plan for the above referenced project, revisions to the plan have been required.

The proposed Car Wash facility is required to observe required setbacks from the lease line shown on the plan. The enclosed "red lined" print indicates the now proposed car wash building location; honoring the required setbacks from the lease line.

We request approval, without a new hearing, of the revised plan.

Sincerely yours,
Bafitis & Associates, Inc.

Clyde F. Hinkle
Clyde F. Hinkle
Vice President

CFH/sjf

Enclosure with copy of Zoning office's comments

Civil Engineers / Land Planners / Surveyors - 1249 Engleberth Road / Baltimore, Maryland 21221 / 301-391-2336

NE 5-H
4408 RX
5260

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Al Wirth - SWM
Bob Bowling - Dev. Eng. (3)
Frank Fisher - Current Planning
Rahim Famili - Traffic Engineering
Rocky Powell - DEPRM
Larry Pilson - DEPRM
Dave Flowers - DEPRM
Carl Richards - Zoning
Capt. Kelly - Fire Department
Pat Kincer - Rec. & Parks
Chuck Weiss - Sanitation
Larry Brocato - SHA

DATE: May 21, 1990

FROM: Susan Wimbley
Bureau of Public Services

SUBJECT: Middle River Retail
& Manufacturing Complex
90190
District 1506
Bafitis & Associates, Inc.
391-2336

RECEIVED
MAY 22 1990
ZONING OFFICE
5/23/90 John
uor

The subject property was granted a waiver of CRG meeting by the Office of Planning & Zoning. However, CRG approval signatures must be obtained.

Please review the attached for concurrence with current development regulations and give approval or comments by June 11, 1990. Nonresponsiveness by the aforementioned date is considered to be concurrence by your office.

(SEE ATTACHED FOR COMMENTS)

SN:aw
Attachment
cc: File

Microfilmed

MIDDLE RIVER RETAIL & MANUFACTURING COMPLEX
#90-190

Plan Date: 3/1/90
Comments for 6/11/90
Comments Date: 6/19/90

Landscaping Plan
shows zoning lines

The plan has been reviewed by this office for general compliance with the Baltimore County Zoning Regulations. The following comments identify obvious conflicts with the Baltimore County Zoning Regulations, and details necessary in order to determine compliance with these regulations. When these standard and nonstandard details and information is available or provided, it shall be the responsibility of the owner, developer, or developer's engineer to rectify all conflicts well in advance of any expected zoning approvals. The intent of the developer must be clear on the C.R.G. plan and any zoning conflicts must be identified conspicuously on the plan under "Zoning Public Hearing Request". If a public hearing is requested, the assistance received at the time of filing zoning petitions and the following zoning staff comments, although they relate to the property, are not to be construed as definitive nor do they indicate the appropriateness of any public hearing requests:

Correct the zone lines on sheet #2 of 2 per the 1"=200' scale zoning map NES-H. State on the plan that the original public hearing (Case #5260) for an auto service station is to be abandoned and send letter to the Zoning Commissioner requesting approval of the abandonment of the service station use without a public hearing (see S.403.6.D, B.C.Z.R.). Also send a red-lined plan for change of setbacks for the proposed car wash or a variance is required (see variance notes). Clearly show and label all existing and proposed lot, lease, or parcel lines and show, dimension and maintain all required building setbacks from these lines. Show, label and dimension the use and square feet of all existing and proposed buildings. The plan as submitted is not clear and cannot be given an adequate review due to the uncertain building and lot line locations.

Zoning Policy BM-27 requires that zoning use division lines be shown for all uses on a site. This means that the B.L. zone and the car wash must be supported within their own defined use areas and separate gross and net area parking and F.A.R. calculations be shown. The same applies to the 3 existing parcels on the site (as shown on the 1990 State Tax Map). Note on the plan how the 46 retail parking spaces required for the B.L. (retail building) and the remaining manufacturing and office support parking will each be reserved for their separate B.L. and M.L. uses. A parking lease agreement for shared parking between the M.L. zoned uses must be filed with the Zoning Office prior to building permit application if all M.L. parking is not shown as self-supporting on each parcel, lot or lease area.

Microfilmed

MIDDLE RIVER RETAIL & MANUFACTURING COMPLEX
#90-190
PAGE 2

Parking: Show and label the limits of the off-street parking as shown on the previously approved C.R.G. Waiver Plan (W-85-72). These areas may continue as approved; however, new parking areas must comply with the current S.409 of the B.C.Z.R. This means that 10 ft. off-street parking setbacks from street right-of-way must be shown and dimensioned; parking noted to be permanently striped and paving a durable, dustless surface, etc...

As previously noted per Zoning Policy BM-27 and S.102.2, all applicable setbacks must be met or variances. Show, label and dimension the 100 ft. use, setback and height restriction line as required per S.253.4, 254 and 255.2 and show compliance with each section on the plan.

Variance hearings required for plan approval include, but are not necessarily limited to, the following: For less than the required setbacks from the car wash, lease lines for both the car wash and the proposed manufacturing building on lot #3 (see S.102.2, S.238, BM-27). The 50 ft. rear setbacks for the car wash do not appear to be necessary (see S.255.1 and 255.2). If possible, the car wash building could be moved so a variance would not be necessary. A red-lined site plan and cover letter requesting the revised plan approval without a new hearing should be sent to the Zoning Commissioner and the response documented on the plan. For less than the required setbacks for the new property line setback of parcel #1 to the existing one-story masonry building. For any off-street parking within 10 ft. of the street right-of-way, which was not approved by C.R.G. Waiver (W-85-72) or any other S.409 non-compliance.

Note on the plan, minimum 1/4" bold letters: "WAREHOUSE AND OFFICE AREAS AS SHOWN ON THIS PLAN CANNOT BE INCREASED OR DECREASED WITHOUT FURTHER ZONING APPROVALS AND ANY CHANGES IN USE, EVEN THOUGH PERMITTED BY SECTION 253.1 (B.C.Z.R.) MUST BE APPROVED BY THE ZONING OFFICE. ANY FUTURE USES ESTABLISHED ON THIS PLAN WILL COMPLY WITH ALL APPLICABLE PROVISIONS OF THE BALTIMORE COUNTY ZONING REGULATIONS, INCLUDING BUT NOT LIMITED TO SECTIONS 253, 254, 255, 409, 413, AND THE ZONING POLICY MANUAL."

Enlarge the vicinity map to 1"=1,000' or greater.

Note: No interior setbacks
all common ownership

MIDDLE RIVER RETAIL & MANUFACTURING COMPLEX
#90-190
PAGE 3

Signs -- Provide an engineering scale elevation on the plan of all existing and proposed free-standing signs clearly indicating the type, height, dimensions, square footage, single or double-face and illumination. All signs must be keyed to their existing or proposed location on the plan print and enough detail must be shown to determine compliance with Section S.413.2 & .5 in the B.L. zone and S.413.6 in the M.L. zone (B.C.Z.R.) and all zoning sign policies or a zoning variance is required. All signs are clearly indicated.

Final zoning approval is contingent first, upon all plan comments being addressed on the C.R.G. plan; and secondly, upon the final resolution of all comments, the outcome of any requested zoning hearings and finally, the inclusion of the blue commercial checklist information being included on the building permit site plans.

Check MC Sign restrictions
state on plan

JLL:scj

cc: Frank Fisher, Current Planning
John Sullivan, Zoning Office
Zoning File
Waiver File

Copy Zoning Regs. To CHAMBERLAIN

LAW FIRM
Romadka, Gontrom & Hennegan, P.A.
IRVINGTON FEDERAL BUILDING
809 EASTERN BOULEVARD
ESSEX, MARYLAND 21221
TELEPHONE (301) 886-8274
FAX 886-8118

ROBERT J. ROMADKA
JOHN B. GONTROM
JOHN O. HENNEGAN
DONALD H. SHEFFY
NANCY E. DWYER
SHARON R. GAMBLE

J. Robert Haines
Zoning Commissioner
Office of Planning and Zoning
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: Case No. 90-102-X

Dear Commissioner Haines:

Enclosed please find proposed Order with respect to Case Number 90-102-X, which you have asked for us to prepare. You may recall that the CRG meeting was waived and we are awaiting the zoning determination in order to get the CRG plan approved. There had been no protestants with respect to this matter, and we would appreciate your consideration of our request at your earliest convenience.

Very truly yours,

John B. Gontrom

JBG:kb
Enc.

October 16, 1989

RECEIVED
OCT 17 1989

ZONING OFFICE

Baltimore County
Zoning Commissioner
Office of Planning and Zoning
Towson, Maryland 21204
(301) 887-3353

J. Robert Haines
Zoning Commissioner

Romadka, Gontrom & Hennegan, P.A.
809 Eastern Boulevard
Baltimore, Maryland 21221

Re: Petition for Special Exception
CASE NUMBER: 90-102-X
E/S Middle River Road, 680' N. rd River Road
15th Election District - 5th Councilmanic
Petitioner(s): Two River Roads, a Limited Partnership
HEARING SCHEDULED: WEDNESDAY, SEPTEMBER 20, 1989 at 9:30 a.m.

Continued

Please be advised that \$ 81.74 is due for advertising and posting of the above captioned property.

THIS FEE MUST BE PAID AND THE ZONING SIGN & POST SET(S) RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT ISSUE. DO NOT REMOVE THE SIGN & POST SET(S) FROM THE PROPERTY UNTIL THE DAY OF THE HEARING.

Please make your check payable to Baltimore County, Maryland. Bring the check and the sign & post set(s) to the Zoning Office, County Office Building, 111 W. Chesapeake Avenue, Room 113, Towson, Maryland fifteen (15) minutes before your hearing is scheduled to begin.

Please bring your check payable to Baltimore County, Maryland. Bring the check and the sign & post set(s), there for each such set

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT
DATE 9/20/89 ACCOUNT 90-102-X
AMOUNT \$ 81.74
RECEIVED FROM Two River Roads, a Limited Partnership
FOR Petition for 9/20/89 (Case 90-102-X)
B 008*****047418 8204F
VALIDATION OR SIGNATURE OF CASHIER

Baltimore County
Fire Department
800 York Road
Towson, Maryland 21204-2536
(301) 887-4500

Paul H. Raines
Chief

J. Robert Haines
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, MD 21204

RE: Property Owner: TWO RIVER ROADS, A LIMITED PARTNERSHIP
Location: E/S MIDDLE RIVER ROAD, 680' N BIRD RIVER ROAD

Item No.: 570 Zoning Agenda: JULY 5, 1989

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

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", 1988 edition prior to occupancy.

REVIEWER: Capt. Kelly 6-22-89 Noted and Approved
Planning Group Fire Prevention Bureau
Special Inspection Division

JK/kek

Baltimore County
Department of Public Works
Bureau of Traffic Engineering
Courts Building, Suite 405
Towson, Maryland 21204
(301) 887-5554

Mr. J. Robert Haines
Zoning Commissioner
County Office Building
Towson, MD 21204

Dear Mr. Haines:

The Bureau of Traffic Engineering has no comments for items number 523, 541, 560, 561, 562, 563, 564, 566, 567, 568, 571, and 572.

Very truly yours,

Michael S. Flanigan
Traffic Engineer Associate II

MSF/lab

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Al Wirth - SWM
Bob Bowling - Dev. Eng. (3)
Frank Fisher - Current Planning
Rahim Famili - Traffic Engineering
Rocky Powell - DEPRM
Larry Pilson - DEPRM
Dave Flowers - DEPRM
Carl Richards - Zoning
Capt. Kelly - Fire Department
Pat Kincer - Rec. & Parks
Chuck Weiss - Sanitation
Larry Brocato - SHA

FROM: Susan Wimbley
Bureau of Public Services

SUBJECT: Middle River Retail & Manufacturing Complex
District 15C
Bafitis & Associates, Inc.
391-2336

DATE: May 21, 1990
COMMENTS FOR
REVISED PLAN
6/26/90

RECEIVED
MAY 22 1990

ZONING OFFICE

5/23/90 John L
ucr

The subject property was granted a waiver of CRG meeting by the Office of Planning & Zoning. However, CRG approval signatures must be obtained.

Please review the attached plan for concurrence with current development regulations and give us your approval or comments by June 7, 1990. Nonresponsiveness by the aforementioned date is considered to be concurrence by your office of the plan.

(SEE ATTACHED FOR COMMENTS)

SWM
Attachment
cc: File

MICROFILMED

MIDDLE RIVER RETAIL & MANUFACTURING COMPLEX
#90-190
PAGE 2

Parking: Show and label the limits of the off-street parking as shown on the previously approved C.R.G. Waiver Plan (W-85-72). These areas may continue as approved; however, new parking areas must comply with the current S.409 of the B.C.Z.R. This means that 10 ft. off-street parking setbacks from street right-of-way must be shown and dimensioned; parking noted to be permanently striped and paving durable, dustless surface, etc...

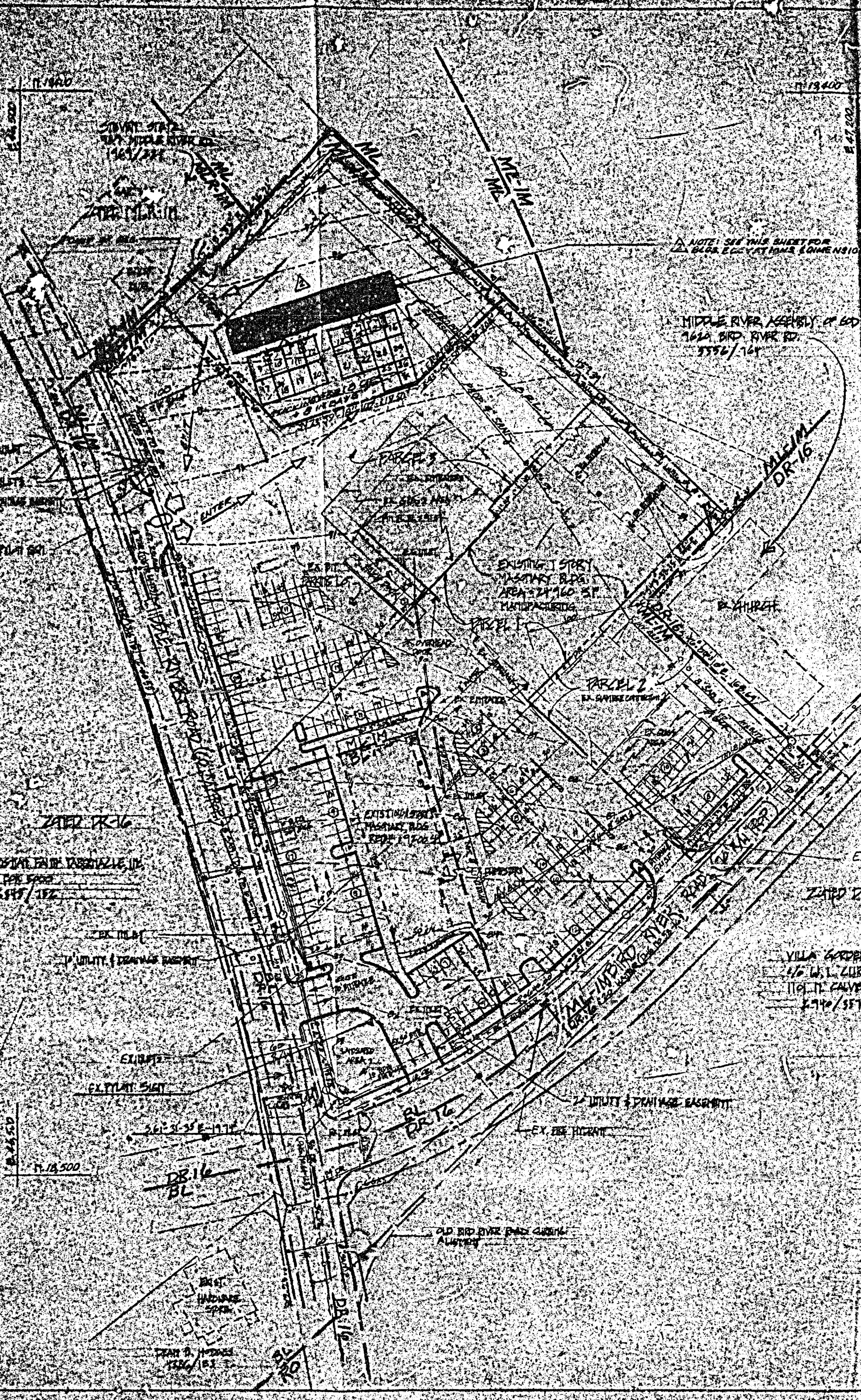
As previously noted per Zoning Policy BM-27 and S.102.2, all applicable setbacks must be met or variances. Show, label and dimension the 100 ft. use, setback and height restriction line as required per S.253.4, 254 and 255.2 and show compliance with each section on the plan.

Variance hearings required for plan approval include, but are not necessarily limited to, the following: For less than the required setbacks from the car wash lease lines for both the car wash and the proposed manufacturing building on lot #3 (see S.102.2, S.238, BM-27). The 50 ft. rear setbacks for the car wash do not appear to be necessary (see S.255.1 and 255.2). If possible, the car wash building could be moved so a variance would not be necessary. A red-lined site plan and cover letter requesting the revised plan approval without a new hearing should be sent to the Zoning Commissioner and the response documented on the plan. For less than the required setbacks for the new property line setback of parcel #1 to the existing one-story masonry building. For any off-street parking within 10 ft. of the street right-of-way, which was not approved by C.R.G. Waiver (W-85-72) or any other S.409 non-compliance.

Note on the plan, minimum 1/4" bold letters: "WAREHOUSE AND OFFICE AREAS AS SHOWN ON THIS PLAN CANNOT BE INCREASED OR DECREASED WITHOUT FURTHER ZONING APPROVALS AND ANY CHANGES IN USE, EVEN THOUGH PERMITTED BY SECTION 253.1 (B.C.Z.R.) MUST BE APPROVED BY THE ZONING OFFICE. ANY FUTURE USES ESTABLISHED ON THIS PLAN WILL COMPLY WITH ALL APPLICABLE PROVISIONS OF THE BALTIMORE COUNTY ZONING REGULATIONS, INCLUDING BUT NOT LIMITED TO SECTIONS 253, 254, 255, 409, 413, AND THE ZONING POLICY MANUAL."

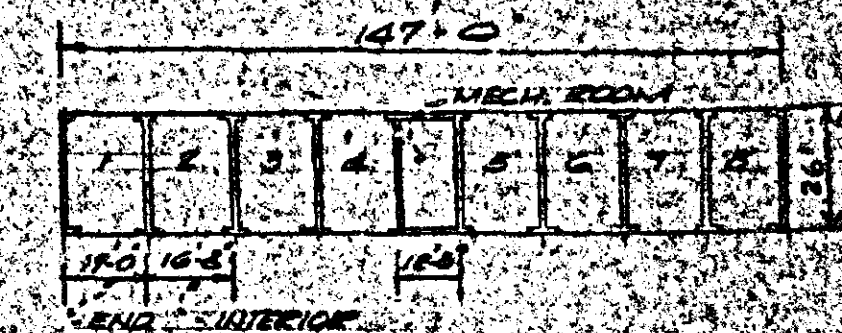
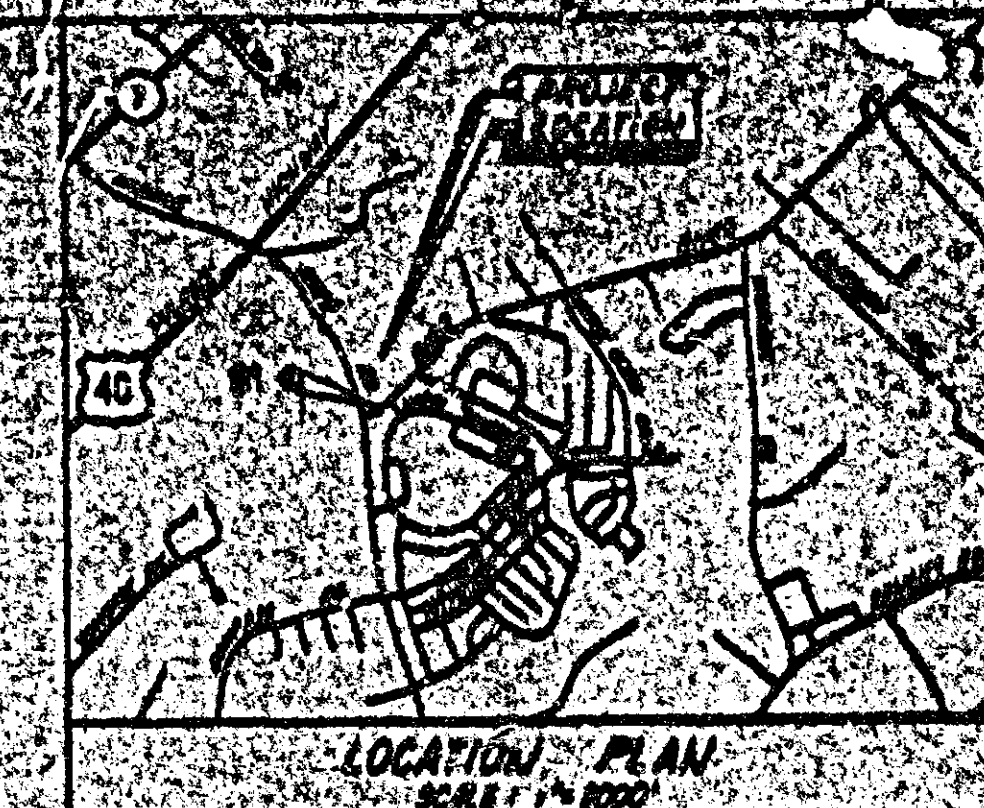
Enlarge the vicinity map to 1"=1,000' or greater.

MICROFILMED

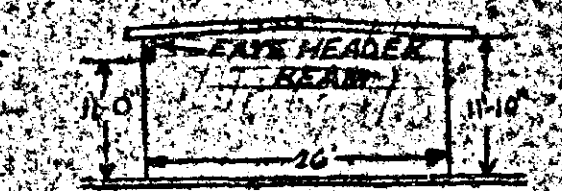


GENERAL NOTES

1. APPLICANT: THE MIDDLE RIVER PARISHSHIP OWNERS (INDUSTRIAL BUILDING)
2. ELEVATION DISTRICT: 15
3. COUNCILMAN: DISTRICT 15
4. CRUISE: DISTRICT 15
5. MATERIALS: 2.5% SLOPE
6. THE BUILDING IS TO BE CONSTRUCTED ON THE 15% SLOPE
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15. THE BUILDING IS TO BE CONSTRUCTED ON THE 15% SLOPE



PLAN A
NO SCALE



STANDARD BAY A
NO SCALE

AREA: 5,797 AC. (NET)	6,662 AC. (GROSS)
FLOOR AREA: MANUFACTURING: EXISTING: 24,760 S.F.	EXISTING: 2,003 S.F.
RETAIL: EXISTING: 2,003 S.F.	PROPOSED: 3,822 S.F.
CAR WASH: EXISTING: 2,003 S.F.	PROPOSED: 3,822 S.F.
PARKING REQUIREMENTS:	
REQUIRED:	
MANUFACTURING: 144 EMPLOYEES (LARGEST UNIT) 144 SP.	
LOADING SPACE: 24,760 S.F. 50,000	
COMMERCIAL:	
RETAIL: 2,003 S.F. 10,000 S.F.	10,000
CARWASH: 2,003 S.F. 10,000 S.F.	10,000
MANUAL CAR WASH: 2 CARS/BAY (10)	20 SP.
TOTAL CAR SPACES REQUIRED:	216 SP.
TOTAL LOADING SPACES REQUIRED:	5,158
PROVIDED:	
MANUFACTURING:	144 SP.
LOADING SPACE:	5,158
COMMERCIAL:	
RETAIL:	10,000
CARWASH:	10,000
TOTAL CAR SPACES PROVIDED:	216 SP.
TOTAL LOADING SPACES PROVIDED:	5,158
HANDICAP REQUIRED: 144 SP. 5,158 S.F.	
PROVIDED: 144 SP. 5,158 S.F.	
TOTAL REQUIRED: 10,000	
PROVIDED: 144 SP. 5,158 S.F.	
TOTAL: 144 SP. 5,158 S.F.	

PETITIONER'S EXHIBIT 1

PLAN FOR SPECIAL EXCEPTION FOR CARWASH IN ML-1M-ZONE

MIDDLE RIVER RETAIL AND MANUFACTURING COMPLEX

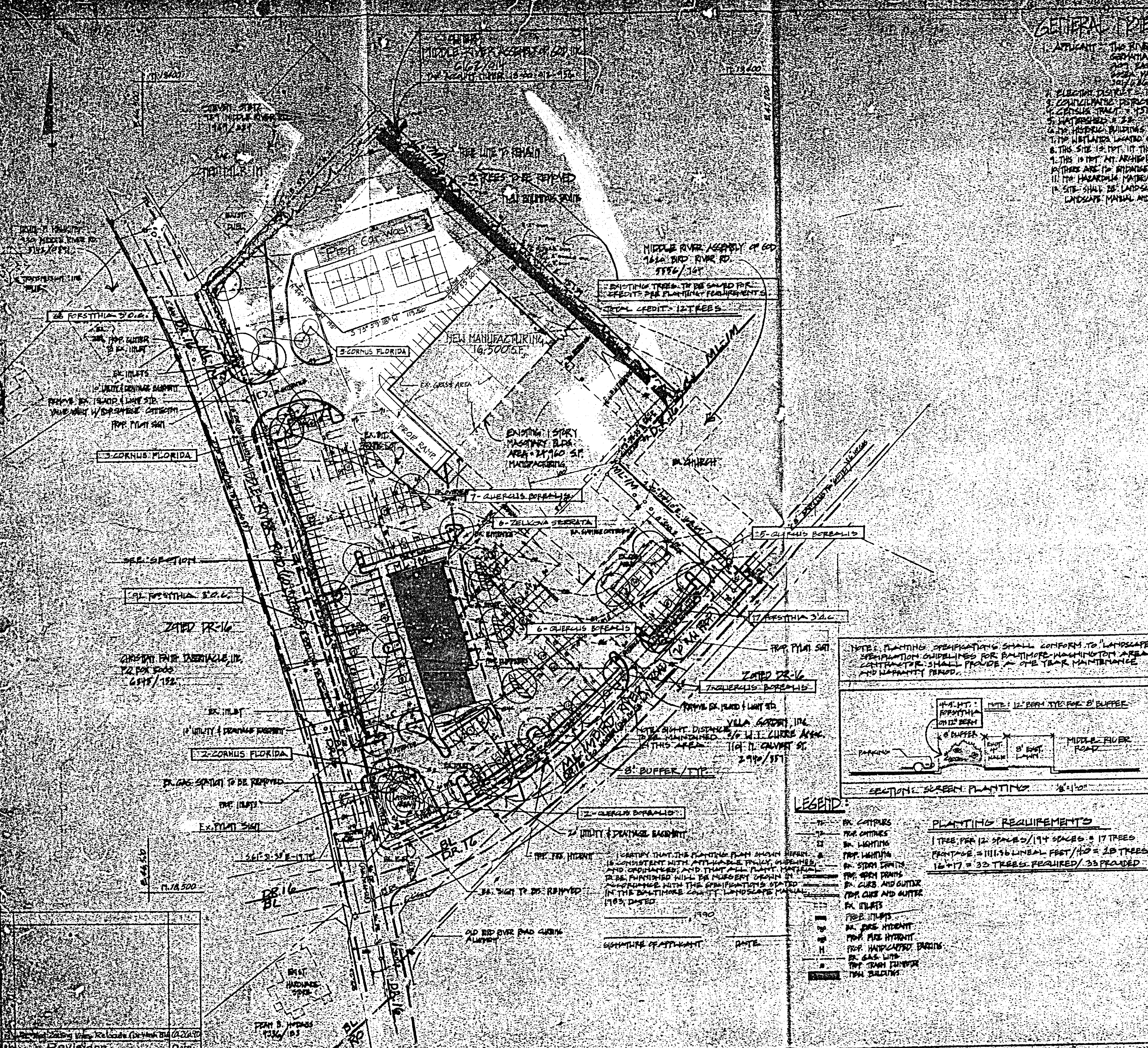
PARISH AND ASSOCIATES
1417 ENGINEERING ROAD
BALTIMORE, MARYLAND 2122
PH 371-2326



DATE: MAY 14, 1985
SPR: 4/10/85
REV: 6/1/85

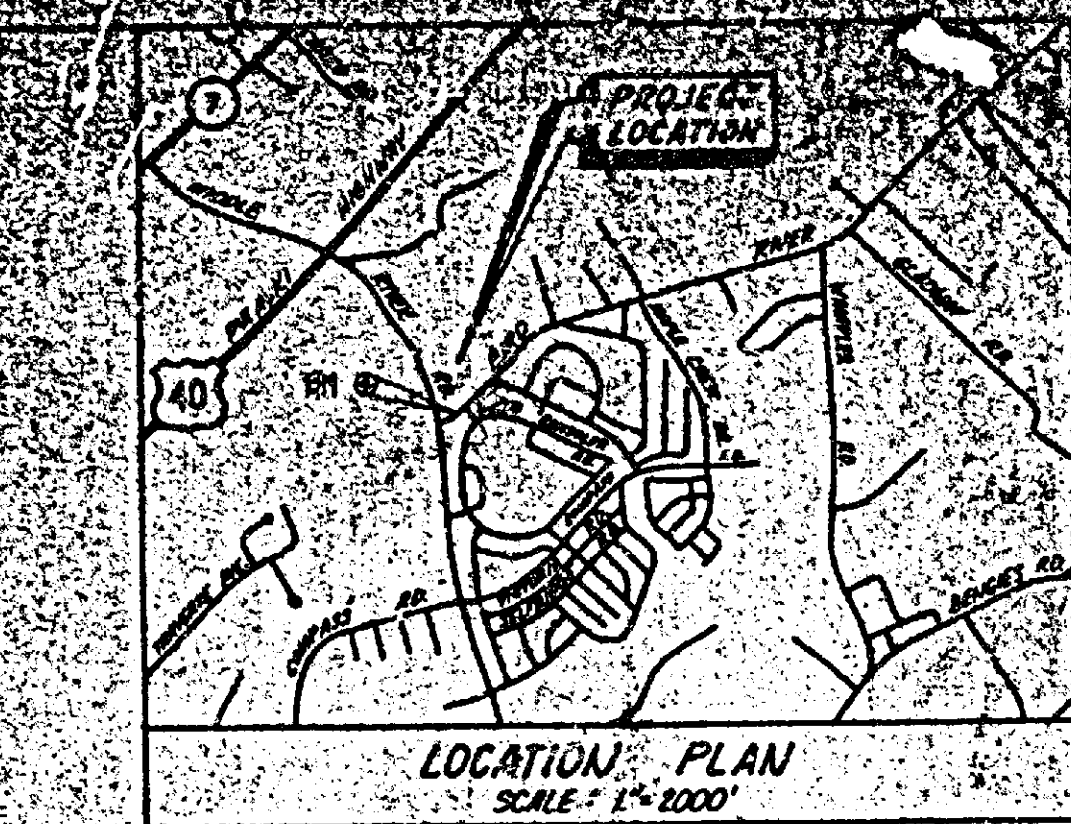
- LEGEND:
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REMARKS:
1. PROPOSED CAR WASH, PARKING FOR ZONING LINES



GENERAL NOTES

1. APPLICANT: THE RIVER PARTNERSHIP, 2001 EASTERN BLVD., BALTIMORE, MARYLAND 21221
2. PROJECT: 15.00 AC.
3. COUNTY: BALTIMORE COUNTY
4. TRACT: 15.00 AC.
5. MAPSHEET: 15.00 AC.
6. THIS SITE IS NOT IN THE CRITICAL AREAS
7. THERE ARE NO ENDANGERED SPECIES HABITAT
8. THIS SITE IS NOT IN THE CRITICAL AREAS
9. SITE SHALL BE LANDSCAPED IN ACCORDANCE WITH THE LANDSCAPE MANUAL AND APPROVED BY PLANTING AND SITING



LOCATION PLAN
SCALE: 1" = 1000'

AREA: 5.191 AC. ± (GROSS & NET)

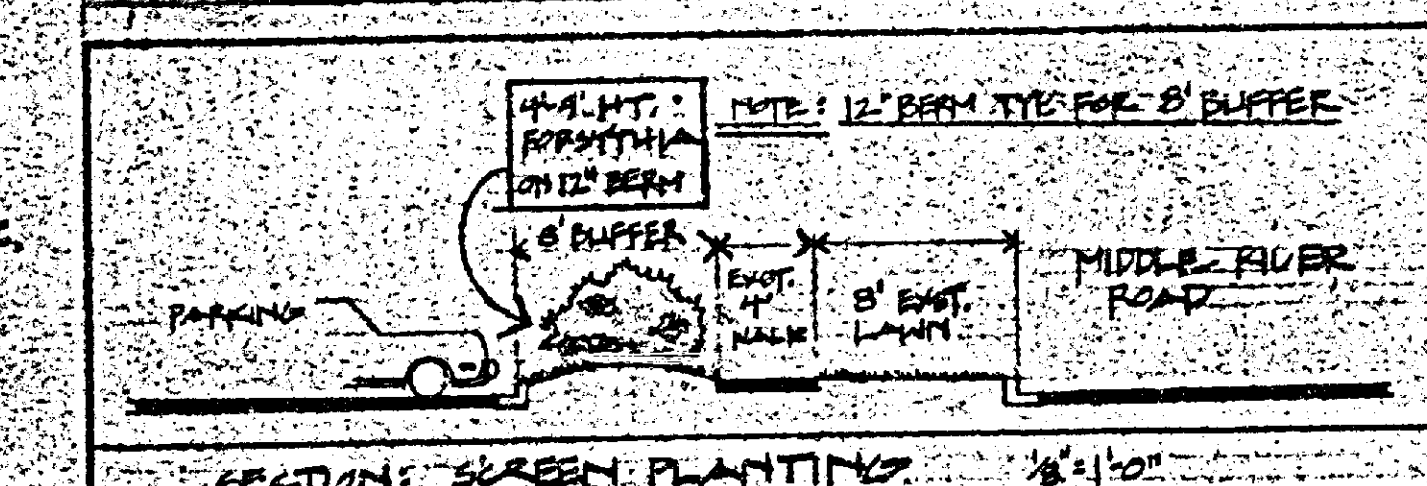
PLANTING PLAN

FEE/SMITH, INC.
LANDSCAPE ARCHITECTS/HAND PLANNERS
282 COLLETSVILLE ROAD
HUNT VALLEY, MD. 21030
DATE 1/20/90 1"=50'

PLANT SCHEDULE

QTY	BOTANICAL NAME	COMMON NAME	REMARKS
27	QUERCUS BOREALIS	N. RED OAK	2" x 25' CAL. B+B
16	QUERCUS BOREALIS	N. RED OAK	2" x 25' CAL. B+B
175	QUERCUS BOREALIS	N. RED OAK	4" x 5' HT. B+B, 3" G.C.

NOTES: PLANTING SPECIFICATIONS SHALL CONFORM TO "LANDSCAPE SPECIFICATION GUIDELINES FOR BALTIMORE-WASHINGTON AREA". CONTRACTOR SHALL PROVIDE A ONE YEAR MAINTENANCE AND WARRANTY PERIOD.



LEGEND

- 1. EX. CATTAINS
- 2. EX. CATTAINS
- 3. EX. LIGHTING
- 4. EX. LIGHTING
- 5. EX. STORM DRAINS
- 6. EX. STORM DRAINS
- 7. EX. CURB AND GUTTER
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- 100. EX. CURB AND GUTTER

PLANTING REQUIREMENTS
1 TREE PER 12 SPACES / 14 SPACES = 17 TREES
FRONTAGE = 1111.36 LINEAL FEET / 40 = 28 TREES LESS CREDIT 16
16 + 17 = 33 TREES REQUIRED / 33 PROVIDED

PRELIMINARY DEVELOPMENT PLAN MIDDLE RIVER RETAIL AND MANUFACTURING COMPLEX

BLAPIS AND ASSOCIATES -
3802 DUNHAYN ROAD
BALTIMORE, MARYLAND 21222
SM 1-888-5512

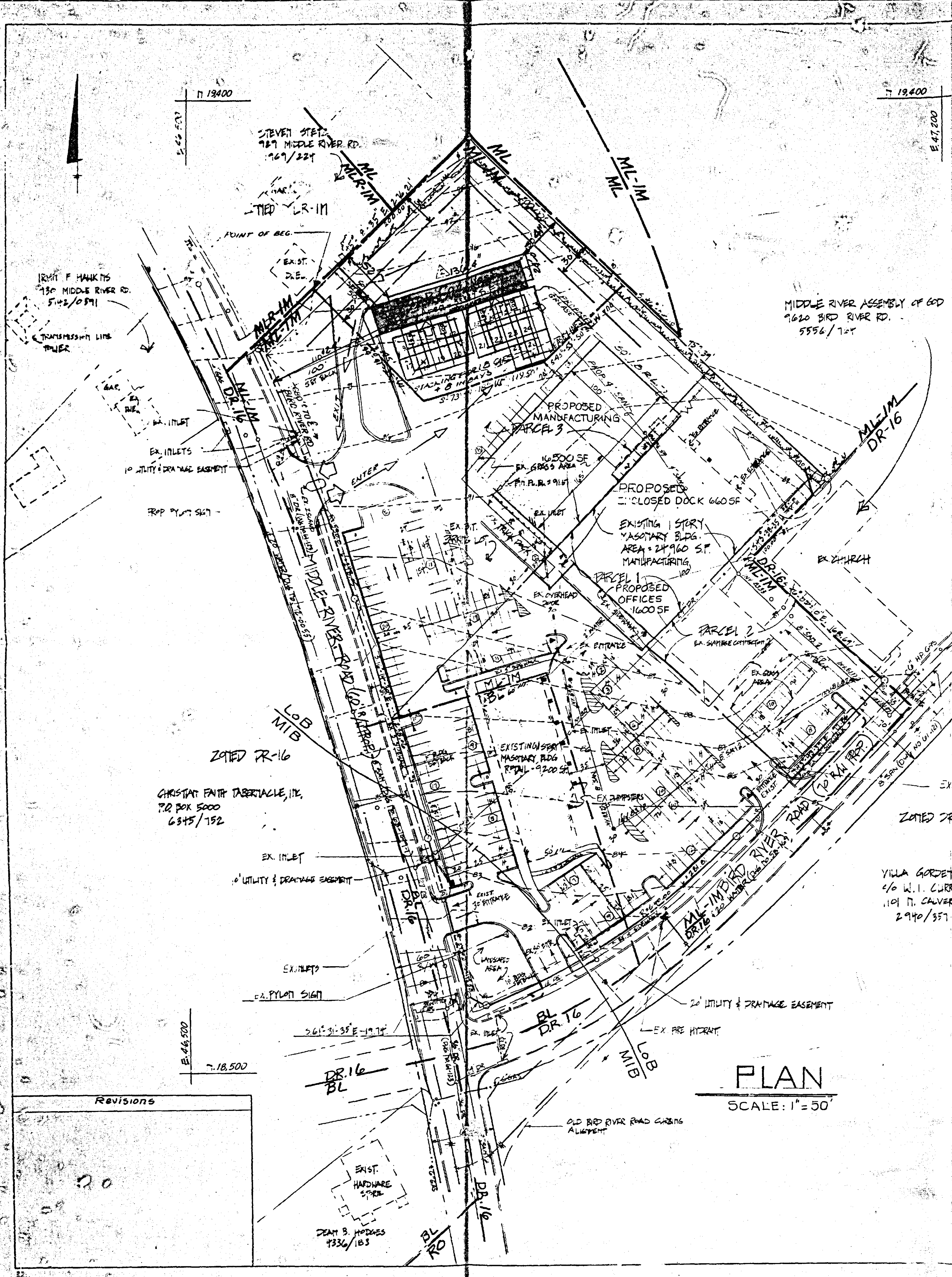


DATE: MAY 16, 1985
Revised: 6/26/90

2

Sheet 2 of 2

Revisions	Date



SECTION FOR SPECIAL EXCEPTION
 EXISTING: 14 Middle River Road
 480' N. Middle River Road
 15th Election District
 1st Councilmanic District
 The River Roads Partnership
 2121, Petitioner
 CASE NO. 90-102-X

SECTION FOR SPECIAL EXCEPTION
 EXISTING: 14 Middle River Road
 480' N. Middle River Road
 15th Election District
 1st Councilmanic District
 The River Roads Partnership
 2121, Petitioner
 CASE NO. 90-102-X

SECTION FOR SPECIAL EXCEPTION
 EXISTING: 14 Middle River Road
 480' N. Middle River Road
 15th Election District
 1st Councilmanic District
 The River Roads Partnership
 2121, Petitioner
 CASE NO. 90-102-X

SECTION FOR SPECIAL EXCEPTION
 EXISTING: 14 Middle River Road
 480' N. Middle River Road
 15th Election District
 1st Councilmanic District
 The River Roads Partnership
 2121, Petitioner
 CASE NO. 90-102-X

GENERAL NOTES:

1. APPLICANT: TWO RIVER PARTNERSHIP
 OWNER: IRVINGTON FEDERAL BUILDING
 801 EASTERN BLVD.
 ESSEX, MARYLAND 21221
 301/686-8234
2. ELECTION DISTRICT = 1512
3. COUNCILMANIC DISTRICT = 512
4. CENSUS TRACT = 4511.01
5. WATERSHED = 22, SUBWATERSHED = 1
6. NO HISTORIC BUILDINGS ON THIS SITE
7. NO WETLANDS LOCATED ON THIS SITE
8. THIS SITE IS NOT IN THE CRITICAL AREAS
9. THIS IS NOT AN ARCHEOLOGICAL SITE
10. THERE ARE NO ENDANGERED SPECIES HABITAT
11. NO HAZARDOUS MATERIALS ON THIS SITE
12. SITE SHALL BE LANDSCAPED (LANDSCAPE N/2440 CO. (SEE #16))
13. TAX ACCOUNT NOS.: 15-06-451840 (0.5534 AC. PARCEL 2) @ BM. X9295 ELEV. = 87.365 BALTIMORE COUNTY DATUM
 15-20-800510 (2.5905 AC. PARCEL 1) 1/6" INCH BAR S.E. SIDE BIRD RIVER RD. 550'S TO E.P.
 15-06-451850 (2.6528 AC. PARCEL 3)
14. CAR WASH LEASE AREA = 0.011 AC.
15. DEED REF.: 7126/726
16. For location And Quantity Of Proposed Planting, See Sheet #2

LOCATION PLAN
 SCALE: 1" = 200'

AREA: 5.797 AC. ± (NET) = 252,517.32 S.F.
6.662 AC. ± (GROSS) = 290,196.7 S.F.

FLOOR AREA: MANUFACTURING: EXISTING = 24,960 S.F. ±
RETAIL: EXISTING = 9,200 S.F. ±
CAR WASH: PROPOSED = 3,355 S.F. ±

PARKING REQUIREMENTS:

REQUIRED:
 ① MANUFACTURING: 144 EMPLOYEES (LARGEST SHIFT) = 144 SP.
 ② COMMERCIAL:
 RETAIL = 9200 x 5/1000 S.F. = 46 SP.
 CARWASH = STACKING STORAGE = 18 SP.
 MANUAL CAR WASH = (2 CARS/BAY x 10) = 8 SP.
 PROPOSED MANUFACTURING = 0 SP.
 PROPOSED OFFICE (1600 S.F.) 33/1000 = 16 x 3.3 = 5.28 Say 6 SP.
TOTAL PARKING SP. REQUIRED = 222 SP.
TOTAL LOADING SP. REQUIRED = 2 SP.

TOTAL SPACES PROVIDED = 222 SP.
TOTAL LOADING SPACES PROVIDED = 2 SP.

Handicapped Parking Required = 7 SP.
 Handicapped Parking Provided = 12 SP.

Floor Area Ratio = Allowed = 2.0
 Proposed = $\frac{37,495}{290,196.7} = 0.12$

* IT IS ANTICIPATED THAT ADDITIONAL PROPOSED MANUFACTURING AREA WILL NOT GENERATE AN INCREASE IN THE NUMBER OF EMPLOYEES (LARGEST SHIFT)

PREVIOUSLY GRANTED WAIVER (W.85-72)

ADT (Average Daily Trips)
 - Manufacturing - 3.9 P.S./1000
 $= \frac{24,960}{1000} \times 3.9 = 97.44$
 - Retail - 118 P.S./1000
 $= \frac{9,200}{1000} \times 118 = 1,085.6$
 * Car wash - Estimate 8 Trips/Bay/Hr.
 $= 8 \times 8 \times 24 = 1,536$
2,719.0 Trips
 * See Zoning Order Dated 10-19-89
 Case # 90-102-X

SITE PLAN REVISION (MARCH, 1990)

1. REDUCED PROPOSED MANUFACTURING BUILDING EXPANSION SIZE.
2. ADDED CAR WASH
3. REVISED PARKING LAYOUT, & TABULATIONS.
4. ADDED LANDSCAPE AREAS.
5. UPDATED ZONING LINES.
6. ADDED CAR WASH SECTIONS.
7. INCREASED HANDICAPPED PARKING PROVIDED.
8. ADDED LEASE LINES.

Soil Type Data

Type	Area (AC.)	Bldg. 3 Stories Or less (No Basement)	Street & Parking Areas	Soil Group
LoB	5.520	Sever	Sever	D
MIB	0.278	Slight	Moderate	C

LoB - Lenoir Urban Land Complex, 0-5% Slopes
 MIB - Mattapex Silt loam, 2-6% Slopes

C.R.G. PLAN
 REVISIONS TO
MIDDLE RIVER RETAIL STORES & MANUFACTURING COMPLEX
 15th ELECTION DISTRICT
 SCALE: 1" = 50'

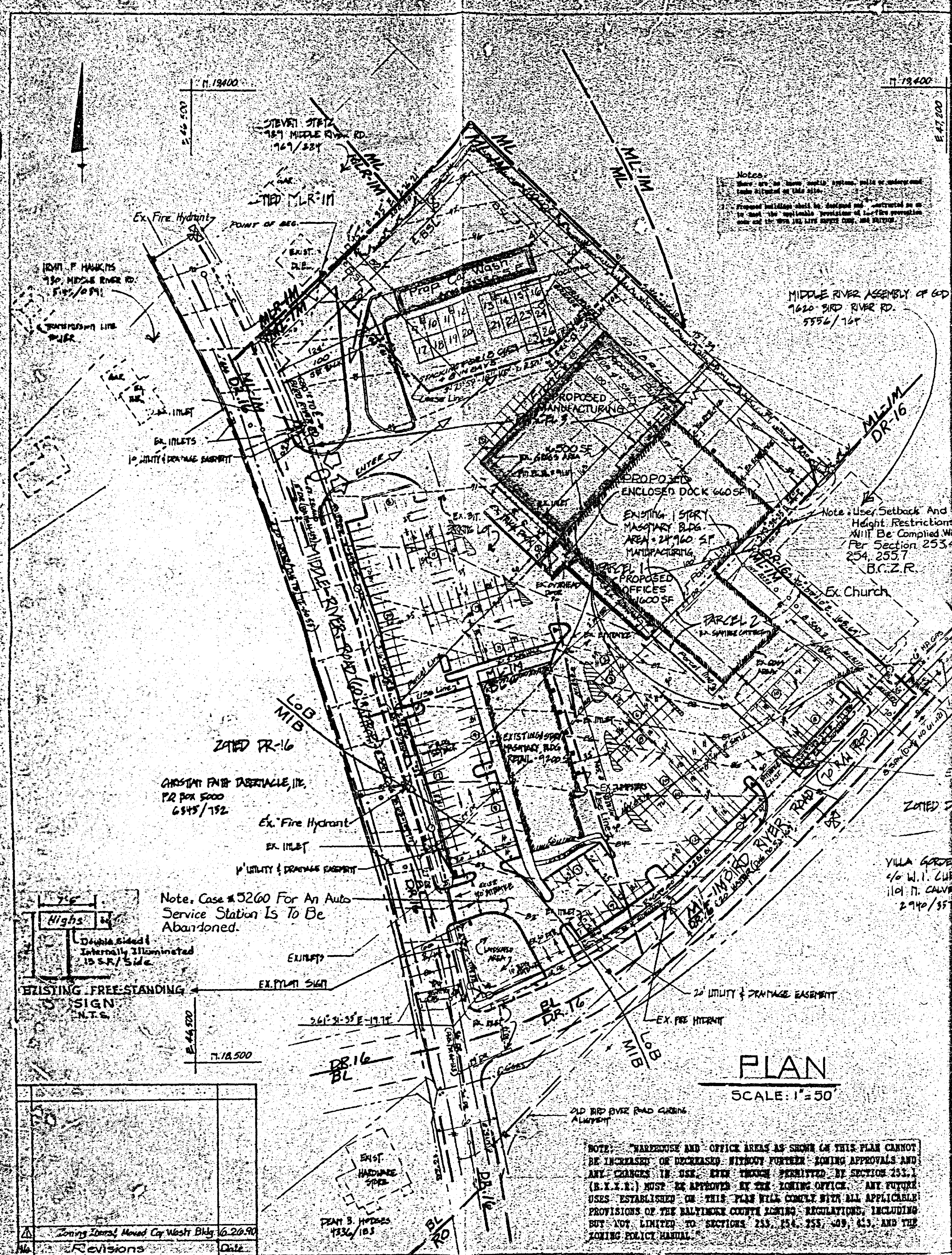
6/27/90

BAPIS AND ASSOCIATES
 1241 EMBLETT ROAD
 BALTIMORE, MARYLAND 2122
 301/971-2336

1

Sheet 1 of 2

PN 89-012



NOTES:

1. There are no "no-build" areas, poles or underground lines shown on this site.

2. Proposed buildings shall be designed and constructed in accordance with the applicable provisions of the Baltimore County Zoning Regulations, including but not limited to Sections 233, 234, 235, 409, 413, and the Zoning Police Manual.

LEGEND:

- EX. CONTAINERS
- PRO. CONTAINERS
- EX. LIGHTING
- PRO. LIGHTING
- EX. SIDEWALKS
- PRO. SIDEWALKS
- EX. CURB AND GUTTER
- PRO. CURB AND GUTTER
- EX. UTILITY'S
- PRO. UTILITY'S
- EX. FIRE HYDRANT
- PRO. FIRE HYDRANT
- EX. GAS VALVE
- PRO. GAS VALVE
- EX. TRASH DUMPSTER
- PRO. TRASH DUMPSTER
- EX. BUILDING
- PRO. BUILDING

GENERAL NOTES:

1. The Petitioner desires to place the car wash on a tract containing approximately 6.6 acres gross. The property now contains a strip commercial strip, center in a portion of the tract, and a manufacturing facility in the M-16 zone. The proposed car wash, as indicated by Petitioner's Exhibit 1, will be located on the northern corner of the property and would have a floor area of approximately 7,000 square feet. Testimony indicated that the site already is testimony from Mr. Batis as well as from Mr. Hannegan indicate that the requirements of Section 413 can be met.

2. The car wash would be a self-service car wash enabling trucks and other commercial and manufacturing vehicles to be washed by hand as opposed to the automated car washes. The car wash is not to be subdivided from the balance of the property, and the building is situated so as to accommodate larger vehicles, which have larger turning radii. It is estimated that the site at maximum capacity will accommodate 1 vehicle per half hour, which appears to be reasonable given the nature of the car wash involved. Stacking area is provided to accommodate this flow.

3. Testimony was also put into evidence pertaining to the requirements of Section 502.1.

4. In review of the application, the exhibits presented, and the testimony, it is clear that the location of this use on this site will meet the requirements of Section 413, and will serve the adjacent manufacturing properties as is required by Section 233.2b. The special exception criteria in Section 502.1 having been met the special exception should be granted.

5. THEREFORE, IT IS ORDERED, by the Zoning Commissioner for Baltimore County this 10th day of October, 1989, that the Petition for Special Exception for a car wash in a M-16 zone by and the name IS HEREBY GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted herein:

1) Petitioner shall comply with all Baltimore County development regulations or estate matters of zone.

Robert Hannegan
Zoning Commissioner

LEGEND:

- EX. CONTAINERS
- PRO. CONTAINERS
- EX. LIGHTING
- PRO. LIGHTING
- EX. SIDEWALKS
- PRO. SIDEWALKS
- EX. CURB AND GUTTER
- PRO. CURB AND GUTTER
- EX. UTILITY'S
- PRO. UTILITY'S
- EX. FIRE HYDRANT
- PRO. FIRE HYDRANT
- EX. GAS VALVE
- PRO. GAS VALVE
- EX. TRASH DUMPSTER
- PRO. TRASH DUMPSTER
- EX. BUILDING
- PRO. BUILDING



LOCATION PLAN
SCALE: 1" = 1000'

PREVIOUSLY GRANTED WAIVER (W.85-72)

REVISED PLAN ACCEPTED FOR CRG APPROVAL
SEE LETTERS TO A. R. MADRA AND CLAY HINCKLEY FROM J.B.D. DATED 7/1/90

C.R.G. PLAN
@
MIDDLE RIVER RETAIL STORES & MANUFACTURING COMPLEX
BALTIMORE COUNTY, MD.
DATE: MARCH 1, 1990

SCALE: 1" = 50'

BARITIS AND ASSOCIATES
1247 ENGINEERING ROAD
BALTIMORE, MARYLAND 2122
301/391-2330

MICROFILMED

1
Sheet 1 of 2
PN 89-012