

MEMORANDUM

DATE: June 16, 2015
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2015-0211-SPH – Appeal Period Expired

The appeal period for the above-referenced case expired on June 15, 2015. There being no appeal filed, the subject file is ready for return to the Zoning Review Office and is placed in the 'pick up box.'

c: ✓ Case File
Office of Administrative Hearings

IN RE: PETITION FOR SPECIAL HEARING	*	BEFORE THE
(8602 Old Harford Road)		
9 th Election District	*	OFFICE OF
6 th Councilmanic District		
Edward L. & Linda M. Gittings	*	ADMINISTRATIVE HEARINGS
<i>Legal Owners</i>		
Carroll Independent Fuel, LLC	*	FOR BALTIMORE COUNTY
<i>Lessee</i>		
Petitioners	*	Case No. 2015-0211-SPH

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (OAH) for consideration of a Petition for Special Hearing filed on behalf of Edward L. & Linda M. Gittings, legal owners, and Carroll Independent Fuel, LLC, lessee ("Petitioners"). The Special Hearing was filed pursuant to §500.7 of the Baltimore County Zoning Regulations ("B.C.Z.R.") to approve a modification to the previously approved site plan in Zoning Case No. 93-134-SPHX.

Appearing at the public hearing in support of the requests was C. Howard Phelps, Jr., and professional engineer Wayne Newton. Dino C. La Fiandra, Esq., represented the Petitioners. There were no Protestants in attendance. The Petition was advertised and posted as required by the Baltimore County Zoning Regulations. Substantive Zoning Advisory Committee (ZAC) comments were received from the Department of Planning and the Bureau of Development Plans Review. Neither agency opposed the petition but noted that a landscape plan would be required. The Order below includes such a condition.

The subject property is approximately 26,588 square feet and is zoned BL-AS. Petitioners have for many years operated a fuel service station service, garage and car wash on the property, pursuant to prior zoning approvals. At present, Petitioners propose to convert the service garage to a small convenience store (i.e., 1,288 square feet).

ORDER RECEIVED FOR FILING

Date 5/14/15
By sen

The use proposed is permitted by right in the zone (B.C.Z.R. §405.4.D.2), and is arguably within the scope of the 1992 special exception (Case No. 93-134-SPHX, admitted as Ex. 3) granted for the property. The amended site plan and preliminary floor plan (which was offered for illustrative purposes; modifications to the floor plan will not require further zoning approval, whether by Order or by "spirit and intent" letter) (Petitioners' Exhibit Nos. 1& 5, respectively) reflect the convenience store will be modest and appropriate for the site. As such, the petition will be granted.

THEREFORE, IT IS ORDERED this 14th day of May, 2015, by this Administrative Law Judge, that the Petition for Special Hearing pursuant to § 500.7 of the Baltimore County Zoning Regulations ("B.C.Z.R") to approve a modification (i.e., the operation of a 1,288 square feet convenience store, which will replace and be constructed within the same footprint as the existing service garage) to the previously approved site plan in Zoning Case No. 93-134-SPHX, be and is hereby GRANTED.

The relief granted herein shall be subject to the following:

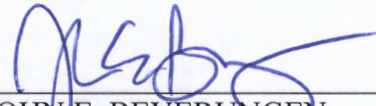
- Petitioners may apply for appropriate permits and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, Petitioners would be required to return, and be responsible for returning, said property to its original condition.
- Petitioners must submit for approval by the County's landscape architect a landscape plan for the site.

ORDER RECEIVED FOR FILING

Date 5/14/15

2 By den

Any appeal of this decision must be made within thirty (30) days of the date of this Order.



JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

JEB/sln

ORDER RECEIVED FOR FILING

Date 5/14/15

By sln



KEVIN KAMENETZ
County Executive

LAWRENCE M. STAHL
Managing Administrative Law Judge
JOHN E. BEVERUNGEN
Administrative Law Judge

May 14, 2015

Dino La Fiandra, Esquire
Pressin Katz Law, P.A.
901 Dulaney Valley Road, Suite 400
Towson, Maryland 21204

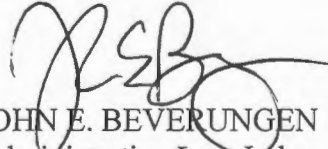
RE: Petition for Special Hearing
Property: 8602 Old Harford Road
Case No.: 2015-0211-SPH

Dear Mr. La Fiandra:

Enclosed please find a copy of the decision rendered in the above-captioned matter.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the Baltimore County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Baltimore County Office of Administrative Hearings at 410-887-3868.

Sincerely,


JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

JEB:slh
Enclosure



PETITION FOR ZONING HEARING(S)

To be filed with the Department of Permits, Approvals and Inspections

To the Office of Administrative Law of Baltimore County for the property located at:

Address 8602 Old Harford Road, Parkville, MD 21234 which is presently zoned BL-AS
Deed References: 6859/725 10 Digit Tax Account # 0919850852 & 1600001152
Property Owner(s) Printed Name(s) Edward L. Gittings, Jr. & Linda M. Gittings

(SELECT THE HEARING(S) BY MARKING X AT THE APPROPRIATE SELECTION AND PRINT OR TYPE THE PETITION REQUEST)

The undersigned legal owner(s) of the property situate in Baltimore County and which is described in the description and plan attached hereto and made a part hereof, hereby petition for:

1. X a **Special Hearing** under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve
a modification to the previously approved plans in Zoning Case 93-134-SPHX.
2. a **Special Exception** under the Zoning Regulations of Baltimore County to use the herein described property for
3. a **Variance** from Section(s)

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the following reasons:
(Indicate below your hardship or practical difficulty or indicate below "TO BE PRESENTED AT HEARING". If you need additional space, you may add an attachment to this petition)

Property is to be posted and advertised as prescribed by the zoning regulations.

I, or we, agree to pay expenses of above petition(s), advertising, posting, etc. and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

Legal Owner(s) Affirmation: I / we do so 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 / these Petition(s).

Contract Purchaser/Lessee:

Carroll Independent Fuel, LLC

Name- Type or Print

SOE N. Bay

Signature

2700 Loch Raven Boulevard Baltimore MD

Mailing Address City State

21218 / /
Zip Code Telephone # Email Address

Attorney for Petitioner:

Dino C. La Fiandra, Esquire

Name- Type or Print

Dino C. La Fiandra

Signature

901 Dulaney Valley Road Towson MD

Mailing Address City State

21204 / (410) 938-8800 / dlafiandra@pklaw.com
Zip Code Telephone # Email Address

Legal Owners (Petitioners):

Edward L. Gittings, Jr.

Linda M. Gittings

Name #1 - Type or Print

Name #2 - Type or Print

Edward L. Gittings, Jr.

Linda M. Gittings

Signature #1

Signature #2

1607 Cynthia Court Jarrettsville MD

Mailing Address City State

21084 / /
Zip Code Telephone # Email Address

Representative to be contacted:

Dino C. La Fiandra, Esquire

Name - Type or Print

Dino C. La Fiandra

Signature

901 Dulaney Valley Road Towson MD

Mailing Address City State

21204 / (410) 938-8800 / dlafiandra@pklaw.com
Zip Code Telephone # Email Address

CASE NUMBER 2015-0211-SPH Filing Date 3/26/2015

ORDER RECEIVED FOR FILING

Do Not Schedule Dates:

Reviewer ma

Date 5/14/15

REV. 10/4/11

By Sen

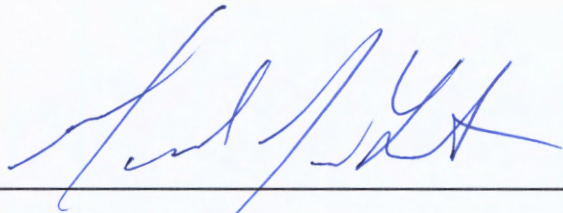
ZONING PROPERTY DESCRIPTION FOR

CARROLL FUELS, CARWASH AND CONVENIENCE STORE

@ OLD HARFORD ROAD

Beginning at a point on the west side of Old Harford Road which is 60' wide at the distance of 47.88' north of the centerline of the nearest improved intersecting street Putty Hill Avenue which is 70' wide. Thence the following courses and distances: 22.11' along the arc of a curve to the right having a radius of 15.00' and being subtended by a chord bearing and distance of S 55°49'43" W. 20.16', 86.68' along the arc of curve to the left having a radius of 435.00' and being subtended by a chord bearing and distance of N 87°40'20" W. 86.54', S 86°37'30" W. 52.50', N 03°22'10" W. 172.50', S 79°04'10" E. 199.20', S 13°36'00" W. 127.14', back to the point of beginning as recorded in Deed Liber 6859, Folio 725, containing 26,588 square feet. Located in the 9th Election District and 09-022 Council District.

This description was prepared by me or under my direct supervision.



Michael James Gates

3-23-15

Date

Maryland Registered Professional Land Surveyor #21240

My commission expires 1-18-17.



2015-0211-SPH

**DEPARTMENT OF PERMITS, APPROVALS AND INSPECTIONS
ZONING REVIEW OFFICE**

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The Baltimore County Zoning Regulations (BCZR) require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of the legal owner/petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least fifteen (15) days before the hearing.

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the legal owner/petitioner is responsible for the costs associated with these requirements. The newspaper will bill the person listed below for the advertising. This advertising is due upon receipt and should be remitted directly to the newspaper.

OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.

For Newspaper Advertising:

Case Number: 2015-0211-SPH
Property Address: 8602 Old Harford Rd
Property Description: _____
Legal Owners (Petitioners): Edward and Linda Gittings
Contract Purchaser/Lessee: Carroll Independent Fuel, LLC

PLEASE FORWARD ADVERTISING BILL TO:

Name: Dino C. LaFiandra, Esquire
Company/Firm (if applicable): Pessin Katz Law, PA
Address: 901 Dulaney Valley Road, Suite 500
Towson MD 21204
Telephone Number: 410 938 8705

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET AND FINANCE
MISCELLANEOUS CASH RECEIPT

No. **123582**

Date: **3/26/15**

Fund	Dept	Unit	Sub Unit	Rev Source/ Obj	Sub Rev/ Sub-Obj	Dept Obj	BS Acct	Amount
001	806	0000		6150				500.00

Total: **500.00**

Rec From:

ROSSIN KATZ LAW PA

For:

**CASH 11 Supplement Fund.
 8602 Old Harford Rd**

2015-0211-SPH

DISTRIBUTION

WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER GOLD - ACCOUNTING
 PLEASE PRESS HARD!!!!

PAID RECEIPT

RECEIVED BY: **ACTUAL** **FILE**
 DATE: **3/30/2015 10:29:51**
 BY: **WALKIN JENA ICE**
 CHECK # **91444** 3/30/2015
 \$ **520.00** VERIFICATION
 RECEIPT TOTAL **500.00**
 RECEIPT OK **1.00** CA
 Baltimore County, Maryland

**CASHIER'S
 VALIDATION**



501 N. Calvert St., P.O. Box 1377
Baltimore, Maryland 21278-0001
tel: 410/332-6000
800/829-8000

WE HEREBY CERTIFY, that the annexed advertisement of Order No 3214342

Sold To:

PESSIN KATZ LAW PA - CU00194898
901 Dulaney Valley Rd
Ste 400
Towson, MD 21204

Bill To:

PESSIN KATZ LAW PA - CU00194898
901 Dulaney Valley Rd
Ste 400
Towson, MD 21204

Was published in "Jeffersonian", "Bi-Weekly", a newspaper printed and published in Baltimore County on the following dates:

Apr 21, 2015

The Baltimore Sun Media Group

By *S. Wilkinson*
Legal Advertising

NOTICE OF ZONING HEARING

The Administrative Law Judge of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing in Towson, Maryland on the property identified herein as follows:

Case: # 2015-0211-SPH

9002 Old Harford Road

W/s Harford Road at SW corner of Putty Hill Avenue

9th Election District - 6th Councilmanic District

Legal Owner(s) Edward & Linda Gittings

Special Hearing: to determine whether or not the Administrative Law Judge should approve a modification to the previously approved plans in Zoning Case 93-134-SPHX.

Hearing: Tuesday, May 12, 2015 at 1:30 p.m. In Room 205, Jefferson Building, 105 West Chesapeake Avenue, Towson 21204.

ARNOLD JABLON, DIRECTOR OF PERMITS, APPROVALS AND INSPECTIONS FOR BALTIMORE COUNTY

NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Contact the Administrative Hearings Office at (410) 887-3868.

(2) For information concerning the File and/or Hearing, Contact the Zoning Review Office at (410) 887-3391.

JT 4/144 Apr. 21

3214342

CERTIFICATE OF POSTING

2015-0211-SPH

RE: Case No.: _____

Petitioner/Developer: _____

Edward & Linda Gittings

May 12, 2015

Date of Hearing/Closing: _____

Baltimore County Department of
Permits, Approvals and Inspections
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, Maryland 21204

Attn: Kristen Lewis:

Ladies and Gentlemen:

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at: _____

8602 Old Harford Rd

April 22, 2015

The sign(s) were posted on _____
(Month, Day, Year)

Sincerely,

April 22, 2015

(Signature of Sign Poster)

(Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)





KEVIN KAMENETZ
County Executive

ARNOLD JABLON
Deputy Administrative Officer
Director, Department of Permits,
Approvals & Inspections

April 8, 2015

NOTICE OF ZONING HEARING

The Administrative Law Judges of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 2015-0211-SPH

8602 Old Harford Road
W/s Harford Road at SW corner of Putty Hill Avenue
9th Election District – 6th Councilmanic District
Legal Owners: Edward & Linda Gittings

Special Hearing to determine whether or not the Administrative Law Judge should approve a modification to the previously approved plans in Zoning Case 93-134-SPHX.

Hearing: Tuesday, May 12, 2015 at 1:30 p.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

A handwritten signature in black ink, appearing to read "Arnold Jablon".

Arnold Jablon
Director

AJ:kl

C: Dino LaFiandra, 901 Dulaney Valley Road, Towson 21204
Carroll Independent Fuel, LLC, 2700 Loch Raven Blvd., Baltimore 21218
Mr. & Mrs. Gittings, 1607 Cynthia Court, Jarrettsville 21084

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY WEDNESDAY, APRIL 22, 2015.**
- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ADMINISTRATIVE HEARINGS OFFICE AT 410-887-3868.
- (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

TO: PATUXENT PUBLISHING COMPANY
Tuesday, April 21, 2015 Issue - Jeffersonian

Please forward billing to:

Dino LaFiandra
Pessin Katz Law, P.A.
901 Dulaney Valley Road, Ste. 400
Towson, MD 21204

410-938-8705

NOTICE OF ZONING HEARING

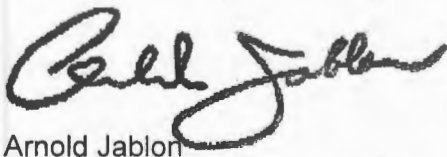
The Administrative Law Judge of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 2015-0211-SPH

8602 Old Harford Road
W/s Harford Road at SW corner of Putty Hill Avenue
9th Election District – 6th Councilmanic District
Legal Owners: Edward & Linda Gittings

Special Hearing to determine whether or not the Administrative Law Judge should approve a modification to the previously approved plans in Zoning Case 93-134-SPHX.

Hearing: Tuesday, May 12, 2015 at 1:30 p.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204



Arnold Jablon
Director of Permits, Approvals and Inspections for Baltimore County

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- (2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.



KEVIN KAMENETZ
County Executive

ARNOLD JABLON
Deputy Administrative Officer
Director, Department of Permits,
Approvals & Inspections

May 7, 2015

Edward L & Linda M Gittings
1607 Cynthia Court
Jarrettsville MD 21084

RE: Case Number: 2015-0211 SPH, Address: 8602 Old Harford Road

Dear Mr. & Ms. Gittings:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on March 26, 2015. This letter is not an approval, but only a **NOTIFICATION**.

The Zoning Advisory Committee (ZAC), which consists of representatives from several approval agencies, has reviewed the plans that were submitted with your petition. All comments submitted thus far from the members of the ZAC are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to ensure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. All comments will be placed in the permanent case file.

If you need further information or have any questions, please do not hesitate to contact the commenting agency.

Very truly yours,

A handwritten signature in black ink, reading "W. Carl Richards, Jr." in a cursive style.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: jaw

Enclosures

c: People's Counsel
Carroll Independent Fuel LLC, 2700 Loch Raven Boulevard, Baltimore MD 21218
Dino La Fiandra, Esquire, 901 Dulaney Valley Road, Towson MD 21204

Case No.: 2015-0211-SPH

Exhibit Sheet

Petitioner/Developer

Protestant

DW
6-16-15

SN
5-14-15

No. 1	Site plan (revised)	
No. 2	Site plan from 1992 zoning case	
No. 3	Case No. 93-134-SPH X	
No. 4	Bill # 172-93	
No. 5	Floor plan - C store	
No. 6		
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		

Larry Hogan, Governor
Boyd Rutherford, Lt. Governor



Pete K. Rahn, Secretary
Melinda Peters, Administrator

Date: 4/13/15

Ms. Kristen Lewis
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County
Item No. 2015-0211-SPH
Special Hearing
Edward L. & Linda M. Gittings
8602 Old Hartford Road

Dear Ms. Lewis:

Thank you for the opportunity to review your referral request on the subject of the above captioned. We have determined that the subject property does not access a State roadway and is not affected by any State Highway Administration projects. Therefore, based upon available information this office has no objection to Baltimore County Zoning Advisory Committee approval of Item No. 2015-0211-SPH.

Should you have any questions regarding this matter, please contact Mr. Richard Zeller at 410-545-5598 or 1-800-876-4742 (in Maryland only) extension 5598, or by email at (rzeller@sha.state.md.us).

Sincerely,

A handwritten signature in black ink, appearing to read 'Richard Zeller', is written over the typed name.

Steven D. Foster, Chief/
Development Manager
Access Management Division

SDF/raz

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon
Deputy Administrative Officer and
Director of Permits, Approvals and Inspections

DATE: April 22, 2015

FROM: Andrea Van Arsdale
Director, Department of Planning

SUBJECT: 8602 Old Harford Road

INFORMATION:

Item Number: 15-211

Petitioner: Edward L. Gittings, Jr. & Linda Gittings

Zoning: BL-AS

Requested Action: Special Hearing

RECEIVED

APR 27 2015

OFFICE OF ADMINISTRATIVE HEARINGS

SUMMARY OF RECOMMENDATIONS:

The Department of Planning has reviewed the Petition for Special Hearing to determine if a modification to the previously approved plans in Zoning Case # 93-134 SPHX should be approved.

Pursuant to said case # 93-134 SPHX a combined use of the property for service garage and car wash was established on the property. Applicant now seeks to replace the service garage with a 1288 sq. ft. convenience store. Upon visiting the site and review of the accompanying site plan the Department has no objection to the petitioned approval conditioned upon the following:

- A landscape plan shall be submitted to and approved by the Baltimore County Landscape Architect prior to final use and occupancy being permitted.

For further information concerning the matters stated here in, please contact Krystle Patchak at 410-887-3480.

Division Chief: Kathy Schaubert
AVA/KS/LTM

c: Krystle Patchak

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits, Approvals
And Inspections

FROM: Dennis A. Kennedy, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
For April 13, 2015
Item No. 2015-0211

DATE: April 13, 2015

The Bureau of Development Plans Review has reviewed the subject zoning item and we have the following comment.

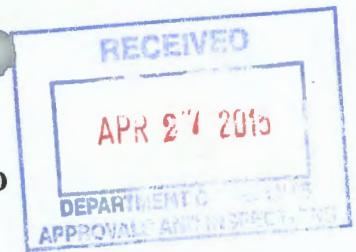
A landscape plan in compliance with Sec. M, D & K and any other appropriate condition of the Landscape Manual are required to be approved prior to any permit issuance.

* * * * *

DAK: CEN
cc:file

ZAC-ITEM NO 15-0211-04132015.doc

4/28/15
WCH



BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon
Deputy Administrative Officer and
Director of Permits, Approvals and Inspections

DATE: April 22, 2015

FROM: Andrea Van Arsdale
Director, Department of Planning

SUBJECT: 8602 Old Harford Road

INFORMATION:

Item Number: 15-211

Petitioner: Edward L. Gittings, Jr. & Linda Gittings

Zoning: BL-AS

Requested Action: Special Hearing

SUMMARY OF RECOMMENDATIONS:

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- A landscape plan shall be submitted to and approved by the Baltimore County Landscape Architect prior to final use and occupancy being permitted.

For further information concerning the matters stated here in, please contact Krystle Patchak at 410-887-3480.

Division Chief:
AVA/KS/LTM

Krystle Patchak

c: Krystle Patchak

RE: PETITION FOR SPECIAL HEARING	*	BEFORE THE OFFICE
8602 Old Harford Road; W/S Old Harford		
Road, at SW corner of Putty Hill Avenue	*	OF ADMINISTRATIVE
9 th Election & 6 th Councilmanic Districts		
Legal Owner(s): Edward & Linda Gittings	*	HEARINGS FOR
Contract Purchaser(s): Carroll Independent Fuel		
Petitioner(s)	*	BALTIMORE COUNTY
	*	2015-211-SPH

* * * * *

ENTRY OF APPEARANCE

Pursuant to Baltimore County Charter § 524.1, please enter the appearance of People's Counsel for Baltimore County as an interested party in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and the passage of any preliminary or final Order. All parties should copy People's Counsel on all correspondence sent and all documentation filed in the case.

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio

CAROLE S. DEMILIO
Deputy People's Counsel
Jefferson Building, Room 204
105 West Chesapeake Avenue
Towson, MD 21204
(410) 887-2188

RECEIVED

APR 10 2015

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 10th day of April, 2015, a copy of the foregoing Entry of Appearance was mailed to Dino LaFiandra, Esquire, Pessin, Katz Law, P.A., 901 Dulaney Valley Road, Suite 400, Towson, Maryland 21204, Attorney for Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

2015-211-SPH
CASE NAME Carroll Fuel
CASE NUMBER 211-2015-SPH
DATE 5/12/2015

[illegible]

CASE NO. 2015-0211-SPH

CHECKLIST

<u>Comment Received</u>	<u>Department</u>	<u>Support/Oppose/ Conditions/ Comments/ No Comment</u>
4/13/15	DEVELOPMENT PLANS REVIEW (if not received, date e-mail sent _____)	C
_____	DEPS (if not received, date e-mail sent _____)	_____
_____	FIRE DEPARTMENT	_____
4/22/15	PLANNING (if not received, date e-mail sent _____)	NO Obj w/ Conds.
4/13/15	STATE HIGHWAY ADMINISTRATION	no Obj
_____	TRAFFIC ENGINEERING	_____
_____	COMMUNITY ASSOCIATION	_____
_____	ADJACENT PROPERTY OWNERS	_____
ZONING VIOLATION (Case No. _____)		
PRIOR ZONING (Case No. 1993-0134-SPHX)		
NEWSPAPER ADVERTISEMENT	Date: 4/21/15	
SIGN POSTING	Date: 4/22/15	by SSG Block
PEOPLE'S COUNSEL APPEARANCE	Yes ☒ No ☐	
PEOPLE'S COUNSEL COMMENT LETTER	Yes ☐ No ☐	

Comments, if any: _____

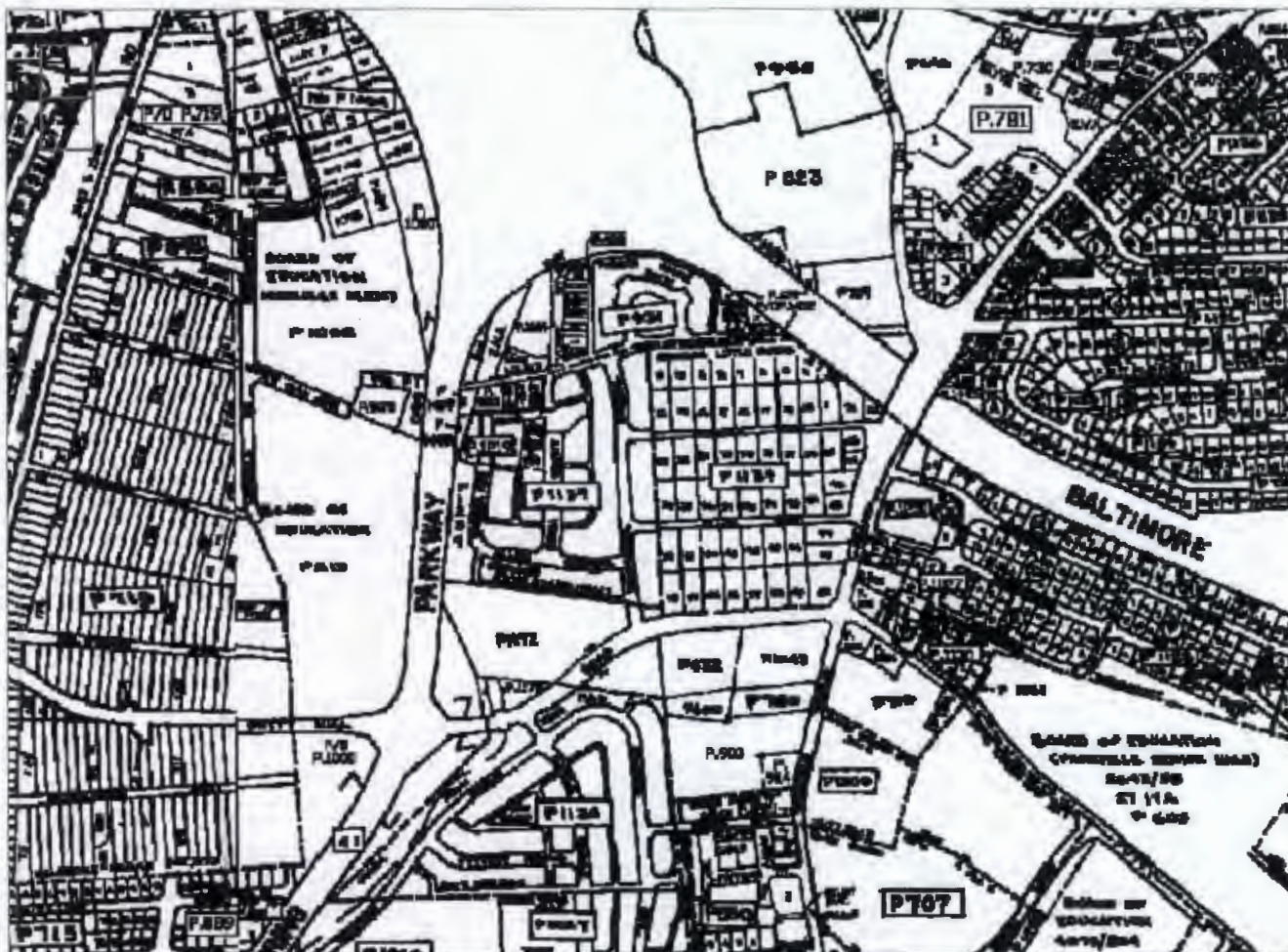
Real Property Data Search (w1)

Guide to searching the database

Search Result for BALTIMORE COUNTY

View Map		View GroundRent Redemption		View GroundRent Registration	
Account Identifier:		District - 09 Account Number - 0919850852			
Owner Information					
Owner Name:		GITTINGS EDWARD L JR GITTINGS LINDA M		Use: Principal Residence: COMMERCIAL Deed Reference: NO /06859/ 00725	
Mailing Address:		1607 CYNTHIA CT JARRETTSVILLE MD 21084-1508			
Location & Structure Information					
Premises Address:		8802 OLD HARFORD RD 0-0000		Legal Description: * WS OLD HARFORD RD NW COR PUTTY HILL	
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section: Block: Lot: Assessment Year: Plat No: Plat Ref:
0071	0013	1134		0000	2014
Special Tax Areas:		Town:		NONE	
		Ad Valorem:			
		Tax Class:			
Primary Structure Built	Above Grade Enclosed Area	Finished Basement Area	Property Land Area	County Use	
1962	1288		15,913 SF	20	
Stories	Basement	Type	Exterior	Full/Half Bath	Garage Last Major Renovation
		SERVICE STATION			
Value Information					
	Base Value	Value As of 01/01/2014	Phase-in Assessments As of 07/01/2014 As of 07/01/2015		
Land:	398,200	398,200			
Improvements	167,400	181,500			
Total:	565,600	579,700	570,300	575,000	
Preferential Land:	0			0	
Transfer Information					
Seller: SUN OIL CO		Date: 01/25/1985		Price: \$0	
Type: NON-ARMS LENGTH OTHER		Deed1: /06859/ 00725		Deed2:	
Seller:		Date:		Price:	
Type:		Deed1:		Deed2:	
Seller:		Date:		Price:	
Type:		Deed1:		Deed2:	
Exemption Information					
Partial Exempt Assessments:	Class	07/01/2014		07/01/2015	
County:	000	0.00			
State:	000	0.00			
Municipal:	000	0.00 0.00		0.00 0.00	
Tax Exempt:		Special Tax Recapture:			
Exempt Class:		NONE			
Homestead Application Information					
Homestead Application Status: No Application					

Baltimore County

New Search (<http://sdat.reslusa.org/RealProperty>)District: **09** Account Number: **0919850852**

The information shown on this map has been compiled from deed descriptions and plats and is not a property survey. The map should not be used for legal descriptions. Users noting errors are urged to notify the Maryland Department of Planning Mapping, 301 W. Preston Street, Baltimore MD 21201.

If a plat for a property is needed, contact the local Land Records office where the property is located. Plats are also available online through the Maryland State Archives at www.plats.net (<http://www.plats.net>).

Property maps provided courtesy of the Maryland Department of Planning ©2011.

For more information on electronic mapping applications, visit the Maryland Department of Planning web site at www.mdp.state.md.us/OurProducts/OurProducts.shtml (<http://www.mdp.state.md.us/OurProducts/OurProducts.shtml>).



(<http://imsweb05.mdp.state.md.us/website/mosp/>)

☐ Loading... Please Wait. Loading... Please Wait.

-->

Leo
12/11

IN RE: PETITIONS FOR SPECIAL HEARING * BEFORE THE
AND SPECIAL EXCEPTION - W/S Old *
Harford Road, 177' N of the * DEPUTY ZONING COMMISSIONER
c/1 of Putty Hill Avenue *
(8602 Old Harford Road) * OF BALTIMORE COUNTY
9th Election District *
6th Councilmanic District * Case No. 93-134-SPHX

Edward L. Gittings, Jr., et ux *
Petitioners *

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as Petitions for Special Hearing and Special Exception filed by the legal owners of the subject property, Edward L. Gittings, Jr. and Linda M. Gittings, by and through their attorney, Newton A. Williams, Esquire. The Petitioners request a special hearing to approve a modification of the relief granted in prior Case Nos. 4928, 71-217 and 78-70-X to permit a use in combination service station and car wash. The Petitioners also request a special exception to permit a use in combination service station and car wash on the subject property, all as more particularly described on Petitioner's Exhibit 1.

Appearing on behalf of the Petitions was Edward L. Gittings, Jr., property owner. Mr. Gittings was represented by Newton A. Williams, Esquire. Also appearing on behalf of the Petitions were Walter T. Parr with B.P.S. Land Technology, Inc., and John W. Erdman, Traffic Expert. There were no Protestants.

Testimony and evidence presented indicated that the subject property, known as 8602 Old Harford Road, consists of 0.80 acres more or less zoned B.L. The property is currently improved with a two-bay service station, various gas pumps and a kiosk where patrons pay for gasoline. Testimony revealed that Mr. Gittings purchased the property in 1975 and

The facts and circumstances do not show that the proposed use at the particular location described by Petitioner's Exhibit 1 would have any adverse impact above and beyond that 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 be inconsistent with the spirit and intent of the B.C.Z.R.

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

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the relief requested in the special hearing and special exception should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 10th day of December, 1992 that the Petition for Special Hearing to approve a modification of the relief granted in prior Case Nos. 4928, 71-217, and 78-70-X to permit a use in combination service station and car wash, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the restrictions set forth below; and,

IT IS FURTHER ORDERED that the Petition for Special Exception to permit a use in combination service station and car wash on the subject property, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

PK || LAW

PESSIN KATZ LAW, P.A.

TOWSON | COLUMBIA | BEL AIR

901 DULANEY VALLEY ROAD
SUITE 400
TOWSON, MD 21204

TELEPHONE 410-938-8800
FAX 410-832-5600
PKLAW.COM

Dino C. La Fiandra

Telephone: 410.938.8705

Facsimile: 410.832.5651

DLaFiandra@PKLaw.com

March 25, 2015

VIA HAND DELIVERY

Mr. Carl Richards, Supervisor

Bureau of Zoning Review

Baltimore County Department of Permits, Approvals and Inspections

111 W. Chesapeake Avenue, Room 111

Towson, Maryland 21204

Re: Petition for Special Hearing for 8602 Old Harford Road
Drop File

Dear Mr. Richards:

With regard to the above referenced property located at 8602 Old Harford Road, please find the following material for drop filing:

1. Petition for Special Hearing (3 originals)
2. Plans to Accompany Petition for Special Hearing (12 sealed plans)
3. Zoning Description (3 sealed descriptions)
4. Zoning Map
5. Check to Baltimore County, Maryland for Filing Fee (\$500)
6. Advertising Form

Joe Merrey of your office is very familiar with this plan and my client's proposal for it. I have met with Mr. Merrey several times about this project, most recently to review this plan and he advised that the plan may be drop filed. There are no zoning violations on the property.

Please let me know if you have any questions. I appreciate your time and consideration of this matter.

Sincerely,


Dino La Fiandra

Enclosures

To LW
Drop off 3/25/15

IN RE: PETITIONS FOR SPECIAL HEARING * BEFORE THE
AND SPECIAL EXCEPTION - W/S Old *
Harford Road, 177' N of the * DEPUTY ZONING COMMISSIONER
c/l of Putty Hill Avenue *
(8602 Old Harford Road) * OF BALTIMORE COUNTY
9th Election District *
6th Councilmanic District * Case No. 93-134-SPHX

Edward L. Gittings, Jr., et ux *
Petitioners *

AMENDED ORDER

WHEREAS, this matter came before the Deputy Zoning Commissioner as Petitions for Special Hearing and Special Exception filed by the owners of the subject property, Edward L. Gittings, Jr. and Linda M. Gittings, by and through their attorney, Newton A. Williams, Esquire to approve a modification of the relief granted in prior Case Nos. 4928, 71-217 and 78-70-X to permit a use in combination service station and car wash on the subject property in accordance with the plan submitted and identified as Petitioner's Exhibit 1.

WHEREAS, the relief requested was granted, subject to restrictions, by Order issued December 10, 1992.

WHEREAS, by letter dated January 7, 1993, Counsel for the Petitioners requested a modification of that Order concerning Restrictions 4 and 6. Specifically, the Petitioners requested that I modify the requirement that they replace all concrete curbs and sidewalks on the subject property and modify the hours of operation for the subject car wash.

WHEREAS, the Petitioner submitted various photographs of the property and additional documentation in support of their request for modification.

PETITIONER'S

EXHIBIT NO. 3

ORDER RECEIVED FOR FILING

Date

By

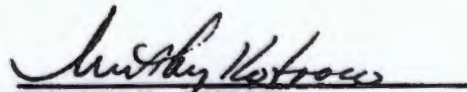
NOW, THEREFORE, in consideration of the Petitioners' request for modification of the Order issued December 10, 1992, more specifically, Restrictions 4 and 6 thereof,

IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 25th day of February, 1993 that the Order issued December 10, 1992, more specifically, Restrictions 4 and 6 thereof, be and the same is hereby AMENDED as follows:

1) The hours of operation of the car wash shall be consistent with the hours of operation of gasoline sales on the subject property. If the Petitioners sell gasoline 24-hours per day, then the car wash shall be permitted to operate on a 24-hour basis daily. This will insure that there is at least one employee on site at all times to oversee the operation of the car wash.

2) The Petitioners shall not be required to replace all curbs and gutters on the subject property. However, the Petitioners shall be required to repair and/or replace the busted curb and cracked sidewalk located at the rear entrance to the site from Old Harford Road as depicted in the photograph marked Modification Exhibit 1, a copy of which has been attached hereto.

IT IS FURTHER ORDERED that all other terms and conditions of the Order issued December 10, 1992 shall remain in full force and effect.


TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

cc: Newton A. Williams, Esquire
210 W. Pennsylvania Avenue, Suite 700, Towson, Md. 21204

People's Counsel

File

ORDER RECEIVED FOR FILING

Date 2/25/93

By [Signature]

IN RE: PETITIONS FOR SPECIAL HEARING * BEFORE THE
 AND SPECIAL EXCEPTION - W/S Old *
 Harford Road, 177' N of the * DEPUTY ZONING COMMISSIONER
 c/l of Putty Hill Avenue *
 (8602 Old Harford Road) * OF BALTIMORE COUNTY
 9th Election District *
 6th Councilmanic District * Case No. 93-134-SPHX

Edward L. Gittings, Jr., et ux *
 Petitioners *
 * * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as Petitions for Special Hearing and Special Exception filed by the legal owners of the subject property, Edward L. Gittings, Jr. and Linda M. Gittings, by and through their attorney, Newton A. Williams, Esquire. The Petitioners request a special hearing to approve a modification of the relief granted in prior Case Nos. 4928, 71-217 and 78-70-X to permit a use in combination service station and car wash. The Petitioners also request a special exception to permit a use in combination service station and car wash on the subject property, all as more particularly described on Petitioner's Exhibit 1.

Appearing on behalf of the Petitions was Edward L. Gittings, Jr., property owner. Mr. Gittings was represented by Newton A. Williams, Esquire. Also appearing on behalf of the Petitions were Walter T. Parr with B.P.S. Land Technology, Inc., and John W. Erdman, Traffic Expert. There were no Protestants.

Testimony and evidence presented indicated that the subject property, known as 8602 Old Harford Road, consists of 0.80 acres more or less zoned B.L. The property is currently improved with a two-bay service station, various gas pumps and a kiosk where patrons pay for gasoline. Testimony revealed that Mr. Gittings purchased the property in 1975 and

ORDER RECEIVED FOR FILING
 Date 2/11/92
 By [Signature]

has operated a gasoline service station at the subject site for the past 17 years. In 1988, Mr. Gittings petitioned for and was granted a tunnel car wash on the subject site. However, he decided not to utilize that special exception and that special exception terminated in approximately 1990. Mr. Gittings now Petitions for a different type of car wash, that being the do-it-yourself type, which utilizes a spray-wand and brush, all of which is more particularly described on Petitioner's Exhibit 1.

The uncontradicted testimony presented by the various witnesses was that the Petitioner's request satisfies all the requirements of Section 502.1 of the Baltimore County Zoning Regulations (B.C.Z.R.).

After due consideration of the testimony and evidence presented, it is clear that practical difficulty or unreasonable hardship would result if the relief requested in the special hearing were not granted. It has been established that the requirements from which the Petitioner seeks relief would unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the relief requested will not be detrimental to the public health, safety, and general welfare.

It is clear that the B.C.Z.R. permits the use proposed in a B.L. zone by special exception. It is equally clear that the proposed use would not be detrimental to the primary uses in the vicinity. Therefore, it must be determined if the conditions as delineated in Section 502.1 are satisfied.

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 of the B.C.Z.R. The Petitioner has shown that the proposed use would be conducted without real detriment to the neighborhood and would not adversely affect the public interest.

ORDER RECEIVED FOR FILING

Date

By

The facts and circumstances do not show that the proposed use at the particular location described by Petitioner's Exhibit 1 would have any adverse impact above and beyond that 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 be inconsistent with the spirit and intent of the B.C.Z.R.

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

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the relief requested in the special hearing and special exception should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 10th day of December, 1992 that the Petition for Special Hearing to approve a modification of the relief granted in prior Case Nos. 4928, 71-217 and 78-70-X to permit a use in combination service station and car wash, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the restrictions set forth below; and,

* IT IS FURTHER ORDERED that the Petition for Special Exception to permit a use in combination service station and car wash on the subject property, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

ORDER RECEIVED FOR FILING

Date

By

1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

2) The Petitioner shall submit a landscape plan for approval by the Landscape Planner for Baltimore County prior to the issuance of any permits. A copy of the approved plan shall be submitted to this office for inclusion in the case file prior to the issuance of any permits.

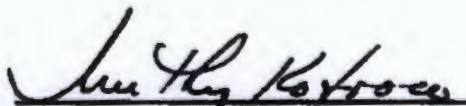
3) All exterior walls of the existing service station on which there is peeling paint shall be repainted and regularly maintained.

4) The Petitioner shall be required to replace all concrete curbs and sidewalks on the subject property.

5) Due to the close proximity of the residential neighborhood to the west of the subject site, the car wash operation shall be restricted to the hours of 9:00 AM to 10:00 PM, seven days a week.

6) When applying for a building permit, the site plan and landscaping plan filed must reference this case and set forth and address the restrictions of this Order.

IT IS FURTHER ORDERED that Petitioners shall have five (5) years from the date of this Order in which to utilize the special exception relief granted herein.


TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

ORDER RECEIVED FOR FILING

Date

By

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning



Suite 113 Courthouse
400 Washington Avenue
Towson, MD 21204

(410) 887-4386

December 10, 1992

Newton A. Williams, Esquire
210 W. Pennsylvania Avenue, Suite 700
Towson, Maryland 21204

RE: PETITIONS FOR SPECIAL HEARING AND SPECIAL EXCEPTION
W/S Old Harford Road, 177' N of the c/l of Putty Hill Road
(8602 Old Harford Road)
9th Election District - 6th Councilmanic District
Edward L. Gittings, Jr., et ux - Petitioners
Case No. 93-134-SPHX

Dear Mr. Williams:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petitions for Special Hearing and Special Exception have been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact Ms. Charlotte Radcliffe at 887-3351.

Very truly yours,

A handwritten signature in dark ink, appearing to read "Timothy Kotroco", is written over the typed name.

TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

THK:bjs

cc: People's Counsel

✓
File

Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

93-134-SPHX

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 Hearing under Section 500.7 of the Baltimore County Zoning Regulations, to determine whether or not the Zoning Commissioner and/or Deputy Zoning Commissioner should approve a modification of Case Nos. 4928, 71-217 and 78-70X to permit a special exception for a use in combination service station and car wash, all as shown on the attached site plan.

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

I, or we, agree to pay expenses of the above Special Hearing 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/Lessor

(Type or Print Name)

Signature

Address

City and State

Attorney for Petitioner:

Newton A. Williams, Esquire

Nolan, Plushoff & Williams, Chtd.

(Type or Print Name)

Newton A. Williams

Signature

700 Court Towers

210 W. Pennsylvania Avenue

Address

Towson, Maryland 21204

City and State

Attorney's Telephone No.: 823-7800

Legal Owner(s):

EDWARD L. GITTINGS, Jr.

(Type or Print Name)

Edward L. Gittings, Jr.

Signature

LINDA M. GITTINGS

(Type or Print Name)

Linda M. Gittings

Signature

1607 Cynthia Court

Address

Phone No.

Jarrettsville, Maryland 21084

City and State

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

Newton A. Williams & Tom Parr, BPS Land

Name

700 Court Towers P.O. Box 5614 Technology:

210 W. Pennsylvania Avenue Baltimore, MD 21210

Address Phone No. 823-7800

Towson, Maryland 21204



OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING - 1/HR.

AVAILABLE FOR HEARING

MON./TUES./WED. - NEXT TWO MONTHS

ALL OTHER

REVIEWED BY: 10/21/92 DATE 10-19-92

134

ORDER RECEIVED FOR FILING

Date

By



Petition for Special Exception

93-134-SPHX
to the Zoning Commissioner of Baltimore County

for the property located at

8602 Old Harford Road

which is presently zoned BL

This Petition shall be filed with the Office of Zoning Administration & Development Management.

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 Regulations of Baltimore County, to use the herein described property for A use in combination service station and car wash all as shown on the attached site plan.

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.

Contract Purchaser/Lessee:

(Type or Print Name)

Signature

Address

City

State

Zip Code

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.

Legal Owner(s):

EDWARD L. GITTINGS, JR.

(Type or Print Name)

Signature

LINDIA M. GITTINGS

(Type or Print Name)

Signature

1607 Cynthia Court

Address

Phone No.

Jarrettsville, Maryland 21084

City

State

Zip Code

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

Phone No. 435-0800

Newton A. Williams & Tom Parr, BPS Land Technology

700 Court Towers P.O. Box 5614
210 W. Pennsylvania Avenue/Balto., MD 21210

Towson, Maryland 21204 Phone No. 823-7800

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING 1 to 1-1/2 Hours
unavailable for hearing

the following date _____ Real Time Months

ALL OTHER

REVIEWED BY: JCM DATE 10-18-92

134

ORDER RECEIVED FOR FILING

Date

By

Attorney for Petitioner:

NEWTON A. WILLIAMS, Esquire
Nolan, Plumhoff & Williams, Chtd.

(Type or Print Name)

Newton A. Williams

Signature

700 Court Towers
210 W. Pennsylvania Avenue

Towson, Maryland 21204 Phone No.

823-7800

City

State

Zip Code

Walter T. Parr

Sylvester H. O'Grinc, P.E.

Michael K. Smith, P.L.S.

BPS/land technology, inc.

Engineers & Surveyors

P.O. Box 5614 • Baltimore, MD 21210 • (301) 435-0800

93-134-SPHX

134

ZONING DESCRIPTION FOR 8600 OLD HARFORD ROAD

Beginning at a point on the West side of Old Harford Road which is 60 feet wide at a distance of 177 feet North of the centerline of Putty Hill Road which is 70 feet wide. Thence the six following courses and distances:

- 1.) South 13 degrees 36 minutes 04 seconds West - 127.14 feet,
- 2.) Southwesterly by a line curving to the right with a radius of 15.00 feet for a distance of 22.11 feet,
- 3.) Westerly by a line curving to the left with a radius of 435.00 feet for a distance of 86.68 feet,
- 4.) South 86 degrees 37 minutes 31 seconds West - 52.50 feet,
- 5.) North 03 degrees 22 minutes 13 seconds West - 172.50 feet,
- 6.) South 79 degrees 04 minutes 05 seconds East - 199.19 feet to the point of beginning, containing 0.245 acres of land more or less as recorded in Liber E.H.K. Jr. No.6859, folio 725.



Michael K. Smith

134

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

93-134-SPHX

District 9th Date of Posting 11/13/92
Posted for: Special Hearing & Exception
Petitioner: Edward & Linda Gittinger
Location of property: 8602 Old Harbor Rd. at Petty Hill Ave.
Location of Sign: Facing road way on property of petitioner
Remarks: _____
Posted by Matt Hely Date of return: 11/20/92
Signature
Number of Signs: 2



2

**NOTICE OF
ZONING COMMISSIONER'S
HEARINGS**

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the properties identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

Case: #93-134-SPHX
(Item 134)
Corner Old Harford Road and
Putty Hill Avenue
8602 Old Harford Road
Woodcroft Amoco
9th Election District
6th Councilmanic
Petitioner(s):

Edward L. Gittings, Jr. and
Linda M. Gittings
Hearing: Tuesday,
December 1, 1992 at 9:00
a.m. in Rm. 118, Old
Courthouse.

Special Hearing to approve a
modification of case #4828,
#71-217 and #78-70-X to permit
a special exception for a use in
combination service station and
car wash. Special Exception for
a use in combination service sta-
tion and car wash.

CERTIFICATE OF PUBLICATION

TOWSON, MD.,

11/5, 1992

THIS IS TO CERTIFY, that the annexed advertisement was
published in **THE JEFFERSONIAN**, a weekly newspaper published
in Towson, Baltimore County, Md., once in each of 1 successive
weeks, the first publication appearing on 11/5, 1992

THE JEFFERSONIAN,

S. Zafe Orlean

Publisher



134

93-134-SPHX



Baltimore County
Zoning Administration &
Development Management
111 West Chesapeake Avenue
Towson, Maryland 21204

PAID

receipt

134

Account: R-001-6150

Number

93-134-SPHX

Date

PAID PER HAND-WRITTEN RECEIPT DATED 10/9/92

10/16/92

H9300134

PUBLIC HEARING FEES	QTY	PRICE
040 -SPECIAL HEARING (OTHER)	1 X	\$250.00
030 -SPECIAL EXCEPTION	1 X	\$300.00
TOTAL:		\$550.00

LAST NAME OF OWNER: GITTINGS

Please Make Checks Payable To: Baltimore County

Cashier Validation



Baltimore County
Zoning Administration &
Development Management
111 West Chesapeake Avenue
Towson, Maryland 21204

receipt

Account: R-001-6150

Number

hearing 12/1/92

93-134

12/23/92

H9300134

PUBLIC HEARING FEES	QTY	PRICE
050 -POSTING SIGNS / ADVERTISING	1 X	\$99.11
TOTAL:		\$99.11

LAST NAME OF OWNER: GITTINGS

04A0480088HICRC
BR 001149AM11-23-92

\$99.11

Please Make Checks Payable To: Baltimore County

Cashier Validation

Baltimore County Government
Office of Zoning Administration
and Development Management
Office of Planning & Zoning



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

DATE: 11.6.92

Edward and Linda Gittings
1607 Cynthia Court
Jarrattsville, Maryland 21084

RE:

CASE NUMBER: 93-134-SPHX (Item 134)
corner Old Harford Road and Putty Hill Avenue
8602 Old Harford Road - Woodcroft Amoco
9th Election District - 6th Councilmanic
Petitioner(s): Edward L. Gittings, Jr. and Linda M. Gittings
HEARING: TUESDAY, DECEMBER 1, 1992 at 9:00 a.m in Rm. 118, Old Courthouse.

Dear Petitioner(s):

Please be advised that \$ 99.11 is due for advertising and posting of the above captioned property and hearing date.

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 forward your check via return mail to the Zoning Office, County Office Building, 111 W. Chesapeake Avenue, Room 109, Towson, Maryland 21204. Place the case number on the check and make same payable to Baltimore County, Maryland. In order to avoid delay of the issuance of proper credit and/or your Order, immediate attention to this matter is suggested.

ARNOLD JABLON
DIRECTOR

cc: Newton A. Williams, Esq.



Baltimore County Government
Office of Zoning Administration
and Development Management
Office of Planning & Zoning



111 West Chesapeake Avenue
Towson, MD 21204

OCT. 29 1992

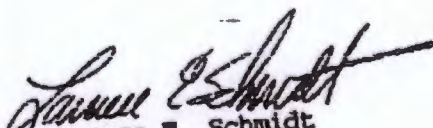
(410) 887-3353

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 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204
or
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 93-134-SPHX (Item 134)
corner Old Harford Road and Putty Hill Avenue
8602 Old Harford Road - Woodcroft Amoco
9th Election District - 6th Councilmanic
Petitioner(s): Edward L. Gittings, Jr. and Linda M. Gittings
HEARING: TUESDAY, DECEMBER 1, 1992 at 9:00 a.m. in Rm. 118, Old Courthouse.

Special Hearing to approve a modification of case #4928, #71-217 and #78-70-X to permit a special exception for a use in combination service station and car wash.
Special Exception for a use in combination service station and car wash.


Lawrence E. Schmidt

Zoning Commissioner of
Baltimore County

cc: Edward and Linda Gittings
Newton A. Williams, Esq.

NOTE: HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.



Baltimore County Government
Office of Zoning Administration
and Development Management
Office of Planning & Zoning



111 West Chesapeake Avenue
Towson, MD 21204

November 18, 1992

(410) 887-3353

Newton A. Williams, Esquire
Nolan, Plunhoffs and Williams
700 Court Towers
210 West Pennsylvania Avenue
Towson, MD 21204

RE: Case No. 93-134-SPHX, Item No. 134
Petitioner: Edward L. Gittings, Jr., et ux
Petition for Special Hearing and
Special Exception

Dear Mr. Williams:

The Zoning Plans Advisory Committee (ZAC) has reviewed the plans submitted with the above referenced petition. The attached comments from each reviewing agency are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties, i.e. Zoning Commissioner, attorney and/or the petitioner, are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case.

Enclosed are all comments submitted thus far from the members of ZAC that offer or request information on your petition. If additional comments are received from other members of ZAC, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

The following comments are related only to the filing of future zoning petitions and are aimed at expediting the petition filing process with this office.

1) The Director of Zoning Administration and Development Management has instituted a system whereby seasoned zoning attorneys who feel that they are capable of filing petitions that comply with all aspects of the zoning regulations and petitions filing requirements can file their petitions with this office without the necessity of a preliminary review by Zoning personnel.



Baltimore County Government
Office of Zoning Administration
and Development Management
Office of Planning & Zoning



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

Your petition has been received and accepted for filing this
19th day of October, 1992.

A handwritten signature in cursive script, reading "Arnold Jablon".

ARNOLD JABLON
DIRECTOR

Received By:

A handwritten signature in cursive script, reading "W. Carl Richards Jr.".

Chairman,
Zoning Plans Advisory Committee

Petitioner: Edward L. Gittings, Jr., et ux
Petitioner's Attorney:



BALTIMORE COUNTY, MARYLAND
I N T E R O F F I C E C O R R E S P O N D E N C E

TO: Arnold Jablon, Director DATE: November 6, 1992
Zoning Administration and Development Management

Sub
FROM: Robert W. Bowling, P.E., Chief
Developers Engineering Division

RE: Zoning Advisory Committee Meeting
for November 9, 1992
Item No. 134

The Developers Engineering Division has reviewed the subject zoning item. Approval of the exception should be made contingent upon compliance with the Landscape Manual.

RWB:DAK:s

Rec'd 11/10/92



**Maryland Department of Transportation
State Highway Administration**

O. James Lighthizer
Secretary
Hal Kassoff
Administrator

**Ms. Julie Winiarski
Zoning Administration and
Development Management
County Office Building
Room 109
111 W. Chesapeake Avenue
Towson, Maryland 21204**

**Re: Baltimore County
Item No.: + 134 (JCM)**

Dear Ms. Winiarski:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not effected by any State Highway Administration projects.

Please contact David Ramsey at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

David N Ramsey 10/30/92

John Contestabile, Chief
**Engineering Access Permits
Division**

Rec'd 11/5/92

My telephone number is _____

**Teletypewriter for Impaired Hearing or Speech
383-7555 Baltimore Metro - 565-0451 D.C. Metro - 1-800-492-5062 Statewide Toll Free
707 North Calvert St., Baltimore, Maryland 21203-0717**

BUREAU OF TRAFFIC ENGINEERING
DEPARTMENT OF PUBLIC WORKS
BALTIMORE COUNTY, MARYLAND

DATE: November 13, 1992

TO: Mr. Arnold Jablon, Director
Office of Zoning Administration
and Development Management

FROM: Rahee J. Famili

SUBJECT: Z.A.C. Comments

Z.A.C. MEETING DATE: November 9, 1992

ITEM NUMBER: 134

- 1) The southern access off Old Harford Road needs to be eliminated. *was done*
- 2) Service bay parking spaces labeled SB-5 and SB-6 need to be relocated. *done*
- 3) Stacking spaces must scale a minimum of 20 ft. long. *done*
- 4) Storage space CW-14 needs to be moved behind CW-18. *done*
- 5) The proposed vacuum at the northwest corner of the site needs to be eliminated. *done*
- 6) The proposed access to the car wash appears to be less than 12 ft. wide. *this has been addressed*
- 7) This office recommends denial until the above comments have been adequately addressed.

Rahee J. Famili
Rahee J. Famili
Traffic Engineer II

RJF/lvd

Rec'd 11/16/92

Baltimore County Government
Fire Department



700 East Joppa Road Suite 901
Towson, MD 21204-5500

OCTOBER 2, 1992

(410) 887-4500

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204

RE: Property Owner: EDWARD L. GITTINGS, JR. AND LINDA W. GITTINGS

Location: #8602 OLD HARFORD ROAD

Item No.: #134(JCM) Zoning Agenda: NOVEMBER 2, 1992

Gentlemen:

43-134-SP-X

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. Jerry Pfeiffer Noted and
Planning Group Approved JP
Special Inspection Division Fire Prevention Bureau

JP/KEK

Rec'd 11/18/92

93-134-SPHX 12-1-92

Department of Environmental Protection & Resource Management
Development Review Committee Response Form

11/23/92

Authorized signature _____

Date 11-24-92

Project Name	File Number	Waiver Number	Zoning Issue	Meeting Date
Keys Development Corporation				
DED DEPRM RP STP TE			157	11-16-92
✓ Steven J. and Beverly A. Timchula				WRITTEN COMMENTS
DED DEPRM RP STP TE			158	
✓ Steven M And Deborah S. Faulkner				NO COMMENTS
DED DEPRM RP STP TE			159	
Ralph L. and Elsie M. Hackler				NO COMMENTS
DED DEPRM RP STP TE			160	
✓ Theresa Rykaczewski				IN PROCESS
DED DEPRM RP STP TE			161	
Jean Romadka				NO COMMENTS
DED DEPRM RP STP TE			162	
Residuary T. of Milton Schwaber - Carroll Independent Fuel				WRITTEN COMMENTS
DED DEPRM RP STP TE			163	
				NO COMMENTS
COUNT 10				
✓ Steven and Nadine Mosgin			129	11-2-92
DEPRM RP				NO COMMENTS
✓ Edward L. And Linda M. Gittings			134	
DEPRM RP STP				NO COMMENTS
✓ Kathleen Gaiser			135	
DEPRM RP STP				NO COMMENTS
✓ Charles E. Anderson			136	
DEPRM RP				WRITTEN COMMENTS
✓ Richard E. Shetrone Jay E. Boyd			137	
DEPRM RP				NO COMMENTS

NEWTON A. WILLIAMS
THOMAS J. RENNER
WILLIAM F. ENGLEHART, JR.
STEPHEN J. NOLAN *
ROBERT L. HANLEY, JR.
ROBERT S. GLUSHAKOW
STEPHEN M. SCHENNING
DOUGLAS L. BURGESS
ROBERT E. CAMILL, JR.
E. BRUCE JONES **
GREGORY J. JONES
J. JOSEPH CURRAN, II
CHRISTINE K. McSHERRY

*ALSO ADMITTED IN D.C.
**ALSO ADMITTED IN NEW JERSEY

LAW OFFICES
NOLAN, PLUMHOFF & WILLIAMS
CHARTERED
SUITE 700, COURT TOWERS
210 WEST PENNSYLVANIA AVENUE
TOWSON, MARYLAND 21204-5340
(410) 823-7800
TELEFAX: (410) 296-2765

JAMES D. NOLAN
DECEASED 1980
J. EARLE PLUMHOFF
1940-1990

RALPH E. DEITZ
1918-1990

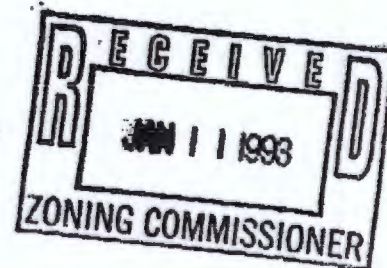
OF COUNSEL
T. BAYARD WILLIAMS, JR.
WRITER'S DIRECT DIAL
823-

7856

January 8, 1993

HAND DELIVERED

The Honorable Timothy M. Kotroco, Esquire
Deputy Zoning Commissioner for Baltimore County
Suite 113, Court House
400 Washington Avenue
Towson, Maryland 21204



Dear Mr. Kotroco:

RE: Special Exception and Special Hearing
for Woodcroft Amoco
Mr. Edward L. Gittings, Jr.
Case No.: 93-134 SPHX
Opinion and Order dated December 10, 1992
REQUEST FOR MODIFICATION AND STAY

Confirming our brief office conference of January 7, 1993, we wish to first of all thank you for the favorable Decision which was so promptly completed.

Secondly, my clients and engineers have expressed some concern over two of the six conditions.

The first condition is Condition No. 4, which reads "the Petitioner shall be required to replace all concrete curbs and sidewalks on the subject property." Based upon our discussion on January 7, 1993 by this you do not mean the driveway aprons. Furthermore, technically the curbs and sidewalks are actually within the right-of-way of Putty Hill Avenue and the right-of-way of Old Harford Road and are not on the subject property, and we do not mean to be quibbling or legalistic.

Page Two
January 8, 1993

Our engineer Tom Parr has been told by ZADM that special permission is needed to do work in the right-of-way of any public road, and it is not easily obtained. Also it may be much more expensive than ordinary concrete work because of the public right-of-way involvement.

Furthermore, we would like an opportunity to review these sidewalks in detail in the field with a view to determining how many are damaged or deteriorated, and whether the color, texture and height can be matched. We understand your concern that you want pedestrians not to go from a dead white sidewalk to an older, grayer or dark gray sidewalk, nor to walk up and down at different elevations.

The second point concerns the requirement to close under Condition No. 6 between 10:00 p.m. and 9:00 a.m. We understand that your concern from our January 7th meeting is that the spray equipment and the vacuum cleaners will be disturbing to nearby residents, either on Putty Hill Avenue on the west, or to the residents to the rear of the service garage next door to the north.

Of course my clients would ask you and the Planning Staff to consider totally removing this prohibition, or cutting it back, and if you were to cut it back, I might suggest 11:00 p.m. to 7:00 a.m., since we are not concerned with the morning peak hours and actually few people these days really go to bed before 11:00 p.m. Also, as you can well understand this is not a quiet neighborhood, and the traffic noise on Old Harford Road, on Putty Hill Avenue, and on the beltway which is not too far to the north is all present. Furthermore, there is a fire station and a police station immediately adjacent and thus there is activity at all hours of the day and night notwithstanding the presence of the service station.

Accordingly, please consider this letter as a formal request for modification of your Opinion and Order of December 10, 1992, and a Stay as to its effectiveness, which we also understand extends the appeal period. Thus, it is our understanding from our conference that it is not necessary to note an appeal to the County Board of Appeals within thirty days, which of course would deprive you of jurisdiction to at least reconsider these matters.

Thanking you and your staff for your kind consideration of this matter, I am,

Respectfully,

Newton A. Williams

Newton A. Williams

NAW/psk

Page Three
January 8, 1993

cc: Phyllis Friedman, Esquire
Baltimore County People's Counsel
Mr. Edward L. Gittings, Jr.
Woodcroft Amoco
8602 Old Harford Road
Baltimore, Maryland 21234
Tom Parr, P.E.
BPS Land Technology
P.O. Box 5614
Baltimore, Maryland 21210
John Erdman, P.E.
Erdman & Associates, Inc.
8800 LaSalle Road
Suite 336, Chester Building
Towson, Maryland 21204

Baltimore County Government
Department of Public Works



November 24, 1992

111 West Chesapeake Avenue
Towson, MD 21204-4604
Edward & Linda Gittings
8602 Old Harford Road
Baltimore, Maryland 21234

RE: Gittings Property
District 9C6

Dear Mr. & Mrs. Gittings:

The Development Review Committee met on November 16, 1992, to consider the plan submitted for review.

The submitted plan was determined to be a "Limited Exemption" pursuant to the Development Regulations of Baltimore County, Section 26-171(b)(9).

Your Development is exempt from the Community Input Meeting and Hearing Officers Hearing pursuant to Sections 26-202 and 26-206.II.

Be advised that we are recommending that the Zoning Commissioner require your project to be reviewed through the Development Review Process.

To further process your Development Plan as a Limited Exemptions under Section 26-171(B)9:

Submit 2 check prints of the Development Plan, prepared in accordance with Sec. 26-203 of the Development Regulations (Bill 1-92), to the Bureau of Public Services, Division of Land Development (Rm.321, County Office Bldg.), together with a copy of the waiver or exemption approval letter

The Development Plan review fee for this project is \$1152.00, as required by the fee schedule which became effective April 1992 in accordance with the provisions of Sec. 15.9(c) of the Baltimore County Code. This fee, in the form of a certified or cashier's check made payable to Baltimore County, Maryland, must be submitted together with the Development Plan package (22 copies of the Development Plan with all check print review comments addressed).

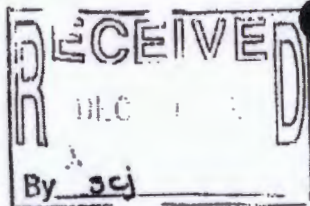
If you have any questions about this procedure, do not hesitate to call me at 887-3340.

Sincerely,

A handwritten signature in dark ink, appearing to read "Les Schreiber".

Les Schreiber
Deval'mt Review Comm. Coordinator
Bureau of Public Services

LCS:lcs
cc: File, Don Rascoe-ZADM
Carl Richards-Zoning
11092G/REFINE



Baltimore County Government
Department of Public Works



12/1/92
November 24, 1992

9159-92
Copy File-Item
134-24C 11/2
+ copy JCM
11/2 12/2

111 West Chesapeake Avenue
Towson, MD 21204-4604
Edward & Linda Gittings
8602 Old Harford Road
Baltimore, Maryland 21234

93-134-SPHX

RECEIVED
NOV 27 1992

ZONING OFFICE

RE: Gittings Property
District 9C6

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If you have any questions about this procedure, do not hesitate to call me at 887-3340.

Sincerely,

Les Schreiber
Devel'mt Review Comm. Coordinator
Bureau of Public Services

LCS:lcs

cc: File, Don Rascoe-ZADM

Carl Richards-Zoning ✓

11092G/REFINE

93-134-SPTX

12-1-92

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Zoning Administration &
Development Management

DATE: November 18, 1992

FROM: Pat Keller, Deputy Director
Office of Planning and Zoning

SUBJECT: Woodcraft Amoco

INFORMATION:

Item Number: 134

Petitioner: Edward L. Gittings, Jr.

Property Size: 0.80 acres

Zoning: BL

Requested Action: Special Hearing, Special Exception

Hearing Date: / /

SUMMARY OF RECOMMENDATIONS:

The petitioner is requesting a Special Exception for a use in combination service station and car wash and a Special Hearing to modify Case Numbers 4928, 71-217 and 78-70X to permit a special exception for a use in combination service station and car wash.

The Office of Planning and Zoning recommends that if the Special Exception and Special Hearing are granted the following conditions should be met.

1. The petitioner must submit a landscape plan for approval before any building permits are issued. Consideration should be given to landscaping the area between the two vehicular entrances on Putty Hill Avenue.
2. The exterior walls of the service station have peeling paint and should be repainted.
3. A small portion of the wood fence on the west property line is damaged and should be repaired. *with 2x4*
4. Due to the proximity of the residential dwelling adjacent to the service station to the west, the car wash should not be permitted to operate between the hours of 10:00 p.m. and 9:00 a.m.
5. The existing concrete curbs, sidewalks and aprons are in deteriorating condition and should be replaced.

Prepared by: Frances McNamee

Division Chief: Ernest McNamee

EMCD/FM:rdn

134.ZAC/ZAC1

Rec'd 11/23/92

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

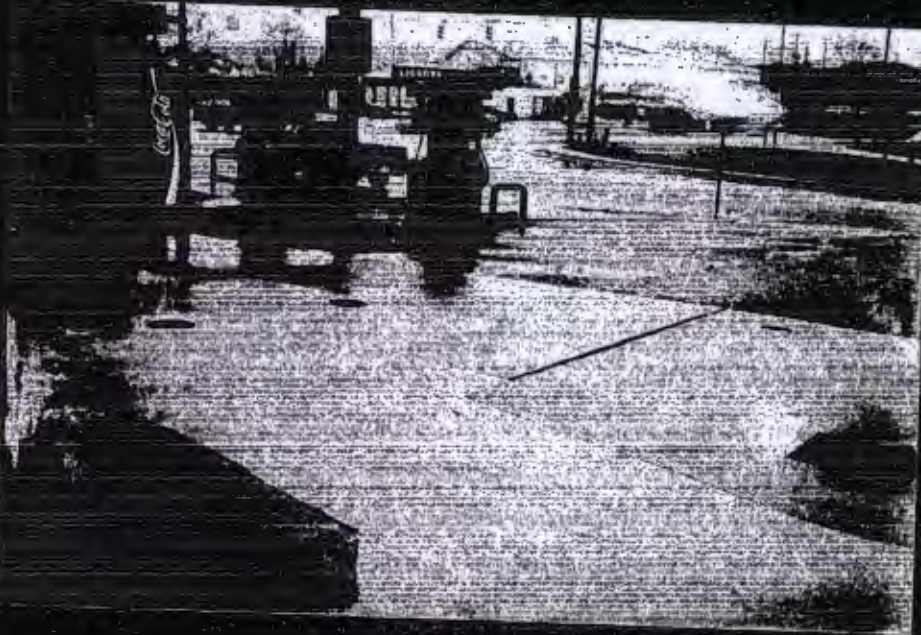
NAME	ADDRESS
<u>Norton Williams</u>	<u>700 Court Towers. 21204</u>
<u>Walter T. Papp</u>	<u>634 DORCHESTER RD. BALTO. MD 21210</u>
<u>Edward J. Kittinger Jr.</u>	<u>1607 Cynthia Ct. Jaccettsville MD 21084</u>
<u>JOHN W. EROMAN</u>	<u>8600 LaSalle Rd. Suite 336 Towson 21206</u>
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____



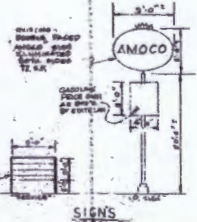
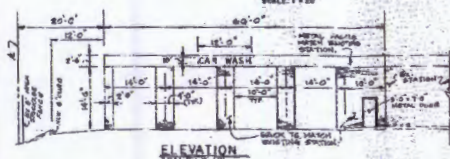
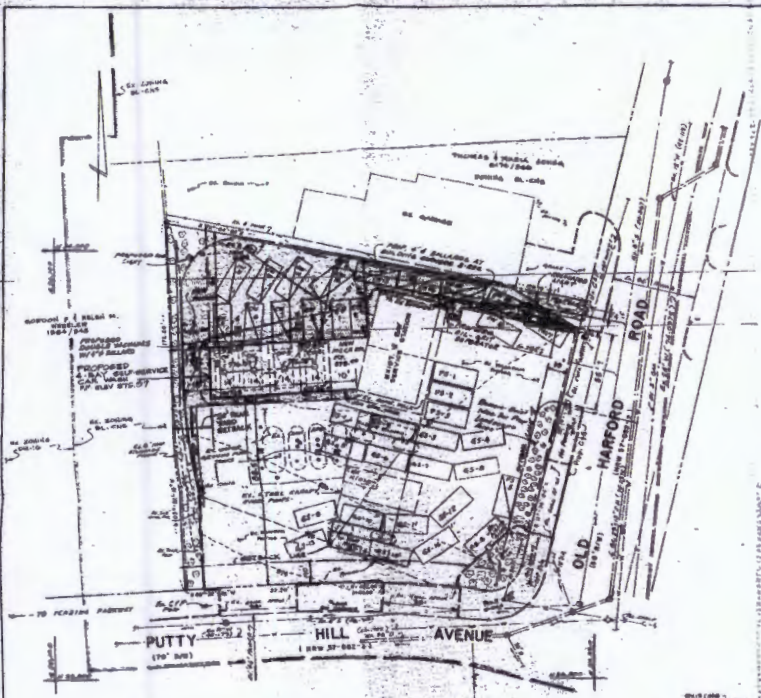
Modification
Exhibit 1

Photographs
Case 93-134-SAX









LEGEND

Service Bay Parking	100' x 20'
Customer Parking	100' x 20'
Employee Parking	100' x 20'
Car Wash Parking	100' x 20'



NOTES

1. ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE STANDARD SPECIFICATIONS FOR HIGHWAY CONSTRUCTION, 1983 EDITION, AS AMENDED.
2. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES.
3. THE CONTRACTOR SHALL MAINTAIN ACCESS TO ALL ADJACENT PROPERTIES AT ALL TIMES.
4. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL UTILITIES AND STRUCTURES EXISTING ON THE SITE.
5. THE CONTRACTOR SHALL MAINTAIN ADEQUATE DRAINAGE DURING CONSTRUCTION.
6. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE REMOVAL OF ALL DEBRIS AND WASTE MATERIALS FROM THE SITE.
7. THE CONTRACTOR SHALL MAINTAIN ADEQUATE EROSION CONTROL MEASURES DURING CONSTRUCTION.
8. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL TREES AND LANDSCAPE FEATURES ON THE SITE.
9. THE CONTRACTOR SHALL MAINTAIN ADEQUATE ACCESS TO ALL ADJACENT ROADS AT ALL TIMES.
10. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL ADJACENT PROPERTIES AT ALL TIMES.

DATE: 10/1/83
BY: [Signature]
FOR: [Signature]

PETITIONER'S EXHIBIT 1

PLAT TO ACCOMPANY PETITION FOR SPECIAL HEARING

BPS/land technology inc.
Engineers & Surveyors
P.O. BOX 5066
Baltimore, Maryland
801-655-5066

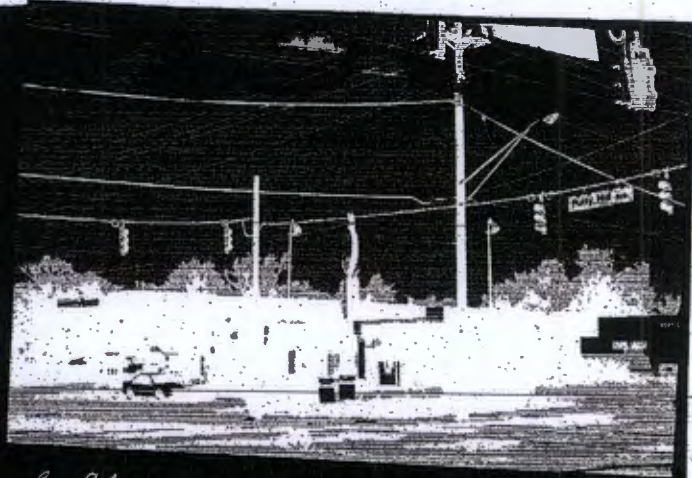
OWNER / DEVELOPER
EDWARD L. GITTINGS JR.
1607 CYNTHIA COURT
JARRISTVILLE, MARYLAND 21084

NO.	REVISIONS	BY	DATE
1	PRELIMINARY PLAN	EL	10/1/83
2	REVISED PLAN	EL	10/1/83
3	FINAL PLAN	EL	10/1/83

WOODCROFT AMOCO
8400 OLD HARFORD ROAD
BAY ELECTION DISTRICT
BAY ELECTION DISTRICT, MARYLAND 21024
SCALE: AS SHOWN SHEET 1 OF 1 DATE: 10/1/83



A. Site at NW/C of Putty Hill and
Old Hayford Rd.



B. Close up of corner, note zoning signs

ittings

Woodcroft Annex

93-134-5PHX

Z.C.

Pet. 2

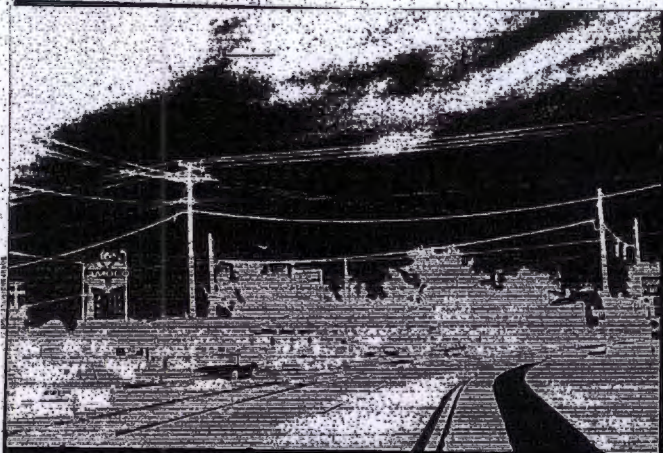
**PETITIONER'S
EXHIBIT 2**



C. Site from S/S of Putty Hill looking North



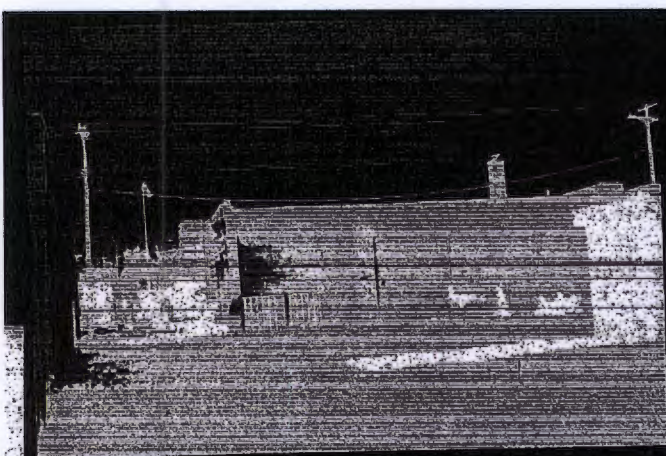
D. Site from E/S of Old Hartford looking West



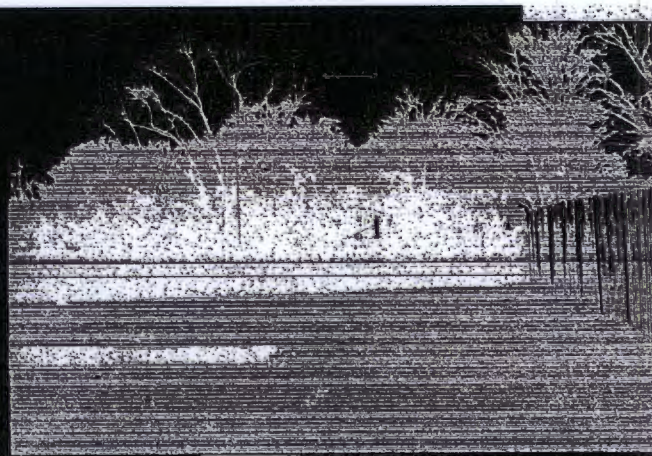
E. Looking East from Putty Hill toward Old Hartford



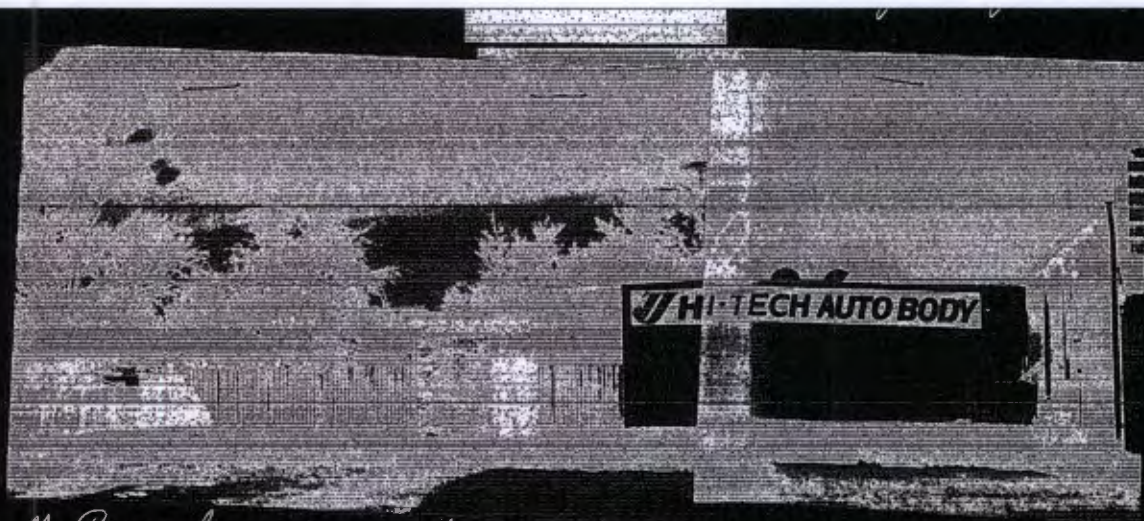
F. Looking SE from site across Putty Hill



I. Looking E at rear of present bldg.



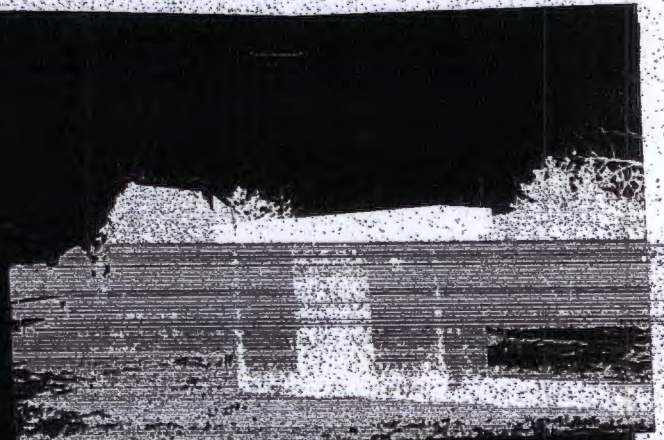
J. NW/c of site showing screen fence.



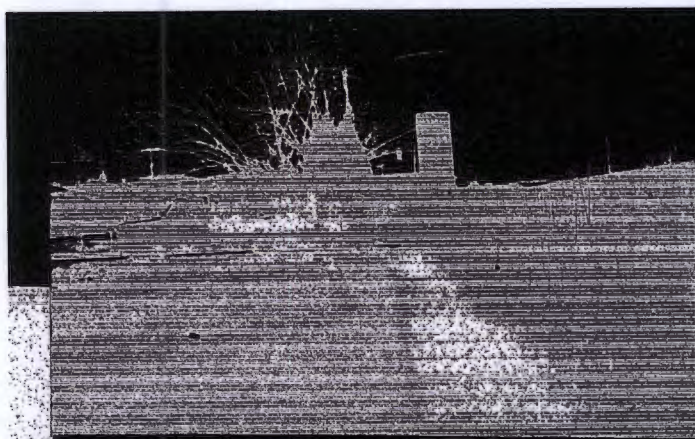
M. Proposed area of car wash site and building



G. Site showing wind - proposed car wash site



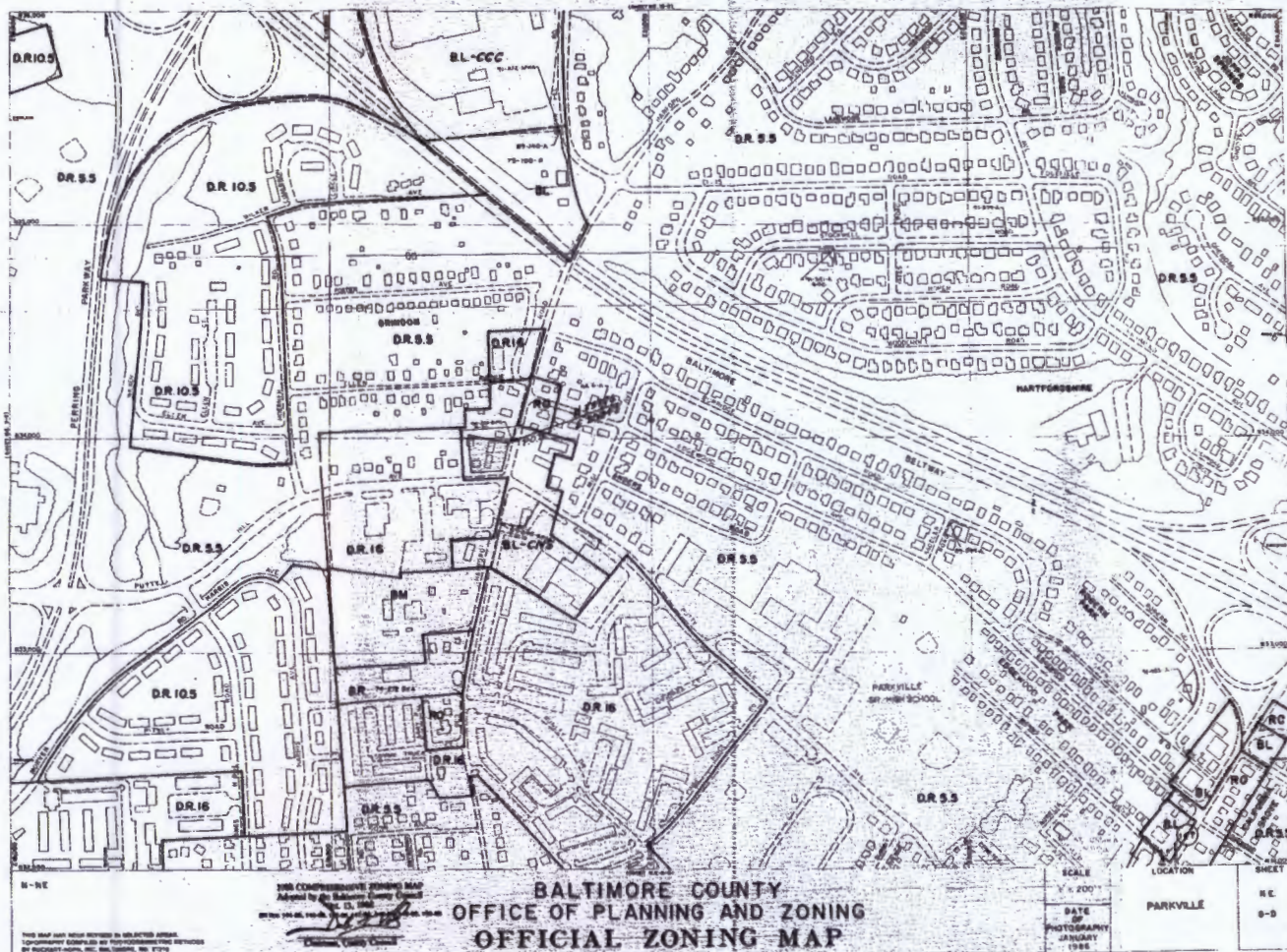
H. Present utility body on NW part of site



K. Looking S along screen fence on W/s of site



L. Service garage on N of the site



93-134-SPHX

COUNTY COUNCIL OF BALTIMORE COUNTY, MARYLAND

LEGISLATIVE SESSION 1993, LEGISLATIVE DAY NO. 20

BILL NO. 172-93

COUNCILMEMBERS RILEY & RUPPERSBERGER

BY THE COUNTY COUNCIL, NOVEMBER 1, 1993

A BILL

ENTITLED

AN ACT concerning

Fuel Service Stations and Car Washes

FOR the purpose of updating zoning and landscaping regulations which concern fuel service stations and car washes; stating legislative findings and policy; authorizing locations in which service stations or car washes are permitted by right or by Special Exception; setting performance standards; setting regulations regarding plan approvals, fuel service stations existing prior to the effective date of this bill, abandoned fuel service stations and conversions of abandoned stations; authorizing car washes in certain districts by Special Exception; requiring a site plan for car washes; prescribing the number of stacking and parking spaces required at a car wash site; setting performance standards; exempting car washes legally existing prior to the effective date of this bill; updating the list of district designations and adding the automotive services district; defining terms; stating legislative intent and special regulations for districts; eliminating references to Class I and Class II commercial

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.
[Brackets] indicate matter stricken from existing law.
~~Strike-out indicates matter stricken~~

motorway; eliminating special exception extension for automotive service stations; establishing landscape standards and generally relating to fuel service stations and car washes.

BY repealing

Sections 405 and 419

Baltimore County Zoning Regulations, as amended

BY adding

Sections 405 and 419

Baltimore County Zoning Regulations, as amended

BY adding

Section 101, the definitions of "Car Wash, Roll-Over", "Car Wash, Full-Service" and "Car Wash, Self-Service" Baltimore County Zoning Regulations, as amended

BY repealing

Section 101, the definitions of "Commercial Motorway, Class I" and "Commercial Motorway, Class II" and Section 259.2.E.F. and G. Baltimore County Zoning Regulations, as amended

BY repealing and reenacting, with amendments,

Section 101, the definition of "Automotive Service Station" and "Car Wash" and Sections 100.1.B.2, 1B01.1.A.14C., 203.9, 248.3, 253.123.C, 253.2.B, 256.1, 259.2.B., 259.3.B.2., 402D.2, 402E.2. and 502.3

Baltimore County Zoning Regulations, as amended, and

Sections III and IX.C.2.b.

Baltimore County Landscape Manual, as adopted by the County Council on October 1, 1990 by Resolution 56-90, and as amended by Resolutions 66-90 and 10-93

WHEREAS, the Baltimore County Council has received a final report dated June 17, 1993 from the Planning Board concerning the subject legislation and held a public hearing thereon on September 7, 1993, now, therefore

1. SECTION 1. BE IT ENACTED BY THE COUNTY COUNCIL OF BALTIMORE
2. COUNTY, MARYLAND, that Sections 405 and 419 of the Baltimore County
3. Zoning Regulations, as amended, be and they are hereby repealed.

4. SECTION 2. AND BE IT FURTHER ENACTED, that Sections 405 and 419
5. be and they are hereby added to the Baltimore County Zoning
6. Regulations, as amended, to read as follows:

7. SECTION 405. FUEL SERVICE STATIONS.

8. 405.1 STATEMENT OF LEGISLATIVE FINDINGS AND POLICY.

9. A. BILL 40-67 ENACTED SIX COMMERCIAL DISTRICTS (C.N.S., C.C.C.,
10. C.T., C.S.A., C.S.-1, AND C.S.-2) AND ONE INDUSTRIAL DISTRICT (I.M.).
11. ONE OF THE MAIN PURPOSES OF THE NEW COMMERCIAL DISTRICTS WAS TO CONTROL
12. THE LOCATION OF SERVICE STATIONS AND THE USES ASSOCIATED WITH THEM. IN
13. 1975 THE C.R. DISTRICT WAS ADDED TO GOVERN SERVICE STATIONS AND OTHER
14. COMMERCIAL USES IN RURAL AREAS.

15. B. WHILE THE C.T., C.C.C., C.R. AND I.M. DISTRICTS HAVE SPECIAL
16. USE AND BULK REGULATIONS WHICH MAKE EACH ONE UNIQUE, THE REMAINING
17. DISTRICTS (C.N.S., C.S.A., C.S.-1 AND C.S.-2) DO NOT INCLUDE PROVISIONS
18. WHICH MAKE THEM DISTINCT. AS A CONSEQUENCE, THE C.S.A., C.N.S., C.S.-1
19. AND C.S.-2 DISTRICTS ARE CONSOLIDATED INTO THE AUTOMOTIVE SERVICES
20. (A.S.) DISTRICT.

21. C. THE DESIGN AND OPERATION OF SERVICE STATIONS HAS CHANGED
22. SIGNIFICANTLY AND THE PROVISIONS SET FORTH IN BILL 40-67 NO LONGER

1. REFLECT CONTEMPORARY BUSINESS PRACTICES. DUE TO THE RISE OF
2. SELF-SERVICE STATIONS, THE NUMBER OF BUSINESSES THAT "SERVICE"
3. MOTOR-VEHICLES BY PROVIDING REPAIR FACILITIES HAS BEEN STEADILY
4. DECLINING, WHILE THE NUMBER OF STATIONS WITH CONVENIENCE STORES OR CAR
5. WASH OPERATIONS HAS BEEN INCREASING. TO BETTER REFLECT THE EVOLVING
6. ROLE OF THIS USE, THE NAME OF AUTOMOTIVE SERVICE STATION IS BEING
7. CHANGED TO FUEL SERVICE STATION AND REGULATIONS WHICH GOVERN THE
8. PERMITTED ANCILLARY USES ARE BEING AMENDED TO REFLECT CONTEMPORARY
9. BUSINESS PRACTICES AND TO FACILITATE THE UPGRADING OF EXISTING
10. STATIONS.

11. D. IT IS THE INTENT OF THIS SECTION TO PERMIT FUEL SERVICE
12. STATIONS IN ACCORDANCE WITH THE GOALS OF THE MASTER PLAN AND DULY
13. ADOPTED COMMUNITY PLANS BY REQUIRING PERFORMANCE STANDARDS THAT WILL
14. REGULATE THEIR LOCATION AND APPEARANCE AS WELL AS THE ADDITIONAL USES
15. WHICH MAY BE DEVELOPED AT SUCH SITES.

16. 405.2 LOCATIONS IN WHICH FUEL SERVICE STATIONS ARE PERMITTED.

17. A. A FUEL SERVICE STATION IS PERMITTED BY RIGHT SUBJECT TO
18. SUBSECTION 405.4, PROVIDED THAT NO PART OF THE LOT IS WITHIN 100 FEET
19. OF A RESIDENTIALLY ZONED PROPERTY AND IS INTEGRATED WITH AND LOCATED:

20. 1. IN A PLANNED SHOPPING CENTER OF WHICH AT LEAST 20
21. PERCENT HAS BEEN CONSTRUCTED AT THE TIME THE BUILDING PERMIT FOR THE
22. FUEL SERVICE STATION IS ISSUED, BUT NOT TO EXCEED ONE STATION FOR EACH
23. 60,000 SQUARE FEET OF GROSS FLOOR AREA OF THE PLANNED SHOPPING CENTER;
24. OR

25. 2. IN AN APPROVED PLANNED INDUSTRIAL PARK OF A MINIMUM NET
26. AREA OF 50 ACRES, BUT NOT TO EXCEED ONE FOR EACH 50 ACRES OF NET AREA;
27. OR

28. 3. IN A PLANNED DRIVE-IN CLUSTER.

1. B. FUEL SERVICE STATIONS ON INDIVIDUAL SITES WHICH DO NOT
2. COMPLY WITH THE REQUIREMENTS OF PARAGRAPH 405.2.A ARE PERMITTED BY
3. SPECIAL EXCEPTION AS PROVIDED BELOW AND SUBJECT TO SUBSECTIONS 405.3
4. AND 405.4.

5. 1. WITHIN THE URBAN RURAL DEMARCATION LINE (URDL), IN
6. C.C.C., A.S. OR I.M. DISTRICTS, PROVIDED NO PART OF THE LOT IS IN AN
7. M.R. ZONE.

8. 2. OUTSIDE THE URDL WITH C.R. DISTRICT DESIGNATION ONLY IN
9. B.L., B.M. OR B.R. ZONES SUBJECT TO SECTION 259.3.B.2.

10. 405.3 IN ADDITION TO THE FINDINGS REQUIRED UNDER SUBSECTION
11. 502.1, THE ZONING COMMISSIONER, PRIOR TO GRANTING ANY SPECIAL EXCEPTION
12. FOR A FUEL SERVICE STATION, SHALL CONSIDER THE PRESENCE OF ABANDONED
13. FUEL SERVICE STATIONS IN THE VICINITY OF THE PROPOSED SITE. A FINDING
14. BY THE ZONING COMMISSIONER OF THE PRESENCE OF ONE ABANDONED FUEL
15. SERVICE STATION, AS DEFINED IN SECTION 405.7, WITHIN A ONE-HALF MILE
16. RADIUS, OR TWO SUCH STATIONS WITHIN A ONE MILE RADIUS OF THE PROPOSED
17. FUEL SERVICE STATION ESTABLISHES THAT THERE IS NO NEED FOR THE PROPOSED
18. USE, UNLESS REBUTTED TO THE ZONING COMMISSIONER'S SATISFACTION BY
19. MARKET DATA.

20. 405.4 STANDARDS.

21. A. SITE DEVELOPMENT.

22. 1. SITE DIMENSIONS.

23. THE AREA OF ANY FUEL SERVICE STATION SITE SHALL BE NO
24. LESS THAN 15,000 SQUARE FEET OR 1,500 TIMES THE NUMBER OF FUEL SERVICE
25. SPACES (AS DEFINED IN SECTION 101), WHICHEVER IS GREATER. IF ANY USE
26. PERMITTED UNDER SECTION 405.4.D. OR 405.4.E. IS ADDED TO THE FUEL
27. SERVICE STATION, THE AREA OF THE SITE SHALL BE INCREASED IN ACCORDANCE
28. WITH THE PROVISIONS OF THOSE PARAGRAPHS.

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2. SETBACKS.

A. NO MAIN STRUCTURE OF A SERVICE STATION SHALL BE SET BACK LESS THAN 35 FEET FROM ANY STREET RIGHT-OF-WAY; NO FUEL PUMP SHALL BE SET BACK LESS THAN 25 FEET FROM ANY STREET RIGHT-OF-WAY; NO CANOPY SHALL BE SET BACK LESS THAN 15 FEET FROM ANY STREET RIGHT-OF-WAY.

B. EXCEPT AT THE REQUIRED ACCESS DRIVEWAYS, A LANDSCAPE TRANSITION AREA SHALL BE PROVIDED ALONG THE ENTIRE PERIMETER OF FUEL SERVICE STATIONS. SUCH AREA SHALL HAVE A MINIMUM WIDTH OF 10 FEET IF THE FUEL SERVICE STATION ABUTS A PUBLIC RIGHT-OF-WAY, AND SIX FEET IN ALL SIDE AND REAR YARDS ABUTTING NON-RESIDENTIALLY ZONED LAND, EXCEPT THAT SERVICE STATIONS LOCATED WITHIN 50 FEET OF ANY RESIDENTIALLY ZONED PROPERTY (OTHER THAN A RESIDENTIAL ZONE LINE IN A PUBLIC RIGHT-OF-WAY) SHALL PROVIDE A BUFFER MEASURING NO LESS THAN 15 FEET FROM THAT PROPERTY LINE.

C. THE LANDSCAPE TRANSITION AREA SHALL BE VEGETATED AND SCREENED IN ACCORDANCE WITH THE LANDSCAPE MANUAL REQUIREMENTS FOR AUTOMOTIVE USES.

D. OTHER SETBACKS SHALL BE AS REQUIRED BY THESE REGULATIONS.

3. ACCESS, INTERNAL CIRCULATION AND VEHICLE RESERVOIR CAPACITY.

A. THE NUMBER AND LOCATION OF ACCESS DRIVEWAYS SHALL BE DETERMINED BY THE HEARING OFFICER OR ZONING COMMISSIONER BASED UPON THE RECOMMENDATIONS OF THE DIRECTOR OF PUBLIC WORKS AND THE OFFICE OF PLANNING AND ZONING.

B. ALL INTERNAL PAVED AREAS OF A FUEL SERVICE STATION SITE USED FOR PARKING, DRIVEWAY, AISLES AND STACKING PURPOSES SHALL COMPLY WITH SECTION 409 AND SHALL BE LAID OUT TO PRECLUDE VEHICLES

1. WAITING ON THE STREET OR BLOCKING THE RIGHT-OF-WAY BEFORE GAINING
2. ENTRANCE.

3. C. IN ADDITION TO THE FUEL SERVICE SPACE, AT LEAST ONE
4. STACKING SPACE SHALL BE PROVIDED:

5. 1. FOR EACH PUMP ISLAND SIDE, AT PUMP ISLANDS THAT
6. CONTAIN MULTI-PRODUCT DISPENSERS (MPD) AND WHERE A BYPASS LANE SERVES
7. EACH MPD;

8. 2. FOR EACH MPD IN CASES WHERE THERE IS NO BYPASS
9. LANE OR WHERE A CONVENIENCE STORE IS LOCATED ON THE SAME LOT; OR

10. 3. FOR EACH PUMP, IF THE PUMP DISPENSES A SINGLE
11. FUEL TYPE.

12. D. PARKING SPACES ON THE SITE OF ANY FUEL SERVICE
13. STATION SHALL BE PROVIDED AS FOLLOWS:

14. 1. ONE SPACE PER EMPLOYEE ON THE LARGEST SHIFT; AND

15. 2. THREE SPACES PER 1,000 SQUARE FEET OF GROSS
16. FLOOR AREA FOR A CONVENIENCE STORE UP TO 1,500 SQUARE FEET.

17. (CONVENIENCE STORES LARGER THAN 1,500 SQUARE FEET SHALL BE SUBJECT TO
18. THE PARKING REQUIREMENTS FOR RETAIL USES IN ACCORDANCE WITH SECTION 409
19. INCLUDING THE FIRST 1,500 SQUARE FEET); AND

20. 3. THREE SPACES PER SERVICE BAY, NOT COUNTING
21. SERVICE SPACES IN THE BAYS; AND

22. 4. ONE SPACE PER SELF-SERVICE AIR OR VACUUM CLEANER
23. UNIT; AND

24. 5. ONE SPACE PER AUTOMATIC TELLER MACHINE.

25. B. ALL FUEL SERVICE STATIONS SHALL PROVIDE A RESTROOM FACILITY,
26. WATER AND COMPRESSED AIR FOR CUSTOMERS.

27. C. APPEARANCE.

28. 1. GENERAL DESIGN.

1. A. ANY STRUCTURE ON THE SITE THAT IS CONVERTED TO AN
2. ANCILLARY USE OR TO A USE IN COMBINATION WITH A FUEL SERVICE STATION
3. MUST BE UPGRADED TO CREATE A UNIFYING ARCHITECTURAL THEME WITH OTHER
4. STRUCTURES ON THE SITE.

5. B. THE REAR AND SIDES OF BUILDINGS ON LOTS ABUTTING
6. RESIDENTIALLY ZONED PROPERTIES SHALL BE FINISHED WITH MATERIALS THAT IN
7. TEXTURE AND COLOR RESEMBLE THE FRONT OF THE BUILDING. THE TYPE OF
8. FACADE TREATMENT SHALL BE INDICATED ON THE SITE PLAN OR AN ACCOMPANYING
9. ELEVATION DRAWING AND IS SUBJECT TO REVIEW BY THE DIRECTOR OF
10. PLANNING AND ZONING.

11. C. EXCEPT FOR THE TEMPORARY OUTDOOR SALE OF ITEMS
12. PERMITTED UNDER SECTION 230.9, THE OUTSIDE DISPLAY OF MERCHANDISE IS
13. PERMITTED ONLY UNDER THE CANOPY, OR IF THERE IS NO CANOPY, ON OR
14. BETWEEN THE PUMP ISLAND OR IN AN AREA IMMEDIATELY ADJACENT TO THE
15. CASHIER'S KIOSK. SUCH GOODS MAY NOT BLOCK ACCESS DRIVES, STACKING
16. SPACES OR INTERFERE WITH THE SITE'S CIRCULATION PATTERN.

17. D. IF THE FUEL SERVICE STATION IS LOCATED WITHIN 50
18. FEET OF A RESIDENTIALLY ZONED PROPERTY, LIGHTING STANDARDS ON SITE MAY
19. NOT EXCEED A HEIGHT OF 18 FEET AND SHALL BE DIRECTED AWAY FROM ANY
20. RESIDENTIALLY ZONED PROPERTIES.

21. E. TO INCREASE COMPATIBILITY WITH SURROUNDING BUILDINGS
22. OR TO ENHANCE THE ATTRACTIVENESS OF THE SITE OF FUEL SERVICE STATIONS
23. FOR WHICH A SPECIAL EXCEPTION IS REQUIRED, THE ZONING COMMISSIONER MAY
24. SPECIFY ADDITIONAL REQUIREMENTS INCLUDING:

25. 1. CHANGES IN BUILDING OR SITE PLAN DESIGN;
26. 2. RESTRICTIONS ON HOURS OF OPERATIONS; OR
27. 3. OTHER REQUIREMENTS DEEMED NECESSARY FOR
28. COMPLIANCE WITH THIS SUBSECTION.

1. 2. SIGNS. PORTABLE "A" OR "SANDWICH BOARD" TYPE SIGNS ARE
2. PROHIBITED. IN ALL OTHER RESPECTS, THE REGULATIONS OF SECTION 413
3. SHALL APPLY.

4. 3. MAINTENANCE. AT ALL TIMES THE PREMISES SHALL BE
5. MAINTAINED IN A CLEAN AND ORDERLY CONDITION. ALL LANDSCAPED AREAS
6. SHALL BE IRRIGATED AS NEEDED AND DEAD PLANTS REPLACED. THE
7. RESPONSIBILITY FOR COMPLIANCE WITH THESE PROVISIONS LIES WITH ALL
8. PARTIES THAT INDIVIDUALLY OR COLLECTIVELY HAVE A LEASE OR OWNERSHIP
9. INTEREST IN THE FUEL SERVICE STATION.

10. D. ANCILLARY USES.

11. THE USES LISTED BELOW, ONLY, ARE PERMITTED BY RIGHT IN
12. CONJUNCTION WITH ANY FUEL SERVICE STATION. THE MINIMUM AREA OF THE
13. SITE AS DETERMINED UNDER SUBPARAGRAPH 405.4.A.1 SHALL BE INCREASED FOR
14. EACH ANCILLARY USE BY AT LEAST THE NUMBER OF SQUARE FEET INDICATED
15. BELOW, WHICH INCLUDES LAND FOR REQUIRED PARKING AND STACKING SPACES:

16. 1. MINOR VEHICLE REPAIR OR DIAGNOSTIC SERVICES TO VEHICLES
17. EXCEPT THOSE WHICH ARE UNLICENSED OR WHICH HAVE A STATE MOTOR VEHICLE
18. ADMINISTRATION TRANSPORTER OR A DEALER LICENSE. ADDITIONAL SITE AREA
19. OF 1,300 FEET PER SERVICE BAY SHALL BE PROVIDED.

20. A. TYPE OF SERVICE AND REPAIRS INCLUDE BUT ARE NOT
21. LIMITED TO THE SALE AND INSTALLATION OF MUFFLERS, SMALL AUTO PARTS AND
22. ACCESSORIES AND SHALL REMAIN ACCESSORY TO THE FUEL SERVICE STATION
23. OPERATION.

24. B. ALL SERVICE AND REPAIRS SHALL TAKE PLACE WITHIN
25. COMPLETELY ENCLOSED BUILDINGS.

26. C. THE COMBINED AREA FOR SALES, DISPLAY AND CUSTOMER
27. WAITING ROOM MAY NOT EXCEED 500 SQUARE FEET.

1. D. STORAGE OF TOW TRUCKS, DAMAGED OR DISABLED VEHICLES
2. OR PARTS IS SUBJECT TO SECTION 405A.

3. 2. CONVENIENCE STORE WITH A SALES AREA OF UP TO 1,500
4. SQUARE FEET INCLUSIVE OF ACCESSORY STORAGE. AN ADDITIONAL SITE AREA OF
5. FOUR TIMES THE SQUARE FOOTAGE OF THE CONVENIENCE STORE'S SALES AREA
6. SHALL BE PROVIDED.

7. 3. AUTOMATIC TELLER MACHINE, BUT NO DRIVE-THROUGH
8. FACILITIES. ADDITIONAL SITE AREA OF 1,000 SQUARE FEET FOR EACH DEVICE
9. SHALL BE PROVIDED.

10. 4. SELF-SERVICE VACUUM STATIONS. ALL SUCH STATIONS SHALL
11. BE LOCATED AT LEAST 30 FEET FROM A RESIDENTIALLY ZONED PROPERTY. NO
12. ADDITIONAL SITE AREA IS REQUIRED.

13. 5. TEMPORARY OUTDOOR SALE OF CHRISTMAS TREES, FIREWOOD, CUT
14. FLOWERS OR LIVE PLANTS AS LIMITED BY SECTION 230.9. NO ADDITIONAL SITE
15. AREA IS REQUIRED.

16. 6. THE SALE OF CIGARETTES, CANDY, DRINKS, SNACKS AND
17. SIMILAR ITEMS FROM VENDING MACHINES OR THE CASHIER'S KIOSK. NO
18. ADDITIONAL SITE AREA IS REQUIRED IF VENDING MACHINES DO NOT EXCEED A
19. TOTAL OF FIVE MACHINES, OTHERWISE THE AREA SHALL BE CONSIDERED A
20. CONVENIENCE STORE.

21. 7. THE RETAIL SALE OF AUTOMOTIVE SERVICE ITEMS SUCH AS
22. MOTOR OIL, ANTIFREEZE OR ALLIED PRODUCTS. NO ADDITIONAL SITE AREA IS
23. REQUIRED.

24. E. USES IN COMBINATION WITH FUEL SERVICE STATIONS. THE MINIMUM
25. AREA OF THE SITE AS DETERMINED BY SUBPARAGRAPH 405.4.A.1. SHALL BE
26. INCREASED FOR EACH USE IN COMBINATION WITH A FUEL SERVICE STATION BY AT
27. LEAST THE NUMBER OF SQUARE FEET INDICATED BELOW:

		INTEGRAL PLANNED DEVELOPMENT	INDIVIDUAL SITE
1. 2. 3.	TYPE OF USE		
4. 5. 6. 7. 8.	1. CONVENIENCE STORE WITH A SALES AREA LARGER THAN 1,500 SQUARE FEET INCLUSIVE OF ACCESSORY STORAGE. ADDITIONAL SITE AREA OF FOUR TIMES THE SQUARE FOOTAGE OF THE CONVENIENCE STORE'S SALES AREA MUST BE PROVIDED.	SE	SE
9. 10. 11. 12.	2. ROLL-OVER CAR WASH. NO SPECIFIC ADDITIONAL SITE AREA REQUIRED PROVIDED THE STACKING, PARKING AND BUFFER REQUIREMENTS OF SECTION 419 ARE MET.	P	SE
13. 14. 15. 16.	3. FULL SERVICE CAR WASH. NO SPECIFIC ADDITIONAL SITE AREA REQUIRED PROVIDED THE STACKING, PARKING AND BUFFER REQUIREMENTS OF SECTION 419 ARE MET.	SE	SE
17. 18. 19.	4. SERVICE GARAGES PROVIDING SERVICES OTHER THAN THOSE LISTED IN SECTION 405.4.D. SUBJECT TO THE PROVISIONS OF SECTION 405.4.C.A. THROUGH E.	SE	SE
20. 21. 22.	5. AUTOMOBILE RENTAL, WITH A MAXIMUM STOCK OF 12 CARS. ADDITIONAL SITE AREA OF 4,000 SQUARE FEET MUST BE PROVIDED.	SE	SE
23. 24. 25. 26.	6. TRAILER RENTAL, FOR TRAILERS NOT EXCEEDING 3/4-TON CHASSIS WEIGHT, WITH A MAXIMUM STOCK OF 20 TRAILERS. ADDITIONAL SITE AREA OF 5,000 SQUARE FEET MUST BE PROVIDED.	SE	SE
27. 28. 29. 30. 31.	7. LIGHT-TRUCK RENTAL, INCLUDING RENTAL OF TRUCKS EQUIPPED WITH CAMPERS, FOR TRUCKS NOT EXCEEDING 1-1/2 TON CAPACITY, WITH A MAXIMUM STOCK OF 8 TRUCKS. ADDITIONAL SITE AREA OF 4,000 SQUARE FEET MUST BE PROVIDED.	SE	SE
32. 33. 34.	8. PARKING OF NOT MORE THAN SIX SCHOOL BUSES. ADDITIONAL SITE AREA OF 2,600 SQUARE FEET MUST BE PROVIDED.	SE	SE
35. 36. 37. 38.	9. SELF SERVICE CAR WASHES. NO ADDITIONAL SITE AREA REQUIRED PROVIDED THE STACKING, PARKING AND BUFFER REQUIREMENTS OF SECTION 419 ARE MET.	SE	NOT PERMITTED
39. 40. 41. 42. 43.	10. RESTAURANT, INCLUDING FAST FOOD, FAST FOOD DRIVE-THROUGH ONLY, AND CARRY-OUT RESTAURANTS. ADDITIONAL SITE AREA OF SIX TIMES THE GROSS SQUARE FOOTAGE OF THE RESTAURANT MUST BE PROVIDED.	SE	SE

44. SE: SPECIAL EXCEPTION

P: PERMITTED BY RIGHT

1. 405.5 PLAN APPROVALS.

2. A. CONVERSION OF ANY CONFORMING FUEL SERVICE STATION BUILDING
3. TO ANOTHER USE, PERMITTED IN THE BASIC ZONE OR DISTRICT IN WHICH THE
4. SITE IS LOCATED, SHALL REQUIRE APPROVAL OF THE OVERALL PLAN OF THE
5. ENTIRE SITE BY THE DIRECTORS OF PLANNING AND ZONING, PUBLIC WORKS, AND
6. ZONING ADMINISTRATION AND DEVELOPMENT MANAGEMENT OR, IN THE CASE OF A
7. SPECIAL EXCEPTION, THE ZONING COMMISSIONER.

8. B. FOR ALL SERVICE STATION SITES REQUIRING A SPECIAL EXCEPTION,
9. ANY AMENDED PLAN SHALL CONSTITUTE A NEW PLAN AND BE SUBJECT TO THE SAME
10. REQUIREMENTS OF THESE REGULATIONS.

11. 405.6 FUEL SERVICE STATIONS EXISTING PRIOR TO THE EFFECTIVE
12. DATE OF BILL 172-93.

13. A. EXPANSION, RECONSTRUCTION OR ADDITION OF USES.

14. 1. ANY FUEL SERVICE STATION WHICH LEGALLY EXISTED BY RIGHT
15. OR BY SPECIAL EXCEPTION ON THE EFFECTIVE DATE OF BILL 172-93 MAY BE
16. EXPANDED OR RECONSTRUCTED AND ANY ANCILLARY USE LISTED IN PARAGRAPH
17. 405.4.D. MAY BE ADDED, PROVIDED THE PROJECT IS CONFINED TO THE LIMITS
18. OF THE SITE AS IT EXISTED ON THE EFFECTIVE DATE OF BILL 172-93 AND

19. A. CONFORMS WITH A PLAN FOR THE ENTIRE SITE AS REVIEWED
20. BY THE DIRECTORS OF PLANNING AND ZONING, PUBLIC WORKS AND ZONING
21. ADMINISTRATION AND DEVELOPMENT MANAGEMENT; AND

22. B. IS LOCATED IN A B.J., B.R., B.M., M.L., M.H. ZONE OR
23. A PUD; AND

24. C. MEETS THE REQUIREMENTS SET FORTH IN PARAGRAPH 405.4
25. OR, IN THE JUDGEMENT OF THE DIRECTOR OF THE ZONING ADMINISTRATION AND
26. DEVELOPMENT MANAGEMENT WOULD BE DONE IN SUCH A MANNER THAT THE STATION
27. WOULD BE IMPROVED TO BE MORE IN KEEPING WITH THE PURPOSES OF SUBSECTION
28. 405.4; AND

1. D. IN CASES WHERE A PROVISION OF BILL 172-93 CONFLICTS
2. WITH THE TERMS OR CONDITIONS OF A PRIOR SPECIAL EXCEPTION, THE PROJECT
3. MAY BE SUBJECT TO SPECIAL HEARING AT THE DISCRETION OF THE DIRECTOR OF
4. ZONING ADMINISTRATION AND DEVELOPMENT MANAGEMENT.

5. 2. AFTER A PUBLIC HEARING, THE ZONING COMMISSIONER MAY
6. AUTHORIZE EXPANSION OF THE STATION BEYOND THE CONFINES OF THE SITE,
7. SUBJECT TO THE PROVISIONS OF 405.6.A.1 ABOVE.

8. 3. ANY OF THE "USES IN COMBINATION WITH" FUEL SERVICE
9. STATIONS LISTED IN PARAGRAPH 405.4.E MAY BE ADDED TO ANY SUCH STATION,
10. PROVIDED A SPECIAL EXCEPTION IS GRANTED AND THE PROVISIONS OF
11. SUBSECTION 405.4 ARE MET.

12. 4. ANY STRUCTURE OR EXPANSION OF THE USE THAT IS SHOWN ON A
13. PLAN APPROVED PRIOR TO THE EFFECTIVE DATE OF BILL 172-93 SHALL BE
14. CONSIDERED AS BEING IN COMPLIANCE WITH SECTION 405.4.A.2.A.

15. B. PORTABLE "A" OR "SANDWICH BOARD" SIGNS SHALL BE REMOVED
16. WITHIN THREE MONTHS OF THE ADOPTION OF THIS PROVISION.

17. 405.7 ABANDONED FUEL SERVICE STATIONS.

18. A. FINDING: THE COUNTY COUNCIL RECOGNIZES THAT AT TIMES THE
19. PUBLIC NEED FOR FUEL SERVICE STATIONS AT PARTICULAR LOCATIONS CEASES,
20. AND THOSE STATIONS BECOME ABANDONED. AN ABANDONED FUEL SERVICE STATION
21. IS ONE WHICH, INTENTIONALLY, IS NOT IN ACTUAL AND CONTINUOUS OPERATION
22. AS DEFINED IN SUBSECTION 405.7.B. THE COUNTY COUNCIL FURTHER
23. RECOGNIZES THAT AN ABANDONED FUEL SERVICE STATION WHICH IS LEFT TO
24. DETERIORATE CAN BECOME A THREAT TO THE HEALTH, SAFETY AND WELFARE OF
25. THE COMMUNITY, CAN HAVE A BLIGHTING INFLUENCE ON SURROUNDING PROPERTIES
26. AND CAN CAUSE A DETERIORATION OF THE USE, VALUE AND ENJOYMENT OF
27. PROPERTY IN THE IMMEDIATE NEIGHBORHOOD.

1. B. NOTICE OF PRESUMPTION OF ABANDONMENT. WHENEVER THE OWNER OR
2. AGENT OF ANY FUEL SERVICE STATION HAS CEASED OR TERMINATED THE USE OF
3. THE PREMISES AS A FUEL SERVICE STATION, THE OWNER OR AGENT SHALL NOTIFY
4. THE DIRECTOR OF ZONING ADMINISTRATION AND DEVELOPMENT MANAGEMENT WITHIN
5. THIRTY (30) DAYS AFTER THE TERMINATION. NOTWITHSTANDING THE FAILURE OF
6. THE OWNER TO NOTIFY THE DIRECTOR, ANY FUEL SERVICE STATION WHICH HAS
7. NOT BEEN IN ACTUAL AND CONTINUOUS OPERATION AS A STATION FOR A PERIOD
8. OF TWELVE CONSECUTIVE MONTHS SHALL BE PRESUMED TO BE ABANDONED AND THE
9. RIGHT TO RESUME THE USE IS THEREBY TERMINATED. FOR PURPOSES OF THIS
10. SUBSECTION, "CONTINUOUS OPERATION" SHALL MEAN OPERATION AS A FUEL
11. SERVICE STATION AT LEAST EIGHT HOURS PER DAY, FIVE DAYS PER WEEK.

12. C. TERMINATION OF SPECIAL EXCEPTION. ANY SPECIAL EXCEPTION FOR
13. THE OPERATION OF A FUEL SERVICE STATION SHALL BECOME VOID UPON NOTICE
14. OF ABANDONMENT BY THE OWNER OR UPON PROOF OF ABANDONMENT AFTER NOTICE
15. AND HEARING PURSUANT TO SECTION 500.7 OF THE ZONING REGULATIONS. ANY
16. SPECIAL EXCEPTION FOR A FUEL SERVICE STATION SHALL TERMINATE AT THE
17. TIME OF THE CONVERSION TO ANOTHER USE.

18. D. THE PREMISES (INCLUDING LANDSCAPING) OF ANY FUEL SERVICE
19. STATION WHICH IS NOT IN CONTINUOUS OPERATION OR WHICH IS ABANDONED
20. SHALL BE CONTINUOUSLY MAINTAINED IN THE SAME MANNER AS IS REQUIRED
21. UNDER THESE REGULATIONS FOR OPERATING FUEL SERVICE STATIONS.

22. E. PROCEEDINGS TO REQUIRE REMOVAL.

23. 1. WHENEVER IT SHALL BE DETERMINED BY THE DIRECTOR OF
24. ZONING ADMINISTRATION AND DEVELOPMENT MANAGEMENT THAT A FUEL SERVICE
25. STATION HAS NOT BEEN IN CONTINUOUS OPERATION AND THAT THE PREMISES HAVE
26. NOT BEEN CONTINUOUSLY MAINTAINED, THE DIRECTOR SHALL ISSUE A NOTICE TO
27. THE OWNER OR AGENT TO REPAIR, CORRECT, OR TAKE OTHER APPROPRIATE ACTION
28. TO REMEDY THE SPECIFIC DEFICIENCIES ENUMERATED IN THE NOTICE.

1. 2. IF THE DEFICIENCIES HAVE NOT BEEN CORRECTED WITHIN A
2. PERIOD OF 90 DAYS FOLLOWING THE DATE OF THE NOTICE, THE DIRECTOR OF
3. ZONING ADMINISTRATION AND DEVELOPMENT MANAGEMENT SHALL REFER THE MATTER
4. TO THE ZONING COMMISSIONER FOR A HEARING, PURSUANT TO SECTION 500.7, TO
5. REQUIRE REMOVAL.

6. 3. IF, AFTER NOTICE AND HEARING PURSUANT TO SECTION 500.7
7. OF THE ZONING REGULATIONS, IT IS DETERMINED THAT A FUEL SERVICE STATION
8. HAS NOT BEEN IN CONTINUOUS OPERATION AND NOT CONTINUOUSLY MAINTAINED
9. AND CORRECTED ACCORDING TO PRIOR NOTICE, AND IF IT IS FURTHER FOUND
10. THAT BY REASON OF THE CONTINUED VACANCY, THE STRUCTURE AND GROUNDS LACK
11. REASONABLE OR ADEQUATE MAINTENANCE, THEREBY CAUSING DETERIORATION AND
12. BLIGHTING INFLUENCE ON NEARBY PROPERTIES AND THEREBY DEPRECIATING THE
13. ENJOYMENT, USE OR VALUE OF THE PROPERTY IN THE IMMEDIATE VICINITY TO
14. SUCH AN EXTENT THAT IT IS HARMFUL TO THE PUBLIC HEALTH, WELFARE,
15. SAFETY, COMFORT OR CONVENIENCE OF THE NEIGHBORHOOD IN WHICH THE STATION
16. IS SITUATED, THE ZONING COMMISSIONER SHALL ORDER THE STATION'S
17. REMOVAL. FOR PURPOSES OF THIS SUBSECTION, REMOVAL SHALL MEAN THE
18. REMOVAL BY THE OWNER OF ALL ABOVE GROUND STRUCTURES, INCLUDING PAVING,
19. AND REMOVAL OR ABANDONMENT IN PLACE OF UNDERGROUND TANKS IN COMPLIANCE
20. WITH THE PROVISIONS OF COMAR 26.10.10.02 AND SECTION 14-300(b) OF THE
21. BALTIMORE COUNTY CODE.

22. 405.8. CONVERSIONS OF ABANDONED STATIONS. ONE OF THE PURPOSES
23. OF THIS SUBSECTION IS TO PROMOTE THE CONVERSION OF VACATED FUEL SERVICE
24. STATIONS TO OTHER USES; THEREFORE, IF A FUEL SERVICE STATION HAS BEEN
25. ABANDONED AS SUCH, BUT IS CONVERTED TO ANOTHER USE, NO FUEL SERVICE
26. STATION STRUCTURE, EQUIPMENT, OR APPURTENANCES NECESSARY OR APPROPRIATE
27. TO THE NEW USE NEED BE REMOVED.

1. SECTION 419. CAR WASH.

2. 419.1. ROLL-OVER, FULL-SERVICE AND SELF-SERVICE CAR WASHES ARE
3. PERMITTED BY SPECIAL EXCEPTION IN THE FOLLOWING DISTRICTS: C.R.
4. (PROVIDED NO PART OF THE LOT IS IN R.C. 5), C.C.C., A.S. OR I.M.
5. (PROVIDED THAT NO PART OF THE SITE IS IN M.R.). CAR WASHES ARE ALSO
6. PERMITTED AS A USE IN COMBINATION WITH A SERVICE STATION SUBJECT TO THE
7. PROVISIONS OF SECTION 405.

8. 419.2. A SITE PLAN SHALL BE SUBMITTED SHOWING THE LOCATION OF
9. THE CAR WASH AND ZONE CLASSIFICATION OF ADJACENT PROPERTIES, THE
10. LOCATION OF INGRESS AND EGRESS, THE MANUFACTURER'S RATED HOURLY
11. PRODUCTION CAPACITY OF THE EQUIPMENT TO BE INSTALLED, IF AVAILABLE, OR
12. OTHER EVIDENCE OF THE CAPACITY OF THE EQUIPMENT, THE PROPOSED STACKING
13. SPACES AS REQUIRED BY SECTION 419.3 BELOW, THE PROPOSED LANDSCAPE AND
14. BUFFER TREATMENT, AND SUCH OTHER INFORMATION AS MAY BE REQUIRED BY THE
15. REVIEWING AGENCIES. ALL SITE PLANS ARE SUBJECT TO REVIEW BY THE
16. DIRECTORS OF THE DEPARTMENT OF PUBLIC WORKS, OFFICE OF PLANNING AND
17. ZONING, AND ZONING ADMINISTRATION AND DEVELOPMENT MANAGEMENT WHO SHALL
18. PROVIDE WRITTEN COMMENTS TO THE APPROVAL AUTHORITY.

19. 419.3. ALL INTERNAL PAVED AREAS OF A CAR WASH SITE USED FOR
20. STACKING, PARKING AND DRIVEWAY PURPOSES SHALL COMPLY WITH SECTION 409.1
21. AND SHALL BE LAID OUT TO ALLOW AUTOMOBILE CIRCULATION IN A MANNER THAT
22. PRECLUDES VEHICLES FROM WAITING ON THE STREET OR BLOCKING THE
23. RIGHT-OF-WAY BEFORE GAINING ENTRANCE.

24. A. ALL STACKING SPACES FOR CAR WASHES SHALL BE SINGLE-FILE AT
25. THE ENTRANCE OF THE TUNNEL. THE SPACE FOR THE CAR BEING WASHED SHALL
26. NOT BE COUNTED AS A STACKING SPACE. A MINIMUM OF THE FOLLOWING
27. STACKING SPACES SHALL BE PROVIDED:

28. 1. NINE PER ROLL-OVER CAR WASH TUNNEL;

1. 2. NINETEEN PER FULL-SERVICE CAR WASH TUNNEL;
2. 3. FOUR SPACES FOR THE FIRST TUNNEL OF A SELF-SERVICE CAR
3. WASH, AND TWO WAITING SPACES FOR EACH ADDITIONAL TUNNEL.

4. B. ALL PARKING SPACES SHALL BE LOCATED TO AVOID CONFLICT WITH
5. ON-SITE CIRCULATION PATTERNS. THE FOLLOWING MINIMUM NUMBER OF PARKING
6. SPACES SHALL BE PROVIDED:

7. 1. TO DRY VEHICLES, TWO FOR EACH TUNNEL OF A ROLL-OVER OR A
8. SELF-SERVICE CAR WASH AND SIX FOR EACH TUNNEL OF A FULL-SERVICE CAR
9. WASH; AND

10. 2. ONE PER VACUUM CLEANER UNIT, EXCEPT IN THE CASE OF A
11. FULL-SERVICE OR A SELF-SERVICE CAR WASH, A STACKING SPACE MAY BE USED
12. TO SERVE AS A PARKING SPACE FOR THE VACUUM CLEANER UNIT; AND

13. 3. TWO ADDITIONAL SPACES AT A ROLL-OVER CAR WASH; OR

14. 4. FOUR ADDITIONAL SPACES AT A FULL-SERVICE CAR WASH.

15. 419.4. NOTWITHSTANDING THE PROVISIONS OF THE ZONE IN WHICH THE
16. CAR WASH IS LOCATED, ALL FACILITIES ARE SUBJECT TO THE FOLLOWING
17. REQUIREMENTS:

18. A. LOCATIONAL STANDARDS.

19. 1. ROLL-OVER AND FULL-SERVICE CAR WASH BUILDINGS SHALL BE
20. SET BACK AT LEAST 50 FEET FROM THE LOT LINE OF ANY RESIDENTIALLY ZONED
21. PROPERTY. EXCEPT FOR THE LANDSCAPE BUFFERS, NO PART OF A SELF-SERVICE
22. CAR WASH SHALL BE WITHIN 100 FEET OF A RESIDENTIALLY ZONED PROPERTY.

23. 2. THE TUNNEL EXIT OF CAR WASH FACILITIES SHALL BE SET BACK
24. AT LEAST 50 FEET FROM THE NEAREST EXIT DRIVE.

25. B. GENERAL DESIGN.

26. 1. NO TUNNEL ENTRANCE OR EXIT OF A CAR WASH OPERATION SHALL
27. FACE AN ADJACENT RESIDENTIALLY ZONED PROPERTY NOT INCLUDING THOSE
28. ACROSS A STREET.

1. 2. THE REAR AND SIDES OF BUILDINGS FACING RESIDENTIALLY
2. ZONED PROPERTIES SHALL BE FINISHED WITH MATERIALS THAT IN TEXTURE AND
3. COLOR RESEMBLE THE FRONT OF THE BUILDING. THE TYPE OF FACADE TREATMENT
4. SHALL BE INDICATED ON THE SITE PLAN AND SHALL BE SUBJECT TO REVIEW BY
5. THE DIRECTOR OF THE OFFICE OF PLANNING AND ZONING, WHO SHALL PROVIDE
6. WRITTEN COMMENTS TO THE APPROVAL AUTHORITY.

7. 3. EXCEPT FOR THE REQUIRED ACCESS DRIVES, A LANDSCAPED
8. TRANSITION AREA SHALL BE PROVIDED ALONG THE PERIMETER OF ALL CAR WASH
9. OPERATIONS. SUCH AREA SHALL HAVE A MINIMUM WIDTH OF 10 FEET WHERE THE
10. CAR WASH FRONTS A PUBLIC RIGHT-OF-WAY, AND SIX FEET IN ALL SIDE AND
11. REAR YARDS ABUTTING NON-RESIDENTIALLY ZONED LAND. CAR WASH OPERATIONS
12. LOCATED WITHIN 50 FEET OF ANY RESIDENTIALLY ZONED PROPERTY (OTHER THAN
13. A RESIDENTIAL ZONE LINE IN A PUBLIC RIGHT-OF-WAY), SHALL PROVIDE A
14. BUFFER THAT MEASURES NO LESS THAN 15 FEET FROM THAT PROPERTY LINE.

15. 4. THE LANDSCAPE TRANSITION AREA SHALL BE PLANTED AND
16. SCREENED IN ACCORDANCE WITH THE LANDSCAPE MANUAL REQUIREMENTS FOR
17. AUTOMOTIVE USES.

18. 5. TO INCREASE COMPATIBILITY WITH SURROUNDING BUILDINGS OR
19. TO ENHANCE THE ATTRACTIVENESS OF THE SITE, THE ZONING COMMISSIONER MAY
20. REQUIRE CHANGES IN BUILDING OR SITE PLAN DESIGN OR HOURS OF OPERATION
21. FOR CAR WASHES FOR WHICH A SPECIAL EXCEPTION IS REQUIRED.

22. 419.5. THE REGULATIONS CONTAINED IN THIS SECTION 419 ENTITLED
23. "CAR WASH" SHALL NOT APPLY TO CAR WASHES LEGALLY EXISTING PRIOR TO THE
24. EFFECTIVE DATE OF BILL 172-93. BILL 172-93 DOES NOT AFFECT THE
25. VALIDITY OF ANY ORDER GRANTING A SPECIAL EXCEPTION OR ANY PLAN APPROVED
26. BY BALTIMORE COUNTY FOR A CAR WASH WHICH OCCURRED PRIOR TO THE
27. EFFECTIVE DATE OF THIS BILL. ANY SUCH SPECIAL EXCEPTION OR PLAN SHALL
28. BE SUBJECT TO THE APPLICABLE PROVISIONS OF THE BALTIMORE COUNTY ZONING

1. REGULATIONS IN EFFECT AT THE TIME OF THE GRANT OF SUCH SPECIAL
2. EXCEPTION OR PLAN.

3. SECTION 3. AND BE IT FURTHER ENACTED, that the definitions of
4. "Car Wash, Roll-Over", "Car Wash, Full-Service" and "Car Wash,
5. Self-Service" be and they are hereby added to Section 101 - Definitions
6. of the Baltimore County Zoning Regulations, as amended, to read as
7. follows:

8. SECTION 101 - DEFINITIONS

9. CAR WASH, ROLL-OVER: A CAR WASH WHERE EXTERIOR-ONLY CLEANING,
10. WASHING OR WAXING SERVICES ARE PROVIDED ON A ROLL-OVER BASIS WITH THE
11. VEHICLE IN A STATIONARY POSITION DURING THE SERVICING.

12. CAR WASH, FULL-SERVICE: A CAR WASH PROVIDING AUTOMATED
13. EXTERIOR WASHING OR WAXING SERVICES, OR WHICH PROVIDES CLEANING,
14. WASHING, WAXING, DRYING OR INTERIOR CLEANING BY HAND. FOR THE PURPOSE
15. OF THESE REGULATIONS, A FACILITY WHICH PROVIDES COMPLETE INTERIOR AND
16. EXTERIOR DETAIL CLEANING THAT TAKES MORE THAN APPROXIMATELY TWO HOURS
17. PER CAR SHALL NOT BE CONSIDERED A FULL-SERVICE CAR WASH.

18. CAR WASH, SELF-SERVICE: A CAR WASH WHERE EQUIPMENT OR
19. FACILITIES ARE PROVIDED FOR THE SELF-SERVICE CLEANING AND WASHING OF
20. MOTOR VEHICLES.

21. SECTION 4. AND BE IT FURTHER ENACTED, that Section 101 -
22. Definitions, the definitions of "Commercial Motorway, Class I" and
23. "Commercial Motorway, Class II", and Section 259.2.E.F. and G., of the
24. Baltimore County Zoning Regulations, as amended, be and they are hereby
25. repealed.

1. SECTION 5. AND BE IT FURTHER ENACTED, that Section 101 -
2. Definitions of "Automotive Service Station" and "Car Wash" and Sections
3. 100.1.B.2, 1B01.1.A.14C, 230.9., 248.3, 253.123.C, 253.2.B, 256.1,
4. 259.2.B., 259.3.B.2., 402D.2, 402E.2. and 502.3 of the Baltimore County
5. Zoning Regulations, as amended, and Sections III and IX.C.2.6. of the
6. Baltimore County Landscape Manual, as adopted by the County Council on
7. October 1, 1990 by Resolution 56-90, and as amended by Resolutions
8. 66-90 and 10-93, be and they are hereby repealed and reenacted with
9. amendments, to read as follows:

10. Section 101 - Definitions.

11. {Automotive} FUEL Service Station: A structure or land used or
12. intended to be used {primarily} for the retail sale of automotive fuel,
13. but not a truck stop. FOR THE PURPOSE OF THESE REGULATIONS, ANY
14. ESTABLISHMENT WHICH SELLS AUTO FUEL RETAIL SHALL BE CONSIDERED A FUEL
15. SERVICE STATION, UNLESS IT IS CLASSIFIED AS A TRUCK STOP OR TRUCKING
16. FACILITY.

17. Car Wash: An area of land and/or a structure with machine or
18. hand-operated facilities used {principally} for the cleaning, washing,
19. polishing, or waxing of motor vehicles AS A PRINCIPAL OR ACCESSORY USE.

20. Fuel Servicing Space: On {an automotive} A FUEL service station
21. site, any one of the maximum number of spaces on which cars may be
22. situated simultaneously while being fueled.

23. Section 100.1.B.2. Districts.

24. Districts are as follows:

25. A.S. DISTRICT	AUTOMOTIVE SERVICES
26. C.R. District	Commercial, rural
27. {C.N.S. District	Commercial, Neighborhood shopping}
27. C.C.C. District	Commercial, community core

1. C.T. District Commercial, town-center core
2. {C.S.A. District Commercial, supporting area
3. C.S.-1 District Commercial, strip
4. C.S.-2 District Commercial, strip}
5. I.M. District Industrial, major
6. Section 1B01.1 General Use Regulations in D.R. Zones.
7. A. Uses Permitted as of Right. The following uses, only, are
8. permitted as of right in D.R. zones of all classifications, subject to
9. the restrictions hereinafter prescribed:
10. 14. Accessory uses or buildings other than those permitted
11. only by special exception, including, but not limited to:
12. {c. automotive-service stations, but only within
13. community garages}
14. Section 230 - Use Regulations - B.L. Zone
15. The following uses only are permitted:
16. 230.9.
17. FUEL SERVICE STATIONS IN A PLANNED SHOPPING CENTER OR DRIVE-IN
18. CLUSTER ONLY, SUBJECT TO SECTION 405.
19. Section 248. Use Regulations - M.L.R. Zone
20. The following uses only are permitted:
21. 248.3.
22. CAR WASH IN A PLANNED INDUSTRIAL PARK ONLY, SUBJECT TO SECTION
23. 419.
24. FUEL SERVICE STATIONS IN A PLANNED INDUSTRIAL PARK ONLY, SUBJECT
25. TO SECTION 405.

1. Section 253. Use Regulations - M.L. Zone.

2. 253.123. Uses Permitted as of Right. The uses listed in this
3. subsection, only, shall be permitted as of right in M.L. zones, subject
4. to any conditions hereinafter prescribed.

5. C. The following auxiliary retail or service uses or
6. semi-industrial uses, provided that any such use is located in a
7. planned industrial park at least 25 acres in net area or in an I.M.
8. district [in neither case with any direct access to an arterial street
9. other than a Class I Commercial Motorway]:

10. 7A. CAR WASH IN A PLANNED INDUSTRIAL PARK ONLY, SUBJECT TO
11. SECTION 419.

12. 17A. FUEL SERVICE STATION IN A PLANNED INDUSTRIAL PARK ONLY,
13. SUBJECT TO SECTION 405.

14. 253.2. Uses permitted by Special Exception. The uses
15. listed in this subsection are permitted by special exception only.

16. B. The following auxiliary service uses, provided that any such
17. use shall be located in a planned industrial park at least 25 acres in
18. net area or in an I.M. district, [in neither case with any direct
19. access to an arterial street other than a Class I Commercial Motorway,
20. and,] provided, further, that it is shown that any such use will serve
21. primarily the industrial uses and related activities in the surrounding
22. industrial area:

23. 1. Automotive-service stations, subject, further, to the
24. provisions of Section 405.

25. 2. Car washes, subject, further, to the provisions of
26. Section 419.

27. 3. Garages, service, including establishments for the
28. service or repair of trucks, of truck trailers, or of freight-shipping

1. containers designed to be mounted on chassis for part or all of their
2. transport.

3. 4. Union halls or other places of assembly for
4. employment-related activities.

5. Section 256. Use Regulations - M.H. Zone

6. The following uses only are permitted, subject to the provisions
7. of 256.5:

8. 256.1.

9. CAR WASH IN A PLANNED INDUSTRIAL PARK ONLY, SUBJECT TO SECTION
10. 419.

11. FUEL SERVICE STATION, IN A PLANNED INDUSTRIAL PARK ONLY, SUBJECT
12. TO SECTION 405.

13. Section 259. Districts.

14. 259.2. Statements of Legislative Intent for Districts.

15. B. [C.N.S. District -- Commercial, Neighborhood Shopping.

16. C.N.S. districts may be applied only to certain existing or
17. proposed centers of business activity which are on land zoned B.L.,
18. B.M., B.R., and/or M.L., any one of which centers must be intended to:
19. include at least one supermarket or grocery store; have less than 15
20. retail stores in total; have no department store, junior department
21. store, nor, ordinarily, variety (dime) store; and serve a resident
22. neighborhood population of approximately 10,000 persons or less. A
23. planned shopping center having such characteristics may lie wholly or
24. partially within a C.N.S. district.]

25. A.S. AUTOMOTIVE SERVICES DISTRICT. THE A.S. DISTRICT MAY BE
26. APPLIED WITHIN THE URBAN RURAL DEMARCATION LINE (URDL) TO CERTAIN
27. PARCELS OF LAND ZONED B.L., B.M., OR B.R., WHICH ARE APPROPRIATE FOR
28. USES DOMINATED BY THE PARKING AND SERVICING OF AUTOMOBILES OR

1. CHARACTERIZED BY FREQUENT PARKING TURNOVER, SUCH AS FUEL SERVICE
2. STATIONS AND CAR WASH OPERATIONS. ANY LAND HERETOFORE CLASSIFIED AS
3. C.N.S., C.S.A., C.S.-1 OR C.S.-2 ON THE EFFECTIVE DATE OF BILL 172-93
4. SHALL HEREBY BE CLASSIFIED AN A.S. DISTRICT.

5. 259.3. Special Regulations for C.R. Districts.

6. B. Uses Permitted by Special Exception.

7. 2. Any use permitted (by right or by special exception)
8. within the C.R. district but which is not permitted in the underlying
9. zone and which meets the bulk regulations of Paragraph 1 of 259.3C is
10. permitted by special exception EXCEPT THAT SERVICE STATIONS AND CAR
11. WASH OPERATIONS ARE ONLY PERMITTED IN A C.R. DISTRICT WITH B.L., B.M.,
12. OR B.R. AS A BASE ZONE.

13. Section 402 - Conversion of Dwellings.

14. 402D. Conversion of dwellings to a bed and breakfast home or
15. bed and breakfast inn in D.R. or R.C. zones. Upon application, the
16. Zoning Commissioner may issue a use permit (under Section 500.4) for
17. the use of land, subject to the following conditions:

18. 402D.2. The converted dwelling shall be:

19. A. {Situat~~e~~d on a lot with frontage on a Class I commercial
20. motorway; or

21. B. Situated on a lot with frontage on a Class II commercial
22. motorway; or}

23. SITUATED ON A LOT WITH FRONTAGE ON A PRINCIPAL ARTERIAL; OR

24. {C.} B. officially designated as historic or located in a
25. historic district, as identified on the zoning maps (or eligible for
26. identification on the zoning maps); or

27. {D.} C. on a property located outside the urban-rural
28. demarcation line (URDL).

1. 402E - Conversion of dwellings to a country inn in D.R. or R.C.
2. zones. Upon application, the Zoning Commissioner may grant a special
3. exception (under 500.5) for the use of land, subject to the following
4. conditions:

5. 402E.2. The converted dwelling shall be:

6. a. {situated on a lot with frontage on a Class I commercial
7. motorway; or

8. b. situated on a lot with frontage on a Class II commercial
9. motorway; or}

10. SITUATED ON A LOT WITH FRONTAGE ON A PRINCIPAL ARTERIAL; OR

11. {c.} B. on a property located outside the urban-rural
12. demarcation line (URDL).

13. {d.} C. The converted dwelling may not be located in any
14. historic district, except for the Ellicott Mills-Oella Historic
15. District.

16. Section 502. Special Exceptions.

17. 502.3. A Special Exception which has not been utilized within a
18. period of two years from the date of the final order granting same, or
19. such longer period not exceeding five years, as may have been specified
20. therein, shall thereafter be void. The Zoning Commissioner or, on
21. appeal, the County Board of Appeals, in connection with the grant of
22. any Special Exception, shall fix within the foregoing limits, the
23. period of time for its utilization. Any party to the proceedings may,
24. by so specifying, appeal from either the order of the Zoning
25. Commissioner or of the County Board of Appeals as the case may be,
26. solely as to the reasonableness of the period of time allowed or,
27. alternatively, may have such question determined in conjunction with
28. any appeal from the grant or refusal of the application for a Special

1. Exception. After a final order granting a Special Exception the Zoning
2. Commissioner, at any time prior to expiration of the period of time
3. authorized for its utilization, may grant one or more extensions of
4. such period, provided that a maximum time for utilization of the
5. Special Exception is not thereby extended for a period of more than
6. five years from the date of the final order granting same.

7. A Special Exception which requires any construction for its
8. utilization shall be deemed to have been used within its authorized
9. time if such construction shall have commenced during the authorized
10. period, or any extension thereof, provided said construction is
11. thereafter pursued to completion with reasonable diligence.

12. Notwithstanding the above provisions, in any case where a
13. Special Exception in effect on or after January 1, 1957 cannot be
14. utilized within the maximum allowable time because of inadequacy or
15. unavailability of public sewer or water facilities, the Zoning
16. Commissioner shall extend such time for utilization to a date eighteen
17. months after such facilities become adequate and available, as
18. evidenced by the ability to obtain a public works agreement permitting
19. exercise of the Special Exception. A copy of the extension order shall
20. be sent by the Zoning Commissioner to the Director of Public Works, who
21. shall give certified or registered mail notice when such public works
22. agreement is obtainable, to the party, and for the property, named in
23. the extension order at the address shown in said order, except that the
24. party named in the extension order, by certified or registered mail
25. notice to the Director of Public Works and the Zoning Commissioner, may
26. change the name of the party to receive such notice from the public
27. works Director, or the address to which said notice is to be sent, or
28. both. The date on which the notice is sent by the Director of Public

1. Works to the last party of the record within, at the last address.
2. furnished, shall be the commencement date for the running of the
3. eighteen month extension period in which there must be utilization of
4. the Special Exception.

5. {Anyone having a Special Exception for an automotive service
6. station shall have such exception automatically extended for a period
7. of five (5) years after said property is designated a district in
8. accordance with the automotive service stations regulations of
9. Baltimore County.}

10. Landscape Manual

11. Section III. Definitions.

12. AUTOMOTIVE USES: THE TERM "AUTOMOTIVE USE" INCLUDES FUEL
13. SERVICE STATIONS AND CAR WASH OPERATIONS.

14. SCREENING, CLASS "C"--ONE PLANTING UNIT PER 10 LINEAR FEET OF
15. THE AREA TO BE BUFFERED. MINIMUM HEIGHT OF SCREEN AT INSTALLATION
16. SHALL BE 35 INCHES FOR SHRUBS AND SEVEN FEET FOR TREES.

17. IN ADDITION TO THE REQUIRED PLANTINGS, A SIX FOOT HIGH BERM, OR
18. MASONRY, WOOD-ON-WOOD FENCE OR SOUND BARRIER WALL MAY BE REQUIRED.
19. SUCH BERM, FENCE OR WALL SHALL BE SET BACK AT LEAST FIVE FEET FROM THE
20. PROPERTY LINE. A PLANTING STRIP BETWEEN SUCH BERM OR FENCE AND THE
21. PROPERTY LINE MAY BE REQUIRED.

22. Section IX. Landscape Standards.

23. C. Commercial, Office (including RO zones), Industrial, High
24. Rise Residential (including RAE 1 and 2) and Public Development.

25. 2. Planting Requirements.

26. b. Special Conditions - In addition to the General
27. Planting Requirements, the following formulas shall be used.

1. (5) EXCEPT FOR THE REQUIRED ACCESS DRIVES, A PLANTING AREA
2. IS REQUIRED ALONG THE PERIMETER OF AN AUTOMOTIVE USE. SETBACKS SHALL
3. BE IN COMPLIANCE WITH THE UNDERLYING ZONE OR THE SPECIAL REGULATIONS OF
4. THE USE. LANDSCAPING ALONG THE PUBLIC RIGHT-OF-WAY SHALL COMPLY WITH
5. CLASS "B" SCREENING REQUIREMENTS. ALL SIDE AND REAR YARDS ABUTTING
6. COMMERCIALY OR INDUSTRIALLY ZONED LAND SHALL BE VEGETATED AT THE RATE
7. OF ONE PLANTING UNIT PER 10 FEET. A PROPERTY LINE THAT ABUTS OR IS
8. WITHIN 50 FEET OF A RESIDENTIALLY ZONED PROPERTY SHALL BE LANDSCAPED IN
9. ACCORDANCE WITH CLASS "C" SCREENING REQUIREMENTS.

10. SECTION 6. AND BE IT FURTHER ENACTED, THAT ANY APPLICATIONS
11. FOR A SERVICE STATION OR CAR WASH WHICH, AS OF THE DATE OF ADOPTION OF
12. BILL 172-93, HAVE BOTH (I) FILED A CONCEPT PLAN AND HELD A COMMUNITY
13. INPUT MEETING PURSUANT TO SECTION 26-202 OF THE BALTIMORE COUNTY CODE;
14. AND (II) FILED WITH THE OFFICE OF PLANNING AND ZONING ANY REQUIRED
15. PETITIONS FOR SPECIAL EXCEPTIONS OR VARIANCES PURSUANT TO THE BALTIMORE
16. COUNTY ZONING REGULATIONS, SHALL BE GOVERNED BY SECTIONS 405 AND 419 OF
17. THE ZONING REGULATIONS IN EFFECT IMMEDIATELY PRIOR TO THE DATE OF
18. ADOPTION OF BILL 172-93 ("IN-PROCESS FACILITIES"). ANY IN-PROCESS
19. FACILITIES WHICH ARE ULTIMATELY APPROVED AND CONSTRUCTED SHALL BE
20. SUBJECT TO THE PROVISIONS OF BILL 172-93 UPON ANY FURTHER MODIFICATIONS
21. OF THE APPROVED DEVELOPMENT PLAN.

22. Section 6 7. AND BE IT FURTHER ENACTED, that this Act
23. shall take effect forty-five days after its enactment.

READ AND PASSED this 6th day of December, 1993

BY ORDER

Thomas J. Peddicord, Jr.
Thomas J. Peddicord, Jr.
Secretary

PRESENTED to the County Executive for his approval this 7th day
of December, 1993.

Thomas J. Peddicord, Jr.
Thomas J. Peddicord, Jr.
Secretary

APPROVED AND ENACTED:

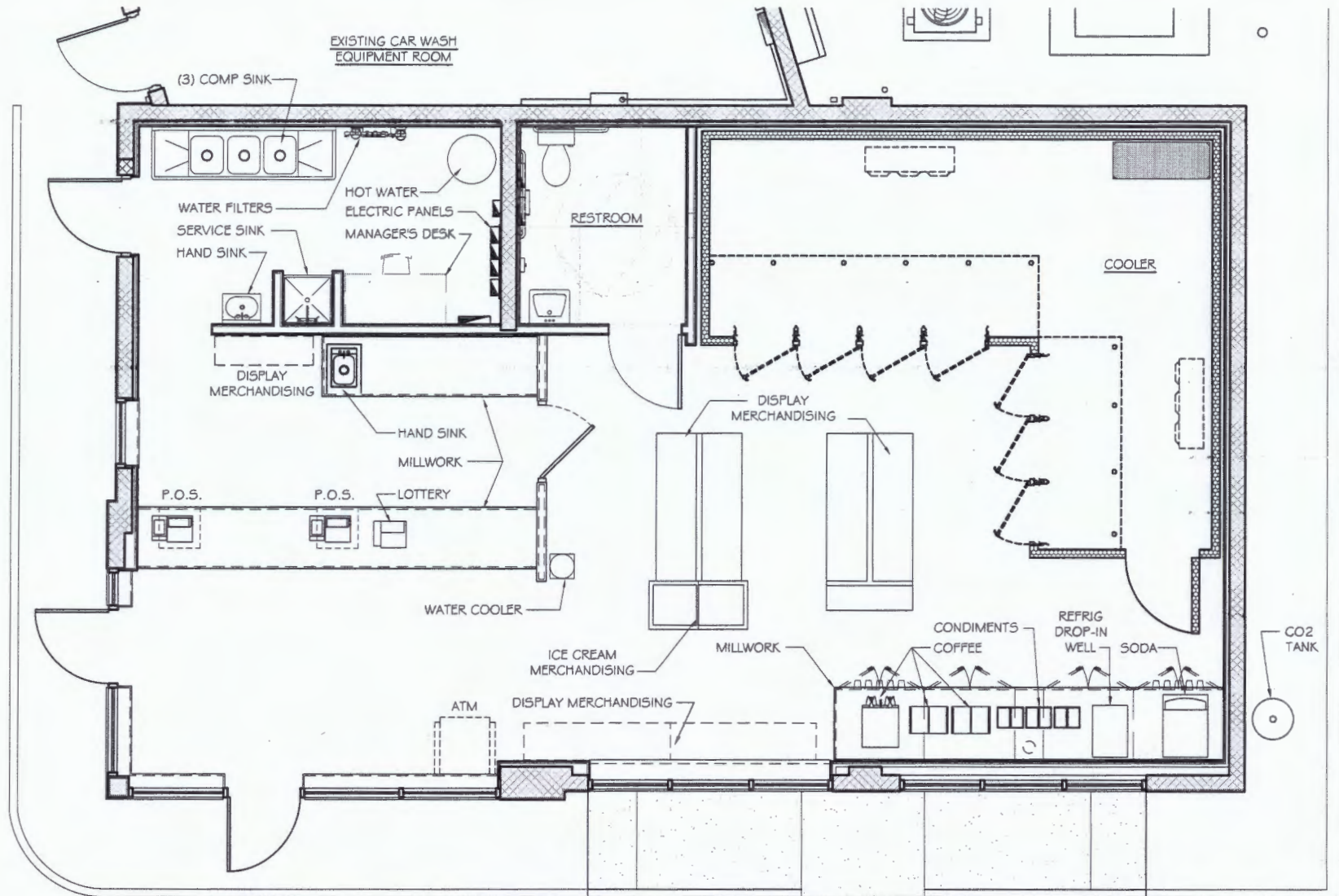
12/13/93

Roger B. Hayden
Roger B. Hayden
County Executive

I HEREBY CERTIFY THAT BILL NO. 172-93 IS TRUE AND CORRECT

AND TOOK EFFECT ON JANUARY 27 1994

C. A. Dutch Ruppertsberger, III
C. A. Dutch Ruppertsberger, III
Chairman, County Council



L2M
ARCHITECTS
SK-1

ORIGINAL PRELIMINARY
SCALE: 1/4" = 1'-0"

PETITIONER'S

EXHIBIT NO. 5

8602 Old Harford Road 2015-0211-SPH



Publication Date: 3/26/2015



Publication Agency: Permits, Approvals & Inspections
Projection/Datum: Maryland State Plane,
FIPS 1900, NAD 1983/91 HARN, US Foot



0 12.5 25 50 75 100 Feet

1 inch = 50 feet



8602 Old Harford Road

Created By
Baltimore County
My Neighborhood



Printed 3/25/2015

2015-0211-SPH
Zoning Map 071A3

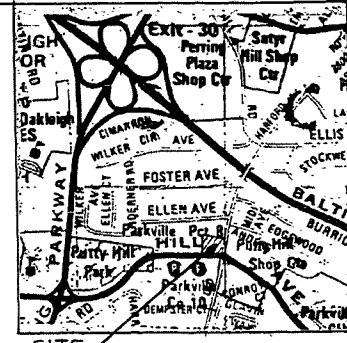
$$\frac{20}{20} \text{ ak}$$

Service Boy Parking

Gasoline Stacking

Employees Parking.

Car Wash Stacking



ZIP DATA

OWNER: EDWARD L. & LILDA M. GITTINGS
1667 Cynthia Court
Bartlesville, Maryland 21884

PROPERTY ADDRESS:
WOODCROFT AMCO
8640 Old Macford Road
Baltimore, Maryland 21224

DEED REFERENCE.....6659/725
TAX ACCOUNT #.....0919420221
ELECTION DISTRICT.....5
TAX MAP.....71
GRID.....13
PARCEL.....1234
LOT.....NE
EXISTING CORING.....NE
SET AREA.....68
PROPOSED STRUCTURE.....SELF SERVICE GAS WASH
GRADE AREA.....34,458 S.F. or 0.78 AC-
SET AREA.....35,398 S.F. or 0.81 AC-
COUNCILMANIC DISTRICT.....6
GRADE TRACT.....6224.82
WATERSEED.....NEARING RUN

1. mite has a gasoline dispenser;	
stacking requirement = 2 spaces per dispenser;	
therefore, $2 \times 2 \text{ spaces} = 4 \text{ spaces}$	16 spaces
2. automobile stacking is based on	
an average of 15 minutes per car;	
stacking requirement = 1 space per car;	
therefore, 4 cars $\times$ 4 days = 16	16 spaces
3. mite has 1 service bay;	
parking requirement = 1 space per bay;	
therefore, $1 \times 5 \text{ spaces} = 5 \text{ spaces}$	5 spaces
4. mite has 2 employees;	
parking requirement = 1 space per employee;	
therefore, 2 employees $\times$ 1 space = 2 spaces	2 spaces
TOTAL parking & stacking requirement	47 spaces

1. gasoline stacking.....	16 spaces
2. car wash stacking.....	18 spaces
3. service bay parking.....	4 spaces
4. employee parking.....	2 spaces
TOTAL PARKING + STACKING PROVIDED..... 40 spaces	

3358 REQUEST REZODING FROM RESIDENTIAL
TO BL. GRANTED JANUARY 11, 1955

4928 REQUEST SPECIAL EXCEPTION TO
PERMIT GASOLINE STATION IN A
BL ZONE - GRANTED APRIL 14, 1960

71-217 REQUEST VARIANCE OF SIGN HEIGHT
OF 35 FEET IN LIEU OF REQUIRED
25 FEET AND LIGHT STAND OF 18
FEET IN LIEU OF THE REQUIRED
8 FEET - GRANTED MARCH 17, 1971

78-70X SPECIAL EXCEPTION TO PERMIT A
CAR WASH IN A BL ZONE - GRANTED
NOVEMBER 7, 1978

EXHIBIT NO. 2

PLAT TO ACCOMPANY PETITION
FOR SPECIAL HEARING

WOODCROFT AMOCO
8602 OLD HARFORD ROAD
9th ELECTION DISTRICT
BALTIMORE COUNTY, MARYLAND 21234

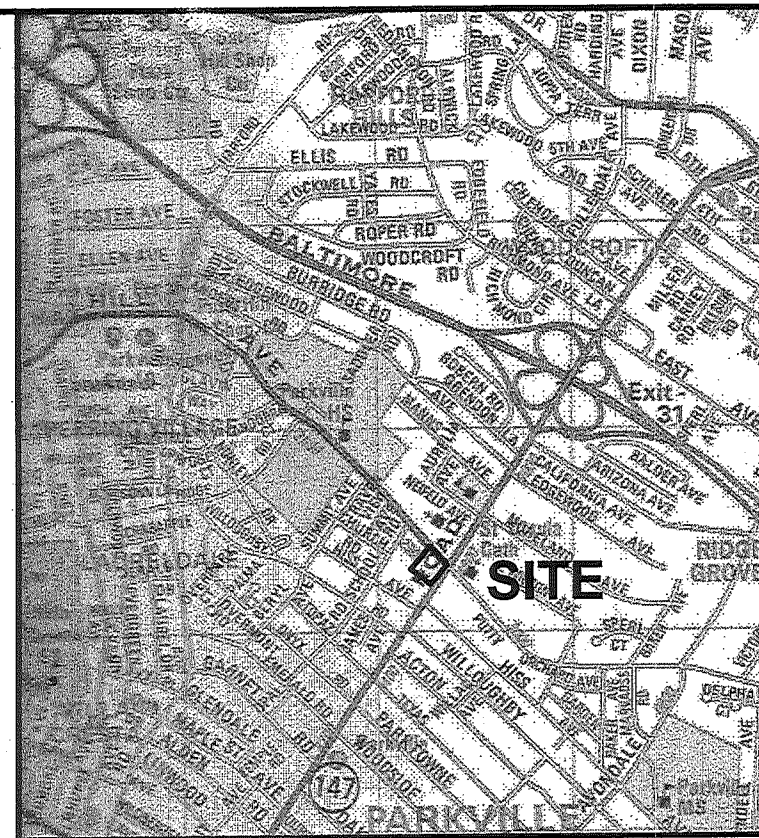
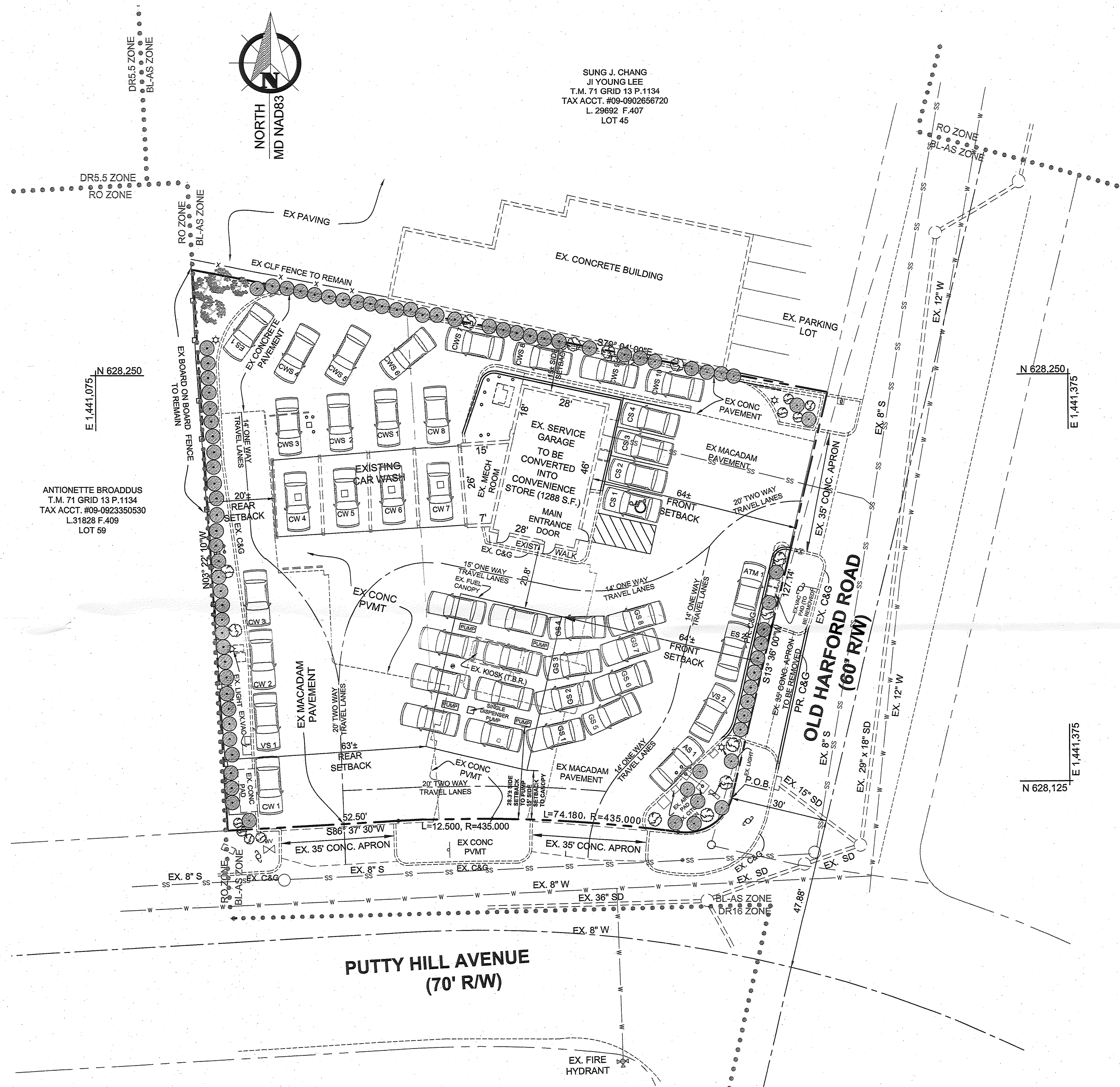
SCALE: AS SHOWN SHEET 1 OF 1 DATE: 10-1-92

Engineers & Surveyors
BOX 5614
Frederick, Maryland

OWNER / DEVELOPER
EDWARD L. GITTINGS JR.
1607 CYNTHIA COURT
JARRETTSVILLE, MARYLAND 21084

8602 OLD HARFORD ROAD
9th ELECTION DISTRICT
BALTIMORE COUNTY, MARYLAND 21234

SCALE: AS SHOWN SHEET 1 OF 1 DATE: 12-1-92



VICINITY MAP
ADC PERMITTED USE NUMBER 2103176

SITE DATA TABLE AND GENERAL NOTES

OWNER : EDWARD L. GITTINGS, JR AND LINDA M. GITTINGS 1607 CYNTHIA COURT JARRETTSVILLE, MARYLAND 21084 DEED: 6859 / 725	
TAX ACCOUNT #09-0919850852, 15,913 SQ. FT. TAX ACCOUNT #09-1600001152, 10,675 SQ. FT. TOTAL AREA..... 26,588 SQ. FT.	
ZONE AND ACREAGE IN ZONE: BL-AS ZONE (ENTIRE SITE) 26,588 SQ. FT. (0.61 AC.)	
EXISTING USES: FUEL SERVICE STATION, CAR WASH, SERVICE GARAGE PROPOSED USES: FUEL SERVICE STATION, CAR WASH, CONVENIENCE STORE (LESS THAN 1500 S.F.)	
ZONING CASE HISTORY: 3358 REQUEST REZONING FROM RESIDENTIAL TO BL- GRANTED JANUARY 11, 1995	
4928-X PETITION FOR SPECIAL EXCEPTION TO PERMIT GASOLINE FILLING STATION GRANTED BY ZONING COMMISSIONER APRIL 14, 1960	
66-35-X PETITION FOR SPECIAL EXCEPTION FOR SERVICE GARAGE. DENIED BY ZONING COMMISSIONER AUGUST, 1965. GRANTED BY BOARD OF APPEALS FEBRUARY 9, 1966.	
70-172-SPH-A PETITION FOR SPECIAL HEARING AND VARIANCE FOR EXPANDED SITE FOR SERVICE GARAGE AND LIGHTING STANDARDS OF 14 FEET IN HEIGHT IN LIEU OF 8 FEET IN HEIGHT OTHERWISE PERMITTED. GRANTED BY THE ZONING COMMISSIONER ON APRIL 10, 1970.	
71-217-A PETITION FOR VARIANCE OF SIGN HEIGHT OF 35 FEET IN LIEU OF 25 FEET AND LIGHT STANDARDS OF 18 FEET IN HEIGHT IN LIEU OF THE REQUIRED PERMITTED 8 FEET. GRANTED BY THE ZONING COMMISSIONER MARCH 17, 1971	
78-70-X PETITION FOR SPECIAL EXCEPTION FOR CAR WASH. GRANTED BY THE ZONING COMMISSIONER NOVEMBER 7, 1977	
90-216-SPH-X PETITION FOR SPECIAL HEARING FOR ADDITION TO SERVICE GARAGE. GRANTED BY THE ZONING COMMISSIONER ON FEBRUARY 7, 1990.	
93-134-SPH-X PETITION FOR SPECIAL HEARING AND SPECIAL EXCEPTION FOR MODIFICATIONS TO PREVIOUSLY APPROVED PLANS FOR A USE IN COMBINATION WITH FUEL SERVICE STATION AND A CAR WASH. GRANTED BY THE ZONING COMMISSIONER ON FEBRUARY 23, 1993	
AGE OF BUILDING.....	53 YEARS ± (USE APPROVED IN 1960)
GROSS FAR.....	0.06 FAR (1568 ± 26,588 SQ. FT.)
BUILDING HEIGHT.....	15 FT ±
PARKING SPACES REQUIRED: 1/ EMPLOYEE ON LARGEST SHIFT.....	2 SPACES
3/ 1000 SQ. FT. FOR CONVENIENCE STORE.....	4 SPACES
1/ AIR PUMP + 2 VACUUM + 1 ATM.....	4 SPACES
CAR WASH.....	8 SPACES
TOTAL REQUIRED.....	18 SPACES
PARKING SPACES PROVIDED: EMPLOYEE SPACES (ES).....	2 SPACES
CONVENIENCE STORE SPACES (CS).....	4 SPACES (3+1 HANDICAP)
AIR PUMP SPACES (AS).....	1 SPACE
VACUUM SPACES (VS).....	2 SPACES
ATM SPACES (ATM).....	1 SPACE
CAR WASH SPACES (CW).....	8 SPACES
TOTAL SPACES.....	18 SPACES
STACKING SPACES REQUIRED: CAR WASH (CWS).....	10 SPACES
8 GAS DISPENSERS (GS).....	8 SPACES
TOTAL STACKING REQUIRED.....	18 SPACES
STACKING SPACES PROVIDED: CAR WASH (CW).....	10 SPACES
8 GAS DISPENSERS (GS).....	8 SPACES
TOTAL STACKING PROVIDED.....	18 SPACES
SITE AREA REQUIRED: 8 FUEL SERVICE STATION x 1,500 SQ. FT. (15,000 MIN.).....12,000 SQ. FT.	
+ 4 x 1,288 SQ. FT. CONVENIENCE STORE.....2,000 SQ. FT.	
+ 2 VACUUM x 1,000 SQ. FT.....2,000 SQ. FT.	
+ 1 AIR PUMP x 1,000 SQ. FT.....1,000 SQ. FT.	
+ 1 ATM x 1,000 SQ. FT.....1,000 SQ. FT.	
TOTAL GROSS SITE AREA REQUIRED.....25,000 SQ. FT.	
TOTAL GROSS SITE AREA PROVIDED.....26,588 SQ. FT.	
SETBACKS: 35 FT. FROM R/W TO MAIN BUILDING REQUIRED	
64 FT. FROM R/W TO MAIN BUILDING PROVIDED	
25 FT. FROM R/W TO PUMP REQUIRED	
28.3 FT. FROM R/W TO PUMP PROVIDED	
15 FT. FROM R/W TO CANOPY REQUIRED	
15 FT. FROM R/W TO CANOPY PROVIDED (I)	
SIDE AND REAR BUILDING WILL BE FINISHED WITH MATERIALS IN TEXTURE AND COLOR THAT RESEMBLE THE FRONT.	
LIGHTING STANDARDS WILL NOT EXCEED 18 FT. EXCEPT WHERE VARIANCES HAVE BEEN GRANTED.	
RESTROOMS, AIR COMPRESSORS, AND WATER WILL BE PROVIDED IN ACCORDANCE WITH BCZR 405.4.A.2.d	

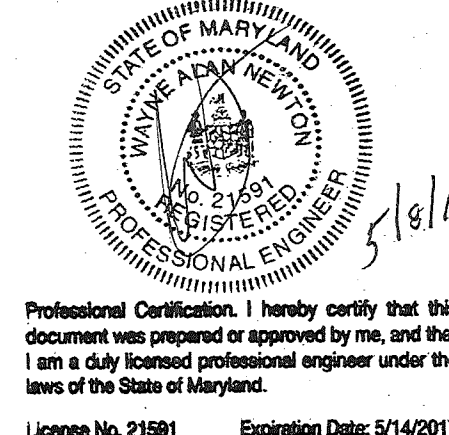
PETITIONER'S

EXHIBIT NO. 1

1	PLAN REFINEMENTS	W.A.N.	5/15		
REVISION NO.	REVISION DESCRIPTION	REVISION BY	REVISION DATE	APPROVED BY	APPROVAL DATE

MESSICK & ASSOCIATES
CONSULTING ENGINEERS
SURVEYORS & PLANNERS
2120 RENARD COURT
ANNAPOLIS, MARYLAND 21401
(410) 266-3212 *
FAX (410) 266-3502
email: info@messickandassociates.com

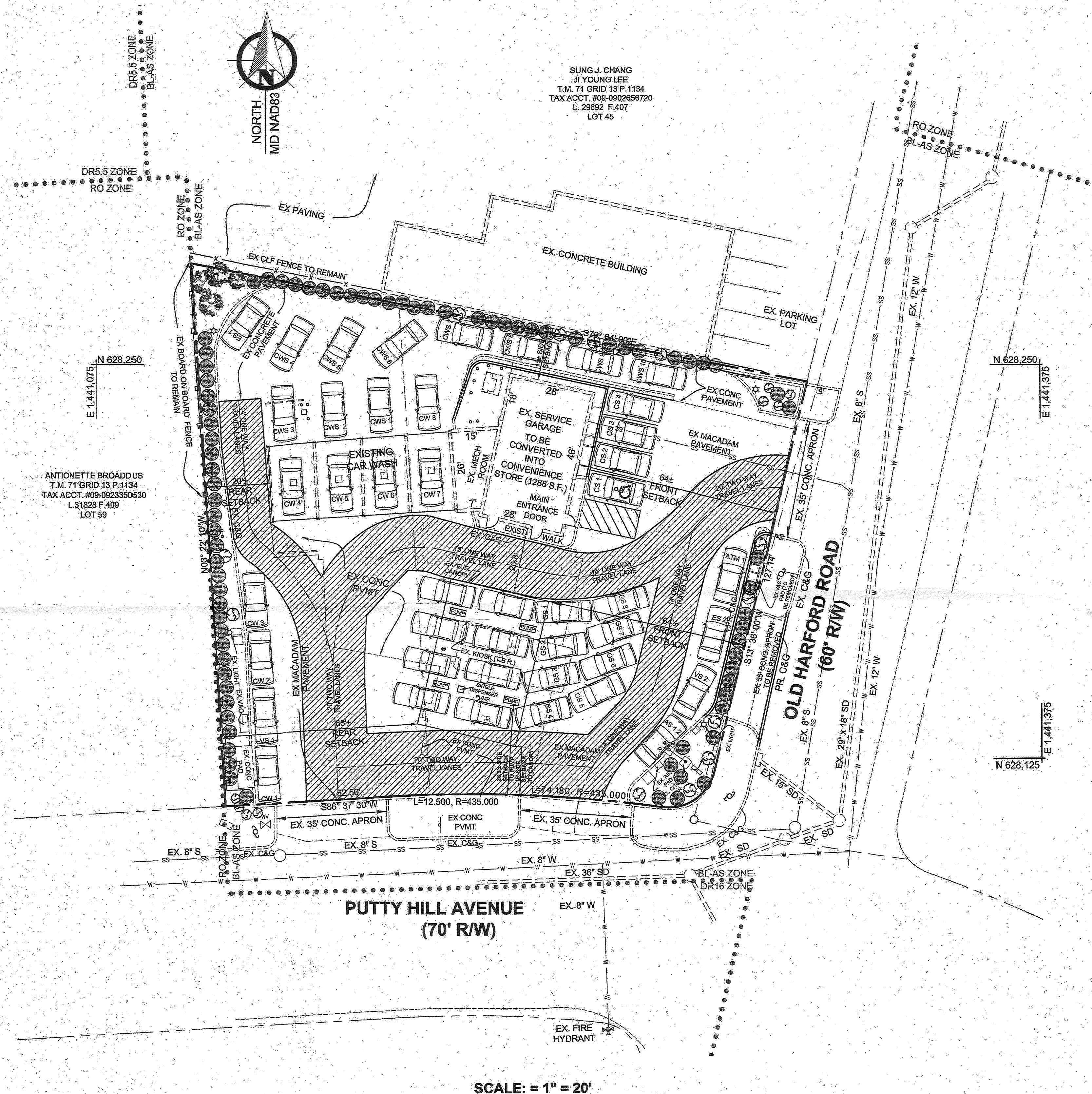
* MESSICK GROUP, INC. T/A MESSICK AND ASSOCIATES



OWNER
EDWARD L. JR. & LINDA M. GITTINGS
1607 CYNTHIA COURT
JARRETTSVILLE, MD 21084

**SITE PLAN TO ACCOMPANY PETITION
FOR SPECIAL HEARING**
**CARROLL FUELS, CARWASH AND
CONVENIENCE STORE
@ OLD HARFORD ROAD**
TAX MAP: 71 GRID: 13 PARCEL: 1134
BALTIMORE COUNTY, MARYLAND
SCALE: AS SHOWN DATE: MAY, 2015 SHEET: 1 OF 1

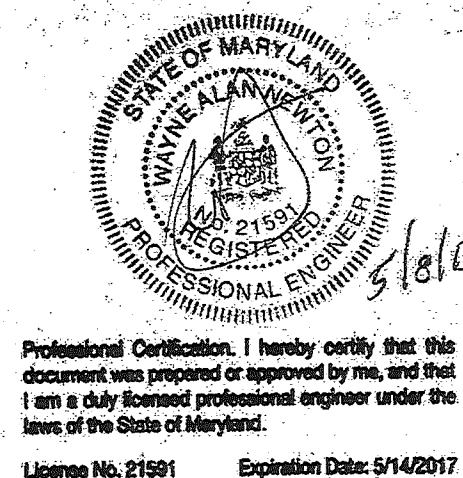
May 2015 FILE: G:\BAL CO\14-0039 High at Old Harford Rd\DWG\SPRT AND INTENT #2.dwg



REVISION NO.	REVISION DESCRIPTION	REVISION BY	REVISION DATE	APPROVED BY	APPROVAL DATE

MESSICK & ASSOCIATES
CONSULTING ENGINEERS
SURVEYORS & PLANNERS
2120 RENARD COURT
ANNAPOLIS, MARYLAND 21401
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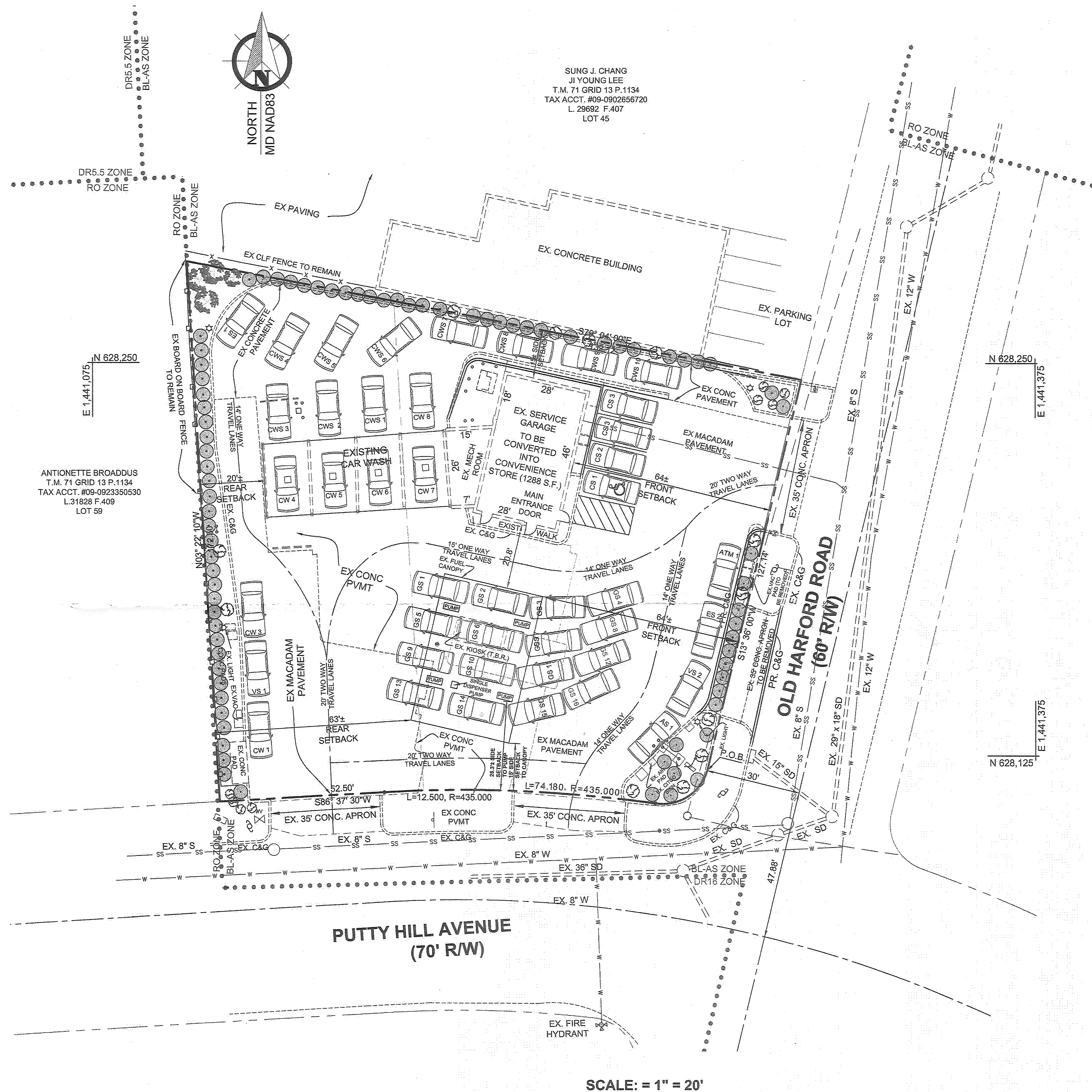


OWNER
EDWARD L. JR. & LINDA M. GITTINGS
1607 CYNTHIA COURT
JARRETSVILLE, MD 21084

**SITE PLAN TO ACCOMPANY REQUEST FOR ADMINISTRATIVE
APPROVAL FOR ANCILLARY USE PURSUANT TO
BCZR SEC. 405.6 (TRAVEL LANE DESIGNATIONS)**

**CARROLL FUELS, CARWASH AND
CONVENIENCE STORE
@ OLD HARFORD ROAD**

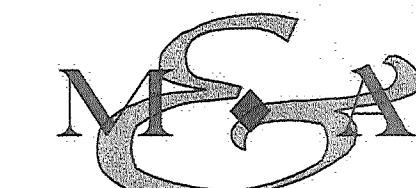
TAX MAP: 71 GRID: 13 PARCEL: 1134
BALTIMORE COUNTY, MARYLAND
SCALE: AS SHOWN DATE: MAY, 2015 SHEET: 1 OF 1



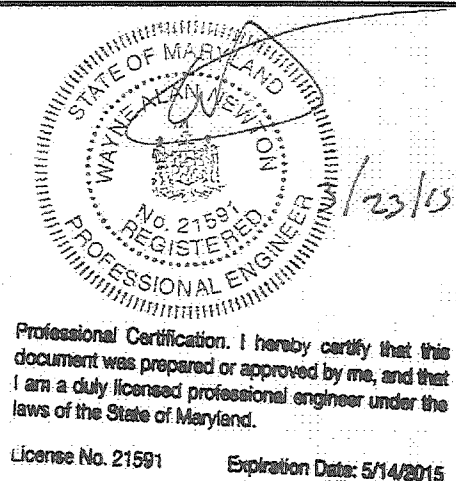
2015-0211-A

REVISION NO.	REVISION DESCRIPTION	REVISION BY	REVISION DATE	APPROVED BY	APPROVAL DATE

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1607 CYNTHIA COURT
JARRETTSVILLE, MD 21084

**SITE PLAN TO ACCOMPANY PETITION
FOR SPECIAL HEARING**
**CARROLL FUELS, CARWASH AND
CONVENIENCE STORE
@ OLD HARFORD ROAD**
TAX MAP: 71 GRID: 13 PARCEL: 1134
BALTIMORE COUNTY, MARYLAND
SCALE: AS SHOWN DATE: MARCH, 2015 SHEET: 1 OF 1

SITE DATA TABLE AND GENERAL NOTES

OWNER : EDWARD L. GITTINGS, JR AND LINDA M. GITTINGS
1607 CYNTHIA COURT
JARRETTSVILLE, MARYLAND 21084
DEED: 6859 / 725

TAX ACCOUNT #09-0919850852, 15,913 SQ. FT.
TAX ACCOUNT #09-1600001152, 10,675 SQ. FT.
TOTAL AREA : 26,588 SQ. FT.

ZONE AND ACREAGE IN ZONE: BL-AS ZONE (ENTIRE SITE)
26,588 SQ. FT. (0.61 AC.)

EXISTING USES: FUEL SERVICE STATION, CAR WASH, SERVICE GARAGE
PROPOSED USES: FUEL SERVICE STATION, CAR WASH, CONVENIENCE STORE (LESS THAN 1500 S.F.)

ZONING CASE HISTORY: 3358 REQUEST REZONING FROM RESIDENTIAL
TO BL- GRANTED, JANUARY 11, 1985

4925-X: PETITION FOR SPECIAL EXCEPTION TO PERMIT GASOLINE
FILLING STATION GRANTED BY ZONING COMMISSIONER APRIL 14, 1960

66-35-X: PETITION FOR SPECIAL EXCEPTION FOR SERVICE GARAGE. DENIED BY
ZONING COMMISSIONER AUGUST, 1965. GRANTED BY BOARD OF APPEALS
FEBRUARY 9, 1966.

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SITE FOR SERVICE GARAGE AND LIGHTING STANDARDS OF 14 FEET IN HEIGHT
IN LIEU OF 8 FEET IN HEIGHT OTHERWISE PERMITTED. GRANTED BY THE
ZONING COMMISSIONER ON APRIL 10, 1970.

71-217-A: PETITION FOR VARIANCE OF SIGN HEIGHT OF 35 FEET IN LIEU
OF 25 FEET AND LIGHT STANDARDS OF 18 FEET IN HEIGHT IN LIEU OF
THE REQUIRED PERMITTED 8 FEET. GRANTED BY THE ZONING COMMISSIONER
MARCH 17, 1971

76-70-X: PETITION FOR SPECIAL EXCEPTION FOR CAR WASH. GRANTED
BY THE ZONING COMMISSIONER NOVEMBER 7, 1977.

90-216-SPH: PETITION FOR SPECIAL HEARINGS FOR ADDITION TO SERVICE GARAGE.
GRANTED BY THE ZONING COMMISSIONER ON FEBRUARY 7, 1980.

93-134-SPH-X: PETITION FOR SPECIAL HEARING AND SPECIAL EXCEPTION FOR
MODIFICATIONS TO PREVIOUSLY APPROVED PLANS FOR A USE IN COMBINATION
WITH FUEL SERVICE STATION AND A CAR WASH. GRANTED BY THE ZONING COMMISSIONER
ON FEBRUARY 25, 1993

AGE OF BUILDING : 53 YEARS ± (USE APPROVED IN 1960)

GROSS FAR : 0.06 FAR (1568 ± 26,588 SQ. FT.)

BUILDING HEIGHT : 15 FT ±

PARKING SPACES REQUIRED: 1 / EMPLOYEE ON LARGEST SHIFT : 2 SPACES
3 / 1000 SQ. FT. FOR CONVENIENCE STORE : 4 SPACES
1 / AIR PUMP + 2 VACUUM + 1 ATM : 4 SPACES
CAR WASH : 8 SPACES
TOTAL REQUIRED : 18 SPACES

PARKING SPACES PROVIDED: EMPLOYEE SPACES (ES) : 2 SPACES
CONVENIENCE STORE SPACES (CS) : 4 SPACES (3+ 1 HANDICAP)
AIR PUMP SPACES (AS) : 1 SPACE
VACUUM SPACES (VS) : 2 SPACES
ATM SPACES (ATM) : 1 SPACE
CAR WASH SPACES (CW) : 8 SPACES
TOTAL SPACES : 18 SPACES

STACKING SPACES REQUIRED: CAR WASH (CWS) : 10 SPACES
8 GAS DISPENSERS (GS) x 2 : 16 SPACES
TOTAL STACKING REQUIRED : 26 SPACES

STACKING SPACES PROVIDED: CAR WASH (CW) : 10 SPACES
8 GAS DISPENSERS (GS) x 2 : 16 SPACES
TOTAL STACKING PROVIDED : 26 SPACES

SITE AREA REQUIRED: 8 FUEL SERVICE STATION x 1,500 SQ. FT. (15,000 MIN.) : 12,000 SQ. FT.
+ 4 x 1,288 SQ. FT. CONVENIENCE STORE : 5,152 SQ. FT.
+ 3 VACUUM x 1,000 SQ. FT. : 3,000 SQ. FT.
+ 1 AIR PUMP x 1,000 SQ. FT. : 1,000 SQ. FT.
+ 1 ATM x 1,000 SQ. FT. : 1,000 SQ. FT.
TOTAL GROSS SITE AREA REQUIRED : 22,000 SQ. FT.
TOTAL GROSS SITE AREA PROVIDED : 26,588 SQ. FT.

SETBACKS: 35 FT. FROM R/W TO MAIN BUILDING REQUIRED
64 FT. FROM R/W TO MAIN BUILDING PROVIDED
25 FT. FROM R/W TO PUMP REQUIRED
28.3 FT. FROM R/W TO PUMP PROVIDED
15 FT. FROM R/W TO CANOPY REQUIRED
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