IN THE MATTER OF GLENN G. BERGER AND WAYNE G. BERGER LEGAL OWNERS AND PETITIONERS FOR SPECIAL EXCEPTION AND VARIANCE ON THE PROPERTY LOCATED AT 1020, 1022, AND 1024 YORK ROAD 9TH ELECTION DISTRICT 6TH COUNCIL DISTRICT	*	BEFORE THE BOARD OF APPEALS OF BALTIMORE COUNTY CASE NO.: 22-291-XA

* * * * * * * * * * * * *

ORDER OF DISMISSAL

This matter comes to the Board of Appeals by way of an appeal filed by Michael R. McCann, Esquire on behalf of Nigel Jamieson, Delva Thomas, Sandra Levy, and Concerned Citizens of Baltimore County, Protestants/Appellants, from a final decision of the Administrative Law Judge dated January 23, 2023, wherein the Petition for Special Exception pursuant to BCZR §236.2 to permit a full-service car wash was GRANTED; and the Petition for Variance from BCZR §419.3.A to allow the required number of stacking spaces for the full-service car wash to be configured in a different pattern than single-file at the entrance to the tunnel was DISMISSED AS MOOT; all other Variance requests were GRANTED, with conditions..

WHEREAS, the Board is in receipt of a Notice of Dismissal of Appeal from Michael R. McCann, Esquire on behalf of Nigel Jamieson, Delva Thomas, Sandra Levy, and Concerned Citizens of Baltimore County, Protestants/Appellants, requesting that the appeal taken in this matter be dismissed with prejudice as of November 9, 2023 (a copy of which is attached hereto and made a part hereof); and

THEREFORE IT IS ORDERED this 17th day of November, 2023 by the Board of Appeals of Baltimore County that the appeal taken in Case No.: 22-291-XA be and the same is hereby **DISMISSED with prejudice.**

BOARD OF APPEALS
OF BALTIMORE COUNTY

Joseph L. Evans, Chair

Sharonne R. Bonardi

Bryan T. Pennington

Board of Appeals of Baltimore County

JEFFERSON BUILDING
SECOND FLOOR, SUITE 203
105 WEST CHESAPEAKE AVENUE
TOWSON, MARYLAND 21204
410-887-3180
FAX: 410-887-3182

November 17, 2023

David H. Karceski, Esquire
Adam M. Rosenblatt, Esquire
Venable LLP
210 W. Pennsylvania Avenue, Suite 500
Towson, Maryland 21204

Michael R. McCann, Esquire
118 W. Pennsylvania Avenue
Towson, Maryland 21204

Peter M. Zimmerman, Esquire
Carole S. Demilio, Esquire
Office of People's Counsel
The Jefferson Building, Suite 204
105 W. Chesapeake Avenue
Towson, Maryland 21204

RE: In the Matter of: Glenn G. Berger and Wayne G. Berger – Legal Owners/Petitioners
Case No.: 22-291-XA

Dear Counsel:

Enclosed please find a copy of the Order of Dismissal issued this date by the Board of Appeals of Baltimore County in the above subject matter.

Any petition for judicial review from this decision must be made in accordance with Rule 7-201 through Rule 7-210 of the *Maryland Rules*, **WITH A PHOTOCOPY PROVIDED TO THIS OFFICE CONCURRENT WITH FILING IN CIRCUIT COURT. Please note that all Petitions for Judicial Review filed from this decision should be noted under the same civil action number.** If no such petition is filed within 30 days from the date of the enclosed Order, the subject file will be closed.

Very truly yours,

Krysundra "Sunny" Cannington
Legal Administrative Secretary

KLC/taz
Enclosure
Multiple Original Cover Letters

c: See Distribution List Following

In the Matter of: Glenn G. Berger and Wayne G. Berger – Legal Owners/Petitioners
Case No.: 22-291-XA
November 17, 2023
Distribution List

Glenn G. Berger
Wayne G. Berger
Thomas DeBacco, President/Towson Car Wash, LLC
Nigel Jamieson
Delva Thomas
Keith Morris, Executive Secretary/Concerned Citizens of Baltimore County
Maureen E. Murphy, Managing Administrative Law Judge
Stephen Lafferty, Director/Department of Planning
C. Pete Gutwald, Director/PAI
James R. Benjamin, Jr., County Attorney/Office of Law

IN RE: PETITIONS FOR SPECIAL EXCEPTION AND VARIANCE (1022, 1022, 1024 York Road)	*	BEFORE THE
	*	COUNTY BOARD
9th Election District 6th Councilmanic District	*	OF APPEALS
Glenn G. Berger and Wayne G. Berger *Legal Owners*	*	Case No. 2022-291-XA
Towson Car Wash, LLC *Contract Purchaser/Lessee*	*	

* * * * * * * * * * * * *

NOTICE OF DISMISSAL OF APPEAL

Protestants, Nigel Jamieson, Delva Thomas, Sandra Levy, and Concerned Citizens of Baltimore County, by and through undersigned counsel, hereby dismiss with prejudice their appeal in the above-captioned matter.

Respectfully submitted,

Michael R. McCann
118 W. Pennsylvania Ave.
Towson, MD 21204
(410) 825-2150

Attorneys for Protestants

RECEIVED
NOV 13 2023
BALTIMORE COUNTY
BOARD OF APPEALS

CERTIFICATE OF SERVICE

I hereby certify that on 9th day of November 2023 a copy of the foregoing notice was emailed and mailed, *via* first-class mail, postage prepaid to:

David Karceski, Esq.
Adam Rosenblatt, Esq.
Venable, LLP
210 W. Pennsylvania Avenue, Ste. 500
Towson, MD 21204

County Board of Appeals
105 W. Chesapeake Avenue
Towson, Maryland 21203

Michael R. McCann

IN RE: PETITIONS FOR SPECIAL EXCEPTION AND VARIANCE (1022, 1022, 1024 York Road)	*	BEFORE THE
	*	COUNTY BOARD
9th Election District 6th Councilmanic District	*	OF APPEALS
Glenn G. Berger and Wayne G. Berger *Legal Owners*	*	Case No. 2022-291-XA
Towson Car Wash, LLC *Contract Purchaser/Lessee*	*	

* * * * * * * * * * * * *

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Venable, LLP
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Towson, MD 21204

County Board of Appeals
105 W. Chesapeake Avenue
Towson, Maryland 21203

Michael R. McCann

IN THE MATTER OF: 1020, 1022 & 1024 York Road; SW/S of York Road, 444' SE of West Road 9th Election & 6th Councilmanic Districts Legal Owner(s): Glen & Wayne Berger Contract Purchaser: Towson Car Wash LLC Petitioner(s)	*	BEFORE THE BOARD OF APPEALS OF BALTIMORE COUNTY CASE NO.: 2022-291-XA

* * * * * * * * * * * * *

SUBPOENA

Please issue a Subpoena to the following named witness to appear before the Board of Appeals of Baltimore County at the hearing for the above captioned matter currently scheduled on November 16, 2023, at 10 a.m. a.m./p.m. in Hearing Room 2, The Jefferson Building, located at 105 W. Chesapeake Avenue, Towson, Maryland 21204, and continuing thereafter as necessary for such witness' testimony and as scheduled by the Board.

Witness: C. Pete Gutwald, or his Designee
Address: 111 West Chesapeake Avenue
Towson, Maryland 21204

Requested by:

Name: Peter Max Zimmerman, Esquire
Firm: People's Counsel for Baltimore County
Address: 105 West Chesapeake Avenue, Suite 204
Towson, Maryland 21204

The witness named above is hereby ORDERED to so appear before the Board of Appeals of Baltimore County. The Board requests (____) the Sheriff, (X) Private Process Server, to issue the summons set forth herein.

RECEIVED
NOV 02 2023
BALTIMORE COUNTY
BOARD OF APPEALS

Sanny A. Zahner
Board of Appeals for Baltimore County

From:	Appeals Board
To:	Peoples Counsel
Cc:	"Rosenblatt, Adam M."; "Michael McCann"; "dhkarceski@venable.com"; "paul@towsoncommunites.org"
Subject:	RE: Berger - Towson Carwash - Case No. 2022-291-XA
Date:	Friday, September 29, 2023 10:04:21 AM

Good morning Mr. Zimmerman,

We have received your exhibits. You would be better off admitting your exhibits during the normal course of the hearing, which allows for objections to be addressed immediately by the panel as opposed to by email. Especially when I do not have the authority to address objections or admit exhibits.

Thank you,

Sunny

From: Peoples Counsel <peoplescounsel@baltimorecountymd.gov>
Sent: Thursday, September 28, 2023 1:46 PM
To: Appeals Board <appealsboard@baltimorecountymd.gov>
Cc: 'Rosenblatt, Adam M.' <AMRosenblatt@Venable.com>; 'Michael McCann' <michael@mmccannlaw.net>; 'dhkarceski@venable.com' <dhkarceski@venable.com>; 'paul@towsoncommunites.org' <paul@towsoncommunites.org>
Subject: RE: Berger - Towson Carwash - Case No. 2022-291-XA

Good Afternoon,

In an effort to expedite things at the next hearing, People's Counsel would like to submit remaining exhibits (8-11) for admission. All 26 exhibits sent to the Board have thereby been offered for admission, as reflected in the email chain below, with copies to all counsel.

Please note that Paul Hartman tells me he is available only on November 16.

Thank you for your consideration.

Peter Max Zimmerman
People's Counsel for Baltimore County
105 West Chesapeake Avenue, Suite 204
Towson, Maryland 21204
410-887-2188

From: Peoples Counsel
Sent: Wednesday, July 12, 2023 2:05 PM
To: Appeals Board <appealsboard@baltimorecountymd.gov>

Cc: 'Rosenblatt, Adam M.' <AMRosenblatt@Venable.com>; 'Michael McCann' <michael@mmccannlaw.net>; 'dhkarceski@venable.com' <dhkarceski@venable.com>; 'paul@towsoncommunites.org' <paul@towsoncommunites.org>
Subject: RE: Berger - Towson Carwash - Case No. 2022-291-XA

Good Afternoon,

Upon further review, our office is supplementing the record to include People's Counsel's Exhibits 19 – 26. These include public records involving legislation and legislative history along with the Rule 8 documents from Towson Communities Alliance.

For convenience we attach our May 26., 2023 email covering Exhibits 1 – 18.

As a courtesy, we are sending these Exhibits 19 – 26 to all the parties.

The Exhibits are as follows:

19. 1963 Business Zone Car Wash excerpts
20. Bill 108-64 – Car Washes
21. Planning Board Report excerpt – Fuel Service Stations & Car Washes
22. BCZR Sec. 101.1 - Car Wash Definitions and BCZR Sec. 102.1 – Conformance with Regulations
23. BCZR Secs. 236 to 238 - Business Roadside Zone
24. BCZR Secs. 259. 1 & 2 - Districts
25. BCZR Sec. A400 – Special Regulations
26. Towson Communities Alliance Rule 8 Documents

We look forward to the continued hearing of the case on August 24, 2023

Respectfully,

Peter Max Zimmerman
People's Counsel for Baltimore County
105 West Chesapeake Avenue, Suite 204
Towson, Maryland 21204
410-887-2188

From: Peoples Counsel
Sent: Friday, May 26, 2023 12:41 PM
To: Appeals Board <appealsboard@baltimorecountymd.gov>; Tammy Zahner <tzahner@baltimorecountymd.gov>
Cc: Rosenblatt, Adam M. <AMRosenblatt@Venable.com>; Michael McCann <michael@mmccannlaw.net>; 'dhkarceski@venable.com' <dhkarceski@venable.com>;

'paul@towsoncommunites.org' <paul@towsoncommunites.org>
Subject: Berger - Towson Carwash - Case No. 2022-291-XA

Good Afternoon,

After yesterday's hearing, our office sent People's Counsel's Exhibits 1-7 and 12 -18 to all the attorneys in the case, These are all public records or their equivalent, along with Paul Hartman's e-mail:

1. ADC (Highway Map)
2. GIS Aerial
3. MyNeighborhood Maps
4. SDATs for Properties on York Road
5. Google Maps
6. Planning Comment
7. State Highway Comment

12. Previous Case (Berger) 1994-321
13. a Deed 4611-253
    b. Deed 46511-185
    c. Deed 46511-190
14. Nottingham Car Wash decision – 2014-075-X
15. Bill 172-93 – signed – Fuel Service & Carwash
16. BCZR Section 419 - Car Wash
17. ALJ Proceedings Excerpts, including petition & revisions
18. Opposition letter from Paul Hartman, Towson Communities Alliance dated 5-25-2023.

I trust this is helpful in expediting the case. I am reserving on other potential exhibits at this time.

For scheduling purposes, I have spoken with Paul Hartman, who will be preparing the "Rule 8" papers for the TCA and is expected to testify. He tells me his work schedule is such that Thursdays are optimal for him. Given Chair Joseph Evans' stated interest in scheduling a second day of hearing as soon as reasonably possible, I would like to say that our office has availability on the following Thursdays: June 8, 22, and 29; and July 6, 20, and 27. So far as we could tell from online review, these are currently open dates on the Board's schedule.

Thank you in advance for your consideration.

Respectfully, Peter Max Zimmerman, People's Counsel, 410 887-2188.

From:	Peoples Counsel
To:	Appeals Board
Cc:	"Rosenblatt, Adam M."; "Michael McCann"; "dhkarceski@venable.com"; "paul@towsoncommunites.org"
Subject:	RE: Berger - Towson Carwash - Case No. 2022-291-XA
Date:	Thursday, September 28, 2023 1:46:25 PM
Attachments:	PC 8 - Towson Revitalization District Map.pdf PC 9 - Resolutions.pdf PC 10 - Master Plan Excerpt - Commerical Revitalization.pdf PC 11 - Towson Community Plan Excerpts.pdf

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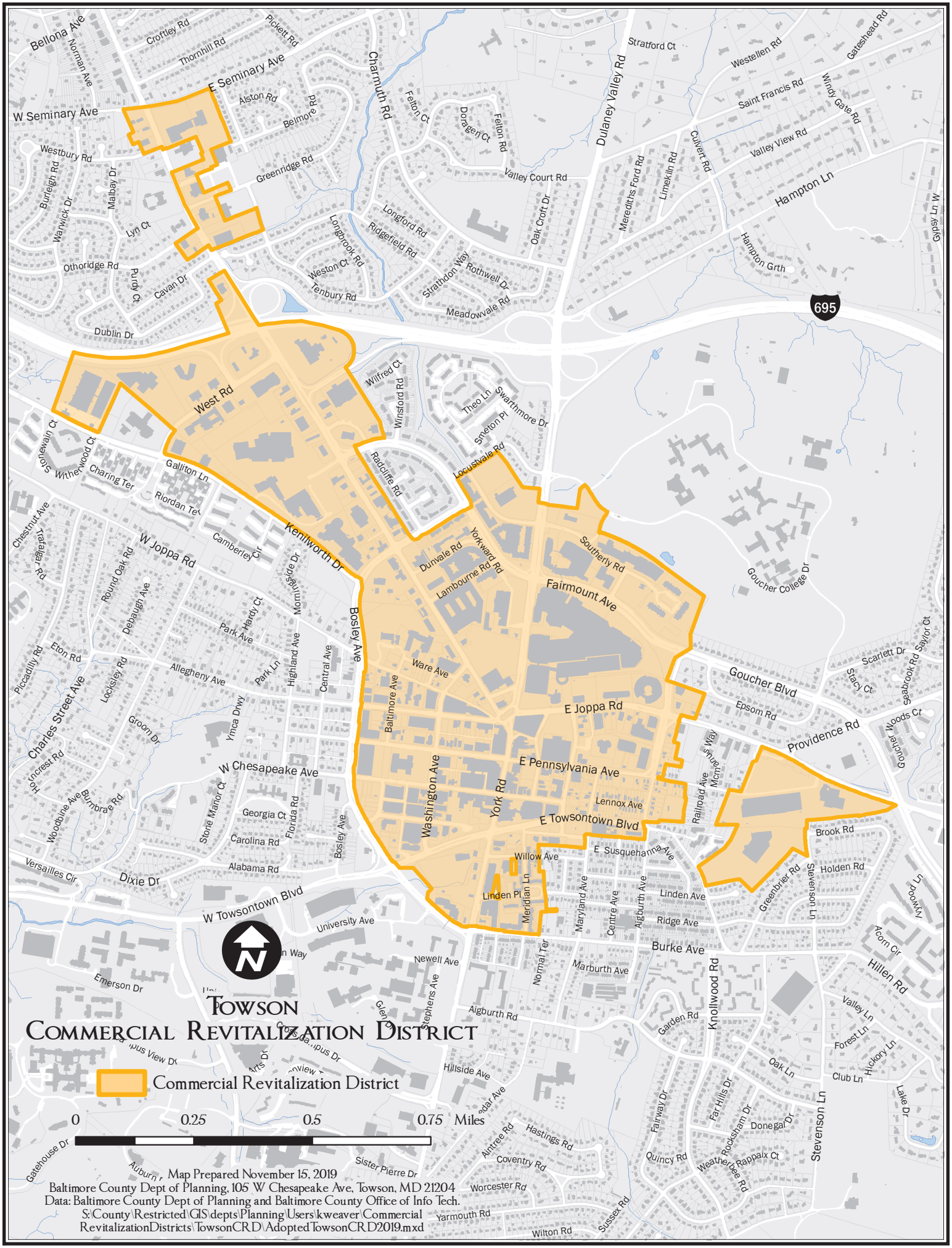
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Respectfully, Peter Max Zimmerman, People's Counsel, 410 887-2188.


Towson
Commercial Revitalization District
Commercial Revitalization District
0
0.25
0.5
0.75 Miles
Map Prepared November 15, 2019
Baltimore County Dept of Planning, 105 W Chesapeake Ave, Towson, MD 21204
Data: Baltimore County Dept of Planning and Baltimore County Office of Info Tech.
S:\County\Restricted\GIS\depts\Planning\Users\kweaver\Commercial RevitalizationDistricts\TowsonCRD\AdoptedTowsonCRD2019.mxd
695
Bellona Ave
W Seminary Ave
E Seminary Ave
Charmuth Rd
Dulaney Valley Rd
Hampton Ln
West Rd
Kenilworth Dr
Bosley Ave
Fairmount Ave
E Joppa Rd
W Joppa Rd
Goucher Blvd
Providence Rd
Charles Street Ave
W Chesapeake Ave
E Pennsylvania Ave
York Rd
Washington Ave
E Towsontown Blvd
W Towsontown Blvd
Burke Ave
Dixie Dr
Knollwood Rd
Stevenson Ln
Hillen Rd
Locustvale Rd
Radcliffe Rd
Dunvale Rd
Lambourne Rd
Southerly Rd
Yorkward Rd
Ware Ave
Baltimore Ave
Willow Ave
Linden Pl
Meridian Ln
Maryland Ave
Centre Ave
Aigburth Ave
Linden Ave
Ridge Ave
Normal Ter
Marburth Ave
Aigburth Rd
Garden Rd
Hillside Ave
Newell Ave
University Ave
Alabama Rd
Carolina Rd
Georgia Ct
Florida Rd
Stone Manor Ct
Ymca Drwy
Groom Dr
Allegheny Ave
Park Ln
Highland Ave
Central Ave
Park Hardy Ct
Eton Rd
Piccadilly Rd
Lockisley Rd
Dehaugh Ave
Round Oak Rd
Camberley Cir
Mornington Dr
Chestnut Ave
Trafalgar Rd
Riordan Ter
Galliton Ln
Charing Ter
Witherwood Ct
Ashewain Ct
Dublin Dr
Purdy Ct
Cavan Dr
Othoridge Rd
Lyn Ct
Warwick Dr
Burleigh Rd
Westbury Rd
Mailbay Dr
Norman Ave
Croftley Rd
Thornhill Rd
Pickett Rd
Alston Rd
Belmore Rd
Greenridge Rd
Longford Rd
Ridgefield Rd
Longbrook Rd
Weston Ct
Tenbury Rd
Strathdon Way
Rothwell Dr
Meadowvale Rd
Valley Court Rd
Felton Ct
Doragen Ct
Felton Rd
Oak Croft Dr
Merediths Ford Rd
Limekiln Rd
Culvert Rd
Valley View Rd
Windy Gate Rd
Saint Francis Rd
Westellen Rd
Stratford Ct
Gateshead Rd
Hampton Grth
Gypsy Ln W
Wilfred Ct
Winsford Rd
Theo Ln
Swarthmore Dr
Smeton Pl
Goucher College Dr
Scarlett Dr
Stacy Ct
Seabrook Rd
Saylor Ct
Epsom Rd
Woods Ct
Goucher Ct
Brook Rd
Holden Rd
Greenbrier Rd
Stevenson Ln
Woodlawn Ln
Acorn Cir
Valley Ln
Forest Ln
Hickory Ln
Oak Ln
Club Ln
Lake Dr
Fairway Dr
Far Hills Dr
Rocksham Dr
Donegal Dr
Quincy Rd
Weatherbee Rd
Rappaix Ct
Aintree Rd
Hastings Rd
Coventry Rd
Worcester Rd
Yarmouth Rd
Wilton Rd
Sussex Rd
Sister Pierre Dr
Gatehouse Dr
Auburn
Railroad Ave
Mcmahon Way
E Susquehanna Ave
Woodbine Ave
Burnbrae Rd
Hollencrest Rd
Versailles Cir
Emerson Dr
Stephens Ave
Glenwood
Campus Dr
Campus View Dr

PC Exh. 8

COUNTY COUNCIL OF BALTIMORE COUNTY, MARYLAND
Legislative Session 2019, Legislative Day No. 16

Resolution No. 130-19

Mr. Wade Kach, Councilman

By the County Council, October 7, 2019

A RESOLUTION of the Baltimore County Council for the purpose of expanding the Towson Commercial Revitalization District.

WHEREAS, the County has 18 Commercial Revitalization Districts that have been officially designated, either by resolution of the County Council or by adoption of the Master Plan or a Master Plan Amendment; and

WHEREAS, the County's commercial revitalization districts and their surrounding communities are inseparably linked, with the districts providing a range of retail, service, and entertainment uses for the local community, as well as establishing the overall image of a community; and

WHEREAS, the commercial revitalization districts provide incentives to property owners and businesses in the districts to improve the exterior of existing buildings and to develop and redevelop underused properties; and

WHEREAS, the County Council has identified an area of land on York Road, north of Interstate 695 and south of Seminary Avenue that has excellent redevelopment potential, as shown on the Map identified as Exhibit "A"; and

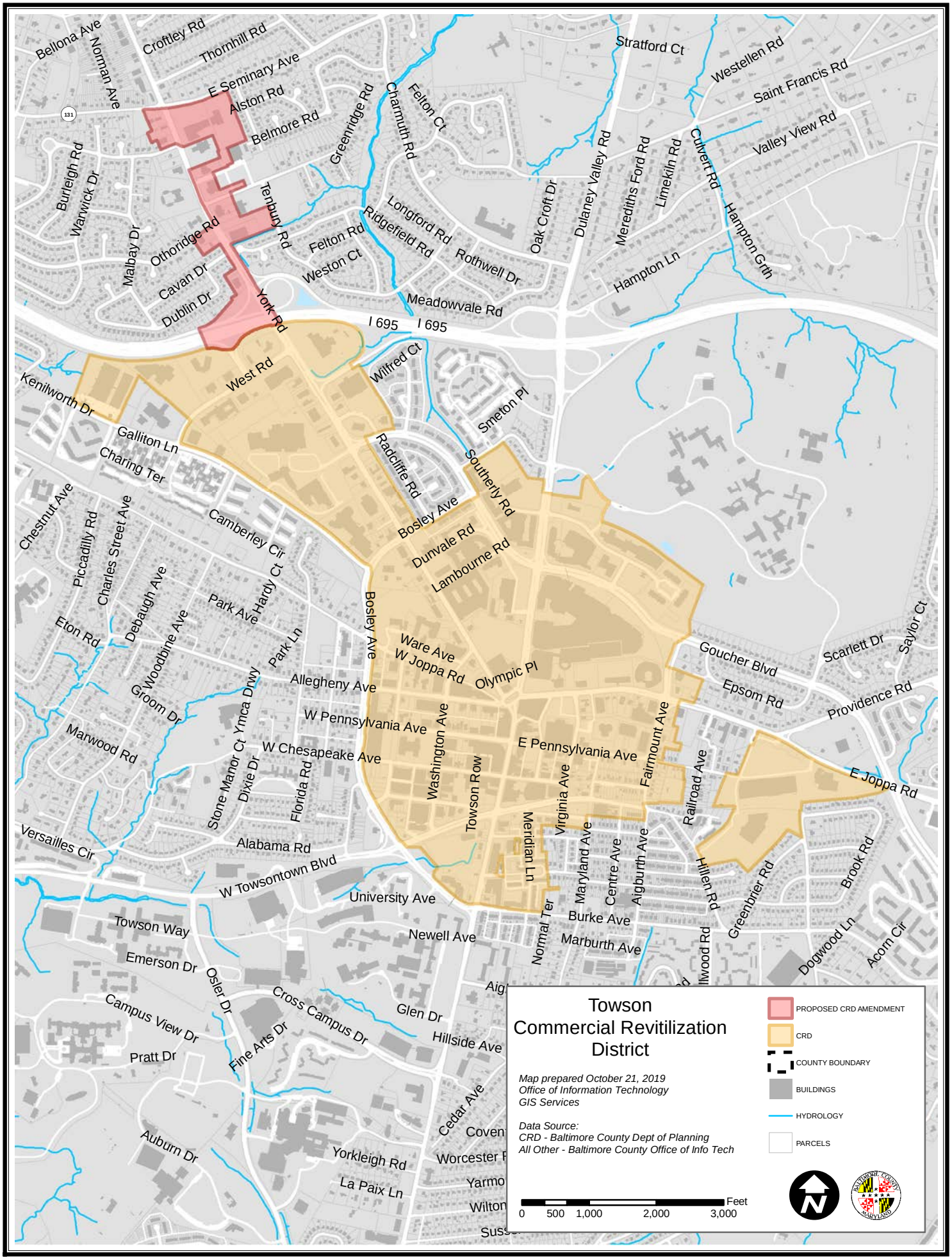
WHEREAS, the County Council deems it appropriate at this time to amend the Towson Commercial Revitalization District in order to add the area shown on Exhibit "A"; now therefore,

BE IT RESOLVED BY THE COUNTY COUNCIL OF BALTIMORE COUNTY, that the areas shown on the Map identified as ~~Exhibit "A"~~ Amended Exhibit "A" and attached hereto are hereby added to the Towson Commercial Revitalization District; and

BE IT FURTHER RESOLVED, that copies of this Resolution be sent to the Department of Planning; and

BE IT FURTHER RESOLVED, that this Resolution shall take effect from the date of its passage by the County Council.

AMENDED EXHIBIT "A"



COUNTY COUNCIL OF BALTIMORE COUNTY, MARYLAND
Legislative Session 2011, Legislative Day No. 10

Resolution No. 53-11

Mr. David Marks, Councilman

By the County Council, May 26, 2011

A RESOLUTION of the Baltimore County Council for the purpose of expanding the Towson Commercial Revitalization District.

WHEREAS, the County has 15 Commercial Revitalization Districts that have been officially designated, either by resolution of the County Council or by adoption of the Master Plan or a Master Plan Amendment; and

WHEREAS, the Towson Commercial Revitalization District currently extends east of Meridian Lane, north of Burke Avenue, and encompasses the approved development of Towson Green (formerly known as"Towson Manor"); and

WHEREAS, the new revitalization district boundaries will include two lots abutting the Towson Green development (28 Willow Avenue and 32 Burke Avenue), which Developer Bozzuto Homes seeks to include within the Towson Green development; and

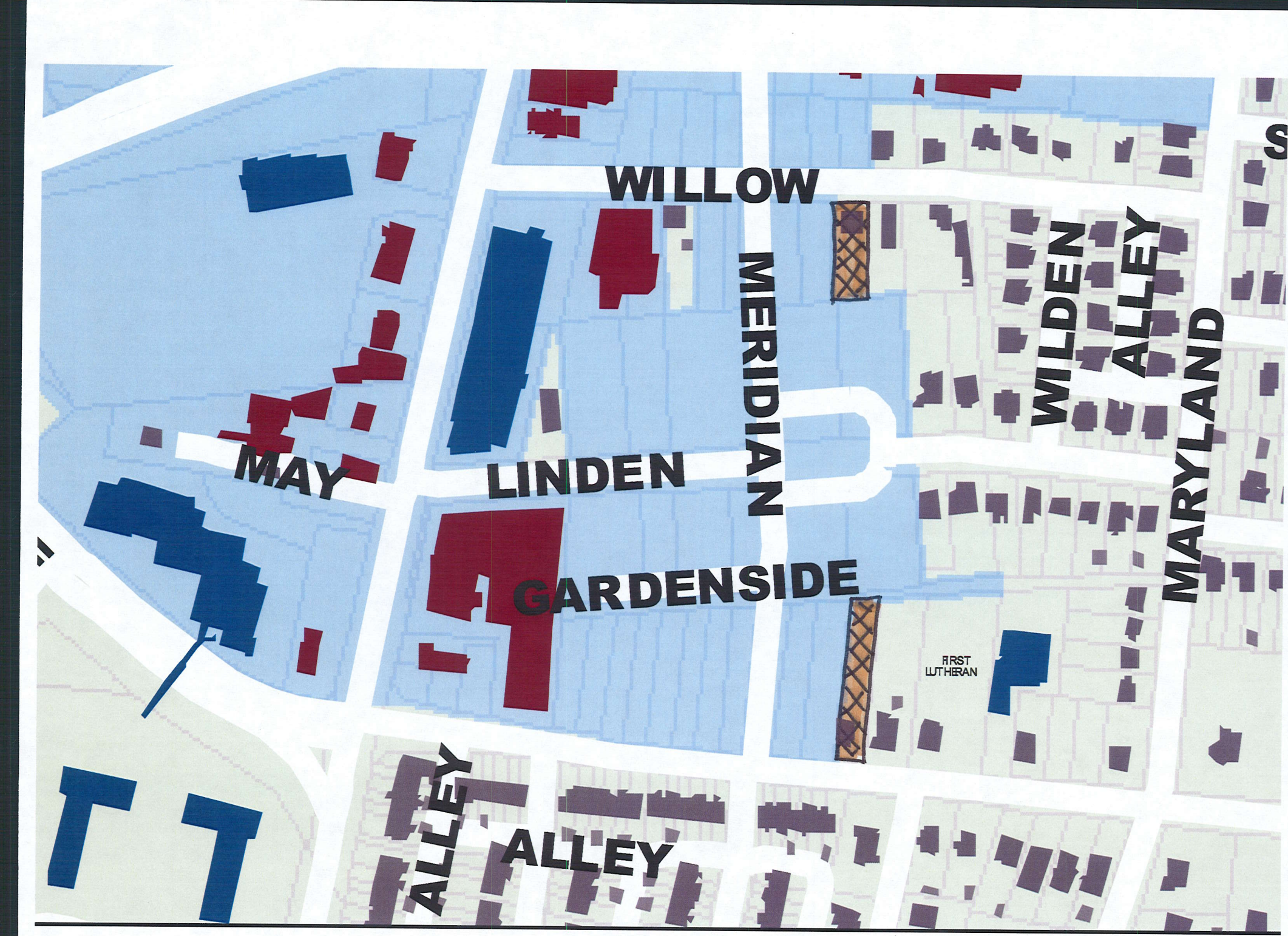
WHEREAS, the Commercial Revitalization Districts provide incentives to property owners and businesses in the Districts to improve the exterior of existing buildings and to develop and redevelop underused properties; and

WHEREAS, the County Council deems it appropriate to expand the Towson Commercial Revitalization District to include two additional lots in the existing district; now, therefore

BE IT RESOLVED BY THE COUNTY COUNCIL OF BALTIMORE COUNTY, MARYLAND, that the following area, as shown on Exhibit A attached hereto, is hereby established as the new boundaries for the Towson Commercial Revitalization District; and

BE IT FURTHER RESOLVED, that copies of this Resolution shall be sent to the Department of Economic Development, the Office of Planning, and the Department of Public Works, to be used for programming departmental operations; and

BE IT FURTHER RESOLVED, that this Resolution shall take effect from the date of its enactment.


WILLOW
MERIDIAN
WILDEN
ALLEY
MARYLAND
MAY
LINDEN
GARDENSIDE
FIRST
LUTHERAN
ALLEY
ALLEY

COUNTY COUNCIL OF BALTIMORE COUNTY, MARYLAND
Legislative Session 1999, Legislative Day No. 18

Resolution No. 81-99

Mr. Kevin Kamenetz, Chairman
By Request of County Executive

By the County Council, October 4, 1999

A RESOLUTION for the purpose of delineating the boundaries of the 12 official Commercial Revitalization Districts of Baltimore County and expanding the Towson commercial Revitalization District.

WHEREAS, the County has 12 Commercial Revitalization Districts that have been officially designated, either by resolution of the County Council or by adoption of Master Plan or Master Plan amendment; and

WHEREAS, the maps of the districts do not contain clearly delineated boundaries; and

WHEREAS, distinct boundaries are needed to determine whether projects are eligible for incentive programs only available in Commercial Revitalization Districts; and

WHEREAS, the boundaries of the Commercial Revitalization Districts should coincide with the nonresidential zoning; and

WHEREAS, the boundaries should also coincide with the county and state streetscape improvements, as much as possible, to maximize public and private reinvestment; and

WHEREAS, Phase 3 of the Towson Streetscape is to be constructed along York Road from the Circle to the Beltway; and

WHEREAS, the Towson Commercial Revitalization District should be expanded to include the Phase 3 improvements and the concentration of office uses on West Road; and

WHEREAS, this will provide incentives to property owners and businesses in this area to improve the exterior of existing buildings and to develop and/or redevelop underused properties; and

WHEREAS, this expansion has been approved by the Boards of the Towson Development Corporation, Towson Business Association, and the Towson Partnership; now, therefore

BE IT RESOLVED BY THE COUNTY COUNCIL OF BALTIMORE COUNTY, MARYLAND, that the following areas, as shown on Exhibit A attached hereto, are hereby established as the boundaries of the County's Commercial Revitalization Districts; and

BE IT FURTHER RESOLVED, that copies of this Resolution shall be sent to the Department of Economic Development, Office of Planning, and the Office of Community Conservation to be used for programming departmental operations; and

BE IT FURTHER RESOLVED, that this Resolution shall take effect from the date of its enactment.

r08199.wpd

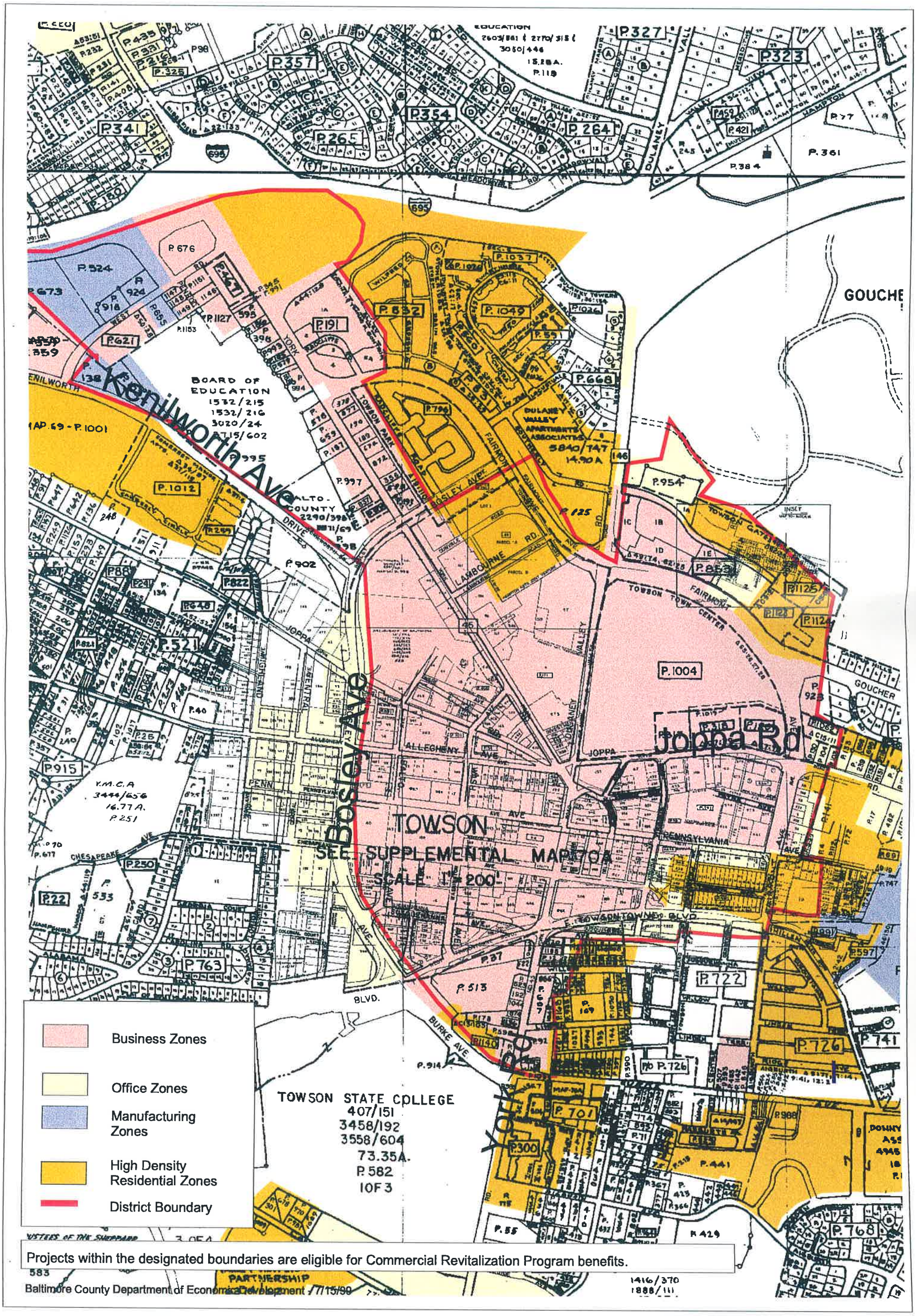
READ AND PASSED this 18th day of October, 1999.

BY ORDER

Thomas J. Peddicord, Jr.
Secretary

ITEM: Resolution 81-99

TOWSON COMMERCIAL REVITALIZATION DISTRICT



Projects within the designated boundaries are eligible for Commercial Revitalization Program benefits.

Baltimore County Department of Economic Development 7/15/99

Baltimore County, Maryland

MASTER PLAN 2020

PC Exh. 10



Policy: Maintain zoning appropriate for major employment on infrastructure-served land with good access.

Actions:

(1) Recommend that the County Council evaluate rezoning and PUD proposals that convert M or OT zoned land to residential or retail use to consider the long-term effects on the economy.

(2) Ensure that adequate land and structures remain available to accommodate new and expanding primary employers not suited for mixed-use environments.

(3) Consider ways to guide new employment opportunities to quality mixed-use development.

(4) Preserve the County's limited deep-water access for industrial uses.

(5) Consider amending the BCZR to limit the amount of residential development permitted in the OT zoning classification.

LAND USE BALANCE

A fiscally strong jurisdiction must maintain a healthy balance between residential and non-residential land uses. Different types of land use have variant effects on a county's finances. Some land uses contribute more in tax revenue than they consume in public services, such as schools, police and fire services. Some land uses consume more services than they pay for directly through property taxes. A balanced economy is needed to provide a healthy place to live, work and play. A strong employment sector: industrial, office, and commercial, provide jobs and tax revenue. A diverse choice of housing is essential to providing a qualified work force to fuel the employment sector.

Policy: The County should maintain a healthy balance between residential and non-residential land uses inside the URDL.

Actions:

(1) Consider encouraging zoning requests that promote mixed-use development.

(2) Ensure that land use proposals contribute to a healthy balance of residential and non-residential uses and open space.

(3) Work proactively to promote employment driven projects compatible with residential uses.

(4) Direct mixed-use development to Community Enhancement Areas.

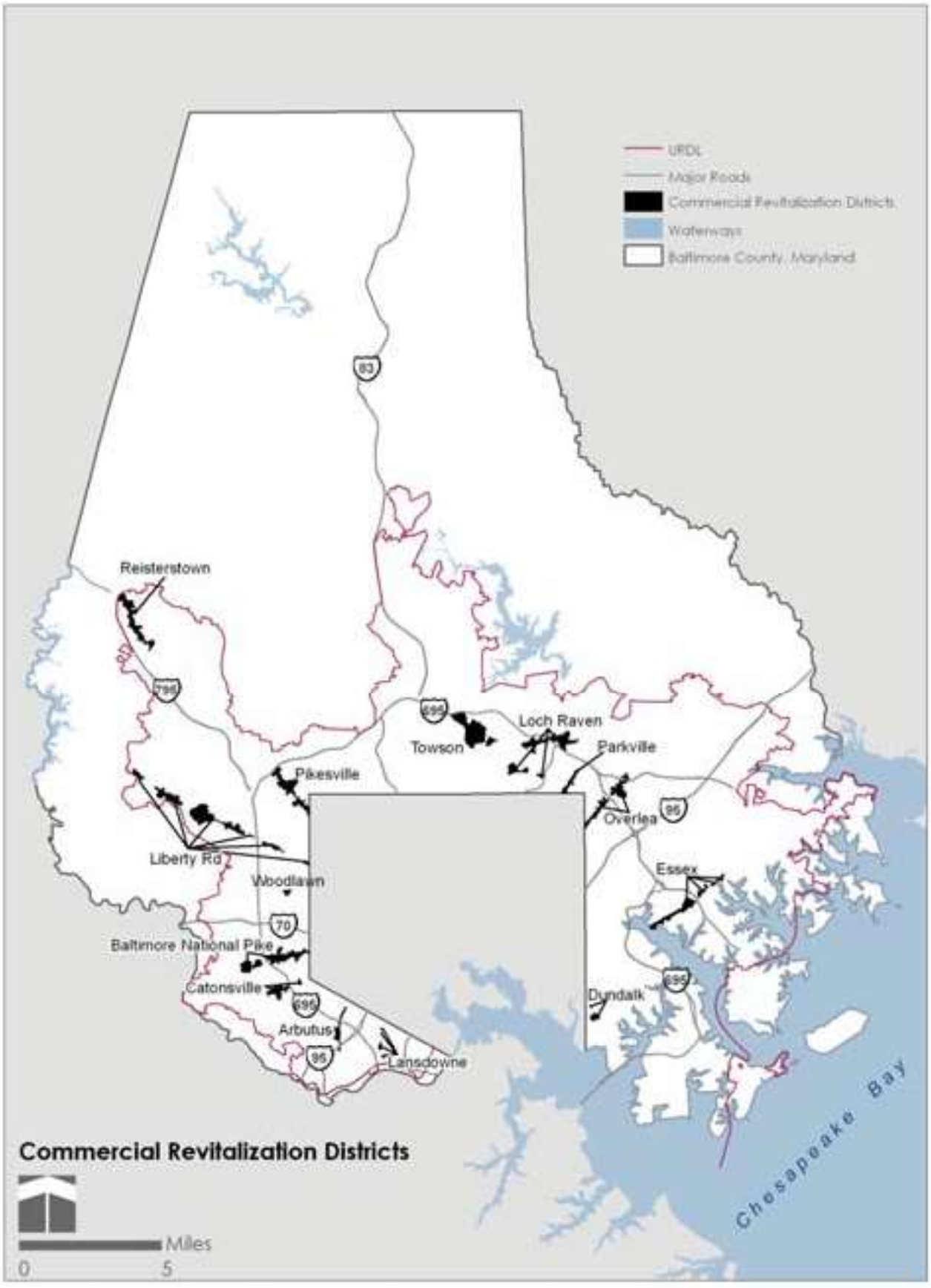
COMMERCIAL REVITALIZATION DISTRICTS

Baltimore County has 14 officially designated Commercial Revitalization Districts (CRDs). These areas were once the commercial hubs of the County's older beltway communities and offered a range of retail, service, and entertainment uses. However, beginning in the 1960s and 70s, changes





Map 35: Commercial Revitalization Districts







in demographics and retail shopping preferences fundamentally altered the role of these main street commercial centers. As people became more dependant upon the automobile, they moved farther out preferring the greater range of retail choices and convenient free parking over smaller mom and pop neighborhood shops along older commercial main streets. This trend continues. Most suburbanites patronize full service grocery stores, big and junior box retailers (e.g. Target, Wal-Mart, Pet Smart, Best Buy), chain specialty shops, and national restaurants.

To remain viable, the CRDs must differentiate themselves by capitalizing upon their downtown development patterns, strengthening the existing base of small businesses, and attracting new and different uses. Each district is unique with its own set of attributes and liabilities and revitalization efforts must be tailored to address these differences. Successful revitalization in smaller districts is built upon a series of small complementary successes and larger districts may benefit from key redevelopment projects that restructure the local economy. Attaining a sufficient and balanced mix of quality uses is an important goal that should be accompanied with creating a safe, attractive, and walkable environment. Another goal is using creative marketing of the districts to businesses and customers.

The most successful downtowns have a mix of synergistic uses that support each other. Downtown housing and office uses have residents and employees that patronize retail shops, restaurants, and service uses such as hair salons, banks, and dry cleaners. Theaters and other entertainment uses are destinations that draw customers into the downtown, who then also patronize restaurants and bars before and after a movie or performance. Institutional uses, supply a high number of patrons and employees for retail and restaurants, and students for downtown housing.

When compared to newer town centers that are trying to replicate the character and qualities of real downtowns, original town centers often have unique challenges. Redevelopment costs can be higher with land assemblage and parking; surrounding household incomes and densities may be more diverse; multiple owners have different perspectives; and the infrastructure may be aging and outdated. Jurisdictions must have an extensive toolbox of incentives to retain and attract the mix of uses needed to keep a CRD healthy. The County has a range of incentives that can be tailored to individual project needs, including: low interest loans, tax credits, and specialized grants, key infrastructure improvements such as parking garages, sewer expansions, and road realignments and improvements, sale of publicly owned land, demolition of obsolete structures, permitting process assistance, flexible zoning, and liquor licensing.

Policy: Retain and attract quality retail, office, service, residential, entertainment, and institutional uses that create well balanced and economically vital mixed-use.

Actions:

(1) Use targeted public investment to encourage private reinvestment.

(2) Identify redevelopment/revitalization opportunities in the CRDs and establish a process to determine land use and development goals of the area.

(3) Conduct specialized analyses of properties and redevelopment proposals.

(4) Utilize the Consultant on Call Program to provide expedited professional studies on market feasibility.

(5) Continue familiarization tours to provide education about the County's CRDs and community enhancement areas to upgrade and expand the types of uses, improve poorly managed properties and marginal businesses, and fill vacancies.

(6) Promote the increased use of the Small Business Resource Center that provides free technical, financial, and marketing assistance.

(7) Study the use of mixed-use codes in designated community enhancement areas.

(8) Periodically review the range and scope of incentives to maximize their effectiveness.



The districts, like community enhancement areas, should be the "front door" to the residential neighborhoods, and help establish the overall image of a community. The appearance of the CRD is important to the business and residential communities, and is both a private and public responsibility. The government, primarily through streetscape programs, is generally responsible for the streets, sidewalks, medians, and sometimes alleys. Individual property owners are responsible for a building's façades, and any private parking lots. Improvements should focus on views from the public areas. A commercial center or corridor with attractive curb appeal and stable and desirable uses may encourage people to invest in the community.

Policy: Improve the appearance and walkability of the Districts.

Actions:

(1) Continue to promote the Architect on Call Program that provides free professional design advice for business or property owners seeking to improve the exterior of their building and/or lot.

(2) Promote the Building Investment Loan Program that provides zero percent loans for exterior and interior improvements through annual mailings to property and business owners, the business organizations, specialized advertising, and "word of mouth" examples.

(3) Promote walkability and enhance the attractiveness of older village centers through implementation of streetscape programs managed by the Baltimore County Office of Community Conservation.

(4) Develop streetscape design around a Complete Streets Program.

(5) Continue beautification-landscaping partnerships with business organizations.

(6) Enforce the County code and fund the Commercial Revitalization Action grants for programs to improve the physical appearance of the business environment.

Studies consistently show that when customers buy from an independent, locally owned business, over two thirds of the money spent stays in the community and is used for purchases from other local businesses. These businesses create more jobs locally, and often provide better wages and benefits than nationwide chains. Owners frequently live in the community where their business is located.

Policy: Market Commercial Districts to potential businesses and patrons.

Actions:

(1) Media campaigns including radio, television, print advertising and social media marketing will be developed and utilized during the winter holiday and spring shopping seasons.

(2) Continue to provide design support in promoting community events and districts through the use of Designer On Call, a resource that offers design services for

local initiatives involving the ReDiscover Your Neighborhood Downtown branding.

(3) Maximize partnership with the Baltimore County Revenue Authority to provide convenient parking opportunities.

(4) Promote the County's CRDs and CEAs at regional and national conferences.

(5) Update district profiles and county websites to attract businesses to the districts.

(6) Participate in statewide organizations and programs that promote the revitalization of downtowns across Maryland.

(7) Continue neighborhood promotional campaigns to encourage consumers to shop and eat in locally owned businesses.

TOURISM

Visitors to Baltimore County added $1.97 billon to the local economy in 2008, according to a study by IHS Global Insight. The study reports that the County's tourism industry supported almost 20,000 jobs, $545 million in wages, and contributed $15 million in hotel, amusement and admission taxes.

Baltimore County's 219 miles of Chesapeake Bay waterfront offer unrealized potential to enhance the visitor experience and quality of life for County residents. Over the past decade, eastern Baltimore County has seen over $600 million in public and private investment. County initiatives have eliminated many aging, blighted apartment complexes, replacing them with open space and hundreds of modern single family and townhomes. Many of the County's 90 marinas and yacht clubs have made significant improvements to their facilities, with waterfront restaurants and a water taxi service adding to eastern Baltimore County's amenities.

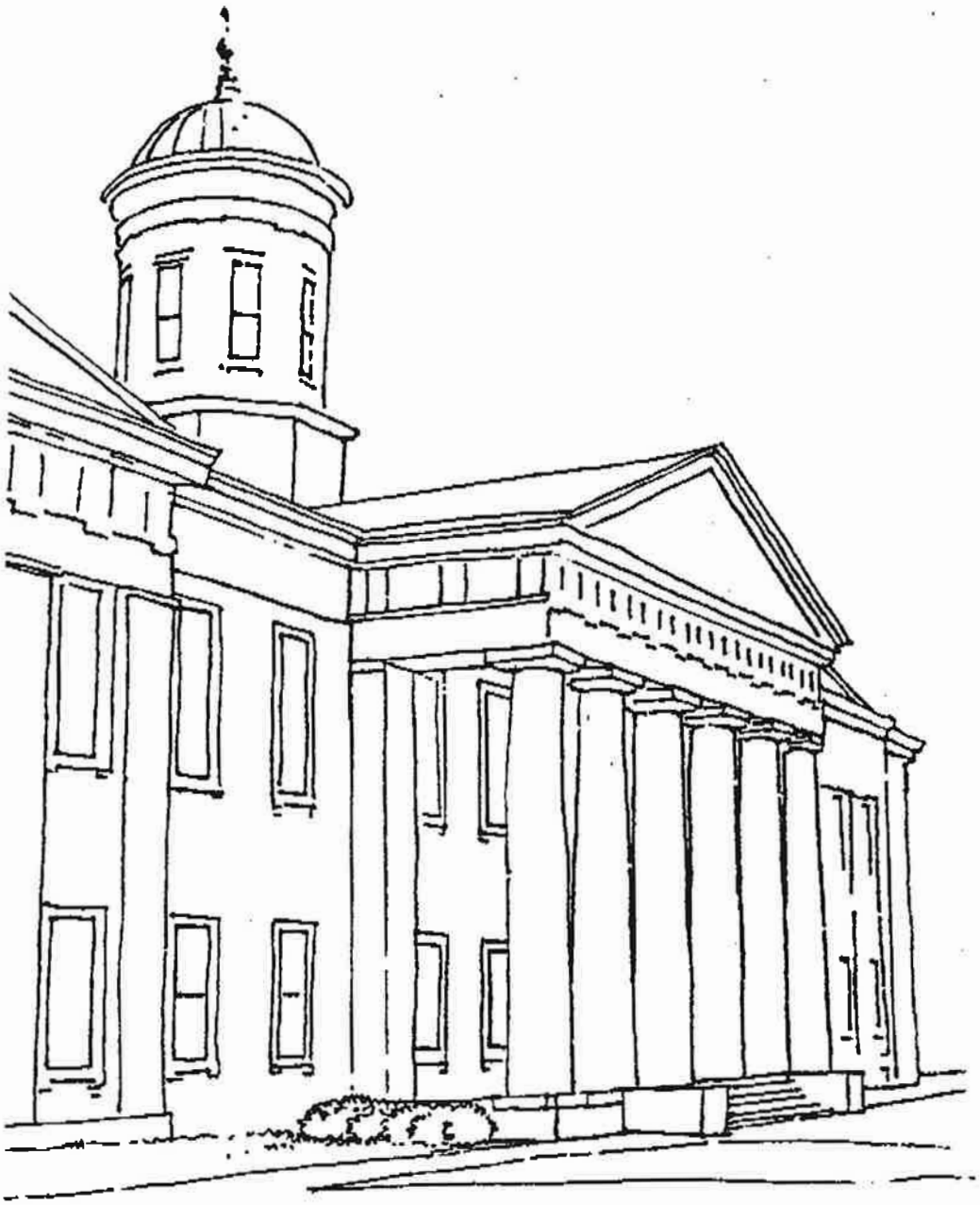
Policy: Increase visibility and access to visitor destinations in Baltimore County.

Actions:

(1) Explore methods to unify the waterfront as a regional destination.

(2) Further develop the County's network of bike and walking trails to connect parks, waterfront amenities, and nature centers with



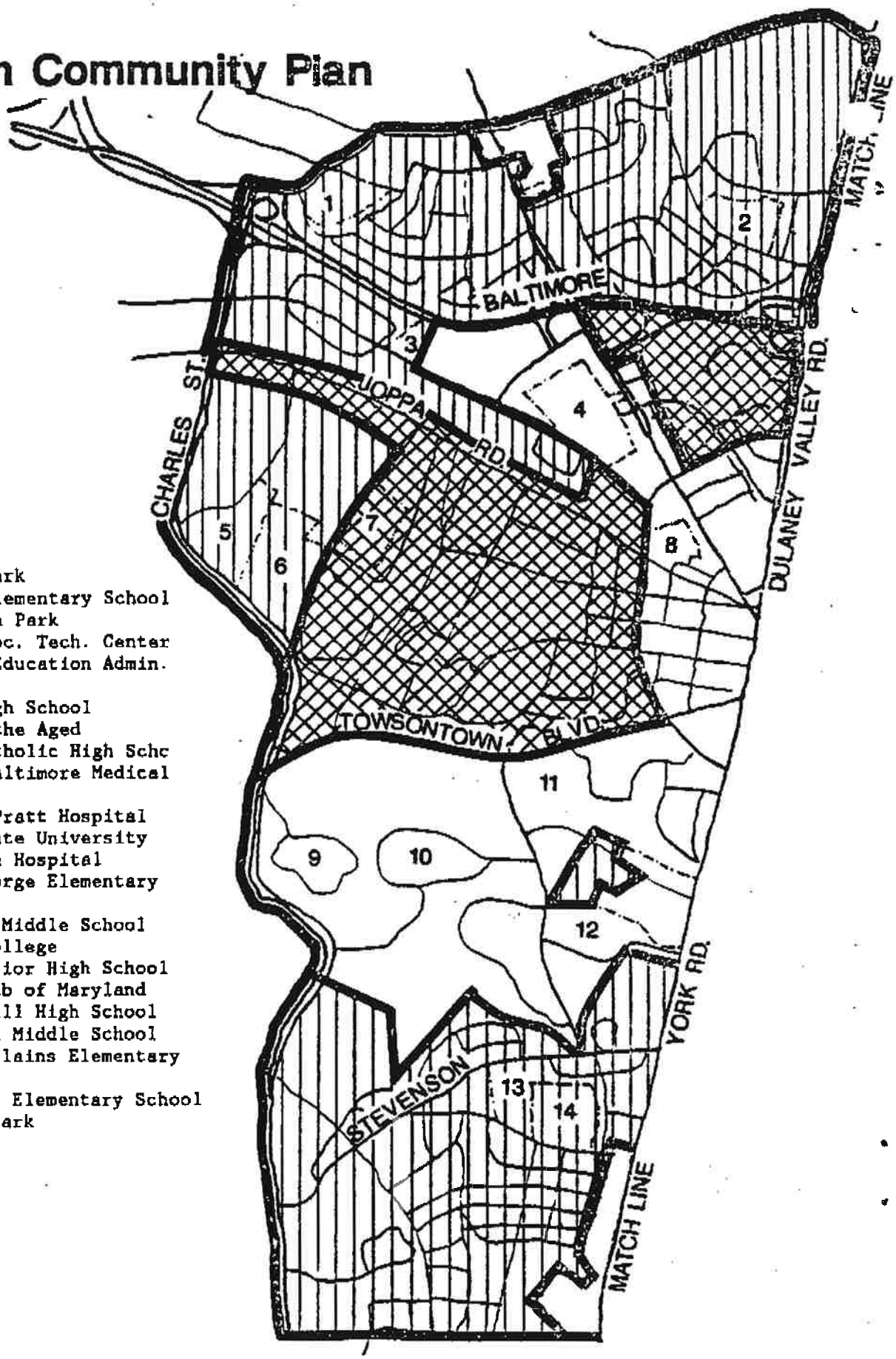


TOWSON COMMUNITY PLAN

As Adopted By The Baltimore County Council on February 3, 1992

PC Exh. 11

Towson Community Plan



1. Orchard Park
2. Hampton Elementary School
3. Kenilworth Park
4. Central Voc. Tech. Center
5. Board of Education Admin. Office
6. Loyola High School
7. Home for the Aged
8. Towson Catholic High Schc
9. Greater Baltimore Medical Center
10. Sheppard Pratt Hospital
11. Towson State University
12. St. Joseph Hospital
13. Rodgers Forge Elementary School
14. Dumbarton Middle School
15. Goucher College
16. Towson Senior High School
17. County Club of Maryland
18. Calvert Hall High School
19. Loch Raven Middle School
20. Pleasant Plains Elementary School
21. Stoneleigh Elementary School
22. Glendale Park

North

5. URBAN DESIGN

URBAN DESIGN COMPONENTS

The form and image of Towson is created by its vistas, views, gateways, skyline buildings, landmarks, design character, and scale. The Urban Design Plan details the three-dimensional form for Towson and describes the quality environment desired and the deliberate integration of the open space network, streetscape and amenities, public rights-of-way definitions, and development patterns.

Elements of the Urban Design Plan include:

A. Streetscape System;
B. Open Space Concept and Framework;
C. Development Guidelines for Design Areas; and
D. Design Review Advisory Panel.

This urban design framework with the land use and transportation plan components provides a comprehensive, interrelated structure for the Towson core with recommendations for implementation.

IDENTIFICATION OF ISSUES

This urban design section describes a strategy to improve the quality and character of Towson while addressing the following issues of concern.

- The design quality of new construction in the Towson Core.
- The lack of pedestrian and retail connection from the Towson Town Center Mall to the traditional retail strip of the 300, 400 and 500 blocks of York Road.
- The development of the Towson Transit Center site.
- The potential expansion of the government complex.
- The lack of pedestrian connection of Towson State University and Goucher College to the core of Towson.
- The parking structures that offer no design relief for the core and nearby neighborhoods.
- The need for a Design Review Advisory Panel.
- The lack of open space in and around the core.

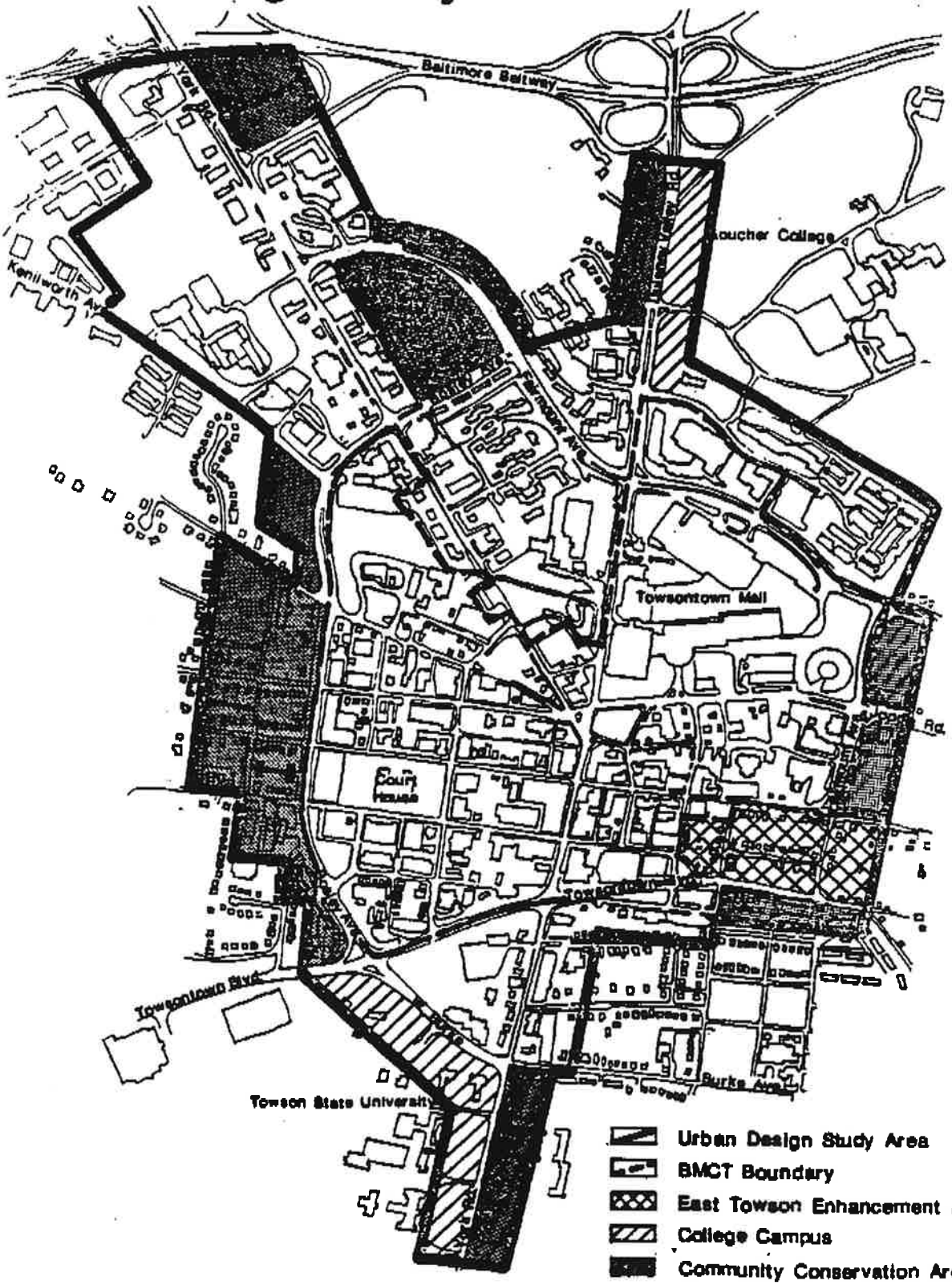
STUDY AREA

The Urban Design Study Area extends beyond the confines of the existing BM-CT district for the urban core. The study area was expanded to include (See Study Area Map 4):

- Community Conservation Areas adjacent to the BM-CT district.
- The East Towson Enhancement Area that borders the BM-CT district.

Urban D sign Study Ar a

MAP 4



- The edges of Towson State University along Towsontown Boulevard, Burke Avenue and York Road, and Goucher College along Dulaney Valley Road.
- The areas within the Fairmount, Goucher, Towsontown and Bosley loop road.
- The York Road corridor from the Baltimore Beltway to Towson State University.
- Dulaney Valley Road from the Beltway to the core.

INFORMATION COLLECTION ANALYSIS

Existing Design Features and Inventory (Map 5)

Existing design features that contribute to the overall form, image and design of Towson were identified and mapped. Design features were considered important or significant if they distinguished Towson from other areas in Baltimore County. These features were then incorporated into the design recommendations and guidelines. Buildings of historical significance (defined by a previous study and listed in the Appendix) were also mapped to identify location and concentration.

Development Opportunities (Map 6)

Existing development, recent construction, and undeveloped parcels within the urban design study area were evaluated for their permanence or likelihood of change. If a building or site was vacant or undeveloped, then it was considered an opportunity site or most likely to change. If a site appeared to be under utilized or in need of substantial repair, then it was considered as a site that may redevelop in the future. This identification was beneficial in determining which areas of the core need attention in terms of urban design recommendations.

Design or Sub Areas (Map 7)

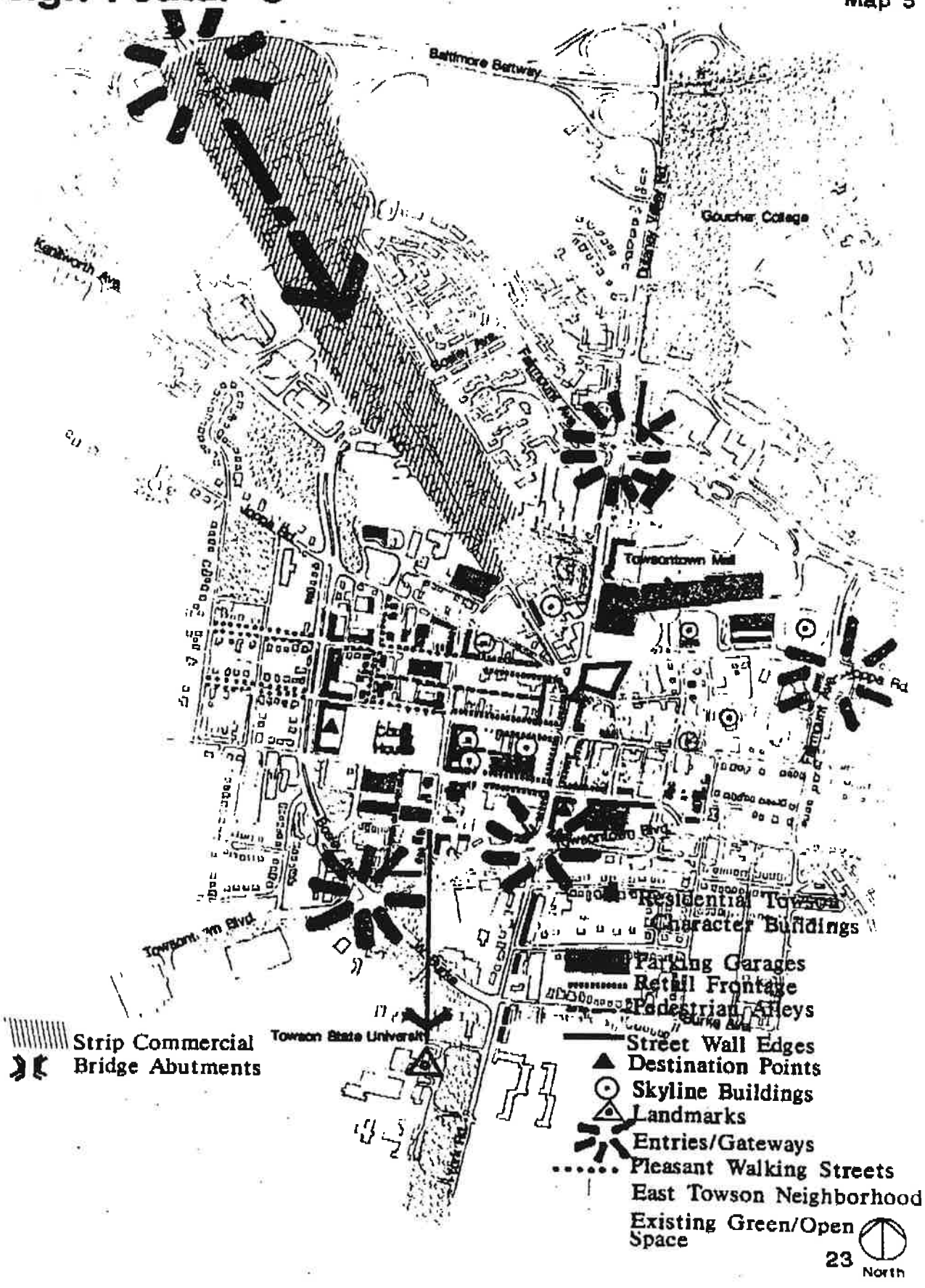
Areas within the commercial core were grouped according to similarity of form and image. Buildings and sites were grouped by type, land use, open space, landscape treatment, design features and road network. The Design Areas are:

- Central Towson
- Fairmount/Dulaney Valley
- Government Campus
- Institutional Towson
- East Towson Enhancement Area
- York Road North and South
- E, SE, SW, & W Transitions
- College Campuses

Opportunity sites are included within each design area and plans for development should consider the form and image context of its design area. Additional details of the urban design analysis process can be found in the Appendix.

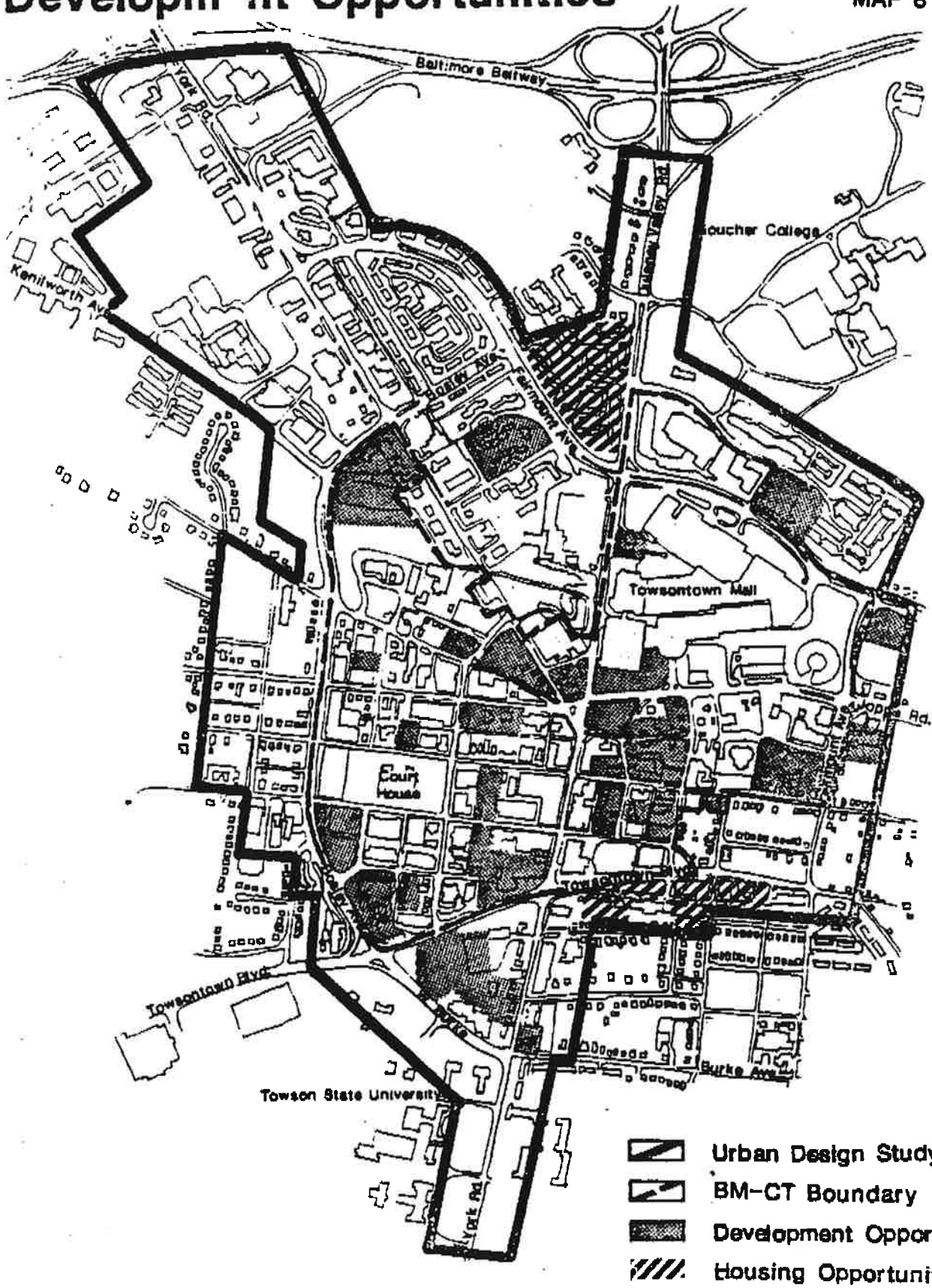
Design Featur s

Map 5



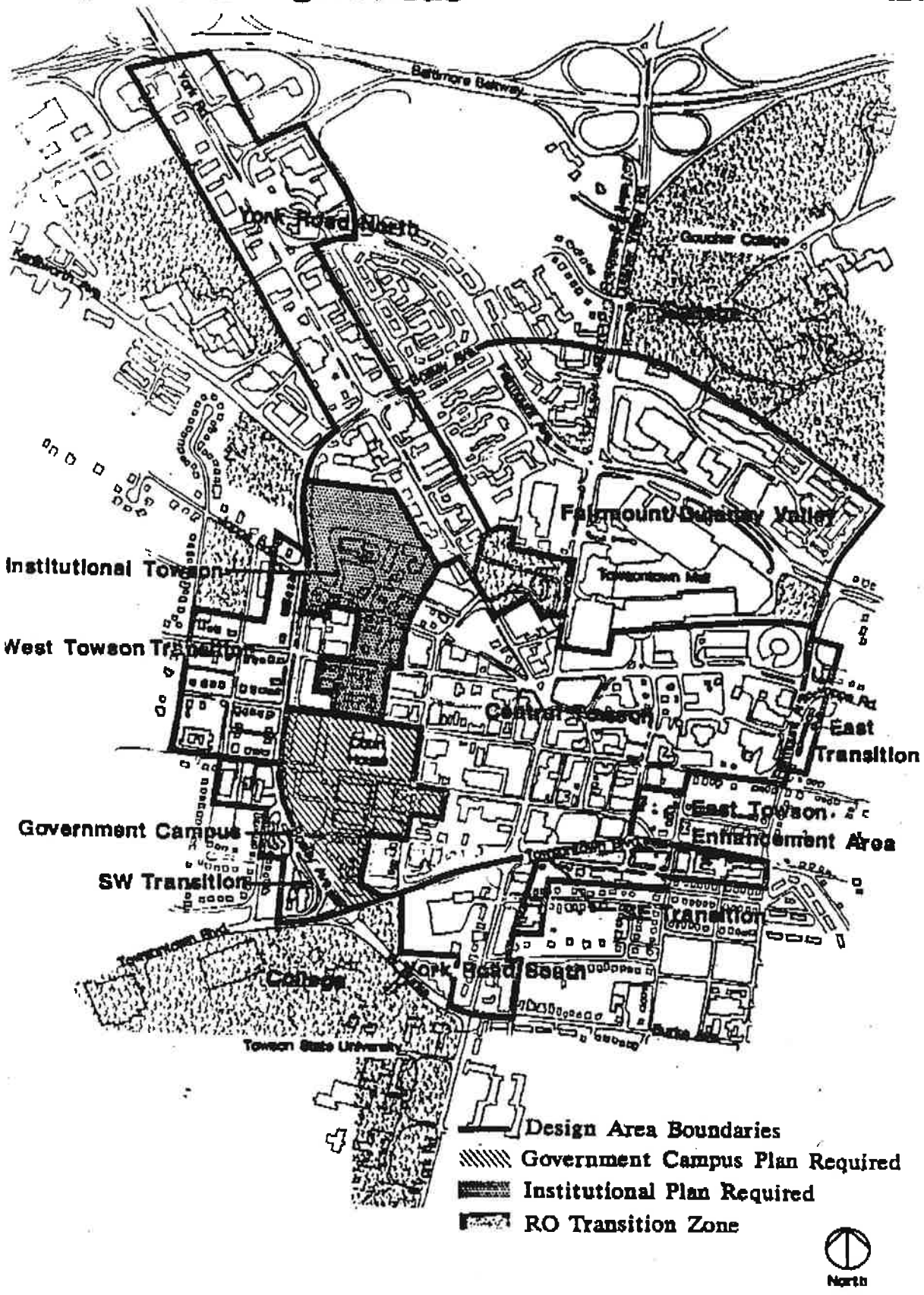
Developm nt Opportunities

MAP 6



Proposed Design Areas

MAP 7



THE URBAN DESIGN PLAN ELEMENTS

A. Streetscape Definition

A streetscape system is the most significant public improvement that can be made in Towson to unify the design areas and provide a coherent image. The proposed streetscape systems prioritize pedestrian needs and influence the overall urban form.

The proposed streetscape system guidelines are designed to:

1. Provide unifying landscape themes for the design areas.
2. Establish minimum building setback lines for appropriate sidewalk widths.
3. Establish build-to lines, particularly in the Central Towson design area, to maintain a unified urban street wall system.
4. Provide a setting for including other pedestrian amenities, such as street furniture and decorative lighting.
5. Aid transition between new buildings and existing buildings.
6. Provide identification and entry.
7. Maintain the remaining alleys for both service and delivery access as well as pedestrian connections to rear parking areas.

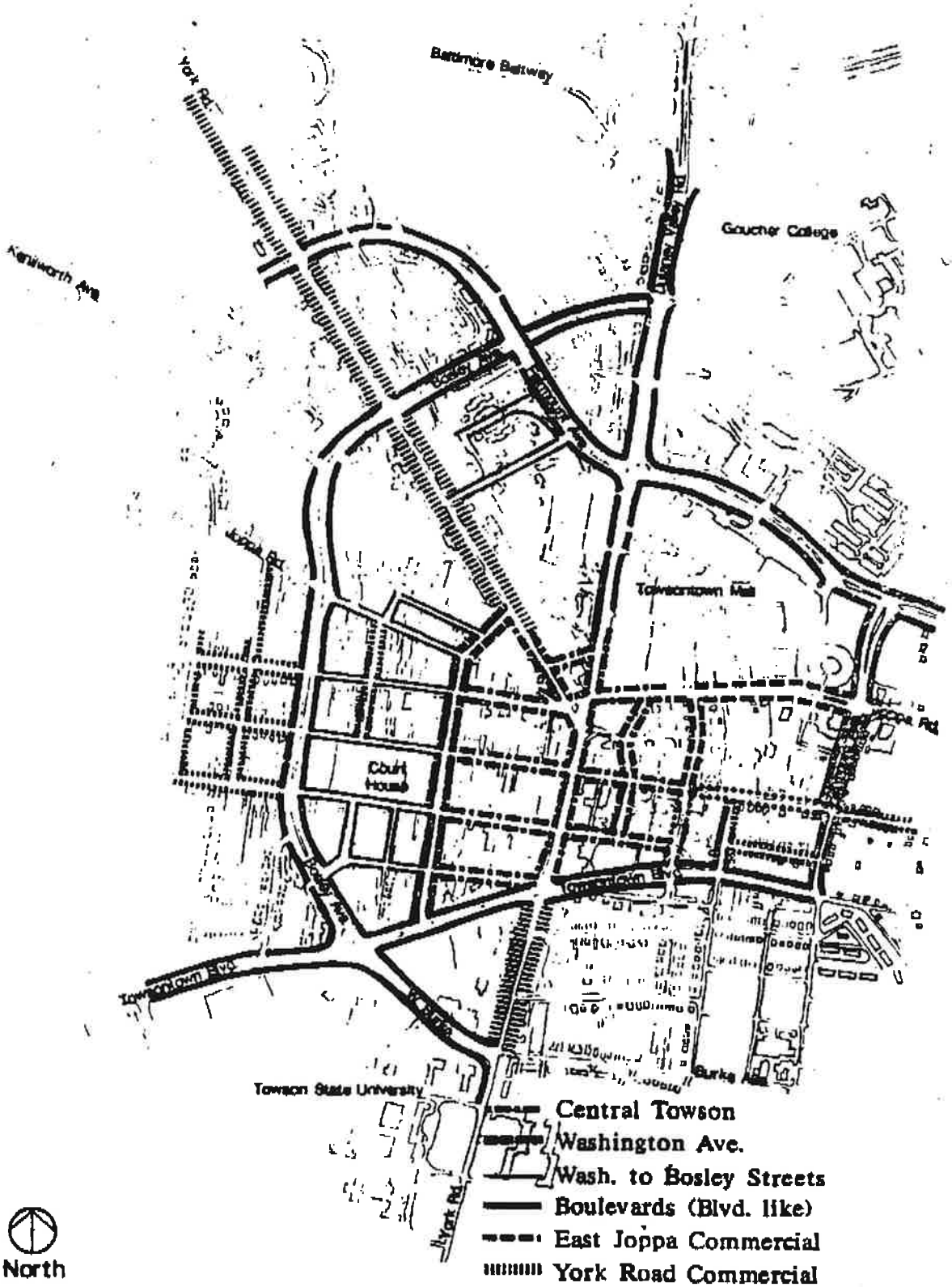
The most important principles for all of the streetscape types are consistency and continuity. The streetscape requirements are mapped for each block (see Streetscape Map 8). The eight prototypes are:

1. Central Towson (Map 9) - This streetscape is very urban and is designed to be a high-capacity, pedestrian-oriented system. All-brick sidewalk paving is recommended along the 300, 400 and 500 blocks of York Road to differentiate this street from the other urban streets. The details of this streetscape system include:

   - 20-25' setback from curb to face of building.
   - Trees in plant beds or grates - 30 ft. on center.
   - Pedestrian level decorative lighting 60 ft. on center, generally.
   - Street furniture: benches, waste receptacles, planters.
   - Recessed entries.
   - Display windows.
   - Sign bands and canopies.
   - Coordinated directional and parking signs.
   - Drives and curbcuts as integral part of streetscape; pedestrian orientation, handicap accessible.
   - No drive-up-teller drives crossing sidewalks.
   - Crosswalk islands.

Streetscape

MAP 8



- Minimal sidewalk grades.
- No hedges between curb and building along retail streets.
- Consolidated newspaper boxes.
- Bike racks.
- Bus shelters as part of the building design and streetscape.
- Mid-block pedestrian crossings at Allegheny, Pennsylvania and Chesapeake between Washington and York Road.
- Restaurant tables along sidewalk where possible.

2. Washington Avenue (Map 10) - This street is to be treated similarly to the Central Towson streetscape, except for a more generous setback that would allow for a double row of street trees where possible.

3. Boulevards or Boulevard-like (Map 11 and Open Space Map 17)

   - This streetscape system affords a generous building setback to allow for a double row of trees and additional landscaping features. It is desirable to plant trees in the median strips whenever possible.

   Additional considerations include:

   a. Vehicular drop-off lanes are not desirable on the boulevard designated streets, particularly along Bosley Avenue. For development sites along the designated boulevards, provide visitor access/parking along the cross streets or alleyways.
   b. Pedestrian walks should be separated from the curb by a landscaped strip.

4. East Joppa Commercial (Map 12) - This streetscape is similar to the Boulevard streetscape, except the roads do not have a median strip.

5. Pennsylvania/Chesapeake Avenues (Map 13) - This streetscape system connects the Boulevard system of Bosley Avenue to the more urban system of Washington Avenue. This system requires a planting area between the curb and sidewalk and between the sidewalk and the building.

   Additional considerations include:

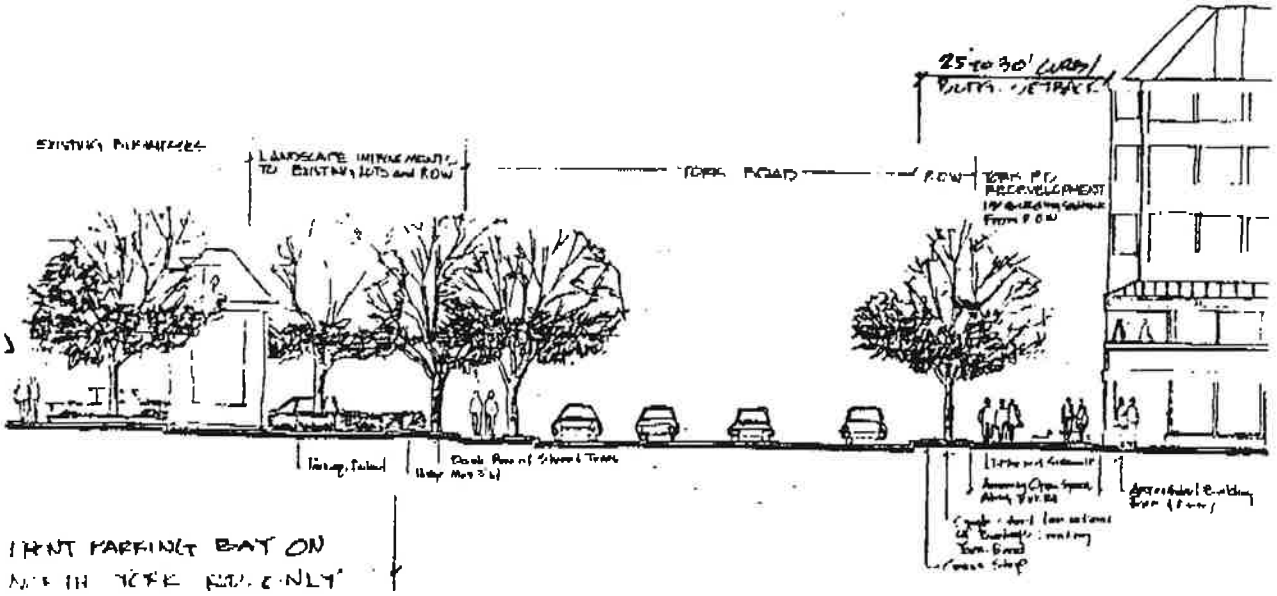
   a. The County should plant street trees between the sidewalk and curb around the Courthouse and the County Courts Building.

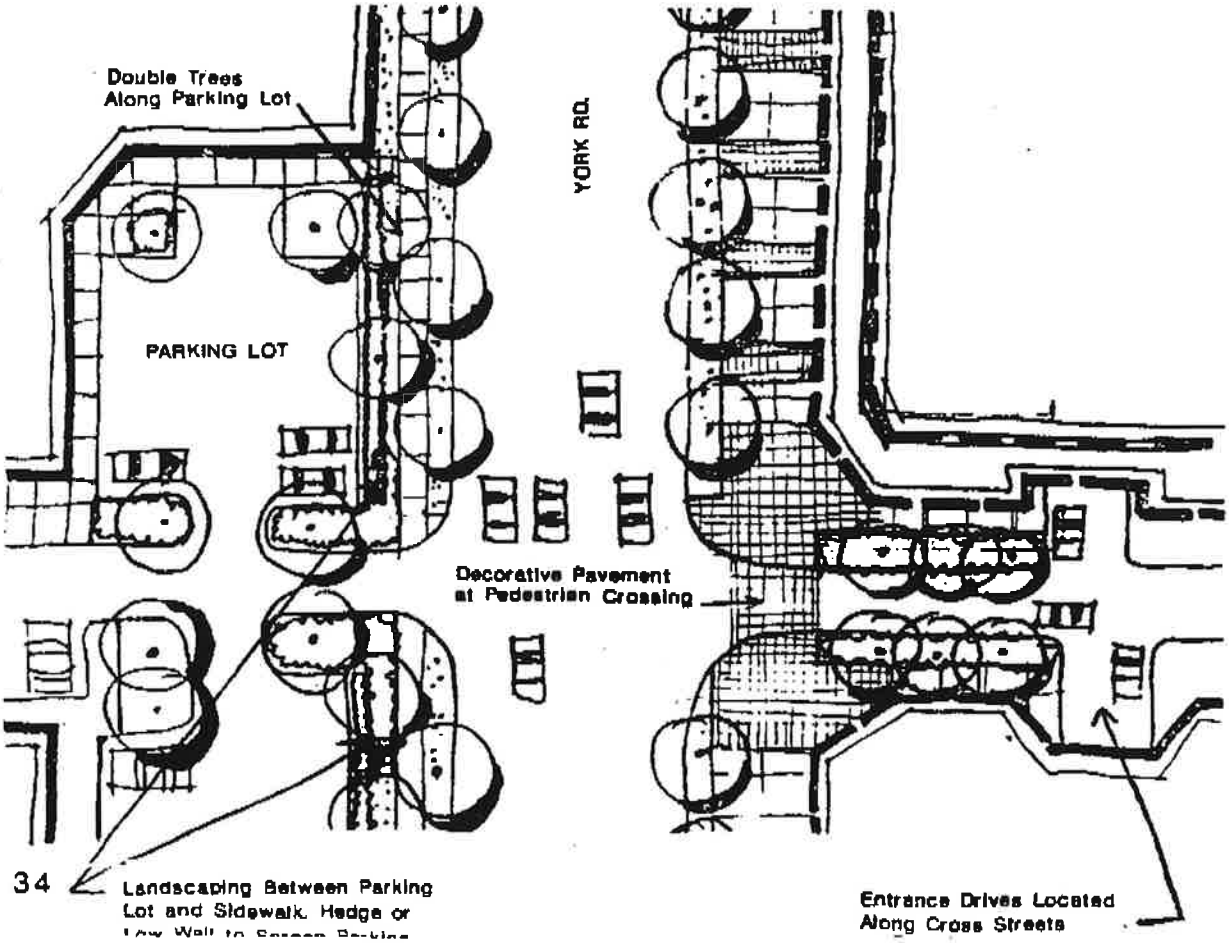
6. York Road Commercial (Map 14) - The intent of this streetscape system which applies to the segments of York Road between Burke Avenue and Towsontown Boulevard and between

York Road Commercial Boulevard

(NORTH/SOUTH OF "MAINSTREET TOWSON"

Map 14





6. YORK ROAD NORTH

Form and Image

- Reinforce vista of Towson Urban Core seen from Fairmount/York intersection.
- Emphasize street rather than separate buildings and parking lots.
- Simplify and clean up commercial building and site signs.
- Provide gateway entry treatment at York/Fairmount and York/Bosley.
- Emphasize commercial redevelopment from Allegheny to Bosley Avenues.

Building Design

- Construct uniform; moderately scaled buildings.
- Provide special building treatments at intersections.
- Orient building fronts to the street.
- Locate building fronts up against streetscape.
- Encourage structured parking to the side or rear yard of a redevelopment site.

7. YORK ROAD SOUTH

Form and Image

- Encourage street level retail with building bulk stepped back behind retail front between Towsontown Boulevard to Bosley and York/Burke intersection.
- Treat York Road/Towsontown Boulevard intersection as major gateway into Towson Core incorporating railroad bridge abutments.
- Unify intersection at York/Bosley/Burke through landscape treatment.

Building Design

- Respect predominant building setback on east side of York Road.
- Face building front to York Road.
- Turn corner at Burke and York with well articulated building facades with special entrance treatment at corner.
- Maintain predominant building height and bulk on east side - make transitions to Towson Manor residential area (east side).
- Encourage taller buildings along west side of York Road.
- Continue 35' retail height with bulk stepped back behind retail facade on the west side.
- Continue 4-5 story building facades with landscaping setbacks on the east side.

Board of Appeals of Baltimore County

JEFFERSON BUILDING
SECOND FLOOR, SUITE 203
105 WEST CHESAPEAKE AVENUE
TOWSON, MARYLAND 21204
410-887-3180
FAX: 410-887-3182

September 11, 2023

NOTICE OF ASSIGNMENT
Days 2 and 3

IN THE MATTER OF: Glenn G. Berger and Wayne G. Berger – Legal Owners
1020, 1022, 1024 York Road
22-291-XA 9th Election District; 6th Council District

Re: Petition for Special Exception relief from BCZR §236.2 to permit a full-service car wash; and

Petition for Variance from BCZR:

2) §419.3.A to allow the required number of stacking spaces for the full-service car wash to be configured in a different pattern than single-file at the entrance to the tunnel, if necessary;
3) §238.2 to allow a side yard setback of 6 ft. for a commercial building in lieu of the required 30 ft.;
4) §419.4.B.3 to allow a landscape transition area width in the rear yard to be a minimum of 2 ft. abutting non-residentially zoned land in lieu of the required 6 ft. and to allow a landscape transition area width a minimum of 12 ft. in lieu of the required 15 ft. within 50 ft. of a residentially zoned property.
5) §419.4.B.1 to allow a car wash tunnel entrance to face an adjacent residentially zoned property;
6) §450.4 Table of Signs Regulations.5(b) to allow a total of 11 freestanding enterprise signs with sign areas/faces of 18 square feet (sign Nos. 12A, 12B), 36 square feet (sign No. 4), 4 square feet (sign Nos. 8A, 8B), and 2.77 square feet (sign Nos. 15A-15F), with a sign height of 6 feet (sign Nos. 12A, 12B), 13 feet (sign No. 4), 4 feet (sign Nos. 8A, 8B), and a 6 feet (sign Nos. 15A-15F) in lieu of the one freestanding enterprise sign permitted with a sign area/face of 75 square feet.
7) §450.5.B.4.a to allow a freestanding sign to be installed as close as 10 ft. to another freestanding sign on the same premises having an area larger than 8 square feet (between sign Nos. 12A and 12B) in lieu of the required 100 foot distance.

1/23/23 Opinion and Order of the Administrative Law Judge wherein the Petition for Special Exception pursuant to BCZR §236.2 to permit a full-service car wash was GRANTED; and the Petition for Variance from BCZR §419.3.A to allow the required number of stacking spaces for the full-service car wash to be configured in a different pattern than single-file at the entrance to the tunnel was DISMISSED AS MOOT; all other Variance requests were GRANTED, with conditions.

The Board convened for hearing in this matter on May 25, 2023. This matter did not conclude on that date. Day 2 was scheduled on August 24, 2023 and postponed by request of Counsel. By agreement of Counsel, this matter is

ASSIGNED FOR: **NOVEMBER 16, 2023, AT 10:00 A.M. – Day 2**
AND **DECEMBER 12, 2023, AT 10:00 A.M. – Day 3**

The above scheduled hearing will be held remotely using WebEx for audio and video participation. **Call-in information and a link to the hearing will be posted on our web calendar at** www.baltimorecountymd.gov/departments/appeals **the night before**.

A complete set of **exhibits must be emailed** at least **48 hours before the hearing** to **appealsboard@baltimorecountymd.gov** in a format that complies with MDEC (Maryland Electronic Court) standards.

NOTICE:

- This appeal is an evidentiary hearing. Parties should consider the advisability of retaining an attorney.
- Please refer to the Board's Rules of Practice & Procedure, Appendix B, Baltimore County Code.
- No postponements will be granted without sufficient reasons; said requests must be in writing and in compliance with Rule 2(b) of the Board's Rules. No postponements will be granted within 15 days of scheduled hearing date unless in full compliance with Rule 2(c).
- If you require special accommodations, please contact this office at least one week prior to hearing date.

If you do not have access to a computer or smart device, please contact our office for the call-in information the day before the scheduled hearing.

Krysundra Cannington
Legal Administrative Secretary

c. Counsel for Petitioners : David H. Karceski, Esquire
Adam M. Rosenblatt, Esquire
Petitioner/Legal Owners : Glenn Berger and Wayne Berger
Petitioner/Lessee : Towson Car Wash, LLC, Thomas DeBacco, President

Counsel for Protestants/Appellants : Michael R. McCann, Esquire
Protestants/Appellants : Nigel Jamieson, Delva Thomas, Concerned Citizens of Baltimore County, Keith Morris, Executive Secretary

Office of People's Counsel for Baltimore County : Peter M. Zimmerman, Esquire, People's Counsel for Baltimore County

Paul M. Mayhew, Managing Administrative Law Judge
Stephen Lafferty, Director/Department of Planning
C. Pete Gutwald, Director/PAI
James R. Benjamin, Jr., County Attorney/Office of Law

IN THE MATTER OF:	*	BEFORE THE
1020, 1022 & 1024 York Road; SW/S of York Road, 444' SE of West Road	*	BOARD OF APPEALS
9th Election & 6th Councilmanic Districts	*	OF
Legal Owner(s): Glen & Wayne Berger Contract Purchaser: Towson Car Wash LLC Petitioner(s)	*	BALTIMORE COUNTY
	*	CASE NO.: 2022-291-XA

* * * * * * * * * * * * *

SUBPOENA

Please issue a Subpoena to the following named witness to appear before the Board of Appeals of Baltimore County at the hearing for the above captioned matter currently scheduled on August 24, 2023, at 10 a.m. a.m./p.m. in Hearing Room 2, The Jefferson Building, located at 105 W. Chesapeake Avenue, Towson, Maryland 21204, and continuing thereafter as necessary for such witness' testimony and as scheduled by the Board.

Witness: C. Pete Gutwald, or his Designee

Address: 111 West Chesapeake Avenue
Towson, Maryland 21204

Requested by:

Name: Peter Max Zimmerman, Esquire

Firm: People's Counsel for Baltimore County

Address: 105 West Chesapeake Avenue, Suite 204
Towson, Maryland 21204

The witness named above is hereby ORDERED to so appear before the Board of Appeals of Baltimore County. The Board requests (____) the Sheriff, (X) Private Process Server, to issue the summons set forth herein.

RECEIVED
AUG 22 2023
BALTIMORE COUNTY
BOARD OF APPEALS

Board of Appeals for Baltimore County

From:	Rosenblatt, Adam M.
To:	Peoples Counsel; Appeals Board
Cc:	Michael McCann; Karceski, David H.
Subject:	RE: Berger - Towson Carwash - Case No. 2022-291-XA
Date:	Friday, August 4, 2023 2:55:29 PM
Attachments:	PC Entry of Appearance and Correspondence.pdf Bill 31-19.pdf Response to People"s Counsel(60771428.2).pdf

CAUTION: This message from AMRosenblatt@venable.com originated from a non Baltimore County Government or non BCPL email system. Hover over any links before clicking and use caution opening attachments.

I am attaching a letter and 2 attachments responding to People's Counsel's July 24 correspondence in the above-referenced case.

Thank you.

Adam M. Rosenblatt, Esq. | Venable LLP
t 410.494.6271 | f 410.821.0147 | m 410.294.9430
210 W. Pennsylvania Avenue, Suite 500, Towson, MD 21204

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From: Peoples Counsel <peoplescounsel@baltimorecountymd.gov>
Sent: Monday, July 24, 2023 11:11 AM
To: Appeals Board <appealsboard@baltimorecountymd.gov>
Cc: Michael McCann <michael@mmccannlaw.net>; Karceski, David H. <DKarceski@Venable.com>; Rosenblatt, Adam M. <AMRosenblatt@Venable.com>
Subject: RE: Berger - Towson Carwash - Case No. 2022-291-XA

Caution: External Email

Good Morning,

Enclosed please find a letter from our office relating to the above-mentioned case.

Rebecca Wheatley, Legal Secretary
Office of People's Counsel
105 W. Chesapeake Avenue, Suite 204
Towson, Maryland 21204
410-887-2188

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August 4, 2023

Baltimore County Board of Appeals
Attn: Joseph Evans,
Supervisor of Zoning Review
Department of Permits, Approvals and Inspections
111 West Chesapeake Avenue, Room 110
Towson, MD 21204

Re: Case No. 2022-291-XA
Response to Letter from People's Counsel

Chairman Evans, Members of the Board:

On behalf of the Petitioner, we are writing in opposition to the July 24, 2023 letter from Peter Zimmerman raising legal arguments outside of the hearing room and during the Petitioner's case in chief. As described herein, the letter is inappropriate from a procedural standpoint and is incorrect as a matter of law.

1. **Untimely, Prejudicial Filing.**

Before addressing the legal argument advanced by Zimmerman, it must be noted that it is improper and highly prejudicial for People's Counsel to draft and submit legal argument to the Board without discussion with opposing counsel in an ongoing case. This is especially true given that Petitioner is in the middle of presenting its case in chief and had no notice that Zimmerman's argument would be filed with the Board. Council Bill 12-22 established Rules of Practice and Procedure for the Board and there is no rule that permits a party to file written legal argument with the Board during the middle of an ongoing case, particularly when it is not even the party's turn to present evidence.

Zimmerman indicates that he is raising these arguments to give the parties an opportunity to address them, but in reality, these untimely, *ex parte* submissions prejudice the Petitioner by focusing the Board's attention on an issue he has not proven in this case.

2. Legally Flawed Argument.

Additionally, Zimmerman's argument is incorrect as a matter of law. The subject property is zoned BR. The uses permitted by special exception in the BR zone are contained in § 236.2 of the Baltimore County Zoning Regulations (BCZR) and include "**car wash.**" There is no need to look any further -- the words are clear and unambiguous, and the statutory interpretation ends there.

Zimmerman contends that because § 419.1 of the BCZR explains the overlay districts in which car washes are permitted, we must ignore the plain language of BCZR § 236.2 and find that "in addition to a proper underlying zone, B.L. or otherwise, there must also be the requisite overlay district." *See* July 24 Letter from People's Counsel. This interpretation violates one of the most basic rules of statutory construction:

> We do not add or delete words in order to reflect an intent not evidenced by what the Legislature actually said and we do not construe statutes with 'forced or subtle interpretations' that limit or extend its application."

Swinson v. Lords Landing Village Condo., 360 Md. 462, 478 (2000).

Zimmerman is doing precisely what is prohibited by the Courts – he is adding words (a legal requirement that you need BOTH an underlying zone that permits car washes AND an overlay district that permits car washes), and forcing an interpretation of the statute to reach his desired conclusion (which, for some unknown reason, is to prevent the redevelopment of this junkyard site with a new car wash).

Zimmerman's argument relies on the interplay between legislation from 1964 and Bill 172-93, wherein Section 419 of the BCZR was created. Since 1993, he contends, car washes have needed both an underling zone that permits car washes by special exception and an overlay district such as AS or IM. His argument is contradicted by legislation passed much more recently (Bill 31-19), wherein the Council established that car washes are permitted by special exception in the ML zone only if they are located in a Planned Industrial Park, IM or AS district:

> Car washes, provided that any such uses shall be located in either a Planned Industrial Park at least 25 acres in net area, in an I.M. or A.S. District, or a combination of an I.M. and A.S. District; and subject, further, to Section 419, except that such uses in an A.S. District or a combination of an I.M. or A.S. District are not permitted in the Hunt Valley/Timonium Master Plan Focus Area or outside the URDL.

See BCZR § 253.2.D.4; Council Bill 31-19.

If car washes automatically required both an underlying zone and an overlay district, there would have been no reason for the Council to include the limitations as to where car washes are permitted in the ML zone. Section 419.1 would have automatically required an overlay district, and the 2019 Bill would not have had to specify that car washes are permitted only "in an I.M. or A.S. District, or a combination of an I.M. and A.S. District." Zimmerman either did not realize that this Bill passed in 2019 or chose to ignore it. Either way, his argument is flawed.

Zimmerman's argument is also contrary to Baltimore County's administrative practice, where special exceptions have been repeatedly permitted by special exception in Business Zones. *See, e.g.*, Case Nos. 2021-199-X (car wash approved by special exception in the BM and BR zones), 2022-226-SPHX (car wash permitted by special exception in BL zone). These cases were heard by multiple Administrative Law Judges who all properly reached the conclusion that car washes are permitted by special exception in the business zones without an overlay district. Indeed "administrative officers ... [are] presumed to have properly performed their duties and to have acted regularly and in a lawful manner." *Md. Securities Com'r v. U.S. Securities Corp.*, 122 Md. App. 574, 58 (1988). As the attached correspondence confirms, People's Counsel entered their appearance in both of these other cases, received the Orders, and yet did not contest the ability of the petitioners to seek special exceptions for car washes in the business zones without an overlay district. This begs the question why Zimmerman has all of a sudden attempted to raise this flawed legal argument in the case at hand.

Very truly yours



Adam M. Rosenblatt
David H. Karceski

COUNTY COUNCIL OF BALTIMORE COUNTY, MARYLAND
Legislative Session 2019, Legislative Day No. 11

Bill No. 31-19

Mrs. Cathy Bevins, Councilwoman

By the County Council, June 3, 2019

A BILL
ENTITLED

AN ACT concerning

Zoning Regulations – Uses Permitted in the M.L. Zone - Car Washes

FOR the purpose of permitting car washes in the Manufacturing, Light (M.L.) Zone by special exception; and generally relating to car washes in the M.L. Zone.

BY repealing and re-enacting, with amendments
Section 253.2.B

Baltimore County Zoning Regulations, as amended

BY adding
Section 253.2.D

Baltimore County Zoning Regulations, as amended

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

SECTION 1. BE IT ENACTED BY THE COUNTY COUNCIL OF BALTIMORE COUNTY, MARYLAND, that the Baltimore County Zoning Regulations read as follows:

ARTICLE 2 - ELEVATOR-APARTMENT RESIDENCE ZONES, RESIDENTIAL-OFFICE ZONES, OFFICE ZONES, BUSINESS ZONES, MANUFACTURING ZONES AND DISTRICTS

Section 253 – Manufacturing, Light (M.L.) Zone Use Regulations

§ 253.2 – Uses permitted by special exception

The uses listed in this subsection are permitted by special exception only.

B. The following auxiliary service uses, provided that any such use shall be located in a planned industrial park at least 25 acres in net area or in an I.M. District; provided, further, that it is shown that any such use will serve primarily the industrial uses and related activities in the surrounding industrial area:

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

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

3.] Garages, service not otherwise permitted under Section 253.1.B.25, including establishments for the service or repair of trucks, of truck trailers or of freight-shipping containers designed to be mounted on chassis for part or all of their transport.

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

D. The following miscellaneous uses:

4. CAR WASHES ~~(SUBJECT TO SECTION 419)~~ PROVIDED THAT ANY SUCH USES SHALL BE LOCATED IN EITHER A PLANNED INDUSTRIAL PARK AT LEAST 25 ACRES IN NET AREA, IN AN I.M. OR A.S. DISTRICT, OR A COMBINATION OF AN I.M. AND A.S. DISTRICT; AND SUBJECT, FURTHER, TO SECTION 419, EXCEPT THAT SUCH USES IN AN A.S. DISTRICT OR A COMBINATION OF AN I.M. OR A.S. DISTRICT ARE NOT PERMITTED IN THE HUNT VALLEY/TIMONIUM MASTER PLAN FOCUS AREA OR OUTSIDE THE URDL.

SECTION 2. AND BE IT FURTHER ENACTED, that this Act, having been passed by the affirmative vote of five members of the County Council, shall take effect on July 15, 2019.

Baltimore County, Maryland
OFFICE OF PEOPLE'S COUNSEL
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105 West Chesapeake Avenue, Suite 204
Towson, Maryland 21204
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CAROLE S. DEMILIO
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July 24, 2023

SEND VIA EMAIL TO appealsboard@baltimorecountymd.gov
Joseph Evans, Esquire, Panel Chairman
County Board of Appeals
105 West Chesapeake Avenue, Suite 203
Towson, Maryland 21204

Re: PETITION FOR SPECIAL EXCEPTION & VARIANCE
Glenn & Wayne Berger –Legal Owners
Towson Car Wash LLC – Petitioners
1020, 1022 & 1024 York Road
Case No.: 2022-291-XA
Second Public Hearing Day Scheduled: April 24, 2023

Dear Chairman Evans:

Upon further review, spurred in part by questions at the first day of hearing, I would like now to identify a threshold legal issue. This discussion affords other parties the opportunity to consider it as the hearing proceeds. In view of the usual practice of concurrent filing of post-hearing memoranda, it is fair, sensible, and timely to alert everybody before then. This also presents to the Board a primary color in the legal prism.

At the May 25 hearing, there came up the relationship and/or differences between the BCZR Sec. 230.3 B.L (Business-Local) Zone Car Wash special exception provision and the more focused BCZR Sec. 419 provisions for various types of defined car wash uses. This led us to do further study, research, and analysis of the legislative scheme.

We are also cognizant of your emphasis during opening statements that this is a *de novo* hearing. Consistent with that spirit, everything should be on the table.

The B.L. (and other Business Zone) special exception dates from Bill 108-64, in time for publication in the 1963 version of the Zoning Regulations. It was not until 1993 that the Council enacted Bill 172-93, covering fuel service stations and car washes more comprehensively, with BCZR Sec. 419.1 focused comprehensively on car washes. This legislation is traceable, at least in part, to a June, 1993 Planning Board Report.

The legislative sources are in People's Counsel's Exhibits 14-15 and 19-26. We shared these with the interested parties. They trace the legislative history and scheme. They foreshadow this letter's discussion.

The key point is that, per BCZR Sec. 102.1 permitted use structure, BCZR Sec. 419.1 permits car wash use by special exception only in designated overlay districts --- C.R, C.C.C., A.S., or I.M. It encompasses every type of car wash, each of which is defined in BCZR Sec. 101.1 The proposed car wash here appears to fit the full-service definition, but any type of car wash is covered. Here is the provision:

> "**Sec. 419.1. – Types permitted; location**
>
> **"**Roll-over, full-service and self-service car washes are permitted by special exception in the following districts: C.R. (provided no part of the lot is in R.C.5), C.C.C., A.S., or I.M. (provided no part of the lot is in M.R.). Car washes are also permitted as a use in combination with a service station subject to the provisions of Section 405."

So, in addition to a proper underlying zone, B.L. or otherwise, there must also be the requisite overlay district. The 1020-1024 York Road property here does not have the benefit of the necessary overlay district. So it does not qualify.

BCZR Sec. A400.1 reinforces this view by stating that the entire Article 4, Special Regulations, addresses certain uses which "…have singular, individual characteristics which make it necessary, in the public interest, to specify regulations in greater detail …"

Correspondingly, BCZR Sec. 259.1 declares essentially that the districts, among other things, are there to enlarge, modify, or limit the applicable underlying zone regulations. In other words, they prevail.

It is also noteworthy that the primary district for car washes is the A.S. (Automotive Services) District. BCZR Sec. 259.2.B. This district is established for properties appropriate for parking and servicing of automobiles.

To tie up any loose end, the provision for car washes in combination with service stations does not apply or affect the situation or analysis here.

Remarkably, so far as we can find or tell, this is the first car wash case to reach the County Board of Appeals since the 1993 enactment of the specific car wash provisions in BCZR Sec. 419. If anyone can find another such case which has reached the CBA, we will address it. Anyway, it looks like this issue is ripe for review.

I trust this letter and the legislative sources will assist the Board in its review and evaluation of the case. The threshold statutory construction issue will get further attention in the post-hearing memorandum.

Sincerely,



Peter Max Zimmerman
People's Counsel for Baltimore County

cc: David Karceski, Esquire, Attorney for Petitioner, dhkarceski@venable.com
Adam Rosenblatt, Esquire, Attorney for Petitioner, amrosenblatt@venable.com
Michael McCann, Esquire, michael@mmccannlaw.net

IN RE: PETITIONS FOR SPECIAL EXCEPTION AND VARIANCE	*	BEFORE THE
(1022, 1024 York Road)		THE OFFICE
9th Election District	*	
6th Council District		ADMINISTRATIVE HEARINGS
Glenn G. Berger and Wayne G. Berger	*	
Legal Owner		FOR BALTIMORE COUNTY
Towson Car Wash, LLC	*	
Contract Purchaser/Lessee		**Case No: 2022-0291-XA**
	*	
Petitioners		

* * * * * * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings ("OAH") for consideration of Petitions for Special Exception and Variance filed on behalf of Glenn G. Berger, legal owner, and Towson Car Wash, LLC., lessee **(**"Petitioners") for the property known as 1020, 1022, 1024 York Rd., Towson (the "Property"). A Petition for Special Exception was filed from the Baltimore County Zoning Regulations ("BCZR"), §236.2 to permit a full-service car wash. Petition for Variances were also filed from BCZR which correspond to the Variance numbers on the Petition as follows:

> 2. §419.3.A to allow the required number of stacking spaces for the full-service car wash to be configured in a different pattern than single-file at the entrance to the tunnel, if necessary.
> 3. §238.2 to allow a side yard setback of 6 ft. for a commercial building in lieu of the required 30 ft.
> 4. §419.4.B.3 to allow a landscape transition area width in the rear yard to be a minimum of 2 ft. abutting non-residentially zoned land in lieu of the required 6 ft. and to allow a landscape transition area width a minimum of 12 ft. in lieu of the required 15 ft. within 50 ft. of a residentially zoned property.
> 5. §419.4.B.1 to allow a car wash tunnel entrance to face an adjacent residentially zoned property.
> 6. §450.4 Table of Signs Regulations.5(b) to allow a total of 11 freestanding enterprise signs with sign areas/faces of 18 square feet (sign Nos. 12A, 12B), 36 square feet (sign No. 4), 4 square feet (sign Nos. 8A, 8B), and 2.77 square feet (sign Nos. 15A-15F), with a sign height of 6 feet (sign Nos. 12A, 12B), 13 feet (sign No. 4), 4 feet

(sign Nos. 8A, 8B), and 6 feet (sign Nos. 15A-15F) in lieu of the one freestanding enterprise sign permitted with a sign area/face of 75 square feet.

7. §450.5.B.4.a to allow a freestanding sign to be installed as close as 10 ft. to another freestanding sign on the same premises having an area larger than 8 square feet (between sign Nos. 12A and 12B) in lieu of the required 100 foot distance.

Due to COVID-19 a public WebEx hearing was conducted virtually in lieu of an in-person hearing. The Petitions were properly advertised and posted. Chris Riveria, COO of Canton Car Wash along with Thomas Sheckells, a planning expert with Morris & Ritchie Associates, the civil engineering firm who prepared a redlined site plan (the "Redlined Site Plan"). (Pet. Ex. 2A, 2B). David Karceski, Esquire, Adam Rosenblatt, Esquire, and Venable, LLP represented the Petitioners. There were no Protestants or interested citizens in attendance. A statement in opposition was submitted by Concerns Citizens of Baltimore County. (See File).

Zoning Advisory Committee ("ZAC") comments were received from the Department of Planning ("DOP") who is opposed to the Special Exception relief stating that the use could increase traffic and overflow onto York Rd. which is prohibited under BCZR, §502.1.B. DOP also indicated that if the Special Exception was granted, the agency was not opposed to the Variance relief. State Highway Administration ("SHA") noted that the existing 2 entrances onto York Rd. (MD 45) may require modification and a Traffic Impact Study ("TIS") was requested. Oddly, there was no ZAC comment from Development Plans Review ("DPR") or from Department of Environmental Protection and Sustainability ("DEPS").

The case proceeded by way of modified proffer by Mr. Rosenblatt and Mr. Karseski. Thomas H. Sheckells was admitted as an expert planner with knowledge of the BCZR including Petitions for Special Exceptions and Variances. (Pet. Ex. 5). The Property is comprised of 3 separately addressed parcels totaling 0.86 acres +/- (37,608 sf) located on the west side of York

Rd. (MD 45). The Property is directly across from the I-695 eastbound ramp. On the northern boundary is another automobile service garage, on the western side is a parking lot for Lexus of Towson as well as the maintenance building for Carver Center for Arts, and on the southern end is a Meineke muffler shop, a Midas store, as well as a Goodwill store. It is zoned Business, Roadside (BR). There are no adjacent residential properties.

The Property is currently being used as an auto service garage and used automobile sales yard. Street view photographs depict a commercial building with a lot full of cars surrounded by a chain link fence. (Pet. Ex. 7). Also shown in the photographs is that the Property is also operating as a junk yard with appliances, several boats, car parts, tires, trailers, an old ambulance used for storage, and other items of junk, trash and debris scattered throughout the Property. There are at least 3 freestanding enterprise signs mounted on poles along the street frontage on York Rd. and 1 sign covered with a black tarp (Pet. Ex. 7.10). To describe the current state of the Property as an eyesore would be an understatement.

Petitioners propose to construct and operate a full-service car wash which moves vehicles on a flat-bed conveyor belt through a tunnel as shown on the Redlined Site Plan. (Pet. Ex. 2A). An architectural rendering of the building and tunnel were provided. (Pet. Ex. 4). Mr. Riveria described the flat-bed conveyor belt as using the latest technology which uses friction to clean the vehicles. (Pet. Ex 3C). He explained that the flat-bed conveyor belt allows 30% more vehicles to be cleaned than the traditional chain conveyor found in most car washes. While it is more expensive, the flat-bed conveyor belt can process 100 vehicles for every 100 ft. of belt length. In this case, the conveyor belt will measure 130 ft.; 130 vehicles can be washed per hour. There will be 3 lanes of single-file vehicles on their approach to 3 separate pay stations. License plates are scanned to access accounts. An attendant will be in 1 of the pay stations to assist customers, if

needed. Additional attendants are available to ensure efficient traffic circulation. Each of the 3 pay lanes will have a gate locked by a magnetic sensor which is not activated until payment is complete. Once payment is made, the gate opens and the cars line up in a single-file line prior to the tunnel entrance. Between the gates and the tunnel entrance there is an additional 90 ft. which will provide space for an additional 5 vehicles to queue in line. (Pet. Ex. 2A, 2B).

As of the date of the hearing, Canton Car Wash operates 4 other locations: Nottingham/White March; Columbia; Abingdon; and Canton. A 5th location is opening soon in Glen Burnie. Nearly 80% of the customers of Canton Car Wash have memberships and are looking for a high-end experience. Mr. Riveria described that some locations, such as Nottingham/White Marsh are full-service car washes meaning that after car goes through the wash tunnel, the customer has the option to exit the vehicle and wait in a lounge while employees clean the interior. At the proposed Towson location, it will be an express-car wash only and will not provide interior cleaning by employees; customers may clean the interior themselves at the self-service vacuum parking spaces using a central vacuum system. (Pet. Exs. 3D-3F). As such, there will only be 6 employees at the proposed Towson location.

Mr. Riveria added that the water used to clean the vehicles is recaptured in underground storage tanks and reused. This underground tank system costs $250,000.00. The Towson car wash will use biodegradable chemicals only, not harsh chemicals as used in older touchless car washes. The two access driveways into the Property currently permit both ingress and egress onto York Rd. On the Redlined Site Plan, the northern driveway will be right in and right out only, and the southern driveway will be right out only.

The street views photographs confirm that the Property currently has no landscaping; it is entirely paved and covered with either vehicles or used as a junk yard/open dump. In regard to

proposed landscaping, a Site Rendering shows that landscaping will be planted around the perimeter of the Property, except for the proposed access driveways and along the southern property line where the car wash tunnel aligns with the building used by Midas. (Pet. Ex. 8). Mr. Sheckells highlighted that the required 6 ft. landscaped transition area will be met along the front to screen the use from York Rd. (actually 10 ft. provided), as well as 6 ft. landscaped buffers on the northern and southern boundaries. However, due to the shape of the Property (not a true rectangle), Variance relief is needed to reduce the required width of the landscape transition area in the south western corner of the rear yard to 12.5 ft. where the Property abuts the Carver School maintenance building. Because the south western corner boundary line is within 50 ft. of the DR 1 zone where the maintenance building is located, a 15 ft. landscaped buffer is required. As shown on the Revised Site Plan, the car wash tunnel entrance will be located in that corner and the space available for the landscaped buffer is 12.5 ft. Similarly, along the north western boundary line, the Property juts inward thus decreasing the space available to provide a 6 ft. landscaped buffer area. As a result, Petitioner is able to provide a 2 ft. landscape transition area.

The abutting DR zone location next to the south western corner also dictates that the car wash tunnel needs Variance relief for its entrance to face the DR zone and Carver maintenance building. The proffered testimony emphasized that there are no homes facing the car wash tunnel and that the DR zone is only one-half of the adjacent zone; the Carver property is not residentially used. Moreover, the tunnel is 53 ft. from that Property line. In addition, the testimony and Redlined Site Plan shows that, in order to provide the stacking spaces, vacuum spaces, queuing area, the proposed car wash tunnel building needs to be located within 6 ft. of the southern Property line, essentially facing the Midas building. Mr. Sheckells testified that if the proposed setback for the car wash tunnel is denied, the car wash tunnel would need to be pushed toward the interior of

the site which would negatively impact circulation. He also highlighted that the existing auto repair/sales building was granted a 0 ft. setback from the Property line and that that building has existed since 1994.

As it pertains to signage, Mr. Sheckells mentioned that currently, not only are there 3 freestanding, enterprise, pole-mounted signs along York Rd. to advertise the car repair and car sale business, but there is an additional sign with a black tarp covering it as shown in the photos. (Pet. Ex. 7-3). In response to the DOP request that the proposed one (1) freestanding enterprise sign on York Rd. have a 'monument' style base rather than a pole, Petitioner revised the initial proposed sign with one which will now have a monument base. (Pet. Ex. 2B). [1]

As indicated on the Revised Petition, the BCZR permit one (1) freestanding enterprise sign with a face of 75 sf and 25 ft. in height. (Pet. Ex. 1). [2] The proffered evidence shown on the street view photographs was that, for this use, additional signage is needed. For example, Signs 12A and 12 B are two (2) order-board signs located at the 3 payment gates to efficiently provide for customers to select a service and efficiently proceed through the payment lines and into the tunnel. Because the square footage of the order board signs will be larger than 8 sf as shown in the photographs, those signs are required to be separated by 100 ft. (Pet. Ex. 3B).

In addition to the order board signs and freestanding monument sign on York Rd., the proffered testimony described the need for additional advertising within the site as shown by signs 8A and 8B (Dry Down Exterior and Tire Shine) as well as six (6) signs at specific locations alerting customers that after they pay for a car wash, they may clean the interior of their own vehicles. (Signs 15A-15F Self Serve Free With Wash). While the photographs of the Self Serve vacuum

[1] DOP ZAC comment appears to inadvertently listed Sign 3 as the one the agency wanted a monument base but it was actually Sign 4. Sign 3 is a wall-mounted sign so it would not have a base.
[2] The Revised Petition for Special Exception and Variance filed on January 19, 2023 inadvertently omitted the required height of 25 ft for the permitted enterprise sign.

spaces are from the Abingdon location, Petitioners here have chosen to install only six (6) of the Self Serve signs at certain visible spots. (Pet. Exs. 3E, 3F).

Mr. Sheckells opined that the proposed use will meet each of the BCZR, §502.1 Special Exception factors. In particular, Mr. Sheckells testified that the car wash will provide a needed service in an established commercial community as the closest car wash is located in Hunt Valley. It was his opinion that the aesthetics of the Property will be improved substantially from the current condition as shown on the colored rendering. (Pet. Ex. 8). It was also his opinion that the use will not cause traffic or congestion in the roads, streets or alleys in that the use is exceeding the stacking requirement. Importantly, he mentioned that on York Rd. in front of the Property is a median which prevents vehicles from turning left when exiting the Property. Consequently, with the elimination of a right turn in at the southern access point, this will reduce the potential for vehicles backing up on York Rd. He pointed out that the northern access point is 25 ft. wide which provides sufficient area to enter and exit thus also eliminating potential for back-ups on York Rd.

With regard to potential for overcrowding of land, Mr. Sheckells testified that the 3-lane stacking lanes, 3 payment gates and planned circulation, combined with the installation of the latest conveyor belt technology provides efficient movement of people and vehicles within the site. In regard to parking, the 6 employees can park in the 9 parking spaces near York Rd. A total of 33 parking spaces is required and 33 parking spaces will be provided. As for impact on public improvements, this commercial use does not impact schools, parks, water or sewer. Indeed, as explained by Mr. Riveria, water used to wash vehicles will be recycled to be used again in other car washes. Mr. Sheckells are indicated that the car wash tunnel will not impact light or air as it will not cast shadows or prevent air circulation on the Midas building. He opined that the proposed use is consistent with the BR zone which is the most intense zone and will be next to other

automotive service uses. As it currently exists, the entire Property is paved and no landscaping is present. The proposed use will have a perimeter landscape buffer along with internal landscaping. He also confirmed that there are no environmental or natural resources on site. Mr. Sheckells acknowledged that the proposed use here will not have a greater impact here than elsewhere in the BR zone.

To address the DOP ZAC comment and the written statement provided by Concerned Citizens for Baltimore County, Petitioners offered Mark Keeley, PTP who was accepted as a transportation planner. (Pet. Ex. 9). Mr. Keeley reviewed both the DOP ZAC comment and the citizen statement and prepared a Traffic Impact Study ("TIS") dated January 12, 2023. (Pet. Ex. 10). Mr. Keeley had also prepared a TIS for the Petitioner's Nottingham location. Mr. Keeley referred to the Institute of Transportation Engineers ("ITE") trip Generation Manual which compared the trips generated by the existing automobile care center with an automated car wash. He concluded that an additional 3 vehicles would be generated in the morning peak hours but 10 less vehicles would be generated in the pm peak hours. On Saturdays, the proposed use would generate an additional 25 vehicles. However, with 23 stacking spaces, and an additional queuing lane for 5 more vehicles prior to the car wash entrance, a total of 28 spaces which will accommodate the 25 vehicles projected on Saturdays.

Mr. Keeley agreed that the existing median on York Rd. prevents the potential for collisions, delays or backups for vehicles which can not turn left out of the Property. The only turn out of the Property is a right turn in the southern direction. He noted that car wash peak hours do not coincide with the industry standard peak hours of 7-9 am and 4-6 pm. Canton Car Wash highest peak hours are on Saturdays from 11 am – 2 pm. In formulating the basis for his opinion, Mr. Keeley considered the use of new conveyor belt technology which will be able to process 130

vehicles per hour. He also pointed out that the Property is located in the Towson Commercial Revitalization District which exempts the Property from the Basic Services Map. (Pet. Ex 11).

When questioned about the difference in stacking lanes and traffic issues of the proposed Towson location and the Nottingham location as set forth in the Concerned Citizens of Baltimore County statement, Mr. Keeley explained that the Nottingham location has only 2 stacking lanes with only 2 pay stations, combined with a full-service station. As such, the 23 stacking spaces at the Nottingham location, and services provided there are different from those provided at the Towson location. Having prepared the TIS for the Nottingham location, Mr. Keeley did not agree with the traffic issues raised in the Concerned Citizens' statement. Mr. Rosenblatt also pointed out that Concerned Citizens of Baltimore County is not a registered community association in Baltimore County and that the address on the statement is in Phoenix, MD nearly 9 miles from the Property. (Pet. Exs. 12A, 12B).

SPECIAL EXCEPTION

Under Maryland law, a special exception use enjoys a presumption that it is in the interest of the general welfare, and therefore, valid. *Schultz v. Pritts*, 291 Md. 1, 11 (1981). The *Schultz* standard was revisited in *Attar v. DMS Tollgate, LLC*, 451 Md. 272 (2017), where the court of appeals discussed the nature of the evidentiary presumption in special exception cases. The court again emphasized a special exception is properly denied only when there are facts and circumstances showing that the adverse impacts of the use at the particular location in question would be above and beyond those inherently associated with the special exception use.

The proposed use meets the definition of a full-service car wash in BCZR, §101.1 as follows:

> CAR WASH, FULL-SERVICE — A car wash providing automated exterior washing or waxing services, or which provides cleaning, washing, waxing, drying or interior cleaning by hand. For the purpose of these regulations, a facility which provides

> complete interior and exterior detail cleaning that takes more than approximately two hours per car shall not be considered a full-service car wash.

The record evidence establishes that there are no adverse impacts of the proposed use at the particular location in question, above and beyond those inherently associated with a car wash use. Without repeating all of the evidence and testimony set forth above, I find that the proposed use meets each of the BCZR, §502.1 Special Exceptions factors and will be a noticeable improvement over the existing auto repair/auto sales/junkyard/open dump conditions which is devoid of landscaping. The main concern voiced by both DOP and the written opposition is potential for traffic congestion onto York Rd. The DOP ZAC comment did not articulate any basis for the agency's concern about traffic other than a *potential* for "increasing traffic and overflow it could cause onto York Rd." It was unusual for the Petitioners' representatives not to have contacted DOP about the ZAC comment, and not to provide DOP with the TIS for their consideration. In fairness to DOP, it appears that DOP did not have the benefit reviewing the TIS or considering the evidence that was provided at the hearing. Had DOP been provided that information, the DOP position may have changed.

It was also not clear what the Concerned Citizens of Baltimore County's geographic boundaries are and where that group obtained the information contained in the statement. I do note that the Phoenix address on the statement is at least 9 miles from this Property. At the hearing, the information contained in the statement was countered by both Mr. Riveria and Mr. Keeley. As a result, the weight of the evidence including the TIS in regard to potential traffic issues weighed in favor of the Petitioners. Based on the evidence, I am persuaded that the proposed car wash use with 3 stacking lanes, 3 pay stations, an additional 5 vehicles queuing prior to car wash tunnel, plus use of the latest conveyor belt technology which washes 130 vehicles per hour, the elimination of right

turn-in access point on the southern driveway, as well as right turn out only from the Property, will prevent any foreseeable traffic congestion onto York Rd. I am convinced by the weight of the evidence that the Nottingham Canton Car Wash location, a full-service car wash with less stacking spaces, is entirely different than the proposed Towson location. As a result, the Special Exception will be granted.

VARIANCES

A variance request involves a two-step process, summarized as follows:

(1) It must be shown the property is unique in a manner which makes it unlike surrounding properties, and that uniqueness or peculiarity must necessitate variance relief; and
(2) If variance relief is denied, Petitioner will experience a practical difficulty or hardship.

Cromwell v. Ward, 102 Md. App. 691 (1995).

In regard to the requested Variance #2 under BCZR, §419.3.A to allow stacking spaces to be configured in 3 lanes of single-file vehicles prior to the car wash entrance, I find the requested relief should be dismissed as moot. I find that the proposed layout complies with BCZR, §419.3.A which only requires single-file at the entrance to the car wash tunnel. In addition, as set forth in BCZR, §419.3, the proposed layout of 3 single file lanes provides for automobile circulation in a manner that precludes vehicles from waiting on York Rd. before gaining access to the single vehicle entrance into the tunnel.

As described above, the Property is unique due to its odd shape particularly on the north western boundary line which juts inward. The Petitioner would suffer a practical difficulty and unreasonable hardship if each of the Variance relief listed in the Petition as Variance #3 - #5 are denied because the site layout would be altered in that it would restrict the internal traffic circulation rendering it less efficient. Specifically, I find that the proposed car wash tunnel

entrance will not negatively impact the Carver maintenance building; the DR zoned land is not used residentially. Moreover, locating the car wash tunnel within 6 ft. from the southern boundary line will not negatively impact the Midas commercial building. In regard to the reduced landscape transition areas, the proposed landscaped buffers are dictated by the shape of the Property. As a condition of the Order, the DOP enhanced landscaping recommendations are helpful will be imposed.

In regard to the Variance relief for the proposed signs, the one (1) proposed freestanding monument sign will replace the three (3) signs currently existing along York Rd. I find that this change is an improvement as it will reduce clutter and distraction to motorists using York Rd. The 4th existing sign currently covered by a black tarp will also be eliminated. The BCZR only allows for one (1) large sign at 75 sf and 25 ft. tall. As applied here, that limitation of one (1) sign is not practicable with a car wash facility. The order board signs (Signs 8A and 8B) are needed in the 3 pay lanes and cannot be located 100 ft. apart. Other than Sign 4, the remaining signs are internal to the site and are needed to provide information to customer/members and non-members as to additional services offered and/or to the cost of the car wash. It is noteworthy that the Petitioners have elected not to install the 'Self Serve Free with Any Car Wash' (Signs 15A-15F) at *every* vacuum space (as that would be 23 Self Serve signs) as those signs have been installed at the Abingdon location, but rather to install only six (6) of those signs in visible locations on the Redlined Site Plan. Toward that end, the Redlined Site Plan shall be incorporated into and made a part hereof the Order.

THEREFORE, IT IS ORDERED this **23rd** day of **January, 2023**, by this Administrative Law Judge, that the Petition for Special Exception filed pursuant to BCZR, §236.2 to permit a full-service car wash be, and it is hereby, **GRANTED**.

IT IS FURTHER ORDERED, that the Petition for Variance from BCZR, §419.3.A to allow the required number of stacking spaces for the full-service car wash to be configured in a different pattern than single-file at the entrance to the tunnel, if necessary, be and it is hereby **DISMISSED AS MOOT**.

IT IS FURTHER ORDERED, that the Petition for Variance from BCZR, §238.2 to allow a side yard setback of 6 ft. for a commercial building in lieu of the required 30 ft. be, and it is hereby **GRANTED**.

IT IS FURTHER ORDERED, that the Petition for Variance from BCZR, §419.4.B.3 to allow a landscape transition area width in the rear yard to be a minimum of 2 ft. abutting non-residentially zoned land in lieu of the required 6 ft. and to allow a landscape transition area width a minimum of 12 ft. in lieu of the required 15 ft. within 50 ft. of a residentially zoned property be, and it is hereby **GRANTED**.

IT IS FURTHER ORDERED, that the Petition for Variance from BCZR, §419.4.B.1 to allow a car wash tunnel entrance to face an adjacent residentially zoned property be, and it is hereby **GRANTED**.

IT IS FURTHER ORDERED, that the Petition for Variance from BCZR,§450.4 Table of Signs Regulations.5(b) to allow a total of 11 freestanding enterprise signs with sign areas/faces of 18 square feet (sign Nos. 12A, 12B), 36 square feet (sign No. 4), 4 square feet (sign Nos. 8A, 8B), and 2.77 square feet (sign Nos. 15A-15F), with a sign height of 6 feet (sign Nos. 12A, 12B), 13 feet (sign No. 4), 4 feet (sign Nos. 8A, 8B), and 6 feet (sign Nos. 15A-15F) in lieu of the one freestanding enterprise sign permitted with a sign area/face of 75 square feet be, and it is hereby **GRANTED**.

IT IS FURTHER ORDERED, that the Petition for Variance from BCZR, §450.5.B.4.a to allow a freestanding sign to be installed as close as 10 ft. to another freestanding sign on the same premises having an area larger than 8 square feet (between sign Nos. 12A and 12B) in lieu of the required 100 foot distance be, and it is hereby **GRANTED**.

The relief granted herein shall be subject to the following:

1. Petitioners may apply for necessary permits and/or licenses upon receipt of this Order. However, Petitioners are hereby made aware that proceeding at this time is at their own risk until 30 days from the date hereof, during which time an appeal can be filed by any party. If for whatever reason this Order is reversed, Petitioners would be required to return the subject property to its original condition.

2. The Redlined Site Plan (Pet. Exs. 2A and 2B) are incorporated herein and made a part hereof.

3. Petitioners must comply with the DOP and SHA ZAC comments, copies of which are attached hereto and made a part hereof.

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

Maureen E. Murphy

MAUREEN E. MURPHY
Administrative Law Judge
for Baltimore County

MEM:dlm

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE MEMORANDUM

RECEIVED DEC 29 2022

TO: C. Pete Gutwald
Director, Department of Permits, Approvals and Inspections

DATE: 12/13/2022

FROM: Steve Lafferty
Director, Department of Planning

SUBJECT: **ZONING ADVISORY COMMITTEE COMMENTS**
Case Number: 2022-291-XA

INFORMATION:
Property Address: 1020, 1022, and 1024 York Road, Towson
Petitioner: Glenn G. Berger and Wayne G. Berger
Zoning: BR
Requested Action: Special Exception and Variance

The Department of Planning has reviewed the petition for:

Special Exception:

1. For a full-service car wash, pursuant to Section 236.2 of the BCZR;

Variance:

2. From BCZR Section 419.3.A to allow the required number of stacking spaces for the full-service car wash to be configured in a different pattern than single-file at the entrance to the tunnel;
3. From BCZR Section 238.2 to allow a side yard setback of 6 feet for a commercial building in lieu of the required 30 feet;
4. From BCZR Section 419.4.B.2 to allow a landscape transition area width in the rear yard to be a minimum of 2 feet abutting non-residentially zoned land in lieu of the required 6 feet, and to allow a landscape transition area width a minimum of 12 feet in lieu of the required 15 feet within 50 feet of a residentially zoned property; and
5. From BCZR Section 419.4.B.1 to allow a car wash tunnel entrance to face an adjacent residentially zoned property.

The subject site, which is approximately 0.8 acres zoned BR, is composed of three parcels and is currently a Star Auto Service used car sales business. The use and setbacks were approved in Zoning Case 1994-321-XA. The surrounding uses on York Road are commercial, including a Midas Tires and Auto Service and a Goodwill to the south and an auto rental, animal hospital, and Lexus dealership to the north. Behind the site is parking for the Lexus dealership and a Baltimore County Publics Schools high school, Carver Center for Arts and Technology.

This portion of York Road leads to the gateway or entrance to downtown Towson, and is heavily traveled and congested. North and southbound lanes of this portion of York Road are separated by a concrete median from Fairmount Avenue to West Road, with one break just north of 1030 York Road. There is a

695 northbound off ramp on West Road, north of the subject site. York and West Road is a C-level intersection, and York and Fairmount is a D-level intersection.

The site is within the boundaries of the Towson Commercial Revitalization District, the Towson Community Plan, the Kenilworth Drive Corridor Plan, and the Eastern Baltimore County Pedestrian and Bicycle Access Plan. Relevant guidance from the Towson Community Plan advises to "simplify and clean up commercial buildings and site signs", "construct uniform, moderately scaled buildings", "orient building fronts to the streets", and "locate building fronts up against streetscapes" (York Road North, page 46).

The Department of Planning opposes the Special Exception request for a full-service car wash, pursuant to Section 236.2 of the BCZR. Section 502.1.B of the BCZR indicates that before any special exception may be granted, it must appear that the use for which the special exception is requested will not "[t]end to create congestion in roads, streets or alleys therein." When considering the anticipated increasing traffic and the overflow it could cause onto York Road, the Department of Planning opposes the request.

Should the Special Exception be granted, the Department of Planning requests that sign 3 on the signage plan, the Canton Car Wash pylon sign, be a monument style sign to better fit with the surrounding commercial site on York Road.

Should the Special Exception be granted, the Department of Planning has no objections to the Variance from BCZR Section 419.3.A to allow the required number of stacking spaces for the full-service car wash to be configured in a different pattern than single-file at the entrance to the tunnel. The irregular stacking may decrease the possibility of traffic overflowing onto York Road from the subject site.

Should the Special Exception be granted, the Department of Planning has no objections to the Variance from BCZR Section 238.2 to allow a side yard setback of 6 feet for a commercial building in lieu of the required 30 feet, as this stretch of York Road is primarily commercial structures with relatively small side yard setbacks.

Should the Special Exception be granted, the Department of Planning does not object to the Variance from BCZR Section 419.4.B.2 to allow a landscape transition area width in the rear yard to be a minimum of 2 feet abutting non-residentially zoned land in lieu of the required 6 feet and to allow a landscape transition area width a minimum of 12 feet in lieu of the required 15 feet within 50 feet of a residentially zoned property with the following conditions:

1. Landscaping to the rear of the property should be as dense as possible and variably heighted to screen the new development and car headlights in the car wash drive aisles to the extent possible from the existing development;
2. Enhanced landscaping shall be provided in the side yards and along York Road to compensate for the decreased landscaping to the rear of the development; and
3. Planters and/or landscape islands shall be provided to further beautify the site.

The Department of Planning requests these conditions, as the proposal for a 2 feet landscape transition area in lieu of the required 6 feet is minimal and does not allow for screening of the site from the existing surrounding uses. Enhanced landscaping elsewhere on site will improve the overall appearance.

Should the Special Exception be granted, the Department of Planning has no objections to the Variance from BCZR Section 419.4.B.1 to allow a car wash tunnel entrance to face an adjacent residentially zoned property. Although the property to the rear of the site is zoned DR 1, it is Carver Center for Arts and Technology, a high school, and is not used residentially. There are relatively steep slopes and a change in

grade from the portion of the Carver property that will face the car wash entrance tunnel, which will decrease visibility and impact. Additionally, the car wash tunnel entrance would face a not-heavily-used portion of Carver, a grassy field and a fenced off maintenance storage facility and parking pad.

For further information concerning the matters stated herein, please contact Taylor Bensley at 410-887-3482.

Prepared by:

Taylor Bensley

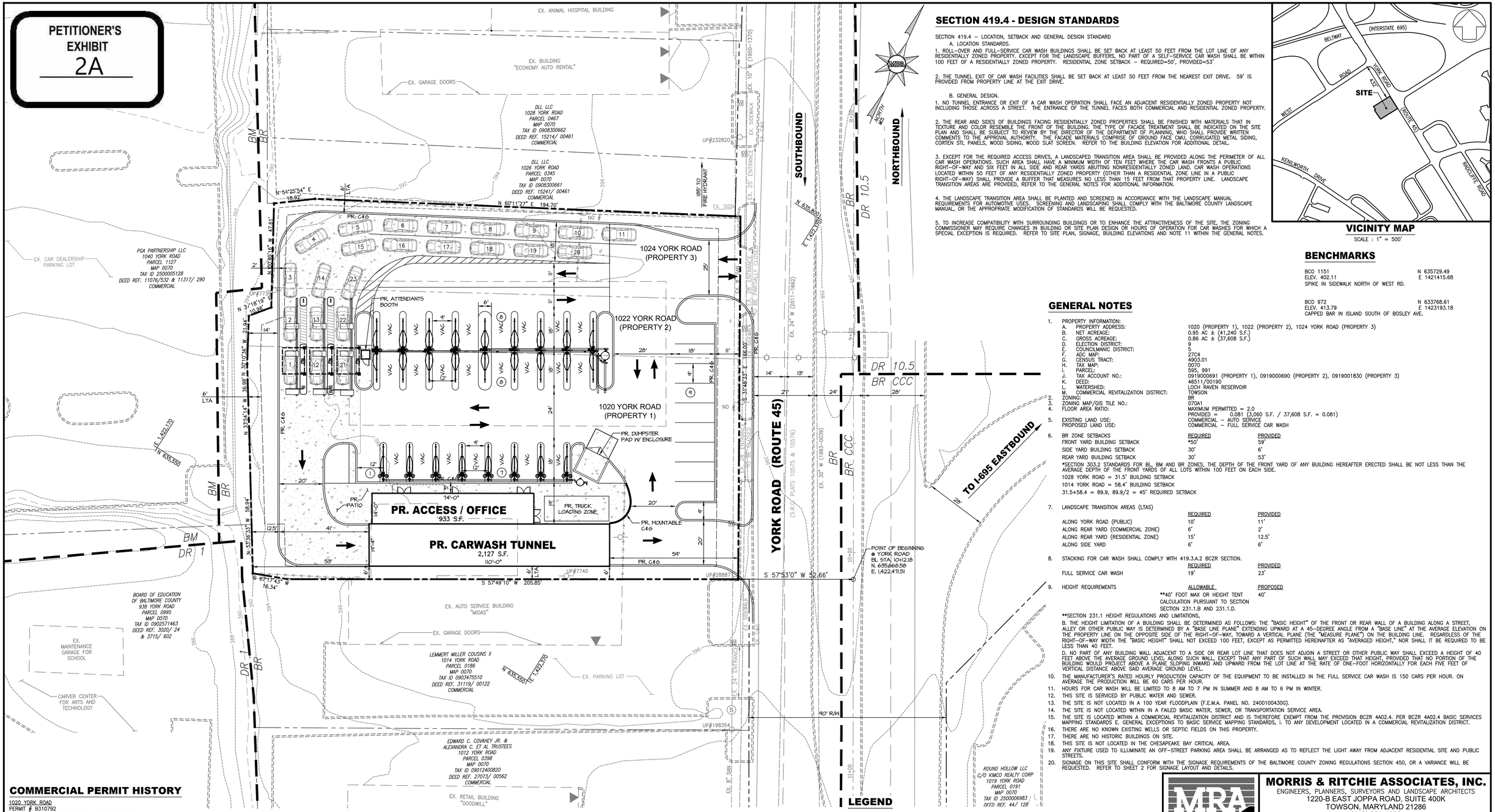
Division Chief:

Jenifer G. Nugent

SL/JGN

c: David Karceski, Esq.
David Birkenthal
Ngone Seye Diop
Office of Administrative Hearings
People's Counsel for Baltimore County

PETITIONER'S EXHIBIT 2A



VICINITY MAP
SCALE : 1" = 500'

SECTION 419.4 - DESIGN STANDARDS

SECTION 419.4 – LOCATION, SETBACK AND GENERAL DESIGN STANDARD

A. LOCATION STANDARDS.

1. ROLL–OVER AND FULL–SERVICE CAR WASH BUILDINGS SHALL BE SET BACK AT LEAST 50 FEET FROM THE LOT LINE OF ANY RESIDENTIALLY ZONED PROPERTY. EXCEPT FOR THE LANDSCAPE BUFFERS, NO PART OF A SELF–SERVICE CAR WASH SHALL BE WITHIN 100 FEET OF A RESIDENTIALLY ZONED PROPERTY. RESIDENTIAL ZONE SETBACK – REQUIRED=50', PROVIDED=53'

2. THE TUNNEL EXIT OF CAR WASH FACILITIES SHALL BE SET BACK AT LEAST 50 FEET FROM THE NEAREST EXIT DRIVE. 59' IS PROVIDED FROM PROPERTY LINE AT THE EXIT DRIVE.

B. GENERAL DESIGN.

1. NO TUNNEL ENTRANCE OR EXIT OF A CAR WASH OPERATION SHALL FACE AN ADJACENT RESIDENTIALLY ZONED PROPERTY NOT INCLUDING THOSE ACROSS A STREET. THE ENTRANCE OF THE TUNNEL FACES BOTH COMMERCIAL AND RESIDENTIAL ZONED PROPERTY.

2. THE REAR AND SIDES OF BUILDINGS FACING RESIDENTIALLY ZONED PROPERTIES SHALL BE FINISHED WITH MATERIALS THAT IN TEXTURE AND COLOR RESEMBLE THE FRONT OF THE BUILDING. THE TYPE OF FACADE TREATMENT SHALL BE INDICATED ON THE SITE PLAN AND SHALL BE SUBJECT TO REVIEW BY THE DIRECTOR OF THE DEPARTMENT OF PLANNING, WHO SHALL PROVIDE WRITTEN COMMENTS TO THE APPROVAL AUTHORITY. THE FACADE MATERIALS COMPRISE OF GROUND FACE CMU, CORRUGATED METAL SIDING, CORTEN STL PANELS, WOOD SIDING, WOOD SLAT SCREEN. REFER TO THE BUILDING ELEVATION FOR ADDITIONAL DETAIL.

3. EXCEPT FOR THE REQUIRED ACCESS DRIVES, A LANDSCAPED TRANSITION AREA SHALL BE PROVIDED ALONG THE PERIMETER OF ALL CAR WASH OPERATIONS. SUCH AREA SHALL HAVE A MINIMUM WIDTH OF TEN FEET WHERE THE CAR WASH FRONTS A PUBLIC RIGHT–OF–WAY AND SIX FEET IN ALL SIDE AND REAR YARDS ABUTTING NONRESIDENTIALLY ZONED LAND. CAR WASH OPERATIONS 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 THAT MEASURES NO LESS THAN 15 FEET FROM THAT PROPERTY LINE. LANDSCAPE TRANSITION AREAS ARE PROVIDED, REFER TO THE GENERAL NOTES FOR ADDITIONAL INFORMATION.

4. THE LANDSCAPE TRANSITION AREA SHALL BE PLANTED AND SCREENED IN ACCORDANCE WITH THE LANDSCAPE MANUAL REQUIREMENTS FOR AUTOMOTIVE USES. SCREENING AND LANDSCAPING SHALL COMPLY WITH THE BALTIMORE COUNTY LANDSCAPE MANUAL, OR THE APPROPRIATE MODIFICATION OF STANDARDS WILL BE REQUESTED.

5. TO INCREASE COMPATIBILITY WITH SURROUNDING BUILDINGS OR TO ENHANCE THE ATTRACTIVENESS OF THE SITE, THE ZONING COMMISSIONER MAY REQUIRE CHANGES IN BUILDING OR SITE PLAN DESIGN OR HOURS OF OPERATION FOR CAR WASHES FOR WHICH A SPECIAL EXCEPTION IS REQUIRED. REFER TO SITE PLAN, SIGNAGE, BUILDING ELEVATIONS AND NOTE 11 WITHIN THE GENERAL NOTES.

BENCHMARKS

BCO 1151 — N 635729.49, E 1421415.68
ELEV. 402.11
SPIKE IN SIDEWALK NORTH OF WEST RD.

BCO 972 — N 633768.61, E 1423193.18
ELEV. 413.79
CAPPED BAR IN ISLAND SOUTH OF BOSLEY AVE.

GENERAL NOTES

1. PROPERTY INFORMATION:
   - A. PROPERTY ADDRESS: 1020 (PROPERTY 1), 1022 (PROPERTY 2), 1024 YORK ROAD (PROPERTY 3)
   - B. NET ACREAGE: 0.95 AC ± (41,240 S.F.)
   - C. GROSS ACREAGE: 0.86 AC ± (37,608 S.F.)
   - D. ELECTION DISTRICT: 9
   - E. COUNCILMANIC DISTRICT: 5
   - F. ADC MAP: 27C4
   - G. CENSUS TRACT: 4903.01
   - H. TAX MAP: 0070
   - I. PARCEL: 595, 991
   - J. TAX ACCOUNT NO.: 0919000691 (PROPERTY 1), 0919000690 (PROPERTY 2), 0919001830 (PROPERTY 3)
   - K. DEED: 46511/00190
   - L. WATERSHED: LOCH RAVEN RESERVOIR
   - M. COMMERCIAL REVITALIZATION DISTRICT: TOWSON
2. ZONING: BR
3. ZONING MAP/GIS TILE NO.: 070A1
4. FLOOR AREA RATIO: MAXIMUM PERMITTED = 2.0; PROVIDED = 0.081 (3,060 S.F. / 37,608 S.F. = 0.081)
5. EXISTING LAND USE: COMMERCIAL – AUTO SERVICE; PROPOSED LAND USE: COMMERCIAL – FULL SERVICE CAR WASH
6. BR ZONE SETBACKS

	REQUIRED	PROVIDED
FRONT YARD BUILDING SETBACK	*50'	59'
SIDE YARD BUILDING SETBACK	30'	6'
REAR YARD BUILDING SETBACK	30'	53'

*SECTION 303.2 STANDARDS FOR BL, BM AND BR ZONES, THE DEPTH OF THE FRONT YARD OF ANY BUILDING HEREAFTER ERECTED SHALL BE NOT LESS THAN THE AVERAGE DEPTH OF THE FRONT YARDS OF ALL LOTS WITHIN 100 FEET ON EACH SIDE.
1028 YORK ROAD = 31.5' BUILDING SETBACK
1014 YORK ROAD = 58.4' BUILDING SETBACK
31.5+58.4 = 89.9, 89.9/2 = 45' REQUIRED SETBACK

7. LANDSCAPE TRANSITION AREAS (LTAS)

	REQUIRED	PROVIDED
ALONG YORK ROAD (PUBLIC)	10'	11'
ALONG REAR YARD (COMMERCIAL ZONE)	6'	2'
ALONG REAR YARD (RESIDENTIAL ZONE)	15'	12.5'
ALONG SIDE YARD	6'	6'

8. STACKING FOR CAR WASH SHALL COMPLY WITH 419.3.A.2 BCZR SECTION.

	REQUIRED	PROVIDED
FULL SERVICE CAR WASH	19'	23'

9. HEIGHT REQUIREMENTS

	ALLOWABLE	PROPOSED
**40' FOOT MAX OR HEIGHT TENT CALCULATION PURSUANT TO SECTION SECTION 231.1.B AND 231.1.D.		40'

**SECTION 231.1 HEIGHT REGULATIONS AND LIMITATIONS.
B. THE HEIGHT LIMITATION OF A BUILDING SHALL BE DETERMINED AS FOLLOWS: THE "BASIC HEIGHT" OF THE FRONT OR REAR WALL OF A BUILDING ALONG A STREET, ALLEY OR OTHER PUBLIC WAY IS DETERMINED BY A "BASE LINE PLANE" EXTENDING UPWARD AT A 45–DEGREE ANGLE FROM A "BASE LINE" AT THE AVERAGE ELEVATION ON THE PROPERTY LINE ON THE OPPOSITE SIDE OF THE RIGHT–OF–WAY, TOWARD A VERTICAL PLANE (THE "MEASURE PLANE") ON THE BUILDING LINE. REGARDLESS OF THE RIGHT–OF–WAY WIDTH THE "BASIC HEIGHT" SHALL NOT EXCEED 100 FEET, EXCEPT AS PERMITTED HEREINAFTER AS "AVERAGED HEIGHT," NOR SHALL IT BE REQUIRED TO BE LESS THAN 40 FEET.
D. NO PART OF ANY BUILDING WALL ADJACENT TO A SIDE OR REAR LOT LINE THAT DOES NOT ADJOIN A STREET OR OTHER PUBLIC WAY SHALL EXCEED A HEIGHT OF 40 FEET ABOVE THE AVERAGE GROUND LEVEL ALONG SUCH WALL, EXCEPT THAT ANY PART OF SUCH WALL MAY EXCEED THAT HEIGHT, PROVIDED THAT NO PORTION OF THE BUILDING WOULD PROJECT ABOVE A PLANE SLOPING INWARD AND UPWARD FROM THE LOT LINE AT THE RATE OF ONE–FOOT HORIZONTALLY FOR EACH FIVE FEET OF VERTICAL DISTANCE ABOVE SAID AVERAGE GROUND LEVEL.

10. THE MANUFACTURER'S RATED HOURLY PRODUCTION CAPACITY OF THE EQUIPMENT TO BE INSTALLED IN THE FULL SERVICE CAR WASH IS 150 CARS PER HOUR. ON AVERAGE THE PRODUCTION WILL BE 60 CARS PER HOUR.
11. HOURS FOR CAR WASH WILL BE LIMITED TO 8 AM TO 7 PM IN SUMMER AND 8 AM TO 6 PM IN WINTER.
12. THIS SITE IS SERVICED BY PUBLIC WATER AND SEWER.
13. THE SITE IS NOT LOCATED IN A 100 YEAR FLOODPLAIN (F.E.M.A. PANEL NO. 24001004330).
14. THE SITE IS NOT LOCATED WITHIN A FAULED BASIC WATER, SEWER, OR TRANSPORTATION SERVICE AREA.
15. THE SITE IS LOCATED WITHIN A COMMERCIAL REVITALIZATION DISTRICT AND IS THEREFORE EXEMPT FROM THE PROVISION BCZR 4A02.4. PER BCZR 4A02.4 BASIC SERVICES MAPPING STANDARDS E. GENERAL EXCEPTIONS TO BASIC SERVICE MAPPING STANDARDS, i. TO ANY DEVELOPMENT LOCATED IN A COMMERCIAL REVITALIZATION DISTRICT.
16. THERE ARE NO KNOWN EXISTING WELLS OR SEPTIC FIELDS ON THIS PROPERTY.
17. THERE ARE NO HISTORIC BUILDINGS ON SITE.
18. THIS SITE IS NOT LOCATED IN THE CHESAPEAKE BAY CRITICAL AREA.
19. ANY FIXTURE USED TO ILLUMINATE AN OFF–STREET PARKING AREA SHALL BE ARRANGED AS TO REFLECT THE LIGHT AWAY FROM ADJACENT RESIDENTIAL SITE AND PUBLIC STREETS.
20. SIGNAGE ON THIS SITE SHALL CONFORM WITH THE SIGNAGE REQUIREMENTS OF THE BALTIMORE COUNTY ZONING REGULATIONS SECTION 450, OR A VARIANCE WILL BE REQUESTED. REFER TO SHEET 2 FOR SIGNAGE LAYOUT AND DETAILS.

COMMERCIAL PERMIT HISTORY

1020 YORK ROAD
PERMIT # B310792
CONSTRUCTION OF A CAR RENTAL OFFICE BUILDING.

1020 YORK ROAD
PERMIT # B707107
ERECT CHAIN FENCE WITH HEIGHT OF 8' AND LENGTH OF 120'.

1022 YORK ROAD
PERMIT # B826453 & B826879
CONSTRUCTION OF FREESTANDING D/F ENTERPRISE SIGN 9'x10' AND ONE ILLUMINATED WALL SIGN 3.5'x31.44'.

1022 YORK ROAD
PERMIT # B828817
CONSTRUCTION OF F/S PYLON SIGN 6.17'x12.17'x25'.

1024 YORK ROAD
PERMIT # E956459
UNDERGROUND ELECTRIC DIRECT BURIAL 12/3 TO EX. SIGN.

GENERAL NOTE

THE CORRECTNESS OR COMPLETENESS OF EXISTING INFORMATION SHOWN ON THE DRAWINGS IS NOT WARRANTED OR GUARANTEED. THE CONTRACTOR SHALL VERIFY THE LOCATION OF UTILITIES AND UNDERGROUND FACILITIES, BY TEST PITS OR OTHER METHODS APPROVED BY THE OWNER'S REPRESENTATIVE, AS REQUIRED TO VERIFY EXACT LOCATIONS AND DEPTHS WITHIN THE LIMIT OF DISTURBANCE. ALL DISCREPANCIES BETWEEN INFORMATION SHOWN ON THE DRAWINGS AND THAT VERIFIED IN THE FIELD SHALL BE REPORTED TO THE OWNER'S REPRESENTATIVE PRIOR TO BEGINNING WORK.

ZONING HISTORY

CASE NO. R–1949–1432–XT – PETITION FOR TEMPORARY USE OF THE PROPERTY FOR ADVERTISING STRUCTURE WAS DENIED ON MAY 13, 1949.

CASE NO. R–1994–0321–XA – PETITION FOR TWO SPECIAL EXCEPTIONS FOR USED AUTOMOBILE SALES AT 1018 AND 1024 YORK ROAD. A PETITION FOR ZONING VARIANCE, RELIEF WAS REQUESTED FROM BCZR SECTION 303.2 TO ALLOW A FRONT YARD SETBACK OF 32' IN LIEU OF THE REQUIRED 45'; FROM SECTION 238.4 TO PERMIT STORAGE AND DISPLAY OF VEHICLES AND MATERIALS IN THE FRONT YARD SETBACK AREA IN LIEU OF THE REQUIREMENT THAT THE FRONT YARD AREA TO A DEPTH OF 30' REMAIN VEHICLE FREE; FROM SECTION 238.2 TO PERMIT 0' SIDE YARD SETBACK IN LIEU OF THE REQUIRED 30'; FROM SECTION 238.2 TO PERMIT 0' AND 41' DISTANCE BETWEEN BUILDINGS IN LIEU OF THE REQUIRED 60' AND 19' RESPECTIVELY; AND SECTION 413.2 TO PERMIT A TOTAL SIGN AREA OF 175.98 SQ FT FOR TWO SIGNS IN LIEU OF THE REQUIRED 100 SQ FT. GRANTED ON APRIL 11, 1994, SUBJECT HOWEVER TO THE FOLLOWING RESTRICTIONS WHICH ARE CONDITIONS PRECEDENT TO THE RELIEF GRANTED:

1. THE PETITIONER IS HEREBY MADE AWARE THAT PROCEEDING AT THIS TIME IS AT ITS 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 PETITIONER WOULD BE REQUIRED TO RETURN, AND BE RESPONSIBLE FOR RETURNING, SAID PROPERTY TO ITS ORIGINAL CONDITION.
2. THE PETITIONER SHALL NOT ALLOW THE PLACEMENT OF ANY OTHER OUTDOOR ADVERTISING SIGNS, BANNERS, STREAMERS, BALLOONS, ETC. THAT IS, THE SOLE MEANS OF ADVERTISING WILL BE THE TWO SIGNS REFERENCED HEREIN, APPROPRIATE LETTERING ON THE FACADE OF THE BUILDINGS AND PRICES/SIGNS AS MAY BE WRITTEN ON THE WINDSHIELDS OF THE VEHICLES. ANY OTHER MEANS OF OUTDOOR ADVERTISING, BE THEY TEMPORARY OR PERMANENT, WILL BE EXCLUDED.

PLAN

SCALE: 1" = 20'
20 0 20 40

PARKING TABULATIONS CHART

(PARKING SPACES REQUIRED BY BCZR SECTION 419.3)

USE	PARKING RATE	PARKING SPACES REQUIRED PER SECTION 419.3
FULL–SERVICE CAR WASH	6/TUNNEL	6
FULL–SERVICE CAR WASH (ADDITIONAL SPACES)	4	4
VACUUMS	1/VACUUM	23
TOTAL PARKING REQUIRED		33
TOTAL PARKING PROVIDED		33

LEGEND

- EX. PROPERTY BOUNDARY LINE
- EX. RIGHT–OF–WAY
- EX. ADJACENT PROPERTY LINE
- EX. EASEMENT
- EX. ZONING LINE
- EX. BUILDING
- EX. EDGE OF PAVEMENT
- EX. EDGE OF CONCRETE
- EX. CURB
- EX. 2' CONTOUR
- EX. 10' CONTOUR
- EX. FENCE
- PR. CURB & GUTTER
- PR. BUILDING
- PR. SIDEWALK

PROFESSIONAL CERTIFICATION

I HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME, AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MARYLAND, LICENSE NO. 38291, EXPIRATION DATE: 01/13/2024.

DATUM

DESIGN & DRAWING BASED ON MARYLAND COORDINATE SYSTEM (MCS): HORIZONTAL NAD 83 (2011) VERTICAL NAVD 88

DEVELOPER

TOWSON ~~YORK~~ CAR WASH LLC
c/o CANTON CAR WASH
10051 FRANKLIN SQUARE DRIVE
NOTTINGHAM, MARYLAND 21236
PHONE: (908) 528–0009
ATTN: THOMAS DEBACCO

OWNER

GLEN G. AND WAYNE G. BERGER
1020–1024 YORK ROAD
TOWSON, MARYLAND 21204

MORRIS & RITCHIE ASSOCIATES, INC.
ENGINEERS, PLANNERS, SURVEYORS AND LANDSCAPE ARCHITECTS
1220-B EAST JOPPA ROAD, SUITE 400K
TOWSON, MARYLAND 21286
(410) 821-1690
FAX (410) 821-1748
MRAGTA.COM

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STATE OF MARYLAND · MICHAEL GREGORY CYR · 38291 · PROFESSIONAL ENGINEER

CANTON CAR WASH

1020–1024 YORK ROAD

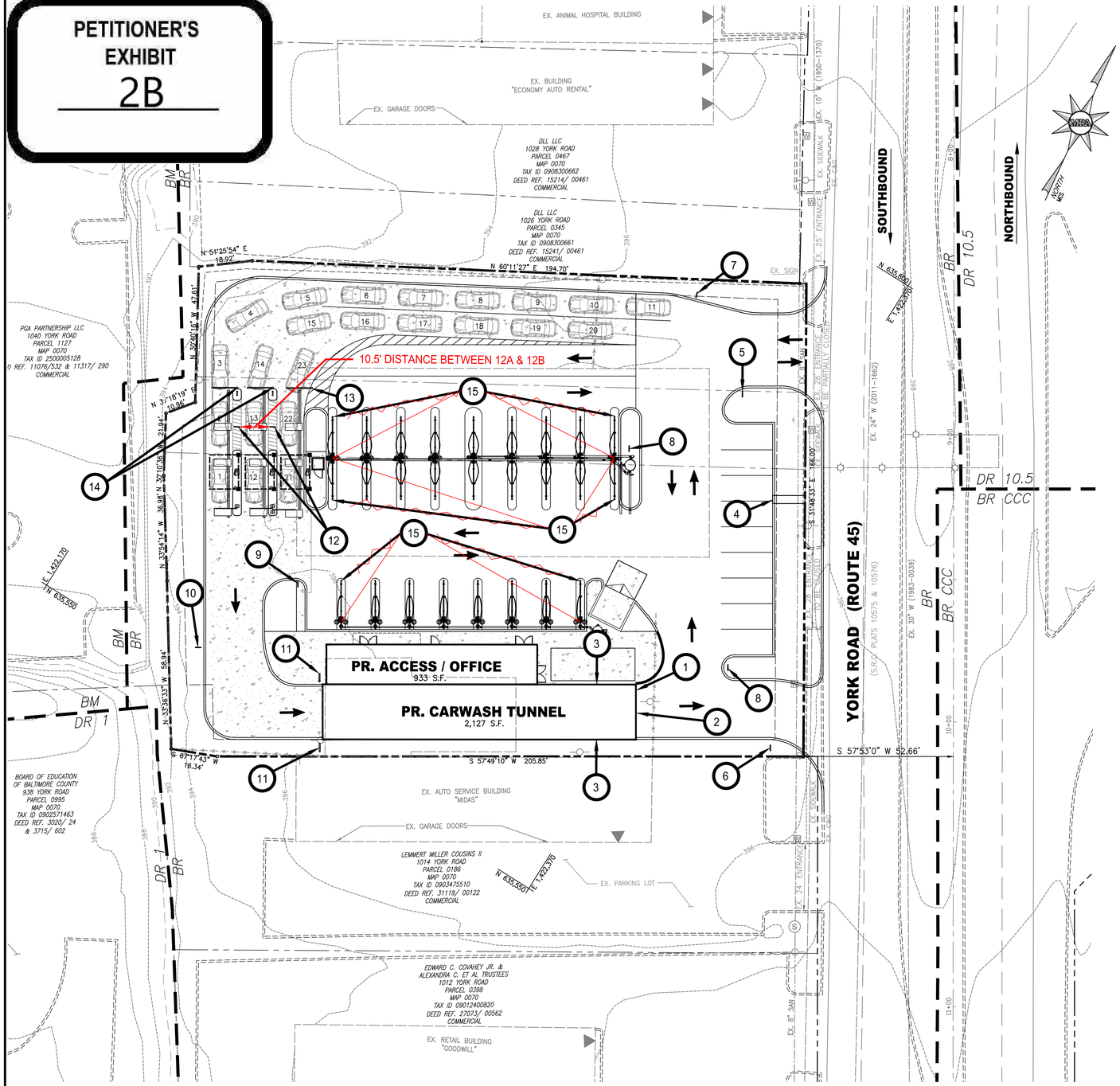
SITE PLAN TO ACCOMPANY
SPECIAL EXCEPTION & VARIANCE PETITION

5TH COUNCILMANIC DISTRICT BALTIMORE COUNTY, MARYLAND 9TH ELECTION DISTRICT

DATE	REVISIONS		
01/03/2023	UPDATED OWNER NAME TO BE TOWSON CAR WASH, LLC	JOB NO.:	21837
		SCALE:	AS SHOWN
		DATE:	12/06/2022
		DRAWN BY:	MAS
		DESIGN BY:	THS
		REVIEW BY:	THS
		SHEET:	01 OF 02

PETITIONER'S EXHIBIT

2B


EX. ANIMAL HOSPITAL BUILDING
EX. BUILDING "ECONOMY AUTO RENTAL"
EX. GARAGE DOORS
DLL LLC 1028 YORK ROAD PARCEL 0467 MAP 0070 TAX ID 0908300662 DEED REF. 15214/ 00461 COMMERCIAL
DLL LLC 1026 YORK ROAD PARCEL 0345 MAP 0070 TAX ID 0908300661 DEED REF. 15241/ 00461 COMMERCIAL
PGA PARTNERSHIP LLC 1040 YORK ROAD PARCEL 1127 MAP 0070 TAX ID 2500005128 DEED REF. 11076/532 & 11317/ 290 COMMERCIAL
10.5' DISTANCE BETWEEN 12A & 12B
PR. ACCESS / OFFICE 933 S.F.
PR. CARWASH TUNNEL 2,127 S.F.
EX. AUTO SERVICE BUILDING "MIDAS"
EX. GARAGE DOORS
EX. PARKING LOT
LEMMERT MILLER COUSINS II 1014 YORK ROAD PARCEL 0186 MAP 0070 TAX ID 0903475510 DEED REF. 31119/ 00122 COMMERCIAL
BOARD OF EDUCATION OF BALTIMORE COUNTY 938 YORK ROAD PARCEL 0995 MAP 0070 TAX ID 0902571463 DEED REF. 3020/ 24 & 3715/ 602
EDWARD C. COVAHEY JR. & ALEXANDRA C. ET AL TRUSTEES 1012 YORK ROAD PARCEL 0398 MAP 0070 TAX ID 0901240820 DEED REF. 27073/ 00562 COMMERCIAL
EX. RETAIL BUILDING "GOODWILL"
SOUTHBOUND
NORTHBOUND
YORK ROAD (ROUTE 45) (S.R.O. PLATS 10575 & 10576)
DR 10.5 BR CCC
N 51°25'54" E 15.02'
N 60°11'27" E 194.70'
S 57°53'0" W 52.66'
S 57°49'10" W 205.85'
S 67°17'43" W 78.34'
N 635,800 E 1,423,370
N 635,550 E 1,423,170
EX. 24" ENTRANCE TO BE PARTIALLY CLOSED
EX. 25' ENTRANCE
EX. 28' ENTRANCE TO BE CLOSED
EX. 24" ENTRANCE TO BE CLOSED
EX. 8" SAN
EX. SIGN
EX. SIGNAL
EX. SIGNAL BOX
EX. SIGNAL POLE
EX. SIGNAL MAST ARM
EX. SIGNAL CONTROLLER
EX. SIGNAL HEAD
EX. SIGNAL PEDESTAL
EX. SIGNAL CONDUIT
EX. SIGNAL HANDHOLE
EX. SIGNAL CABINET
EX. SIGNAL CONTROL CABINET
EX. SIGNAL CONTROL CABINET W/ BATTERY BACKUP
EX. SIGNAL CONTROL CABINET W/ BATTERY BACKUP & GENERATOR
EX. SIGNAL CONTROL CABINET W/ BATTERY BACKUP & GENERATOR & SOLAR PANEL
EX. SIGNAL CONTROL CABINET W/ BATTERY BACKUP & GENERATOR & SOLAR PANEL & WIRELESS ANTENNA
EX. SIGNAL CONTROL CABINET W/ BATTERY BACKUP & GENERATOR & SOLAR PANEL & WIRELESS ANTENNA & CAMERA
EX. SIGNAL CONTROL CABINET W/ BATTERY BACKUP & GENERATOR & SOLAR PANEL & WIRELESS ANTENNA & CAMERA & SIGNAL HEAD
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MARYLAND DEPARTMENT OF TRANSPORTATION
STATE HIGHWAY ADMINISTRATION

Larry Hogan
Governor
Boyd K. Rutherford
Lt. Governor
James F. Ports, Jr.
Secretary
Tim Smith, P.E.
Administrator

January 6, 2023

Ms. Kristen Lewis
Baltimore County Department of
Permits, Approvals and Inspections
County Office Building, Room 109
111 West Chesapeake Avenue
Towson, Maryland 21204

Dear Ms. Lewis:

We have reviewed the site plan to accompany the petition for special exception and variance on the subject of the Case number referenced below. An internal review reveals that there are two existing entrances onto MD 45, York Road. which may require modification due to the proposed conditions. Entrances consistent with current State Highway Administration guidelines are required as a condition of approval for Canton Car Wash, Case Number 2022-0291-xa.

Due to the parameters of this project, MDOT-SHA will require submission of a Traffic Impact Study (TIS) which shall include weekend traffic to determine the impacts on the roadway network. The applicant must contact the State Highway Administration to begin this process. Should you have any questions regarding this matter feel free to contact Ms. Teresa Eller at 410-229-2424 or 1-866-998-0367 (in Maryland only) extension 2424, or by email at (teller@mdot.maryland.gov).

Sincerely,

Teresa Eller for,

Sutapa Samanta, P.E.
Metropolitan District Engineer
Maryland Department of Transportation
State Highway Administration
District 4 - Baltimore and Harford Counties

Cc: Tom Sheckells

JOHN A. OLSZEWSKI, JR.
County Executive

PAUL M. MAYHEW
Managing Administrative Law Judge
LAWRENCE M. STAHL
Administrative Law Judge
MAUREEN E. MURPHY
Administrative Law Judge

January 23, 2023

David Karceski, Esquire – dkarceski@venable.com
Adam M. Rosenblatt, Esquire – amrosenblatt@venable.com
Venable, LLP
210 W. Pennsylvania Avenue, Suite 500
Towson, MD 21203

RE: Petitions for Special Exception & Variance
Case No. 2022-0291-XA
Property: 1020, 1022, 1024 York Road

Dear Counsel:

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

Pursuant to Baltimore County Code § 32-3-401(a), "a person aggrieved or feeling aggrieved" by this Decision and Order 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 the Office of Administrative Hearings at 410-887-3868.

Sincerely,

Maureen E. Murphy
Administrative Law Judge
for Baltimore County

MEM/dlm
Attachment

c: Chris Rivera – chris@cantoncarwash.com
Thomas Sheckells – tsheckells@mragta.com
Mark Keely – mkeeley@traffic-concepts.com
Delva T – wbanacker@gmail.com

CERTIFICATE OF POSTING

2022-0291-XA

RE: Case No.: _____

Petitioner/Developer: _____
Glenn Berger, Wayne Berger
Towson Car Wash, LLC.

January 17, 2023
Date of Hearing/Closing: _____

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

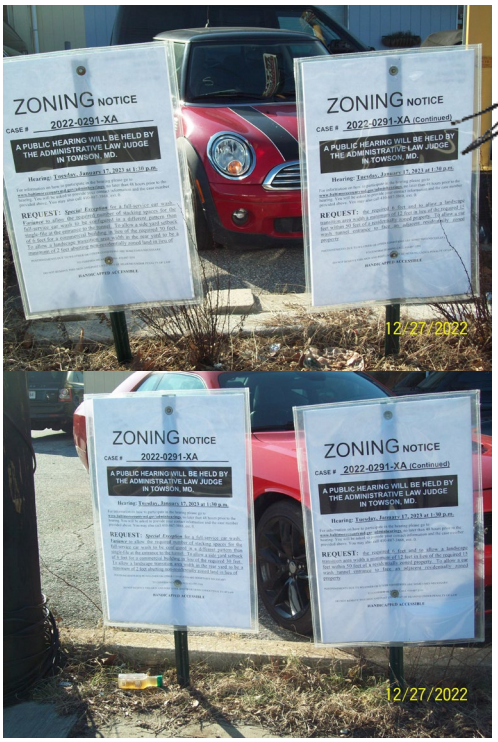
Attn: Kristen Lewis:

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:_____

1020, 1022 & 1024 York Road *Groups 1 & 2*

December 27, 2022
The sign(s) were posted on _____
(Month, Day, Year)



Sincerely,

December 27, 2022

(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)

CERTIFICATE OF POSTING

2022-0291-XA

RE: Case No.: _____

Petitioner/Developer: _____

Glenn Berger, Wayne Berger
Towson Car Wash, LLC.

January 17, 2023

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:

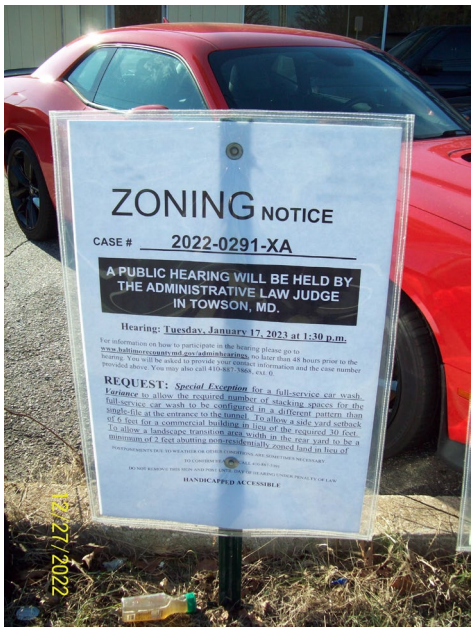
Ladies and Gentlemen:

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:_____

1020, 1022 & 1024 York Road ***SIGN 1***

December 27, 2022

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



Sincerely,

December 27, 2022

(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)

CERTIFICATE OF POSTING

2022-0291-XA

RE: Case No.: _____

Petitioner/Developer: _____

Glenn Berger, Wayne Berger
Towson Car Wash, LLC.

January 17, 2023

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:_____

1020, 1022 & 1024 York Road ***SIGN 2***

December 27, 2022

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



Sincerely,

December 27, 2022

(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)

CERTIFICATE OF POSTING

2022-0291-XA

RE: Case No.: _____

Petitioner/Developer: _____

Glenn Berger, Wayne Berger
Towson Car Wash, LLC.

January 17, 2023

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: _____

1020, 1022 & 1024 York Road ***SIGN 3***

December 27, 2022

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



Sincerely,

December 27, 2022

_____ _____
(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)

CERTIFICATE OF POSTING

2022-0291-XA

RE: Case No.: _____

Petitioner/Developer: _____

Glenn Berger, Wayne Berger
Towson Car Wash, LLC.

January 17, 2023

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:_____

1020, 1022 & 1024 York Road ***SIGN 4***

December 27, 2022

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



Sincerely,

December 27, 2022

(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)

ZONING ADVISORY COMMITTEE AGENDA
ROOM 123, COUNTY OFFICE BUILDING
DISTRIBUTION MEETING December 12, 2022
FORMAL OR INFORMAL RESPONSE DUE AT December 19, 2022 Meeting

* Agenda Only
\+ Agenda and Petition
& Agenda and Plat
\# Agenda, Petition and Plat

Distribution:

* Administrative Law Judge, Commissioner (Paul M. Mayhew), MS #4103, dwiley@baltimorecountymd.gov; dmignon@baltimorecountymd.gov
* PAI, Zoning Review H.O. Hearing File (Kristen Lewis), klewis@baltimorecountymd.gov
* PAI, Zoning Review DRC/ZAC Meeting File (Jeff Perlow), JPerlow@baltimorecountymd.gov
* PAI, Development Management (Lloyd Moxley), MS # 1105, lmoxley@baltimorecountymd.gov
* PAI, Code Enforcement (Lisa Henson), MS # 1105, lhenson@baltimorecountymd.go
* PAI, Building Inspection (Matt Gawel), mg@baltimorecountymd.gov
* Economic Development Commission, Business Develop. (Stanley Jacobs), MS # 4300, sjacobs@baltimorecountymd.gov
* Highways (Tom Hargis), MS #1003 thargis@baltimorecountymd.gov
* Neighborhood Improvements (Marcia Williams), MS #4201, myneighborhoodimprovment@baltimorecountymd.gov
* County Council, District 3, (Tom Bostwick), MS #2201, council1@baltimorecountymd.gov tbostwick@baltimorecountymd.gov
* Mike Ruby (Newspaper), mildmanneredcomm@aol.com
\+ People's Counsel, rwheatley@baltimorecountymd.gov
\+ IF CRITICAL AREA, Maryland Office of Planning (Joseph Griffiths), joseph.griffiths@maryland.gov
\+ Kathy Are, kare@baltimorecountymd.gov
& State Highway Administration, Access Permits Division (Steven Autry), SAutry@mdot.maryland.gov
& Fire Department (Inspector Muddiman), MS # 1102F, dmuddiman@baltimorecountymd.gov
& PAI, Development Plans Review (Vishnu Desai), vdesai@baltimorecountymd.gov
\# People's Counsel (Peter Zimmerman), MS #4204 pzimmerman@baltimorecountymd.gov
\# Planning Office (Jenifer Nugent), MS # 4101, jnugent@baltimorecountymd.gov; Henry Ayakwah hayakwah@baltimorecountymd.gov; Taylor Bensley tbensley@baltimorecountymd.gov
\# DEPS (Jeff Livingston) – 2 copies of each, MS # 1319, jlivingston@baltimorecountymd.gov; Steve Ford, sford@baltimorecountymd.gov
\# IF FLOODPLAIN, Maryland Department of the Environment, kevin.wagner@maryland.gov
\# Public Works (Terry Curtis), MS #1315, tcurtis@baltimorecountymd.gov
* IF ELDERLY HOUSING, Community Development, MS #1102M
* IF TOWER, Tower Coordinator, c/o OIT, MS #2007
\# IF HELICOPTER, Police Department, Aviation Unit (Officer Taylor or Sgt. Wines)
\# IF PAWN SHOP, Police Department, Burglary/Pawn Unit (Det. Kropfelder), MS #1102E

The attached information is being forwarded to you for comment. Your comments should reflect any conflicts with the codes, standards, or regulations of your office or department. Development representatives that attend the meeting should be prepared to submit their agency's response as either "no comment", "written comment" or "more review time required" within one week at the next meeting. If no written response is received within two weeks, it is assumed that your agency has "no comment". All written comments must reference the ZAC item number. All comments received will be compiled and included in the zoning/development file for review and consideration by the hearing officer during the course of the upcoming zoning/development hearing.

If your agency or section is not represented at the meeting, you should return your written comments to the Department of Permits and Development Management (PDM), Room 111, County Office Building, 111 West Chesapeake Avenue, Towson, MD 21204 (Mail Stop #1105), Attention: Kristen Lewis

If you have any questions regarding a particular zoning petition, please contact the Zoning Review Planner (see initials after item number) at 410-887-3391.

Revised 07/7/2021

ZAC AGENDA

Case Number: 2022-0291-XA **Reviewer:** Jason Seidelman
Existng Use: COMMERCIAL **Proposed Use:** COMMERCIAL
Type: SPECIAL EXCEPTION, VARIANCE
Legal Owner: Wayne Berger
Contract Purchaser: No Contract Purchaser was set.

Critical Area: No **Flood Plain:** No **Historic:** No **Election Dist:** 9 **Council Dist:** 6

Property Address: 1020 1024 YORK RD
Location: Property located on the Southwest side of York Rd. (100 feet) 444 feet Southeast of West Rd. (80 feet)

Existing Zoning: BR **Area:** .86 ACRES
Proposed Zoning:
SPECIAL EXCEPTION:
1.) BCZR 236.2: For a full-service car wash.

VARIANCE:
1.) BCZR 419.3.A: To allow the required number of stacking spaces for the full-service car wash to be configured in a different pattern than single-file at the entrance to the tunnel.

2.) BCZR 238.2: To allow a side yard setback of 6 feet for a commercial building in lieu of the required 30 feet.

3.) BCZR 419.4.B.3: To allow a landscape transition area width in the rear yard to be a minimum of 2 feet abutting non-residentially zoned land in lieu of the required 6 feet and to allow a landscape transition area width a minimum of 12 feet in lieu of the required 15 feet within 50 feet of a residentially zoned property.

4.) BCZR 419.4.B.1: To allow a car wash tunnel entrance to face an adjacent residentially zoned property.
Attorney: David Karceski
Prior Zoning Cases: 1994-0321-XA
Concurrent Cases: None
Violation Cases: None
Closing Date:

Miscellaneous Notes:

PETITION FOR ZONING HEARING(S)

To be filed with the Department of Permits, Approvals and Inspections
To the Office of Administrative Hearings for Baltimore County for the property located at:

Address 1020, 1022, 1024 York Road **Currently Zoned** BR

Deed Reference 46511 / 190 **10 Digit Tax Account #** 0919000691, 0919000690, 0919001830

Owner(s) Printed Name(s) Glenn G. Berger and Wayne G. Berger

(SELECT THE HEARING(S) BY MARKING X AT THE APPROPRIATE SELECTION(S) AND ADDING THE PETITION REQUEST)

The undersigned, who own and occupy the property situate in Baltimore County and which is described in the plan/plat attached hereto and made a part hereof, hereby petition for an:

1.____ **a Special Hearing** under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve

2. X **a Special Exception** under the Zoning Regulations of Baltimore County to use the herein described property for

See Attachment 1

3. X **a Variance** from Section(s)

See Attachment 1

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)**

TO BE PRESENTED AT HEARING

Property is to be posted and advertised as prescribed by the zoning regulations.
I/ we agree to pay expenses of above petition(s), advertising, posting, etc. and further agree to be bound 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:

See Attachment 2
Name - Type or Print

Signature

Mailing Address City State

Zip Code Telephone # Email Address

Legal Owners (Petitioners):

See Attachment 3 & 4
Name #1 – Type or Print / Name #2 – Type or Print

Signature #1 / Signature # 2

Mailing Address City State

Zip Code Telephone #'s (Cell and Home) Email Address

Attorney for Petitioner:

David Karceski, Esq.
Name - Type or Print

Signature

210 W. Pennsylvania Ave. Suite 500 Towson MD
Mailing Address City State

21204 / 410-494-6285 / DHKarceski@venable.com
Zip Code Telephone # Email Address

Representative to be contacted:

David Karceski, Esq.
Name – Type or Print

Signature

210 W. Pennsylvania Ave. Suite 500 Towson MD
Mailing Address City State

21204 / 410-494-6285 / DHKarceski@venable.com
Zip Code Telephone # Email Address

CASE NUMBER 2022-0291-XA **Filing Date** 12/8/22 **Do Not Schedule Dates** _____ **Reviewer** JS

3/2022

1020, 1022, 1024 YORK ROAD

ATTACHMENT 1 TO PETITION FOR SPECIAL EXCEPTION AND VARIANCE

1. Petition for Special Exception for a full-service car wash, pursuant to Section 236.2 of the Baltimore County Zoning Regulations ("BCZR").

2. Petition for Variance from BCZR Section 419.3.A to allow the required number of stacking spaces for the full-service car wash to be configured in a different pattern than single-file at the entrance to the tunnel.

3. Petition for Variance from BCZR Section 238.2 to allow a side yard setback of 6 feet for a commercial building in lieu of the required 30 feet.

4. Petition for Variance from BCZR Section 419.4.B.3 to allow a landscape transition area width in the rear yard to be a minimum of 2 feet abutting non-residentially zoned land in lieu of the required 6 feet and to allow a landscape transition area width a minimum of 12 feet in lieu of the required 15 feet within 50 feet of a residentially zoned property.

5. Petition for Variance from BCZR Section 419.4.B.1 to allow a car wash tunnel entrance to face an adjacent residentially zoned property.

2022-0291-XA

1020, 1022, 1024 YORK ROAD

ATTACHMENT 2 TO PETITION FOR SPECIAL EXCEPTION AND VARIANCE

1020, 1022, 1024 YORK ROAD
TAX MAP 70, PARCEL 595 & 991
TAX ACCOUNT # 0919000691, 0919000690, 0919001830
DEED REFERENCE: 46511/190

Lessee:

TOWSON CAR WASH, LLC

By: Thomas DeBacco
Title: President
Address: 10051 Franklin Square Drive, Nottingham, MD 21236
Phone: 908-528-0009
Email: tom@cantoncarwash.com

2022-0291-XA

1020, 1022, 1024 YORK ROAD

ATTACHMENT 3 TO PETITION FOR SPECIAL EXCEPTION AND VARIANCE

1020, 1022, 1024 YORK ROAD
TAX MAP 70, PARCEL 595 & 991
TAX ACCOUNT # 0919000691, 0919000690, 0919001830
DEED REFERENCE: 46511/190

Legal Owner:

Glenn G. Berger

Address: 111 Hamlet Hill Rd. Apt. 1307, Baltimore, MD 21210
Phone: 410-903-3539
Email: ggbfit@comcast.net

2022-0291-XA

1020, 1022, 1024 YORK ROAD

ATTACHMENT 4 TO PETITION FOR SPECIAL EXCEPTION AND VARIANCE

1020, 1022, 1024 YORK ROAD
TAX MAP 70, PARCEL 595 & 991
TAX ACCOUNT # 0919000691, 0919000690, 0919001830
DEED REFERENCE: 46511/190

Legal Owner:

Wayne G. Berger

Address: 7396 Park Heights Avenue, Baltimore, MD 21208
Phone: 410-499-6947
Email: wayne.berger2@comcast.net

2022-0291-XA

MORRIS & RITCHIE ASSOCIATES, INC.

ENGINEERS, ARCHITECTS, PLANNERS, SURVEYORS,
AND LANDSCAPE ARCHITECTS

December 6, 2022

ZONING AREA DESCRIPTION
FOR 1020-1024 YORK ROAD

Beginning at a point located at the intersection of York Road (MD Rte 45) at BL STA 10+12.18 or N 635,668.58 E 1,422,471.51, at the distance of 52.66' and bearing of S 57°53'0" W to a point. Thence, the following courses and distances:

2) South 57°49'10" West 205.85'.
3) South 67°17'43" West 16.34'.
4) North 33°36'33" West 58.94'.
5) North 33°54'14" West 36.98'.
6) North 30°10'36" West 21.94'.
7) North 3°18'19" East 10.96'.
8) North 30°40'16" West 47.61'.
9) North 51°25'54" East 18.92'.
10) North 60°11'27" East 194.70'.
11) South 31°48'33" East 166.00'.

Containing 37,608 square feet or 0.86 acres of land, more or less, being located in the 9th Election District and 5th Councilmanic District of Baltimore County, Maryland

I certify that this description was either personally prepared by me or I was in responsible charge of its preparation.



2022-0291-XA

1220-B East Joppa Road, Suite 400k, Towson, MD 21286 (410) 821-1690 Fax: (410) 821-1748 www.mragta.com

Abingdon, MD (410) 515-9000 ✦ Baltimore, MD (410) 935-5050 ✦ Laurel, MD (410) 792-9792 ✦ Towson, MD (410) 821-1690 ✦ Georgetown, DE (302) 855-5734 ✦ New Castle, DE (302) 326-2200 ✦ Sterling, VA (703) 674-0161 ✦ Raleigh, NC (984)200-2103

PNC BANK
PNC, N.A. Bank 040
Maryland

VENABLE LLP
750 E. Pratt Street Suite 900
Baltimore, Maryland 21202
Operating Account

F 535865

15-3
540

DATE	AMOUNT
December 06, 2022	$1,000.00

**********ONE THOUSAND AND 00/100

PAY TO THE ORDER OF

Baltimore County, Maryland
Office of Budget and Finance
400 Washington Avenue, Room 152
Towson, MD 21204-4665

AUTHORIZED SIGNATURE

VOID AFTER 180 DAYS

AUTHORIZED SIGNATURE
(TWO SIGNATURES REQUIRED OVER $25,000)

⑈000535865⑈ ⑆054000030⑆ 550100699⑈

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

No. 219942

Date: 12/8/22

Fund	Dept	Unit	Sub Unit	Rev Source/ Obj	Sub Rev/ Sub Obj	Dept Obj	BS Acct	Amount
001	806	000		6150				$ 1000.00
						Total:		$ 1000.00

Rec From: VENABLE

For: 2022-0291-XA

1020-1024 YORK ROAD

JS

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

CASHIER'S VALIDATION

Real Property Data Search ( )
Search Result for BALTIMORE COUNTY

View Map | View GroundRent Redemption | View GroundRent Registration

Special Tax Recapture: None

Account Identifier: **District** - 09 **Account Number** - 0919000691

Owner Information

Owner Name:	BERGER GLENN G BERGER WAYNE G	**Use:**	COMMERCIAL
		Principal Residence:	NO
Mailing Address:	APT 1307 111 HAMLET HILL RD BALTIMORE MD 21210-1516	**Deed Reference:**	/46511/ 00190

Location & Structure Information

Premises Address:	1020 YORK RD TOWSON 21204-	**Legal Description:**	LOT WS YORK ROAD AND IMPROVEMENTS 3960 S SEMINARY AVE

Map	Grid	Parcel	Neighborhood	Subdivision	Section	Block	Lot	Assessment Year	Plat No:
0070	0001	0595	20000.04	0000				2023	Plat Ref:

Town: None

Primary Structure Built	Above Grade Living Area	Finished Basement Area	Property Land Area	County Use
1950	6,000 SF		22,225 SF	06

StoriesBasementType	ExteriorQuality	Full/Half Bath	Garage	Last Notice of Major Improvements
OFFICE BUILDING/	C2			

Value Information

	Base Value	Value As of 01/01/2020	Phase-in Assessments As of 07/01/2022	As of 07/01/2023
Land:	777,800	777,800		
Improvements	13,500	13,500		
Total:	791,300	791,300	791,300	
Preferential Land:	0			

Transfer Information

Seller: BERGER GLENN G TRUSTEE	**Date:** 03/07/2022	**Price:** $0
Type: NON-ARMS LENGTH OTHER	**Deed1:** /46511/ 00190	**Deed2:**
Seller: BERGER GLENN GORDON	**Date:** 03/07/2022	**Price:** $0
Type: NON-ARMS LENGTH OTHER	**Deed1:** /46511/ 00185	**Deed2:**
Seller: BERGER TILLIE	**Date:** 12/30/2021	**Price:** $0
Type: NON-ARMS LENGTH OTHER	**Deed1:** /46122/ 00253	**Deed2:**

Exemption Information

Partial Exempt Assessments:	Class	07/01/2022	07/01/2023
County:	000	0.00	
State:	000	0.00	
Municipal:	000	0.00	0.00

Special Tax Recapture: None

Homestead Application Information

Homestead Application Status: No Application

Homeowners' Tax Credit Application Information

Homeowners' Tax Credit Application Status: No Application **Date:**

Real Property Data Search ( )
Search Result for BALTIMORE COUNTY

View Map | View GroundRent Redemption | View GroundRent Registration

Special Tax Recapture: None

Account Identifier: **District -** 09 **Account Number -** 0919000690

Owner Information

Owner Name:	BERGER GLENN G BERGER WAYNE G	**Use:**	COMMERCIAL
		Principal Residence:	NO
Mailing Address:	UNIT 1307 111 HAMLET HILL RD BALTIMORE MD 21210-1516	**Deed Reference:**	/46511/ 00190

Location & Structure Information

Premises Address:	1022 YORK RD 0-0000	**Legal Description:**	LT WS YORK RD 3960 S SEMINARY AV

Map:	Grid:	Parcel:	Neighborhood:	Subdivision:	Section:	Block:	Lot:	Assessment Year:	Plat No:
0070	0001	0595	20000.04	0000				2023	Plat Ref:

Town: None

Primary Structure Built	Above Grade Living Area	Finished Basement Area	Property Land Area	County Use
			5,589 SF	06

Stories	Basement	Type	Exterior	Quality	Full/Half Bath	Garage	Last Notice of Major Improvements
		/					

Value Information

	Base Value	Value As of 01/01/2020	Phase-in Assessments As of 07/01/2022	As of 07/01/2023
Land:	195,600	195,600		
Improvements	0	0		
Total:	195,600	195,600	195,600	
Preferential Land:	0			

Transfer Information

Seller: BERGER GLENN G TRUSTEE	**Date:** 03/07/2022	**Price:** $0
Type: NON-ARMS LENGTH OTHER	**Deed1:** /46511/ 00190	**Deed2:**
Seller: BERGER GLENN G	**Date:** 03/07/2022	**Price:** $0
Type: NON-ARMS LENGTH OTHER	**Deed1:** /46511/ 00185	**Deed2:**
Seller: BERGER TILLIE	**Date:** 12/30/2021	**Price:** $0
Type: NON-ARMS LENGTH OTHER	**Deed1:** /46122/ 00253	**Deed2:**

Exemption Information

Partial Exempt Assessments:	Class	07/01/2022	07/01/2023
County:	000	0.00	
State:	000	0.00	
Municipal:	000	0.00	0.00

Special Tax Recapture: None

Homestead Application Information

Homestead Application Status: No Application

Homeowners' Tax Credit Application Information

Homeowners' Tax Credit Application Status: No Application **Date:**

Real Property Data Search ( )
Search Result for BALTIMORE COUNTY

View Map | View GroundRent Redemption | View GroundRent Registration

Special Tax Recapture: None

Account Identifier: **District** - 09 **Account Number** - 0919001830

Owner Information

Owner Name:	BERGER GLENN G BERGER WAYNE G	**Use:**	COMMERCIAL
		Principal Residence:	NO
Mailing Address:	APT 1307 111 HAMLET HILL RD BALTIMORE MD 21210-1516	**Deed Reference:**	/46511/ 00190

Location & Structure Information

Premises Address:	1024 YORK RD TOWSON 21204-	**Legal Description:**	LT WS YORK RD 3960 S SEMINARY AVE

Map:	Grid:	Parcel:	Neighborhood:	Subdivision:	Section:	Block:	Lot:	Assessment Year:	Plat No:
0070	0001	0991	20000.04	0000				2023	Plat Ref:

Town: None

Primary Structure Built	Above Grade Living Area	Finished Basement Area	Property Land Area	County Use
1960	4,350 SF		6,600 SF	06

StoriesBasementType	ExteriorQuality	Full/Half Bath	Garage	Last Notice of Major Improvements
OFFICE BUILDING/	C2			

Value Information

	Base Value	Value As of 01/01/2020	Phase-in Assessments As of 07/01/2022	As of 07/01/2023
Land:	231,000	231,000		
Improvements	147,100	147,100		
Total:	378,100	378,100	378,100	
Preferential Land:	0			

Transfer Information

Seller: BERGER GLENN G TRUSTEE	**Date:** 03/07/2022	**Price:** $0
Type: NON-ARMS LENGTH OTHER	**Deed1:** /46511/ 00190	**Deed2:**
Seller: BERGER GLENN GORDON	**Date:** 03/07/2022	**Price:** $0
Type: NON-ARMS LENGTH OTHER	**Deed1:** /46511/ 00185	**Deed2:**
Seller: BERGER TILLIE	**Date:** 12/30/2021	**Price:** $0
Type: NON-ARMS LENGTH OTHER	**Deed1:** /46122/ 00253	**Deed2:**

Exemption Information

Partial Exempt Assessments:	Class	07/01/2022	07/01/2023
County:	000	0.00	
State:	000	0.00	
Municipal:	000	0.00	0.00

Special Tax Recapture: None

Homestead Application Information

Homestead Application Status: No Application

Homeowners' Tax Credit Application Information

Homeowners' Tax Credit Application Status: No Application **Date:**

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 twenty (20) 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: 2022-0291-XA

Property Address: 1020-1024 York Road

Legal Owners (Petitioners): Glenn G. Berger & Wayne G. Berger

Contract Purchaser/Lessee: Towson Car Wash, LLC

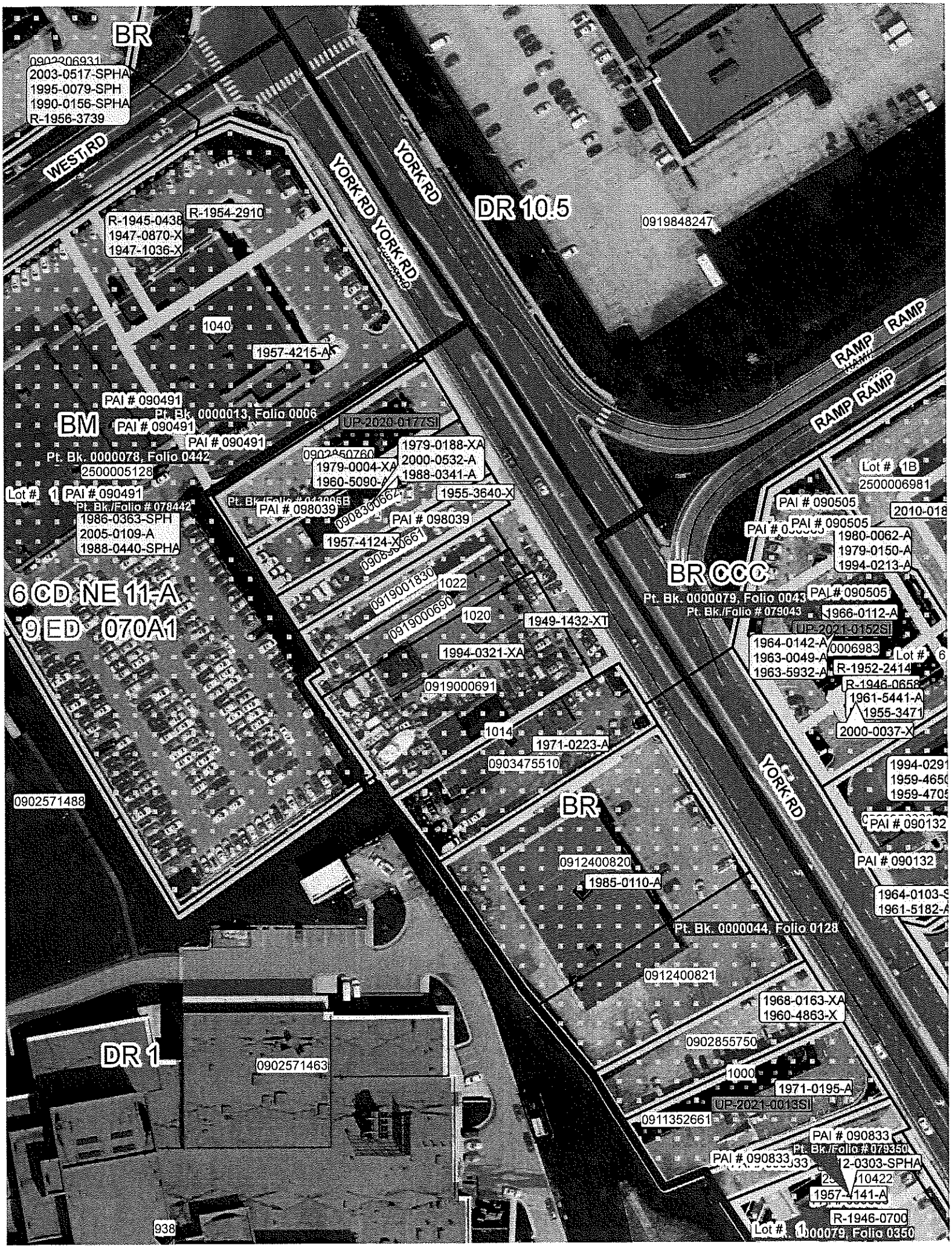
PLEASE FORWARD ADVERTISING BILL TO:

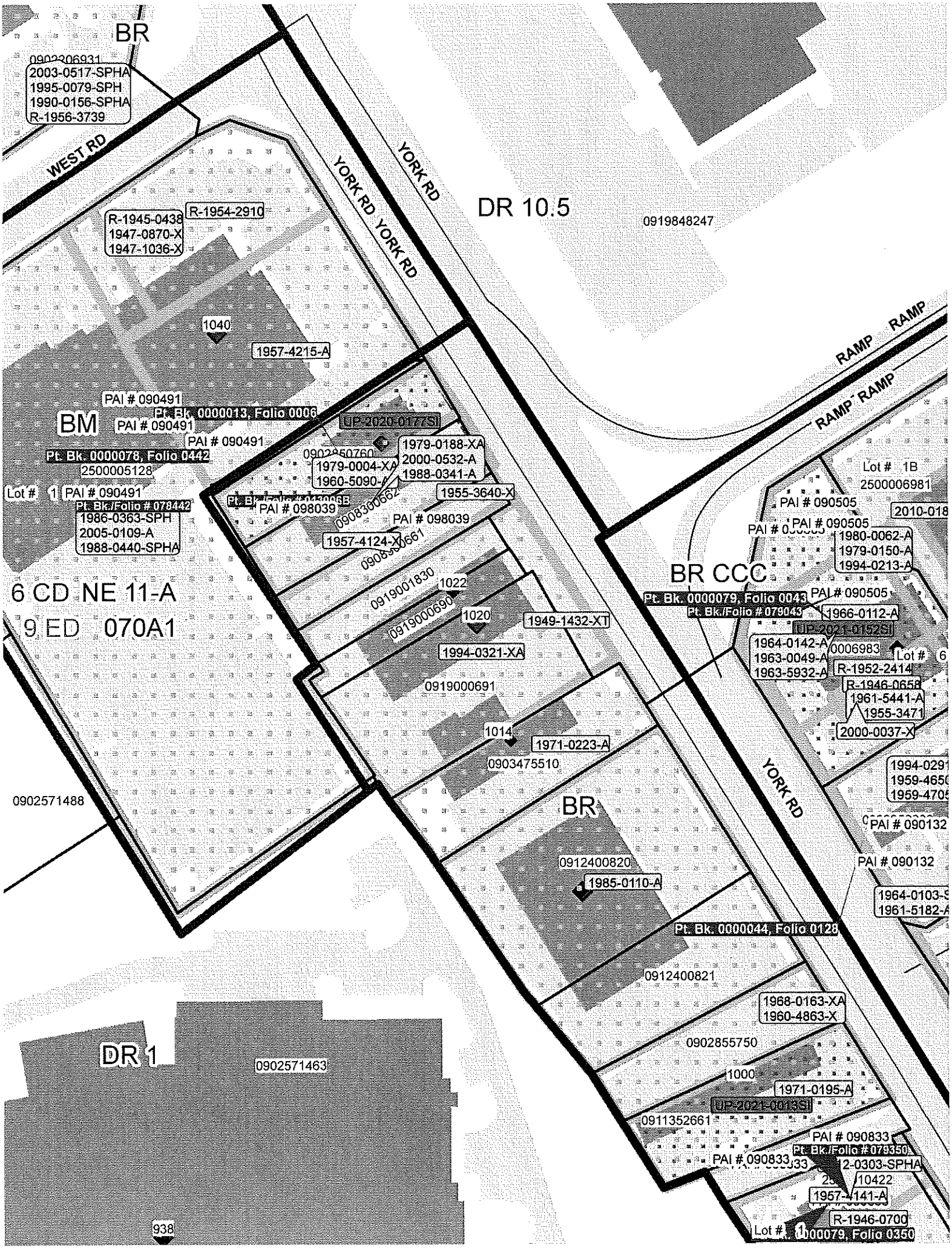
Name: Company/Firm (if applicable): Barb Lukasevich, Venable LLP

Address: 210 W. Pennsylvania Ave
Suite 500
Towson, MD 21204

Telephone Number: 410-494-6352

*Failure to advertise and/or post a sign on the property within the designated time will result in the Hearing request being delayed. The delayed Hearing Case will be cycled to the end of pending case files and rescheduled in the order that it is received. Also, a $250.00 rescheduling fee may be required after two failed advertisings and/or postings.


BR
0902306931
2003-0517-SPHA
1995-0079-SPH
1990-0156-SPHA
R-1956-3739
WEST RD
YORK RD
YORK RD
YORK RD
DR 10.5
0919848247
R-1945-0438
1947-0870-X
1947-1036-X
R-1954-2910
1040
1957-4215-A
RAMP
RAMP
RAMP
RAMP
PAI # 090491
Pt. Bk. 0000013, Folio 0006
BM
PAI # 090491
UP-2020-0177SI
PAI # 090491
Pt. Bk. 0000078, Folio 0442
2500005128
1979-0188-XA
2000-0532-A
1988-0341-A
1979-0004-XA
1960-5090-A
1955-3640-X
Lot # 1
PAI # 090491
Pt. Bk./Folio # 078442
1986-0363-SPH
2005-0109-A
1988-0440-SPHA
PAI # 098039
PAI # 098039
1957-4124-X
6 CD NE 11-A
9 ED 070A1
1022
0919001830
0919000690
1020
1949-1432-XT
1994-0321-XA
0919000691
1014
1971-0223-A
0903475510
0902571488
BR
0912400820
1985-0110-A
Pt. Bk. 0000044, Folio 0128
0912400821
DR 1
0902571463
938
Lot # 1B
2500006981
PAI # 090505
PAI # 090505
1980-0062-A
1979-0150-A
1994-0213-A
BR CCC
Pt. Bk. 0000079, Folio 0043
Pt. Bk./Folio # 079043
PAI # 090505
1966-0112-A
UP-2021-0152SI
1964-0142-A
1963-0049-A
1963-5932-A
R-1952-2414
R-1946-0658
1961-5441-A
1955-3471
2000-0037-X
YORK RD
PAI # 090132
PAI # 090132
1968-0163-XA
1960-4863-X
0902855750
1000
1971-0195-A
UP-2021-0013SI
0911352661
PAI # 090833
PAI # 090833
Pt. Bk./Folio # 079350
2-0303-SPHA
10422
1957-4141-A
R-1946-0700
Lot # 1
Pt. Bk. 0000079, Folio 0350


BR
0902306931
2003-0517-SPHA
1995-0079-SPH
1990-0156-SPHA
R-1956-3739
WEST RD
YORK RD
YORK RD
YORK RD
DR 10.5
0919848247
R-1945-0438
1947-0870-X
1947-1036-X
R-1954-2910
1040
1957-4215-A
PAI # 090491
Pt. Bk. 0000013, Folio 0006
BM
PAI # 090491
PAI # 090491
UP-2020-0177SI
1979-0188-XA
2000-0532-A
1988-0341-A
1979-0004-XA
1960-5090-A
0902850760
Pt. Bk. 0000078, Folio 0442
2500005128
Lot # 1
PAI # 090491
Pt. Bk./Folio # 078442
1986-0363-SPH
2005-0109-A
1988-0440-SPHA
1955-3640-X
PAI # 098039
PAI # 098039
1957-4124-X
0908360652
0908360661
0919001830
1022
0919000690
1020
1949-1432-XT
1994-0321-XA
0919000691
1014
1971-0223-A
0903475510
6 CD NE 11-A
9 ED 070A1
0902571488
BR
0912400820
1985-0110-A
Pt. Bk. 0000044, Folio 0128
0912400821
1968-0163-XA
1960-4863-X
0902855750
1000
1971-0195-A
UP-2021-0013SI
0911352661
DR 1
0902571463
938
RAMP
RAMP
RAMP
RAMP
Lot # 1B
2500006981
PAI # 090505
PAI # 090505
PAI # 090505
1980-0062-A
1979-0150-A
1994-0213-A
BR CCC
Pt. Bk. 0000079, Folio 0043
Pt. Bk./Folio # 079043
1966-0112-A
UP-2021-0152SI
1964-0142-A
1963-0049-A
1963-5932-A
0006983
Lot # 6
R-1952-2414
R-1946-0658
1961-5441-A
1955-3471
2000-0037-X
YORK RD
PAI # 090132
PAI # 090132
1964-0103-S
1961-5182-A
Pt. Bk. 0000044, Folio 0128
PAI # 090833
Pt. Bk./Folio # 079350
PAI # 090833
2-0303-SPHA
10422
1957-4141-A
R-1946-0700
Lot # 1
000079, Folio 0350

Baltimore County - My Neighborhood



PETITION FOR ZONING HEARING(S)

To be filed with the Department of Permits, Approvals and Inspections
To the Office of Administrative Hearings for Baltimore County for the property located at:

Address 1020, 1022, 1024 York Road **Currently Zoned** BR

Deed Reference 46511 / 190 **10 Digit Tax Account #** 0919000691, 0919000690, 0919001830

Owner(s) Printed Name(s) Glenn G. Berger and Wayne G. Berger

(SELECT THE HEARING(S) BY MARKING X AT THE APPROPRIATE SELECTION(S) AND ADDING THE PETITION REQUEST)

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1.____ **a Special Hearing** under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve

2. X **a Special Exception** under the Zoning Regulations of Baltimore County to use the herein described property for

See Attachment 1

3. X **a Variance** from Section(s)

See Attachment 1

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)**

TO BE PRESENTED AT HEARING

Property is to be posted and advertised as prescribed by the zoning regulations.
I/ we agree to pay expenses of above petition(s), advertising, posting, etc. and further agree to be bound 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:

See Attachment 2
Name - Type or Print

Signature

Mailing Address City State

Zip Code Telephone # Email Address

Legal Owners (Petitioners):

See Attachment 3 & 4
Name #1 – Type or Print / Name #2 – Type or Print

Signature #1 / Signature # 2

Mailing Address City State

Zip Code Telephone #'s (Cell and Home) Email Address

Attorney for Petitioner:

David Karceski, Esq.
Name - Type or Print

Signature

210 W. Pennsylvania Ave. Suite 500 Towson MD
Mailing Address City State

21204 / 410-494-6285 / DHKarceski@venable.com
Zip Code Telephone # Email Address

Representative to be contacted:

David Karceski, Esq.
Name – Type or Print

Signature

210 W. Pennsylvania Ave. Suite 500 Towson MD
Mailing Address City State

21204 / 410-494-6285 / DHKarceski@venable.com
Zip Code Telephone # Email Address

CASE NUMBER 2023-0291-XA **Filing Date** 12/8/22 **Do Not Schedule Dates** _____ **Reviewer** JS

3/2022

1020, 1022, 1024 YORK ROAD

ATTACHMENT 1 TO PETITION FOR SPECIAL EXCEPTION AND VARIANCE

1. Petition for Special Exception for a full-service car wash, pursuant to Section 236.2 of the Baltimore County Zoning Regulations ("BCZR").

2. Petition for Variance from BCZR Section 419.3.A to allow the required number of stacking spaces for the full-service car wash to be configured in a different pattern than single-file at the entrance to the tunnel.

3. Petition for Variance from BCZR Section 238.2 to allow a side yard setback of 6 feet for a commercial building in lieu of the required 30 feet.

4. Petition for Variance from BCZR Section 419.4.B.3 to allow a landscape transition area width in the rear yard to be a minimum of 2 feet abutting non-residentially zoned land in lieu of the required 6 feet and to allow a landscape transition area width a minimum of 12 feet in lieu of the required 15 feet within 50 feet of a residentially zoned property.

5. Petition for Variance from BCZR Section 419.4.B.1 to allow a car wash tunnel entrance to face an adjacent residentially zoned property.

2022-0291-XA

1020, 1022, 1024 YORK ROAD

ATTACHMENT 2 TO PETITION FOR SPECIAL EXCEPTION AND VARIANCE

1020, 1022, 1024 YORK ROAD
TAX MAP 70, PARCEL 595 & 991
TAX ACCOUNT # 0919000691, 0919000690, 0919001830
DEED REFERENCE: 46511/190

Lessee:

TOWSON CAR WASH, LLC

By: Thomas DeBacco
Title: President
Address: 10051 Franklin Square Drive, Nottingham, MD 21236
Phone: 908-528-0009
Email: tom@cantoncarwash.com

2022-0291-XA

1020, 1022, 1024 YORK ROAD

ATTACHMENT 3 TO PETITION FOR SPECIAL EXCEPTION AND VARIANCE

1020, 1022, 1024 YORK ROAD
TAX MAP 70, PARCEL 595 & 991
TAX ACCOUNT # 0919000691, 0919000690, 0919001830
DEED REFERENCE: 46511/190

Legal Owner:

Glenn G. Berger

Address: 111 Hamlet Hill Rd. Apt. 1307, Baltimore, MD 21210
Phone: 410-903-3539
Email: ggbfit@comcast.net

2022-0291-XA

1020, 1022, 1024 YORK ROAD

ATTACHMENT 4 TO PETITION FOR SPECIAL EXCEPTION AND VARIANCE

1020, 1022, 1024 YORK ROAD
TAX MAP 70, PARCEL 595 & 991
TAX ACCOUNT # 0919000691, 0919000690, 0919001830
DEED REFERENCE: 46511/190

Legal Owner:

Wayne G. Berger

Address: 7396 Park Heights Avenue, Baltimore, MD 21208
Phone: 410-499-6947
Email: wayne.berger2@comcast.net

2022-0291-XA

MORRIS & RITCHIE ASSOCIATES, INC.

ENGINEERS, ARCHITECTS, PLANNERS, SURVEYORS,
AND LANDSCAPE ARCHITECTS

December 6, 2022

ZONING AREA DESCRIPTION
FOR 1020-1024 YORK ROAD

Beginning at a point located at the intersection of York Road (MD Rte 45) at BL STA 10+12.18 or N 635,668.58 E 1,422,471.51, at the distance of 52.66' and bearing of S 57°53'0" W to a point. Thence, the following courses and distances:

2) South 57°49'10" West 205.85'.
3) South 67°17'43" West 16.34'.
4) North 33°36'33" West 58.94'.
5) North 33°54'14" West 36.98'.
6) North 30°10'36" West 21.94'.
7) North 3°18'19" East 10.96'.
8) North 30°40'16" West 47.61'.
9) North 51°25'54" East 18.92'.
10) North 60°11'27" East 194.70'.
11) South 31°48'33" East 166.00'.

Containing 37,608 square feet or 0.86 acres of land, more or less, being located in the 9th Election District and 5th Councilmanic District of Baltimore County, Maryland

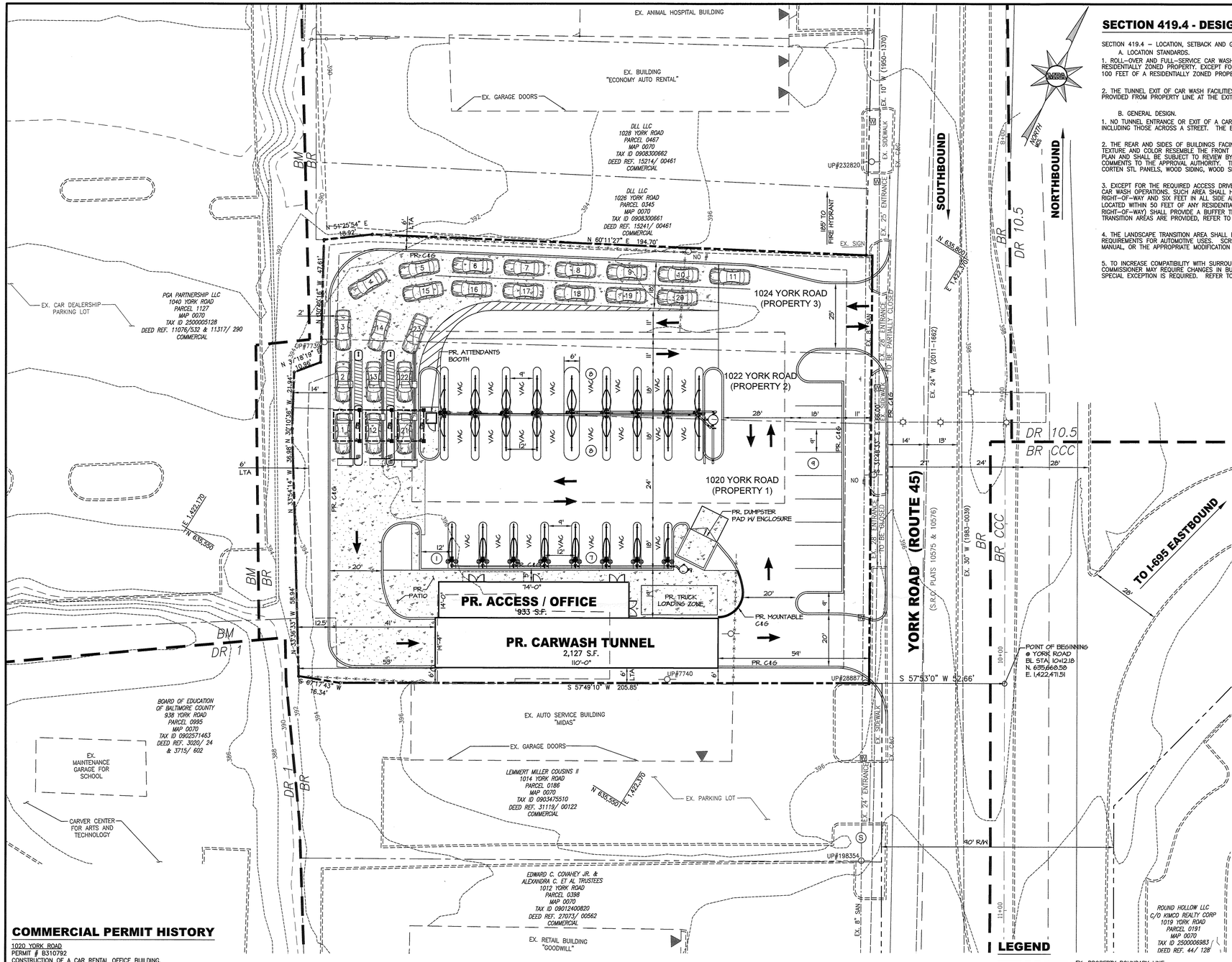
I certify that this description was either personally prepared by me or I was in responsible charge of its preparation.

STATE OF MARYLAND
MICHAEL GRAY COUGHLIN
38291
PROFESSIONAL ENGINEER

2022-0291-XA

1220-B East Joppa Road, Suite 400k, Towson, MD 21286 (410) 821-1690 Fax: (410) 821-1748 www.mragta.com

Abingdon, MD (410) 515-9000 ✦ Baltimore, MD (410) 935-5050 ✦ Laurel, MD (410) 792-9792 ✦ Towson, MD (410) 821-1690 ✦ Georgetown, DE (302) 855-5734 ✦ New Castle, DE (302) 326-2200 ✦ Sterling, VA (703) 674-0161 ✦ Raleigh, NC (984)200-2103



SECTION 419.4 - DESIGN STANDARDS

SECTION 419.4 – LOCATION, SETBACK AND GENERAL DESIGN STANDARD

A. LOCATION STANDARDS.

1. ROLL–OVER AND FULL–SERVICE CAR WASH BUILDINGS SHALL BE SET BACK AT LEAST 50 FEET FROM THE LOT LINE OF ANY RESIDENTIALLY ZONED PROPERTY. EXCEPT FOR THE LANDSCAPE BUFFERS, NO PART OF A SELF–SERVICE CAR WASH SHALL BE WITHIN 100 FEET OF A RESIDENTIALLY ZONED PROPERTY. RESIDENTIAL ZONE SETBACK – REQUIRED=50', PROVIDED=53'

2. THE TUNNEL EXIT OF CAR WASH FACILITIES SHALL BE SET BACK AT LEAST 50 FEET FROM THE NEAREST EXIT DRIVE. 59' IS PROVIDED FROM PROPERTY LINE AT THE EXIT DRIVE.

B. GENERAL DESIGN.

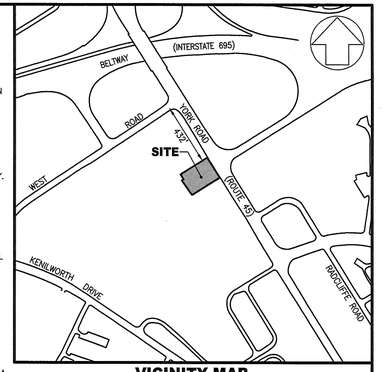
1. NO TUNNEL ENTRANCE OR EXIT OF A CAR WASH OPERATION SHALL FACE AN ADJACENT RESIDENTIALLY ZONED PROPERTY NOT INCLUDING THOSE ACROSS A STREET. THE ENTRANCE OF THE TUNNEL FACES BOTH COMMERCIAL AND RESIDENTIAL ZONED PROPERTY.

2. THE REAR AND SIDES OF BUILDINGS FACING RESIDENTIALLY ZONED PROPERTIES SHALL BE FINISHED WITH MATERIALS THAT IN TEXTURE AND COLOR RESEMBLE THE FRONT OF THE BUILDING. THE TYPE OF FACADE TREATMENT SHALL BE INDICATED ON THE SITE PLAN AND SHALL BE SUBJECT TO REVIEW BY THE DIRECTOR OF THE DEPARTMENT OF PLANNING, WHO SHALL PROVIDE WRITTEN COMMENTS TO THE APPROVAL AUTHORITY. THE FACADE MATERIALS COMPRISE OF GROUND FACE CMU, CORRUGATED METAL SIDING, CORTEN STL PANELS, WOOD SIDING, WOOD SLAT SCREEN. REFER TO THE BUILDING ELEVATION FOR ADDITIONAL DETAIL.

3. EXCEPT FOR THE REQUIRED ACCESS DRIVES, A LANDSCAPED TRANSITION AREA SHALL BE PROVIDED ALONG THE PERIMETER OF ALL CAR WASH OPERATIONS. SUCH AREA SHALL HAVE A MINIMUM WIDTH OF TEN FEET WHERE THE CAR WASH FRONTS A PUBLIC RIGHT–OF–WAY AND SIX FEET IN ALL SIDE AND REAR YARDS ABUTTING NONRESIDENTIALLY ZONED LAND. CAR WASH OPERATIONS 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 THAT MEASURES NO LESS THAN 15 FEET FROM THAT PROPERTY LINE. LANDSCAPE TRANSITION AREAS ARE PROVIDED, REFER TO THE GENERAL NOTES FOR ADDITIONAL INFORMATION.

4. THE LANDSCAPE TRANSITION AREA SHALL BE PLANTED AND SCREENED IN ACCORDANCE WITH THE LANDSCAPE MANUAL REQUIREMENTS FOR AUTOMOTIVE USES. SCREENING AND LANDSCAPING SHALL COMPLY WITH THE BALTIMORE COUNTY LANDSCAPE MANUAL, OR THE APPROPRIATE MODIFICATION OF STANDARDS WILL BE REQUESTED.

5. TO INCREASE COMPATIBILITY WITH SURROUNDING BUILDINGS OR TO ENHANCE THE ATTRACTIVENESS OF THE SITE, THE ZONING COMMISSIONER MAY REQUIRE CHANGES IN BUILDING OR SITE PLAN DESIGN OR HOURS OF OPERATION FOR CAR WASHES FOR WHICH A SPECIAL EXCEPTION IS REQUIRED. REFER TO SITE PLAN, SIGNAGE, BUILDING ELEVATIONS AND NOTE 11 WITHIN THE GENERAL NOTES.



VICINITY MAP

SCALE : 1" = 500'

BENCHMARKS

BCO 1151 — N 635729.49, E 1421415.68
ELEV. 402.11
SPIKE IN SIDEWALK NORTH OF WEST RD.

BCO 972 — N 633768.61, E 1423193.18
ELEV. 413.79
CAPPED BAR IN ISLAND SOUTH OF BOSLEY AVE.

GENERAL NOTES

1. PROPERTY INFORMATION:

A.	PROPERTY ADDRESS:	1020 (PROPERTY 1), 1022 (PROPERTY 2), 1024 YORK ROAD (PROPERTY 3)
B.	NET ACREAGE:	0.95 AC ± (41,240 S.F.)
C.	GROSS ACREAGE:	0.86 AC ± (37,608 S.F.)
D.	ELECTION DISTRICT:	9
E.	COUNCILMANIC DISTRICT:	5
F.	ADC MAP:	27C4
G.	CENSUS TRACT:	4903.01
H.	TAX MAP:	0070
I.	PARCEL:	595, 991
J.	TAX ACCOUNT NO.:	0919000691 (PROPERTY 1), 0919000690 (PROPERTY 2), 0919001830 (PROPERTY 3)
K.	DEED:	46511/00190
L.	WATERSHED:	LOCH RAVEN RESERVOIR
M.	COMMERCIAL REVITALIZATION DISTRICT:	TOWSON

2. ZONING: BR
3. ZONING MAP/GIS TILE NO.: 070A1
4. FLOOR AREA RATIO: MAXIMUM PERMITTED = 2.0; PROVIDED = 0.081 (3,060 S.F. / 37,608 S.F. = 0.081)
5. EXISTING LAND USE: COMMERCIAL – AUTO SERVICE; PROPOSED LAND USE: COMMERCIAL – FULL SERVICE CAR WASH
6. BR ZONE SETBACKS

	REQUIRED	PROVIDED
FRONT YARD BUILDING SETBACK	*50'	59'
SIDE YARD BUILDING SETBACK	30'	6'
REAR YARD BUILDING SETBACK	30'	53'

*SECTION 303.2 STANDARDS FOR BL, BM AND BR ZONES, THE DEPTH OF THE FRONT YARD OF ANY BUILDING HEREAFTER ERECTED SHALL BE NOT LESS THAN THE AVERAGE DEPTH OF THE FRONT YARDS OF ALL LOTS WITHIN 100 FEET ON EACH SIDE.
1028 YORK ROAD = 31.5' BUILDING SETBACK
1014 YORK ROAD = 58.4' BUILDING SETBACK
31.5+58.4 = 89.9, 89.9/2 = 45' REQUIRED SETBACK

7. LANDSCAPE TRANSITION AREAS (LTAS)

	REQUIRED	PROVIDED
ALONG YORK ROAD (PUBLIC)	10'	11'
ALONG REAR YARD (COMMERCIAL ZONE)	6'	2'
ALONG REAR YARD (RESIDENTIAL ZONE)	15'	12.5'
ALONG SIDE YARD	6'	6'

8. STACKING FOR CAR WASH SHALL COMPLY WITH 419.3.A.2 BCZR SECTION.

	REQUIRED	PROVIDED
FULL SERVICE CAR WASH	19'	23'

9. HEIGHT REQUIREMENTS

	ALLOWABLE	PROPOSED
	**40' FOOT MAX OR HEIGHT TENT CALCULATION PURSUANT TO SECTION SECTION 231.1.B AND 231.1.D.	40'

**SECTION 231.1 HEIGHT REGULATIONS AND LIMITATIONS,
B. THE HEIGHT LIMITATION OF A BUILDING SHALL BE DETERMINED AS FOLLOWS: THE "BASIC HEIGHT" OF THE FRONT OR REAR WALL OF A BUILDING ALONG A STREET, ALLEY OR OTHER PUBLIC WAY IS DETERMINED BY A "BASE LINE PLANE" EXTENDING UPWARD AT A 45–DEGREE ANGLE FROM A "BASE LINE" AT THE AVERAGE ELEVATION ON THE PROPERTY LINE ON THE OPPOSITE SIDE OF THE RIGHT–OF–WAY, TOWARD A VERTICAL PLANE (THE "MEASURE PLANE") ON THE BUILDING LINE. REGARDLESS OF THE RIGHT–OF–WAY WIDTH THE "BASIC HEIGHT" SHALL NOT EXCEED 100 FEET, EXCEPT AS PERMITTED HEREINAFTER AS "AVERAGED HEIGHT," NOR SHALL IT BE REQUIRED TO BE LESS THAN 40 FEET.
D. NO PART OF ANY BUILDING WALL ADJACENT TO A SIDE OR REAR LOT LINE THAT DOES NOT ADJOIN A STREET OR OTHER PUBLIC WAY SHALL EXCEED A HEIGHT OF 40 FEET ABOVE THE AVERAGE GROUND LEVEL ALONG SUCH WALL, EXCEPT THAT ANY PART OF SUCH WALL MAY EXCEED THAT HEIGHT, PROVIDED THAT NO PORTION OF THE BUILDING WOULD PROJECT ABOVE A PLANE SLOPING INWARD AND UPWARD FROM THE LOT LINE AT THE RATE OF ONE–FOOT HORIZONTALLY FOR EACH FIVE FEET OF VERTICAL DISTANCE ABOVE SAID AVERAGE GROUND LEVEL.

10. THE MANUFACTURER'S RATED HOURLY PRODUCTION CAPACITY OF THE EQUIPMENT TO BE INSTALLED IN THE FULL SERVICE CAR WASH IS 150 CARS PER HOUR. ON AVERAGE THE PRODUCTION WILL BE 60 CARS PER HOUR.
11. HOURS FOR CAR WASH WILL BE LIMITED TO 8 AM TO 7 PM IN SUMMER AND 8 AM TO 6 PM IN WINTER.
12. THIS SITE IS SERVICED BY PUBLIC WATER AND SEWER.
13. THE SITE IS NOT LOCATED IN A 100 YEAR FLOODPLAIN (F.E.M.A. PANEL NO. 24001004306).
14. THE SITE IS NOT LOCATED WITHIN IN A FAILED BASIC WATER, SEWER, OR TRANSPORTATION SERVICE AREA.
15. THE SITE IS LOCATED WITHIN A COMMERCIAL REVITALIZATION DISTRICT AND IS THEREFORE EXEMPT FROM THE PROVISION BCZR 4A02.4. PER BCZR 4A02.4 BASIC SERVICES MAPPING STANDARDS E. GENERAL EXCEPTIONS TO BASIC SERVICE MAPPING STANDARDS, i. TO ANY DEVELOPMENT LOCATED IN A COMMERCIAL REVITALIZATION DISTRICT.
16. THERE ARE NO KNOWN EXISTING WELLS OR SEPTIC FIELDS ON THIS PROPERTY.
17. THERE ARE NO HISTORIC BUILDINGS ON SITE.
18. THIS SITE IS NOT LOCATED IN THE CHESAPEAKE BAY CRITICAL AREA.
19. ANY FIXTURE USED TO ILLUMINATE AN OFF–STREET PARKING AREA SHALL BE ARRANGED AS TO REFLECT THE LIGHT AWAY FROM ADJACENT RESIDENTIAL SITE AND PUBLIC STREETS.
20. SIGNAGE ON THIS SITE SHALL CONFORM WITH THE SIGNAGE REQUIREMENTS OF THE BALTIMORE COUNTY ZONING REGULATIONS SECTION 450, OR A VARIANCE WILL BE REQUESTED. REFER TO SHEET 2 FOR SIGNAGE LAYOUT AND DETAILS.

COMMERCIAL PERMIT HISTORY

1020 YORK ROAD
PERMIT # B310792
CONSTRUCTION OF A CAR RENTAL OFFICE BUILDING.

1020 YORK ROAD
PERMIT # B707107
ERECT CHAIN FENCE WITH HEIGHT OF 8' AND LENGTH OF 120'.

1022 YORK ROAD
PERMIT # B826453 & B826879
CONSTRUCTION OF FREESTANDING D/F ENTERPRISE SIGN 9'x10' AND ONE ILLUMINATED WALL SIGN 3.5'x31.44'.

1022 YORK ROAD
PERMIT # B828817
CONSTRUCTION OF F/S PYLON SIGN 6.17'x12.17'x25'.

1024 YORK ROAD
PERMIT # E956459
UNDERGROUND ELECTRIC DIRECT BURIAL 12/3 TO EX. SIGN.

GENERAL NOTE

THE CORRECTNESS OR COMPLETENESS OF EXISTING INFORMATION SHOWN ON THE DRAWINGS IS NOT WARRANTED OR GUARANTEED. THE CONTRACTOR SHALL VERIFY THE LOCATION OF UTILITIES AND UNDERGROUND FACILITIES, BY TEST PITS OR OTHER METHODS APPROVED BY THE OWNER'S REPRESENTATIVE, AS REQUIRED TO VERIFY EXACT LOCATIONS AND DEPTHS WITHIN THE LIMIT OF DISTURBANCE. ALL DISCREPANCIES BETWEEN INFORMATION SHOWN ON THE DRAWINGS AND THAT VERIFIED IN THE FIELD SHALL BE REPORTED TO THE OWNER'S REPRESENTAITVE PRIOR TO BEGINNING WORK.

ZONING HISTORY

CASE NO. R–1949–1432–XT – PETITION FOR TEMPORARY USE OF THE PROPERTY FOR ADVERTISING STRUCTURE WAS DENIED ON MAY 13, 1949.

CASE NO. R–1994–0321–XA – PETITION FOR TWO SPECIAL EXCEPTIONS FOR USED AUTOMOBILE SALES AT 1018 AND 1024 YORK ROAD. A PETITION FOR ZONING VARIANCE, RELIEF WAS REQUESTED FROM BCZR SECTION 303.2 TO ALLOW A FRONT YARD SETBACK OF 32' IN LIEU OF THE REQUIRED 45'; FROM SECTION 238.4 TO PERMIT STORAGE AND DISPLAY OF VEHICLES AND MATERIALS IN THE FRONT YARD SETBACK AREA IN LIEU OF THE REQUIREMENT THAT THE FRONT YARD AREA TO A DEPTH OF 30' REMAIN VEHICLE FREE; FROM SECTION 238.2 TO PERMIT 0' SIDE YARD SETBACK IN LIEU OF THE REQUIRED 30'; FROM SECTION 238.2 TO PERMIT 0' AND 41' DISTANCE BETWEEN BUILDINGS IN LIEU OF THE REQUIRED 60' AND 19' RESPECTIVELY; AND SECTION 413.2 TO PERMIT A TOTAL SIGN AREA OF 175.98 SQ FT FOR TWO SIGNS IN LIEU OF THE REQUIRED 100 SQ FT. GRANTED ON APRIL 11, 1994, SUBJECT HOWEVER TO THE FOLLOWING RESTRICTIONS WHICH ARE CONDITIONS PRECEDENT TO THE RELIEF GRANTED:

1. THE PETITIONER IS HEREBY MADE AWARE THAT PROCEEDING AT THIS TIME IS AT ITS 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 PETITIONER WOULD BE REQUIRED TO RETURN, AND BE RESPONSIBLE FOR RETURNING, SAID PROPERTY TO ITS ORIGINAL CONDITION.
2. THE PETITIONER SHALL NOT ALLOW THE PLACEMENT OF ANY OTHER OUTDOOR ADVERTISING SIGNS, BANNERS, STREAMERS, BALLOONS, ETC. THAT IS, THE SOLE MEANS OF ADVERTISING WILL BE THE TWO SIGNS REFERENCED HEREIN, APPROPRIATE LETTERING ON THE FACADE OF THE BUILDINGS AND PRICES/SIGNS AS MAY BE WRITTEN ON THE WINDSHIELDS OF THE VEHICLES. ANY OTHER MEANS OF OUTDOOR ADVERTISING, BE THEY TEMPORARY OR PERMANENT, WILL BE EXCLUDED.

PLAN

SCALE: 1" = 20'

20 0 20 40

PARKING TABULATIONS CHART

(PARKING SPACES REQUIRED BY BCZR SECTION 419.3)

USE	PARKING RATE	PARKING SPACES REQUIRED PER SECTION 419.3
FULL–SERVICE CAR WASH	6/TUNNEL	6
FULL–SERVICE CAR WASH (ADDITIONAL SPACES)	4	4
VACUUMS	1/VACUUM	23
TOTAL PARKING REQUIRED		33
TOTAL PARKING PROVIDED		33

LEGEND

- EX. PROPERTY BOUNDARY LINE
- EX. RIGHT–OF–WAY
- EX. ADJACENT PROPERTY LINE
- EX. EASEMENT
- EX. ZONING LINE
- EX. BUILDING
- EX. EDGE OF PAVEMENT
- EX. EDGE OF CONCRETE
- EX. CURB
- EX. 2' CONTOUR
- EX. 10' CONTOUR
- EX. FENCE
- PR. CURB & GUTTER
- PR. BUILDING
- PR. SIDEWALK

DATUM

DESIGN & DRAWING BASED ON MARYLAND COORDINATE SYSTEM (MCS): HORIZONTAL NAD 83 (2011) VERTICAL NAVD 88

PROFESSIONAL CERTIFICATION

I HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME, AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MARYLAND, LICENSE NO. 38291, EXPIRATION DATE: 01/13/2024.

DEVELOPER

YORK CAR WASH LLC
c/o CANTON CAR WASH
10051 FRANKLIN SQUARE DRIVE
NOTTINGHAM, MARYLAND 21236
PHONE: (908) 528–0009
ATTN: THOMAS DEBACCO

OWNER

GLEN G. AND WAYNE G. BERGER
1020–1024 YORK ROAD
TOWSON, MARYLAND 21204

2022-0291-XA

MORRIS & RITCHIE ASSOCIATES, INC.
ENGINEERS, PLANNERS, SURVEYORS AND LANDSCAPE ARCHITECTS
1220-B EAST JOPPA ROAD, SUITE 400K
TOWSON, MARYLAND 21286
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FAX (410) 821-1748
MRAGTA.COM

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STATE OF MARYLAND · MICHAEL GRAY COYNE · 38291 · PROFESSIONAL ENGINEER

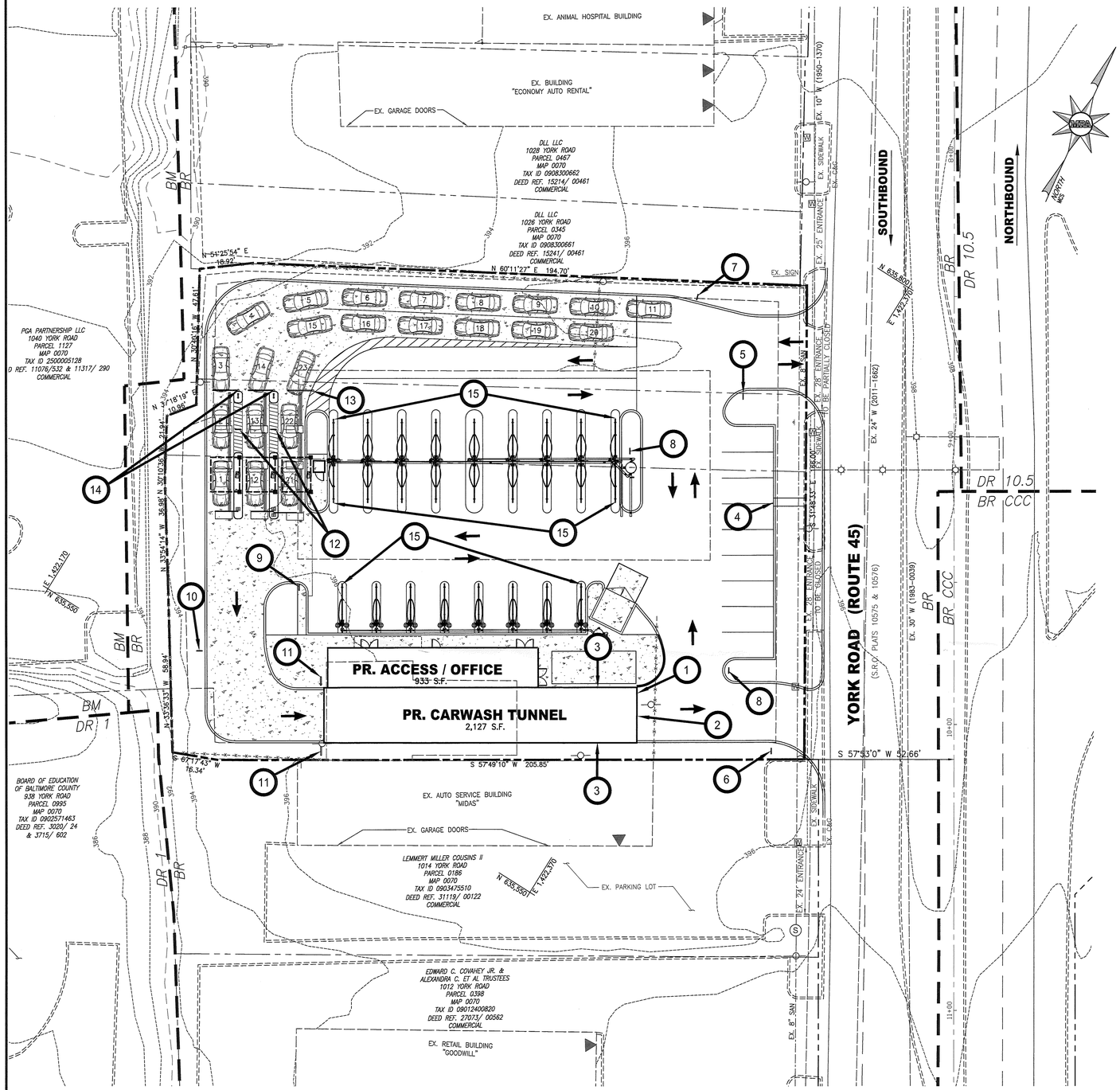
CANTON CAR WASH

1020–1024 YORK ROAD

SITE PLAN TO ACCOMPANY
SPECIAL EXCEPTION & VARIANCE PETITION

5TH COUNCILMANIC DISTRICT — BALTIMORE COUNTY, MARYLAND — 9TH ELECTION DISTRICT

DATE	REVISIONS		
		JOB NO.:	21837
		SCALE:	AS SHOWN
		DATE:	12/06/2022
		DRAWN BY:	MAS
		DESIGN BY:	THS
		REVIEW BY:	THS
		SHEET:	01 OF 02



PLAN

SCALE: 1" = 20'

20 0 20 40

LEGEND

- EX. PROPERTY BOUNDARY LINE
- EX. RIGHT-OF-WAY
- EX. ADJACENT PROPERTY LINE
- EX. EASEMENT
- EX. ZONING LINE
- EX. BUILDING
- EX. EDGE OF PAVEMENT
- EX. EDGE OF CONCRETE
- EX. CURB
- EX. 2' CONTOUR
- EX. 10' CONTOUR
- EX. FENCE
- PR. CURB & GUTTER
- PR. BUILDING
- PR. SIDEWALK

GENERAL NOTE

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2.16'

0.66'

1020

FONT: CHALET NEW YORK NINETEEN SEVENTY

1 E-AN ADDRESS NUMBERS

NOT TO SCALE — SIGN AREA = 1.426 SF

15.02'

canton CAR WASH.

4.39'

2 E-FL-1-4.5 SIGN

NOT TO SCALE — SIGN AREA = 66.0 SF

22.63'

canton CAR WASH.

6.625'

SIGN AREA =149.9 SF

3 E-FL-1-6 SIGN

NOT TO SCALE

11.33'

canton CAR WASH

6.61'

SIGN AREA = 74.9 SF

25.0'

4 E-P SIGN

NOT TO SCALE

2.0' × 4.0' — EXIT — SIGN AREA = 4.0 SF

2.0' × 4.0' — DO NOT ENTER — SIGN AREA = 4.0 SF

5 W-D-2 AR / 4 SIGN

NOT TO SCALE

2.0' × 4.0' — EXIT — SIGN AREA = 4.0 SF

2.0' × 4.0' — DO NOT ENTER — SIGN AREA = 4.0 SF

6 W-D-2 AS / 4 SIGN

NOT TO SCALE

2.0' × 4.0' — CAR WASH — SIGN AREA = 4.0 SF

7 W-S-1 AS SIGN

NOT TO SCALE

2.0' × 4.0' — EXTERIOR DRY DOWN & TIRE SHINE — SIGN AREA = 4.0 SF

8 W-S-12 SIGN

NOT TO SCALE

2.0' × 4.0' — EXIT — SIGN AREA = 4.0 SF

9 W-S-2 AL SIGN

NOT TO SCALE

2.0' × 4.0' — CUSTOMERS ARE RESPONSIBLE FOR:

- VALUABLES LEFT IN VEHICLE(S)
- DISABLING AUTOMATIC DEVICES
- DAMAGE TO HOUSINGS
- ALL AFTER-MARKET PRODUCTS
- LIGHT BARS
- BIKE RACKS
- SIDEVIEW MIRRORS
- RAIN GUARDS
- PINCH DRAGGIE
- WHEEL COVERS
- PLASTIC WHEEL COVERS
- RETRACTING POWER BOARDS

Pull off here to inspect or clean any of these items. Canton Car Wash will not be responsible for any of the above.

SIGN AREA = 8.0 SF

10 W-S-6 SIGN

NOT TO SCALE

2.0' × 4.0' — AUTO WIPERS OFF; COAST SLOWLY ONTO BELT; MUST BE STRAIGHT; PLACE CAR IN NEUTRAL; NO BRAKES

SIGN AREA = 8 SF

11 W-S-9 SIGN

NOT TO SCALE

3.0' × 6.0' — canton CAR WASH — PAY HERE; SELECTIONS; WAIT HERE; CASHIERS NOT USER

SIGN AREA = 18.0 SF

12 W-S-8 SIGN

NOT TO SCALE

6.69' × 1.19' — ALL VEHICLES

SIGN AREA = 7.96 SF

13 W-S-13 SIGN

NOT TO SCALE

6.69' × 1.19' — MEMBERS & EXTERIOR ONLY

SIGN AREA = 7.96 SF

14 W-S-14 SIGN

NOT TO SCALE

1.66' × 1.66' — SELF-SERVE — FREE WITH ANY WASH — Must purchase in advance — #KeepItClean

SIGN AREA = 2.77 SF

15 W-S-11 G SIGN

NOT TO SCALE

DATUM

DESIGN & DRAWING BASED ON MARYLAND COORDINATE SYSTEM (MCS): HORIZONTAL NAD 83 (2011) VERTICAL NAVD 88

PROFESSIONAL CERTIFICATION

I HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME, AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MARYLAND, LICENSE NO. 38291, EXPIRATION DATE: 01/13/2024.

DEVELOPER

YORK CAR WASH LLC
c/o CANTON CAR WASH
10051 FRANKLIN SQUARE DRIVE
NOTTINGHAM, MARYLAND 21236
PHONE: (908) 528-0009
ATTN: THOMAS DEBACCO

OWNER

GLEN G. AND WAYNE G. BERGER
1020-1024 YORK ROAD
TOWSON, MARYLAND 21204

MORRIS & RITCHIE ASSOCIATES, INC.
ENGINEERS, PLANNERS, SURVEYORS AND LANDSCAPE ARCHITECTS
1220-B EAST JOPPA ROAD, SUITE 400K
TOWSON, MARYLAND 21286
(410) 821-1690
FAX (410) 821-1748
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STATE OF MARYLAND — MICHAEL GRAY COUGHLIN — 38291 — PROFESSIONAL ENGINEER

CANTON CAR WASH

1020-1024 YORK ROAD

SIGNAGE PLAN

5TH COUNCILMANIC DISTRICT BALTIMORE COUNTY, MARYLAND 9TH ELECTION DISTRICT

DATE	REVISIONS		
		JOB NO.:	21837
		SCALE:	AS SHOWN
		DATE:	12/06/2022
		DRAWN BY:	MAS
		DESIGN BY:	THS
		REVIEW BY:	THS
		SHEET:	02 OF 02

Berger – Towson Car Wash
Case No.: 2022-291-XA
People's Counsel Exhibit List

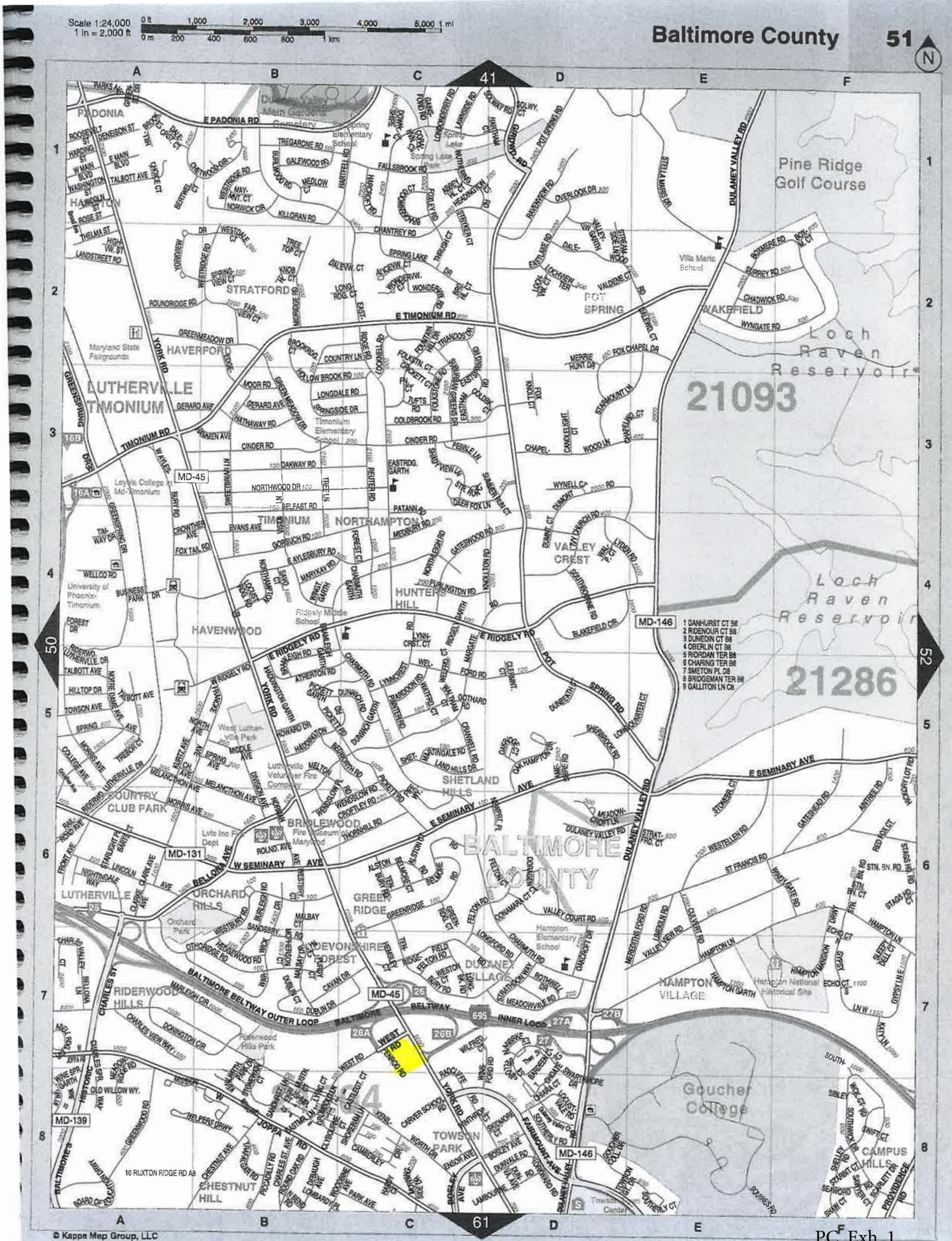
1. ADC Map
2. GIS Aerial
3. MyNeighborhood Maps
4. SDATs for Properties on York Road
5. Google Maps
6. Planning Comment
7. State Highway Comment
8. Towson Revitalization District Map
9. Resolutions
10. Master Plan Excerpt – Commercial Revitalization District
11. Towson Community Plan Excerpts
12. Previous case 1994-321
13. a Deed 4611-253
    b Deed 46511 -185
    c Deed 46511-190
14. Nottingham Car Wash – 2014-075-X
15. Bill 172-93 -signed - Fuel Service & Car Wash
16. BCZR Section 419 - Car Wash
17. ALJ Proceedings Excerpts, including petition & revisions
18. Opposition letter from Towson Communities Alliance dated 5-25-2023
19. 1963 Business Zone Car Wash excerpts
20. Bill 108-64 – Car Washes
21. Planning Board Report excerpt – Fuel Service Stations & Car Washes
22. BCZR Sec. 101.1 - Car Wash Definitions and Sec. 102.1 – Conformance with Regulations
23. BCZR Secs 236 to 238 - Business Roadside Zone
24. BCZR Secs. 259. 1 & 2 - Districts
25. BCZR Sec. A400 – Special Regulations
26. Towson Communities Alliance Rule 8 Documents

Berger – Towson Car Wash
Case No.: 2022-291-XA
People's Counsel Exhibit List

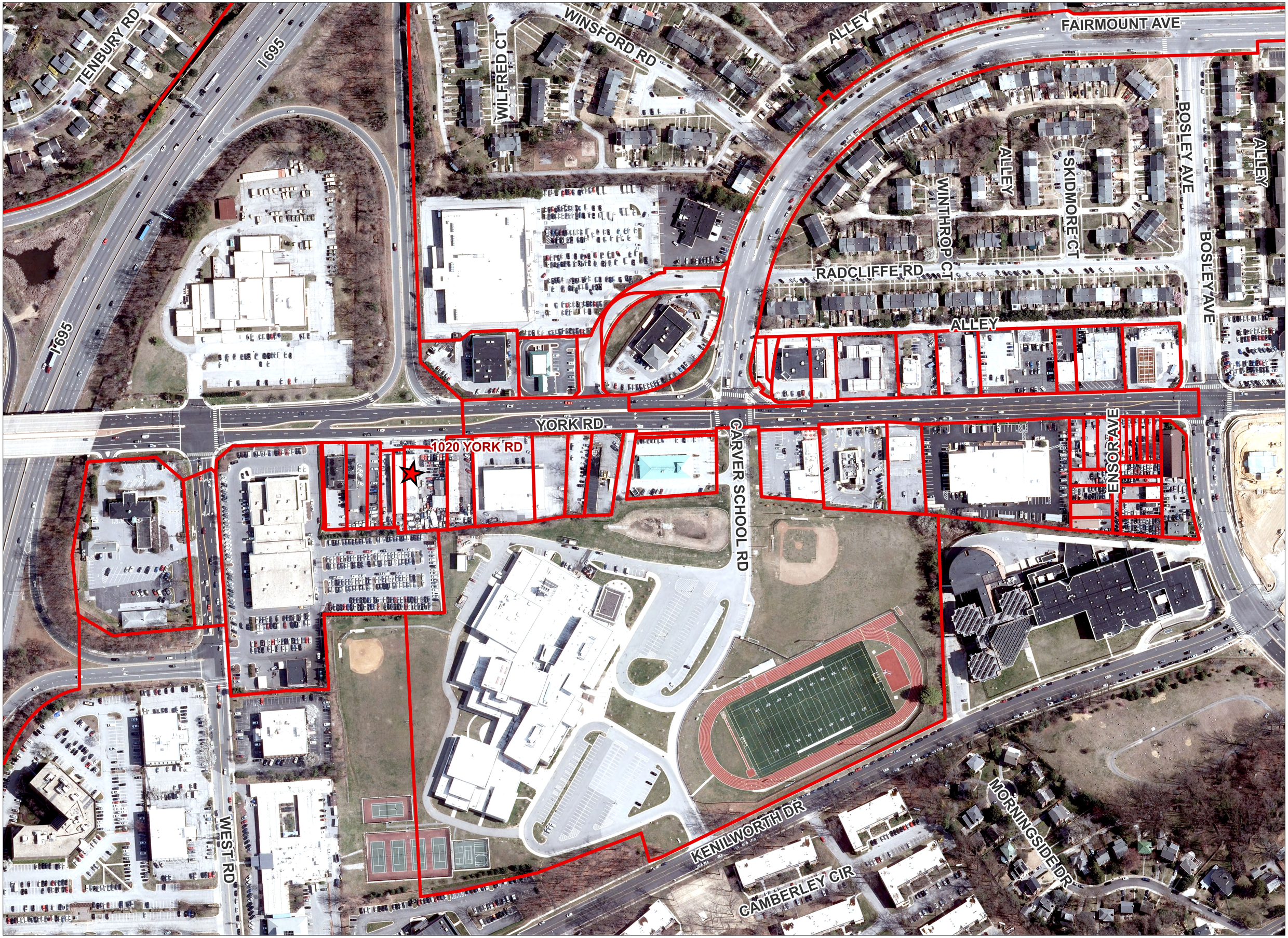
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Berger – Towson Car Wash
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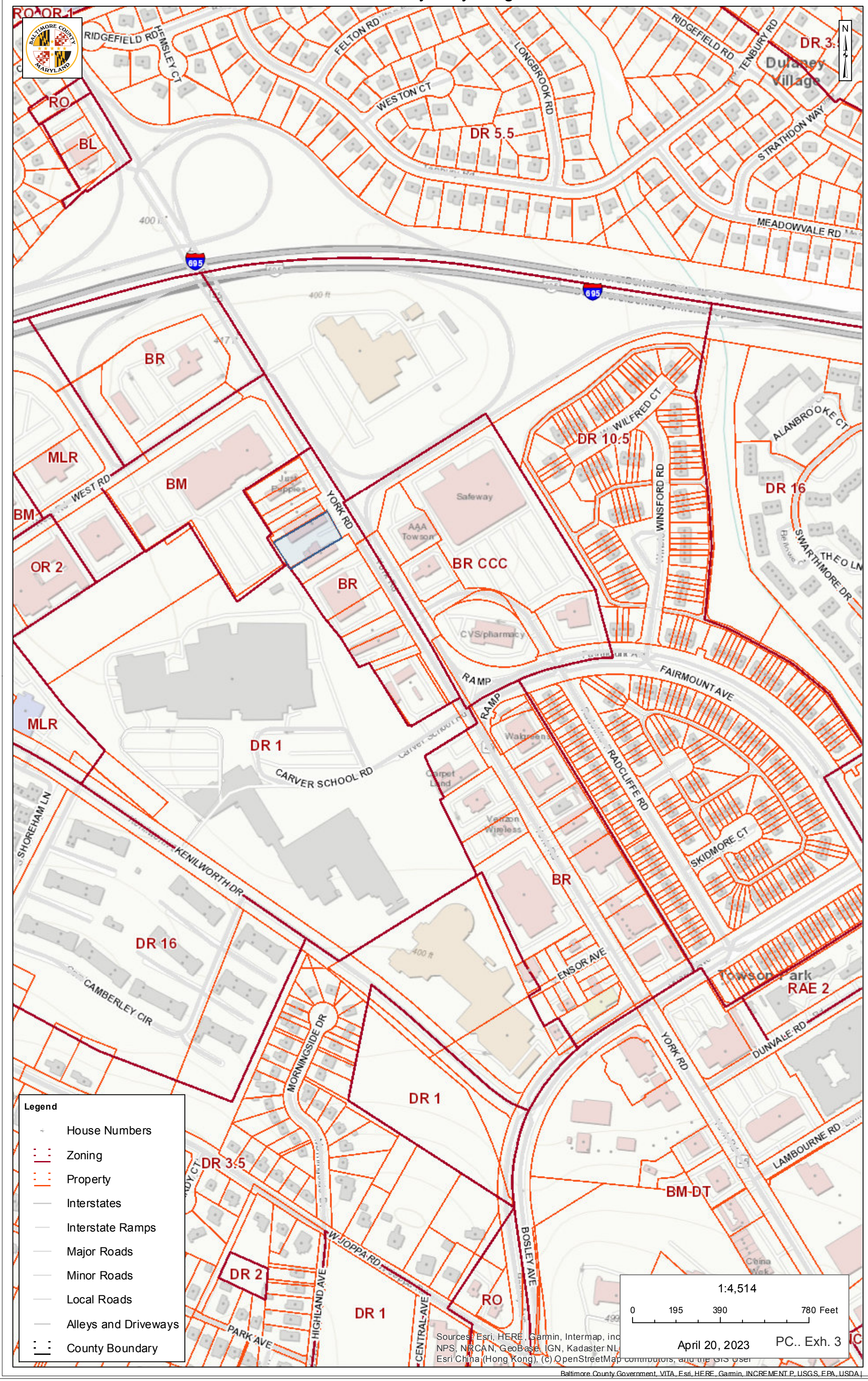
Prepared by Geographic Information Services
Baltimore County Office of Information Technology
Date: May 8,2023
2020 Imagery

1 Inch = 70 Feet

0 85 170 340 Feet

PC Exh . 2

Baltimore County - My Neighborhood



Baltimore County - My Neighborhood



PC Exhibit 4 - List of SDAT Addresses included

1. SDAT – 816 York Road
2. SDAT – 818 Road Road
3. SDAT – 900 York Road
4. SDAT – 908 York Road
5. SDAT – 926 York Road
6. SDAT – 934 York Road
7. SDAT – 936 York Road
8. SDAT – 950 York Road
9. SDAT – 1000 York Road
10. SDAT – 1004 York Road
11. SDAT – 1006 York Road
12. SDAT – 1012 York Road
13. SDAT – 1014 York Road
14. SDAT – 1020 York Road
15. SDAT – 1022 York Road
16. SDAT – 1024 York Road
17. SDAT – 1026 York Road
18. SDAT – 1028 York Road
19. SDAT – 1030 York Road
20. SDAT – 1040 York Road
21. SDAT – 1050 York Road

Real Property Data Search ( )
Search Result for BALTIMORE COUNTY

View Map **View GroundRent Redemption** **View GroundRent Registration**

Special Tax Recapture: None

Account Identifier: **District -** 09 **Account Number -** 0913751340

Owner Information

Owner Name:	MOUNT OLIVE BAPTIST CHURCH	**Use:**	EXEMPT COMMERCIAL
		Principal Residence:	NO
Mailing Address:	816 YORK RD BALTIMORE MD 21204-2508	**Deed Reference:**	

Location & Structure Information

Premises Address:	816 YORK RD 0-0000	**Legal Description:**	WS YORK RD PARTIAL EXEMPTION COR BOSLEY AV

Map:	Grid:	Parcel:	Neighborhood:	Subdivision:	Section:	Block:	Lot:	Assessment Year:	Plat No:
0070	0001	0671	20000.04	0000				2023	Plat Ref:

Town: None

Primary Structure Built	Above Grade Living Area	Finished Basement Area	Property Land Area	County Use
1953	8013		46,092 SF	01

Stories	Basement	Type	Exterior	Quality	Full/Half Bath	Garage	Last Notice of Major Improvements
		MULTIPLE RESIDENCE	/	C2			

Value Information

	Base Value	Value	Phase-in Assessments	
		As of 01/01/2023	As of 07/01/2022	As of 07/01/2023
Land:	1,613,200	1,613,200		
Improvements	680,500	706,300		
Total:	2,293,700	2,319,500	2,293,700	2,302,300
Preferential Land:	0	0		

Transfer Information

Seller:	**Date:**	**Price:**
Type:	**Deed1:**	**Deed2:**
Seller:	**Date:**	**Price:**
Type:	**Deed1:**	**Deed2:**
Seller:	**Date:**	**Price:**
Type:	**Deed1:**	**Deed2:**

Exemption Information

Partial Exempt Assessments:	Class	07/01/2022	07/01/2023
County:	800	2,293,700.00	2,302,300.00
State:	800	2,293,700.00	2,302,300.00
Municipal:	800	0.00|0.00	0.00|0.00

Special Tax Recapture: None

Homestead Application Information

Homestead Application Status: No Application

Homeowners' Tax Credit Application Information

Homeowners' Tax Credit Application Status: No Application **Date:**

Real Property Data Search ( )
Search Result for BALTIMORE COUNTY

View Map **View GroundRent Redemption** **View GroundRent Registration**

Special Tax Recapture: None

Account Identifier: **District -** 09 **Account Number -** 0905530171

Owner Information

Owner Name:	POLLARD PATRICIA H	**Use:**	COMMERCIAL
		Principal Residence:	NO
Mailing Address:	1108 SLEEPY DELL CT BALTIMORE MD 21286-1414	**Deed Reference:**	/44559/ 00438

Location & Structure Information

Premises Address:	818 YORK RD 0-0000	**Legal Description:**	LT 1-8 818 YORK RD GREENWELL

Map:	Grid:	Parcel:	Neighborhood:	Subdivision:	Section:	Block:	Lot:	Assessment Year:	Plat No:	4
0070	0001	0908	20000.04	0000				2023	Plat Ref:	0014/ 0087

Town: None

Primary Structure Built	Above Grade Living Area	Finished Basement Area	Property Land Area	County Use
1958	1,741 SF		17,680 SF	20

Stories	Basement	Type	Exterior	Quality	Full/Half Bath	Garage	Last Notice of Major Improvements
		SERVICE GARAGE	/	C4			

Value Information

	Base Value	Value	Phase-in Assessments	
		As of 01/01/2023	As of 07/01/2022	As of 07/01/2023
Land:	618,800	618,800		
Improvements	87,800	84,200		
Total:	706,600	703,000	706,600	703,000
Preferential Land:	0	0		

Transfer Information

Seller: POLLARD RICHARD R	**Date:** 04/26/2021	**Price:** $0
Type: NON-ARMS LENGTH OTHER	**Deed1:** /44559/ 00438	**Deed2:**
Seller: POLLARD RICHARD R	**Date:** 12/04/2007	**Price:** $0
Type: NON-ARMS LENGTH OTHER	**Deed1:** /26445/ 00540	**Deed2:**
Seller: LYNESS HELEN M E	**Date:** 12/20/1993	**Price:** $300,000
Type: ARMS LENGTH IMPROVED	**Deed1:** /10228/ 00615	**Deed2:**

Exemption Information

Partial Exempt Assessments:	**Class**	07/01/2022	07/01/2023
County:	000	0.00	
State:	000	0.00	
Municipal:	000	0.00|0.00	0.00|0.00

Special Tax Recapture: None

Homestead Application Information

Homestead Application Status: No Application

Homeowners' Tax Credit Application Information

Homeowners' Tax Credit Application Status: No Application **Date:**

Real Property Data Search ( )

Search Result for BALTIMORE COUNTY

View Map **View GroundRent Redemption** **View GroundRent Registration**

Special Tax Recapture: None

Account Identifier: **District -** 09 **Account Number -** 0905530170

Owner Information

Owner Name:	ELLIOTT LILITH NATALIE TRUSTEE	**Use:**	COMMERCIAL
		Principal Residence:	NO
Mailing Address:	302 E SEMINARY AVE LUTH-TIMONIUM MD 21093	**Deed Reference:**	/37066/ 00268

Location & Structure Information

Premises Address:	900 YORK RD BALTIMORE MD 21204-	**Legal Description:**	LT 4-8 COR ENSOR AVE ENSOR PLAT

Map:	Grid:	Parcel:	Neighborhood:	Subdivision:	Section:	Block:	Lot:	Assessment Year:	Plat No:	
0070	0001	0837	20000.04	0000			4	2023	**Plat Ref:**	0006/ 0082

Town: None

Primary Structure Built	Above Grade Living Area	Finished Basement Area	Property Land Area	County Use
1952	630 SF		21,735 SF	06

Stories	Basement	Type	Exterior	Quality	Full/Half Bath	Garage	Last Notice of Major Improvements
		RETAIL STORE	/	C2			

Value Information

	Base Value	Value	Phase-in Assessments	
		As of 01/01/2023	As of 07/01/2022	As of 07/01/2023
Land:	760,700	760,700		
Improvements	36,000	35,600		
Total:	796,700	796,300	796,700	796,300
Preferential Land:	0	0		

Transfer Information

Seller: ELLIOTT JAMES E	**Date:** 01/11/2016	**Price:** $0
Type: NON-ARMS LENGTH OTHER	**Deed1:** /37066/ 00268	**Deed2:**
Seller: LYNESS HELEN M E	**Date:** 09/07/1993	**Price:** $375,000
Type: ARMS LENGTH IMPROVED	**Deed1:** /09996/ 00144	**Deed2:**
Seller: EMIG ANNA K	**Date:** 06/20/1983	**Price:** $0
Type: NON-ARMS LENGTH OTHER	**Deed1:** /06543/ 00141	**Deed2:**

Exemption Information

Partial Exempt Assessments:	Class	07/01/2022	07/01/2023
County:	000	0.00	
State:	000	0.00	
Municipal:	000	0.00|0.00	0.00|0.00

Special Tax Recapture: None

Homestead Application Information

Homestead Application Status: No Application

Homeowners' Tax Credit Application Information

Homeowners' Tax Credit Application Status: No Application **Date:**

Real Property Data Search ( )

Search Result for BALTIMORE COUNTY

View Map **View GroundRent Redemption** **View GroundRent Registration**

Special Tax Recapture: None

Account Identifier: **District -** 09 **Account Number -** 0925450410

Owner Information

Owner Name:	LAUREL OAKS PARTNERSHIP	**Use:**	COMMERCIAL
		Principal Residence:	NO
Mailing Address:	908 YORK RD BALTIMORE MD 21204	**Deed Reference:**	/06420/ 00768

Location & Structure Information

Premises Address:	908 YORK RD BALTIMORE MD 21204-0000	**Legal Description:**	2.13 AC WS YORK RD 320 N BOSLEY AV

Map:	Grid:	Parcel:	Neighborhood:	Subdivision:	Section:	Block:	Lot:	Assessment Year:	Plat No:
0070	0001	0997	20000.04	0000				2023	Plat Ref:

Town: None

Primary Structure Built	Above Grade Living Area	Finished Basement Area	Property Land Area	County Use
1983	34,346 SF		92,782 SF	15

Stories	Basement	Type	Exterior	Quality	Full/Half Bath	Garage	Last Notice of Major Improvements
		RETAIL STORE	/	C4			

Value Information

	Base Value	Value	Phase-in Assessments	
		As of 01/01/2023	As of 07/01/2022	As of 07/01/2023
Land:	2,530,600	2,530,600		
Improvements	1,979,000	1,940,500		
Total:	4,509,600	4,471,100	4,509,600	4,471,100
Preferential Land:	0	0		

Transfer Information

Seller: MALBETAN ASSOCIA TES	**Date:** 08/06/1982	**Price:** $1,100,000
Type: ARMS LENGTH IMPROVED	**Deed1:** /06420/ 00768	**Deed2:**
Seller:	**Date:**	**Price:**
Type:	**Deed1:**	**Deed2:**
Seller:	**Date:**	**Price:**
Type:	**Deed1:**	**Deed2:**

Exemption Information

Partial Exempt Assessments:	Class	07/01/2022	07/01/2023
County:	000	0.00	
State:	000	0.00	
Municipal:	000	0.00|0.00	0.00|0.00

Special Tax Recapture: None

Homestead Application Information

Homestead Application Status: No Application

Homeowners' Tax Credit Application Information

Homeowners' Tax Credit Application Status: No Application **Date:**

Real Property Data Search ( )
Search Result for BALTIMORE COUNTY

View Map **View GroundRent Redemption** **View GroundRent Registration**

Special Tax Recapture: None

Account Identifier: **District -** 09 **Account Number -** 0903472281

Owner Information

Owner Name: 926/950/1004 INVESTMENTS LLC
Use: COMMERCIAL
Principal Residence: NO
Mailing Address: C/O FERDINAND H ONNEN
510 CHADWICK ROAD
LUTHERVILLE MD 21093-
Deed Reference: /27037/ 00155

Location & Structure Information

Premises Address: 926 YORK RD
0-0000
Legal Description: .50 AC
926 YORK RD WS
2640 N TOWSON

Map:	Grid:	Parcel:	Neighborhood:	Subdivision:	Section:	Block:	Lot:	Assessment Year:	Plat No:
0070	0001	0187	20000.04	0000				2023	Plat Ref:

Town: None

Primary Structure Built	Above Grade Living Area	Finished Basement Area	Property Land Area	County Use
1957	5,778 SF		21,780 SF	22

Stories	Basement	Type	Exterior	Quality	Full/Half Bath	Garage	Last Notice of Major Improvements
		RETAIL STORE	/	C3			

Value Information

	Base Value	Value	Phase-in Assessments	
		As of 01/01/2023	As of 07/01/2022	As of 07/01/2023
Land:	871,200	871,200		
Improvements	444,500	503,600		
Total:	1,315,700	1,374,800	1,315,700	1,335,400
Preferential Land:	0	0		

Transfer Information

Seller: ONNEN CORINNE D **Date:** 05/29/2008 **Price:** $0
Type: NON-ARMS LENGTH OTHER **Deed1:** /27037/ 00155 **Deed2:**

Seller: ONNEN FERDINAND H,JR **Date:** 04/25/2007 **Price:** $0
Type: NON-ARMS LENGTH OTHER **Deed1:** /25543/ 00557 **Deed2:**

Seller: COUNTY CREDIT CO RP **Date:** 12/31/1986 **Price:** $0
Type: NON-ARMS LENGTH OTHER **Deed1:** /07488/ 00742 **Deed2:**

Exemption Information

Partial Exempt Assessments:	Class	07/01/2022	07/01/2023
County:	000	0.00	
State:	000	0.00	
Municipal:	000	0.00|0.00	0.00|0.00

Special Tax Recapture: None

Homestead Application Information

Homestead Application Status: No Application

Homeowners' Tax Credit Application Information

Homeowners' Tax Credit Application Status: No Application **Date:**

Real Property Data Search ( )

Search Result for BALTIMORE COUNTY

View Map **View GroundRent Redemption** **View GroundRent Registration**

Special Tax Recapture: None

Account Identifier: **District -** 09 **Account Number -** 0904500840

Owner Information

Owner Name:	MCDONALDS CORP 19-0141	**Use:** **Principal Residence:**	COMMERCIAL NO
Mailing Address:	P O BOX 182571 COLOMBUS OH 43218-2571	**Deed Reference:**	/05881/ 00226

Location & Structure Information

Premises Address:	934 YORK RD BALTIMORE MD 21204-2513	**Legal Description:**	0.711 AC WS YORK RD 800 N BOSLEY AVE

Map:	Grid:	Parcel:	Neighborhood:	Subdivision:	Section:	Block:	Lot:	Assessment Year:	Plat No:
0070	0001	0659	20000.04	0000				2023	Plat Ref:

Town: None

Primary Structure Built	Above Grade Living Area	Finished Basement Area	Property Land Area	County Use
1979	3,164 SF		30,971 SF	24

Stories	Basement	Type	Exterior	Quality	Full/Half Bath	Garage	Last Notice of Major Improvements
		FAST FOOD	/	C4			

Value Information

	Base Value	Value	Phase-in Assessments	
		As of 01/01/2023	As of 07/01/2022	As of 07/01/2023
Land:	1,238,800	1,238,800		
Improvements	637,500	658,900		
Total:	1,876,300	1,897,700	1,876,300	1,883,433
Preferential Land:	0	0		

Transfer Information

Seller: DOLESHAL GEORGE F	**Date:** 05/04/1978	**Price:** $275,000
Type: ARMS LENGTH IMPROVED	**Deed1:** /05881/ 00226	**Deed2:**
Seller:	**Date:**	**Price:**
Type:	**Deed1:**	**Deed2:**
Seller:	**Date:**	**Price:**
Type:	**Deed1:**	**Deed2:**

Exemption Information

Partial Exempt Assessments:	Class	07/01/2022	07/01/2023
County:	000	0.00	
State:	000	0.00	
Municipal:	000	0.00|0.00	0.00|0.00

Special Tax Recapture: None

Homestead Application Information

Homestead Application Status: No Application

Homeowners' Tax Credit Application Information

Homeowners' Tax Credit Application Status: No Application **Date:**

Real Property Data Search ( )
Search Result for BALTIMORE COUNTY

View Map **View GroundRent Redemption** **View GroundRent Registration**

Special Tax Recapture: None

Account Identifier: **District -** 09 **Account Number -** 0907583400

Owner Information

Owner Name:	MCCOMAS ASSOCIATES LLC	**Use:**	COMMERCIAL
		Principal Residence:	NO
Mailing Address:	6432 BALTIMORE NATIONAL PIKE BALTIMORE MD 21228-3903	**Deed Reference:**	/25114/ 00553

Location & Structure Information

Premises Address:	936 YORK RD 0-0000	**Legal Description:**	.60 AC 936 YORK RD 900 NW BOSLEY RD

Map:	Grid:	Parcel:	Neighborhood:	Subdivision:	Section:	Block:	Lot:	Assessment Year:	Plat No:
0070	0001	0578	20000.04	0000				2023	Plat Ref:

Town: None

Primary Structure Built	Above Grade Living Area	Finished Basement Area	Property Land Area	County Use
1956	7,946 SF		26,136 SF	06

Stories	Basement	Type	Exterior	Quality	Full/Half Bath	Garage	Last Notice of Major Improvements
		RESTAURANT	/	C3			

Value Information

	Base Value	Value	Phase-in Assessments	
		As of 01/01/2023	As of 07/01/2022	As of 07/01/2023
Land:	914,700	914,700		
Improvements	636,700	703,000		
Total:	1,551,400	1,617,700	1,551,400	1,573,500
Preferential Land:	0	0		

Transfer Information

Seller: MCCOMAS ASSOCIATES	**Date:** 01/24/2007	**Price:** $0
Type: NON-ARMS LENGTH OTHER	**Deed1:** /25114/ 00553	**Deed2:**
Seller: GREENSPRING REALTY INC	**Date:** 10/15/1992	**Price:** $890,000
Type: ARMS LENGTH IMPROVED	**Deed1:** /09409/ 00245	**Deed2:**
Seller:	**Date:**	**Price:**
Type:	**Deed1:**	**Deed2:**

Exemption Information

Partial Exempt Assessments:	Class	07/01/2022	07/01/2023
County:	000	0.00	
State:	000	0.00	
Municipal:	000	0.00|0.00	0.00|0.00

Special Tax Recapture: None

Homestead Application Information

Homestead Application Status: No Application

Homeowners' Tax Credit Application Information

Homeowners' Tax Credit Application Status: No Application **Date:**

Real Property Data Search ( )

Search Result for BALTIMORE COUNTY

View Map **View GroundRent Redemption** **View GroundRent Registration**

Special Tax Recapture: None

Account Identifier: **District -** 09 **Account Number -** 2500010422

Owner Information

Owner Name: 926/950/1004 INVESTMENTS LLC

Use: COMMERCIAL

Principal Residence: NO

Mailing Address: C/O FERDINAND H ONNEN
510 CHADWICK ROAD
LUTHERVILLE MD 21093-

Deed Reference:

Location & Structure Information

Premises Address: 950 YORK RD
TOWSON MD 21204-0000

Legal Description: 0.771 AC
950 YORK RD WS
PATIENT FIRST

Map:	Grid:	Parcel:	Neighborhood:	Subdivision:	Section:	Block:	Lot:	Assessment Year:	Plat No:	
0070	0001	0994	20000.04	9350			1	2023	Plat Ref:	79/ 350

Town: None

Primary Structure Built	Above Grade Living Area	Finished Basement Area	Property Land Area	County Use
2013	7,056 SF		33,573 SF	06

Stories	Basement	Type	Exterior	Quality	Full/Half Bath	Garage	Last Notice of Major Improvements
		MEDICAL OFFICE BUILDING	/	C4			

Value Information

	Base Value	Value	Phase-in Assessments	
		As of 01/01/2023	As of 07/01/2022	As of 07/01/2023
Land:	1,342,900	1,342,900		
Improvements	1,570,600	1,799,300		
Total:	2,913,500	3,142,200	2,913,500	2,989,733
Preferential Land:	0	0		

Transfer Information

Seller:	**Date:**	**Price:**
Type:	**Deed1:**	**Deed2:**
Seller:	**Date:**	**Price:**
Type:	**Deed1:**	**Deed2:**
Seller:	**Date:**	**Price:**
Type:	**Deed1:**	**Deed2:**

Exemption Information

Partial Exempt Assessments:	Class	07/01/2022	07/01/2023
County:	000	0.00	
State:	000	0.00	
Municipal:	000	0.00|0.00	0.00|0.00

Special Tax Recapture: None

Homestead Application Information

Homestead Application Status: No Application

Homeowners' Tax Credit Application Information

Homeowners' Tax Credit Application Status: No Application **Date:**

Real Property Data Search ( )

Search Result for BALTIMORE COUNTY

View Map **View GroundRent Redemption** **View GroundRent Registration**

Special Tax Recapture: None

Account Identifier: **District -** 09 **Account Number -** 0911352661

Owner Information

Owner Name:	AUTUMN YORK LLC	**Use:**	COMMERCIAL
		Principal Residence:	NO
Mailing Address:	STE 200 8 PARK CENTER COURT OWINGS MILLS MD 21117-	**Deed Reference:**	/47089/ 00270

Location & Structure Information

Premises Address:	1000 YORK RD TOWSON 21204-	**Legal Description:**	LT WS YORK RD 1000 YORK RD NW COR GERALD AVE

Map:	Grid:	Parcel:	Neighborhood:	Subdivision:	Section:	Block:	Lot:	Assessment Year:	Plat No:
0070	0001	0579	20000.04	0000				2023	Plat Ref:

Town: None

Primary Structure Built	Above Grade Living Area	Finished Basement Area	Property Land Area	County Use
1960	5,060 SF		15,019 SF	26

Stories	Basement	Type	Exterior	Quality	Full/Half Bath	Garage	Last Notice of Major Improvements
		AUTO CENTER	/	C4			

Value Information

	Base Value	Value	Phase-in Assessments	
		As of 01/01/2023	As of 07/01/2022	As of 07/01/2023
Land:	525,600	525,600		
Improvements	222,200	446,400		
Total:	747,800	972,000	747,800	822,533
Preferential Land:	0	0		

Transfer Information

Seller: KIMMEL REALTY COMPANY LIMITED	**Date:** 06/27/2022	**Price:** $985,000
Type: ARMS LENGTH IMPROVED	**Deed1:** /47089/ 00270	**Deed2:**
Seller: KIMMEL REALTY COMPANY	**Date:** 06/30/1998	**Price:** $0
Type: NON-ARMS LENGTH OTHER	**Deed1:** /12987/ 00715	**Deed2:**
Seller: KIMMEL REALTY CO MPANY	**Date:** 01/12/1988	**Price:** $0
Type: NON-ARMS LENGTH OTHER	**Deed1:** /07766/ 00399	**Deed2:**

Exemption Information

Partial Exempt Assessments:	Class	07/01/2022	07/01/2023
County:	000	0.00	
State:	000	0.00	
Municipal:	000	0.00|0.00	0.00|0.00

Special Tax Recapture: None

Homestead Application Information

Homestead Application Status: No Application

Homeowners' Tax Credit Application Information

Homeowners' Tax Credit Application Status: No Application **Date:**

Real Property Data Search ( )

Search Result for BALTIMORE COUNTY

View Map **View GroundRent Redemption** **View GroundRent Registration**

Special Tax Recapture: None

Account Identifier: **District -** 09 **Account Number -** 0902855750

Owner Information

Owner Name:	1004 YORK ROAD LLC	**Use:**	COMMERCIAL
		Principal Residence:	NO
Mailing Address:	11275 REISTERSTOWN RD OWINGS MILLS MD 21117-	**Deed Reference:**	/37339/ 00179

Location & Structure Information

Premises Address:	1004 YORK RD TOWSON 21204-	**Legal Description:**	1004 YORK RD WS 950 S WEST RD

Map:	Grid:	Parcel:	Neighborhood:	Subdivision:	Section:	Block:	Lot:	Assessment Year:	Plat No:
0070	0001	0185	20000.04	0000				2023	Plat Ref:

Town: None

Primary Structure Built	Above Grade Living Area	Finished Basement Area	Property Land Area	County Use
			11,000 SF	06

Stories	Basement	Type	Exterior	Quality	Full/Half Bath	Garage	Last Notice of Major Improvements
			/				

Value Information

	Base Value	Value	Phase-in Assessments	
		As of 01/01/2023	As of 07/01/2022	As of 07/01/2023
Land:	330,000	330,000		
Improvements	20,700	9,400		
Total:	350,700	339,400	350,700	339,400
Preferential Land:	0	0		

Transfer Information

Seller: 926/950/1004 INVESTMENTS LLC	**Date:** 03/30/2016	**Price:** $350,000
Type: ARMS LENGTH IMPROVED	**Deed1:** /37339/ 00179	**Deed2:**
Seller: ONNEN CORINNE D	**Date:** 05/29/2008	**Price:** $0
Type: NON-ARMS LENGTH OTHER	**Deed1:** /27037/ 00155	**Deed2:**
Seller: ONNEN FERDINAND H,JR	**Date:** 04/25/2007	**Price:** $0
Type: NON-ARMS LENGTH OTHER	**Deed1:** /25543/ 00557	**Deed2:**

Exemption Information

Partial Exempt Assessments:	**Class**	07/01/2022	07/01/2023
County:	000	0.00	
State:	000	0.00	
Municipal:	000	0.00|0.00	0.00|0.00

Special Tax Recapture: None

Homestead Application Information

Homestead Application Status: No Application

Homeowners' Tax Credit Application Information

Homeowners' Tax Credit Application Status: No Application **Date:**

Real Property Data Search ( )

Search Result for BALTIMORE COUNTY

View Map **View GroundRent Redemption** **View GroundRent Registration**

Special Tax Recapture: None

Account Identifier: **District -** 09 **Account Number -** 0912400821

Owner Information

Owner Name:	COVAHEY EDWARD C JR LINDEMON ALEXANDRA C ET AL TRSTES	**Use:** **Principal Residence:**	COMMERCIAL NO
Mailing Address:	614 BOSLEY AVE TOWSON MD 21204-4029	**Deed Reference:**	/27073/ 00562

Location & Structure Information

Premises Address:	1006 YORK RD 0-0000	**Legal Description:**	LT WS YORK RD 250 NW FAIRMOUNT AVE

Map:	Grid:	Parcel:	Neighborhood:	Subdivision:	Section:	Block:	Lot:	Assessment Year:	Plat No:
0070	0001	0993	20000.04	0000				2023	Plat Ref:

Town: None

Primary Structure Built	Above Grade Living Area	Finished Basement Area	Property Land Area	County Use
1969	6,000 SF		17,211 SF	06

Stories	Basement	Type	Exterior	Quality	Full/Half Bath	Garage	Last Notice of Major Improvements
		RETAIL STORE	/	C3			

Value Information

	Base Value	Value	Phase-in Assessments	
		As of 01/01/2023	As of 07/01/2022	As of 07/01/2023
Land:	512,000	512,000		
Improvements	104,600	122,000		
Total:	616,600	634,000	616,600	622,400
Preferential Land:	0	0		

Transfer Information

Seller: LINDEMON EMMA H (DEC)	**Date:** 06/10/2008	**Price:** $0
Type: NON-ARMS LENGTH OTHER	**Deed1:** /27073/ 00562	**Deed2:**
Seller:	**Date:**	**Price:**
Type:	**Deed1:**	**Deed2:**
Seller:	**Date:**	**Price:**
Type:	**Deed1:**	**Deed2:**

Exemption Information

Partial Exempt Assessments:	Class	07/01/2022	07/01/2023
County:	000	0.00	
State:	000	0.00	
Municipal:	000	0.00|0.00	0.00|0.00

Special Tax Recapture: None

Homestead Application Information

Homestead Application Status: No Application

Homeowners' Tax Credit Application Information

Homeowners' Tax Credit Application Status: No Application **Date:**

Real Property Data Search ( )
Search Result for BALTIMORE COUNTY

View Map **View GroundRent Redemption** **View GroundRent Registration**

Special Tax Recapture: None

Account Identifier: **District -** 09 **Account Number -** 0912400820

Owner Information

Owner Name:	COVAHEY EDWARD C JR LINDEMON ALEXANDRA C ET AL TRSTES	**Use:** **Principal Residence:**	COMMERCIAL NO
Mailing Address:	614 BOSLEY AVE TOWSON MD 21204-4029	**Deed Reference:**	/27073/ 00562

Location & Structure Information

Premises Address:	1012 YORK RD 0-0000	**Legal Description:**	1012 YORK WS 500 S OF WEST RD

Map:	Grid:	Parcel:	Neighborhood:	Subdivision:	Section:	Block:	Lot:	Assessment Year:	Plat No:
0070	0001	0398	20000.04	0000				2023	Plat Ref:

Town: None

Primary Structure Built	Above Grade Living Area	Finished Basement Area	Property Land Area	County Use
1956	9,000 SF		31,050 SF	06

Stories	Basement	Type	Exterior	Quality	Full/Half Bath	Garage	Last Notice of Major Improvements
		RETAIL STORE	/	C3			

Value Information

	Base Value	Value	Phase-in Assessments	
		As of 01/01/2023	As of 07/01/2022	As of 07/01/2023
Land:	923,700	923,700		
Improvements	315,000	284,900		
Total:	1,238,700	1,208,600	1,238,700	1,208,600
Preferential Land:	0	0		

Transfer Information

Seller: LINDEMON EMMA H (DEC)	**Date:** 06/10/2008	**Price:** $0
Type: NON-ARMS LENGTH OTHER	**Deed1:** /27073/ 00562	**Deed2:**
Seller:	**Date:**	**Price:**
Type:	**Deed1:**	**Deed2:**
Seller:	**Date:**	**Price:**
Type:	**Deed1:**	**Deed2:**

Exemption Information

Partial Exempt Assessments:	Class	07/01/2022	07/01/2023
County:	000	0.00	
State:	000	0.00	
Municipal:	000	0.00|0.00	0.00|0.00

Special Tax Recapture: None

Homestead Application Information

Homestead Application Status: No Application

Homeowners' Tax Credit Application Information

Homeowners' Tax Credit Application Status: No Application **Date:**

Real Property Data Search ( )
Search Result for BALTIMORE COUNTY

View Map **View GroundRent Redemption** **View GroundRent Registration**

Special Tax Recapture: None

Account Identifier: **District -** 09 **Account Number -** 0903475510

Owner Information

Owner Name: COUSINS LEMMERT MILLER II
Use: COMMERCIAL
Principal Residence: NO
Mailing Address: MIDAS REALTY CORP/M F POER CO
PO BOX 52427
ATLANTA GA 30355-
Deed Reference: /31119/ 00122

Location & Structure Information

Premises Address: 1014 YORK RD
0-0000
Legal Description: .28 AC SWS YORK RD
1014 YORK RD
580 SE WEST RD

Map:	Grid:	Parcel:	Neighborhood:	Subdivision:	Section:	Block:	Lot:	Assessment Year:	Plat No:
0070	0001	0186	20000.04	0000				2023	Plat Ref:

Town: None

Primary Structure Built	Above Grade Living Area	Finished Basement Area	Property Land Area	County Use
1972	3,690 SF		12,005 SF	06

Stories	Basement	Type	Exterior	Quality	Full/Half Bath	Garage	Last Notice of Major Improvements
		SERVICE GARAGE	/	C3			

Value Information

	Base Value	Value	Phase-in Assessments	
		As of 01/01/2023	As of 07/01/2022	As of 07/01/2023
Land:	420,100	420,100		
Improvements	89,300	82,400		
Total:	509,400	502,500	509,400	502,500
Preferential Land:	0	0		

Transfer Information

Seller: COUSINS MARTHA C **Date:** 08/22/2011 **Price:** $0
Type: NON-ARMS LENGTH OTHER **Deed1:** /31119/ 00122 **Deed2:**

Seller: COUSINS LEMMERT MILLER 2ND **Date:** 08/01/2011 **Price:** $0
Type: NON-ARMS LENGTH OTHER **Deed1:** /31051/ 00397 **Deed2:**

Seller: COUSINS, ANNA B **Date:** 11/15/2010 **Price:** $0
Type: NON-ARMS LENGTH OTHER **Deed1:** /30130/ 00206 **Deed2:**

Exemption Information

Partial Exempt Assessments:	Class	07/01/2022	07/01/2023
County:	000	0.00	
State:	000	0.00	
Municipal:	000	0.00|0.00	0.00|0.00

Special Tax Recapture: None

Homestead Application Information

Homestead Application Status: No Application

Homeowners' Tax Credit Application Information

Homeowners' Tax Credit Application Status: No Application **Date:**

Real Property Data Search ( )

Search Result for BALTIMORE COUNTY

View Map **View GroundRent Redemption** **View GroundRent Registration**

Special Tax Recapture: None

Account Identifier: **District -** 09 **Account Number -** 0919000691

Owner Information

Owner Name:	BERGER GLENN G BERGER WAYNE G	**Use:** **Principal Residence:**	COMMERCIAL NO
Mailing Address:	APT 1307 111 HAMLET HILL RD BALTIMORE MD 21210-1516	**Deed Reference:**	/46511/ 00190

Location & Structure Information

Premises Address:	1020 YORK RD TOWSON 21204-	**Legal Description:**	LOT WS YORK ROAD AND IMPROVEMENTS 3960 S SEMINARY AVE

Map:	Grid:	Parcel:	Neighborhood:	Subdivision:	Section:	Block:	Lot:	Assessment Year:	Plat No:
0070	0001	0595	20000.04	0000				2023	Plat Ref:

Town: None

Primary Structure Built	Above Grade Living Area	Finished Basement Area	Property Land Area	County Use
1950	6,000 SF		22,225 SF	06

StoriesBasementType	ExteriorQuality	Full/Half Bath	Garage	Last Notice of Major Improvements
OFFICE BUILDING/	C2			

Value Information

	Base Value	Value	Phase-in Assessments	
		As of 01/01/2023	As of 07/01/2022	As of 07/01/2023
Land:	777,800	777,800		
Improvements	13,500	13,500		
Total:	791,300	791,300	791,300	791,300
Preferential Land:	0	0		

Transfer Information

Seller: BERGER GLENN G TRUSTEE	**Date:** 03/07/2022	**Price:** $0
Type: NON-ARMS LENGTH OTHER	**Deed1:** /46511/ 00190	**Deed2:**
Seller: BERGER GLENN GORDON	**Date:** 03/07/2022	**Price:** $0
Type: NON-ARMS LENGTH OTHER	**Deed1:** /46511/ 00185	**Deed2:**
Seller: BERGER TILLIE	**Date:** 12/30/2021	**Price:** $0
Type: NON-ARMS LENGTH OTHER	**Deed1:** /46122/ 00253	**Deed2:**

Exemption Information

Partial Exempt Assessments:	**Class**	07/01/2022	07/01/2023
County:	000	0.00	
State:	000	0.00	
Municipal:	000	0.00|0.00	0.00|0.00

Special Tax Recapture: None

Homestead Application Information

Homestead Application Status: No Application

Homeowners' Tax Credit Application Information

Homeowners' Tax Credit Application Status: No Application **Date:**

Real Property Data Search ( )
Search Result for BALTIMORE COUNTY

View Map **View GroundRent Redemption** **View GroundRent Registration**

Special Tax Recapture: None

Account Identifier: **District -** 09 **Account Number -** 0919000690

Owner Information

Owner Name:	BERGER GLENN G BERGER WAYNE G	**Use:** **Principal Residence:**	COMMERCIAL NO
Mailing Address:	UNIT 1307 111 HAMLET HILL RD BALTIMORE MD 21210-1516	**Deed Reference:**	/46511/ 00190

Location & Structure Information

Premises Address:	1022 YORK RD 0-0000	**Legal Description:**	LT WS YORK RD 3960 S SEMINARY AV

Map:	Grid:	Parcel:	Neighborhood:	Subdivision:	Section:	Block:	Lot:	Assessment Year:	Plat No:
0070	0001	0595	20000.04	0000				2023	Plat Ref:

Town: None

Primary Structure Built	Above Grade Living Area	Finished Basement Area	Property Land Area	County Use
			5,589 SF	06

Stories	Basement	Type	Exterior	Quality	Full/Half Bath	Garage	Last Notice of Major Improvements
			/				

Value Information

	Base Value	Value	Phase-in Assessments	
		As of 01/01/2023	As of 07/01/2022	As of 07/01/2023
Land:	195,600	195,600		
Improvements	0	0		
Total:	195,600	195,600	195,600	195,600
Preferential Land:	0	0		

Transfer Information

Seller: BERGER GLENN G TRUSTEE	**Date:** 03/07/2022	**Price:** $0
Type: NON-ARMS LENGTH OTHER	**Deed1:** /46511/ 00190	**Deed2:**
Seller: BERGER GLENN G	**Date:** 03/07/2022	**Price:** $0
Type: NON-ARMS LENGTH OTHER	**Deed1:** /46511/ 00185	**Deed2:**
Seller: BERGER TILLIE	**Date:** 12/30/2021	**Price:** $0
Type: NON-ARMS LENGTH OTHER	**Deed1:** /46122/ 00253	**Deed2:**

Exemption Information

Partial Exempt Assessments:	**Class**	07/01/2022	07/01/2023
County:	000	0.00	
State:	000	0.00	
Municipal:	000	0.00|0.00	0.00|0.00

Special Tax Recapture: None

Homestead Application Information

Homestead Application Status: No Application

Homeowners' Tax Credit Application Information

Homeowners' Tax Credit Application Status: No Application **Date:**

Real Property Data Search ( )
Search Result for BALTIMORE COUNTY

View Map **View GroundRent Redemption** **View GroundRent Registration**

Special Tax Recapture: None

Account Identifier: **District -** 09 **Account Number -** 0919001830

Owner Information

Owner Name: BERGER GLENN G
BERGER WAYNE G
Use: COMMERCIAL
Principal Residence: NO
Mailing Address: APT 1307
111 HAMLET HILL RD
BALTIMORE MD 21210-1516
Deed Reference: /46511/ 00190

Location & Structure Information

Premises Address: 1024 YORK RD
TOWSON 21204-
Legal Description: LT WS YORK RD
3960 S SEMINARY AVE

Map:	Grid:	Parcel:	Neighborhood:	Subdivision:	Section:	Block:	Lot:	Assessment Year:	Plat No:
0070	0001	0991	20000.04	0000				2023	Plat Ref:

Town: None

Primary Structure Built	Above Grade Living Area	Finished Basement Area	Property Land Area	County Use
1960	4,350 SF		6,600 SF	06

Stories	Basement	Type	Exterior	Quality	Full/Half Bath	Garage	Last Notice of Major Improvements
		OFFICE BUILDING	/	C2			

Value Information

	Base Value	Value	Phase-in Assessments	
		As of 01/01/2023	As of 07/01/2022	As of 07/01/2023
Land:	231,000	231,000		
Improvements	147,100	147,100		
Total:	378,100	378,100	378,100	378,100
Preferential Land:	0	0		

Transfer Information

Seller: BERGER GLENN G TRUSTEE **Date:** 03/07/2022 **Price:** $0
Type: NON-ARMS LENGTH OTHER **Deed1:** /46511/ 00190 **Deed2:**

Seller: BERGER GLENN GORDON **Date:** 03/07/2022 **Price:** $0
Type: NON-ARMS LENGTH OTHER **Deed1:** /46511/ 00185 **Deed2:**

Seller: BERGER TILLIE **Date:** 12/30/2021 **Price:** $0
Type: NON-ARMS LENGTH OTHER **Deed1:** /46122/ 00253 **Deed2:**

Exemption Information

Partial Exempt Assessments:	Class	07/01/2022	07/01/2023
County:	000	0.00	
State:	000	0.00	
Municipal:	000	0.00|0.00	0.00|0.00

Special Tax Recapture: None

Homestead Application Information

Homestead Application Status: No Application

Homeowners' Tax Credit Application Information

Homeowners' Tax Credit Application Status: No Application **Date:**

Real Property Data Search ( )
Search Result for BALTIMORE COUNTY

View Map **View GroundRent Redemption** **View GroundRent Registration**

Special Tax Recapture: None

Account Identifier: **District -** 09 **Account Number -** 0908300661

Owner Information

Owner Name:	DLL LLC	**Use:**	COMMERCIAL
		Principal Residence:	NO
Mailing Address:	1028 YORK RD BALTIMORE MD 21204-2515	**Deed Reference:**	/15214/ 00461

Location & Structure Information

Premises Address:	1026 YORK RD 0-0000	**Legal Description:**	LT WS YORK RD & IMP 1026 YORK RD 3960 S OF SEMINARY AV

Map:	Grid:	Parcel:	Neighborhood:	Subdivision:	Section:	Block:	Lot:	Assessment Year:	Plat No:
0070	0001	0345	20000.04	0000				2023	Plat Ref:

Town: None

Primary Structure Built	Above Grade Living Area	Finished Basement Area	Property Land Area	County Use
1988	1,500 SF		7,276 SF	06

Stories	Basement	Type	Exterior	Quality	Full/Half Bath	Garage	Last Notice of Major Improvements
		STORAGE GARAGE	/	C3			

Value Information

	Base Value	Value	Phase-in Assessments	
		As of 01/01/2023	As of 07/01/2022	As of 07/01/2023
Land:	254,600	254,600		
Improvements	66,600	66,300		
Total:	321,200	320,900	321,200	320,900
Preferential Land:	0	0		

Transfer Information

Seller: QUIGG TIMOTHY R	**Date:** 05/18/2001	**Price:** $637,500
Type: ARMS LENGTH MULTIPLE	**Deed1:** /15214/ 00461	**Deed2:**
Seller: HECKER AILEEN	**Date:** 06/30/1978	**Price:** $0
Type: NON-ARMS LENGTH OTHER	**Deed1:** /05905/ 00367	**Deed2:**
Seller:	**Date:**	**Price:**
Type:	**Deed1:**	**Deed2:**

Exemption Information

Partial Exempt Assessments:	Class	07/01/2022	07/01/2023
County:	000	0.00	
State:	000	0.00	
Municipal:	000	0.00|0.00	0.00|0.00

Special Tax Recapture: None

Homestead Application Information

Homestead Application Status: No Application

Homeowners' Tax Credit Application Information

Homeowners' Tax Credit Application Status: No Application **Date:**

Real Property Data Search ( )
Search Result for BALTIMORE COUNTY

View Map **View GroundRent Redemption** **View GroundRent Registration**

Special Tax Recapture: None

Account Identifier: **District -** 09 **Account Number -** 0908300662

Owner Information

Owner Name:	DLL LLC	**Use:**	COMMERCIAL
		Principal Residence:	NO
Mailing Address:	1028 YORK RD BALTIMORE MD 21204-2515	**Deed Reference:**	/15214/ 00461

Location & Structure Information

Premises Address:	1028 YORK RD 0-0000	**Legal Description:**	LT SWS YORK RD 1028 YORK RD 319 S OF WEST RD

Map:	Grid:	Parcel:	Neighborhood:	Subdivision:	Section:	Block:	Lot:	Assessment Year:	Plat No:
0070	0001	0467	20000.04	0000				2023	Plat Ref:

Town: None

Primary Structure Built	Above Grade Living Area	Finished Basement Area	Property Land Area	County Use
1953	2,400 SF		11,274 SF	06

Stories	Basement	Type	Exterior	Quality	Full/Half Bath	Garage	Last Notice of Major Improvements
		VETERNARIAN HOSPITAL	/	C3			

Value Information

	Base Value	Value	Phase-in Assessments	
		As of 01/01/2023	As of 07/01/2022	As of 07/01/2023
Land:	394,500	394,500		
Improvements	208,300	204,700		
Total:	602,800	599,200	602,800	599,200
Preferential Land:	0	0		

Transfer Information

Seller: QUIGG TIMOTHY R	**Date:** 05/18/2001	**Price:** $637,500
Type: ARMS LENGTH MULTIPLE	**Deed1:** /15214/ 00461	**Deed2:**
Seller: HECKER AILEEN	**Date:** 06/30/1978	**Price:** $0
Type: NON-ARMS LENGTH OTHER	**Deed1:** /05905/ 00367	**Deed2:**
Seller:	**Date:**	**Price:**
Type:	**Deed1:**	**Deed2:**

Exemption Information

Partial Exempt Assessments:	Class	07/01/2022	07/01/2023
County:	000	0.00	
State:	000	0.00	
Municipal:	000	0.00|0.00	0.00|0.00

Special Tax Recapture: None

Homestead Application Information

Homestead Application Status: No Application

Homeowners' Tax Credit Application Information

Homeowners' Tax Credit Application Status: No Application **Date:**

Real Property Data Search ( )
Search Result for BALTIMORE COUNTY

View Map **View GroundRent Redemption** **View GroundRent Registration**

Special Tax Recapture: None

Account Identifier: **District -** 09 **Account Number -** 0902850760

Owner Information

Owner Name:	ARMINCO PRACTICES LLC	**Use:**	COMMERCIAL
		Principal Residence:	NO
Mailing Address:	45665 LAKESIDE DR STERLING VA 20165-	**Deed Reference:**	/47511/ 00172

Location & Structure Information

Premises Address:	1030 YORK RD 0-0000	**Legal Description:**	PT LT 6 1030 YORK RD WS GUY CAMPBELL PL

Map:	Grid:	Parcel:	Neighborhood:	Subdivision:	Section:	Block:	Lot:	Assessment Year:	Plat No:	
0070	0001	0467	20000.04	0000				2023	**Plat Ref:**	0013/ 0006

Town: None

Primary Structure Built	Above Grade Living Area	Finished Basement Area	Property Land Area	County Use
1955	3,200 SF		11,718 SF	06

Stories	Basement	Type	Exterior	Quality	Full/Half Bath	Garage	Last Notice of Major Improvements
		VETERNARIAN HOSPITAL	/	C3			

Value Information

	Base Value	Value	Phase-in Assessments	
		As of 01/01/2023	As of 07/01/2022	As of 07/01/2023
Land:	410,100	410,100		
Improvements	308,200	282,700		
Total:	718,300	692,800	718,300	692,800
Preferential Land:	0	0		

Transfer Information

Seller: 1030 YORK ROAD LLC	**Date:** 11/04/2022	**Price:** $1,035,000
Type: ARMS LENGTH MULTIPLE	**Deed1:** /47511/ 00172	**Deed2:**
Seller: ARMSTRONG JOHN S	**Date:** 09/23/2019	**Price:** $0
Type: NON-ARMS LENGTH OTHER	**Deed1:** /41890/ 00314	**Deed2:**
Seller: ARMSTRONG JOHN S	**Date:** 10/06/1993	**Price:** $0
Type: NON-ARMS LENGTH OTHER	**Deed1:** /10057/ 00431	**Deed2:**

Exemption Information

Partial Exempt Assessments:	**Class**	07/01/2022	07/01/2023
County:	000	0.00	
State:	000	0.00	
Municipal:	000	0.00|0.00	0.00|0.00

Special Tax Recapture: None

Homestead Application Information

Homestead Application Status: No Application

Homeowners' Tax Credit Application Information

Homeowners' Tax Credit Application Status: No Application **Date:**

Real Property Data Search ( )
Search Result for BALTIMORE COUNTY

View Map **View GroundRent Redemption** **View GroundRent Registration**

Special Tax Recapture: None

Account Identifier: **District -** 09 **Account Number -** 2500005128

Owner Information

Owner Name:	PGA PARTNERSHIP LLC	**Use:**	COMMERCIAL
		Principal Residence:	NO
Mailing Address:	11275 REISTERSTOWN RD OWINGS MILLS MD 21117-1906	**Deed Reference:**	

Location & Structure Information

Premises Address:	1040 YORK RD TOWSON MD 21204-2515	**Legal Description:**	4.995 AC 1040 YORK RD WS YORK AND WEST

Map:	Grid:	Parcel:	Neighborhood:	Subdivision:	Section:	Block:	Lot:	Assessment Year:	Plat No:	
0070	0001	1127	20000.04	0000			1	2023	**Plat Ref:**	0078/ 0442

Town: None

Primary Structure Built	Above Grade Living Area	Finished Basement Area	Property Land Area	County Use
2004	46,428 SF		5.0000 AC	06

Stories	Basement	Type	Exterior	Quality	Full/Half Bath	Garage	Last Notice of Major Improvements
		COMPLETE AUTOMOBILE DEALERSHIP	/	C4			

Value Information

	Base Value	Value	Phase-in Assessments	
		As of 01/01/2023	As of 07/01/2022	As of 07/01/2023
Land:	5,000,000	5,000,000		
Improvements	5,200,000	6,623,400		
Total:	10,200,000	11,623,400	10,200,000	10,674,467
Preferential Land:	0	0		

Transfer Information

Seller:	**Date:**	**Price:**
Type:	**Deed1:**	**Deed2:**
Seller:	**Date:**	**Price:**
Type:	**Deed1:**	**Deed2:**
Seller:	**Date:**	**Price:**
Type:	**Deed1:**	**Deed2:**

Exemption Information

Partial Exempt Assessments:	**Class**	07/01/2022	07/01/2023
County:	000	0.00	
State:	000	0.00	
Municipal:	000	0.00|0.00	0.00|0.00

Special Tax Recapture: None

Homestead Application Information

Homestead Application Status: No Application

Homeowners' Tax Credit Application Information

Homeowners' Tax Credit Application Status: No Application **Date:**

Real Property Data Search ( )
Search Result for BALTIMORE COUNTY

View Map **View GroundRent Redemption** **View GroundRent Registration**

Special Tax Recapture: None

Account Identifier: **District -** 09 **Account Number -** 0902206931

Owner Information

Owner Name:	LEONARD J RUCK INC	**Use:**	COMMERCIAL
		Principal Residence:	NO
Mailing Address:	5309 HARFORD RD BALTIMORE MD 21214	**Deed Reference:**	/09433/ 00505

Location & Structure Information

Premises Address:	1050 YORK RD 0-0000	**Legal Description:**	2.68 AC WS YORK RD NW COR WEST RD

Map:	Grid:	Parcel:	Neighborhood:	Subdivision:	Section:	Block:	Lot:	Assessment Year:	Plat No:
0070	0001	0676	20000.04	0000				2023	Plat Ref:

Town: None

Primary Structure Built	Above Grade Living Area	Finished Basement Area	Property Land Area	County Use
1957	15,684 SF		116,740 SF	25

Stories	Basement	Type	Exterior	Quality	Full/Half Bath	Garage	Last Notice of Major Improvements
		MORTUARY	/	C4			

Value Information

	Base Value	Value	Phase-in Assessments	
		As of 01/01/2023	As of 07/01/2022	As of 07/01/2023
Land:	1,546,000	1,546,000		
Improvements	1,101,800	1,088,500		
Total:	2,647,800	2,634,500	2,647,800	2,634,500
Preferential Land:	0	0		

Transfer Information

Seller: BERMAN ALLEN L	**Date:** 11/02/1978	**Price:** $1,394,000
Type: ARMS LENGTH IMPROVED	**Deed1:** /09433/ 00505	**Deed2:**
Seller:	**Date:**	**Price:**
Type:	**Deed1:**	**Deed2:**
Seller:	**Date:**	**Price:**
Type:	**Deed1:**	**Deed2:**

Exemption Information

Partial Exempt Assessments:	Class	07/01/2022	07/01/2023
County:	000	0.00	
State:	000	0.00	
Municipal:	000	0.00|0.00	0.00|0.00

Special Tax Recapture: None

Homestead Application Information

Homestead Application Status: No Application

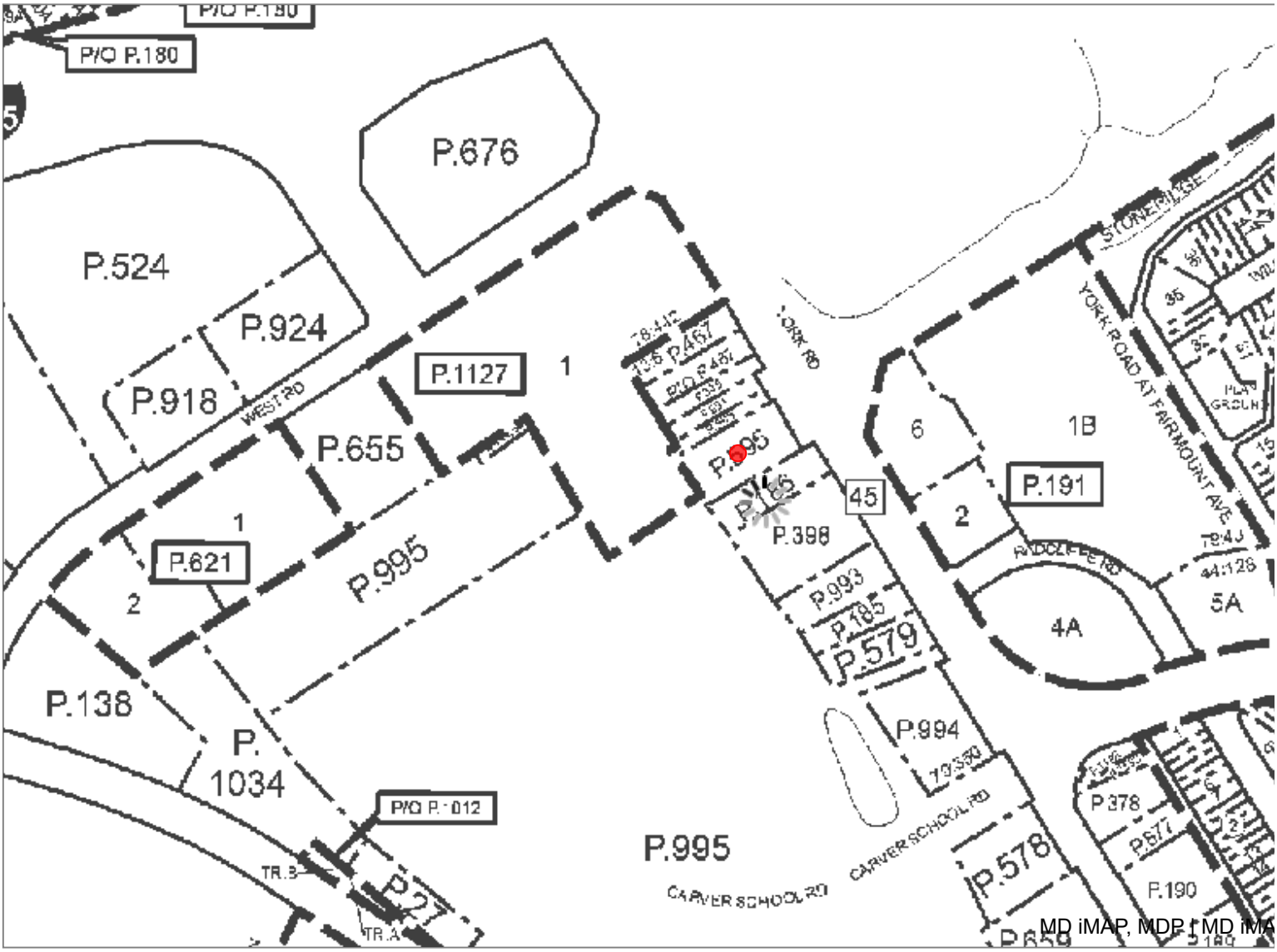
Homeowners' Tax Credit Application Information

Homeowners' Tax Credit Application Status: No Application **Date:**

Baltimore County

New Search (https://sdat.dat.maryland.gov/RealProperty)

District: 09 Account Number: 0919000691



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)**.

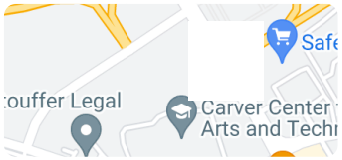
Property maps provided courtesy of the Maryland Department of Planning.

For more information on electronic mapping applications, visit the Maryland Department of Planning web site at **http://planning.maryland.gov/Pages/OurProducts/OurProducts.aspx (http://planning.maryland.gov/Pages/OurProducts/OurProducts.aspx)**.

Google Maps 1020 MD-45



Image capture: Aug 2022 © 2023 Google



PC Exh. 5

Google Maps 1026 MD-45

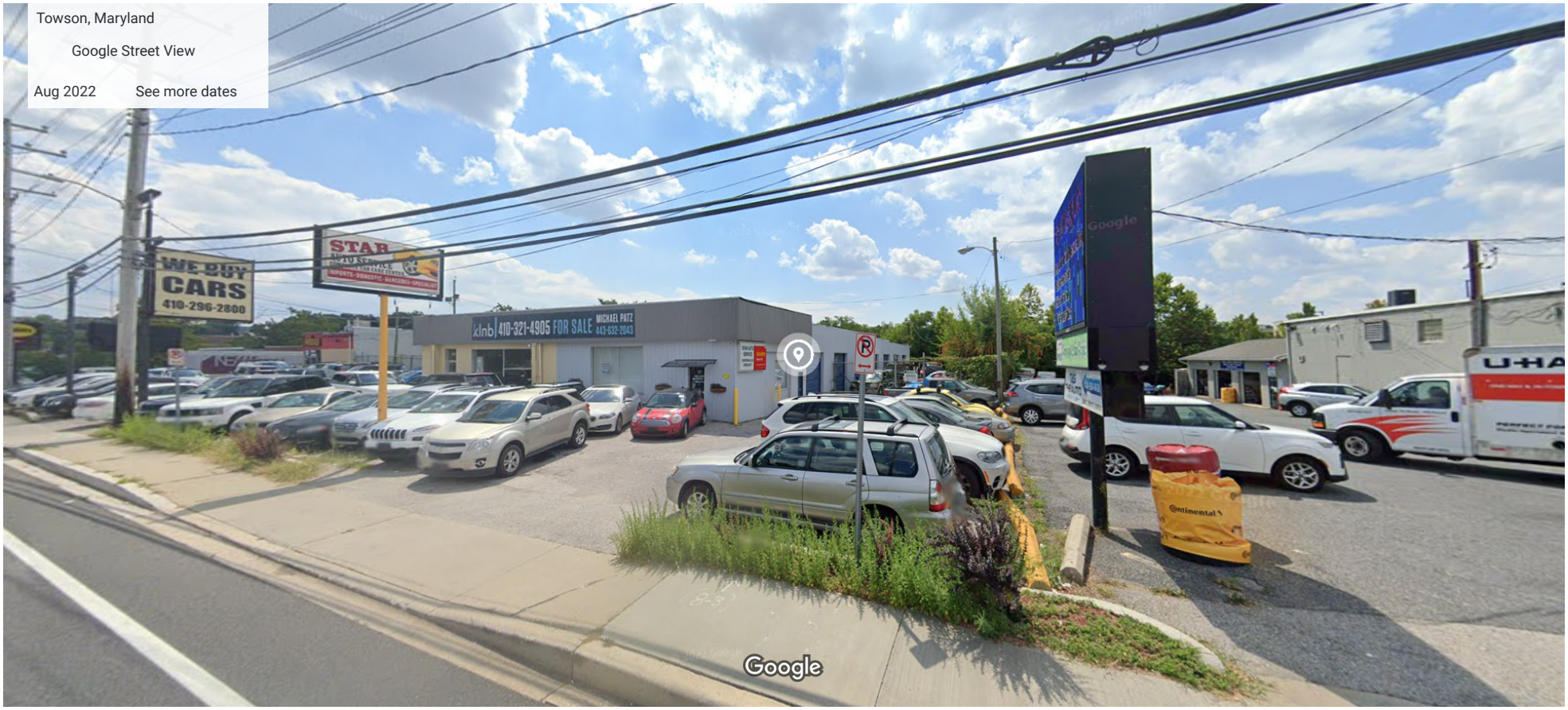
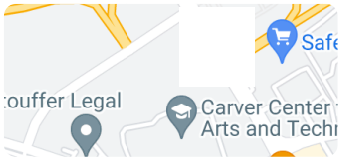


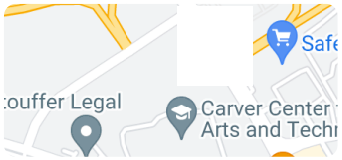
Image capture: Aug 2022 © 2023 Google



Google Maps 1026 York Rd



Image capture: Aug 2022 © 2023 Google



BALTIMORE COUNTY, MARYLAND
INTER-OFFICE MEMORANDUM

RECEIVED DEC 29 2022

TO: C. Pete Gutwald
Director, Department of Permits, Approvals and Inspections

DATE: 12/13/2022

FROM: Steve Lafferty
Director, Department of Planning

SUBJECT: **ZONING ADVISORY COMMITTEE COMMENTS**
Case Number: 2022-291-XA

INFORMATION:

Property Address:	1020, 1022, and 1024 York Road, Towson
Petitioner:	Glenn G. Berger and Wayne G. Berger
Zoning:	BR
Requested Action:	Special Exception and Variance

The Department of Planning has reviewed the petition for:

Special Exception:

1. For a full-service car wash, pursuant to Section 236.2 of the BCZR;

Variance:

2. From BCZR Section 419.3.A to allow the required number of stacking spaces for the full-service car wash to be configured in a different pattern than single-file at the entrance to the tunnel;
3. From BCZR Section 238.2 to allow a side yard setback of 6 feet for a commercial building in lieu of the required 30 feet;
4. From BCZR Section 419.4.B.2 to allow a landscape transition area width in the rear yard to be a minimum of 2 feet abutting non-residentially zoned land in lieu of the required 6 feet, and to allow a landscape transition area width a minimum of 12 feet in lieu of the required 15 feet within 50 feet of a residentially zoned property; and
5. From BCZR Section 419.4.B.1 to allow a car wash tunnel entrance to face an adjacent residentially zoned property.

The subject site, which is approximately 0.8 acres zoned BR, is composed of three parcels and is currently a Star Auto Service used car sales business. The use and setbacks were approved in Zoning Case 1994-321-XA. The surrounding uses on York Road are commercial, including a Midas Tires and Auto Service and a Goodwill to the south and an auto rental, animal hospital, and Lexus dealership to the north. Behind the site is parking for the Lexus dealership and a Baltimore County Publics Schools high school, Carver Center for Arts and Technology.

This portion of York Road leads to the gateway or entrance to downtown Towson, and is heavily traveled and congested. North and southbound lanes of this portion of York Road are separated by a concrete median from Fairmount Avenue to West Road, with one break just north of 1030 York Road. There is a

695 northbound off ramp on West Road, north of the subject site. York and West Road is a C-level intersection, and York and Fairmount is a D-level intersection.

The site is within the boundaries of the Towson Commercial Revitalization District, the Towson Community Plan, the Kenilworth Drive Corridor Plan, and the Eastern Baltimore County Pedestrian and Bicycle Access Plan. Relevant guidance from the Towson Community Plan advises to "simplify and clean up commercial buildings and site signs", "construct uniform, moderately scaled buildings", "orient building fronts to the streets", and "locate building fronts up against streetscapes" (York Road North, page 46).

The Department of Planning opposes the Special Exception request for a full-service car wash, pursuant to Section 236.2 of the BCZR. Section 502.1.B of the BCZR indicates that before any special exception may be granted, it must appear that the use for which the special exception is requested will not "[t]end to create congestion in roads, streets or alleys therein." When considering the anticipated increasing traffic and the overflow it could cause onto York Road, the Department of Planning opposes the request.

Should the Special Exception be granted, the Department of Planning requests that sign 3 on the signage plan, the Canton Car Wash pylon sign, be a monument style sign to better fit with the surrounding commercial site on York Road.

Should the Special Exception be granted, the Department of Planning has no objections to the Variance from BCZR Section 419.3.A to allow the required number of stacking spaces for the full-service car wash to be configured in a different pattern than single-file at the entrance to the tunnel. The irregular stacking may decrease the possibility of traffic overflowing onto York Road from the subject site.

Should the Special Exception be granted, the Department of Planning has no objections to the Variance from BCZR Section 238.2 to allow a side yard setback of 6 feet for a commercial building in lieu of the required 30 feet, as this stretch of York Road is primarily commercial structures with relatively small side yard setbacks.

Should the Special Exception be granted, the Department of Planning does not object to the Variance from BCZR Section 419.4.B.2 to allow a landscape transition area width in the rear yard to be a minimum of 2 feet abutting non-residentially zoned land in lieu of the required 6 feet and to allow a landscape transition area width a minimum of 12 feet in lieu of the required 15 feet within 50 feet of a residentially zoned property with the following conditions:

1. Landscaping to the rear of the property should be as dense as possible and variably heighted to screen the new development and car headlights in the car wash drive aisles to the extent possible from the existing development;
2. Enhanced landscaping shall be provided in the side yards and along York Road to compensate for the decreased landscaping to the rear of the development; and
3. Planters and/or landscape islands shall be provided to further beautify the site.

The Department of Planning requests these conditions, as the proposal for a 2 feet landscape transition area in lieu of the required 6 feet is minimal and does not allow for screening of the site from the existing surrounding uses. Enhanced landscaping elsewhere on site will improve the overall appearance.

Should the Special Exception be granted, the Department of Planning has no objections to the Variance from BCZR Section 419.4.B.1 to allow a car wash tunnel entrance to face an adjacent residentially zoned property. Although the property to the rear of the site is zoned DR 1, it is Carver Center for Arts and Technology, a high school, and is not used residentially. There are relatively steep slopes and a change in

grade from the portion of the Carver property that will face the car wash entrance tunnel, which will decrease visibility and impact. Additionally, the car wash tunnel entrance would face a not-heavily-used portion of Carver, a grassy field and a fenced off maintenance storage facility and parking pad.

For further information concerning the matters stated herein, please contact Taylor Bensley at 410-887-3482.

Prepared by:

Taylor Bensley

Division Chief:

Jenifer G. Nugent

SL/JGN

c: David Karceski, Esq.
David Birkenthal
Ngone Seye Diop
Office of Administrative Hearings
People's Counsel for Baltimore County

MARYLAND DEPARTMENT OF TRANSPORTATION
STATE HIGHWAY ADMINISTRATION

Larry Hogan
Governor
Boyd K. Rutherford
Lt. Governor
James F. Ports, Jr.
Secretary
Tim Smith, P.E.
Administrator

January 6, 2023

Ms. Kristen Lewis
Baltimore County Department of
Permits, Approvals and Inspections
County Office Building, Room 109
111 West Chesapeake Avenue
Towson, Maryland 21204

Dear Ms. Lewis:

We have reviewed the site plan to accompany the petition for special exception and variance on the subject of the Case number referenced below. An internal review reveals that there are two existing entrances onto MD 45, York Road. which may require modification due to the proposed conditions. Entrances consistent with current State Highway Administration guidelines are required as a condition of approval for Canton Car Wash, Case Number 2022-0291-xa.

Due to the parameters of this project, MDOT-SHA will require submission of a Traffic Impact Study (TIS) which shall include weekend traffic to determine the impacts on the roadway network. The applicant must contact the State Highway Administration to begin this process. Should you have any questions regarding this matter feel free to contact Ms. Teresa Eller at 410-229-2424 or 1-866-998-0367 (in Maryland only) extension 2424, or by email at (teller@mdot.maryland.gov).

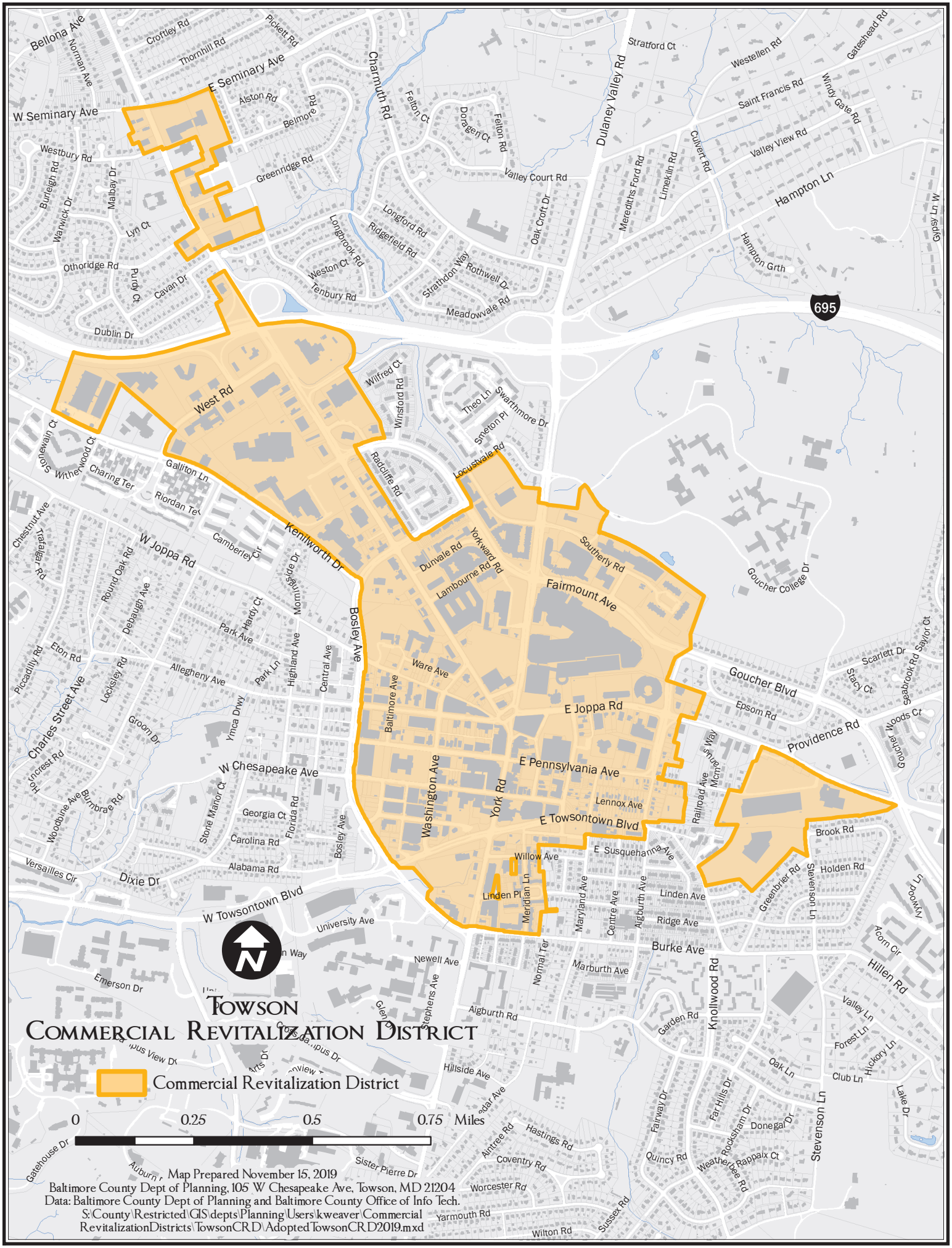
Sincerely,

Teresa Eller for,

Sutapa Samanta, P.E.
Metropolitan District Engineer
Maryland Department of Transportation
State Highway Administration
District 4 - Baltimore and Harford Counties

Cc: Tom Sheckells

PC Exh. 7


Towson
Commercial Revitalization District
Commercial Revitalization District
0
0.25
0.5
0.75 Miles
Map Prepared November 15, 2019
Baltimore County Dept of Planning, 105 W Chesapeake Ave, Towson, MD 21204
Data: Baltimore County Dept of Planning and Baltimore County Office of Info Tech.
S:\County\Restricted\GIS\depts\Planning\Users\kweaver\Commercial RevitalizationDistricts\TowsonCRD\AdoptedTowsonCRD2019.mxd
695
Bellona Ave
W Seminary Ave
E Seminary Ave
Charmuth Rd
Dulaney Valley Rd
Hampton Ln
West Rd
Kenilworth Dr
Bosley Ave
Fairmount Ave
E Joppa Rd
W Joppa Rd
Goucher Blvd
Providence Rd
Charles Street Ave
W Chesapeake Ave
E Pennsylvania Ave
York Rd
Washington Ave
E Towsontown Blvd
W Towsontown Blvd
Burke Ave
Dixie Dr
Knollwood Rd
Stevenson Ln
Hillen Rd
Locustvale Rd
Radcliffe Rd
Dunvale Rd
Lambourne Rd
Southerly Rd
Yorkward Rd
Ware Ave
Baltimore Ave
Willow Ave
Linden Pl
Meridian Ln
Maryland Ave
Centre Ave
Aigburth Ave
Linden Ave
Ridge Ave
Normal Ter
Marburth Ave
Aigburth Rd
Garden Rd
Hillside Ave
Newell Ave
University Ave
Alabama Rd
Carolina Rd
Georgia Ct
Florida Rd
Stone Manor Ct
Ymca Drwy
Groom Dr
Allegheny Ave
Park Ln
Highland Ave
Central Ave
Park Hardy Ct
Eton Rd
Piccadilly Rd
Lockisley Rd
Dehaugh Ave
Round Oak Rd
Camberley Cir
Mornington Dr
Chestnut Ave
Trafalgar Rd
Riordan Ter
Galliton Ln
Charing Ter
Witherwood Ct
Ashewain Ct
Dublin Dr
Purdy Ct
Cavan Dr
Othoridge Rd
Lyn Ct
Warwick Dr
Burleigh Rd
Westbury Rd
Mailbay Dr
Norman Ave
Croftley Rd
Thornhill Rd
Pickett Rd
Alston Rd
Belmore Rd
Greenridge Rd
Longford Rd
Ridgefield Rd
Longbrook Rd
Weston Ct
Tenbury Rd
Strathdon Way
Rothwell Dr
Meadowvale Rd
Valley Court Rd
Felton Ct
Doragen Ct
Felton Rd
Oak Croft Dr
Merediths Ford Rd
Limekiln Rd
Culvert Rd
Valley View Rd
Windy Gate Rd
Saint Francis Rd
Westellen Rd
Stratford Ct
Gateshead Rd
Hampton Grth
Gypsy Ln W
Wilfred Ct
Winsford Rd
Theo Ln
Swarthmore Dr
Smeton Pl
Goucher College Dr
Scarlett Dr
Stacy Ct
Seabrook Rd
Saylor Ct
Epsom Rd
Woods Ct
Goucher Ct
Brook Rd
Holden Rd
Greenbrier Rd
Stevenson Ln
Woodlawn Ln
Acorn Cir
Valley Ln
Forest Ln
Hickory Ln
Oak Ln
Club Ln
Lake Dr
Fairway Dr
Far Hills Dr
Rocksham Dr
Donegal Dr
Quincy Rd
Weatherbee Rd
Rappaix Ct
Aintree Rd
Hastings Rd
Coventry Rd
Worcester Rd
Yarmouth Rd
Wilton Rd
Sussex Rd
Sister Pierre Dr
Gatehouse Dr
Auburn
Railroad Ave
Mcmahon Way
E Susquehanna Ave
Woodbine Ave
Burnbrae Rd
Hollencrest Rd
Versailles Cir
Emerson Dr
Stephens Ave
Glenwood
Campus Dr
Campus View Dr

PC Exh. 8

COUNTY COUNCIL OF BALTIMORE COUNTY, MARYLAND
Legislative Session 2019, Legislative Day No. 16

Resolution No. 130-19

Mr. Wade Kach, Councilman

By the County Council, October 7, 2019

A RESOLUTION of the Baltimore County Council for the purpose of expanding the Towson Commercial Revitalization District.

WHEREAS, the County has 18 Commercial Revitalization Districts that have been officially designated, either by resolution of the County Council or by adoption of the Master Plan or a Master Plan Amendment; and

WHEREAS, the County's commercial revitalization districts and their surrounding communities are inseparably linked, with the districts providing a range of retail, service, and entertainment uses for the local community, as well as establishing the overall image of a community; and

WHEREAS, the commercial revitalization districts provide incentives to property owners and businesses in the districts to improve the exterior of existing buildings and to develop and redevelop underused properties; and

WHEREAS, the County Council has identified an area of land on York Road, north of Interstate 695 and south of Seminary Avenue that has excellent redevelopment potential, as shown on the Map identified as Exhibit "A"; and

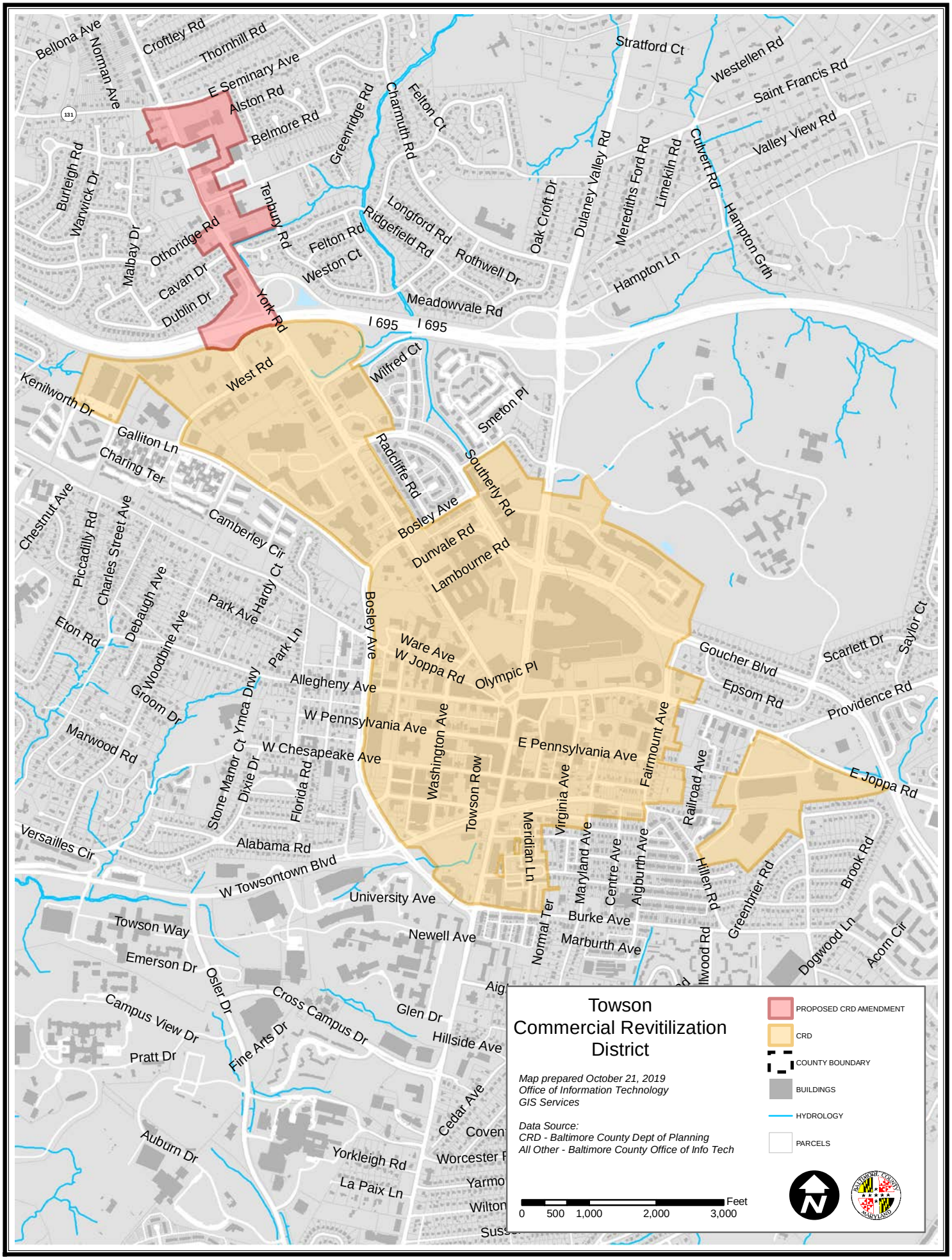
WHEREAS, the County Council deems it appropriate at this time to amend the Towson Commercial Revitalization District in order to add the area shown on Exhibit "A"; now therefore,

BE IT RESOLVED BY THE COUNTY COUNCIL OF BALTIMORE COUNTY, that the areas shown on the Map identified as ~~Exhibit "A"~~ Amended Exhibit "A" and attached hereto are hereby added to the Towson Commercial Revitalization District; and

BE IT FURTHER RESOLVED, that copies of this Resolution be sent to the Department of Planning; and

BE IT FURTHER RESOLVED, that this Resolution shall take effect from the date of its passage by the County Council.

AMENDED EXHIBIT "A"



COUNTY COUNCIL OF BALTIMORE COUNTY, MARYLAND
Legislative Session 2011, Legislative Day No. 10

Resolution No. 53-11

Mr. David Marks, Councilman

By the County Council, May 26, 2011

A RESOLUTION of the Baltimore County Council for the purpose of expanding the Towson Commercial Revitalization District.

WHEREAS, the County has 15 Commercial Revitalization Districts that have been officially designated, either by resolution of the County Council or by adoption of the Master Plan or a Master Plan Amendment; and

WHEREAS, the Towson Commercial Revitalization District currently extends east of Meridian Lane, north of Burke Avenue, and encompasses the approved development of Towson Green (formerly known as"Towson Manor"); and

WHEREAS, the new revitalization district boundaries will include two lots abutting the Towson Green development (28 Willow Avenue and 32 Burke Avenue), which Developer Bozzuto Homes seeks to include within the Towson Green development; and

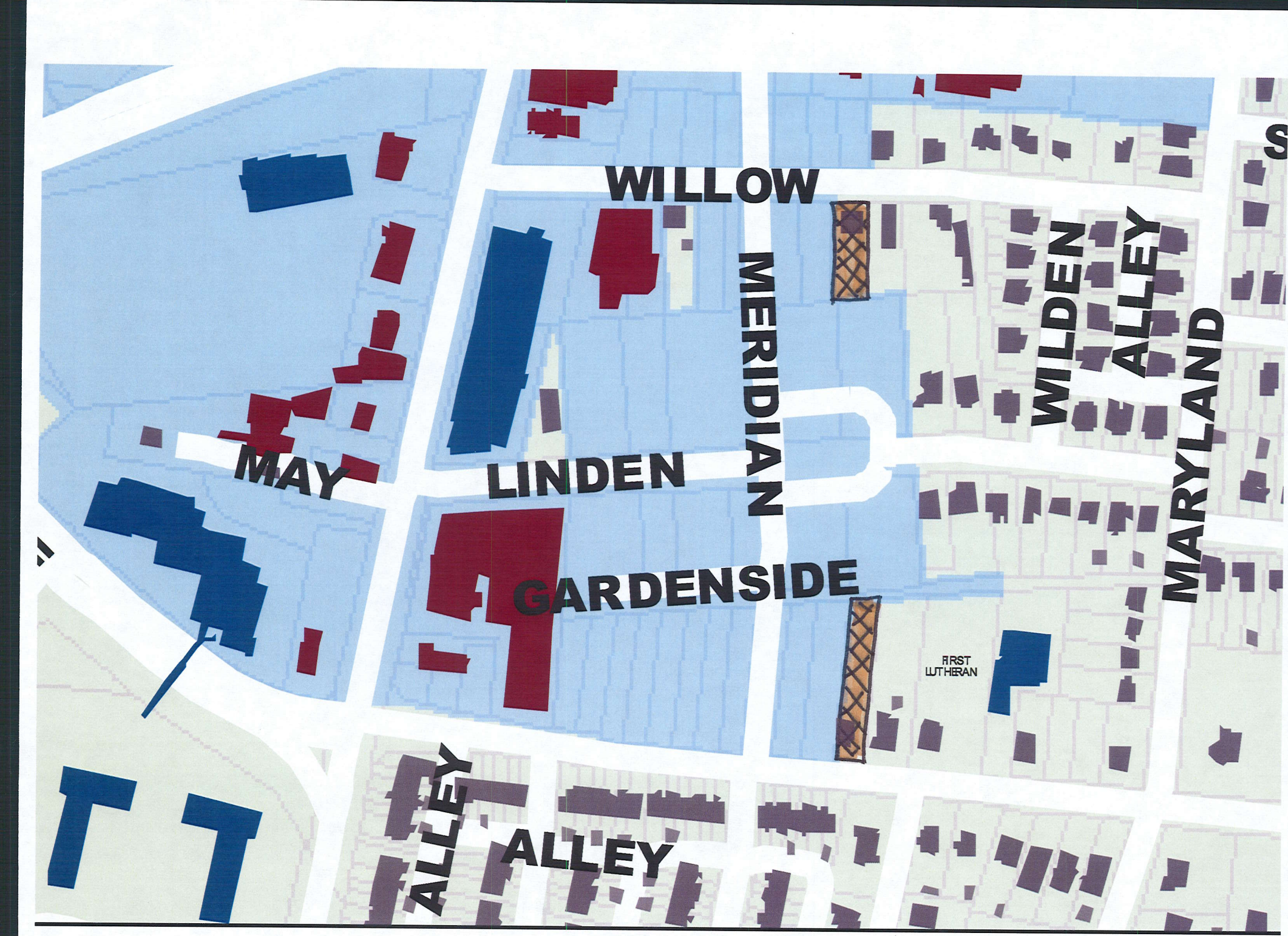
WHEREAS, the Commercial Revitalization Districts provide incentives to property owners and businesses in the Districts to improve the exterior of existing buildings and to develop and redevelop underused properties; and

WHEREAS, the County Council deems it appropriate to expand the Towson Commercial Revitalization District to include two additional lots in the existing district; now, therefore

BE IT RESOLVED BY THE COUNTY COUNCIL OF BALTIMORE COUNTY, MARYLAND, that the following area, as shown on Exhibit A attached hereto, is hereby established as the new boundaries for the Towson Commercial Revitalization District; and

BE IT FURTHER RESOLVED, that copies of this Resolution shall be sent to the Department of Economic Development, the Office of Planning, and the Department of Public Works, to be used for programming departmental operations; and

BE IT FURTHER RESOLVED, that this Resolution shall take effect from the date of its enactment.


WILLOW
MERIDIAN
WILDEN
ALLEY
MARYLAND
MAY
LINDEN
GARDENSIDE
FIRST
LUTHERAN
ALLEY
ALLEY

COUNTY COUNCIL OF BALTIMORE COUNTY, MARYLAND
Legislative Session 1999, Legislative Day No. 18

Resolution No. 81-99

Mr. Kevin Kamenetz, Chairman
By Request of County Executive

By the County Council, October 4, 1999

A RESOLUTION for the purpose of delineating the boundaries of the 12 official Commercial Revitalization Districts of Baltimore County and expanding the Towson commercial Revitalization District.

WHEREAS, the County has 12 Commercial Revitalization Districts that have been officially designated, either by resolution of the County Council or by adoption of Master Plan or Master Plan amendment; and

WHEREAS, the maps of the districts do not contain clearly delineated boundaries; and

WHEREAS, distinct boundaries are needed to determine whether projects are eligible for incentive programs only available in Commercial Revitalization Districts; and

WHEREAS, the boundaries of the Commercial Revitalization Districts should coincide with the nonresidential zoning; and

WHEREAS, the boundaries should also coincide with the county and state streetscape improvements, as much as possible, to maximize public and private reinvestment; and

WHEREAS, Phase 3 of the Towson Streetscape is to be constructed along York Road from the Circle to the Beltway; and

WHEREAS, the Towson Commercial Revitalization District should be expanded to include the Phase 3 improvements and the concentration of office uses on West Road; and

WHEREAS, this will provide incentives to property owners and businesses in this area to improve the exterior of existing buildings and to develop and/or redevelop underused properties; and

WHEREAS, this expansion has been approved by the Boards of the Towson Development Corporation, Towson Business Association, and the Towson Partnership; now, therefore

BE IT RESOLVED BY THE COUNTY COUNCIL OF BALTIMORE COUNTY, MARYLAND, that the following areas, as shown on Exhibit A attached hereto, are hereby established as the boundaries of the County's Commercial Revitalization Districts; and

BE IT FURTHER RESOLVED, that copies of this Resolution shall be sent to the Department of Economic Development, Office of Planning, and the Office of Community Conservation to be used for programming departmental operations; and

BE IT FURTHER RESOLVED, that this Resolution shall take effect from the date of its enactment.

r08199.wpd

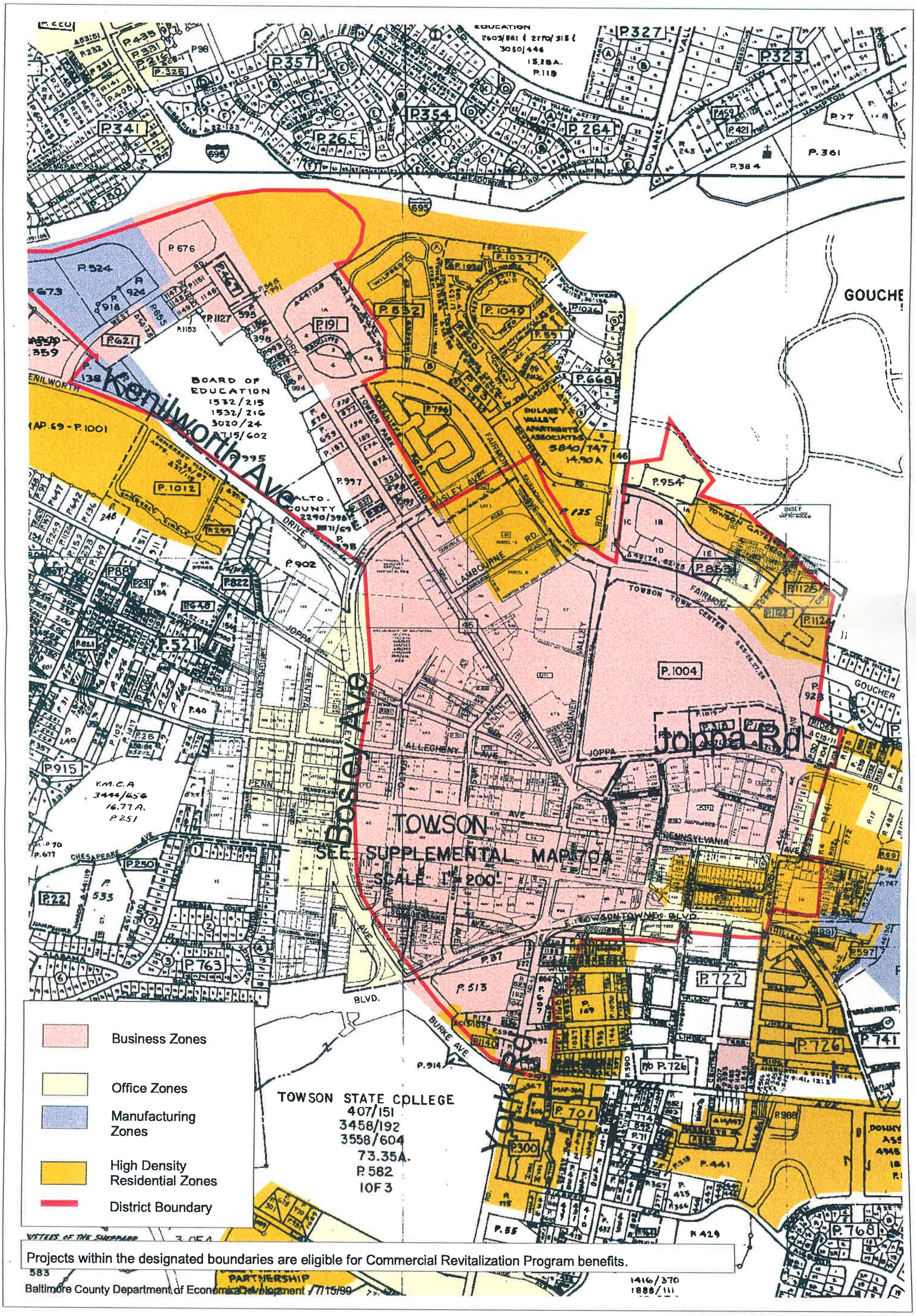
READ AND PASSED this 18th day of October, 1999.

BY ORDER

Thomas J. Peddicord, Jr.
Secretary

ITEM: Resolution 81-99

TOWSON COMMERCIAL REVITALIZATION DISTRICT



Projects within the designated boundaries are eligible for Commercial Revitalization Program benefits.

Baltimore County Department of Economic Development 7/15/99

Baltimore County, Maryland

MASTER PLAN 2020

PC Exh. 10



Policy: Maintain zoning appropriate for major employment on infrastructure-served land with good access.

Actions:

(1) Recommend that the County Council evaluate rezoning and PUD proposals that convert M or OT zoned land to residential or retail use to consider the long-term effects on the economy.

(2) Ensure that adequate land and structures remain available to accommodate new and expanding primary employers not suited for mixed-use environments.

(3) Consider ways to guide new employment opportunities to quality mixed-use development.

(4) Preserve the County's limited deep-water access for industrial uses.

(5) Consider amending the BCZR to limit the amount of residential development permitted in the OT zoning classification.

LAND USE BALANCE

A fiscally strong jurisdiction must maintain a healthy balance between residential and non-residential land uses. Different types of land use have variant effects on a county's finances. Some land uses contribute more in tax revenue than they consume in public services, such as schools, police and fire services. Some land uses consume more services than they pay for directly through property taxes. A balanced economy is needed to provide a healthy place to live, work and play. A strong employment sector: industrial, office, and commercial, provide jobs and tax revenue. A diverse choice of housing is essential to providing a qualified work force to fuel the employment sector.

Policy: The County should maintain a healthy balance between residential and non-residential land uses inside the URDL.

Actions:

(1) Consider encouraging zoning requests that promote mixed-use development.

(2) Ensure that land use proposals contribute to a healthy balance of residential and non-residential uses and open space.

(3) Work proactively to promote employment driven projects compatible with residential uses.

(4) Direct mixed-use development to Community Enhancement Areas.

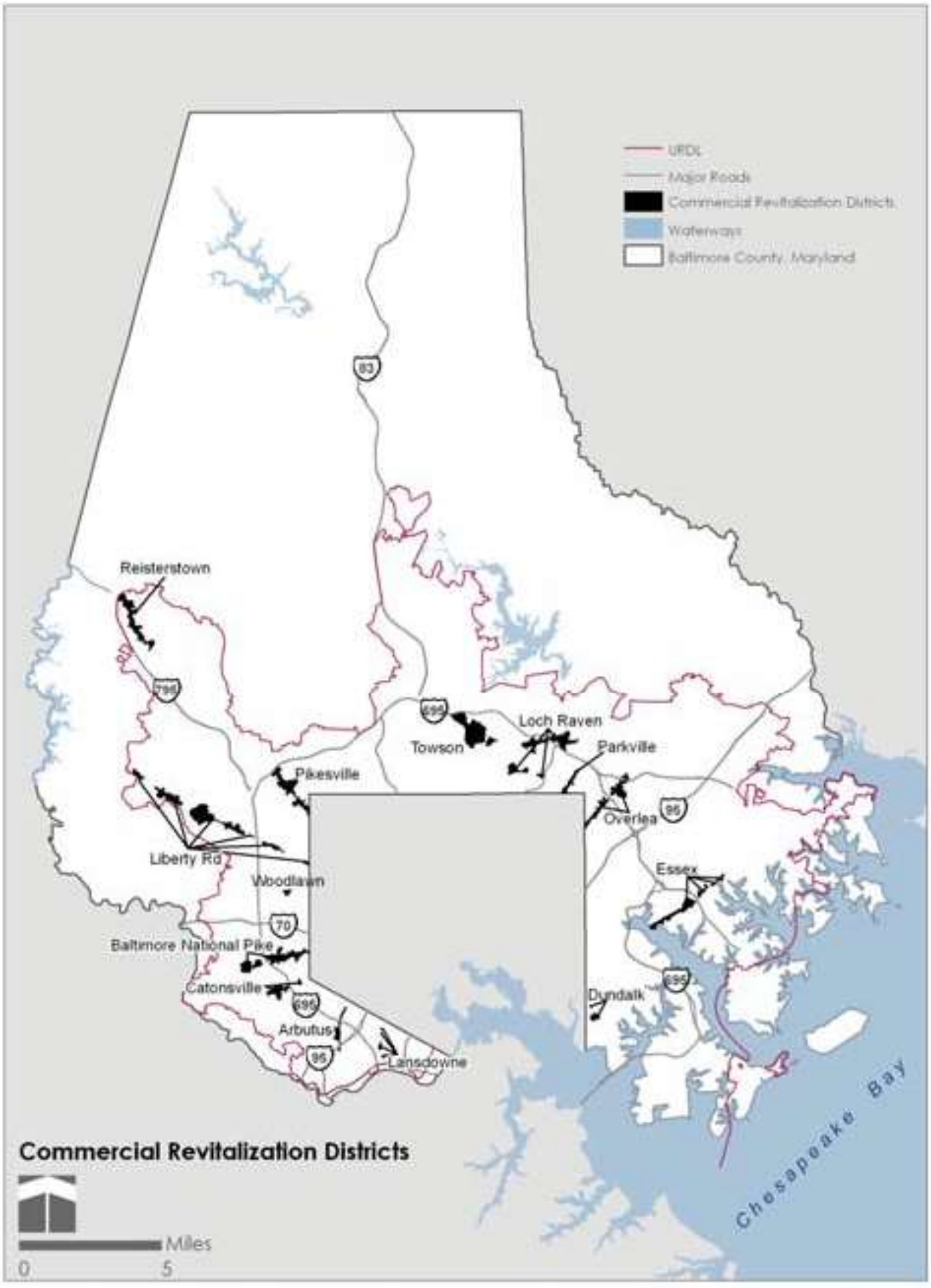
COMMERCIAL REVITALIZATION DISTRICTS

Baltimore County has 14 officially designated Commercial Revitalization Districts (CRDs). These areas were once the commercial hubs of the County's older beltway communities and offered a range of retail, service, and entertainment uses. However, beginning in the 1960s and 70s, changes





Map 35: Commercial Revitalization Districts







in demographics and retail shopping preferences fundamentally altered the role of these main street commercial centers. As people became more dependant upon the automobile, they moved farther out preferring the greater range of retail choices and convenient free parking over smaller mom and pop neighborhood shops along older commercial main streets. This trend continues. Most suburbanites patronize full service grocery stores, big and junior box retailers (e.g. Target, Wal-Mart, Pet Smart, Best Buy), chain specialty shops, and national restaurants.

To remain viable, the CRDs must differentiate themselves by capitalizing upon their downtown development patterns, strengthening the existing base of small businesses, and attracting new and different uses. Each district is unique with its own set of attributes and liabilities and revitalization efforts must be tailored to address these differences. Successful revitalization in smaller districts is built upon a series of small complementary successes and larger districts may benefit from key redevelopment projects that restructure the local economy. Attaining a sufficient and balanced mix of quality uses is an important goal that should be accompanied with creating a safe, attractive, and walkable environment. Another goal is using creative marketing of the districts to businesses and customers.

The most successful downtowns have a mix of synergistic uses that support each other. Downtown housing and office uses have residents and employees that patronize retail shops, restaurants, and service uses such as hair salons, banks, and dry cleaners. Theaters and other entertainment uses are destinations that draw customers into the downtown, who then also patronize restaurants and bars before and after a movie or performance. Institutional uses, supply a high number of patrons and employees for retail and restaurants, and students for downtown housing.

When compared to newer town centers that are trying to replicate the character and qualities of real downtowns, original town centers often have unique challenges. Redevelopment costs can be higher with land assemblage and parking; surrounding household incomes and densities may be more diverse; multiple owners have different perspectives; and the infrastructure may be aging and outdated. Jurisdictions must have an extensive toolbox of incentives to retain and attract the mix of uses needed to keep a CRD healthy. The County has a range of incentives that can be tailored to individual project needs, including: low interest loans, tax credits, and specialized grants, key infrastructure improvements such as parking garages, sewer expansions, and road realignments and improvements, sale of publicly owned land, demolition of obsolete structures, permitting process assistance, flexible zoning, and liquor licensing.

Policy: Retain and attract quality retail, office, service, residential, entertainment, and institutional uses that create well balanced and economically vital mixed-use.

Actions:

(1) Use targeted public investment to encourage private reinvestment.

(2) Identify redevelopment/revitalization opportunities in the CRDs and establish a process to determine land use and development goals of the area.

(3) Conduct specialized analyses of properties and redevelopment proposals.

(4) Utilize the Consultant on Call Program to provide expedited professional studies on market feasibility.

(5) Continue familiarization tours to provide education about the County's CRDs and community enhancement areas to upgrade and expand the types of uses, improve poorly managed properties and marginal businesses, and fill vacancies.

(6) Promote the increased use of the Small Business Resource Center that provides free technical, financial, and marketing assistance.

(7) Study the use of mixed-use codes in designated community enhancement areas.

(8) Periodically review the range and scope of incentives to maximize their effectiveness.



The districts, like community enhancement areas, should be the "front door" to the residential neighborhoods, and help establish the overall image of a community. The appearance of the CRD is important to the business and residential communities, and is both a private and public responsibility. The government, primarily through streetscape programs, is generally responsible for the streets, sidewalks, medians, and sometimes alleys. Individual property owners are responsible for a building's façades, and any private parking lots. Improvements should focus on views from the public areas. A commercial center or corridor with attractive curb appeal and stable and desirable uses may encourage people to invest in the community.

Policy: Improve the appearance and walkability of the Districts.

Actions:

(1) Continue to promote the Architect on Call Program that provides free professional design advice for business or property owners seeking to improve the exterior of their building and/or lot.

(2) Promote the Building Investment Loan Program that provides zero percent loans for exterior and interior improvements through annual mailings to property and business owners, the business organizations, specialized advertising, and "word of mouth" examples.

(3) Promote walkability and enhance the attractiveness of older village centers through implementation of streetscape programs managed by the Baltimore County Office of Community Conservation.

(4) Develop streetscape design around a Complete Streets Program.

(5) Continue beautification-landscaping partnerships with business organizations.

(6) Enforce the County code and fund the Commercial Revitalization Action grants for programs to improve the physical appearance of the business environment.

Studies consistently show that when customers buy from an independent, locally owned business, over two thirds of the money spent stays in the community and is used for purchases from other local businesses. These businesses create more jobs locally, and often provide better wages and benefits than nationwide chains. Owners frequently live in the community where their business is located.

Policy: Market Commercial Districts to potential businesses and patrons.

Actions:

(1) Media campaigns including radio, television, print advertising and social media marketing will be developed and utilized during the winter holiday and spring shopping seasons.

(2) Continue to provide design support in promoting community events and districts through the use of Designer On Call, a resource that offers design services for

local initiatives involving the ReDiscover Your Neighborhood Downtown branding.

(3) Maximize partnership with the Baltimore County Revenue Authority to provide convenient parking opportunities.

(4) Promote the County's CRDs and CEAs at regional and national conferences.

(5) Update district profiles and county websites to attract businesses to the districts.

(6) Participate in statewide organizations and programs that promote the revitalization of downtowns across Maryland.

(7) Continue neighborhood promotional campaigns to encourage consumers to shop and eat in locally owned businesses.

TOURISM

Visitors to Baltimore County added $1.97 billon to the local economy in 2008, according to a study by IHS Global Insight. The study reports that the County's tourism industry supported almost 20,000 jobs, $545 million in wages, and contributed $15 million in hotel, amusement and admission taxes.

Baltimore County's 219 miles of Chesapeake Bay waterfront offer unrealized potential to enhance the visitor experience and quality of life for County residents. Over the past decade, eastern Baltimore County has seen over $600 million in public and private investment. County initiatives have eliminated many aging, blighted apartment complexes, replacing them with open space and hundreds of modern single family and townhomes. Many of the County's 90 marinas and yacht clubs have made significant improvements to their facilities, with waterfront restaurants and a water taxi service adding to eastern Baltimore County's amenities.

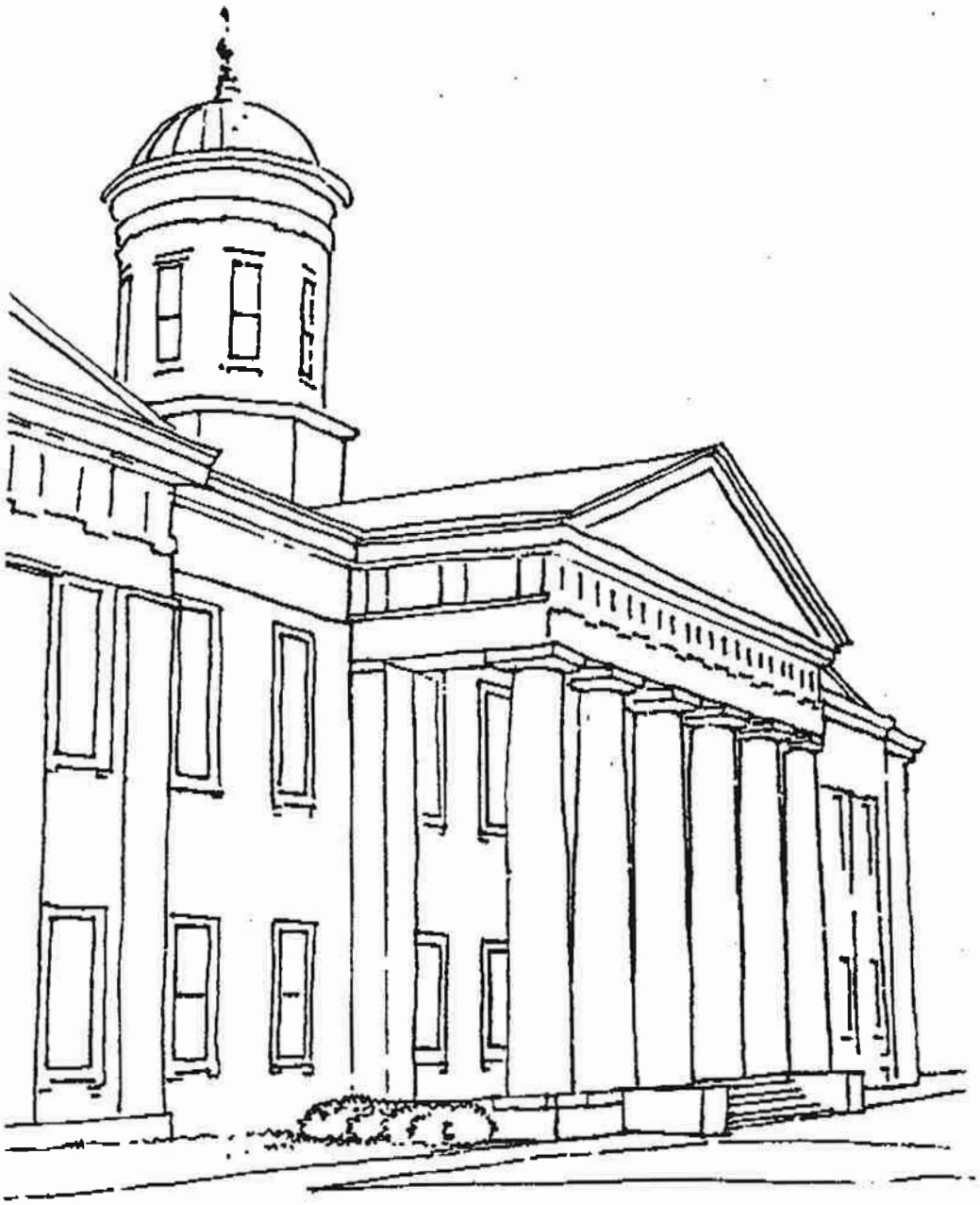
Policy: Increase visibility and access to visitor destinations in Baltimore County.

Actions:

(1) Explore methods to unify the waterfront as a regional destination.

(2) Further develop the County's network of bike and walking trails to connect parks, waterfront amenities, and nature centers with



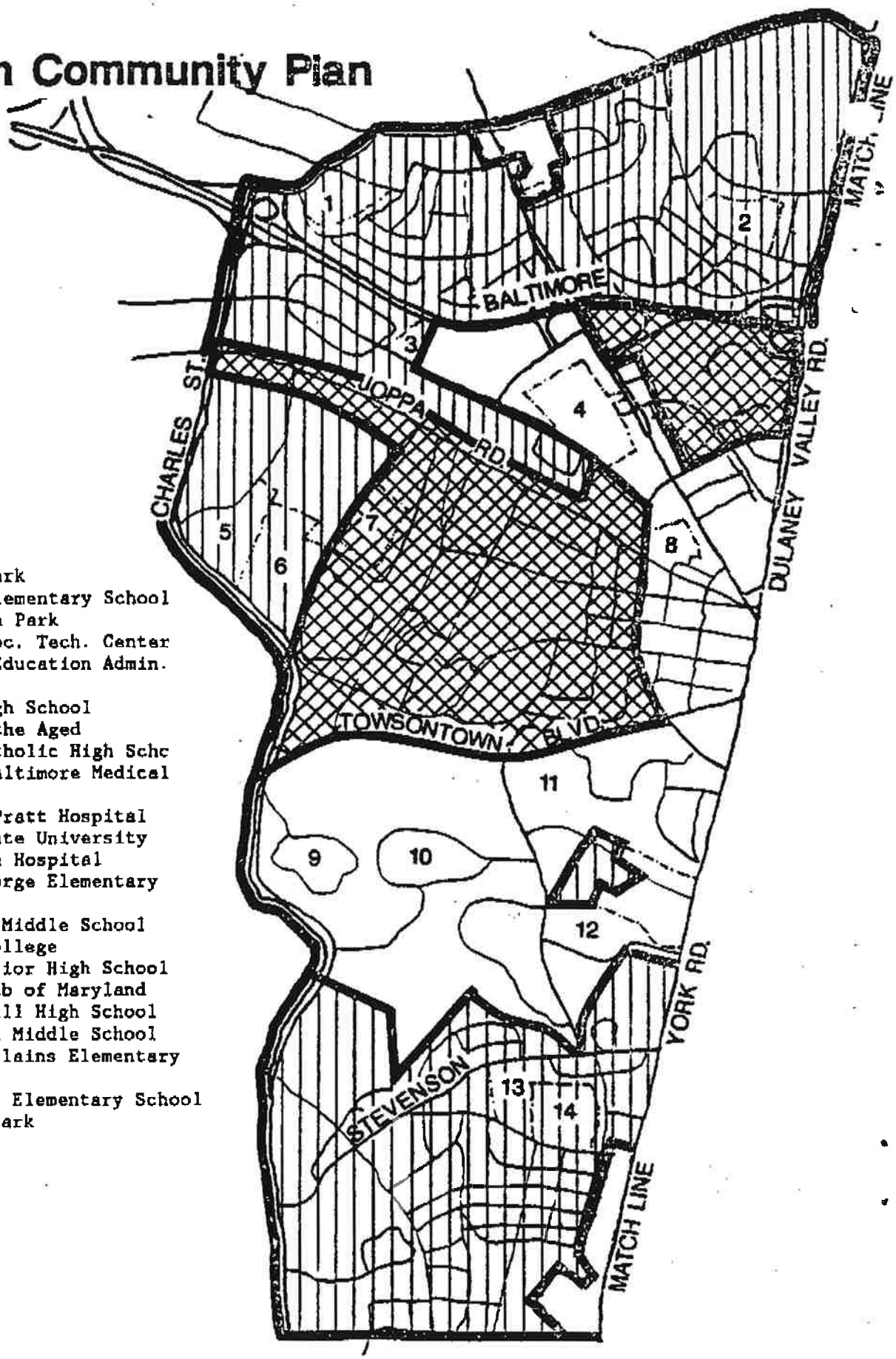


TOWSON COMMUNITY PLAN

As Adopted By The Baltimore County Council on February 3, 1992

PC Exh. 11

Towson Community Plan



1. Orchard Park
2. Hampton Elementary School
3. Kenilworth Park
4. Central Voc. Tech. Center
5. Board of Education Admin. Office
6. Loyola High School
7. Home for the Aged
8. Towson Catholic High Schc
9. Greater Baltimore Medical Center
10. Sheppard Pratt Hospital
11. Towson State University
12. St. Joseph Hospital
13. Rodgers Forge Elementary School
14. Dumbarton Middle School
15. Goucher College
16. Towson Senior High School
17. County Club of Maryland
18. Calvert Hall High School
19. Loch Raven Middle School
20. Pleasant Plains Elementary School
21. Stoneleigh Elementary School
22. Glendale Park

North

5. URBAN DESIGN

URBAN DESIGN COMPONENTS

The form and image of Towson is created by its vistas, views, gateways, skyline buildings, landmarks, design character, and scale. The Urban Design Plan details the three-dimensional form for Towson and describes the quality environment desired and the deliberate integration of the open space network, streetscape and amenities, public rights-of-way definitions, and development patterns.

Elements of the Urban Design Plan include:

A. Streetscape System;
B. Open Space Concept and Framework;
C. Development Guidelines for Design Areas; and
D. Design Review Advisory Panel.

This urban design framework with the land use and transportation plan components provides a comprehensive, interrelated structure for the Towson core with recommendations for implementation.

IDENTIFICATION OF ISSUES

This urban design section describes a strategy to improve the quality and character of Towson while addressing the following issues of concern.

- The design quality of new construction in the Towson Core.
- The lack of pedestrian and retail connection from the Towson Town Center Mall to the traditional retail strip of the 300, 400 and 500 blocks of York Road.
- The development of the Towson Transit Center site.
- The potential expansion of the government complex.
- The lack of pedestrian connection of Towson State University and Goucher College to the core of Towson.
- The parking structures that offer no design relief for the core and nearby neighborhoods.
- The need for a Design Review Advisory Panel.
- The lack of open space in and around the core.

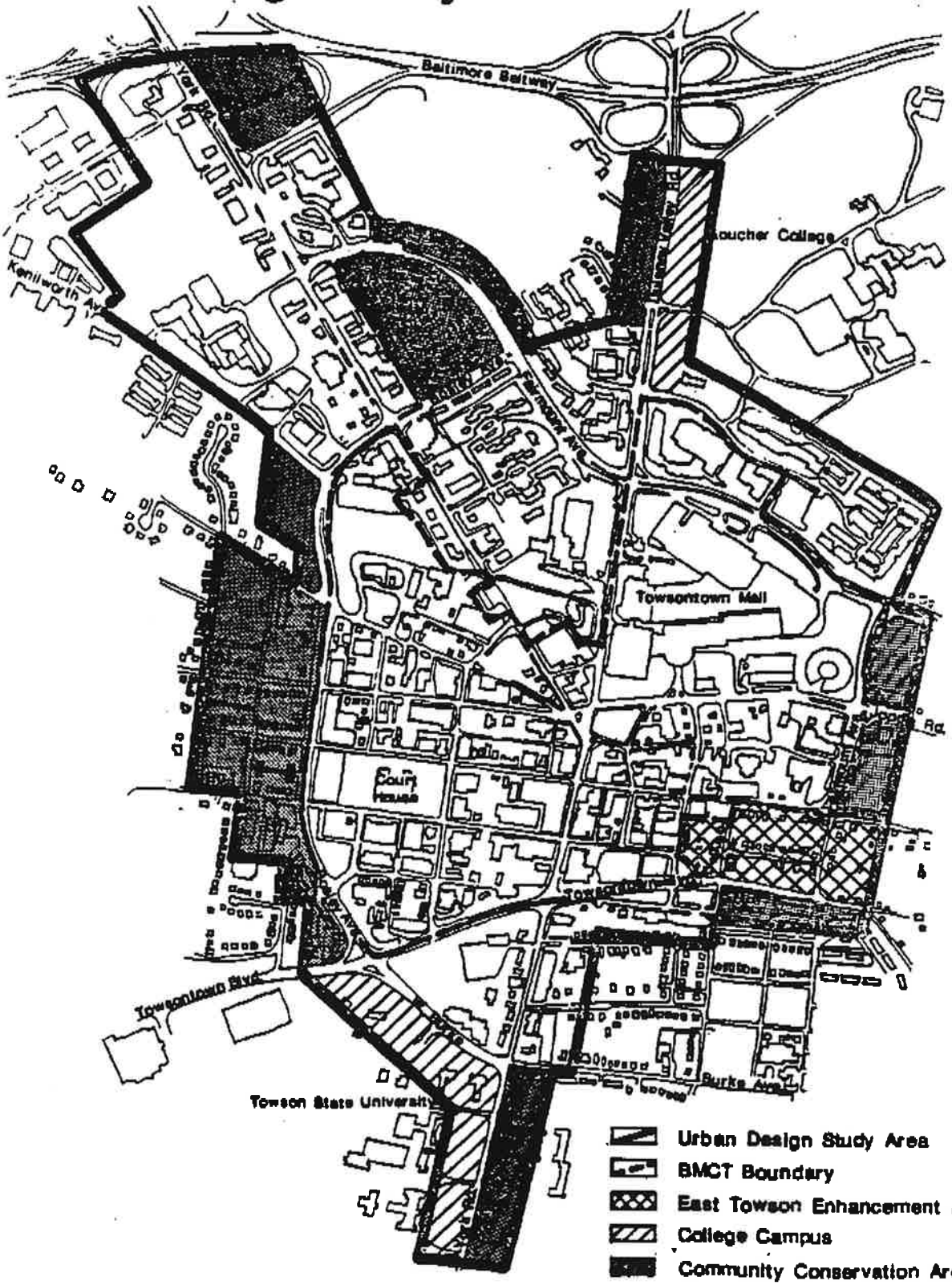
STUDY AREA

The Urban Design Study Area extends beyond the confines of the existing BM-CT district for the urban core. The study area was expanded to include (See Study Area Map 4):

- Community Conservation Areas adjacent to the BM-CT district.
- The East Towson Enhancement Area that borders the BM-CT district.

Urban D sign Study Ar a

MAP 4



- The edges of Towson State University along Towsontown Boulevard, Burke Avenue and York Road, and Goucher College along Dulaney Valley Road.
- The areas within the Fairmount, Goucher, Towsontown and Bosley loop road.
- The York Road corridor from the Baltimore Beltway to Towson State University.
- Dulaney Valley Road from the Beltway to the core.

INFORMATION COLLECTION ANALYSIS

Existing Design Features and Inventory (Map 5)

Existing design features that contribute to the overall form, image and design of Towson were identified and mapped. Design features were considered important or significant if they distinguished Towson from other areas in Baltimore County. These features were then incorporated into the design recommendations and guidelines. Buildings of historical significance (defined by a previous study and listed in the Appendix) were also mapped to identify location and concentration.

Development Opportunities (Map 6)

Existing development, recent construction, and undeveloped parcels within the urban design study area were evaluated for their permanence or likelihood of change. If a building or site was vacant or undeveloped, then it was considered an opportunity site or most likely to change. If a site appeared to be under utilized or in need of substantial repair, then it was considered as a site that may redevelop in the future. This identification was beneficial in determining which areas of the core need attention in terms of urban design recommendations.

Design or Sub Areas (Map 7)

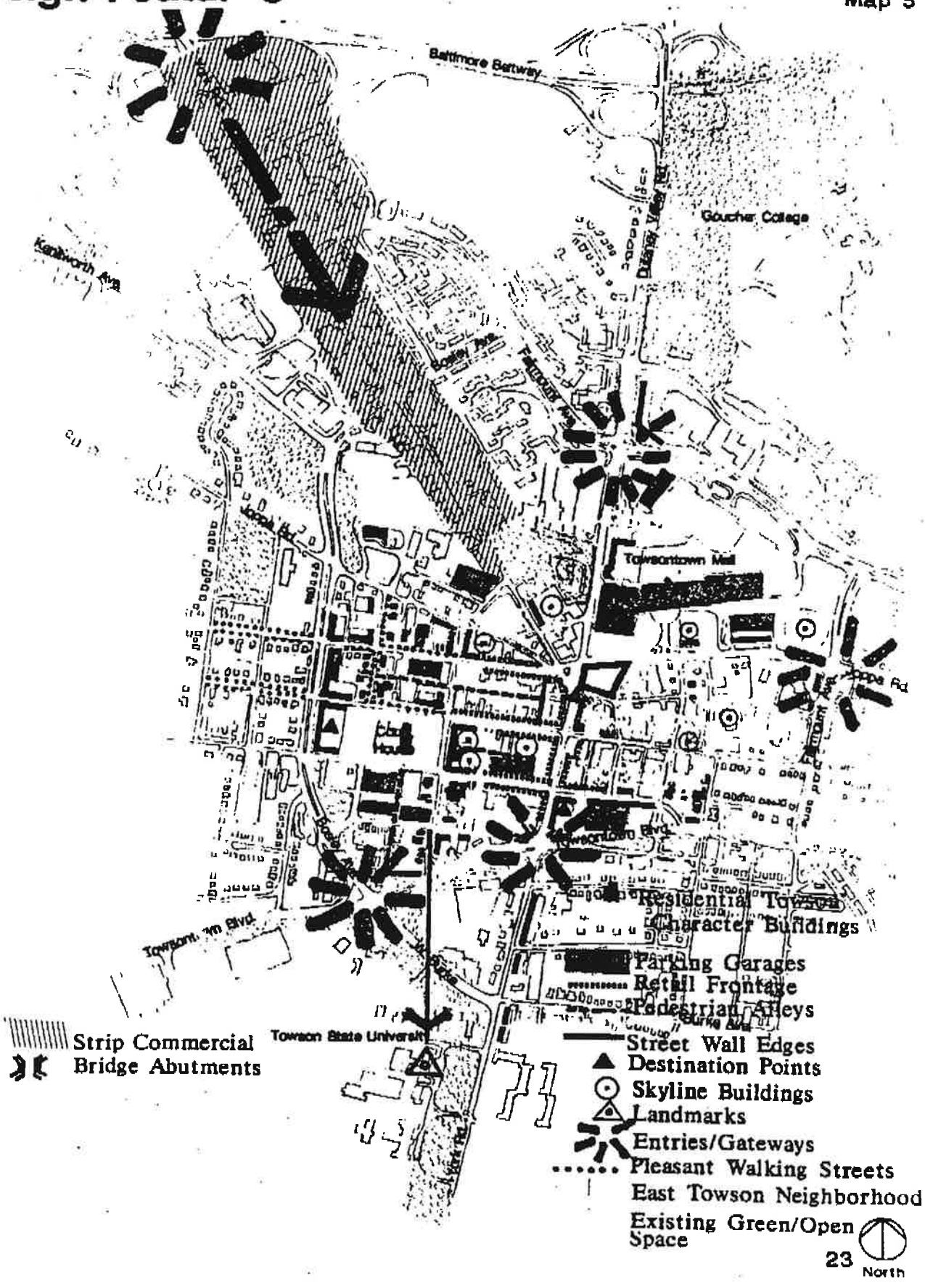
Areas within the commercial core were grouped according to similarity of form and image. Buildings and sites were grouped by type, land use, open space, landscape treatment, design features and road network. The Design Areas are:

- Central Towson
- Fairmount/Dulaney Valley
- Government Campus
- Institutional Towson
- East Towson Enhancement Area
- York Road North and South
- E, SE, SW, & W Transitions
- College Campuses

Opportunity sites are included within each design area and plans for development should consider the form and image context of its design area. Additional details of the urban design analysis process can be found in the Appendix.

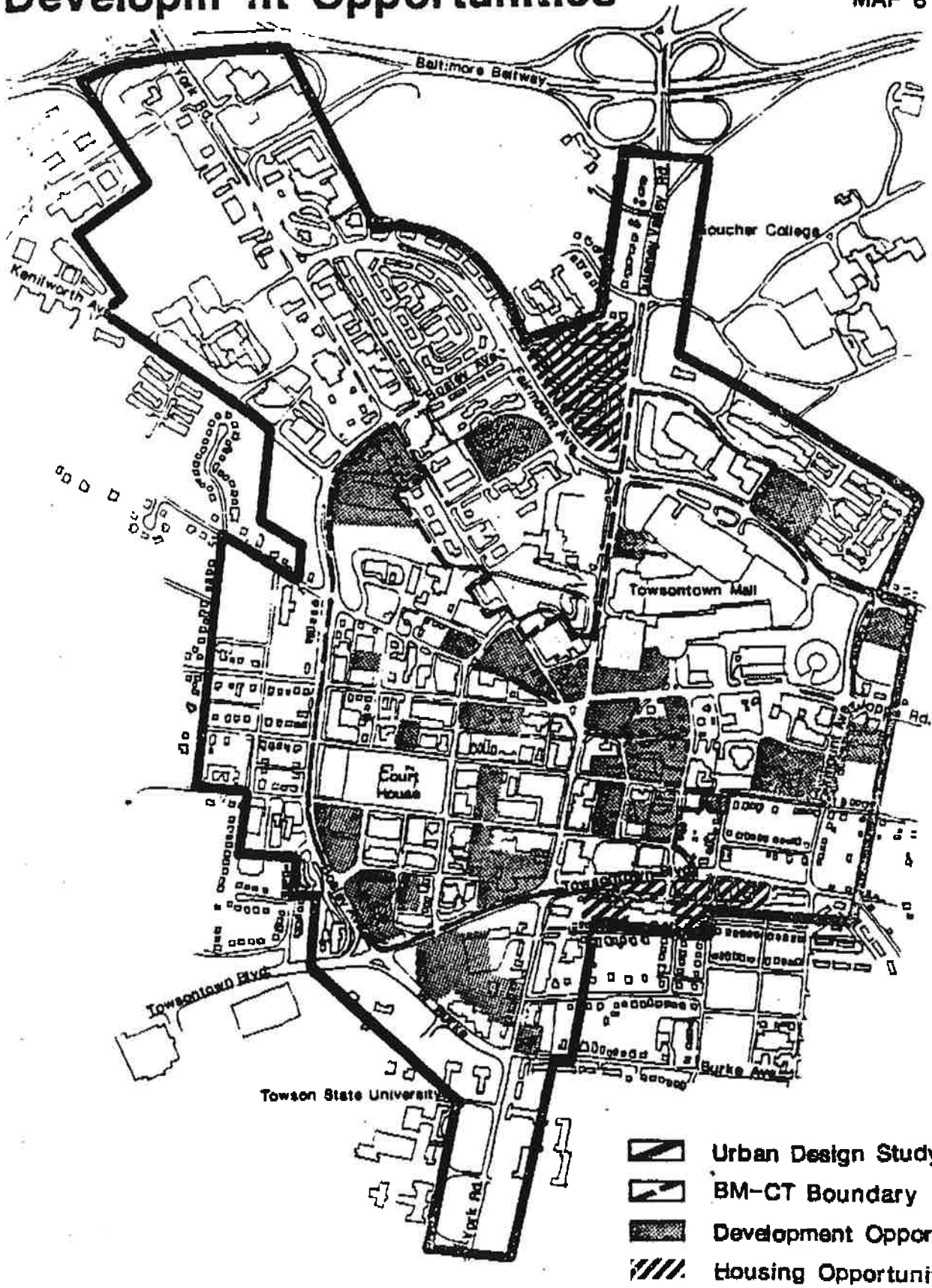
Design Featur s

Map 5



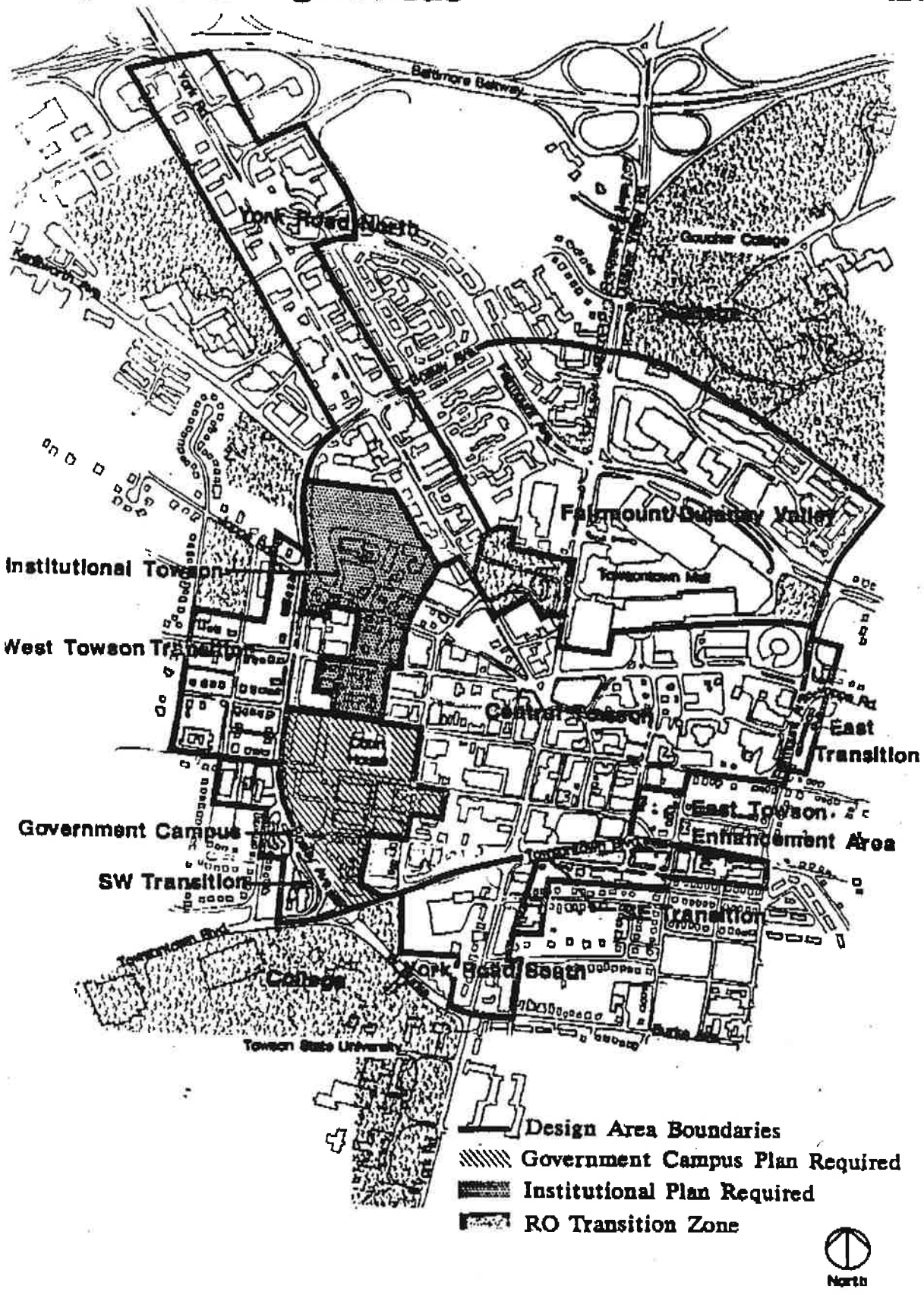
Developm nt Opportunities

MAP 6



Proposed Design Areas

MAP 7



THE URBAN DESIGN PLAN ELEMENTS

A. Streetscape Definition

A streetscape system is the most significant public improvement that can be made in Towson to unify the design areas and provide a coherent image. The proposed streetscape systems prioritize pedestrian needs and influence the overall urban form.

The proposed streetscape system guidelines are designed to:

1. Provide unifying landscape themes for the design areas.
2. Establish minimum building setback lines for appropriate sidewalk widths.
3. Establish build-to lines, particularly in the Central Towson design area, to maintain a unified urban street wall system.
4. Provide a setting for including other pedestrian amenities, such as street furniture and decorative lighting.
5. Aid transition between new buildings and existing buildings.
6. Provide identification and entry.
7. Maintain the remaining alleys for both service and delivery access as well as pedestrian connections to rear parking areas.

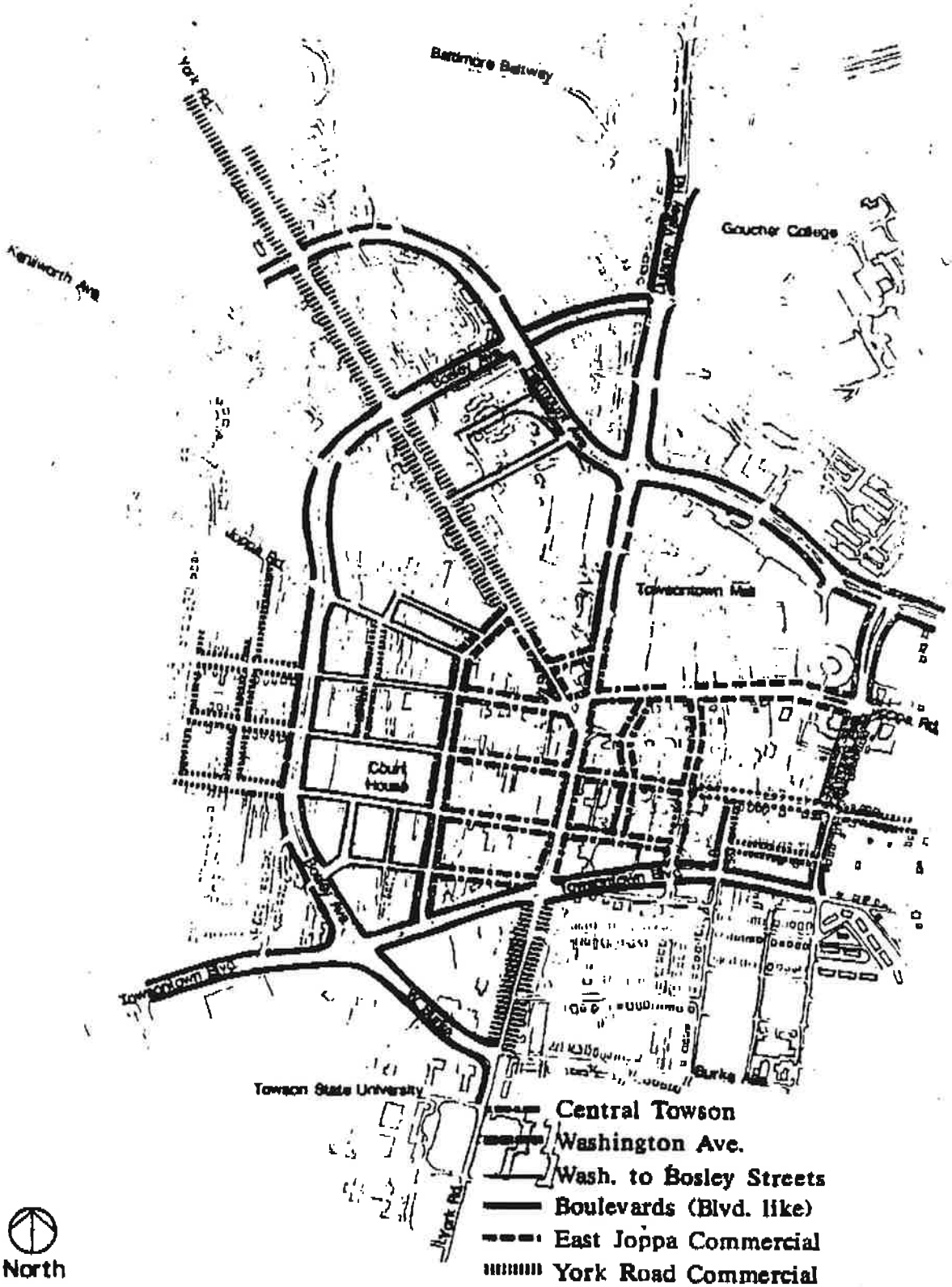
The most important principles for all of the streetscape types are consistency and continuity. The streetscape requirements are mapped for each block (see Streetscape Map 8). The eight prototypes are:

1. Central Towson (Map 9) - This streetscape is very urban and is designed to be a high-capacity, pedestrian-oriented system. All-brick sidewalk paving is recommended along the 300, 400 and 500 blocks of York Road to differentiate this street from the other urban streets. The details of this streetscape system include:

   - 20-25' setback from curb to face of building.
   - Trees in plant beds or grates - 30 ft. on center.
   - Pedestrian level decorative lighting 60 ft. on center, generally.
   - Street furniture: benches, waste receptacles, planters.
   - Recessed entries.
   - Display windows.
   - Sign bands and canopies.
   - Coordinated directional and parking signs.
   - Drives and curbcuts as integral part of streetscape; pedestrian orientation, handicap accessible.
   - No drive-up-teller drives crossing sidewalks.
   - Crosswalk islands.

Streetscape

MAP 8



- Minimal sidewalk grades.
- No hedges between curb and building along retail streets.
- Consolidated newspaper boxes.
- Bike racks.
- Bus shelters as part of the building design and streetscape.
- Mid-block pedestrian crossings at Allegheny, Pennsylvania and Chesapeake between Washington and York Road.
- Restaurant tables along sidewalk where possible.

2. Washington Avenue (Map 10) - This street is to be treated similarly to the Central Towson streetscape, except for a more generous setback that would allow for a double row of street trees where possible.

3. Boulevards or Boulevard-like (Map 11 and Open Space Map 17)

   - This streetscape system affords a generous building setback to allow for a double row of trees and additional landscaping features. It is desirable to plant trees in the median strips whenever possible.

   Additional considerations include:

   a. Vehicular drop-off lanes are not desirable on the boulevard designated streets, particularly along Bosley Avenue. For development sites along the designated boulevards, provide visitor access/parking along the cross streets or alleyways.
   b. Pedestrian walks should be separated from the curb by a landscaped strip.

4. East Joppa Commercial (Map 12) - This streetscape is similar to the Boulevard streetscape, except the roads do not have a median strip.

5. Pennsylvania/Chesapeake Avenues (Map 13) - This streetscape system connects the Boulevard system of Bosley Avenue to the more urban system of Washington Avenue. This system requires a planting area between the curb and sidewalk and between the sidewalk and the building.

   Additional considerations include:

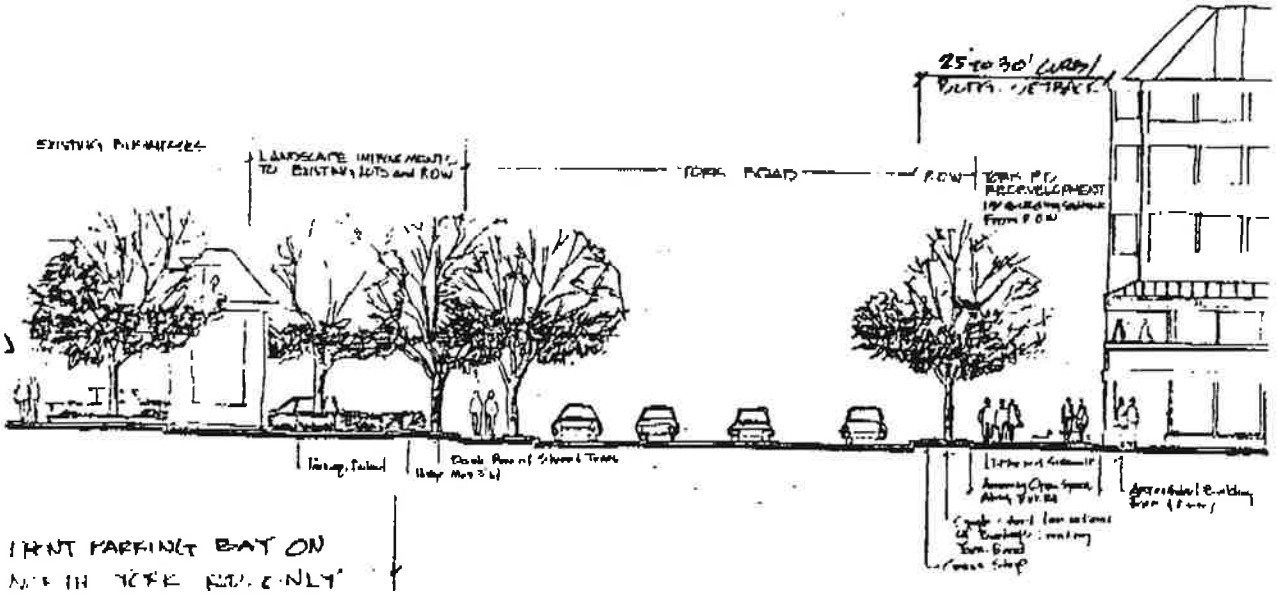
   a. The County should plant street trees between the sidewalk and curb around the Courthouse and the County Courts Building.

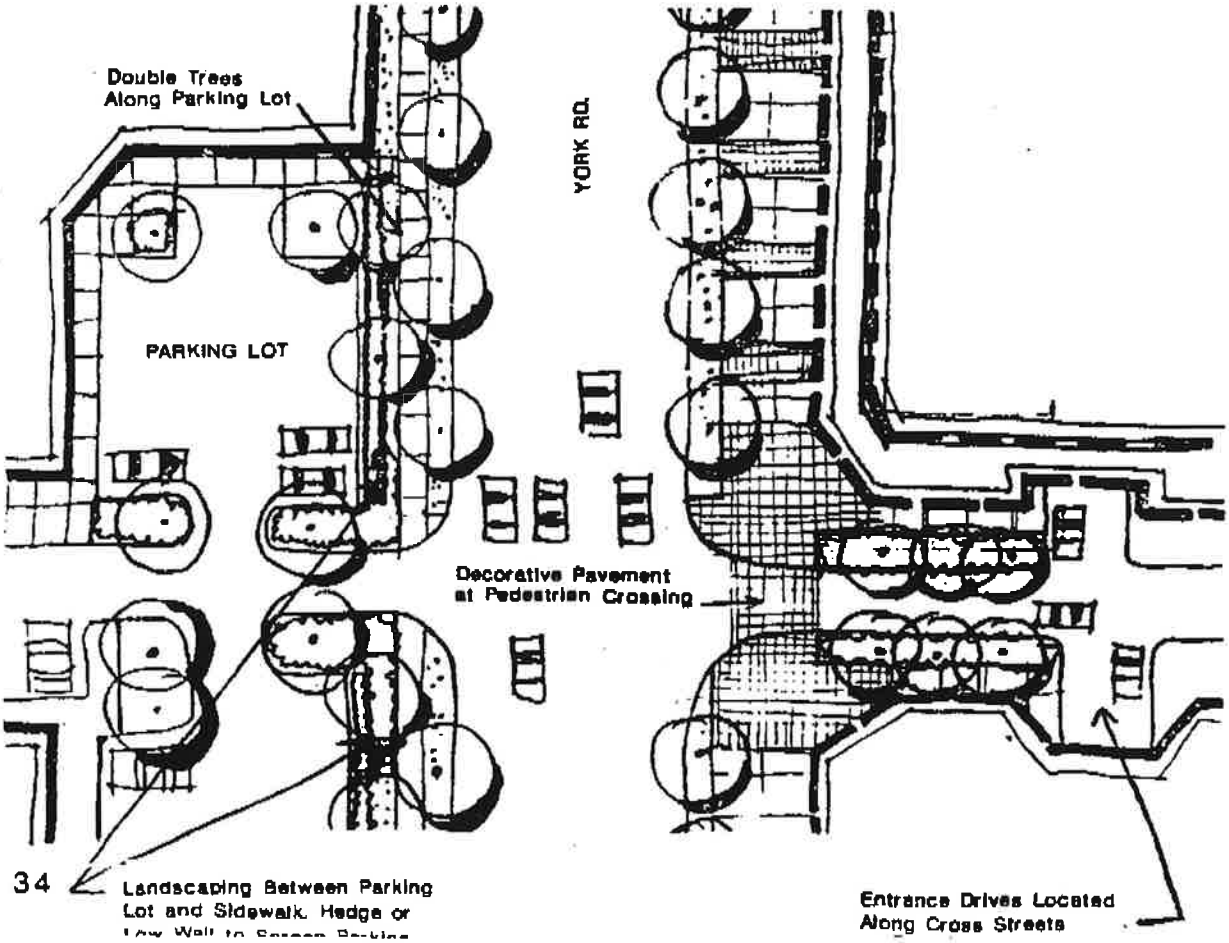
6. York Road Commercial (Map 14) - The intent of this streetscape system which applies to the segments of York Road between Burke Avenue and Towsontown Boulevard and between

York Road Commercial Boulevard

(NORTH/SOUTH OF "MAINSTREET TOWSON"

Map 14





6. YORK ROAD NORTH

Form and Image

- Reinforce vista of Towson Urban Core seen from Fairmount/York intersection.
- Emphasize street rather than separate buildings and parking lots.
- Simplify and clean up commercial building and site signs.
- Provide gateway entry treatment at York/Fairmount and York/Bosley.
- Emphasize commercial redevelopment from Allegheny to Bosley Avenues.

Building Design

- Construct uniform; moderately scaled buildings.
- Provide special building treatments at intersections.
- Orient building fronts to the street.
- Locate building fronts up against streetscape.
- Encourage structured parking to the side or rear yard of a redevelopment site.

7. YORK ROAD SOUTH

Form and Image

- Encourage street level retail with building bulk stepped back behind retail front between Towsontown Boulevard to Bosley and York/Burke intersection.
- Treat York Road/Towsontown Boulevard intersection as major gateway into Towson Core incorporating railroad bridge abutments.
- Unify intersection at York/Bosley/Burke through landscape treatment.

Building Design

- Respect predominant building setback on east side of York Road.
- Face building front to York Road.
- Turn corner at Burke and York with well articulated building facades with special entrance treatment at corner.
- Maintain predominant building height and bulk on east side - make transitions to Towson Manor residential area (east side).
- Encourage taller buildings along west side of York Road.
- Continue 35' retail height with bulk stepped back behind retail facade on the west side.
- Continue 4-5 story building facades with landscaping setbacks on the east side.

IN RE:	PETITIONS FOR SPECIAL EXCEPTION AND ZONING VARIANCE SW/S York Road, approx. 430 ft. SE of c/l West Road 1018-1024 York Road 9th Election District 4th Councilmanic District Legal Owner: Ira Berger, et ux Contract Purchaser: Generic Auto Sales, Inc. Petitioner	•	BEFORE THE ZONING COMMISSIONER OF BALTIMORE COUNTY Case No. 94-321-XA

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as both a Petition for Special Exception and Petition for Zoning Variance for the property known as 1018, 1020 and 1024 York Road in Towson. Within the Petition for Special Exception, two special exceptions are requested for used car sales, namely on parcel A, located at 1018 York Road and on parcel B, located at 1024 York Road. As to the Petition for Zoning Variance, relief is requested from Section 303.2 of the Baltimore County Zoning Regulations (B.C.Z.R.) to allow a front yard setback of 32 ft., in lieu of the required 45 ft.; from Section 238.4 to permit storage and display of vehicles and materials in the front yard setback area in lieu of the requirement that the front yard area to a depth of 30 ft. remain vehicle free; from Section 238.2 of the B.C.Z.R. to permit a 0 ft. side yard setback in lieu of the required 30 ft; from Section 238.2 to permit a 0 and 41 ft. distance between buildings in lieu of the required 60 ft. and 19 ft., respectively; and from Section 413.2 to permit a total sign area of 175.98 sq. ft. for two signs, in lieu of the required 100 sq. ft. All of the relief requested and subject property is more particularly shown on Petitioner's Exhibit No. 1, the plat to accompany the Petitions for Special Exception and Variances.

Appearing at the public hearing held for this case was Ira Berger, co-owner of the subject property and one of the businesses thereon with

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Date 3/22/94
By

PC Exh. 12

Lillie Berger, his wife. Also appearing was Michael Fein on behalf of Rent-A-Wreck Inc., a tenant on the subject property. Paul Lee, an engineer who prepared the site plan also appeared at the hearing and participated. The Petitioner was represented by Newton A. Williams, Esquire. There were no Protestants present.

Testimony and evidence presented was that the subject is .855 acres in net area and is split zoned B.R. and D.R. 5.5. The property is predominantly zoned B.R. with but a small sliver of the parcel zoned D.R.5.5 to the rear. The subject property is well known to this Zoning Commissioner and is located on York Road in Towson. The property has long been used to support commercial activity including the sale of new and used cars. The property is located on the west side of York Road between the intersections of York Road/West Road and York Road/Fairmount Avenue in Towson, not far from the access to the Baltimore Beltway (I-695).

As shown on the site plan prepared by Mr. Lee, the property has been divided into 4 distinct parcels, lettered A through D. Moreover, several different businesses conduct operations from the subject site. There are actually two buildings on the subject property, which are clearly shown on the aerial photographs submitted as Petitioner's Exhibit No. 2. The largest building is on the north side of the site and is located on parcels B, C and D. In the front of the building is the existing headquarters of the used car sales operation. This operation known as European Motors, is operated by Mr. Berger and several members of his family. In this respect, Mr. Berger, through counsel, characterized the long history of this use. The property has housed a used car business selling foreign and sports cars for many years. The present business continues this long history of this type commercial use on the property.

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Date 2/11/92
By

Within the rear portion of the building occupied by European Motors, is a retail sales business. This business sells auto parts and accessories. This part of the building is shown on the site plan and is identified as parcel C. The third business use in the "main building" is parcel D. This is on the northern side of the building and is a seven bay service garage use. As noted above, these three uses (used car operation, retail sales and service garage) all occupy the same building.

The fourth business on site is a small building adjacent to the southern property line. This building serves as the offices of the Rent-A-Wreck operation. This is a rental vehicle business which is operated by Mr. Fein. The business specializes in used car rentals.

As to the Petition for Special Exception, the property owner requests special exception relief to permit used car sales and rental, namely, on parcel A (Rent-A-Wreck) and parcel B (European Motors). The sale of used cars are a permitted commercial operations in a B.R.zone, pursuant to Section 236.4 of the B.C.Z.R. It is of note that the proposed special exception applies only to parcels A and B. These parcels are known as 1018 and 1024 York Road, respectively. The special exception relief is not requested for the balance of the tract, including parcel C (the retail store) or parcel D (the service garage).

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Date 4/11/96
By M. Spark

As noted above, a used car sales operation is permitted in a B.R. zone by Section 236.4 of the B.C.Z.R. The Petitioner bears the burden of adducing testimony and evidence that the proposed special exception use meets the standards contained within Section 502.1 of the B.C.Z.R. Therein it is provided that a special exception can be granted only if same is not detrimental to the health, safety and general welfare of the locale involved. Moreover, a number of factors are identified in Section 502.1

which must be addressed by the Petitioner. The factors relate to such items as traffic, public utilities, pollution, etc.

In this case, it is clear that the proposed special exception is appropriate for this site and should be granted. As noted, this site has long been used in this manner. This portion of York Road in Towson is highly commercial in character. In fact, the Zoning Plans Advisory Committee (ZAC) comment from the Office of Planning and Zoning (OPZ), although recommending certain restrictions, acknowledges that the special exception use is compatible with this area. I am convinced, based on the uncontradicted evidence and testimony presented, that the special exception will not be detrimental to the locale and should be granted.

As to the variances, several in number are requested. The first variance seeks relief from the strict adherence to Section 303.2 of the B.C.Z.R. to permit a 32 ft. setback from the main building to the right of way line. This distance is measured from the right of way line on the front of the property adjacent to York Road to the large building which houses the used car sales operation, the retail store operation and the service garage. Clearly, this building has been in place for many years and the variance is to legitimize an existing situation.

The second variance relates to a request for relief from Section 238.4 of the B.C.Z.R. That section would require a 30 ft. unoccupied setback from the front right of way line wherein no vehicles could be stored or displayed. That is, the purpose of that section is to reserve an unoccupied/clear area in the front of the property. The Petitioner indicated that this was not possible in that the lot is small and storage of vehicles in the front portion of the property is vital. If that part of the parcel were not utilized, the site would be overcrowded towards the rear of the

ORDER RECEIVED FOR FILING
Date 7/11/96
By

property and the business hindered. Moreover, as the photographs show, vehicles have been stored in the front part of the property for sometime.

The third variance relates to the setback distance between the small building (Rent-A-Wreck) and the side property line. That building sits immediately adjacent to that property line. Moreover, it is to be noted that the business on the neighboring property, Midas Muffler Shop, also abuts the property line. Again, this variance is needed to legitimize an existing situation.

The fourth variance relates to the distances between the subject buildings. Again, this variance is necessary to legitimize an existing situation and permit the location of the existing two buildings on this lot.

Lastly, a variance is requested as to signage requirements, to permit 175.98 sq. ft. of signage on two signs in lieu of the required 100 sq. ft.

As is well settled, the B.C.Z.R. permits variances to be granted from area, height and sign regulations for so long as the Petitioner can satisfy the burden set forth in Section 307 of the regulations. That section sets forth the three pronged test which must be satisfied. First, the Petitioner must show that practical difficulty would result if the variances were denied. Secondly, the relief can be granted only if such approval is within the spirit and intent of the regulations. Lastly, the granting of the variance may not detrimentally affect the surrounding locale.

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Date 4/11/94
By

The concept of practical difficulty has been well set out by the appellate courts of this State. See McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the Petitioner must meet the following:

> 1) whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;

2) whether the grant would do substantial injustice to applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give substantial relief; and

3) whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

In this case, I am persuaded that the Petitioner has met its burden for all variances. I particularly rely upon the fact that this property has been used in its present fashion for many years. Clearly, this is a commercial parcel with existing improvements. Relocation of these improvements to provide strict adherence to the zoning regulations is impractical and not warranted. Moreover, the site, itself, is limited by its size and configuration. In my view, a denial of the subject variances would result in a practical difficulty to the Petitioner and its property. Moreover, I believe that the relief can be granted so as to be consistent with the spirit and intent of the B.C.Z.R. and continued use of the property in the manner proposed would not be detrimental to the surrounding community. Thus, the variances should be granted.

Notwithstanding my relief of the request granted, several comments are in order about suggested restrictions and conditions within the ZAC comments. These comments are offered by a number of the reviewing agencies of Baltimore County. First, the Department of Public Works (DPW) questions whether the site is subject to the provisions of Bill 172-93. Based upon my review of the bill, the answer to that question must be in the negative. Thus, the Petition is properly filed.

Secondly, both DPW and OPZ recommend landscaping in the front of the property and certain other improvements to that portion of the site. I am

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Date 4/11/96
By Jr. Grnacki

well acquainted with this property. As noted above, the site lies on the west side of York Road between West Road and Fairmount Avenue. This is not a pedestrian thoroughfare. None of the other businesses in this locale have sidewalks. Rather, this section of York Road contains shopping centers, car washes and other commercial uses.

Due to the character of this section of York Road, I am not convinced that additional landscaping treatment is necessary. An installation of a sidewalk would only detract from usable space on the Petitioner's property and not provide any practical assistance to the public. For these reasons, I am persuaded that additional landscaping treatment or installation of sidewalk is not warranted.

Nonetheless, I am cognizant of the goals set forth by OPZ and their desire to improve the visual streetscape along this portion of York Road. I concur with their assessment that a limitation should be placed upon the advertising and signage on the site. Thus, although approving the sign variance and allowing the Petitioner to retain the existing European Motor and Rent-A-Wreck sign, I will condition this Order and restrict additional outdoor advertising. That is, other than the two signs identified on the site plan, there shall be no other outdoor advertising signs, banners, streamers, balloons, etc., be they temporary or permanent. That is, the sole means of advertising will be the two signs referenced above, permissible lettering on the facade of the buildings and prices/signs as may be written on the windshields of the vehicles. Any other means of outdoor advertising, be they temporary or permanent, will be excluded. This restriction is placed in this Order as a condition precedent to the relief granted. Violation of the terms of this restriction would be subject to prosecution as a zoning violation.

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Date 4/11/96
By

Pursuant to the advertisement, posting of the property, and public hearing on these Petitions held, and for the reasons given above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner of Baltimore County this _____ day of April, 1994 that, pursuant to the Petition for Special Exception, approval for used car sales, namely on parcel A, located at 1018 York Road and on parcel B, located at 1024 York Road, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that a variance from Section 303.2 of the Baltimore County Zoning Regulations (B.C.Z.R.) to allow a front yard setback of 32 ft., in lieu of the required 45 ft., be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that a variance from Section 238.4 to permit storage and display of vehicles and materials in the front yard setback area in lieu of the requirement that the front yard area to a depth of 30 ft. remain vehicle free, be and is hereby GRANTED; and

IT IS FURTHER ORDERED that a variance from Section 238.2 of the B.C.Z.R. to permit a 0 ft. side yard setback in lieu of the required 30 ft; from Section 238.2 to permit a 0 and 41 ft. distance between buildings in lieu of the required 60 ft. and 19 ft., respectively, be and is her GRANTED; and,

IT IS FURTHER ORDERED that a variance from Section 413.2 to permit a total sign area of 175.98 sq. ft. for two signs, in lieu of the required 100 sq. ft., be and is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted:

ORDER RECEIVED FOR FILING
Date 4/11/94
By

1. The Petitioner is hereby made aware that proceeding at this time is at its 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 Petitioner would be required to return, and be responsible for

returning, said property to its original condition.

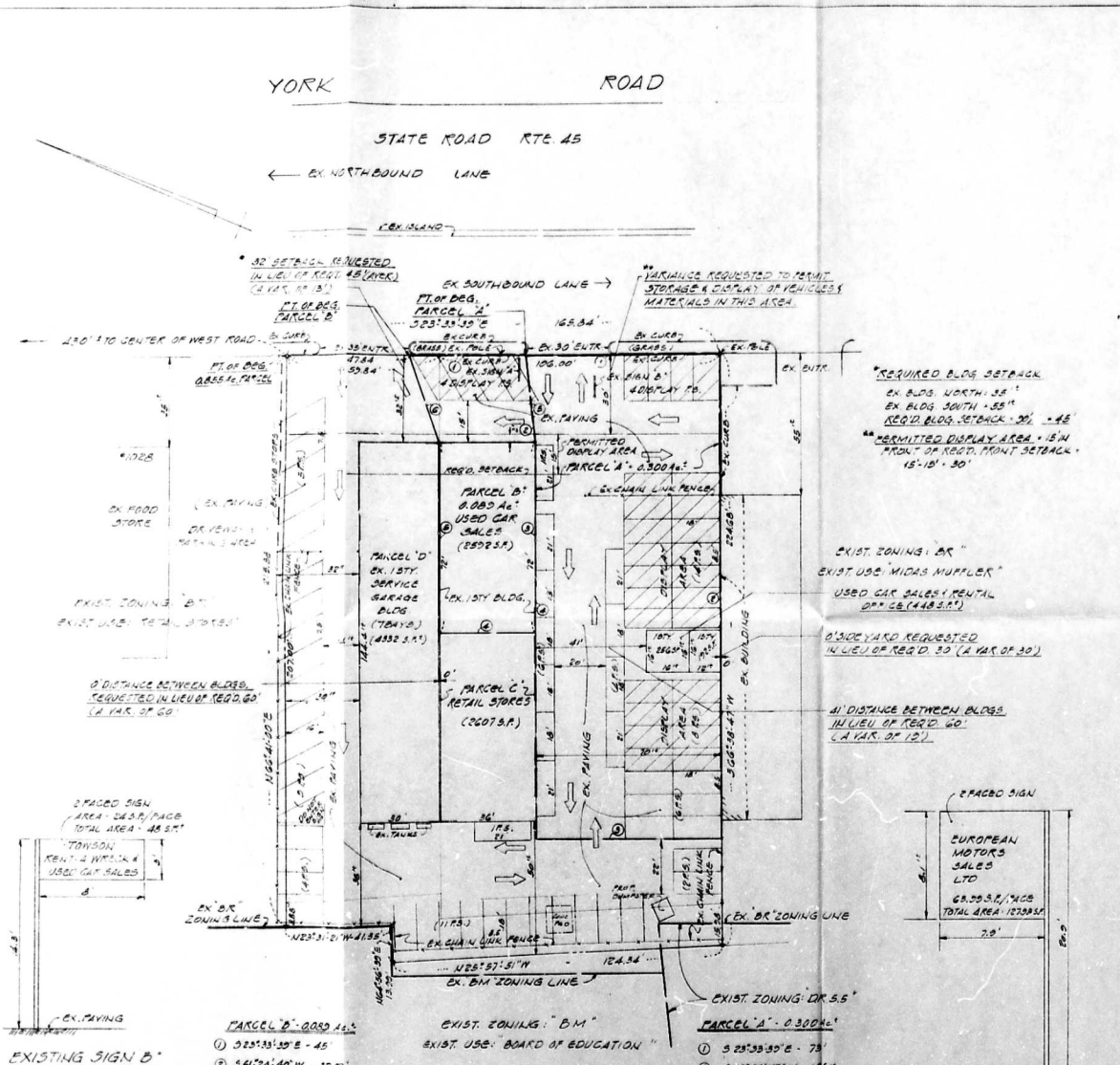
2. The Petitioner shall not allow the placement of any other outdoor advertising signs, banners, streamers, balloons, etc. That is, the sole means of advertising will be the two signs referenced herein, appropriate lettering on the facade of the buildings and prices/signs as may be written on the windshields of the vehicles. Any other means of outdoor advertising, be they temporary or permanent, will be excluded.

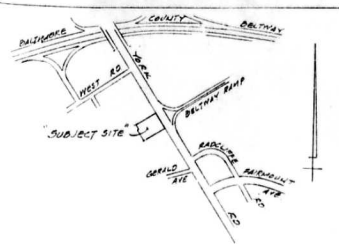
Lawrence E. Schmidt

LAWRENCE E. SCHMIDT
Zoning Commissioner for
Baltimore County

LES:mmn

ORDER RECEIVED FOR FILING
Date [illegible]
By [illegible]





LOCATION PLAN
SCALE: 1" = 800'

GENERAL NOTES

1. AREA OF PROPERTY = 0.855 Ac.± (GROSS AREA - 0.266 Ac.±) PARCEL 'A' - 0.300 Ac.± PARCEL 'B' - 0.089 Ac.±
2. EXISTING ZONING OF PROPERTY = "B.R." & O.R. 5.5
3. EXISTING USE OF PROPERTY = "EUROPEAN MOTORS SALES LTD, SERVICE GARAGE, USED CAR SALES & RENTALS.
4. PROPOSED ZONING OF PROPERTY = "B.R." W/SPEC. EXCEPTION & "O.R. 5.5"
5. PROPOSED USE OF PROPERTY = "SERVICE GARAGE, USED CAR SALES & RENTAL, RETAIL STORE
6. REQUIRED OFF STREET PARKING:
   A. EXISTING SERVICE GARAGE: 4332 S.F. @ 3.3 / 1000 S.F. = 14.3
   B. EXIST. USED CAR SALES & RENTAL - PARCEL 'A' - 0.300 Ac.± - 448 S.F. @ 5 / 1000 = 22.4
   C. EXISTING USED CAR SALES - PARCEL 'B' - 0.089 Ac.± = 2592 S.F. @ 5 / 1000 = 12.96
   C. PROPOSED RETAIL STORE - PARCEL 'C' = 2607 S.F. @ 5 / 1000 = 13.04
   D. TOTAL PARKING SPACES REQUIRED = 42.54 - 43 P.S.
7. NUMBER OF PARKING SPACES SHOWN: = 86 P.S.
   (CUSTOMER PARKING - 43 P.S., SERVICE BAYS - 7, USED CAR DISPLAY - 30)
8. PETITIONER REQUESTING A SPECIAL EXCEPTION TO PERMIT USED CAR SALES & RENTAL IN A "B.R." ZONE. ("PARCEL A" - 0.300 Ac.±)
9. PETITIONER REQUESTING A SPECIAL EXCEPTION TO PERMIT A USED CAR SALES IN A "B.R." ZONE. ("PARCEL B" - 0.089 Ac.±)
10. ANY DAMAGED VEHICLES TO BE REPAIRED, WILL BE STORED OVERNIGHT IN SIDE SERVICE BLDG.
11. PETITIONER REQUESTING A VARIANCE TO SECTION 238.2 OF THE BCZR TO PERMIT STORAGE AND DISPLAY OF VEHICLES AND MATERIALS WITHIN THE FRONT YARD SETBACK AREA IN LIEU OF THE PERMITTED 3' FROM THE FRONT OF THE EXISTING BUILDING (PERMITTED DISPLAY AREA = REQ'D. FRONT YD. SETBACK - (15' + 15' = 30')
12. PETITIONER REQUESTING A VARIANCE TO SECTION 238.2 OF THE BCZR TO PERMIT A 0' SIDEYARD SETBACK IN LIEU OF THE REQ'D. 30' (A VARIANCE OF 30').
13. PETITIONER REQUESTING A VARIANCE TO PERMIT A 0' AND 41' DISTANCE BETWEEN BUILDINGS IN LIEU OF THE REQ'D. 60' (A VARIANCE OF 60' AND 19').
14. PETITIONER REQUESTING A VARIANCE TO SECTION 413.2.B OF THE BCZR TO PERMIT A TOTAL SIGN AREA OF 175.66 S.F.± (2-63/MS) IN LIEU OF THE PERMITTED 100 S.F. (A VARIANCE OF 75.66 S.F.±).
15. PETITIONER REQUESTING A VARIANCE TO SECTION 303.2 OF THE BCZR TO PERMIT A FRONT YARD SETBACK OF 32' IN LIEU OF THE REQUIRED 45' (AVERAGE SETBACK) A VARIANCE OF 13'.
16. PROPERTY SERVED BY PUBLIC UTILITIES.
17. PERMITTED F.A.R. = 2.0, EXISTING F.A.R. = 0.23

CUSTOMER PARKING
DISPLAY PARKING

PLAT TO ACCOMPANY PETITION
FOR
SPECIAL EXCEPTION & VARIANCES
"1013-1024 YORK ROAD"
9TH ELECT. DIST.
SCALE: 1" = 30'
BALTIMORE COUNTY, MD.
FEB 16, 1994

PAUL LEE ENGINEERING, INC.
204 W. PENNSYLVANIA AVENUE
TOWSON, MARYLAND 21204

94-321-XA

323

Pet. Ex No 1

93-012

LR - Deed (No-Taxes) 20.00
Recording Fee
Name: BERGER
Ref:
LR - Deed (No-Taxes) 40.00
Surcharge
SubTotal: 60.00
Total: 60.00
12/30/2021 11:12 CC03-DeM
#5226773 CC03301 -
Baltimore
CC03/CC03.01.05 -
Register 05

NO CONSIDERATION
NO TITLE EXAMINATION
EXEMPT FROM RECORDATION TAX - TAX-PROPERTY §12-108(dd)
EXEMPT FROM TRANSFER TAX - TAX-PROPERTY §13-207(a)(22)

PERSONAL REPRESENTATIVES' DEED

THIS DEED, made this 6th day of October, 2021, by **GLENN G. BERGER** and **WAYNE G. BERGER**, Personal Representatives of the Estate of Tillie R. Berger, deceased, parties of the first part, Grantors, and **GLENN G. BERGER** and **WAYNE G. BERGER**, parties of the second part, Grantees.

WHEREAS, the said Tillie R. Berger, late of Baltimore City, Maryland, died testate on January 9, 2021;

WHEREAS, Glenn G. Berger and Wayne G. Berger were appointed Personal Representatives of the Estate of Tillie R. Berger on February 23, 2021 by the Office of the Register of Wills of Baltimore City, Maryland, Estate No. 196740, and continue to serve in that capacity;

WHEREAS, pursuant to the provisions of Section 1-301 of the Estates and Trusts Article of the Annotated Code of Maryland, legal title to the hereinafter described property passed directly to the said Grantors as Personal Representatives of the Estate of Tillie R. Berger, deceased; and

WHEREAS, pursuant to Item IV of the Last Will and Testament of Tillie R. Berger dated May 21, 2014, Glenn G. Berger and Wayne G. Berger are entitled to distribution of legal title to the hereinafter described property.

WITNESSETH, that for **NO CONSIDERATION**, the said Glenn G. Berger and Wayne G. Berger, Personal Representatives of the Estate of Tillie R. Berger, do hereby grant and convey unto the said Glenn G. Berger and Wayne G. Berger, as tenants-in-common, their personal representatives, successors and assigns, Tillie R. Berger's twenty-five percent (25%) interest in the properties herein firstly, secondly and thirdly described in fee simple, and in the properties, fourthly and fifthly described for all the residue of the term of years yet to come and unexpired therein, with the benefit of renewal forever; subject to the payment of the annual ground rent of one cent ($.01) payable yearly on the 28th day of December, those lots of ground and improvements situate, lying and being in Baltimore County, State of Maryland, and described as follows, that is to say:

SEE EXHIBIT A ATTACHED HERETO

PC Exh. 13a

BALTIMORE COUNTY CIRCUIT COURT (Land Records) JLE 46122, p. 0253, MSA_CE62_45979. Date available 01/06/2022. Printed 04/19/2023.

BEING the same lots of ground described by the (1) Deed dated March 18, 1996 and recorded among the Land Records of Baltimore County, Maryland in Liber SM 11604, folio 648, from Ira Berger and Tillie Berger, his wife, to Ira Berger an undivided ninety percent (90%) interest and to Tillie Berger an undivided ten percent (10%) interest, and (2) Deed dated August 18, 1997 and recorded among the Land Records of Baltimore County, Maryland in Liber SM 12495, folio 040, from Ira Berger to Tillie Berger an undivided fifteen percent (15%) interest.

TOGETHER with the buildings and improvements thereupon, made or being and all and every the rights, alleys, ways, waters, privileges, appurtenances and advantages, to the same belonging, or anywise appertaining.

TO HAVE AND TO HOLD the said lot of ground and premises, above described and mentioned, and hereby intended to be conveyed; together with the rights, privileges, appurtenances and advantages thereto belonging or appertaining unto and to the proper use and benefit of the said Glenn G. Berger and Wayne G. Berger, as tenants-in-common, their personal representatives, successors and assigns, in the properties herein firstly, secondly and thirdly described in fee simple, and in the properties, fourthly and fifthly described for all the residue of the term of years yet to come and unexpired therein, with the benefit of renewal forever; subject to the payment of the annual ground rent of one cent ($.01) payable yearly on the 28th day of December.

[SIGNATURES ON FOLLOWING PAGES]

BALTIMORE COUNTY CIRCUIT COURT (Land Records) JLE 46122, p. 0254, MSA_CE62_45979. Date available 01/06/2022. Printed 04/19/2023.

WITNESS the hands and seals of the Grantors the day and year first above written.

WITNESS/ATTEST:

_____ _____(SEAL)
Glenn G. Berger
Personal Representative of the
Estate of Tillie R. Berger

STATE OF MARYLAND)
) To Wit:
CITY/COUNTY OF Baltimore)

I HEREBY CERTIFY that on the 6th day of October, 2021, before me, the subscriber, a Notary Public of the State aforesaid, personally appeared **GLENN G. BERGER**, personally known or satisfactory proven to be the person who subscribed to the foregoing instrument, and he certified under the penalties of perjury that the facts recited herein are true and that that he executed the foregoing Deed for the purposes set forth therein.

IN WITNESS WHEREOF, I set my hand and official seal.

[NOTARY SEAL]



_____
Notary Public

_____
Printed Name of Notary Public
My Commission Expires: 07/25/2023

#5226507v.1

BALTIMORE COUNTY CIRCUIT COURT (Land Records) JLE 46122, p. 0255, MSA_CE62_45979. Date available 01/06/2022. Printed 04/19/2023.

WITNESS/ATTEST:

_____ _____(SEAL)
Wayne G. Berger
Personal Representative of the
Estate of Tillie R. Berger

STATE OF MARYLAND)
) To Wit:
CITY/COUNTY OF Baltimore)

I HEREBY CERTIFY that on the 6th day of October, 2021, before me, the subscriber, a Notary Public of the State aforesaid, personally appeared **WAYNE G. BERGER**, personally known or satisfactory proven to be the person who subscribed to the foregoing instrument, and he certified under the penalties of perjury that the facts recited herein are true and that that he executed the foregoing Deed for the purposes set forth therein.

IN WITNESS WHEREOF, I set my hand and official seal.

[NOTARY SEAL]

_____
Notary Public

_____
Printed Name of Notary Public
My Commission Expires: 7/25/2023

I HEREBY CERTIFY that the within instrument was prepared by me or under my supervision, and that I am an attorney duly admitted to practice before the Court of Appeals of the State of Maryland.

_____
Brian A. Balenson

After recording, please return to:

Brian A. Balenson, Esquire
Tydings & Rosenberg LLP
One East Pratt Street, Suite 901
Baltimore, Maryland 21202

#5226507v.1

BALTIMORE COUNTY CIRCUIT COURT (Land Records) JLE 46122, p. 0256, MSA_CE62_45979. Date available 01/06/2022. Printed 04/19/2023.

BALTIMORE COUNTY CIRCUIT COURT (Land Records) JLE 46122, p. 0257, MSA_CE62_45979. Date available 01/06/2022. Printed 04/19/2023.

EXHIBIT A

BEGINNING for the first at a stone heretofore planted on the West side of York Road at the beginning of the parcel of land which by deed dated June 20, 1921 and recorded in Baltimore County in Liber W.P.C. No. 542 folio 273, was conveyed by August C. Deichelman and wife to James C. Jackson and wife, thence running with and binding on the West side of York Road and on a part of the first line in said deed as now surveyed South 26 degrees, East 106 feet thence leaving the said outline and road and running for a line of division South 62 degrees, 49 minutes, West 205.85 feet to a fence there situate thence running with and binding on said fence North 30 degrees 02 minutes, West 106.09 feet to a stone heretofore planted as the Northwest corner of the above referred to parcel of land thence running with and binding on the Northern outline of said lot and along a fence there situate North 62 degrees, 40 minutes, East 213.31 feet to the place of beginning containing one-half acre of land, more or less.

BEGINNING for the second at a point on the West side of the Baltimore and York Turnpike Road, said point being South 29 degrees East 33 feet from beginning place of the beginning of the whole tract df land described in a deed from Emma V. Thompson, et al. to Albert E. DeBaugh, et al. bearing date of May 3, 1912 and recorded among the Land Records of Baltimore County in Liber W.P.C. No. 392, folio 384 and running thence parallel to the first line mentioned in said deed South 63 degrees West 207 feet, more or less, to a point in the second line of the deed above referred to and 33 feet from the beginning thereof, thence following said second line South 30-1/4 degrees East 27 feet to a stone now planted at the end of said second line, thence North 63 degrees East 207 feet, more or less, and following the third line in the deed above referred to the western side of said turnpike North 29 degrees West 27 feet to the place of beginning.

BEGINNING for the third, all that parcel of ground lying between and Southwesterly of the Southwesternmost lines of the parcels of land herein firstly and secondly described and those parcels of land described in two deeds from Ethel R. Smith, Widow, to Board of Education of Baltimore County dated September 26, 1956 and June 22, 1960 and recorded among the Land Records aforesaid in Liber G.L.B. No. 3020 folio 24 and Liber W.J.R. No. 3715 folio 602, respectively, which said parcel of land has been adversely, visibly, notoriously, openly, hostilely and under color of title, possessed by the said Everett H. Sammis and Dorothy G. Sammis, his wife, for more than twenty (20) years.

BEGINNING for the fourth on the west side of York Road, said place of beginning being at the end of the third line of that parcel of land which by a deed dated June 6, 1866 and recorded among the Land Records of Baltimore County in Liber JHL No. 49, folio 221 etc., was conveyed by Grafton M. Bosley and wife to Henry DeBaugh thence running reversely with said third line south 63 degrees west 207 feet more or less to the end of said line thence running reversely with part of the second line of said deed south 30 1/4 degrees East thirty-three feet north 63 degrees east and parallel with the first line in this description 207 feet more or less to the west side of York Road thence bounding on the west side of York Road, north 29 degrees west 33 feet to the place of beginning.

BEGINNING for the fifth, all that parcel of ground lying between the second or South 30 1/4 degrees East 33 feet line of the parcel land hereinbefore described and the third or North 25 degrees 02 minutes West 198.00 foot line of a parcel of land described in a Deed from Ethel R. Smith, Widow, to Board of Education of Baltimore County dated June 22, 1960 and recorded among the Land Records of Baltimore County in Liber WJR No. 3715, folio 602, which said parcel of land has been adversely visibly, notoriously, openly, hostilely and under color of title, possessed by the said Everett H. Sammis and his predecessors in title for more than twenty (20) years.

ment. You may need to adjust your printer settings to accomplish this. The Clerk will only accept the Intake Sheet in full 8 1/2" x 14" page size.

BOOK: 46122 PAGE: 258

State of Maryland Land Instrument Intake Sheet

_ Baltimore City ✓ County: BALTIMORE

Information provided is for the use of the Clerk's Office, State Department of Assessments and Taxation, and County Finance Office Only.

(Type or Print in Black Ink Only—All Copies Must Be Legible)

This form is fillable and can be completed using your PC. You can save t form to your PC for reus but the information you input will not save (unle you have installed Adob Acrobat or Adobe Appro software on your PC). Fo this reason, you should print the form once it is completed and make the appropriate number of copies - at least 4 copies

Space Reserved for Circuit Court Clerk Recording Validation

1 Type(s) of Instruments — (_ Check Box if addendum Intake Form is Attached.)

X Deed / Deed of Trust	Mortgage / Lease	Other	Other	

2 Conveyance Type Check Box

Improved Sale Arms-Length *[1]*	Unimproved Sale Arms-Length *[2]*	Multiple Accounts Arms-Length *[3]*	Not an Arms-Length Sale *[9]*

3 Tax Exemptions (if applicable) Cite or Explain Authority

Recordation	TAX EXEMPT Sec. 12-108(dd) & 13-207(a)(22)
State Transfer	TAX EXEMPT Sec. 12-108(dd) & 13-207(a)(22)
County Transfer	TAX EXEMPT Sec. 12-108(dd) & 13-207(a)(22)

4 Consideration and Tax Calculations

Consideration Amount		Finance Office Use Only — Transfer and Recordation Tax Consideration	
Purchase Price/Consideration	$	Transfer Tax Consideration	$
Any New Mortgage	$	X ( ) % =	$
Balance of Existing Mortgage	$	Less Exemption Amount –	$
Other:	$	Total Transfer Tax =	$
Other:	$	Recordation Tax Consideration	$
		X ( ) per $500 =	$
Full Cash Value:	$	TOTAL DUE	$

5 Fees

Amount of Fees	Doc. 1	Doc. 2
Recording Charge	$ 20.00	$
Surcharge	$ 40.00	$
State Recordation Tax	$	$
State Transfer Tax	$	$
County Transfer Tax	$	$
Other	$	$
Other	$	$

Agent: QP

Tax Bill: FY PD

C.B. Credit:

Ag. Tax/Other: N

6 Description of Property SDAT requires submission of all applicable information. A maximum of 40 characters will be indexed in accordance with the priority cited in Real Property Article Section 3-104(g)(3)(i).

District	Property Tax ID No. (1)	Grantor Liber/Folio	Map	Parcel No.	Var. LOG
09	~~091900691~~ 09190006911	35094/00064	0070	0595	(5)

Subdivision Name	Lot (3a)	Block (3b)	Sect/AR (3c)	Plat Ref.	SqFt/Acreage (4)
0000					

Location/Address of Property Being Conveyed (2): 1020 York Road, Towson, MD 21204

Other Property Identifiers (if applicable): 09-0919001830 (1024 York Road, Towson, MD 21204) | Water Meter Account No.:

Residential ✓ or Non-Residential | Fee Simple or Ground Rent | Amount:

Partial Conveyance? Yes ✓ No | Description/Amt. of SqFt/Acreage Transferred:

If Partial Conveyance, List Improvements Conveyed:

7 Transferred From

Doc. 1 – Grantor(s) Name(s)	Doc. 2 – Grantor(s) Name(s)
Glenn G. Berger, Pers. Rep.	
Wayne G. Berger, Pers. Rep.	
Doc. 1 – Owner(s) of Record, if Different from Grantor(s)	**Doc. 2 – Owner(s) of Record, if Different from Grantor(s)**

8 Transferred To

Doc. 1 – Grantee(s) Name(s)	Doc. 2 – Grantee(s) Name(s)
Glenn G. Berger	
Wayne G. Berger	

New Owner's (Grantee) Mailing Address: 111 Hamlet Hill Road, Apt. 1307, Balt., MD 21210

9 Other Names to Be Indexed

Doc. 1 – Additional Names to be Indexed (Optional)	Doc. 2 – Additional Names to be Indexed (Optional)

10 Contact/Mail Information

Instrument Submitted By or Contact Person

Name: Brian A. Balenson, Esquire

Firm Tydings

Address: One East Pratt Street, Suite 901

Baltimore, MD 21202 Phone: (410) 752-9700

✓ Return to Contact Person

Hold for Pickup

Return Address Provided

11 IMPORTANT: *BOTH* THE ORIGINAL DEED *AND* A PHOTOCOPY MUST ACCOMPANY EACH TRANSFER

Assessment Information

Yes ✓ No Will the property being conveyed be the grantee's principal residence?

Yes ✓ No Does transfer include personal property? If yes, identify:

Yes ✓ No Was property surveyed? If yes, attach copy of survey (if recorded, no copy required).

Space Reserved for County Validation

Assessment Use Only – Do Not Write Below This Line

Terminal Verification | Agricultural Verification | Whole | TAX NOT REQUIRED | Plan. Process Verification

Transfer Number | Date Received: | Deed Reference | Assigned Property No.:

Year	20	20	Geo.	Map	Sub Block
Land			Zoning	Grid	Plat Lot
Buildings			Use	Parcel	Section Occ. Cd.
Total			Town Cd.	Ex. Cd.	

REMARKS:

Director of Budget and Finance
BALTIMORE COUNTY, MARYLAND
☑ COUNTY TRANSFER TAX
Per ✓ EXEMPT ART 11 TITLE 7, SUBTITLE 2, 13-207
☑ RECORDATION TAX
Per EXEMPT T.P. ART 11-102
Date 12/14/21

PRINT FORM on 8 1/2 x 14

RESET FORM

Distribution: White – Clerk's Office Canary – SDAT AOC-CC-300 (5/2007)

BALTIMORE COUNTY CIRCUIT COURT (Land Records) JLE 46122, p. 0258, MSA_CE62_45979. Date available 01/06/2022. Printed 04/19/2023.

LR - Deed (No-Taxes) 20.00
Recording Fee
Name: BERGER
Ref:
LR - Deed (No-Taxes) 40.00
Surcharge
SubTotal: 60.00
Total: 60.00
03/07/2022 10:51 CC03-WL
#5229731 CC03301 -
Baltimore County/CC03.01.02 -
Cashier 02
#15939731

NO CONSIDERATION
NO TITLE EXAMINATION
EXEMPT FROM RECORDATION TAX - TAX-PROPERTY §12-108(dd)
EXEMPT FROM TRANSFER TAX - TAX-PROPERTY §13-207(a)(22)

PERSONAL REPRESENTATIVES' DEED

THIS DEED made this 6th day of October, 2021, from **GLENN G. BERGER** and **WAYNE G. BERGER,** Personal Representatives of the Estate of Ira N. Berger, deceased, Grantors, to **GLENN G. BERGER** and **WAYNE G. BERGER**, Trustees of the Residuary Trust under the will of Ira N. Berger, Grantee.

WHEREAS, Ira N. Berger, late of Baltimore County, Maryland, died on February 11, 2013, leaving a Will which was admitted to probate by the Register of Wills for Baltimore County, Maryland. The Will devised the property described below to the Grantee; and

WHEREAS, Glenn G. Berger and Wayne G. Berger, the Personal Representatives of the Estate of Ira N. Berger, deceased, (Estate No. 172347), have distributed the real property described below to the Grantees pursuant to the Second and Final Administration Account of the Estate filed by the Personal Representatives and approved by the Orphans' Court of Baltimore County on June 13, 2014, and are executing this Deed of testamentary distribution to evidence the title of the Grantee.

THEREFORE, The Grantors, for no consideration, grant and convey to the Grantee, its successors and assigns, in fee simple, an undivided seventy-five percent (75%) interest, as tenants-in-common, in all that property located in Baltimore County, Maryland, described as follows:

> BEGINNING for the first on the west side of York Road, said place of beginning being at the end of the third line of that parcel of land which by a deed dated June 6, 1866 and recorded among the Land Records of Baltimore County in Liber JHL No. 49, folio 221 etc., was conveyed by Grafton M. Bosley and wife to Henry DeBaugh thence running reversely with said third line south 63 degrees west 207 feet more or less to the end of said line thence running reversely with part of the second line of

BALTIMORE COUNTY CIRCUIT COURT (Land Records) JLE 46511, p. 0185, MSA_CE62_46368. Date available 03/09/2022. Printed 04/19/2023.

said deed south 30 1/4 degrees East thirty-three feet north 63 degrees east and parallel with the first line in this description 207 feet more or less to the west side of York Road thence bounding on the west side of York Road, north 29 degrees west 33 feet to the place of beginning.

BEGINNING for the second, all that parcel of ground lying between the second or South 30 1/4 degrees East 33 feet line of the parcel land hereinbefore described and the third or North 25 degrees 02 minutes West 198.00 foot line of a parcel of land described in a Deed from Ethel R. Smith, Widow, to Board of Education of Baltimore County dated June 22, 1960 and recorded among the Land Records of Baltimore County in Liber WJR No. 3715, folio 602, which said parcel of land has been adversely visibly, notoriously, openly, hostilely and under color of title, possessed by the said Everett H. Sammis and his predecessors in title for more than twenty (20) years.

FOR TITLE SEE:

Deed from Ira Berger and Tillie Berger to Ira Berger and Tillie Berger dated March 18, 1996 and recorded among the Land Records of Baltimore County in Liber SM 11604, folio 648.

Deed from Ira Berger to Tillie Berger dated August 18, 1997 and recorded among the Land Records of Baltimore County in Liber SM 12495, folio 40.

Together with all improvements thereupon, and the rights, alleys, ways, waters, privileges, appurtenances and advantages belonging or appertaining thereto.

To have and to hold said undivided seventy-five percent (75%) interest, as tenants-in-common, in the property hereby conveyed unto the Grantee, its successors and assigns, in fee simple, forever.

[SIGNATURES ON FOLLOWING PAGES]

BALTIMORE COUNTY CIRCUIT COURT (Land Records) JLE 46511, p. 0186, MSA_CE62_46368. Date available 03/09/2022. Printed 04/19/2023.

WITNESS the hands and seals of the Grantors the day and year first above written.

WITNESS/ATTEST:

_____ _____(SEAL)
Glenn G. Berger
Personal Representative of the
Estate of Ira N. Berger

STATE OF MARYLAND)
) To Wit:
CITY/COUNTY OF Baltimore)

I HEREBY CERTIFY that on the 6th day of October, 2021, before me, the subscriber, a Notary Public of the State aforesaid, personally appeared **GLENN G. BERGER**, personally known or satisfactory proven to be the person who subscribed to the foregoing instrument, and he certified under the penalties of perjury that the facts recited herein are true and that that he executed the foregoing Deed for the purposes set forth therein.

IN WITNESS WHEREOF, I set my hand and official seal.

[NOTARY SEAL]

_____
Notary Public

Mary P Fink
Printed Name of Notary Public
My Commission Expires: 7/25/23

BALTIMORE COUNTY CIRCUIT COURT (Land Records) JLE 46511, p. 0187, MSA_CE62_46368. Date available 03/09/2022. Printed 04/19/2023.

WITNESS/ATTEST:

_____ _____(SEAL)
Wayne G. Berger
Personal Representative of the
Estate of Ira N. Berger

STATE OF MARYLAND)
) To Wit:
CITY/COUNTY OF Baltimore)

I HEREBY CERTIFY that on the 6th day of October, 2021, before me, the subscriber, a Notary Public of the State aforesaid, personally appeared **WAYNE G. BERGER**, personally known or satisfactory proven to be the person who subscribed to the foregoing instrument, and he certified under the penalties of perjury that the facts recited herein are true and that that he executed the foregoing Deed for the purposes set forth therein.

IN WITNESS WHEREOF, I set my hand and official seal.

[NOTARY SEAL]

_____
Notary Public

_____
Printed Name of Notary Public
My Commission Expires: 7/25/23

I HEREBY CERTIFY that the within instrument was prepared by me or under my supervision, and that I am an attorney duly admitted to practice before the Court of Appeals of the State of Maryland.

_____
Brian A. Balenson

After recording, please return to:

Brian A. Balenson, Esquire
Tydings & Rosenberg LLP
One East Pratt Street, Suite 901
Baltimore, Maryland 21202

BALTIMORE COUNTY CIRCUIT COURT (Land Records) JLE 46511, p. 0188, MSA_CE62_46368. Date available 03/09/2022. Printed 04/19/2023.

State of Maryland Land Instrument Intake Sheet

BOOK: 46511 PAGE: 189

Baltimore City ✓ County: BALTIMORE

Information provided is for the use of the Clerk's Office, State Department of Assessments and Taxation, and County Finance Office Only.

(Type or Print in Black Ink Only—All Copies Must Be Legible)

This form is fillable and can be completed using your PC. You can save t form to your PC for reus but the information you input will not save (unle you have installed Adob Acrobat or Adobe Appro software on your PC). Fo this reason, you should print the form once it is completed and make the appropriate number of copies - at least 4 copies

Space Reserved for Circuit Court Clerk Recording Validation

1 Type(s) of Instruments (☐ Check Box if addendum Intake Form is Attached.)

X Deed / Deed of Trust	☐ Mortgage / Lease	☐ Other	☐ Other

2 Conveyance Type Check Box

☐ Improved Sale Arms-Length *[1]*	☐ Unimproved Sale Arms-Length *[2]*	☐ Multiple Accounts Arms-Length *[3]*	☐ Not an Arms-Length Sale *[9]*

3 Tax Exemptions (if applicable) Cite or Explain Authority

Recordation	TAX EXEMPT Sec. 12-108(dd) & 13-207(a)(22)
State Transfer	TAX EXEMPT Sec. 12-108(dd) & 13-207(a)(22)
County Transfer	TAX EXEMPT Sec. 12-108(dd) & 13-207(a)(22)

4 Consideration and Tax Calculations

Consideration Amount		Finance Office Use Only Transfer and Recordation Tax Consideration	
Purchase Price/Consideration	$	Transfer Tax Consideration	$
Any New Mortgage	$	X ( ) % =	$
Balance of Existing Mortgage	$	Less Exemption Amount –	$
Other:	$	Total Transfer Tax =	$
Other:	$	Recordation Tax Consideration	$
		X ( ) per $500 =	$
Full Cash Value:	$	TOTAL DUE	$

5 Fees

Amount of Fees	Doc. 1	Doc. 2
Recording Charge	$ 20.00	$
Surcharge	$ 40.00	$
State Recordation Tax	$	$
State Transfer Tax	$	$
County Transfer Tax	$	$
Other	$	$
Other	$	$

Agent:

Tax Bill:

C.B. Credit:

Ag. Tax/Other:

6 Description of Property SDAT requires submission of all applicable information. A maximum of 40 characters will be indexed in accordance with the priority cited in Real Property Article Section 3-104(g)(3)(i).

District	Property Tax ID No. (1)	Grantor Liber/Folio	Map	Parcel No.	Var. LOG
09	09-0919000691	46122/00253	0070	0595	(5)

Subdivision Name	Lot (3a)	Block (3b)	Sect/AR (3c)	Plat Ref.	SqFt/Acreage (4)
0000					

Location/Address of Property Being Conveyed (2): 1020 York Road, Towson, MD 21204

Other Property Identifiers (if applicable): 09-0919001830 (1024 York Road, Towson, MD 21204) | Water Meter Account No.:

Residential ✓ or Non-Residential ☐ | Fee Simple ☐ or Ground Rent ☐ Amount:

Partial Conveyance? ☐ Yes ✓ No | Description/Amt. of SqFt/Acreage Transferred:

If Partial Conveyance, List Improvements Conveyed:

7 Transferred From

Doc. 1 – Grantor(s) Name(s)	Doc. 2 – Grantor(s) Name(s)
Glenn G. Berger, Trustee	
Wayne G. Berger, Trustee	
Doc. 1 – Owner(s) of Record, if Different from Grantor(s)	**Doc. 2 – Owner(s) of Record, if Different from Grantor(s)**

8 Transferred To

Doc. 1 – Grantee(s) Name(s)	Doc. 2 – Grantee(s) Name(s)
Glenn G. Berger	
Wayne G. Berger	

New Owner's (Grantee) Mailing Address: 111 Hamlet Hill Road, Apt. 1307, Balt., MD 21210

9 Other Names to Be Indexed

Doc. 1 – Additional Names to be Indexed (Optional)	Doc. 2 – Additional Names to be Indexed (Optional)

10 Contact/Mail Information

Instrument Submitted By or Contact Person

Name: Brian A. Balenson, Esquire

Firm Tydings

Address: One East Pratt Street, Suite 901

Baltimore, MD 21202 Phone: (410) 752-9700

✓ Return to Contact Person

Hold for Pickup

Return Address Provided

11 Assessment Information

IMPORTANT: *BOTH* THE ORIGINAL DEED *AND* A PHOTOCOPY MUST ACCOMPANY EACH TRANSFER

☐ Yes ✓ No Will the property being conveyed be the grantee's principal residence?

☐ Yes ✓ No Does transfer include personal property? If yes, identify:

☐ Yes ✓ No Was property surveyed? If yes, attach copy of survey (if recorded, no copy required).

Space Reserved for County Validation

Assessment Use Only – Do Not Write Below This Line

Terminal Verification . Agricultural Verification . Whole . Part . Tran. Process Verification

Transfer Number Date Received: Deed Reference: Assigned Property No.:

Year	20	20	Geo.	Map	Sub
Land			Zoning	Grid	Block
Buildings			Use	Parcel	Lot
Total			Town Cd.	Ex Cd	Occ. Cd.

TAX NOT REQUIRED
Director of Budget and Finance
BALTIMORE COUNTY, MARYLAND

REMARKS:

☐ COUNTY TRANSFER TAX
Per
ART 11 TITLE 3
SUBTITLE 2, 11-3-202

☒ RECORDATION TAX
Per
T.P. ART 12-108

Date 3/10/23

RESET FORM

PRINT FORM on 8 1/2 x 14

Distribution: White – Clerk's Office Canary – SDAT AOC-CC-300 (5/2007)

BALTIMORE COUNTY CIRCUIT COURT (Land Records) JLE 46511, p. 0189, MSA_CE62_46368. Date available 03/09/2022. Printed 04/19/2023.

BALTIMORE COUNTY CIRCUIT COURT (Land Records) JLE 46511, p. 0190, MSA_CE62_46368. Date available 03/09/2022. Printed 04/19/2023.

NO CONSIDERATION
NO TITLE EXAMINATION
EXEMPT FROM RECORDATION TAX - TAX-PROPERTY §12-108(ee)
EXEMPT FROM TRANSFER TAX - TAX-PROPERTY §13-207(a)(23)

DEED

THIS DEED, made this 6th day of October, 2021, by **GLENN G. BERGER** and **WAYNE G. BERGER**, Trustees of the Residuary Trust under the will of Ira N. Berger, parties of the first part, Grantors, and **GLENN G. BERGER** and **WAYNE G. BERGER**, parties of the second part, Grantees.

WITNESSETH, That for the consideration of **NO CONSIDERATION**, the said Grantors do hereby grant and convey unto the said Grantees (who are the beneficiaries of the Residuary Trust under the Will of Ira N. Berger), as tenants-in-common, their personal representatives, successors and assigns, the Residuary Trust's seventy-five percent (75%) interest in the properties herein firstly, secondly and thirdly described in fee simple, and in the properties fourthly and fifthly described for all the residue of the term of years yet to come and unexpired therein, with the benefit of renewal forever; subject to the payment of the annual ground rent of one cent ($.01) payable yearly on the 28th day of December, those lots of ground and improvements situate, lying and being in Baltimore County, State of Maryland, and described as follows, that is to say:

SEE EXHIBIT A ATTACHED HERETO

BEING the same lots of ground described by the (1) Deed dated May 21, 2014 and recorded among the Land Records of Baltimore County in Liber JLE 35094, folio 064, from Glenn G. Berger and Wayne G. Berger, personal representatives of the Estate of Ira N. Berger, to Glenn G. Berger and Wayne G. Berger, Trustees of the Residuary Trust under the Will of Ira N. Berger, as to the properties herein firstly, secondly and thirdly described, and (2) Deed dated October 6, 2021 and intended to be recorded among the Land Records of Baltimore County immediately prior hereto from Glenn G. Berger and Wayne G. Berger, personal representatives of the Estate of Ira N. Berger, to Glenn G. Berger and Wayne G. Berger, Trustees of the Residuary Trust under the will of Ira N. Berger, as to the properties fourthly and fifthly described.

TOGETHER with the buildings and improvements thereupon made or being and all and every the rights, alleys, ways, waters, privileges, appurtenances and advantages to the same belonging, or anywise appertaining.

LR - Deed (No-Taxes) 20.00
Recording Fee
Names BERGER
Def
LR Deed (No-Taxes) 40.00
Surcharge
Sub Total: 60.00
Tot: 60.00
03/09/2022 10:57
CC03-WL
#1593807 CC03D1 -
Baltimore
County/CC03.01.02 -
Register #2

#1593807

#5229734v.1

TO HAVE AND TO HOLD the said lot of ground and premises, above described and mentioned, and hereby intended to be conveyed; together with the rights, privileges, appurtenances and advantages thereto belonging or appertaining unto and to the proper use and benefit of the said Glenn G. Berger and Wayne G. Berger, as tenants-in-common, their personal representatives, successors and assigns, in the properties herein firstly, secondly and thirdly described in fee simple, and in the properties, fourthly and fifthly described for all the residue of the term of years yet to come and unexpired therein, with the benefit of renewal forever; subject to the payment of the annual ground rent of one cent ($.01) payable yearly on the 28th day of December.

WITNESS the hands and seals of the Grantors the day and year first above written.

WITNESS/ATTEST:

_____ _____(SEAL)
Glenn G. Berger, Trustee
Trustee of the Residuary Trust under the Will of Ira N. Berger

STATE OF MARYLAND)
) To Wit:
CITY/COUNTY OF Baltimore)

I HEREBY CERTIFY that on the 6th day of October, 2021, before me, the subscriber, a Notary Public of the State aforesaid, personally appeared **GLENN G. BERGER**, personally known or satisfactory proven to be the person who subscribed to the foregoing instrument, and he certified under the penalties of perjury that the facts recited herein are true and that that he executed the foregoing Deed for the purposes set forth therein.

IN WITNESS WHEREOF, I set my hand and official seal.

[NOTARY SEAL]

_____
Notary Public

Mary P Fink
Printed Name of Notary Public
My Commission Expires: 7/25/23

#5229734v.1

BALTIMORE COUNTY CIRCUIT COURT (Land Records) JLE 46511, p. 0191, MSA_CE62_46368. Date available 03/09/2022. Printed 04/19/2023.

WITNESS/ATTEST:

_____ _____(SEAL)
Wayne G. Berger, Trustee
Trustee of the Residuary Trust under the Will of Ira N. Berger

STATE OF MARYLAND)
) To Wit:
CITY/COUNTY OF Baltimore)

I HEREBY CERTIFY that on the 6th day of October, 2021, before me, the subscriber, a Notary Public of the State aforesaid, personally appeared **WAYNE G. BERGER**, personally known or satisfactory proven to be the person who subscribed to the foregoing instrument, and he certified under the penalties of perjury that the facts recited herein are true and that that he executed the foregoing Deed for the purposes set forth therein.

IN WITNESS WHEREOF, I set my hand and official seal.

[NOTARY SEAL]

_____
Notary Public

_____
Printed Name of Notary Public
My Commission Expires: 7/25/23

I HEREBY CERTIFY that the within instrument was prepared by me or under my supervision, and that I am an attorney duly admitted to practice before the Court of Appeals of the State of Maryland.

_____
Brian A. Balenson

After recording, please return to:

Brian A. Balenson, Esquire
Tydings & Rosenberg LLP
One East Pratt Street, Suite 901
Baltimore, Maryland 21202

BALTIMORE COUNTY CIRCUIT COURT (Land Records) JLE 46511, p. 0192, MSA_CE62_46368. Date available 03/09/2022. Printed 04/19/2023.

EXHIBIT A

BEGINNING for the first at a stone heretofore planted on the West side of York Road at the beginning of the parcel of land which by deed dated June 20, 1921 and recorded in Baltimore County in Liber W.P.C. No. 542 folio 273, was conveyed by August C. Deichelman and wife to James C. Jackson and wife, thence running with and binding on the West side of York Road and on a part of the first line in said deed as now surveyed South 26 degrees, East 106 feet thence leaving the said outline and road and running for a line of division South 62 degrees, 49 minutes, West 205.85 feet to a fence there situate thence running with and binding on said fence North 30 degrees 02 minutes, West 106.09 feet to a stone heretofore planted as the Northwest corner of the above referred to parcel of land thence running with and binding on the Northern outline of said lot and along a fence there situate North 62 degrees, 40 minutes, East 213.31 feet to the place of beginning containing one-half acre of land, more or less.

BEGINNING for the second at a point on the West side of the Baltimore and York Turnpike Road, said point being South 29 degrees East 33 feet from beginning place of the beginning of the whole tract df land described in a deed from Emma V. Thompson, et al. to Albert E. DeBaugh, et al. bearing date of May 3, 1912 and recorded among the Land Records of Baltimore County in Liber W.P.C. No. 392, folio 384 and running thence parallel to the first line mentioned in said deed South 63 degrees West 207 feet, more or less, to a point in the second line of the deed above referred to and 33 feet from the beginning thereof, thence following said second line South 30-1/4 degrees East 27 feet to a stone now planted at the end of said second line, thence North 63 degrees East 207 feet, more or less, and following the third line in the deed above referred to the western side of said turnpike North 29 degrees West 27 feet to the place of beginning.

BEGINNING for the third, all that parcel of ground lying between and Southwesterly of the Southwesternmost lines of the parcels of land herein firstly and secondly described and those parcels of land described in two deeds from Ethel R. Smith, Widow, to Board of Education of Baltimore County dated September 26, 1956 and June 22, 1960 and recorded among the Land Records aforesaid in Liber G.L.B. No. 3020 folio 24 and Liber W.J.R. No. 3715 folio 602, respectively, which said parcel of land has been adversely, visibly, notoriously, openly, hostilely and under color of title, possessed by the said Everett H. Sammis and Dorothy G. Sammis, his wife, for more than twenty (20) years.

BEGINNING for the fourth on the west side of York Road, said place of beginning being at the end of the third line of that parcel of land which by a deed dated June 6, 1866 and recorded among the Land Records of Baltimore County in Liber JHL No. 49, folio 221 etc., was conveyed by Grafton M. Bosley and wife to Henry DeBaugh thence running reversely with said third line south 63 degrees west 207 feet more or less to the end of said line thence running reversely with part of the second line of said deed south 30 1/4 degrees East thirty-three feet north 63 degrees east and parallel with the first line in this description 207 feet more or less to the west side of York Road thence bounding on the west side of York Road, north 29 degrees west 33 feet to the place of beginning.

BEGINNING for the fifth, all that parcel of ground lying between the second or South 30 1/4 degrees East 33 feet line of the parcel land hereinbefore described and the third or North 25 degrees 02 minutes West 198.00 foot line of a parcel of land described in a Deed from Ethel R. Smith,

BALTIMORE COUNTY CIRCUIT COURT (Land Records) JLE 46511, p. 0193, MSA_CE62_46368. Date available 03/09/2022. Printed 04/19/2023.

Widow, to Board of Education of Baltimore County dated June 22, 1960 and recorded among the Land Records of Baltimore County in Liber WJR No. 3715, folio 602, which said parcel of land has been adversely visibly, notoriously, openly, hostilely and under color of title, possessed by the said Everett H. Sammis and his predecessors in title for more than twenty (20) years.

BALTIMORE COUNTY CIRCUIT COURT (Land Records) JLE 46511, p. 0194, MSA_CE62_46368. Date available 03/09/2022. Printed 04/19/2023.

State of Maryland Land Instrument Intake Sheet

BOOK: 46511 PAGE: 195

Baltimore City ✓ County: BALTIMORE

Information provided is for the use of the Clerk's Office, State Department of Assessments and Taxation, and County Finance Office Only.

(Type or Print in Black Ink Only—All Copies Must Be Legible)

Space Reserved for Circuit Court Clerk Recording Validation

This form is fillable and can be completed using your PC. You can save t form to your PC for reus but the information you input will not save (unle you have installed Adob Acrobat or Adobe Appro software on your PC). Fo this reason, you should print the form once it is completed and make the appropriate number of copies - at least 4 copies

1 Type(s) of Instruments (☐ Check Box if addendum Intake Form is Attached.)

X Deed / Deed of Trust	☐ Mortgage / Lease	☐ Other _____	☐ Other _____

2 Conveyance Type Check Box

☐ Improved Sale Arms-Length *[1]*	☐ Unimproved Sale Arms-Length *[2]*	☐ Multiple Accounts Arms-Length *[3]*	☐ Not an Arms-Length Sale *[9]*

3 Tax Exemptions (if applicable) Cite or Explain Authority

Recordation	TAX EXEMPT Sec. 12-108(dd) & 13-207(a)(22)
State Transfer	TAX EXEMPT Sec. 12-108(dd) & 13-207(a)(22)
County Transfer	TAX EXEMPT Sec. 12-108(dd) & 13-207(a)(22)

4 Consideration and Tax Calculations

Consideration Amount		Finance Office Use Only — Transfer and Recordation Tax Consideration	
Purchase Price/Consideration	$	Transfer Tax Consideration	$
Any New Mortgage	$	X ( ) % =	$
Balance of Existing Mortgage	$	Less Exemption Amount –	$
Other:	$	Total Transfer Tax =	$
Other:	$	Recordation Tax Consideration	$
		X ( ) per $500 =	$
Full Cash Value:	$	TOTAL DUE	$

5 Fees

Amount of Fees	Doc. 1	Doc. 2
Recording Charge	$ 20.00	$
Surcharge	$ 40.00	$
State Recordation Tax	$	$
State Transfer Tax	$	$
County Transfer Tax	$	$
Other	$	$
Other	$	$

Agent:

Tax Bill:

C.B. Credit:

Ag. Tax/Other:

6 Description of Property

SDAT requires submission of all applicable information. A maximum of 40 characters will be indexed in accordance with the priority cited in Real Property Article Section 3-104(g)(3)(i).

District	Property Tax ID No. (1)	Grantor Liber/Folio	Map	Parcel No.	Var. LOG
09	19000691	46122/00253	0070	0595	(5)

Subdivision Name	Lot (3a)	Block (3b)	Sect/AR (3c)	Plat Ref.	SqFt/Acreage (4)
0000					

Location/Address of Property Being Conveyed (2): 1020-1024 York Road, Towson, MD 21204

Other Property Identifiers (if applicable): 09-19000690 (1022 York Road); 09-19001830 (1024 York Rd)

Water Meter Account No.:

Residential ☑ or Non-Residential ☐ | Fee Simple ☐ or Ground Rent ☐ Amount:

Partial Conveyance? ☐ Yes ☑ No | Description/Amt. of SqFt/Acreage Transferred:

If Partial Conveyance, List Improvements Conveyed:

7 Transferred From

Doc. 1 – Grantor(s) Name(s)	Doc. 2 – Grantor(s) Name(s)
Glenn G. Berger, Trustee	
Wayne G. Berger, Trustee	
Doc. 1 – Owner(s) of Record, if Different from Grantor(s)	**Doc. 2 – Owner(s) of Record, if Different from Grantor(s)**

8 Transferred To

Doc. 1 – Grantee(s) Name(s)	Doc. 2 – Grantee(s) Name(s)
Glenn G. Berger	
Wayne G. Berger	

New Owner's (Grantee) Mailing Address: 111 Hamlet Hill Road, Apt. 1307, Balt., MD 21210

9 Other Names to Be Indexed

Doc. 1 – Additional Names to be Indexed (Optional)	Doc. 2 – Additional Names to be Indexed (Optional)

10 Contact/Mail Information

Instrument Submitted By or Contact Person

Name: Brian A. Balenson, Esquire

Firm Tydings

Address: One East Pratt Street, Suite 901

Baltimore, MD 21202 Phone: (410) 752-9700

✓ Return to Contact Person

Hold for Pickup

Return Address Provided

11 Assessment Information

IMPORTANT: *BOTH* THE ORIGINAL DEED *AND* A PHOTOCOPY MUST ACCOMPANY EACH TRANSFER

☐ Yes ✓ No Will the property being conveyed be the grantee's principal residence?

Yes ✓ No Does transfer include personal property? If yes, identify:

Yes ✓ No Was property surveyed? If yes, attach copy of survey (if recorded, no copy required).

Space Reserved for County Validation

Assessment Use Only – Do Not Write Below This Line

Terminal Verification | Agricultural Verification | Whole | Part | Tran. Process Verification

Transfer Number | Date Received: | Deed Reference: | Assigned Property No.:

Year	20	20	Geo.	Map	TAX NOT REQUIRED	Block	
Land			Zoning	Grid	Director of Budget and Finance	Lot	
Buildings			Use	Parcel	BALTIMORE COUNTY, MARYLAND	Occ. Cd.	
Total			Town Cd.	Ex. St.		Ex. Cd.	

REMARKS:

☑ COUNTY TRANSFER TAX Per ART 11 TITLE 3 SUBTITLE 2, 11-3-202

☑ RECORDATION TAX Per T.P. ART 12-108

Date 3/4/03

PRINT FORM on 8 1/2 x 14

RESET FORM

Distribution: White – Clerk's Office Canary – SDAT AOC-CC-300 (5/2007)

BALTIMORE COUNTY CIRCUIT COURT (Land Records) JLE 46511, p. 0195, MSA_CE62_46368. Date available 03/09/2022. Printed 04/19/2023.

IN RE: PETITION FOR SPECIAL EXCEPTION	*	BEFORE THE
(5201 Campbell Blvd.)		
14th Election District	*	OFFICE OF
6th Councilman District		
W & M Business Trust	*	ADMINISTRATIVE HEARINGS
Legal Owner		
Nottingham Car Wash	*	FOR BALTIMORE COUNTY
Lessee		
Petitioners	*	**Case No. 2014-0075-X**

* * * * * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (OAH) for Baltimore County as a Petition for Special Exception filed for property located at 5201 Campbell Boulevard. The Petition was filed by G. Scott Barhight, Esquire, on behalf of the owner of the subject property, W & M Business Trust, and the lessee, Nottingham Car Wash ("Petitioners"). The Special Exception petition seeks relief pursuant to §233.3 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit a car wash. The subject property and requested relief are more fully described on the redlined site plan which was marked and accepted into evidence as Petitioners' Exhibit 1.

Appearing at the hearing in support of the petition was Thomas DeBacco, Chris Rivera, Ken Schmid, Joe Credit, Bill Monk and Michael Coughlin, from Morris & Ritchie Associates, Inc. the firm that prepared the site plan. Adam Baker, Esquire and G. Scott Barhight, Esquire from Whiteford, Taylor & Preston, attended and represented the Petitioners.

Zoning Advisory Committee (ZAC) comments were received from the Department of Planning (DOP) and the Bureau of Development Plans Review (DPR). The DOP requested that Petitioners submit for its review elevations of the proposed facility, and to also provide a pedestrian connection from Franklin Square Drive. The Petitioners submitted a redline site plan

ORDER RECEIVED FOR FILING
Date 12-16-13
By

showing the sidewalk connection, and also indicated that it shared with the DOP the elevations which were submitted as Exhibits 2A & 2B. Both the DOP and DPR required that a landscape plan be approved prior to issuance of permits, and such a condition will be included in the Order that follows.

Testimony and evidence offered at the hearing revealed that the subject property is 2.28 +/- acres and is zoned BM-AS. The lessee proposes to construct and operate a full service car wash facility on the site, and a special exception is required for that use in the zone.

SPECIAL EXCEPTION LAW

Under Maryland law, a special exception use enjoys a presumption that it is in the interest of the general welfare, and therefore, valid. Schultz v. Pritts, 291 Md. 1 (1981). The Schultz standard was revisited in People's Counsel v. Loyola College, 406 Md. 54 (2008), where the court emphasized that a special exception is properly denied only when there are facts and circumstances showing that the adverse impacts of the use at the particular location in question would be above and beyond those inherently associated with the special exception use.

PETITIONERS' CASE

The Petitioners' presented the proffered testimony of traffic engineer Ken Schmid, professional engineer Michael Coughlin and land planner Bill Monk. Each was accepted as an expert, and each witness opined the proposal satisfied the requirements set forth in B.C.Z.R. §502.1, as well as B.C.Z.R. §419, containing certain requirements applicable to car wash operations. I found the proffered testimony convincing, and there was no evidence presented that would rebut the legal presumption generated in special exception cases.

Pursuant to the advertisement, posting of the property, and public hearing on this petition, and after considering the testimony and evidence offered, I find that Petitioners' Special Exception

ORDER RECEIVED FOR FILING
Date 12-16-13
By

request should be granted.

THEREFORE, IT IS ORDERED by the Administrative Law Judge for Baltimore County, this **16th** day of December, 2013, that the Petition for Special Exception under §233.3 of the Baltimore County Zoning Regulations ("B.C.Z.R."), to permit a car wash, be and is hereby GRANTED.

The relief granted herein shall be subject to the following:

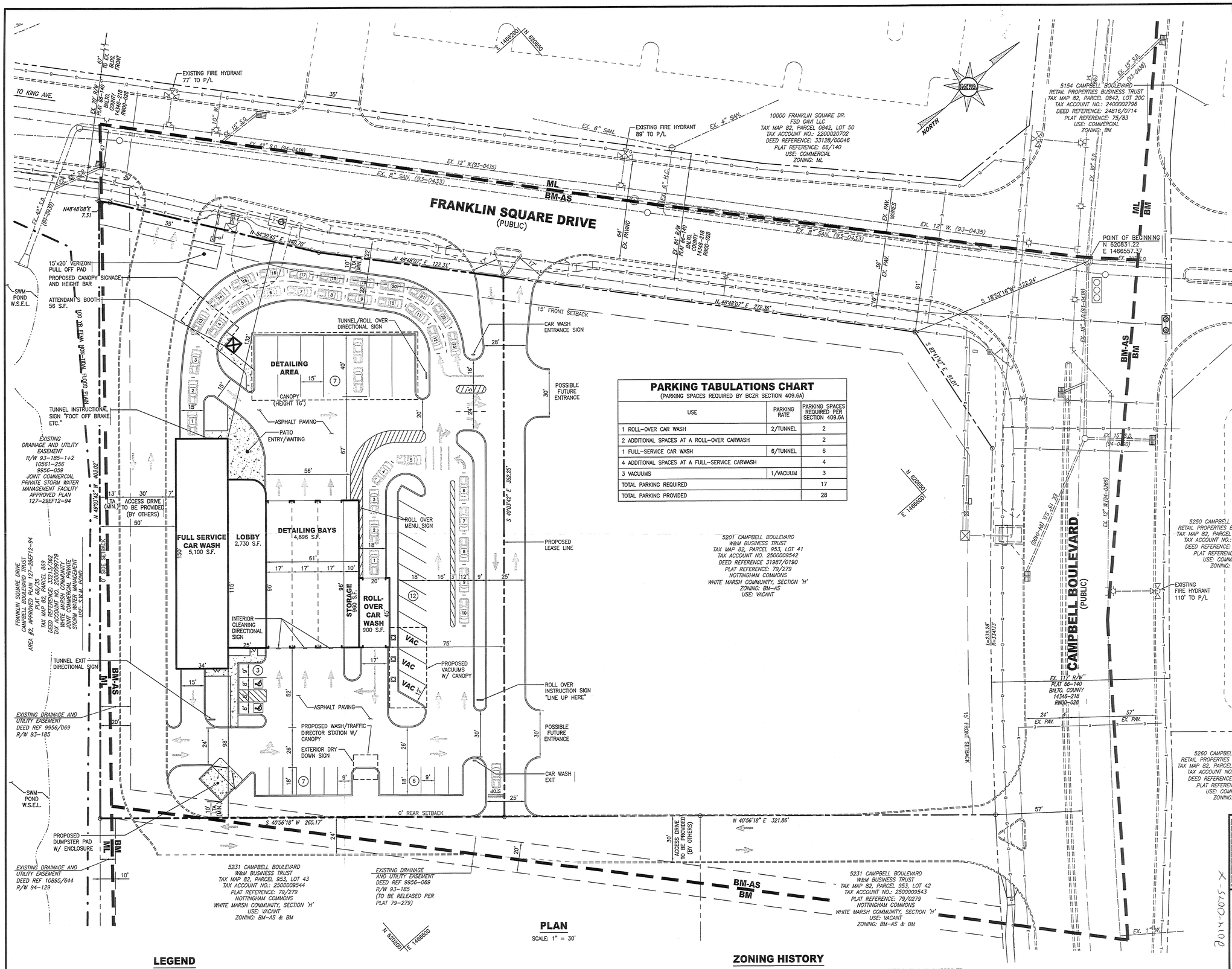
1. Petitioners may apply for appropriate permits and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, Petitioners would be required to return, and be responsible for returning, said property to its original condition.
2. Petitioners must submit for approval by Baltimore County a landscape plan prior to the issuance of any permits.
3. The Special Exception granted herein must be utilized within two years of the date hereof, unless extended by subsequent Order.

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 12-16-13
By



PARKING TABULATIONS CHART

(PARKING SPACES REQUIRED BY BCZR SECTION 409.6A)

USE	PARKING RATE	PARKING SPACES REQUIRED PER SECTION 409.6A
1 ROLL-OVER CAR WASH	2/TUNNEL	2
2 ADDITIONAL SPACES AT A ROLL-OVER CARWASH		2
1 FULL-SERVICE CAR WASH	6/TUNNEL	6
4 ADDITIONAL SPACES AT A FULL-SERVICE CARWASH		4
3 VACUUMS	1/VACUUM	3
TOTAL PARKING REQUIRED		17
TOTAL PARKING PROVIDED		28

PLAN

SCALE: 1" = 30'

LEGEND

- EX. PROPERTY LINE
- EX. ZONING LINE
- EX. ADJACENT PROPERTY LINE
- EX. RIGHT OF WAY LINE
- EX. EASEMENT LINE
- EX. BUILDING
- EX. CONCRETE WALK
- EX. CURB
- EX. EDGE OF PAVING
- EX. C/L ROAD & STATION
- EX. 100 YEAR FEMA FLOOD PLAIN
- EX. POND WATER SURFACE
- EX. SANITARY SEWER
- EX. STORM DRAIN
- EX. WATER
- EX. UNDERGROUND LINE
- EX. OVERHEAD LINE
- EX. U/G TELE. COMMUNICATIONS
- EX. U/G ELECTRIC
- EX. GAS
- EX. LIGHT POLE
- PROP. CURB
- PROP. BUILDING
- PROP. LEASE LINE
- PROP. CANOPY
- PROP. CONCRETE
- PROP. DIRECTIONAL ARROW

DESIGN & DRAWING BASED ON MARYLAND COORDINATE SYSTEM: HORIZONTAL NAD 83/91 VERTICAL NAVD 88

ZONING HISTORY

1. ORIGINAL CRG PLAN FOR WHITE MARSH COMMUNITY, SECTIONS H, I, & J APPROVED JUNE 27, 1991.
2. DRC NO. 050812A – 5TH REFINEMENT TO ORIGINAL CRG PLAN "TO RE-SUBDIVIDE PARCELS 3 & 4 SECTION H INTO LOTS 41-47", APPROVED APRIL 31 2012.

OWNER / LANDLORD

W&M BUSINESS TRUST
6711 COLUMBIA GATEWAY DR. SUITE 300
COLUMBIA, MARYLAND 21046-2104

DEVELOPER / TENANT

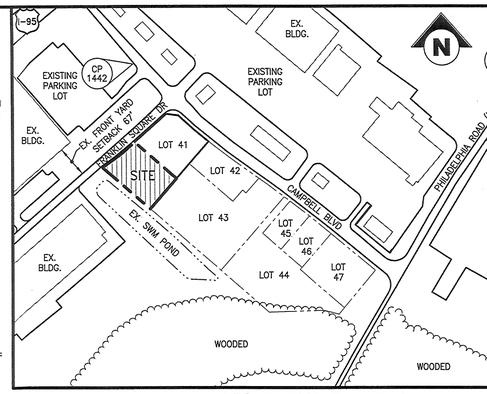
CANTON CAR WASH
1101 PONCA STREET
BALTIMORE, MARYLAND 21224
ATTN.: MR. THOMAS DEBACCO
PHONE: (908) 528-0009

REASON FOR SPECIAL EXCEPTION

SPECIAL EXCEPTION TO PERMIT A CAR WASH PURSUANT TO SECTION 233.3 OF THE BALTIMORE COUNTY ZONING REGULATIONS.

PROFESSIONAL CERTIFICATION

I HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME, AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MARYLAND, LICENSE NO. 38291, EXPIRATION DATE: 01/13/14



VICINITY MAP

SCALE: 1" = 500'

BENCHMARKS

CP 1442 — N 621,052.36, E 1466301.75
ELEV. 63.17
DESCRIPTION: MONUMENT LOCATED 340'± NORTH WEST OF FRANKLING SQUARE & CAMP BLVD. INTERSECTION 5' BEHIND STORM DRAIN INLET & FACE OF CURB

BM Y30 — N 620948.62, E 1468810.76
ELEV. 51.75
DESCRIPTION: MONUMENT LOCATED 155' SOUTHWEST OF THE ROUTE 7 BRIDGE DECK OV WHITE MARSH RUN, 19' OFFSET FROM THE EXISTING EDGE OF PAVING.

GENERAL NOTES

1. PROPERTY INFORMATION:
   - A. PROPERTY ADDRESS: 5201 CAMPBELL BOULEVARD
   - B. NET SITE AREA: 203,168 S.F.±, 4.66 AC.± (LOT 41)
   - C. LEASE AREA 99,333 S.F., 2.28 Ac.
   - D. ELECTION DISTRICT: 14
   - E. COUNCILMANIC DISTRICT: 6
   - F. ADC MAP: 4701, GRID H-1
   - G. CENSUS TRACT: 440702
   - H. TAX MAP: 0082
   - I. PARCEL: 0953
   - J. TAX ACCOUNT NO.: 2500009542 (LOT 41)
2. ZONING: BM-AS (BUSINESS MAJOR–AUTOMOTIVE SERVICES) BM (BUSINESS MAJOR) ML (MANUFACTURING, LIGHT)
3. ZONING MAP & GIS TILE No.: 082B2
4. FLOOR AREA RATIO: PERMITTED = 4.0 PROVIDED = 0.15 (14,586 S.F. / 99,333 S.F.)
5. EXISTING LAND USE: VACANT
   PROPOSED LAND USE: FULL SERVICE CAR WASH WITH LOBBY, DETAILIN STORAGE, AND ROLL OVER CAR WASH
6. THERE IS NO COMMERCIAL PERMIT HISTORY FOR THIS SITE.
7. BUILDING SETBACKS: (TO PROPERTY LINE)

	REQUIRED	PROVIDED
FRONT	15'	132'
SIDE	0'	50'
REAR	0'	98'
CAR WASH	50'	76'

8. THERE ARE NO PERMANENT COMMERCIAL BUILDINGS ON THE LOTS IMMEDIATELY AD SITE. THE AVERAGE DEPTH OF THE FRONT YARDS OF ALL LOTS WITHIN 100 FEET SIDE OF THE SITE IS 67 FEET.
9. PROPOSED BUILDING HEIGHT: CAR WASH = 34' FROM EXTERIOR FINISHED TO TOP OF ROOF
   DETAIL AREA CANOPY = 16'
10. LANDSCAPE TRANSITION AREAS (LTAS)

	REQUIRED	PROVIDED
ALONG FRANKLIN SQUARE DRIVE (public)	10'	10'
ALONG REAR YARD	6'	10'
ALONG SIDE YARD	6'	13'

11. SCREENING AND LANDSCAPING SHALL COMPLY WITH THE BALTIMORE COUNTY LANDS AND ALL OTHER MANUALS ADOPTED PURSUANT TO SECTION 32-4-404 OF THE BA COUNTY CODE.
12. SIGNAGE ON THIS SITE SHALL CONFORM WITH THE SIGNAGE REQUIREMENTS OF TH COUNTY ZONING REGULATIONS SECTION, 450.
13. ANY FIXTURE USED TO ILLUMINATE AN OFF-STREET PARKING AREA SHALL BE ARR REFLECT THE LIGHT AWAY FROM ADJACENT RESIDENTIAL SITE AND PUBLIC STREETS
14. THIS SITE IS SERVICED BY PUBLIC WATER AND SEWER.
15. THERE ARE NO KNOWN EXISTING WELLS OR SEPTIC FIELDS ON THIS PROPERTY.
16. THE SITE IS NOT LOCATED IN ANY FAILED BASIC SERVICES AREAS.
17. THE SITE IS LOCATED ADJACENT TO A 100 YEAR FLOODPLAIN.
18. STACKING FOR CAR WASH SHALL COMPLY WITH SECTION 419, BCZR.

	REQUIRED	PROVIDED
ROLL OVER CAR WASH	9	10
FULL SERVICE CAR WASH	19	23

19. THE TUNNEL EXITS FOR BOTH THE FULL-SERVICE AND ROLL-OVER CAR WASH FA GREATER THAN FIFTY FEET (50') FROM THE EXIT DRIVES LEAVING THE SITE.
20. THE MANUFACTURER'S RATED HOURLY PRODUCTION CAPACITY OF THE EQUIPMENT INSTALLED IN THE FULL SERVICE CAR WASH IS 150 CARS PER HOUR AND 10 CA IN THE ROLL-OVER CAR WASH.
21. HOURS FOR CAR WASH WILL BE LIMITED TO 8 AM TO 7 PM.

MORRIS & RITCHIE ASSOCIATES
ENGINEERS, PLANNERS, SURVEYORS, ARCHITECTS AND LANDSCAPE A
1220-C EAST JOPPA ROAD SUITE 505
TOWSON, MARYLAND 21286
(410) 821-1690
FAX (410) 821-1748

STATE OF MARYLAND — GRAY COUGHLIN — No. 38291 — PROFESSIONAL ENGINEER

2014-0075-X

PLAN TO ACCOMPANY SPECIAL EXCEPTION SITE PLAN
CANTON CAR WASH
NOTTINGHAM COMMONS

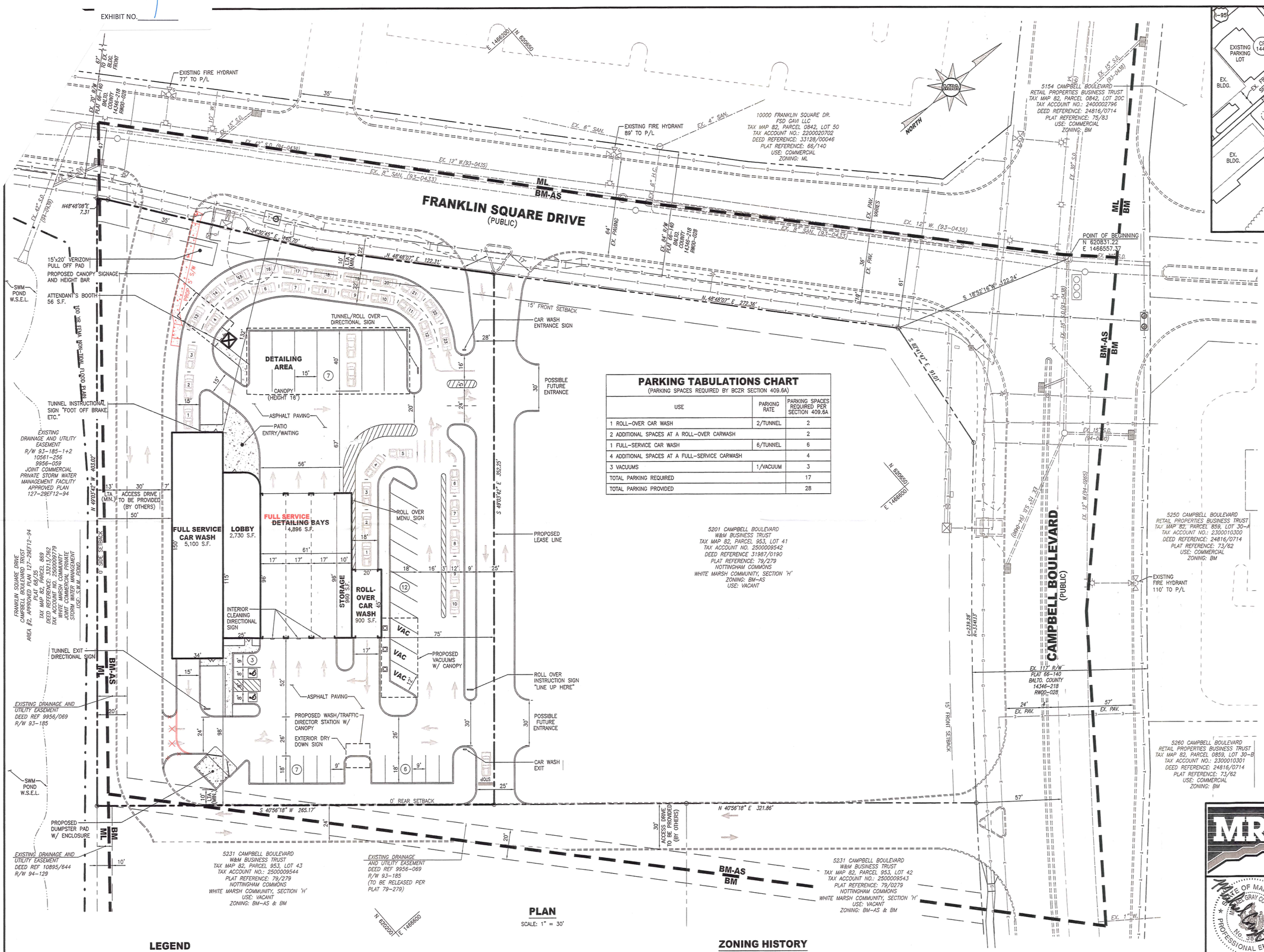
5201 CAMPBELL BOULEVARD

14TH ELECTION DISTRICT BALTIMORE COUNTY, MARYLAND 6TH COUNCIL

DATE	REVISIONS	
		JOB NO.:
		SCALE:
		DATE:
		DRAWN BY:
		DESIGN BY:
		REVIEW BY:
		SHEET:

PETITIONER'S

EXHIBIT NO._____



PARKING TABULATIONS CHART

(PARKING SPACES REQUIRED BY BCZR SECTION 409.6A)

USE	PARKING RATE	PARKING SPACES REQUIRED PER SECTION 409.6A
1 ROLL-OVER CAR WASH	2/TUNNEL	2
2 ADDITIONAL SPACES AT A ROLL-OVER CARWASH		2
1 FULL-SERVICE CAR WASH	6/TUNNEL	6
4 ADDITIONAL SPACES AT A FULL-SERVICE CARWASH		4
3 VACUUMS	1/VACUUM	3
TOTAL PARKING REQUIRED		17
TOTAL PARKING PROVIDED		28

PLAN

SCALE: 1" = 30'

VICINITY MAP

SCALE: 1" = 500'

NOTE: ZONING HEARING FOR SPE
EXCEPTION TO BE HELD AT:
JEFFERSON BUILDING, ROOM 205
105 WEST CHESAPEAKE AVENUE
TOWSON, MARYLAND 21204

BENCHMARKS

CP 1442 — N 621,052.36, E 1466301.75
ELEV. 63.17
DESCRIPTION: MONUMENT LOCATED 340'± NORTH WEST OF FRANKLING SQUARE & CAMPBELL BLVD. INTERSECTION 5' BEHIND STORM DRAIN INLET & FACE OF CURB

BM Y30 — N 620948.62, E 1468810.76
ELEV. 51.75
DESCRIPTION: MONUMENT LOCATED 155' SOUTHWEST OF THE ROUTE 7 BRIDGE DECK OVER WHITE MARSH RUN, 19' OFFSET THE EXISTING EDGE OF PAVING.

GENERAL NOTES

1. PROPERTY INFORMATION:
   - A. PROPERTY ADDRESS: 5201 CAMPBELL BOULEVARD
   - B. NET SITE AREA: 203,158 S.F.±, 4.66 AC.± (LOT 41)
   - C. LEASE AREA 99,333 S.F., 2.28 Ac.
   - D. ELECTION DISTRICT: 14
   - E. COUNCILMANIC DISTRICT: 6
   - F. ADC MAP: 4701, GRID H-1
   - G. CENSUS TRACT: 440702
   - H. TAX MAP: 0082
   - I. PARCEL: 0953
   - J. TAX ACCOUNT NO.: 2500009542 (LOT 41)
2. ZONING: BM-AS (BUSINESS MAJOR-AUTOMOTIVE SERVICES) BM (BUSINESS MAJOR) ML (MANUFACTURING, LIGHT)
3. ZONING MAP & GIS TILE No.: 082B2
4. FLOOR AREA RATIO: PERMITTED = 4.0 PROVIDED = 0.15 (14,586 S.F. / 99,333 S.F.)
5. EXISTING LAND USE: VACANT
   PROPOSED LAND USE: FULL SERVICE CAR WASH WITH LOBBY, DETAILING BAYS STORAGE, AND ROLL OVER CAR WASH
6. THERE IS NO COMMERCIAL PERMIT HISTORY FOR THIS SITE.
7. BUILDING SETBACKS: (TO PROPERTY LINE)

	REQUIRED	PROVIDED
FRONT	15'	132'
SIDE	0'	50'
REAR	0'	98'
CAR WASH	50'	76'

8. THERE ARE NO PERMANENT COMMERCIAL BUILDINGS ON THE LOTS IMMEDIATELY ADJOININ SITE. THE AVERAGE DEPTH OF THE FRONT YARDS OF ALL LOTS WITHIN 100 FEET ON E SIDE OF THE SITE IS 67 FEET.
9. PROPOSED BUILDING HEIGHT: CAR WASH = 34' FROM EXTERIOR FINISHED GRADE TO TOP OF ROOF; DETAIL AREA CANOPY = 16'
10. LANDSCAPE TRANSITION AREAS (LTAS)

	REQUIRED	PROVIDED (MIN
ALONG FRANKLIN SQUARE DRIVE (public)	10'	10'
ALONG REAR YARD	6'	10'
ALONG SIDE YARD	6'	13'

11. SCREENING AND LANDSCAPING SHALL COMPLY WITH THE BALTIMORE COUNTY LANDSCAPE AND ALL OTHER MANUALS ADOPTED PURSUANT TO SECTION 32-4-404 OF THE BALTIMO COUNTY CODE.
12. SIGNAGE ON THIS SITE SHALL CONFORM WITH THE SIGNAGE REQUIREMENTS OF THE BALT COUNTY ZONING REGULATIONS SECTION, 450.
13. ANY FIXTURE USED TO ILLUMINATE AN OFF-STREET PARKING AREA SHALL BE ARRANGED REFLECT THE LIGHT AWAY FROM ADJACENT RESIDENTIAL SITE AND PUBLIC STREETS.
14. THIS SITE IS SERVICED BY PUBLIC WATER AND SEWER.
15. THERE ARE NO KNOWN EXISTING WELLS OR SEPTIC FIELDS ON THIS PROPERTY.
16. THE SITE IS NOT LOCATED IN ANY FAILED BASIC SERVICES AREAS.
17. THE SITE IS LOCATED ADJACENT TO A 100 YEAR FLOODPLAIN.
18. STACKING FOR CAR WASH SHALL COMPLY WITH SECTION 419, BCZR.

	REQUIRED	PROVIDED
ROLL OVER CAR WASH	9	10
FULL SERVICE CAR WASH	19	23

19. THE TUNNEL EXITS FOR BOTH THE FULL-SERVICE AND ROLL-OVER CAR WASH FACILITIES GREATER THAN FIFTY FEET (50') FROM THE EXIT DRIVES LEAVING THE SITE.
20. THE PEAK MANUFACTURER'S RATED HOURLY PRODUCTION CAPACITY OF THE EQUIPMENT TO BE INSTALLED IN THE FULL SERVICE CAR WASH IS 150 CARS PER HOUR AND 10 CARS PER HOUR IN THE ROLL-OVER CAR WASH. THE DAILY AVERAGE PEAK PRODUCTION OF THE FULL SERVICE CAR WASH IS 65 CARS PER HOUR.
21. HOURS FOR FULL SERVICE CAR WASH WILL BE LIMITED TO 8 AM TO 7 PM. HOURS FOR ROLL-OVER CAR WASH WILL BE OPEN 24 HOURS.

LEGEND

- EX. PROPERTY LINE
- EX. ZONING LINE
- EX. ADJACENT PROPERTY LINE
- EX. RIGHT OF WAY LINE
- EX. EASEMENT LINE
- EX. BUILDING
- EX. CONCRETE WALK
- EX. CURB
- EX. EDGE OF PAVING
- EX. C/L ROAD & STATION
- EX. 100 YEAR FEMA FLOOD PLAIN
- EX. POND WATER SURFACE
- EX. SANITARY SEWER
- EX. STORM DRAIN
- EX. WATER
- EX. UNDERGROUND LINE
- EX. OVERHEAD LINE
- EX. U/G TELE. COMMUNICATIONS
- EX. U/G ELECTRIC
- EX. GAS
- EX. LIGHT POLE
- PROP. CURB
- PROP. BUILDING
- PROP. LEASE LINE
- PROP. CANOPY
- PROP. CONCRETE
- PROP. DIRECTIONAL ARROW

DESIGN & DRAWING BASED ON MARYLAND COORDINATE SYSTEM: HORIZONTAL NAD 83/91 VERTICAL NAVD 88

ZONING HISTORY

1. ORIGINAL CRG PLAN FOR WHITE MARSH COMMUNITY, SECTIONS H, I, & J APPROVED JUNE 27, 1991.
2. DRC NO. 050812A – 5TH REFINEMENT TO ORIGINAL CRG PLAN "TO RE-SUBDIVIDE PARCELS 3 & 4 SECTION H INTO LOTS 41-47", APPROVED APRIL 31 2012.
3. CZMP ISSUE NO. 6-006: PROPERTY WAS PART OF A REZONING FROM ML (28.77 ACRES) TO BM (22.03 ACRES) AND BM-AS (6.74 ACRES).

OWNER / LANDLORD

W&M BUSINESS TRUST
6711 COLUMBIA GATEWAY DR. SUITE 300
COLUMBIA, MARYLAND 21046-2104

DEVELOPER / TENANT

CANTON CAR WASH
1101 PONCA STREET
BALTIMORE, MARYLAND 21224
ATTN.: MR. THOMAS DEBACCO
PHONE: (908) 528-0009

REASON FOR SPECIAL EXCEPTION

SPECIAL EXCEPTION TO PERMIT A CAR WASH PURSUANT TO SECTION 233.3 OF THE BALTIMORE COUNTY ZONING REGULATIONS.

PROFESSIONAL CERTIFICATION

I HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME, AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MARYLAND, LICENSE NO. 38291, EXPIRATION DATE: 01/13/14

MORRIS & RITCHIE ASSOCIATES, IN
ENGINEERS, PLANNERS, SURVEYORS, ARCHITECTS AND LANDSCAPE ARCHITE
1220-C EAST JOPPA ROAD SUITE 505
TOWSON, MARYLAND 21286
(410) 821-1690
FAX (410) 821-1748

STATE OF MARYLAND — KEVIN GRAY COUGHLIN — NO. 38291 — PROFESSIONAL ENGINEER

PLAN TO ACCOMPANY SPECIAL EXCEPTION SITE PLAN

CANTON CAR WASH NOTTINGHAM COMMONS

5201 CAMPBELL BOULEVARD

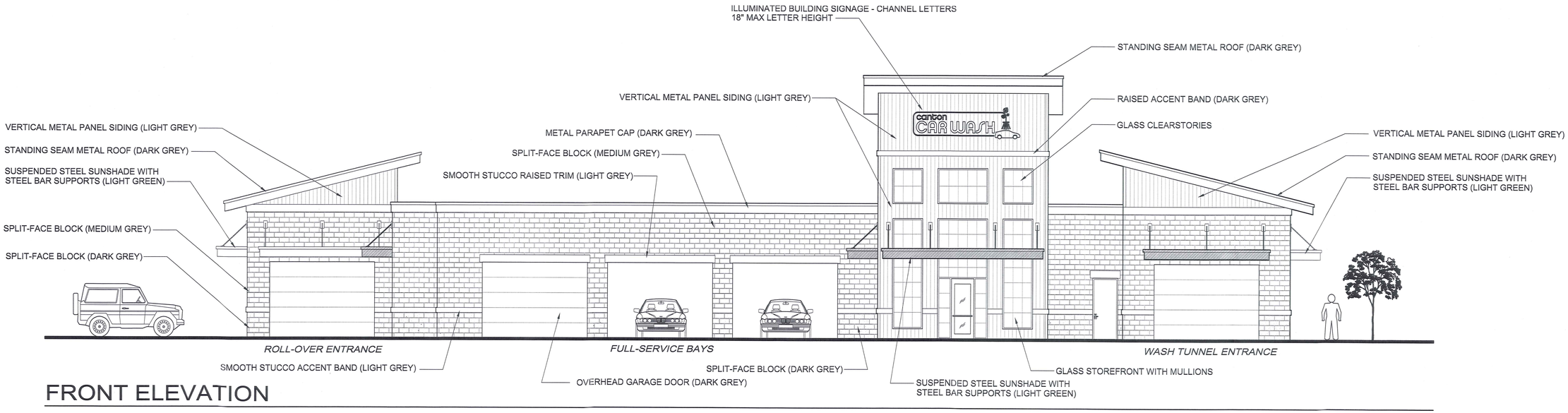
14TH ELECTION DISTRICT BALTIMORE COUNTY, MARYLAND 6TH COUNCILMANIC

DATE	REVISIONS
12/5/2013	ADDED CONNECTION SIDEWALK, CLOSED ENTRANCE OFF ACCESS ROAD
	ADDED ZONING HISTORY NOTE 3, REVISED GENERAL NOTES 20 AND 21

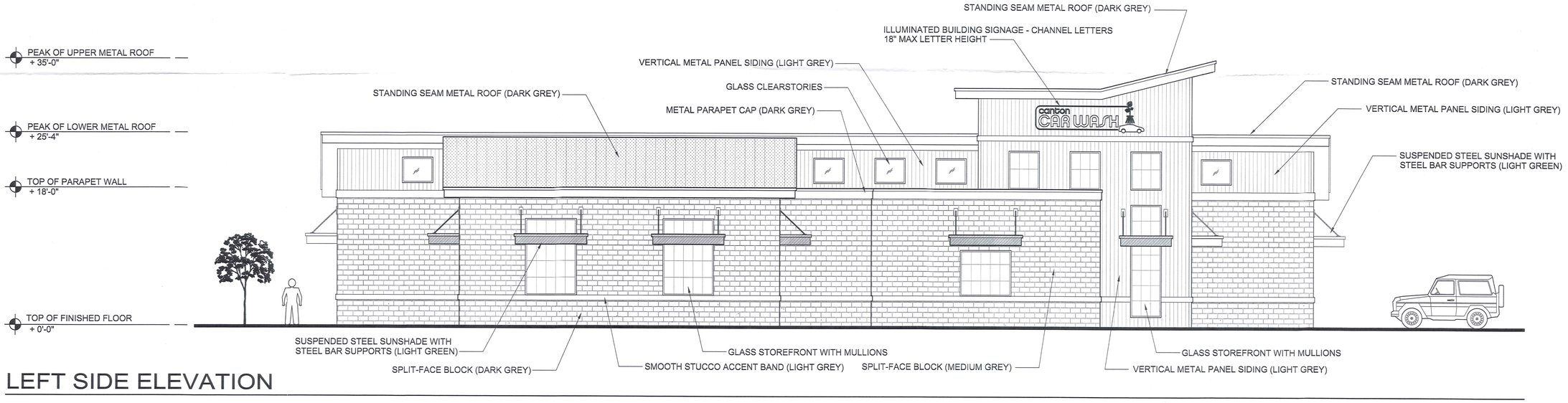
JOB NO.: 17
SCALE:
DATE: 09/1
DRAWN BY:
DESIGN BY:
REVIEW BY:
SHEET:

PETITIONER'S

EXHIBIT NO. 2A



FRONT ELEVATION



LEFT SIDE ELEVATION

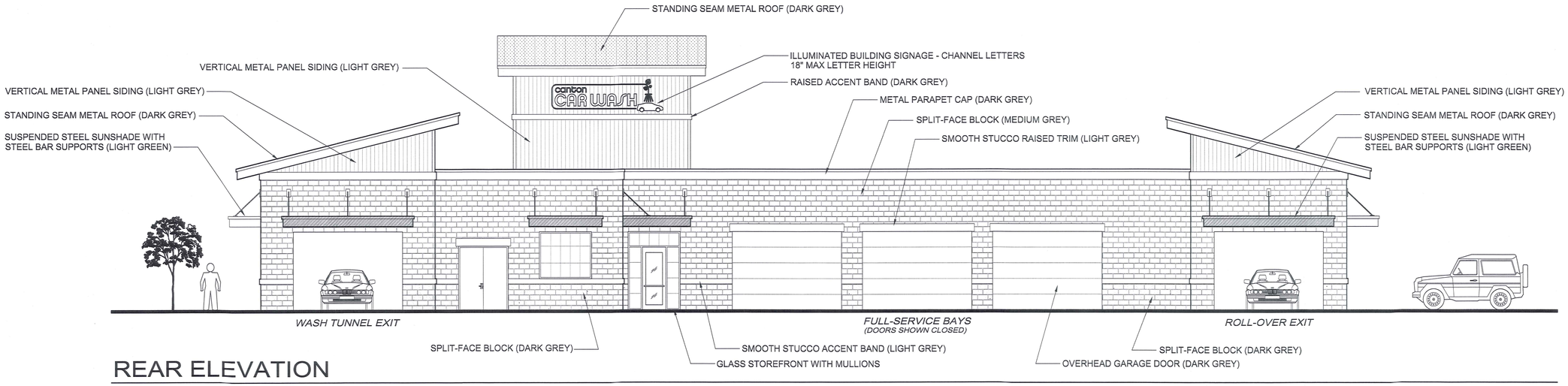
NOTTINGHAM CAR WASH - EXTERIOR ELEVATIONS 1

SCALE: 1/8" = 1'-0"

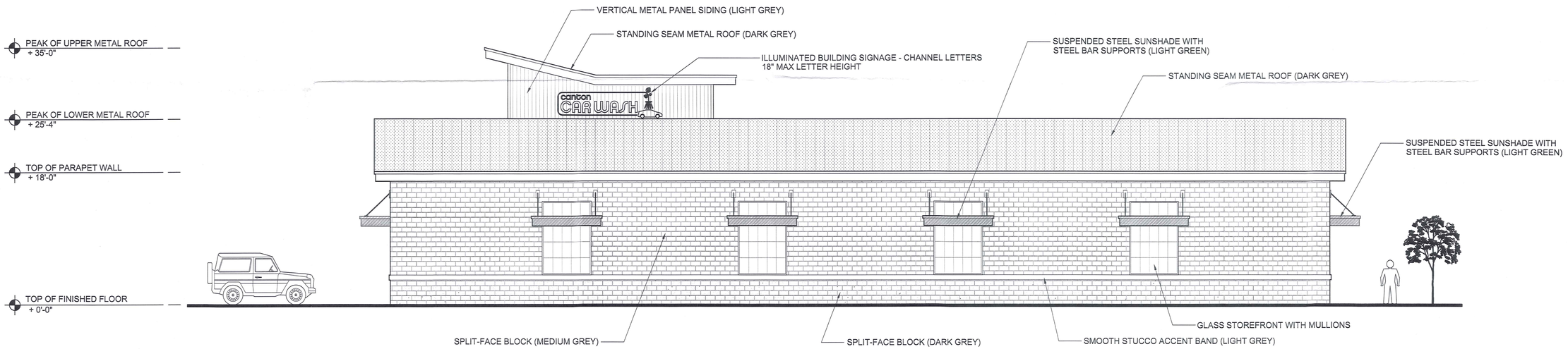
1
A7.0

PETITIONER'S

EXHIBIT NO. 28



REAR ELEVATION



RIGHT SIDE ELEVATION

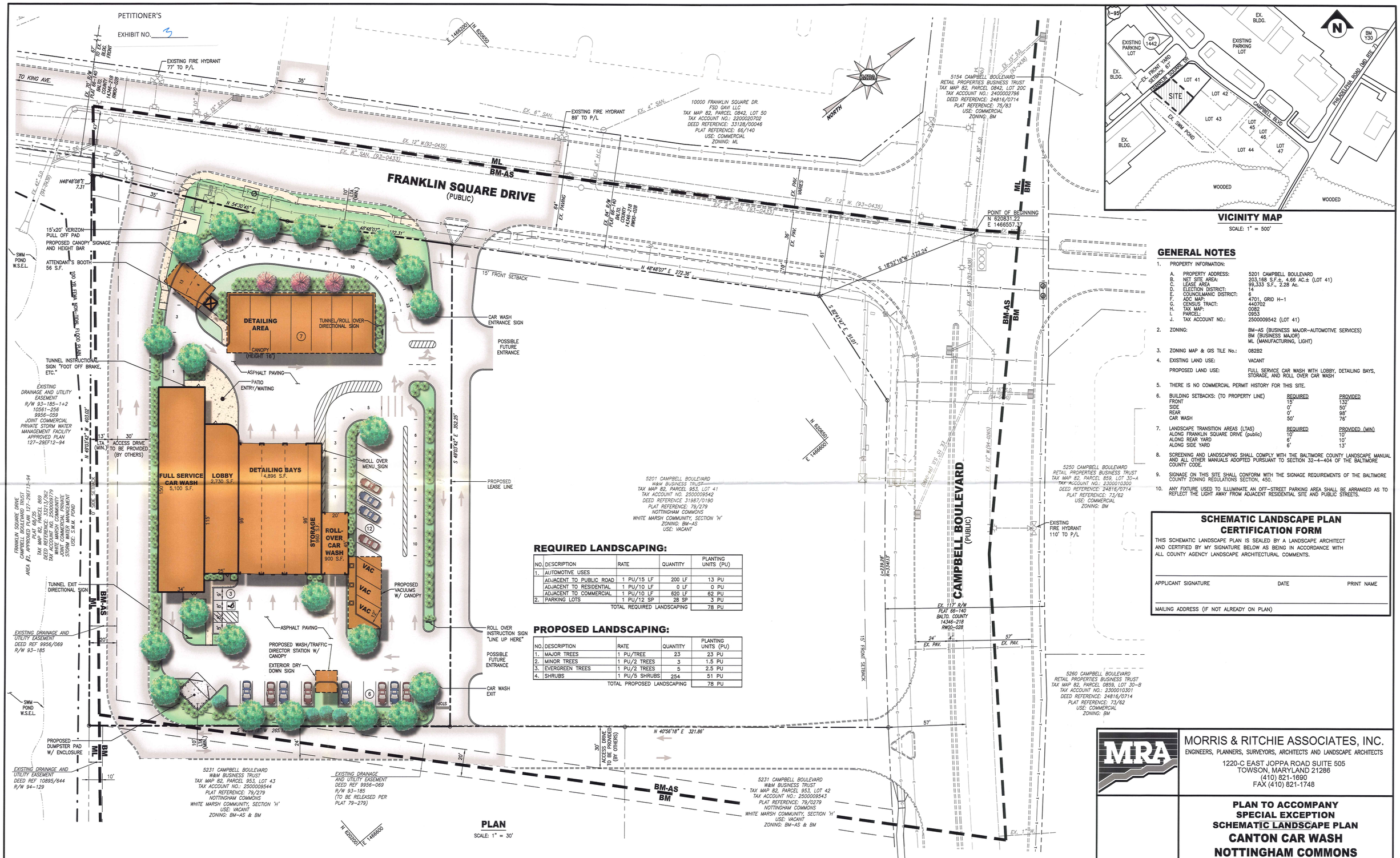
NOTTINGHAM CAR WASH - EXTERIOR ELEVATIONS 2

SCALE: 1/8" = 1'-0"

2
A7.1

PETITIONER'S

EXHIBIT NO. 3



VICINITY MAP

SCALE: 1" = 500'

GENERAL NOTES

1. PROPERTY INFORMATION:
   - A. PROPERTY ADDRESS: 5201 CAMPBELL BOULEVARD
   - B. NET SITE AREA: 203,168 S.F.± 4.66 AC.± (LOT 41)
   - C. LEASE AREA 99,333 S.F., 2.28 Ac.
   - D. ELECTION DISTRICT: 14
   - E. COUNCILMANIC DISTRICT: 6
   - F. ADC MAP: 4701, GRID H-1
   - G. CENSUS TRACT: 440702
   - H. TAX MAP: 0082
   - I. PARCEL: 0953
   - J. TAX ACCOUNT NO.: 2500009542 (LOT 41)
2. ZONING: BM-AS (BUSINESS MAJOR-AUTOMOTIVE SERVICES) BM (BUSINESS MAJOR) ML (MANUFACTURING, LIGHT)
3. ZONING MAP & GIS TILE No.: 082B2
4. EXISTING LAND USE: VACANT
   PROPOSED LAND USE: FULL SERVICE CAR WASH WITH LOBBY, DETAILING BAYS, STORAGE, AND ROLL OVER CAR WASH
5. THERE IS NO COMMERCIAL PERMIT HISTORY FOR THIS SITE.
6. BUILDING SETBACKS: (TO PROPERTY LINE)

	REQUIRED	PROVIDED
FRONT	15'	132'
SIDE	0'	50'
REAR	0'	98'
CAR WASH	50'	76'

7. LANDSCAPE TRANSITION AREAS (LTAS)

	REQUIRED	PROVIDED (MIN)
ALONG FRANKLIN SQUARE DRIVE (public)	10'	10'
ALONG REAR YARD	6'	10'
ALONG SIDE YARD	6'	13'

8. SCREENING AND LANDSCAPING SHALL COMPLY WITH THE BALTIMORE COUNTY LANDSCAPE MANUAL AND ALL OTHER MANUALS ADOPTED PURSUANT TO SECTION 32-4-404 OF THE BALTIMORE COUNTY CODE.
9. SIGNAGE ON THIS SITE SHALL CONFORM WITH THE SIGNAGE REQUIREMENTS OF THE BALTIMORE COUNTY ZONING REGULATIONS SECTION, 450.
10. ANY FIXTURE USED TO ILLUMINATE AN OFF-STREET PARKING AREA SHALL BE ARRANGED AS TO REFLECT THE LIGHT AWAY FROM ADJACENT RESIDENTIAL SITE AND PUBLIC STREETS.

REQUIRED LANDSCAPING:

NO.	DESCRIPTION	RATE	QUANTITY	PLANTING UNITS (PU)
1.	AUTOMOTIVE USES			
	ADJACENT TO PUBLIC ROAD	1 PU/15 LF	200 LF	13 PU
	ADJACENT TO RESIDENTIAL	1 PU/10 LF	0 LF	0 PU
	ADJACENT TO COMMERCIAL	1 PU/10 LF	620 LF	62 PU
2.	PARKING LOTS	1 PU/12 SP	28 SP	3 PU
	TOTAL REQUIRED LANDSCAPING			78 PU

PROPOSED LANDSCAPING:

NO.	DESCRIPTION	RATE	QUANTITY	PLANTING UNITS (PU)
1.	MAJOR TREES	1 PU/TREE	23	23 PU
2.	MINOR TREES	1 PU/2 TREES	3	1.5 PU
3.	EVERGREEN TREES	1 PU/2 TREES	5	2.5 PU
4.	SHRUBS	1 PU/5 SHRUBS	254	51 PU
	TOTAL PROPOSED LANDSCAPING			78 PU

SCHEMATIC LANDSCAPE PLAN CERTIFICATION FORM

THIS SCHEMATIC LANDSCAPE PLAN IS SEALED BY A LANDSCAPE ARCHITECT AND CERTIFIED BY MY SIGNATURE BELOW AS BEING IN ACCORDANCE WITH ALL COUNTY AGENCY LANDSCAPE ARCHITECTURAL COMMENTS.

APPLICANT SIGNATURE DATE PRINT NAME

MAILING ADDRESS (IF NOT ALREADY ON PLAN)

PLAN

SCALE: 1" = 30'

LEGEND

- EX. PROPERTY LINE
- EX. ZONING LINE
- EX. ADJACENT PROPERTY LINE
- EX. RIGHT OF WAY LINE
- EX. EASEMENT LINE
- EX. BUILDING
- EX. CONCRETE WALK
- EX. CURB
- EX. EDGE OF PAVING
- EX. C/L ROAD & STATION
- EX. 100 YEAR FEMA FLOOD PLAIN
- EX. POND WATER SURFACE
- EX. SANITARY SEWER
- EX. STORM DRAIN
- EX. WATER
- EX. UNDERGROUND LINE
- EX. OVERHEAD LINE
- EX. U/G TELE. COMMUNICATIONS
- EX. U/G ELECTRIC
- EX. GAS
- EX. LIGHT POLE
- PROP. CURB
- PROP. BUILDING
- PROP. LEASE LINE
- PROP. CANOPY
- PROP. CONCRETE
- PROP. DIRECTIONAL ARROW
- PROP. MAJOR TREE
- PROP. FLOWERING TREE
- PROP. EVERGREEN TREE
- PROP. SHRUB

DESIGN & DRAWING BASED ON MARYLAND COORDINATE SYSTEM: HORIZONTAL NAD 83/91 VERTICAL NAVD 88

OWNER / LANDLORD

W&M BUSINESS TRUST
6711 COLUMBIA GATEWAY DR. SUITE 300
COLUMBIA, MARYLAND 21046-2104

DEVELOPER / TENANT

CANTON CAR WASH
1101 PONCA STREET
BALTIMORE, MARYLAND 21224
ATTN.: MR. THOMAS DEBACCO
PHONE: (908) 528-0009

PROFESSIONAL CERTIFICATION

I HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME, AND THAT I AM A DULY LICENSED PROFESSIONAL LANDSCAPE ARCHITECT UNDER THE LAWS OF THE STATE OF MARYLAND, LICENSE NO. 3365, EXPIRATION DATE: 08/20/14.

MORRIS & RITCHIE ASSOCIATES, INC.
ENGINEERS, PLANNERS, SURVEYORS, ARCHITECTS AND LANDSCAPE ARCHITECTS
1220-C EAST JOPPA ROAD SUITE 505
TOWSON, MARYLAND 21286
(410) 821-1690
FAX (410) 821-1748

PLAN TO ACCOMPANY SPECIAL EXCEPTION SCHEMATIC LANDSCAPE PLAN

CANTON CAR WASH
NOTTINGHAM COMMONS

5201 CAMPBELL BOULEVARD

14TH ELECTION DISTRICT BALTIMORE COUNTY, MARYLAND 6TH COUNCILMANIC DISTRICT

DATE	REVISIONS		
		JOB NO.:	17419x02
		SCALE:	1"=30'
		DATE:	09/17/2013
		DRAWN BY:	M.J.S.
		DESIGN BY:	M.A.B.
		REVIEW BY:	M.G.C.
		SHEET:	2 OF 2

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 from bill.
Underlining indicates amendments to bill.

PC Exh. 15

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

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

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

SECTION 405. FUEL SERVICE STATIONS.

405.1 STATEMENT OF LEGISLATIVE FINDINGS AND POLICY.

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

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

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

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

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

405.2 LOCATIONS IN WHICH FUEL SERVICE STATIONS ARE PERMITTED.

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

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

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

3. IN A PLANNED DRIVE-IN CLUSTER.

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

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

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

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

405.4 STANDARDS.

A. SITE DEVELOPMENT.

1. SITE DIMENSIONS.

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

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

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

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

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

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

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

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

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

2. THREE SPACES PER 1,000 SQUARE FEET OF GROSS FLOOR AREA FOR A CONVENIENCE STORE UP TO 1,500 SQUARE FEET. (CONVENIENCE STORES LARGER THAN 1,500 SQUARE FEET SHALL BE SUBJECT TO THE PARKING REQUIREMENTS FOR RETAIL USES IN ACCORDANCE WITH SECTION 409 INCLUDING THE FIRST 1,500 SQUARE FEET); AND

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

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

5. ONE SPACE PER AUTOMATIC TELLER MACHINE.

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

C. APPEARANCE.

1. GENERAL DESIGN.

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

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

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

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

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

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

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

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

D. ANCILLARY USES.

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

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

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

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

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

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

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

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

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

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

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

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

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

	TYPE OF USE	INTEGRAL PLANNED DEVELOPMENT	INDIVIDUAL SITE
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
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
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
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
5.	AUTOMOBILE RENTAL, WITH A MAXIMUM STOCK OF 12 CARS. ADDITIONAL SITE AREA OF 4,000 SQUARE FEET MUST BE PROVIDED.	SE	SE
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
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
8.	PARKING OF NOT MORE THAN SIX SCHOOL BUSSES. ADDITIONAL SITE AREA OF 2,600 SQUARE FEET MUST BE PROVIDED.	SE	SE
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
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

SE: SPECIAL EXCEPTION P: PERMITTED BY RIGHT

405.5 PLAN APPROVALS.

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

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

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

A. EXPANSION, RECONSTRUCTION OR ADDITION OF USES.

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

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

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

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

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

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

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

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

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

405.7 ABANDONED FUEL SERVICE STATIONS.

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

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

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

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

E. PROCEEDINGS TO REQUIRE REMOVAL.

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

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

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

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

SECTION 419. CAR WASH.

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

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

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

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

1. NINE PER ROLL-OVER CAR WASH TUNNEL;

2. NINETEEN PER FULL-SERVICE CAR WASH TUNNEL;

3. FOUR SPACES FOR THE FIRST TUNNEL OF A SELF-SERVICE CAR WASH, AND TWO WAITING SPACES FOR EACH ADDITIONAL TUNNEL.

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

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

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

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

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

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

A. LOCATIONAL STANDARDS.

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

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

B. GENERAL DESIGN.

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

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

3. EXCEPT FOR THE REQUIRED ACCESS DRIVES, A LANDSCAPED TRANSITION AREA SHALL BE PROVIDED ALONG THE PERIMETER OF ALL CAR WASH OPERATIONS. SUCH AREA SHALL HAVE A MINIMUM WIDTH OF 10 FEET WHERE THE CAR WASH FRONTS A PUBLIC RIGHT-OF-WAY, AND SIX FEET IN ALL SIDE AND REAR YARDS ABUTTING NON-RESIDENTIALLY ZONED LAND. CAR WASH OPERATIONS 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 THAT MEASURES NO LESS THAN 15 FEET FROM THAT PROPERTY LINE.

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

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

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

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

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

SECTION 101 - DEFINITIONS

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

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

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

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

SECTION 5. AND BE IT FURTHER ENACTED, that Section 101 - Definitions of "Automotive Service Station" and "Car Wash" and Sections 100.1.B.2, 1B01.1.A.14C, 230.9., 248.3, 253.123.C, 253.2.B, 256.1, 259.2.B., 259.3.B.2., 402D.2, 402E.2. and 502.3 of the Baltimore County Zoning Regulations, as amended, and Sections III and IX.C.2.6. of the 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, be and they are hereby repealed and reenacted with amendments, to read as follows:

Section 101 - Definitions.

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

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

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

Section 100.1.B.2. Districts.

Districts are as follows:

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

C.T. District	Commercial, town-center core
{C.S.A. District	Commercial, supporting area
C.S.-1 District	Commercial, strip
C.S.-2 District	Commercial, strip}
I.M. District	Industrial, major

Section 1B01.1 General Use Regulations in D.R. Zones.

A. Uses Permitted as of Right. The following uses, only, are permitted as of right in D.R. zones of all classifications, subject to the restrictions hereinafter prescribed:

14. Accessory uses or buildings other than those permitted only by special exception, including, but not limited to:

{c. automotive-service stations, but only within community garages}

Section 230 - Use Regulations - B.L. Zone

The following uses only are permitted:

230.9.

FUEL SERVICE STATIONS IN A PLANNED SHOPPING CENTER OR DRIVE-IN CLUSTER ONLY, SUBJECT TO SECTION 405.

Section 248. Use Regulations - M.L.R. Zone

The following uses only are permitted:

248.3.

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

FUEL SERVICE STATIONS IN A PLANNED INDUSTRIAL PARK ONLY, SUBJECT TO SECTION 405.

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

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

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

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

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

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

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

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

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

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

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

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

Section 256. Use Regulations - M.H. Zone

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

256.1.

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

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

Section 259. Districts.

259.2. Statements of Legislative Intent for Districts.

B. {C.N.S. District -- Commercial, Neighborhood Shopping.

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

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

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

259.3. Special Regulations for C.R. Districts.

B. Uses Permitted by Special Exception.

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

Section 402 - Conversion of Dwellings.

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

402D.2. The converted dwelling shall be:

A. {Situated on a lot with frontage on a Class I commercial motorway; or

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

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

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

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

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

402E.2. The converted dwelling shall be:

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

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

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

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

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

Section 502. Special Exceptions.

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

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

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

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

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

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

Landscape Manual

Section III. Definitions.

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

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

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

Section IX. Landscape Standards.

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

2. Planting Requirements.

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

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

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

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

READ AND PASSED this 6th day of December, 1993

BY ORDER

Thomas J. Peddicord, Jr.
Secretary

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

Thomas J. Peddicord, Jr.
Secretary

APPROVED AND ENACTED:

12/13/93

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 Ruppersberger, III
Chairman, County Council

SECTION 419 - Car Wash

[Bill No. 172-1993 [33]]

Footnotes:
*--- (**33**) ---*
1. Editor's Note—This bill also repealed former Section 419.

§ 419.1. - Types permitted; location.

Roll-over, full-service and self-service car washes are permitted by special exception in the following districts: C.R. (provided no part of the lot is in R.C.5), C.C.C., A.S. or I.M. (provided no part of the site is in M.R.). Car washes are also permitted as a use in combination with a service station subject to the provisions of Section 405.

§ 419.2. - Site plan requirements.

[Bill Nos. 122-2010; 55-2011; 33-2021]

A site plan shall be submitted showing the location of the car wash and zone classification of adjacent properties, the location of ingress and egress, the manufacturer's rated hourly production capacity of the equipment to be installed, if available, or other evidence of the capacity of the equipment, the proposed stacking spaces as required by Section 419.3 below, the proposed landscape and buffer treatment, and such other information as may be required by the reviewing agencies. All site plans are subject to review by the Directors of the Department of Public Works and Transportation, Department of Planning and Department of Permits, Approvals and Inspections, who shall provide written comments to the approval authority.

§ 419.3. - Stacking and parking spaces.

All internal paved areas of a car wash site used for stacking, parking and driveway purposes shall comply with Section 409.1 and shall be laid out to allow automobile circulation in a manner that precludes vehicles from waiting on the street or blocking the right-of-way before gaining entrance.

A. All stacking spaces for car washes shall be single-file at the entrance of the tunnel. The space for the car being washed shall not be counted as a stacking space. A minimum of the following stacking spaces shall be provided:
    1. Nine per roll-over car wash tunnel.
    2. Nineteen per full-service car wash tunnel.
    3. Four spaces for the first tunnel of a self-service car wash, and two waiting spaces for each additional.
B. All parking spaces shall be located to avoid conflict with on-site circulation patterns. The following minimum number of parking spaces shall be provided:
    1. To dry vehicles, two for each tunnel of a roll-over or a self-service car wash and six for each tunnel of a full-service car wash.

2. One per vacuum cleaner unit, except in the case of a full-service or a self-service car wash, a stacking space may be used to serve as a parking space for the vacuum cleaner unit.
3. Two additional spaces at a roll-over car wash.
4. Four additional spaces at a full-service car wash.

§ 419.4. - Location, setback and general design standards.

Notwithstanding the provisions of the zone in which the car wash is located, all facilities are subject to the following requirements:

A. Locational standards.
   1. Roll-over and full-service car wash buildings shall be set back at least 50 feet from the lot line of any residentially zoned property. Except for the landscape buffers, no part of a self-service car wash shall be within 100 feet of a residentially zoned property.
   2. The tunnel exit of car wash facilities shall be set back at least 50 feet from the nearest exit drive.

B. General design.
   1. No tunnel entrance or exit of a car wash operation shall face an adjacent residentially zoned property not including those across a street.
   2. The rear and sides of buildings facing residentially zoned properties shall be finished with materials that in texture and color resemble the front of the building. The type of facade treatment shall be indicated on the site plan and shall be subject to review by the Director of the Department of Planning, who shall provide written comments to the approval authority.

[Bill No. 55-2011]

   3. Except for the required access drives, a landscaped transition area shall be provided along the perimeter of all car wash operations. Such area shall have a minimum width of ten feet where the car wash fronts a public right-of-way and six feet in all side and rear yards abutting nonresidentially zoned land. Car wash operations 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 that measures no less than 15 feet from that property line.
   4. The landscape transition area shall be planted and screened in accordance with the Landscape Manual requirements for automotive uses.
   5. To increase compatibility with surrounding buildings or to enhance the attractiveness of the site, the Zoning Commissioner may require changes in building or site plan design or hours of operation for car washes for which a special exception is required.

§ 419.5. - Exemptions from regulations.

The regulations contained in this Section 419 entitled "Car Wash" shall not apply to car washes legally existing prior to the effective date of Bill No. 172-1993. Bill No. 172-1993 does not affect the validity of any order granting a special exception or any plan approved by Baltimore County for a car wash which occurred prior to the effective date of this bill. Any such special exception or plan shall be subject to the applicable provisions of the Baltimore County Zoning Regulations in effect at the time of the grant of such special exception or plan.

PETITION FOR ZONING HEARING(S)

To be filed with the Department of Permits, Approvals and Inspections
To the Office of Administrative Hearings for Baltimore County for the property located at:

Address 1020, 1022, 1024 York Road **Currently Zoned** BR

Deed Reference 46511 / 190 **10 Digit Tax Account #** 0919000691, 0919000690, 0919001830

Owner(s) Printed Name(s) Glenn G. Berger and Wayne G. Berger

(SELECT THE HEARING(S) BY MARKING X AT THE APPROPRIATE SELECTION(S) AND ADDING THE PETITION REQUEST)

The undersigned, who own and occupy the property situate in Baltimore County and which is described in the plan/plat attached hereto and made a part hereof, hereby petition for an:

1.____ **a Special Hearing** under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve

2. X **a Special Exception** under the Zoning Regulations of Baltimore County to use the herein described property for

See Attachment 1

3. X **a Variance** from Section(s)

See Attachment 1

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)**

TO BE PRESENTED AT HEARING

Property is to be posted and advertised as prescribed by the zoning regulations.
I/ we agree to pay expenses of above petition(s), advertising, posting, etc. and further agree to be bound 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:

See Attachment 2
Name - Type or Print

Signature

Mailing Address City State

Zip Code Telephone # Email Address

ORDER RECEIVED FOR FILING
Date 12/23/23
By

Attorney for Petitioner:

David Karceski, Esq.
Name - Type or Print

Signature

210 W. Pennsylvania Ave. Suite 500 Towson MD
Mailing Address City State

21204 / 410-494-6285 / DHKarceski@venable.com
Zip Code Telephone # Email Address

Legal Owners (Petitioners):

See Attachment 3 & 4
Name #1 – Type or Print / Name #2 – Type or Print

Signature #1 / Signature # 2

Mailing Address City State

Zip Code / Telephone #'s (Cell and Home) / Email Address

Representative to be contacted:

David Karceski, Esq.
Name – Type or Print

Signature

210 W. Pennsylvania Ave. Suite 500 Towson MD
Mailing Address City State

21204 / 410-494-6285 / DHKarceski@venable.com
Zip Code Telephone # Email Address

CASE NUMBER 2022-0271-XA **Filing Date** 12/8/22 **Do Not Schedule Dates** _____ **Reviewer** JS

3/2022

1020, 1022, 1024 YORK ROAD

ATTACHMENT 1 TO PETITION FOR SPECIAL EXCEPTION AND VARIANCE

1. Petition for Special Exception for a full-service car wash, pursuant to Section 236.2 of the Baltimore County Zoning Regulations ("BCZR").

2. Petition for Variance from BCZR Section 419.3.A to allow the required number of stacking spaces for the full-service car wash to be configured in a different pattern than single-file at the entrance to the tunnel.

3. Petition for Variance from BCZR Section 238.2 to allow a side yard setback of 6 feet for a commercial building in lieu of the required 30 feet.

4. Petition for Variance from BCZR Section 419.4.B.3 to allow a landscape transition area width in the rear yard to be a minimum of 2 feet abutting non-residentially zoned land in lieu of the required 6 feet and to allow a landscape transition area width a minimum of 12 feet in lieu of the required 15 feet within 50 feet of a residentially zoned property.

5. Petition for Variance from BCZR Section 419.4.B.1 to allow a car wash tunnel entrance to face an adjacent residentially zoned property.

2022-0291-XA

1020, 1022, 1024 YORK ROAD

ATTACHMENT 3 TO PETITION FOR SPECIAL EXCEPTION AND VARIANCE

1020, 1022, 1024 YORK ROAD
TAX MAP 70, PARCEL 595 & 991
TAX ACCOUNT # 0919000691, 0919000690, 0919001830
DEED REFERENCE: 46511/190

Legal Owner:

Glenn G. Berger

Address: 111 Hamlet Hill Rd. Apt. 1307, Baltimore, MD 21210
Phone: 410-903-3539
Email: ggbfit@comcast.net

2022-0291-XA

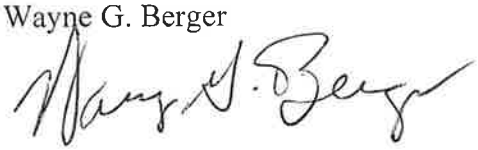
1020, 1022, 1024 YORK ROAD

ATTACHMENT 4 TO PETITION FOR SPECIAL EXCEPTION AND VARIANCE

1020, 1022, 1024 YORK ROAD
TAX MAP 70, PARCEL 595 & 991
TAX ACCOUNT # 0919000691, 0919000690, 0919001830
DEED REFERENCE: 46511/190

Legal Owner:

Wayne G. Berger



Address: 7396 Park Heights Avenue, Baltimore, MD 21208
Phone: 410-499-6947
Email: wayne.berger2@comcast.net

2022-0291-XA

1020, 1022, 1024 YORK ROAD

ATTACHMENT 2 TO PETITION FOR SPECIAL EXCEPTION AND VARIANCE

1020, 1022, 1024 YORK ROAD
TAX MAP 70, PARCEL 595 & 991
TAX ACCOUNT # 0919000691, 0919000690, 0919001830
DEED REFERENCE: 46511/190

Lessee:

TOWSON CAR WASH, LLC

By: Thomas DeBacco
Title: President
Address: 10051 Franklin Square Drive, Nottingham, MD 21236
Phone: 908-528-0009
Email: tom@cantoncarwash.com

2022-0291-XA

MORRIS & RITCHIE ASSOCIATES, INC.

ENGINEERS, ARCHITECTS, PLANNERS, SURVEYORS,
AND LANDSCAPE ARCHITECTS

December 6, 2022

ZONING AREA DESCRIPTION
FOR 1020-1024 YORK ROAD

Beginning at a point located at the intersection of York Road (MD Rte 45) at BL STA 10+12.18 or N 635,668.58 E 1,422,471.51, at the distance of 52.66' and bearing of S 57°53'0" W to a point. Thence, the following courses and distances:

2) South 57°49'10" West 205.85'.
3) South 67°17'43" West 16.34'.
4) North 33°36'33" West 58.94'.
5) North 33°54'14" West 36.98'.
6) North 30°10'36" West 21.94'.
7) North 3°18'19" East 10.96'.
8) North 30°40'16" West 47.61'.
9) North 51°25'54" East 18.92'.
10) North 60°11'27" East 194.70'.
11) South 31°48'33" East 166.00'.

Containing 37,608 square feet or 0.86 acres of land, more or less, being located in the 9th Election District and 5th Councilmanic District of Baltimore County, Maryland

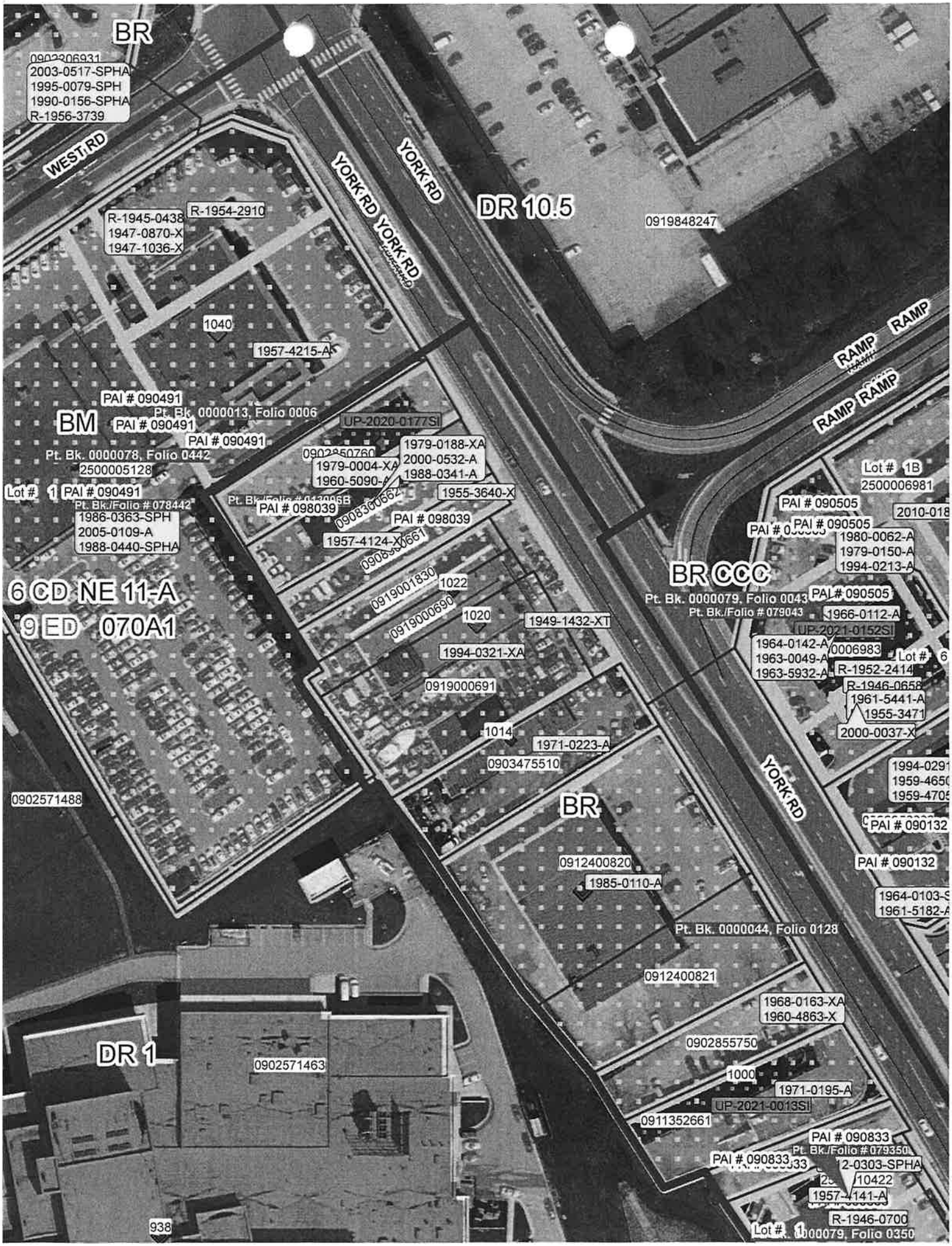
I certify that this description was either personally prepared by me or I was in responsible charge of its preparation.



2022-0291-XA

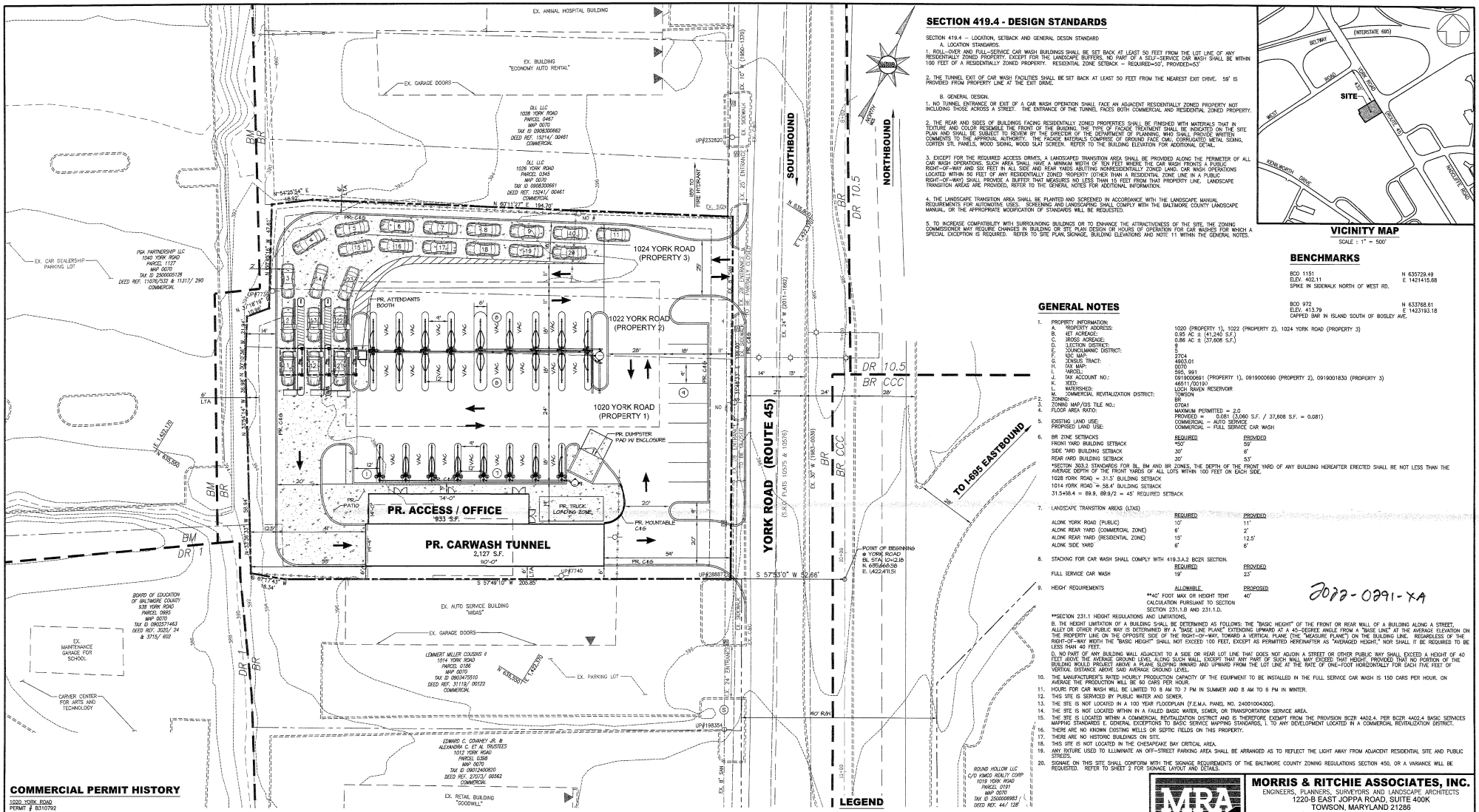
1220-B East Joppa Road, Suite 400k, Towson, MD 21286 (410) 821-1690 Fax: (410) 821-1748 www.mragta.com

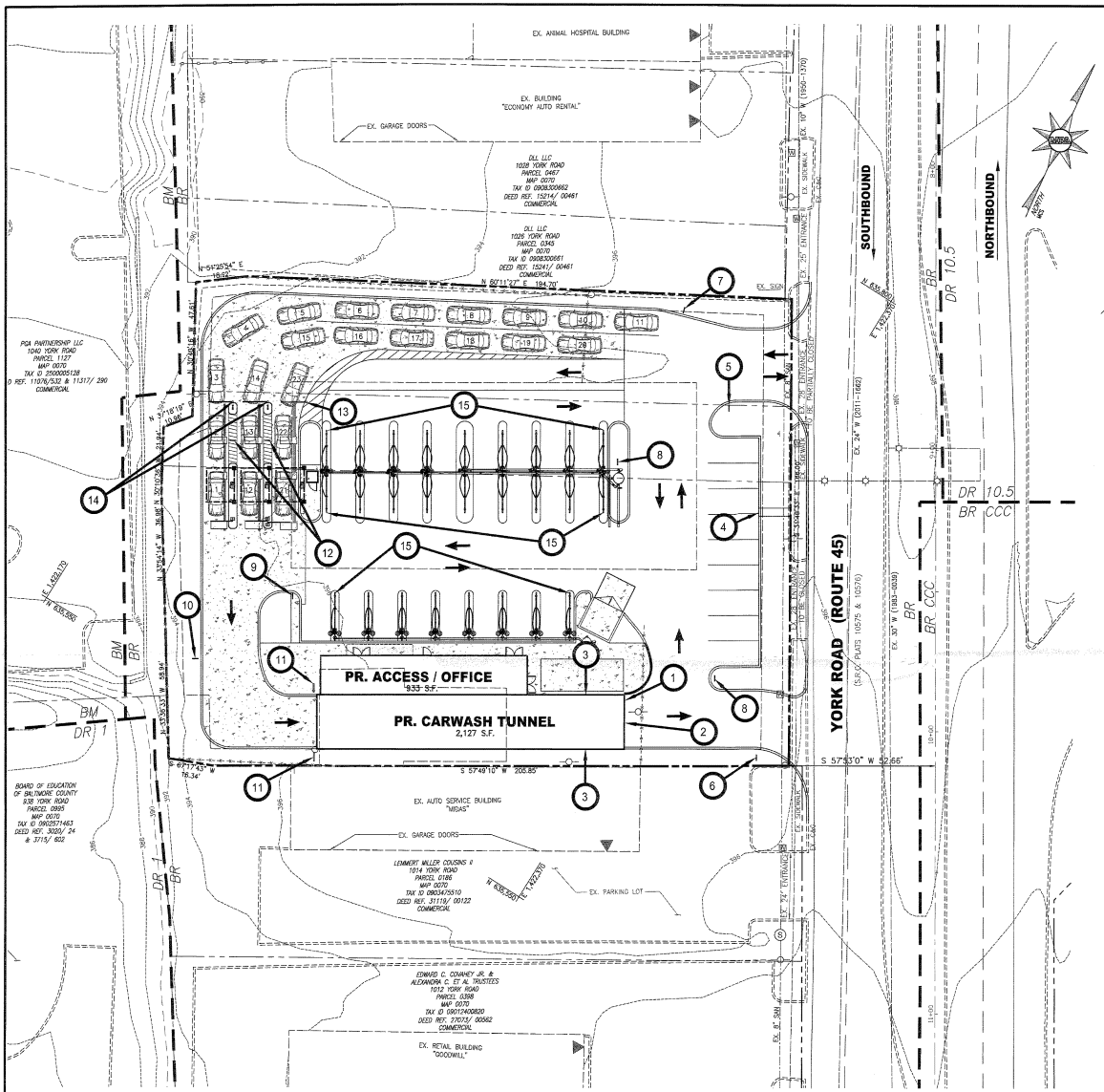
Abingdon, MD (410) 515-9000 ✦ Baltimore, MD (410) 935-5050 ✦ Laurel, MD (410) 792-9792 ✦ Towson, MD (410) 821-1690 ✦ Georgetown, DE (302) 855-5734 ✦ New Castle, DE (302) 326-2200 ✦ Sterling, VA (703) 674-0161 ✦ Raleigh, NC (984)200-2103


BR
2003-0517-SPHA
1995-0079-SPH
1990-0156-SPHA
R-1956-3739
WEST RD
YORK RD
YORK RD
DR 10.5
0919848247
R-1945-0438
1947-0870-X
1947-1036-X
R-1954-2910
1040
1957-4215-A
RAMP
RAMP
RAMP
RAMP
PAI # 090491
Pt. Bk. 0000013, Folio 0006
BM
PAI # 090491
PAI # 090491
UP-2020-0177SI
Pt. Bk. 0000078, Folio 0442
2500005128
1979-0188-XA
2000-0532-A
1988-0341-A
1979-0004-XA
1960-5090-A
1955-3640-X
Lot # 1
PAI # 090491
Pt. Bk./Folio # 078442
1986-0363-SPH
2005-0109-A
1988-0440-SPHA
PAI # 098039
PAI # 098039
1957-4124-X
0919001830
1022
0919000690
1020
1949-1432-XT
1994-0321-XA
6 CD NE 11-A
9 ED 070A1
0919000691
1014
1971-0223-A
0903475510
0902571488
BR
0912400820
1985-0110-A
Pt. Bk. 0000044, Folio 0128
0912400821
DR 1
0902571463
938
Lot # 1B
2500006981
PAI # 090505
PAI # 090505
1980-0062-A
1979-0150-A
1994-0213-A
BR CCC
Pt. Bk. 0000079, Folio 0043
Pt. Bk./Folio # 079043
PAI # 090505
1966-0112-A
UP-2021-0152SI
1964-0142-A
1963-0049-A
1963-5932-A
0006983
Lot # 6
R-1952-2414
R-1946-0658
1961-5441-A
1955-3471
2000-0037-X
YORK RD
PAI # 090132
PAI # 090132
1964-0103-S
1961-5182-A
1968-0163-XA
1960-4863-X
0902855750
1000
1971-0195-A
UP-2021-0013SI
0911352661
PAI # 090833
Pt. Bk./Folio # 079350
PAI # 090833
12-0303-SPHA
10422
1957-4141-A
R-1946-0700
Lot # 1
Pt. Bk. 0000079, Folio 0350

Baltimore County - My Neighborhood




EX. ANIMAL HOSPITAL BUILDING
EX. BUILDING "ECONOMY AUTO RENTAL"
EX. GARAGE DOORS
DLL LLC 1038 YORK ROAD PARCEL 0467 MAP 0070 TAX ID 0908200662 DEED REF. 15214/ 00451 COMMERCIAL
DLL LLC 1026 YORK ROAD PARCEL 0345 MAP 0070 TAX ID 0908200561 DEED REF. 15241/ 00461 COMMERCIAL
PGA PARTNERSHIP LLC 1040 YORK ROAD PARCEL 1127 MAP 0070 TAX ID 2500005126 DEED REF. 11076/532 & 11317/ 290 COMMERCIAL
EX. CAR DEALERSHIP PARKING LOT
1024 YORK ROAD (PROPERTY 3)
1022 YORK ROAD (PROPERTY 2)
1020 YORK ROAD (PROPERTY 1)
PR. ATTENDANTS BOOTH
PR. DUMPSTER PAD W/ ENCLOSURE
PR. ACCESS / OFFICE 933 S.F.
PR. CARWASH TUNNEL 2,127 S.F.
PR. TRUCK LOADING ZONE
PR. MOUNTABLE C46
PR. PATIO
PR. C46
PR. C46 (TYP.)
EX. AUTO SERVICE BUILDING "MIDAS"
EX. GARAGE DOORS
EX. PARKING LOT
BOARD OF EDUCATION OF BALTIMORE COUNTY 938 YORK ROAD PARCEL 0985 MAP 0070 TAX ID 0902271463 DEED REF. 3025/ 24 & 3715/ 602
EX. MAINTENANCE GARAGE FOR SCHOOL
CARVER CENTER FOR ARTS AND TECHNOLOGY
LEMMERT MILLER COLSONS II 1014 YORK ROAD PARCEL 0186 MAP 0070 TAX ID 0903475510 DEED REF. 31119/ 00122 COMMERCIAL
EDWARD C. COURNEY JR. & ALEXANDRA C. ET AL TRUSTEES 1012 YORK ROAD PARCEL 0398 MAP 0070 TAX ID 0901240820 DEED REF. 27073/ 00362 COMMERCIAL
EX. RETAIL BUILDING "GOODWILL"
ROUND HOLLOW LLC C/O KIMCO REALTY CORP 1019 YORK ROAD PARCEL 0197 MAP 0070 TAX ID 2500006983 / DEED REF. 44/ 128
YORK ROAD (ROUTE 45)
SOUTHBOUND
NORTHBOUND
TO I-695 EASTBOUND
POINT OF BEGINNING @ YORK ROAD BL STA 104+22.16 N. 635660.39 E. 1422,411.51
EX. 24" W (2011-1992)
EX. 30" W (1983-1939)
EX. 8" SAN
EX. 24" ENTRANCE
EX. 20" ENTRANCE
EX. 10" W (1960-1970)
EX. 6" W
EX. 8" W
EX. 12" W
EX. 2" GAS
EX. SIGN
HSE TO FIRE HYDRANT
UP#7740
UP#7736
UP#2888778
UP#2323520
UP#198354
N 635,360
N 635,380
N 635,390
N 635,395
N 635,400
N 635,405
N 635,410
N 635,415
N 635,420
N 635,425
N 635,430
N 635,435
N 635,440
N 635,445
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N 635,465
N 635,470
N 635,475
N 635,480
N 635,485
N



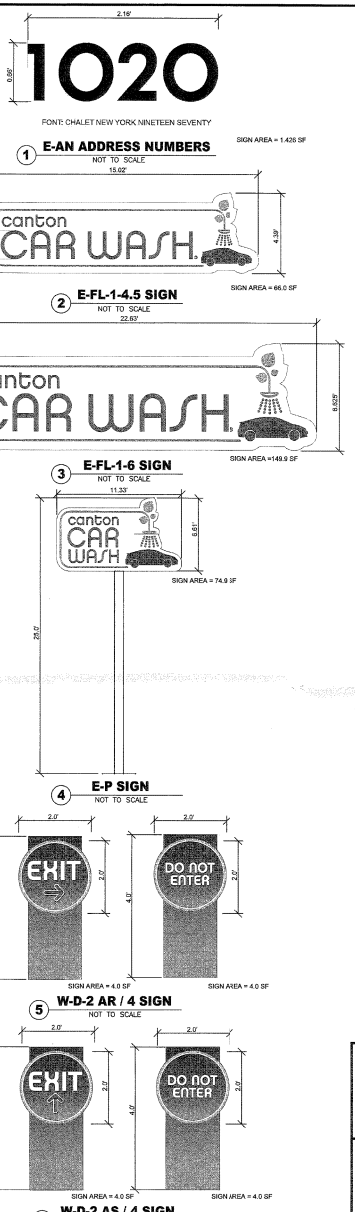
PLAN
SCALE: 1" = 20'
20 0 20 40

LEGEND

- EX. PROPERTY BOUNDARY LINE
- EX. RIGHT-OF-WAY
- EX. ADJACENT PROPERTY LINE
- EX. EASEMENT
- EX. ZONING LINE
- EX. BUILDING
- EX. EDGE OF PAVEMENT
- EX. EDGE OF CONCRETE
- EX. CURB
- EX. 2' CONTOUR
- EX. 10' CONTOUR
- EX. FENCE
- PR. CURB & GUTTER
- PR. BUILDING
- PR. SIDEWALK

GENERAL NOTE

THE CORRECTNESS OR COMPLETENESS OF EXISTING INFORMATION SHOWN ON THE DRAWINGS IS NOT WARRANTED OR GUARANTEED. THE CONTRACTOR SHALL VERIFY THE LOCATION OF UTILITIES AND UNDERGROUND FACILITIES, BY TEST PITS OR OTHER METHODS APPROVED BY THE OWNER'S REPRESENTATIVE, AS REQUIRED TO VERIFY EXACT LOCATIONS AND DEPTHS WITHIN THE LIMIT OF DISTURBANCE. ALL DISCREPANCIES BETWEEN INFORMATION SHOWN ON THE DRAWINGS AND THAT VERIFIED IN THE FIELD SHALL BE REPORTED TO THE OWNER'S REPRESENTATIVE PRIOR TO BEGINNING WORK.



DATUM

DESIGN & DRAWING BASED ON MARYLAND COORDINATE SYSTEM (MCS): HORIZONTAL NAD 83 (2011) VERTICAL NAVD 88

PROFESSIONAL CERTIFICATION

I HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME, AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MARYLAND, LICENSE NO. 38291, EXPIRATION DATE: 01/11/2024.

DEVELOPER

YORK CAR WASH LLC
c/o CANTON CAR WASH
10051 FRANKLIN SQUARE DRIVE
NOTTINGHAM, MARYLAND 21236
PHONE: (908) 528-0009
ATTN: THOMAS DEMOCO

OWNER

GLEN G. AND WAYNE G. BERGER
1020-1024 YORK ROAD
TOWSON, MARYLAND 21204

MORRIS & RITCHIE ASSOCIATES, INC.
ENGINEERS, PLANNERS, SURVEYORS AND LANDSCAPE ARCHITECTS
1220-B EAST JOPPA ROAD, SUITE 400K
TOWSON, MARYLAND 21286
(410) 821-1690
FAX (410) 821-1748
MRAGTA.COM

Copyright 2022 Morris & Ritchie Associates, Inc.

CANTON CAR WASH

1020-1024 YORK ROAD

SIGNAGE PLAN

5TH COUNCILMANIC DISTRICT BALTIMORE COUNTY, MARYLAND 9TH ELECTION DISTRICT

DATE	REVISIONS		
		JOB NO.:	21837
		SCALE:	AS SHOWN
		DATE:	12/06/2022
		DRAWN BY:	MAS
		DESIGN BY:	THS
		REVIEW BY:	THS
		SHEET:	02 OF 02

CERTIFICATE OF POSTING

2022-0291-XA

RE: Case No.: _____

Petitioner/Developer: _____
Glenn Berger, Wayne Berger
Towson Car Wash, LLC.

January 17, 2023

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:

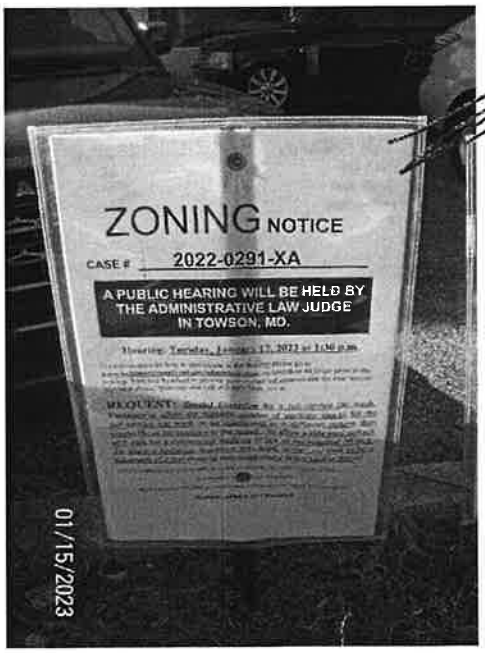
Ladies and Gentlemen:

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: _____

1020, 1022 & 1024 York Road ***SIGN 1 Recertification***

December 27, 2022

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



Sincerely,

January 15, 2023

(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)

CERTIFICATE OF POSTING

2022-0291-XA

RE: Case No.: _____

Petitioner/Developer: _____
Glenn Berger, Wayne Berger
Towson Car Wash, LLC.

_____
January 17, 2023

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:

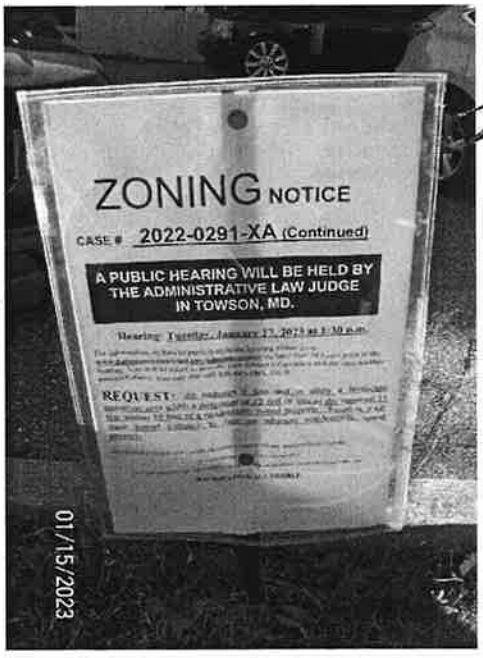
This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at: _____

1020, 1022 & 1024 York Road ***SIGN 2 Recertification***

_____

December 27, 2022

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



Sincerely,

January 15, 2023

(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)

CERTIFICATE OF POSTING

2022-0291-XA

RE: Case No.: _____

Petitioner/Developer: _____
Glenn Berger, Wayne Berger
Towson Car Wash, LLC.

January 17, 2023

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:

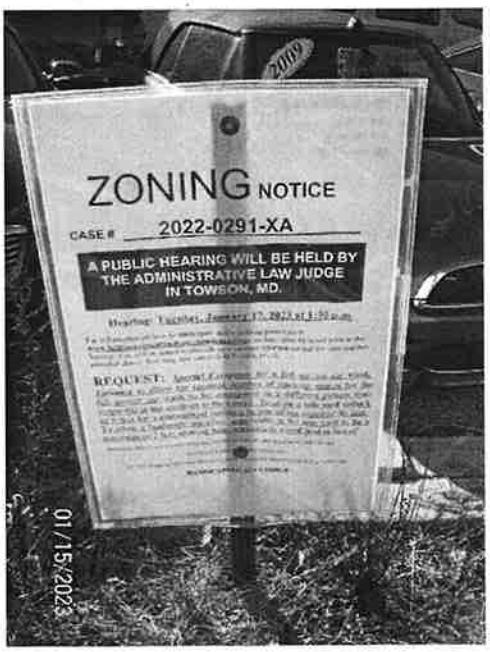
Ladies and Gentlemen:

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: _____

1020, 1022 & 1024 York Road *SIGN 3 Recertification*

December 27, 2022

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



Sincerely,

January 15, 2023

(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)

CERTIFICATE OF POSTING

2022-0291-XA

RE: Case No.: _____

Petitioner/Developer: _____
Glenn Berger, Wayne Berger
Towson Car Wash, LLC.

_____
January 17, 2023

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: _____

1020, 1022 & 1024 York Road ***SIGN 4 Recertification***

_____

December 27, 2022

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



Sincerely,

January 15, 2023

(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)

hm 1-17-23

Donna Mignon

From: Rosenblatt, Adam M. <AMRosenblatt@Venable.com>
Sent: Thursday, January 19, 2023 12:22 PM
To: Maureen E Murphy; Administrative Hearings
Cc: Karceski, David H.
Subject: Zoning Case No. 2022-291-XA (Canton Car Wash York Road)
Attachments: Exhibit 1 - Revised Zoning Petition.pdf; Exhibit 2A-B - Redlined Site Plan.pdf

CAUTION: This message from AMRosenblatt@venable.com originated from a non Baltimore County Government or non BCPL email system. Hover over any links before clicking and use caution opening attachments.

Good Afternoon Judge Murphy,

During the public hearing in Case No. 2022-260-XA, it was determined that Petitioner should submit a revised/redlined site plan and revised zoning petition language. Attached to this e-mail is a redlined site plan that addresses the proper categorization of certain signs as freestanding "enterprise" signs that were referred to as "directional" signs on Exhibit 2B (Sign Nos. 8A-B and 15A-F). For signs 15A-F, we added redlined arrows to show the proper location of the 6 "self-serve" signs.

We also revised paragraph 6 of the revised Zoning Petition that was accepted into evidence as Petitioner's Exhibit 1. Paragraph 6 now reflects that there are 11 enterprise signs (we added signs 8A-B and 15A-F) instead of 3. The amended zoning petition language is now consistent with the content of the redlined/revised site plan.

We appreciate the opportunity to provide the redlined/revised site plan and amended zoning petition. Please let us know whether any additional materials would be helpful. We will bring hard copies to your office to replace the copies that were submitted prior to the public hearing.

Thank you.

Adam M. Rosenblatt, Esq. | Venable LLP
t 410.494.6271 | f 410.821.0147 | m 410.294.9430
210 W. Pennsylvania Avenue, Suite 500, Towson, MD 21204

AMRosenblatt@Venable.com | www.Venable.com

****
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****

Debra Wiley

From: Rosenblatt, Adam M. <AMRosenblatt@Venable.com>
Sent: Thursday, January 19, 2023 2:22 PM
To: Debra Wiley
Cc: Donna Mignon; Karceski, David H.
Subject: RE: Zoning Case No. 2022-291-XA (Canton Car Wash York Road)
Attachments: Exhibit 12A - County List of Community Associations.pdf; Exhibit 12B - Distance from Community Association to Property.pdf; Petitioner's Exhibit List.docx

CAUTION: This message from AMRosenblatt@venable.com originated from a non Baltimore County Government or non BCPL email system. Hover over any links before clicking and use caution opening attachments.

Thank you for the reminder. We actually referenced two Exhibits in response/rebuttal to the community letter we received the morning of the hearing. I marked them as 12A and 12 B as they were simultaneously introduced at the hearing. I am also attaching an updated list of Petitioner's Exhibits for your records.

Adam M. Rosenblatt, Esq. | Venable LLP
t 410.494.6271 | f 410.821.0147 | m 410.294.9430
210 W. Pennsylvania Avenue, Suite 500, Towson, MD 21204

AMRosenblatt@Venable.com | www.Venable.com

From: Debra Wiley <dwiley@baltimorecountymd.gov>
Sent: Thursday, January 19, 2023 1:17 PM
To: Rosenblatt, Adam M. <AMRosenblatt@Venable.com>
Cc: Donna Mignon <dmignon@baltimorecountymd.gov>
Subject: FW: Zoning Case No. 2022-291-XA (Canton Car Wash York Road)

Caution: External Email

Hi Adam,

Would you please email Exhibit 12 – it was a late submission.

Thanks.

From: Rosenblatt, Adam M. <AMRosenblatt@Venable.com>
Sent: Thursday, January 19, 2023 12:22 PM
To: Maureen E Murphy <mmurphy@baltimorecountymd.gov>; Administrative Hearings <administrativehearings@baltimorecountymd.gov>
Cc: Karceski, David H. <DKarceski@Venable.com>
Subject: Zoning Case No. 2022-291-XA (Canton Car Wash York Road)

CAUTION: This message from AMRosenblatt@venable.com originated from a non Baltimore County Government or non BCPL email system. Hover over any links before clicking and use caution opening attachments.

Good Afternoon Judge Murphy,

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We also revised paragraph 6 of the revised Zoning Petition that was accepted into evidence as Petitioner's Exhibit 1. Paragraph 6 now reflects that there are 11 enterprise signs (we added signs 8A-B and 15A-F) instead of 3. The amended zoning petition language is now consistent with the content of the redlined/revised site plan.

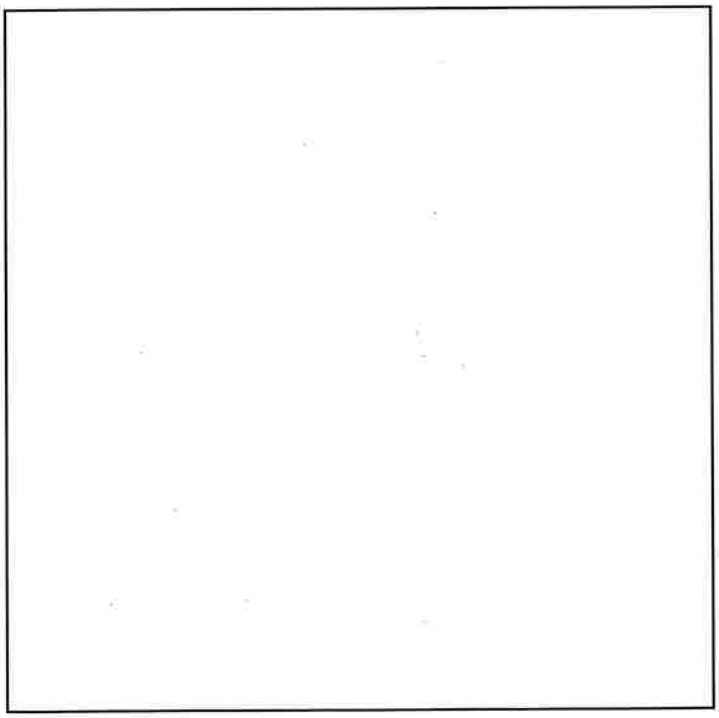
We appreciate the opportunity to provide the redlined/revised site plan and amended zoning petition. Please let us know whether any additional materials would be helpful. We will bring hard copies to your office to replace the copies that were submitted prior to the public hearing.

Thank you.

Adam M. Rosenblatt, Esq. | Venable LLP
t 410.494.6271 | f 410.821.0147 | m 410.294.9430
210 W. Pennsylvania Avenue, Suite 500, Towson, MD 21204

AMRosenblatt@Venable.com | www.Venable.com

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CONNECT WITH BALTIMORE COUNTY

PETITIONER'S EXHIBIT 1

1020, 1022, 1024 YORK ROAD

REVISED PETITION FOR

SPECIAL EXCEPTION AND VARIANCE

1. Petition for Special Exception for a full-service car wash, pursuant to Section 236.2 of the Baltimore County Zoning Regulations ("BCZR").

2. Petition for Variance from BCZR Section 419.3.A to allow the required number of stacking spaces for the full-service car wash to be configured in a different pattern than single-file at the entrance to the tunnel, if necessary.

3. Petition for Variance from BCZR Section 238.2 to allow a side yard setback of 6 feet for a commercial building in lieu of the required 30 feet.

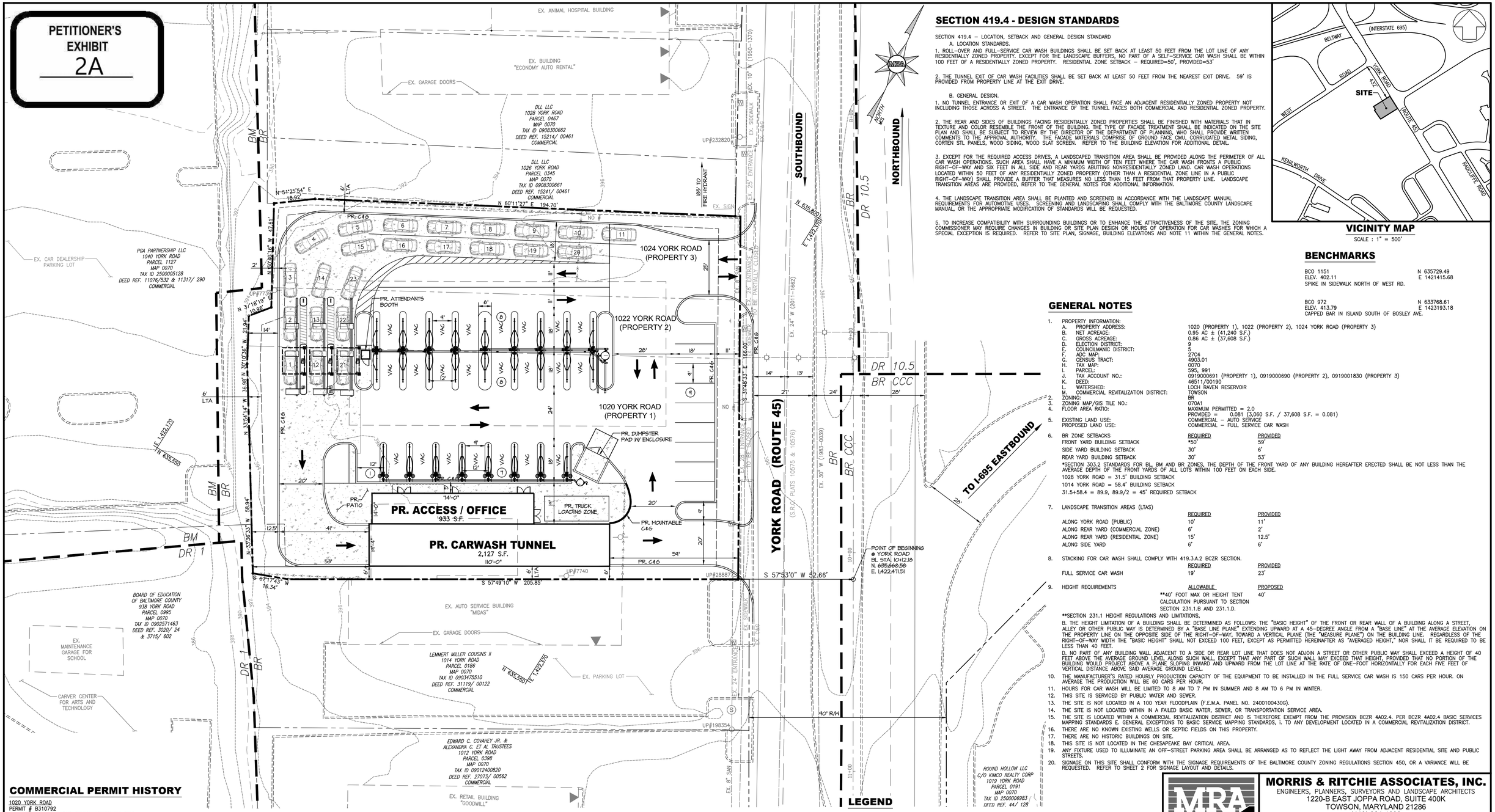
4. Petition for Variance from BCZR Section 419.4.B.3 to allow a landscape transition area width in the rear yard to be a minimum of 2 feet abutting non-residentially zoned land in lieu of the required 6 feet and to allow a landscape transition area width a minimum of 12 feet in lieu of the required 15 feet within 50 feet of a residentially zoned property.

5. Petition for Variance from BCZR Section 419.4.B.1 to allow a car wash tunnel entrance to face an adjacent residentially zoned property.

6. Petition for variance from BCZR Section 450.4. Table of Sign Regulations.5(b) to allow a total of 11 freestanding enterprise signs with sign areas/faces of 18 square feet (sign Nos. 12A, 12B), 36 square feet (sign No. 4), 4 square feet (sign Nos. 8A, 8B), and 2.77 square feet (sign Nos. 15A-15F), with a sign height of 6 feet (sign Nos. 12A, 12B), 13 feet (sign No. 4), 4 feet (sign Nos. 8A, 8B), and 6 feet (sign Nos. 15A-15F) in lieu of the one freestanding enterprise sign permitted with a sign area/face of 75 square feet.

7. Petition for variance from BCZR Section 450.5.B.4.a to allow a freestanding sign to be installed as close as 10 feet to another freestanding sign on the same premises having an area larger than 8 square feet (between sign Nos. 12A and 12B) in lieu of the required 100 foot distance.

PETITIONER'S EXHIBIT 2A



VICINITY MAP
SCALE : 1" = 500'

SECTION 419.4 - DESIGN STANDARDS

SECTION 419.4 – LOCATION, SETBACK AND GENERAL DESIGN STANDARD

A. LOCATION STANDARDS.

1. ROLL–OVER AND FULL–SERVICE CAR WASH BUILDINGS SHALL BE SET BACK AT LEAST 50 FEET FROM THE LOT LINE OF ANY RESIDENTIALLY ZONED PROPERTY. EXCEPT FOR THE LANDSCAPE BUFFERS, NO PART OF A SELF–SERVICE CAR WASH SHALL BE WITHIN 100 FEET OF A RESIDENTIALLY ZONED PROPERTY. RESIDENTIAL ZONE SETBACK – REQUIRED=50', PROVIDED=53'

2. THE TUNNEL EXIT OF CAR WASH FACILITIES SHALL BE SET BACK AT LEAST 50 FEET FROM THE NEAREST EXIT DRIVE. 59' IS PROVIDED FROM PROPERTY LINE AT THE EXIT DRIVE.

B. GENERAL DESIGN.

1. NO TUNNEL ENTRANCE OR EXIT OF A CAR WASH OPERATION SHALL FACE AN ADJACENT RESIDENTIALLY ZONED PROPERTY NOT INCLUDING THOSE ACROSS A STREET. THE ENTRANCE OF THE TUNNEL FACES BOTH COMMERCIAL AND RESIDENTIAL ZONED PROPERTY.

2. THE REAR AND SIDES OF BUILDINGS FACING RESIDENTIALLY ZONED PROPERTIES SHALL BE FINISHED WITH MATERIALS THAT IN TEXTURE AND COLOR RESEMBLE THE FRONT OF THE BUILDING. THE TYPE OF FACADE TREATMENT SHALL BE INDICATED ON THE SITE PLAN AND SHALL BE SUBJECT TO REVIEW BY THE DIRECTOR OF THE DEPARTMENT OF PLANNING, WHO SHALL PROVIDE WRITTEN COMMENTS TO THE APPROVAL AUTHORITY. THE FACADE MATERIALS COMPRISE OF GROUND FACE CMU, CORRUGATED METAL SIDING, CORTEN STL PANELS, WOOD SIDING, WOOD SLAT SCREEN. REFER TO THE BUILDING ELEVATION FOR ADDITIONAL DETAIL.

3. EXCEPT FOR THE REQUIRED ACCESS DRIVES, A LANDSCAPED TRANSITION AREA SHALL BE PROVIDED ALONG THE PERIMETER OF ALL CAR WASH OPERATIONS. SUCH AREA SHALL HAVE A MINIMUM WIDTH OF TEN FEET WHERE THE CAR WASH FRONTS A PUBLIC RIGHT–OF–WAY AND SIX FEET IN ALL SIDE AND REAR YARDS ABUTTING NONRESIDENTIALLY ZONED LAND. CAR WASH OPERATIONS 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 THAT MEASURES NO LESS THAN 15 FEET FROM THAT PROPERTY LINE. LANDSCAPE TRANSITION AREAS ARE PROVIDED, REFER TO THE GENERAL NOTES FOR ADDITIONAL INFORMATION.

4. THE LANDSCAPE TRANSITION AREA SHALL BE PLANTED AND SCREENED IN ACCORDANCE WITH THE LANDSCAPE MANUAL REQUIREMENTS FOR AUTOMOTIVE USES. SCREENING AND LANDSCAPING SHALL COMPLY WITH THE BALTIMORE COUNTY LANDSCAPE MANUAL, OR THE APPROPRIATE MODIFICATION OF STANDARDS WILL BE REQUESTED.

5. TO INCREASE COMPATIBILITY WITH SURROUNDING BUILDINGS OR TO ENHANCE THE ATTRACTIVENESS OF THE SITE, THE ZONING COMMISSIONER MAY REQUIRE CHANGES IN BUILDING OR SITE PLAN DESIGN OR HOURS OF OPERATION FOR CAR WASHES FOR WHICH A SPECIAL EXCEPTION IS REQUIRED. REFER TO SITE PLAN, SIGNAGE, BUILDING ELEVATIONS AND NOTE 11 WITHIN THE GENERAL NOTES.

BENCHMARKS

BCO 1151 — N 635729.49, E 1421415.68
ELEV. 402.11
SPIKE IN SIDEWALK NORTH OF WEST RD.

BCO 972 — N 633768.61, E 1423193.18
ELEV. 413.79
CAPPED BAR IN ISLAND SOUTH OF BOSLEY AVE.

GENERAL NOTES

1. PROPERTY INFORMATION:
   - A. PROPERTY ADDRESS: 1020 (PROPERTY 1), 1022 (PROPERTY 2), 1024 YORK ROAD (PROPERTY 3)
   - B. NET ACREAGE: 0.95 AC ± (41,240 S.F.)
   - C. GROSS ACREAGE: 0.86 AC ± (37,608 S.F.)
   - D. ELECTION DISTRICT: 9
   - E. COUNCILMANIC DISTRICT: 5
   - F. ADC MAP: 27C4
   - G. CENSUS TRACT: 4903.01
   - H. TAX MAP: 0070
   - I. PARCEL: 595, 991
   - J. TAX ACCOUNT NO.: 0919000691 (PROPERTY 1), 0919000690 (PROPERTY 2), 0919001830 (PROPERTY 3)
   - K. DEED: 46511/00190
   - L. WATERSHED: LOCH RAVEN RESERVOIR
   - M. COMMERCIAL REVITALIZATION DISTRICT: TOWSON
2. ZONING: BR
3. ZONING MAP/GIS TILE NO.: 070A1
4. FLOOR AREA RATIO: MAXIMUM PERMITTED = 2.0; PROVIDED = 0.081 (3,060 S.F. / 37,608 S.F. = 0.081)
5. EXISTING LAND USE: COMMERCIAL – AUTO SERVICE; PROPOSED LAND USE: COMMERCIAL – FULL SERVICE CAR WASH
6. BR ZONE SETBACKS

	REQUIRED	PROVIDED
FRONT YARD BUILDING SETBACK	*50'	59'
SIDE YARD BUILDING SETBACK	30'	6'
REAR YARD BUILDING SETBACK	30'	53'

*SECTION 303.2 STANDARDS FOR BL, BM AND BR ZONES, THE DEPTH OF THE FRONT YARD OF ANY BUILDING HEREAFTER ERECTED SHALL BE NOT LESS THAN THE AVERAGE DEPTH OF THE FRONT YARDS OF ALL LOTS WITHIN 100 FEET ON EACH SIDE.
1028 YORK ROAD = 31.5' BUILDING SETBACK
1014 YORK ROAD = 58.4' BUILDING SETBACK
31.5+58.4 = 89.9, 89.9/2 = 45' REQUIRED SETBACK

7. LANDSCAPE TRANSITION AREAS (LTAS)

	REQUIRED	PROVIDED
ALONG YORK ROAD (PUBLIC)	10'	11'
ALONG REAR YARD (COMMERCIAL ZONE)	6'	2'
ALONG REAR YARD (RESIDENTIAL ZONE)	15'	12.5'
ALONG SIDE YARD	6'	6'

8. STACKING FOR CAR WASH SHALL COMPLY WITH 419.3.A.2 BCZR SECTION.

	REQUIRED	PROVIDED
FULL SERVICE CAR WASH	19'	23'

9. HEIGHT REQUIREMENTS

	ALLOWABLE	PROPOSED
**40' FOOT MAX OR HEIGHT TENT CALCULATION PURSUANT TO SECTION SECTION 231.1.B AND 231.1.D.		40'

**SECTION 231.1 HEIGHT REGULATIONS AND LIMITATIONS.
B. THE HEIGHT LIMITATION OF A BUILDING SHALL BE DETERMINED AS FOLLOWS: THE "BASIC HEIGHT" OF THE FRONT OR REAR WALL OF A BUILDING ALONG A STREET, ALLEY OR OTHER PUBLIC WAY IS DETERMINED BY A "BASE LINE PLANE" EXTENDING UPWARD AT A 45–DEGREE ANGLE FROM A "BASE LINE" AT THE AVERAGE ELEVATION ON THE PROPERTY LINE ON THE OPPOSITE SIDE OF THE RIGHT–OF–WAY, TOWARD A VERTICAL PLANE (THE "MEASURE PLANE") ON THE BUILDING LINE. REGARDLESS OF THE RIGHT–OF–WAY WIDTH THE "BASIC HEIGHT" SHALL NOT EXCEED 100 FEET, EXCEPT AS PERMITTED HEREINAFTER AS "AVERAGED HEIGHT," NOR SHALL IT BE REQUIRED TO BE LESS THAN 40 FEET.
D. NO PART OF ANY BUILDING WALL ADJACENT TO A SIDE OR REAR LOT LINE THAT DOES NOT ADJOIN A STREET OR OTHER PUBLIC WAY SHALL EXCEED A HEIGHT OF 40 FEET ABOVE THE AVERAGE GROUND LEVEL ALONG SUCH WALL, EXCEPT THAT ANY PART OF SUCH WALL MAY EXCEED THAT HEIGHT, PROVIDED THAT NO PORTION OF THE BUILDING WOULD PROJECT ABOVE A PLANE SLOPING INWARD AND UPWARD FROM THE LOT LINE AT THE RATE OF ONE–FOOT HORIZONTALLY FOR EACH FIVE FEET OF VERTICAL DISTANCE ABOVE SAID AVERAGE GROUND LEVEL.

10. THE MANUFACTURER'S RATED HOURLY PRODUCTION CAPACITY OF THE EQUIPMENT TO BE INSTALLED IN THE FULL SERVICE CAR WASH IS 150 CARS PER HOUR. ON AVERAGE THE PRODUCTION WILL BE 60 CARS PER HOUR.
11. HOURS FOR CAR WASH WILL BE LIMITED TO 8 AM TO 7 PM IN SUMMER AND 8 AM TO 6 PM IN WINTER.
12. THIS SITE IS SERVICED BY PUBLIC WATER AND SEWER.
13. THE SITE IS NOT LOCATED IN A 100 YEAR FLOODPLAIN (F.E.M.A. PANEL NO. 24001004330).
14. THE SITE IS NOT LOCATED WITHIN A FAULED BASIC WATER, SEWER, OR TRANSPORTATION SERVICE AREA.
15. THE SITE IS LOCATED WITHIN A COMMERCIAL REVITALIZATION DISTRICT AND IS THEREFORE EXEMPT FROM THE PROVISION BCZR 4A02.4. PER BCZR 4A02.4 BASIC SERVICES MAPPING STANDARDS E. GENERAL EXCEPTIONS TO BASIC SERVICE MAPPING STANDARDS, i. TO ANY DEVELOPMENT LOCATED IN A COMMERCIAL REVITALIZATION DISTRICT.
16. THERE ARE NO KNOWN EXISTING WELLS OR SEPTIC FIELDS ON THIS PROPERTY.
17. THERE ARE NO HISTORIC BUILDINGS ON SITE.
18. THIS SITE IS NOT LOCATED IN THE CHESAPEAKE BAY CRITICAL AREA.
19. ANY FIXTURE USED TO ILLUMINATE AN OFF–STREET PARKING AREA SHALL BE ARRANGED AS TO REFLECT THE LIGHT AWAY FROM ADJACENT RESIDENTIAL SITE AND PUBLIC STREETS.
20. SIGNAGE ON THIS SITE SHALL CONFORM WITH THE SIGNAGE REQUIREMENTS OF THE BALTIMORE COUNTY ZONING REGULATIONS SECTION 450, OR A VARIANCE WILL BE REQUESTED. REFER TO SHEET 2 FOR SIGNAGE LAYOUT AND DETAILS.

COMMERCIAL PERMIT HISTORY

1020 YORK ROAD
PERMIT # B310792
CONSTRUCTION OF A CAR RENTAL OFFICE BUILDING.

1020 YORK ROAD
PERMIT # B707107
ERECT CHAIN FENCE WITH HEIGHT OF 8' AND LENGTH OF 120'.

1022 YORK ROAD
PERMIT # B826453 & B826879
CONSTRUCTION OF FREESTANDING D/F ENTERPRISE SIGN 9'x10' AND ONE ILLUMINATED WALL SIGN 3.5'x31.44'.

1022 YORK ROAD
PERMIT # B828817
CONSTRUCTION OF F/S PYLON SIGN 6.17'x12.17'x25'.

1024 YORK ROAD
PERMIT # E956459
UNDERGROUND ELECTRIC DIRECT BURIAL 12/3 TO EX. SIGN.

GENERAL NOTE

THE CORRECTNESS OR COMPLETENESS OF EXISTING INFORMATION SHOWN ON THE DRAWINGS IS NOT WARRANTED OR GUARANTEED. THE CONTRACTOR SHALL VERIFY THE LOCATION OF UTILITIES AND UNDERGROUND FACILITIES, BY TEST PITS OR OTHER METHODS APPROVED BY THE OWNER'S REPRESENTATIVE, AS REQUIRED TO VERIFY EXACT LOCATIONS AND DEPTHS WITHIN THE LIMIT OF DISTURBANCE. ALL DISCREPANCIES BETWEEN INFORMATION SHOWN ON THE DRAWINGS AND THAT VERIFIED IN THE FIELD SHALL BE REPORTED TO THE OWNER'S REPRESENTATIVE PRIOR TO BEGINNING WORK.

ZONING HISTORY

CASE NO. R–1949–1432–XT – PETITION FOR TEMPORARY USE OF THE PROPERTY FOR ADVERTISING STRUCTURE WAS DENIED ON MAY 13, 1949.

CASE NO. R–1994–0321–XA – PETITION FOR TWO SPECIAL EXCEPTIONS FOR USED AUTOMOBILE SALES AT 1018 AND 1024 YORK ROAD. A PETITION FOR ZONING VARIANCE, RELIEF WAS REQUESTED FROM BCZR SECTION 303.2 TO ALLOW A FRONT YARD SETBACK OF 32' IN LIEU OF THE REQUIRED 45'; FROM SECTION 238.4 TO PERMIT STORAGE AND DISPLAY OF VEHICLES AND MATERIALS IN THE FRONT YARD SETBACK AREA IN LIEU OF THE REQUIREMENT THAT THE FRONT YARD AREA TO A DEPTH OF 30' REMAIN VEHICLE FREE; FROM SECTION 238.2 TO PERMIT 0' SIDE YARD SETBACK IN LIEU OF THE REQUIRED 30'; FROM SECTION 238.2 TO PERMIT 0' AND 41' DISTANCE BETWEEN BUILDINGS IN LIEU OF THE REQUIRED 60' AND 19' RESPECTIVELY; AND SECTION 413.2 TO PERMIT A TOTAL SIGN AREA OF 175.98 SQ FT FOR TWO SIGNS IN LIEU OF THE REQUIRED 100 SQ FT. GRANTED ON APRIL 11, 1994, SUBJECT HOWEVER TO THE FOLLOWING RESTRICTIONS WHICH ARE CONDITIONS PRECEDENT TO THE RELIEF GRANTED:

1. THE PETITIONER IS HEREBY MADE AWARE THAT PROCEEDING AT THIS TIME IS AT ITS 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 PETITIONER WOULD BE REQUIRED TO RETURN, AND BE RESPONSIBLE FOR RETURNING, SAID PROPERTY TO ITS ORIGINAL CONDITION.
2. THE PETITIONER SHALL NOT ALLOW THE PLACEMENT OF ANY OTHER OUTDOOR ADVERTISING SIGNS, BANNERS, STREAMERS, BALLOONS, ETC. THAT IS, THE SOLE MEANS OF ADVERTISING WILL BE THE TWO SIGNS REFERENCED HEREIN, APPROPRIATE LETTERING ON THE FACADE OF THE BUILDINGS AND PRICES/SIGNS AS MAY BE WRITTEN ON THE WINDSHIELDS OF THE VEHICLES. ANY OTHER MEANS OF OUTDOOR ADVERTISING, BE THEY TEMPORARY OR PERMANENT, WILL BE EXCLUDED.

PLAN

SCALE: 1" = 20'
20 0 20 40

PARKING TABULATIONS CHART

(PARKING SPACES REQUIRED BY BCZR SECTION 419.3)

USE	PARKING RATE	PARKING SPACES REQUIRED PER SECTION 419.3
FULL–SERVICE CAR WASH	6/TUNNEL	6
FULL–SERVICE CAR WASH (ADDITIONAL SPACES)	4	4
VACUUMS	1/VACUUM	23
TOTAL PARKING REQUIRED		33
TOTAL PARKING PROVIDED		33

LEGEND

- EX. PROPERTY BOUNDARY LINE
- EX. RIGHT–OF–WAY
- EX. ADJACENT PROPERTY LINE
- EX. EASEMENT
- EX. ZONING LINE
- EX. BUILDING
- EX. EDGE OF PAVEMENT
- EX. EDGE OF CONCRETE
- EX. CURB
- EX. 2' CONTOUR
- EX. 10' CONTOUR
- EX. FENCE
- PR. CURB & GUTTER
- PR. BUILDING
- PR. SIDEWALK

PROFESSIONAL CERTIFICATION

I HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME, AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MARYLAND, LICENSE NO. 38291, EXPIRATION DATE: 01/13/2024.

DATUM

DESIGN & DRAWING BASED ON MARYLAND COORDINATE SYSTEM (MCS): HORIZONTAL NAD 83 (2011) VERTICAL NAVD 88

DEVELOPER

TOWSON ~~YORK~~ CAR WASH LLC
c/o CANTON CAR WASH
10051 FRANKLIN SQUARE DRIVE
NOTTINGHAM, MARYLAND 21236
PHONE: (908) 528–0009
ATTN: THOMAS DEBACCO

OWNER

GLEN G. AND WAYNE G. BERGER
1020–1024 YORK ROAD
TOWSON, MARYLAND 21204

MORRIS & RITCHIE ASSOCIATES, INC.
ENGINEERS, PLANNERS, SURVEYORS AND LANDSCAPE ARCHITECTS
1220-B EAST JOPPA ROAD, SUITE 400K
TOWSON, MARYLAND 21286
(410) 821-1690
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MRAGTA.COM

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STATE OF MARYLAND · MICHAEL GREGORY CYR · 38291 · PROFESSIONAL ENGINEER

CANTON CAR WASH

1020–1024 YORK ROAD

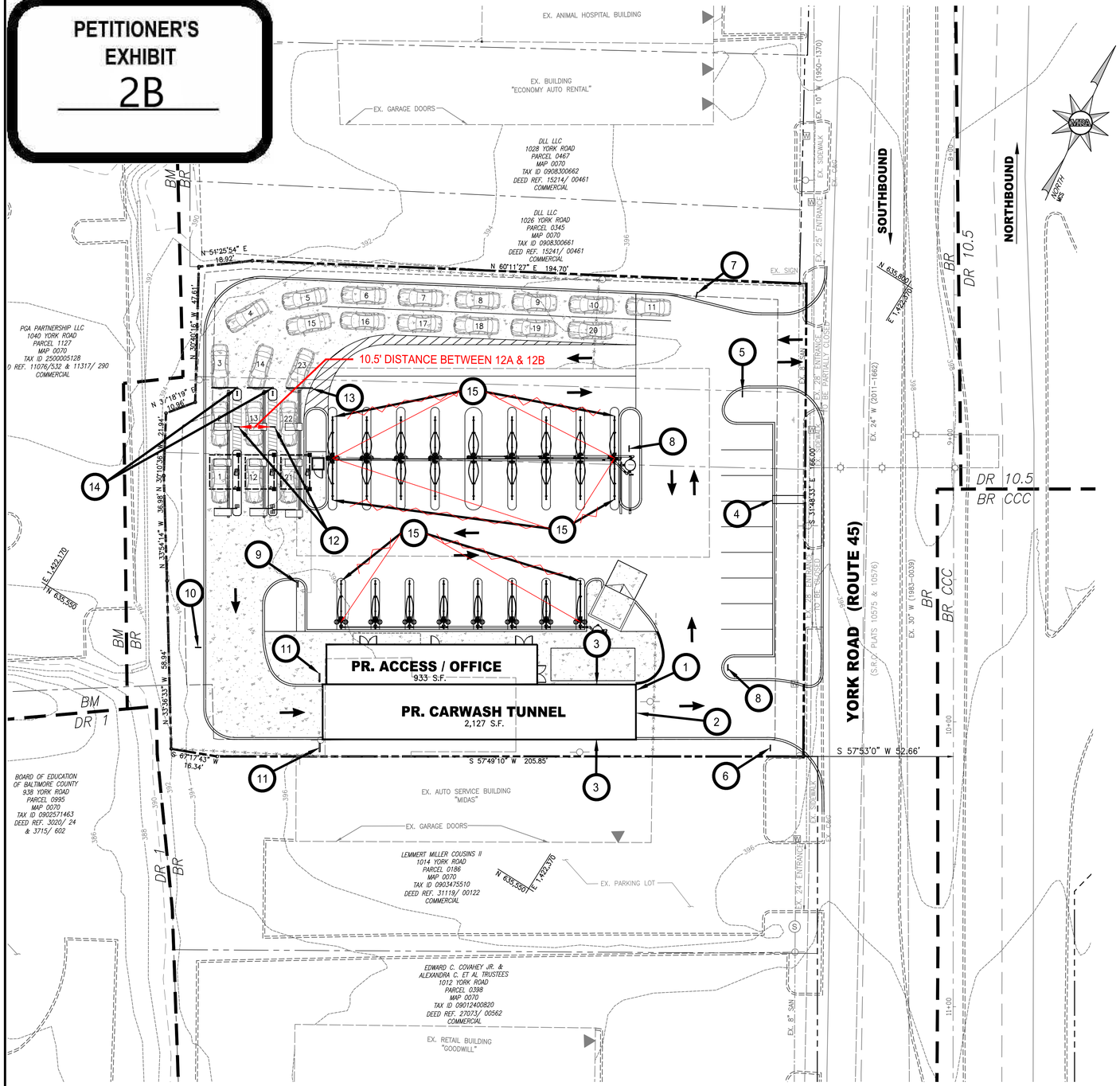
SITE PLAN TO ACCOMPANY
SPECIAL EXCEPTION & VARIANCE PETITION

5TH COUNCILMANIC DISTRICT BALTIMORE COUNTY, MARYLAND 9TH ELECTION DISTRICT

DATE	REVISIONS		
01/03/2023	UPDATED OWNER NAME TO BE TOWSON CAR WASH, LLC	JOB NO.:	21837
		SCALE:	AS SHOWN
		DATE:	12/06/2022
		DRAWN BY:	MAS
		DESIGN BY:	THS
		REVIEW BY:	THS
		SHEET:	01 OF 02

PETITIONER'S EXHIBIT

2B


EX. ANIMAL HOSPITAL BUILDING
EX. BUILDING "ECONOMY AUTO RENTAL"
EX. GARAGE DOORS
DLL LLC 1028 YORK ROAD PARCEL 0467 MAP 0070 TAX ID 0908300662 DEED REF. 15214/ 00461 COMMERCIAL
DLL LLC 1026 YORK ROAD PARCEL 0345 MAP 0070 TAX ID 0908300661 DEED REF. 15241/ 00461 COMMERCIAL
PGA PARTNERSHIP LLC 1040 YORK ROAD PARCEL 1127 MAP 0070 TAX ID 2500005128 DEED REF. 11076/532 & 11317/ 290 COMMERCIAL
10.5' DISTANCE BETWEEN 12A & 12B
PR. ACCESS / OFFICE 933 S.F.
PR. CARWASH TUNNEL 2,127 S.F.
EX. AUTO SERVICE BUILDING "MIDAS"
EX. GARAGE DOORS
EX. PARKING LOT
LEMMERT MILLER COUSINS II 1014 YORK ROAD PARCEL 0186 MAP 0070 TAX ID 0903475510 DEED REF. 31119/ 00122 COMMERCIAL
BOARD OF EDUCATION OF BALTIMORE COUNTY 938 YORK ROAD PARCEL 0995 MAP 0070 TAX ID 0902571463 DEED REF. 3020/ 24 & 3715/ 602
EDWARD C. COVAHEY JR. & ALEXANDRA C. ET AL TRUSTEES 1012 YORK ROAD PARCEL 0398 MAP 0070 TAX ID 0901240820 DEED REF. 27073/ 00562 COMMERCIAL
EX. RETAIL BUILDING "GOODWILL"
SOUTHBOUND
NORTHBOUND
YORK ROAD (ROUTE 45) (S.R.O. PLATS 10575 & 10576)
DR 10.5 BR CCC
N 51°25'54" E 15.02'
N 60°11'27" E 194.70'
S 57°53'0" W 52.66'
S 57°49'10" W 205.85'
S 67°17'43" W 78.34'
N 635,800 E 1,423,370
N 635,550 E 1,423,170
EX. 24" ENTRANCE TO BE PARTIALLY CLOSED
EX. 25' ENTRANCE
EX. 28' ENTRANCE TO BE CLOSED
EX. 24" ENTRANCE TO BE CLOSED
EX. 8" SAN
EX. SIGN
EX. SIGNAL
EX. SIGNAL BOX
EX. SIGNAL POLE
EX. SIGNAL MAST ARM
EX. SIGNAL CONTROLLER
EX. SIGNAL HEAD
EX. SIGNAL PEDESTAL
EX. SIGNAL CONDUIT
EX. SIGNAL HANDHOLE
EX. SIGNAL CABINET
EX. SIGNAL CONTROL CABINET
EX. SIGNAL CONTROL CABINET W/ BATTERY BACKUP
EX. SIGNAL CONTROL CABINET W/ BATTERY BACKUP & GENERATOR
EX. SIGNAL CONTROL CABINET W/ BATTERY BACKUP & GENERATOR & SOLAR PANEL
EX. SIGNAL CONTROL CABINET W/ BATTERY BACKUP & GENERATOR & SOLAR PANEL & WIRELESS ANTENNA
EX. SIGNAL CONTROL CABINET W/ BATTERY BACKUP & GENERATOR & SOLAR PANEL & WIRELESS ANTENNA & CAMERA
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EX. SIGNAL CONTROL CABINET W/ BATTERY BACKUP & GENERATOR & SOLAR PANEL & WIRELESS ANTENNA & CAMERA & SIGNAL HEAD & SIGNAL POLE & SIGNAL MAST ARM & SIGNAL CONDUIT & SIGNAL HANDHOLE
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Tammy Zahner

From: Paul Hartman/Towson Communities Alliance <paul@towsoncommunities.org>
Sent: Thursday, May 25, 2023 8:35 AM
To: Appeals Board
Subject: 1020, 1022, and 1024 York Road - Case No.: 2022-291-XA

CAUTION: This message from paul@towsoncommunities.org originated from a non Baltimore County Government or non BCPL email system. Hover over any links before clicking and use caution opening attachments.

Baltimore County Board of Appeals
Jefferson Building
105 West Chesapeake Avenue, Suite 203
Towson, MD 21204

Via e-mail: appealsboard@baltimorecountymd.gov

RE: 1020, 1022, and 1024 York Road - Case No.: 2022-291-XA

Your Honor:

I am writing on behalf of the Towson Communities Alliance (TCA), an umbrella organization representing the interests of more than thirty community associations in the Greater Towson area.

The TCA is opposed to the Petition for Special Exception and Variance requested for the above-referenced properties in Towson, MD.

The proposed full-service car wash is not permitted by the current zoning and creates the potential for significant traffic issues, with vehicles stacking on York Road as they wait to enter the lot. There have been similar issues at a nearby car wash on Loch Raven Boulevard, and the proposed Towson Car Wash could cause the same type of back-ups that would wreak havoc on heavily traveled York Road. These back-ups would also limit access to neighboring businesses, which are all accessed from York Road.

We are also concerned about the amount of signage proposed for the site, and do not want to see additional visual clutter on this already cluttered commercial stretch of road.

While we appreciate the petitioners' interest in establishing a business in this area, the above concerns lead us to respectfully request that you deny the petition for special exception and variance.

Thank you for your consideration.

Sincerely,

Paul Hartman

Board Member and Past President, Towson Communities Alliance

PC Exh. 18

--
Paul Hartman
Past President and Webmaster
Towson Communities Alliance, formerly
The Greater Towson Council of Community Associations (GTCCA)
www.TowsonCommunities.org
410-622-8396

Tammy Zahner

From: Peoples Counsel
Sent: Wednesday, July 12, 2023 2:05 PM
To: Appeals Board
Cc: 'Rosenblatt, Adam M.'; 'Michael McCann'; 'dhkarceski@venable.com'; 'paul@towsoncommunites.org'
Subject: RE: Berger - Towson Carwash - Case No. 2022-291-XA
Attachments: PC 23 - BCZR Secs. 236-238, B.R. (Business Roadside) Zone.pdf; PC 24 - BCZR Secs. 259.1, 259.2, Districts.pdf; PC 25 - BCZR Sec. A400, Special Regs..pdf; PC 26 -TCA Rule 8 Docments.pdf; PC 19 - BCZR 1963 excerpts, Business. Zones and BCZR 419, Car Wash.pdf; PC 20 - Bill 108-64 - Car Washes.pdf; PC 21 - Planning Board Report dated June 17 1993 preceding Bill 172-93 - Fuel Stations & Carwashes -Discussion.pdf; PC 22 - BCZR Secs. 101.1, 102.1, Carwash Definitions and Conf. w.Regs.pdf

Good Afternoon,

Upon further review, our office is supplementing the record to include People's Counsel's Exhibits 19 – 26. These include public records involving legislation and legislative history along with the Rule 8 documents from Towson Communities Alliance.

For convenience we attach our May 26., 2023 email covering Exhibits 1 – 18.

As a courtesy, we are sending these Exhibits 19 – 26 to all the parties.

The Exhibits are as follows:

19. 1963 Business Zone Car Wash excerpts
20. Bill 108-64 – Car Washes
21. Planning Board Report excerpt – Fuel Service Stations & Car Washes
22. BCZR Sec. 101.1 - Car Wash Definitions and BCZR Sec. 102.1 – Conformance with Regulations
23. BCZR Secs. 236 to 238 - Business Roadside Zone
24. BCZR Secs. 259. 1 & 2 - Districts
25. BCZR Sec. A400 – Special Regulations
26. Towson Communities Alliance Rule 8 Documents

We look forward to the continued hearing of the case on August 24, 2023

Respectfully,

Peter Max Zimmerman
People's Counsel for Baltimore County
105 West Chesapeake Avenue, Suite 204
Towson, Maryland 21204
410-887-2188

From: Peoples Counsel
Sent: Friday, May 26, 2023 12:41 PM
To: Appeals Board <appealsboard@baltimorecountymd.gov>; Tammy Zahner <tzahner@baltimorecountymd.gov>
Cc: Rosenblatt, Adam M. <AMRosenblatt@Venable.com>; Michael McCann <michael@mmccannlaw.net>; 'dhkarceski@venable.com' <dhkarceski@venable.com>; 'paul@towsoncommunites.org' <paul@towsoncommunites.org>
Subject: Berger - Towson Carwash - Case No. 2022-291-XA

Good Afternoon,

After yesterday's hearing, our office sent People's Counsel's Exhibits 1-7 and 12 -18 to all the attorneys in the case, These are all public records or their equivalent, along with Paul Hartman's e-mail:

1. ADC (Highway Map)
2. GIS Aerial
3. MyNeighborhood Maps
4. SDATs for Properties on York Road
5. Google Maps
6. Planning Comment
7. State Highway Comment

12. Previous Case (Berger) 1994-321
13. a Deed 4611-253
    b. Deed 46511-185
    c. Deed 46511-190
14. Nottingham Car Wash decision – 2014-075-X
15. Bill 172-93 – signed – Fuel Service & Carwash
16. BCZR Section 419 - Car Wash
17. ALJ Proceedings Excerpts, including petition & revisions
18. Opposition letter from Paul Hartman, Towson Communities Alliance dated 5-25-2023.

I trust this is helpful in expediting the case. I am reserving on other potential exhibits at this time.

For scheduling purposes, I have spoken with Paul Hartman, who will be preparing the "Rule 8" papers for the TCA and is expected to testify. He tells me his work schedule is such that Thursdays are optimal for him. Given Chair Joseph Evans' stated interest in scheduling a second day of hearing as soon as reasonably possible, I would like to say that our office has availability on the following Thursdays: June 8, 22, and 29; and July 6, 20, and 27. So far as we could tell from online review, these are currently open dates on the Board's schedule.

Thank you in advance for your consideration.

Respectfully, Peter Max Zimmerman, People's Counsel, 410 887-2188.

BALTIMORE COUNTY

ZONING REGULATIONS

1963

BOOK Nº 281

This is the property of:

Name Robert J. Brandt

Address _____

_____

BALTIMORE COUNTY

ZONING REGULATIONS

Adopted

March 30, 1955

in accordance with Title 30, Section 532(c) of the Code of Public Local Laws of Baltimore County, (1955 Edition), with subsequent amendments through December, 1963.

First edition 1955

Second edition 1964

Preface to Second Edition

The first Zoning Regulations for Baltimore County went into effect in 1945. Within a few years it became obvious they were not adequate to cope with the County's population growth and the need for greater differentiation among housing, business, and manufacturing uses. Professor Flavel Shurtleff of the Massachusetts Institute of Technology was retained as a consultant to begin preliminary review of the zoning text.

In 1952 the County Commissioners acceded to the request of the Planning Commission to provide funds for studies looking toward a complete revision of the Zoning Regulations. These studies, under the direction of Malcolm H. Dill, Planning Director, continued over a period of two and one-half years, in cooperation with Augustine J. Muller, then Zoning Commissioner, and his successor, Wilsie H. Adams.

Many and varied interests were brought into consultation, including architects, lawyers, engineers, builders, developers, and real estate brokers, all of whom contributed substantially to formulating the Regulations. After a preliminary draft had been completed, further meetings and discussions were held. As a result of these conferences a final version was adopted by the County Commissioners on March 30, 1955.

On the whole these Regulations have provided the people of Baltimore County with a sound basis for the protection of property values and the general welfare. However, it was expected from the outset

County Council in 1961 of the Manufacturing, Ligh Restricted Zone.

Even with the prospect of completely revised Zoning Regulations emerging a few years hence from current studies authorized by the County Executive, the numerous changes make it desirable to publish an up to date edition of the 1955 text. Further interim amendments are to be expected, and, in order to provide an easy method of keeping the Regulations up to date, the loose-leaf format of the earlier edition has been repeated.

Section 230—USE REGULATIONS

The following uses only are permitted (See Section 230.12):

230.1—Uses permitted and as limited in the residential zone immediately adjoining except that Animal boarding place, Class A is permitted only as a Special Exception and Kennel is prohibited.

230.2—Convalescent home;

230.3—Tourist home, boarding or rooming houses;

230.4—Restaurant, tea room, and dairy bar, except drive-in restaurant.

230.5—Bank, building and loan association;

230.6—Offices and office buildings;

230.7—Private colleges, nursery and dancing schools, conservatory for music and the arts, dormitories and fraternity and sorority houses;

230.8—Business and trade schools;

230.9—Alcoholic beverage package store;

Antique Shop;

Automobile accessory shop;

Automobile parking lot;

Bakery, but goods baked on the premises must be sold only at retail on the premises;

Barber and beauty shops, establishments for chiropody and massage;

Billiard and pool rooms;

Bowling Alley;

Candy store, but goods made on the premises must be sold only at retail on the premises;

Clothing and accessory stores;

Division of Engineering, Department of Public Works. Any division of ownership of such lots shall be a subdivision, and will require approval of the Office of Planning.

f. Where the requirements in Section 230.12 (a, b or c) would create an undue hardship, the Zoning Commissioner may approve a modified plan upon petition and public hearing thereon.

230.13—Special Exceptions—The following uses when permitted as Special Exceptions (see Sections 270 and 502):

Animal boarding place, Class A;

Automotive-service station; subject to the provisions of Section 405;

Boat yard;

Car wash;

Commercial beach; with provision of adequate parking area, and permitting dressing facilities, snack bar, picnic area, and boat rental;

Community building, swimming pool, or other structural or land use devoted to civic, social, recreational, and educational activities; off-street parking areas shall be provided to such extent and be so located as the Zoning Commissioner or County Board of Appeals, on appeal, shall agree to be needed in relation to their surroundings;

Drive-in restaurant;

Dry Cleaning Plant; (See Section 416)

Excavations, controlled (see Section 403);

Filling station (see Section 405);

Garage, service;

Golf course, country club, or other outdoor recreation clubs; also quasi-public camp, including day camps, but no such uses shall be located on less than five acres,

and no building, parking lot, or out-of-water marine craft storage thereon shall be located within 60 feet of any residential property line;

Golf driving range, miniature golf, and baseball batting range;

Heliport, Type II;

Hotel;

Laboratory;

Living quarters in a commercial building;

Marina;

Motel or motor court;

Public utility uses other than those noted in Sections 200.11 and 230.9 (see Section 411);

Signs, outdoor advertising (see Sections 413.3 and 413.5);

Theatre, excluding drive-in;

Volunteer fire company;

Wireless transmitting and receiving structure.

B. M. Zone—Business, Major

Section 233—USE REGULATIONS

The following uses only are permitted (see Section 233.3):

233.1—Uses permitted in B. L. Zone.

233.2—Animal boarding place, Class A;

Automobile sales room and adjoining outdoor sales area, provided that dismantled or junked cars unfit for operations on the highways shall not be stored outdoors;

Billiard and pool rooms;

Boat yard;

Bowling alleys;

Carpentry, electrical, plumbing, heating, sheetmetal, electroplating and painting shops;

Clothes cleaning and dyeing where not more than 2 units with combined capacity of not more than 50 pounds are employed;

Commercial beach, with provision of adequate parking area; and permitting dressing facilities, snack bar, picnic area, and boat rental;

Commercial recreation enterprises, including dance halls, skating rinks, and others which—in the judgment of the Zoning Commissioner—are similar, but excluding merry-go-rounds and freak shows, shooting galleries and penny arcades;

Community building, swimming pool, or other structural or land use devoted to civic, social, recreational, and educational activities, off-street parking areas shall be provided to such extent and be so located as the Zoning Commissioner

or County Board of Appeals, on appeal, shall agree to be needed in relation to their surroundings;

Garage, service;

Golf course, country club, or other outdoor recreation clubs; also quasi-public camp, including day camps, but no such uses shall be located on less than five acres, and no building, parking lot, or out-of-water marine craft storage thereon shall be located within 60 feet of any residential property line;

Hotel;

Machinery sales store;

Marina;

Night club;

Pawn shop;

Printing, lithographing, or publishing plant, employing not more than 25 persons;

Second-hand store;

Theatre, excluding drive-in;

Warehouses—sales and storage.

233.3—All permitted uses are subject to the following conditions:

a. They shall be contained, except in the case of signs, restaurants, swimming pools, outdoor sales or display areas, and parking lots, within a completely enclosed building;

b. Not more than 25 employees shall be regularly engaged in fabrication, repair, cleaning or other processing of goods or articles in any one establishment.

c. Where the requirements in Section 233.3 would create an undue hardship, the Zoning Commissioner may approve a modified plan upon petition and public hearing thereon.

233.4—Special Exceptions—The following uses when permitted as Special Exceptions (see Sections 270 and 502):

Automotive-service station, subject to the provisions of Section 405;

Bus terminal;

Car wash;

Excavations, controlled (see Section 403);

Filling station (see Section 405);

Golf driving range, miniature golf, and baseball batting range;

Heliport, Type I;

Heliport, Type II;

Laboratory;

Living quarters in a commercial building;

Motel or motor court;

Public utility uses other than those noted in Sections 200.11 and 230.9 (see Section 411);

Signs, outdoor advertising (see Sections 413.3, 413.5);

Wireless transmitting and receiving structure, except as a minor accessory use or structure (which is permitted without a special exception); provided that, for the purposes of this subsection, no exterior antenna greater than 50 feet above grade level shall be considered as an accessory use or structure.

Section 234—HEIGHT REGULATIONS

Same as in B. L. Zone.

Section 235—AREA REGULATIONS

Minimum requirements, except as provided in ARTICLE 3, shall be as follows:

Section 236—USE REGULATIONS

The following uses only are permitted:

236.1—Uses permitted and as limited in B. M. Zone.

236.2—Animal boarding place, Class A;

Animal boarding place, Class B;

Bottling establishment, soft drink;

Greenhouse;
Laboratory;
Motel or motor court;
Printing, lithographing, or publishing plant, employing over 25 persons;
Volunteer fire company.

236.3—The following uses when located at least 50 feet from the residential zone boundaries at the ends of the commercially zoned frontage:

Building materials storage and sales yard;
Farm implements, sales and service;
Feed and grain sales and storage;
Kennel;
Lumber yard;
Public utility storage yard;
Stone or monument works;
Storage of inflammable liquids and gases underground (for requirements see Baltimore County Building Code);
Tire retreading or recapping.

236.4—Special Exceptions—The following uses when permitted as Special Exceptions (see Sections 270 and 502):

Automotive-service station, subject to the provisions of Section 405;

Airport;
Amusement park;
Bus terminal;
Car wash;
Cemetery (see Section 401);
Contractor's equipment storage yard;

Drive-in restaurant;

Excavations, controlled (see Section 403);

Golf driving range, miniature golf, and baseball batting range;

Heliport, Type I;

Heliport, Type II;

Hospital Class B (see Section 407);

Living quarters in a commercial building;

Poultry, commercial killing of;

Public utility uses other than those noted in Sections 200.11, 230.9 and 236.3 (see Section 411);

Race track, commercial;

Riding stable, commercial;

Sanitary landfill;

Shooting range;

Signs—Outdoor Advertising—(See Section 413.3 & 413.5);

Storage of inflammable liquids and gases above ground (for requirements see Baltimore County Building Code);

Theatre, drive-in;

Trailer park (see Section 414);

Truck terminal;

Used motor vehicle outdoor sales area, separated from sales agency building;

Wireless transmitting and receiving structure, except as a minor accessory use or structure (which is permitted without a special exception); provided that, for the purpose of this subsection, no exterior antenna greater than 50 feet above grade level shall be considered as an accessory use or structure.

Section 237—HEIGHT REGULATIONS

Same as in B. L. Zone.

Section 238—AREA REGULATIONS

Minimum requirements, except as provided in ARTICLE 3, shall be as follows:

Section 419—CAR WASH

Applications for Special Exceptions for car washes shall also be subject to the following regulations:

419.1—A site plan shall be submitted showing the location of the car wash and adjacent properties, the means of ingress and egress, the manufacturer's rated hourly production capacity of the equipment to be installed, if available, or other evidence of the capacity of the equipment, the proposed waiting line capacity as required by Section 419.2, below, and such other information as may be required by the Office of Planning and Zoning.

419.2—The lot on which the car wash is to be located shall be sufficient to provide on-site waiting storage for a total number of vehicles equal to the number capable of being processed during one-half hour, plus ten additional vehicles; where the equipment used is of an assembly line nature with labor supplied by the car wash operator, there shall be a minimum of 40 on-site storage spaces.

419.3—The site plan must be approved by the Traffic Engineer of Baltimore County, the Department of Public Works, and the Office of Planning and Zoning of Baltimore County.

419.4—The regulations contained in this Section 419 entitled "Car Wash" shall not apply to car washes existing on the effective date thereof. (1/25/65)

COUNTY COUNCIL OF BALTIMORE COUNTY,
MARYLAND

BILL NO. 108

Mr. Green, Councilman
By Request of County Executive

By the County Council, November 2, 1964

Legislative Session 1964, Legislative Day No. 13

I hereby certify that this is the original of Bill No. 108, which was introduced and read the first time on the above date.

By Order: R. Bruce Alderman
R. Bruce Alderman, Secretary

A BILL

ENTITLED

AN ACT, relating to "Car Washes", to establish regulations and standards for locating "Car Washes" as Special Exception uses in Business - Major, BUSINESS - LOCAL and Business - Roadside Zones, by adding new Section 419 to the Baltimore County Zoning Regulations (1964 edition), said new section to be entitled "Car Washes", by amending Section 101 of said Regulations to insert the definition of a "Car Wash", and by amending Sections 233.4, 236.4, 230.13 and 270 of said Regulations.

SECTION 1. Be it enacted by the County Council of Baltimore County, Maryland, That new Section 419 be and it is hereby added to the Baltimore County Zoning Regulations (1964 edition), to be entitled "Car Wash", and to read as follows:

Section 419 - CAR WASH

Applications for Special Exceptions for car washes shall also be subject to the following regulations:

419.1 — A site plan shall be submitted showing the location of the car wash and adjacent properties, the means of ingress and egress, the manufacturer's rated hourly production capacity of the equipment to be installed, if available, or other evidence of the capacity of the equipment, the proposed waiting line capacity as required by Section 419.2, below, and such other information as may be required by the Office of Planning and Zoning.

419.2 — The lot on which the car wash is to be located shall be sufficient

to provide on-site waiting line storage for a total number of vehicles equal to the number capable of being processed during one-half hour, plus ten additional vehicles; where the equipment used is of an assembly line nature with labor supplied by the car wash operator, there shall be a minimum of 40 on-site storage spaces.

419.3 — The site plan must be approved by the Traffic Engineer of Baltimore County, the Department of Public Works, and the Office of Planning and Zoning of Baltimore County.

419.4 — THE REGULATIONS CONTAINED IN THIS SECTION 419 ENTITLED "CAR WASH" SHALL NOT APPLY TO CAR WASHES EXISTING ON THE EFFECTIVE DATE THEREOF.

SECTION 2. Be it further enacted, That Section 101 of the Baltimore County Zoning Regulations (1964 edition), title "Definitions", be and it is hereby amended by inserting between the definitions of "Building Line" and "Cellar" the following:

Car Wash: An area of land and/or a structure with machine or hand-operated facilities used principally for the cleaning, washing, polishing, or waxing of motor vehicles.

SECTION 3. Be it further enacted, That Section 233.4 of the Baltimore County Zoning Regulations (1964 edition), title "Special Exceptions" of Business - Major Zone, be and it is hereby amended by inserting "Car Wash" between "Bus terminal" and "Excavations, controlled".

SECTION 4. Be it further enacted, That Section 236.4 of the Baltimore County Zoning Regulations (1964 edition), title "Special Exceptions", of Business - Roadside Zone, be and it is hereby amended by inserting "Car Wash" between "Bus terminal" and "Cemetery".

SECTION 5. BE IT FURTHER ENACTED, THAT SECTION 230.13 OF THE BALTIMORE COUNTY ZONING REGULATIONS (1964 EDITION), TITLE "SPECIAL EXCEPTIONS OF BUSINESS LOCAL ZONES", BE AND IT IS HEREBY AMENDED BY INSERTING "CAR WASH" BETWEEN "BOAT YARD" AND "COMMERCIAL BEACH".

SECTION ~~5~~ 6. Be it further enacted, That Section 270 of the Baltimore County Zoning Regulations (1964 edition), title "Schedule of Special Exceptions", be and it

is hereby amended by inserting "Car Wash" between "Bus terminal" and "Cemetery"; the abbreviation "S.E." will be shown under "B.M.", "B.L." and "B.R."; "X" will be shown under all other zones.

SECTION 6 7. And be it further enacted, That this Act shall take effect forty-five days after its enactment.

READ AND PASSED this 7th day of December 1964.

By Order

R. Bruce Alderman, Secretary

PRESENTED to the County Executive, for his approval this 8th day of December 1964.

R. Bruce Alderman, Secretary

APPROVED AND ENACTED:

DEC 11 1964
Date

County Executive

I HEREBY CERTIFY THAT BILL NO. 108 IS TRUE AND CORRECT AND WILL TAKE EFFECT ON Jan 25, 1965.

Frederick L Dewberry, Jr.
Chairman, County Council

Staff Report April 1, 1993
Public Hearing May 20, 1993
Changes to Staff Report June 10, 1993

Legislative Project #93-1

PROPOSED AMENDMENTS TO THE BALTIMORE COUNTY ZONING REGULATIONS REGARDING FUEL SERVICE STATIONS AND CAR WASHES

A Final Report of the Baltimore County Planning Board
Adopted June 17, 1993

PROJECT DESCRIPTION

The purpose of this project is to update zoning and landscaping regulations which concern automotive service stations and car wash operations.

SUMMARY

Zoning regulations affecting automotive service stations were adopted in 1967. They are outdated, confusing and difficult to administer. Today's service stations provide an array of uses different from those of the 1960's. For example, stations tend to provide small convenience stores rather than service bays. The present regulations do not reflect contemporary needs. Developing a new service station, expanding an existing one or simply adding a different use is cumbersome and can require multiple hearings. Yet, the process does not ensure that the design and development will provide adequate protection to neighboring residences and an attractive site design in terms of landscaping, buffering and screening.

About 80% of all service station projects involve modernization of existing sites. These projects upgrade the appearance of the County's commercial corridors and can stimulate investment by neighboring businesses. The existing Zoning Regulations frustrate rather than encourage these projects because they are not designed for the uses which developers of service stations want to provide.

One goal of this project is to give service stations the flexibility needed. Another goal is to eliminate duplication and inconsistencies in the regulations which govern them. Also proposed are stricter performance standards which would result in a more attractive site design. In addition to improving the appearance of the commercial corridors, these standards would provide more effective buffers to protect residential properties. Finally, this project seeks to modernize the regulations pertaining to car washes with regard to location and design. (Pages 30-33 present tables summarizing the locational requirements for service stations, including those with convenience stores or car washes.)

BACKGROUND

The service station regulations date back to Bill 40, 1967. The bill was a two-tiered attempt to control a complex and often controversial form of land use. The regulations provide for six commercial and one industrial district that permit gasoline stations either by right or by special exception: Commercial, Neighborhood Shopping (C.N.S.), Commercial, Community Core (C.C.C.), Commercial, Town-Center Core (C.T.), Commercial Supporting Area (C.S.A.), Commercial Strip (C.S.1 and C.S.2) and Industrial Major (I.M.). The C.R. district was added in 1979 to control service stations and other commercial uses in rural areas. All district classifications serve as overlays to land zoned B.L., B.M., B.R., M.L.R., M.L., M.H. or, in the case of C.R. districts, R.C.5.

Except for the C.T. district where they are permitted by special exception, service stations are permitted by right in a planned shopping center, in a planned industrial park of at least 50 acres and within a parking garage, on land zoned B.L.,B.M., B.R., M.L.R., M.L. or M.H. On individual sites, service stations require a district designation and are permitted by special exception. However, in the C.S.A. district they are permitted by right and in the C.T. district they are not permitted on individual sites.

The concept of Class I and Class II Commercial Motorways was also included in Bill 40-67. The two types of roads are defined in Section 101 and identified on the Commercial Motorway Classification Map. Frontage to a Class I Commercial Motorway is required in C.S.-1 districts, as well as for service stations and certain other commercial uses located in I.M. districts with M.L. base zoning. Frontage to Class II Commercial Motorways is required only in C.S.-2 districts.

In addition to providing locational standards and regulations, Section 405 also specifies the related businesses permitted at a service station. The Zoning Regulations differentiate between "ancillary" uses which are permitted by right and "uses in combination with" a service station, which are permitted by special exception. Examples of ancillary uses include activities that range from vehicle repair services, automobile or truck rental, tire sales, and the sale of cigarettes, soft drinks and candy from vending machines. "Uses in combination with" service stations involve the sale of automotive glass and its installation, carry-out food shops, car wash operations, drug stores, food stores with less than 5,000 square feet, muffler sales and installation, and restaurants.

At the time Bill 40-67 was adopted, most service stations were located on individual sites. Many provided repair and maintenance services and cigarettes, candy or soft drinks were generally sold via vending machines. As a rule, service stations lacked landscaping and structures and signage were frequently unsightly. Stations that included service bays tended to be noisy, smelly operations and residents often objected to having them as neighbors. Another problem was the sheer number of new service stations that were being built during that time. With gasoline prices low and "gas guzzling" cars

that required frequent fill-ups abundant, the oil industry built many new stations. Existing stations considered unproductive were often abandoned which contributed greatly to urban blight. The combination of problems required special zoning tools that controlled the location of new service stations. Such tools were found in the form of overlay districts, commercial motorways, and special regulations for service stations.

During the last two decades, however, the number of new fuel service stations has been steadily declining. High development costs and the saturation of the market produced few new stations and the trend is to upgrade existing stations rather than build new facilities. Industry representatives estimate that roughly 80 percent of today's service station projects are redevelopments - a finding that was corroborated by Planning and Zoning staff. The upgraded sites tend to be well designed with ample landscaped areas. Instead of individual pumps dispensing single fuel types, automotive fuels are sold from multi- product dispensers (M.P.D.) The new type of pumps are a more efficient way of dealing with vehicular circulation on the site, thereby reducing the potential for traffic spilling into the street. M.P.D.s also provide a cleaner, less cluttered look.

Another trend is the decline of service stations that offer repair or maintenance services. Repairing contemporary cars requires sophisticated equipment and considerable investment. Also, minor servicing jobs like changing oil and tuning engines are increasingly performed by businesses that specialize in such tasks.

The rise in self-service stations changed the way business is being conducted at service stations. Instead of staying in the car and paying an attendant, the patron must leave the car, fill the tank, walk to the cashier's kiosk and pay. Service station operators saw the potential for customers to buy other items while paying for the gasoline. At the same time, the lifestyle of American families changed. The two-income family became more common and saving time whenever possible created demand for convenience. To accommodate consumers who prefer to complete several "chores" at one place, service stations started adding other uses, especially convenience stores and car washes.

The effect of the combined changes is that more and more of the services provided are geared to the driver instead of the car, i.e. the businesses have become "fueling" stations that offer a range of incidental uses. However, the Zoning Regulations make it difficult to add a convenience store or a car wash. No service station located in an integral planned shopping center can add uses permitted "in combination with" a service station (both convenience stores and car washes are categorized as such). Likewise, service stations which existed prior to 1967 and which had not requested the proper district designation, are presently not permitted to add such uses. As a result, business owners who wish to modernize have to petition for the appropriate district classification within the comprehensive zoning map process - this is a lengthy and expensive process not commensurate with the impact of the land use. Another choice is to abandon the site. Considering that many of the existing fuel service

stations abut residential uses and that in most instances redevelopment constitutes an improvement, it is in the public interest to facilitate upgrading.

PROPOSED CHANGES TO THE FUEL SERVICE STATION REGULATIONS

Review of the the regulations that govern service stations indicates the need for significant amendments. Provisions considered still applicable, such as the language regulating abandoned service stations, would be retained.

Location When Bill 40-67 was drafted the intent was to eventually require district designation for other uses, but none were ever added. Among the districts, the C.T., the C.C.C., the C.R. and the I.M., have specific use and bulk regulations that make each classification unique. These districts should be maintained. On the other hand, the C.N.S., the C.S.A., the C.S-1 and C.S.-2 district have no purpose beyond controlling the location of service stations. The Planning Board recommends consolidating the remaining commercial districts into one - the Automotive Services (A.S.) district. The A.S. district would be applied within the U.R.D.L. on land zoned B.L., B.M. and B.R. and would permit service stations to locate on individual sites by special exception. All sites presently classified as one of the districts to be deleted would automatically be reclassified as A.S.

The C.S.A. District raises a special issue because it permits service stations by right. The C.S.A. classification was generally assigned to service stations that existed prior to 1967. The main concern of the service station industry is that these stations be permitted to update, that is, add a convenience store and/or a car wash. This issue would be addressed by the revision described below and the Planning Board therefore recommends including the C.S.A. District in the new A.S. classification.

As proposed, service stations would be permitted by right in all planned shopping centers including those in the C.T. district where they are now permitted by special exception. Fuel service stations would continue to be prohibited from locating on an individual site in the C.T. district.

In any manufacturing zone (except MR), service stations would continue to be permitted by right if located in an industrial park. They could locate on an individual site in these same zones with an I.M. district by special exception.

The requirement for location along a Class I and Class II Commercial Motorway as well as the Commercial Motorway Classification Map would be eliminated. The rationale for that recommendation is that over the years Commercial Motorways proved less of an effective zoning tool than initially anticipated. Not having been updated since 1967, the Commercial Motorway Classification Map has become obsolete. With the deletion of the C.S-1 and C.S.-2 district, both of which require frontage to that type of road, a commercial motorways map is no longer needed.

Site Standards The minimum site requirement of 15,000 square feet for basic service stations would be retained, but setbacks would be increased to allow for more planting. Additional site area would be required for uses added. The landscape requirements propose that the entire perimeter be planted and improved buffers be provided where fuel service stations abut residential uses. The overall appearance of fuel service stations would be further enhanced by requiring that the site have a unifying architectural theme and that the rear of buildings which abut residential uses be finished with materials that resemble those of the front. Further safeguards intended to minimize potential negative impact would grant the Zoning Commissioner such discretionary powers as requiring changes to the site plan and limiting the hours of operation.

Adding Convenience Stores Permitting convenience stores by right requires examination of the potential impact of such a land use. The scenario most commonly found is the conversion of existing service bays (repair facilities) to a convenience store or a car wash. In some instances, change may require an expansion, in others the existing structure is adequate to accommodate the new use. Since automotive repair facilities are often unattractive, a conversion from service bays to convenience store may render the use more compatible with neighboring properties. In cases where the service station was permitted by special exception, a conversion (or simply the closing of the service bays) requires a special hearing because it is a change to the approved special exception.

As proposed, the addition of a convenience store would require compliance with extra performance standards, such as improved buffering from residential properties, the upgrading of existing structures and landscaping along the perimeter of the site. Also, ancillary convenience stores, i.e. stores permitted by right, would be limited to an area of 1,500 square feet. Convenience stores larger than 1,500 square feet would continue to be permitted by special exception as a use "in combination with" a fuel service station.

The recommendation to differentiate between "smaller" and "larger" convenience stores is based on traffic impact studies which find that service stations with ancillary convenience stores generate twice as many trips to purchase fuel than items from the convenience store. On the other hand, convenience stores which are a principal use but which provide fuel pumps, generate twice as many trips to purchase sundries than gasoline. ("Trip Generation Studies of Gas/ Convenience Stores," ITE Journal, January 1991, p. 34-37).

Adding Car Washes Oil industries view the addition of a car wash as a marketing tool that may give a service station a competitive edge at locations where several stations compete for business. Car washes at service stations are generally offered at reduced cost or free of charge with a fill-up. There are three type of car wash operations on the market, full service, self-service and roll-over car washes. The first type is the traditional car wash where exterior as well as interior cleaning is performed either by machines or by hand. Full service car washes are rarely found at fuel service stations. Self-service car washes provide patrons with equipment and space to clean their vehicles manually. They tend to consist of

multiple tunnels and like the former, are rarely developed at service station sites.

The kind of car wash generally found at a fuel service station consists of a single tunnel and provides automatic washing or waxing services on a roll-over basis.

As far as traffic impact is concerned, a car wash is the most intensive use permitted in combination with a fuel service station. The impact varies depending on the season, i.e. whether it snowed, the day in the week and the type of car wash. Among the three kinds of car wash facilities, the roll-over type car wash tends to have the least negative impact on traffic and adjacent properties. Service stations that include such facilities hand out tokens with the purchase of gas. The tokens are generally good for a week and can be used at the convenience of the customer. This practice gives customers the opportunity to come back at a later time and makes the forming of lines which block driveways or spill into the street less likely. Since, primarily, only customers buying gasoline use the car wash, additional traffic is not generated.

As proposed, roll-over car washes would be permitted as an ancillary use by right in an integral planned shopping center and as a use in combination with a fuel service station by special exception on individual sites. Full service car washes would be permitted as a use in combination with a fuel service station by special exception in a planned shopping center and on individual sites. Self-service car washes in combination with a fuel service station would be permitted only in a planned shopping center by special exception.

PROPOSED CHANGES TO THE CAR WASH REGULATIONS

The regulations for car washes are found in Section 419. Adopted in 1964, these provisions also do not recognize changes in the modern car wash industry.

Stacking requirements are intended to prevent vehicles from blocking driveways and spilling into streets. Existing regulations require a minimum of 40 on-site stacking spaces, or a total equaling the number of vehicles that can be processed during one-half hour, plus ten. These requirements are in excess of what is needed to prevent spillage into roadways and do not recognize that stacking needs differ among car wash types. They also create unnecessary paved areas that contribute to the unsightliness of car wash sites and excessive stormwater run-off.

The Planning Board proposes a significant reduction in the number of required stacking spaces. Each car wash category would have different stacking requirements, that is, full-service car washes would have to provide nineteen spaces per tunnel while self-service car washes would require four spaces for the first tunnel and two spaces for each additional tunnel. Roll-over car washes, which are generally only found as a use in combination with a service station would have to provide a minimum of nine spaces per tunnel.

Also proposed are standards that would improve the appearance of car wash sites and provide better protection for residential properties. These added provisions would require landscaping along the perimeter as well as fences or walls in combination with landscaping for car washes that are located next to homes.

As discussed above, when the District regulations were initially drafted, the intent was to eventually require district designation for other land uses. Revisions to Section 419 led the Planning Board to consider a district requirement for principal use car washes. Existing regulations permit car washes in B.L., B.M., B.R. and M.L. zones by special exception. Like service stations, car washes warrant close examination regarding the appropriateness of a site. Because of potential noise and traffic generation communities frequently object to locating car wash operations in proximity to residential uses. Subjecting car washes to a district requirement would enable communities as well as the car wash industry to determine early in the development process whether that type of use may be developed at a specific site.

As proposed, freestanding full-service and self-service car washes, like those "in combination with" a fuel service station, would require Automotive Services ("A.S.") district designation and would be permitted by special exception in B.L., B.M., and B.R. zones. In the industrial zones car washes would be permitted by right in a planned industrial park and by special exception on individual sites in M.L.R., M.L. and M.H. zones with I.M. district.

Stacking requirements, performance standards and the idea of requiring district designation were discussed with several representatives of different car wash types. The industry representatives were in full support of the proposed amendments.

COMMENTS FROM PLANNING BOARD PUBLIC HEARING

On May 20, the Planning Board held a public hearing on the report concerning service stations and car washes. No comments were made regarding car wash operations. Letters were received within the comment period following the public hearing about a particular service station. These letters were forwarded to ZADM as the problem is a violation of existing regulations, new legislation would not effect this service station.

Several spokesmen for oil companies expressed their general support for the report, but suggested the following changes:

1. One speaker mentioned that his client would prefer to have no district requirement for a service station. Divorcing service stations from the district requirement had been seriously considered during report preparations. However, it became apparent that in some cases Business zoning had been applied with the express intent of not permitting service stations. Eliminating the district requirement, which would have made service stations permissible on such sites, would have been contrary to the goal of the zoning map changes.

2. The suggestion was made to delete the phrase "market data" from the language of Subsection 405.3. (page 9). That paragraph requires proof of need in cases where one or more abandoned service stations exist in the vicinity of a proposed site. Unless refuted by "market data", the Zoning Commissioner can decline granting a special exception. The Planning Board considers "market data" an appropriate term for describing the type of information necessary to prove that the proposed use is needed.

3. Subsection 405.4.C.1.e., (p. 12) grants the Zoning Commissioner discretionary power to change the building or site plan design. The intent of that provision is to ensure optimal compatibility with surrounding buildings or to promote the attractiveness of the site. A comment was made that the Zoning Commissioner's discretion should be limited or the paragraph deleted. The Planning Board considers the provision, which is currently part of the BCZR, important especially where abutting residential properties are involved.

4. Another comment was with regard to a technical change that concerns the term "gross square feet", as corrected in Section 405.A.D.2 (page 14).

5. The speakers were concerned about the proposal to delete "restaurant" as a use in combination with a service station. This is a use which is currently permitted but which staff of the Office of Planning and Zoning recommended deleting because there has been no development of restaurants in conjunction with a service station in the County. However, recent trends in the industry show that service stations are adding fast food restaurants (often drive-through only) in other parts of the country. The Planning Board supports a restaurant in combination with a service station provided it is permitted by special exception and has an additional site area of six times the gross square footage of the restaurant available, as is currently required.

6. The final comment concerned a provision which exempts existing structures on sites that are being expanded from meeting the newly proposed setback requirements. The speaker considered the provision vague and was concerned that the exemption would not apply to fuel dispensers and other ancillary structures. The Planning Board is proposing language that would consider all structures which had been approved prior to passage of this Bill to be in compliance.

RECOMMENDATION

The Baltimore County Zoning Regulations, 1955, as amended should be further amended. {Brackets} means text to be deleted, **bold** means text to be added. For Section 405, substantial deletions of existing text are not shown. Please see Section 405 of the BCZR to review this text.

NEW SECTION 405

{AUTOMOTIVE} FUEL SERVICE STATIONS

405.1--Statement of Legislative Findings and Policy.

A. Bill 40-1967 enacted six commercial districts (C.N.S., C.C.C., C.T., C.S.A., C.S.-1 and C.S.-2) and one industrial district (I.M.). One of the main purposes of the new commercial districts was to control the location of service stations and the uses associated with them. In 1975 the C.R. district was added to govern service stations and other commercial uses in rural areas.

B. While the C.T., the C.C.C., the C.R. and the I.M. district have special use and bulk regulations which make each one unique, the remaining districts (C.N.S., C.S.A., C.S-1 and C.S-2) do not include provisions which make them distinct. As a consequence, the C.S.A., C.N.S., C.S.-1 and C.S.-2 district are consolidated into the Automotive Services (A.S.) district.

C. The design and operation of service stations has changed significantly and the provisions set forth in Bill 40 no longer reflect contemporary business practices. Due to the rise of self-service stations, the number of businesses that "service" motor-vehicles by providing repair facilities has been steadily declining, while the number of stations with convenience stores or car wash operations has been increasing. To better reflect the evolving role of this use, the name of Automotive Service Station is being changed to Fuel Service Station and regulations which govern the permitted ancillary uses are being amended to reflect contemporary business practices and to facilitate the upgrading of existing stations.

D. It is the intent of this Section to permit fuel service stations in accordance with the goals of the Master Plan and duly adopted Community Plans by requiring performance standards that will regulate their location and appearance as well as the additional uses which may be developed at such sites.

[BCZR 1955]

§ 101.1. - Word usage; definitions.

[Bill No. 149-1987]

Words used in the present tense include the future; words in the singular number include the plural number; the word "shall" is mandatory. For the purposes of these regulations, certain terms and words are defined below.

Any word or term not defined in this section shall have the ordinarily accepted definition as set forth in the most recent edition of Webster's Third New International Dictionary of the English Language, Unabridged.

ACCESSORY APARTMENT — A second living quarters within a principal single-family detached dwelling or within an accessory building situated on the same lot as the principal single-family detached dwelling and in compliance with Section 400, with dedicated bathing and cooking facilities, and located on owner-occupied property, subject to the following:

[Bill No. 49-2011]

A. The owner may occupy either the principal dwelling or the accessory apartment;
B. The occupant(s) of the accessory apartment and the occupant(s) of the principal single-family detached dwelling shall be immediate family, related as grandparents, parents, or parents' children by blood, marriage or adoption;
C. The accessory apartment is provided without compensation; and
D. The accessory apartment, whether located within the principal dwelling or in the accessory building, shall comply with all laws, regulations, and codes affecting residential occupancy.

ACCESSORY BUILDING — One which is subordinate and customarily incidental to and on the same lot with a main building. A trailer shall not be considered an accessory building. A structure connected to a principal building by a covered passageway or with one wall in common shall not be considered an accessory building.

ACCESSORY USE OR STRUCTURE — A use or structure which: (a) is customarily incident and subordinate to and serves a principal use or structure; (b) is subordinate in area, extent or purpose to the principal use or structure; (c) is located on the same lot as the principal use or structure served; and (d) contributes to the comfort, convenience or necessity of occupants, business or industry in the principal use or structure served; except that, where specifically provided in the applicable regulations, accessory off-street parking need not be located on the same lot. An accessory building, as defined above, shall be considered an accessory structure. A trailer may be an accessory use or structure if hereinafter so specified. An ancillary use shall be considered as an accessory use; however, a use of such a nature or extent as to be permitted as a "use in combination" (with a service station) shall be considered a principal use.

[Bill Nos. 100-1970; 26-1988] [6]

CAMPING UNIT — A tent, cabin, lean-to, recreational vehicle or similar structure established or maintained and operated in a campground as temporary living quarters for recreation, education or vacation purposes.

[Bill Nos. 73-2000; 74-2000]

CAMPSITE — Any plot of land within a campground intended for exclusive occupancy by a camping unit or units, occupied by a camper.

[Bill Nos. 73-2000; 74-2000]

CAR WASH — An area of land and/or a structure with machine or hand-operated facilities used for the cleaning, washing, polishing or waxing of motor vehicles as a principal or accessory use.

[Bill Nos. 108-1964; 172-1993]

CAR WASH, FULL-SERVICE — A car wash providing automated exterior washing or waxing services, or which provides cleaning, washing, waxing, drying or interior cleaning by hand. For the purpose of these regulations, a facility which provides complete interior and exterior detail cleaning that takes more than approximately two hours per car shall not be considered a full-service car wash.

[Bill No. 172-1993]

CAR WASH, ROLL-OVER — A car wash where exterior-only cleaning, washing or waxing services are provided on a roll-over basis with the vehicle in a stationary position during the servicing.

[Bill No. 172-1993]

CAR WASH, SELF-SERVICE — A car wash where equipment or facilities are provided for the self-service cleaning and washing of motor vehicles.

[Bill No. 172-1993]

CATERING HALL — A facility or part of a facility used regularly for serving beverages and food to groups which reserve the facility for banquets or gatherings before the day of the event. A catering hall is not a standard restaurant.

[Bill No. 110-1993]

CELLAR — That portion of a building below the first floor, the floor of which is more than one-half the height of the room below the average grade of the adjoining ground. (See definition of "basement.")

CLEANING AND RESTORATION BUSINESS — A business that provides cleaning and restoration services for residential and commercial buildings and properties for damage caused by fire, wind, flooding, freezing temperatures, and other natural occurrences, as well as sewage backups, mold and virus contamination, and other similar emergency occurrences.

[Bill No. 8-2021]

SECTION 102. - General Requirements

[BCZR 1955]

§ 102.1. - Conformance with regulations.

No land shall be used or occupied and no building or structure shall be erected, altered, located or used except in conformity with these regulations and this shall include any extension of a lawful nonconforming use.

§ 102.2. - Sharing of yard space and minimum area.

[Bill No. 69-2016 [43]]

No yard space or minimum area required for a building or use shall be considered as any part of the yard space or minimum area for another building or use, except that buildings associated with a hospital or school or health-care and surgery center shall be permitted to share yard space or minimum area.

Footnotes:
*--- (**43**) ---*
1. Editor's Note— Section 2 of this bill stated that this Act may be applied to any building or construction on property subject to an approved JSPC, CRG or Development Plan.

§ 102.3. - Alleys.

No portion of an alley shall be considered as any part of a side or rear yard.

§ 102.4. - Panhandle lots.

[Bill Nos. 172-1989; 2-1992; 137-2004]

No dwelling, other than a multifamily building, shall be built on a lot containing less than 20,000 square feet which does not abut on a right-of-way at least 30 feet wide over which the public has an easement of travel, except as provided for panhandle lots in § 32-4-409 of the Baltimore County Code.

§ 102.5. - Corner lots.

[Resolution, November 21, 1956]

On a corner lot in any residential zone, no planting, fence, wall, building or other obstruction to vision more than three feet in height shall be placed or maintained within the triangular area bounded on two sides by the front and side street property lines, or by projections of said lines to their point of intersection, and on the third side by a straight line connecting points on said lot lines (or their projections), each of which points is 25 feet distant from the point of intersection. At the intersection of a street and an alley, the dimension corresponding

SECTION 236 - Business, Roadside (B.R.) Zone Use Regulations

[BCZR 1955]

§ 236.1. - Permitted uses.

The following uses only are permitted:

A. Uses permitted and as limited in the B.M. Zone.

B.

Animal boarding place, Class A

[Bill No. 85-1967]

Animal boarding place, Class B

[Bill No. 85-1967]

Bottling establishment, soft drink

Brewery, Class 7, if within the urban rural demarcation line

[Bill No. 185-1995]

Commercial recreational facilities

[Bill No. 29-2018]

Greenhouse

Laboratory

Motel or motor court

Printing, lithographing or publishing plant employing over 25 persons

Private kennel and commercial kennel, subject to Section 421

[Bill No. 87-2001]

Volunteer fire company

C. The following uses when located at least 50 feet from the residential zone boundaries at the ends of the commercially zones frontages:

[Resolution of 11-21-1956]

Building materials storage and sales yard

Farm implements, sales and service

Feed and grain sales and storage [50]

Lumberyard

Public utility storage yard

Stone or monument works

Storage of inflammable liquids and gases underground (See Baltimore County Building Code for requirements.).

Tire retreading or recapping.

Footnotes:
*--- (**50**) ---*
1. Editor's Note—"Kennel," which immediately followed, was repealed by Bill No. 87-2001.

§ 236.2. - Special exception uses.

The following uses when permitted as special exceptions (Sections 270 and 502): [51]

Airport

Amusement park

Arcade, subject to the provisions of Section 423B

[Bill No. 29-1982]

Automotive-service station, subject to the provisions of Section 405

[Bill Nos. 40-1967; 85-1967] [52]

Bus terminal

Car wash

[Bill Nos. 108-1964; 85-1967]

Cemetery (Section 401)

Contractor's equipment storage yard

Drive-in restaurant

[Bill Nos. 40-1967; 85-1967]

Excavations, controlled (Section 403 [53]

Golf driving range, miniature golf and baseball batting range

Heliport, Type I

[Bill No. 85-1967]

Heliport, Type II

[Bill No. 85-1967] [54]

Living quarters in a commercial building

Mobile home park (Section 414)

[Bill No. 27-2015]

Moving and storage establishments

[Bill No. 18-1976]

Pawnshop

[Bill No. 112-1995]

Poultry, commercial killing of

Public utility uses other than those noted in Sections 200.11 [55], 230.1.A.9 and 236.1C (See Section 411.)

Racetrack, commercial

Riding stable, commercial

Sanitary or rubble landfills (Section 412)

[Bill No. 97-1987]

Shooting range

Signs, outdoor advertising, subject to Section 450

[Bill No. 89-1997] [56]

Sludge disposal facility — co-landfilling (Section 412A.2.A)

[Bill No. 46-1982]

Sludge disposal facility — composting (Section 412A.2.B)

[Bill No. 46-1982]

Sludge disposal facility — handling in general (Section 412A.2.C)

[Bill No. 46-1982]

Sludge disposal facility — incineration (Section 412A.2.D)

[Bill No. 46-1982]

Sludge disposal facility — landspreading (Section 412A.2.E)

[Bill No. 46-1982]

Storage of inflammable liquids and gases aboveground (See Baltimore County Building Code for requirements.)

Striptease business

[Bill No. 137-1990]

Theater, drive-in

Truck stops

[Bill No. 18-1976] [57]

Used motor vehicle outdoor sales area, separated from sales agency building

Wireless telecommunications towers, subject to Section 426

[Bill Nos. 61-1967; 85-1967; 64-1986; 30-1998]

Footnotes:

*--- (**51**) ---*

2. Editor's Note—"After-hours club," which originally followed, was repealed by Bill No. 36-2000.

*--- (**52**) ---*

3. Editor's Note—The entry entitled "Boat yard," which originally followed, was omitted from the draft of Bill No. 85-1967 through the copying of an apparently incomplete list of special exceptions as it appeared in a post-1955 edition of the zoning regulations. It is assumed, therefore, that the omission of the entry from the bill as enacted was inadvertent. (No intent regarding the regulation of boat yards is reflected in either the title of the bill or in any record pertaining to the bill.) The words "and/or marine railway" were previously repealed by Bill No. 64-1963.

*--- (**53**) ---*

4. Editor's Note—"Filling station," which originally followed, was repealed by Bill No. 85-1967.

*--- (**54**) ---*

5. Editor's Note—"Hospital, Class B," which originally followed, was repealed by Bill No. 37-1988.

*--- (**55**) ---*

6. Editor's Note—Section 200.11 [BCZR 1955] was repealed by Bill No. 100-1970. It read as follows: "Public utility uses as follows: "a. Telephone and telegraph lines. "b. Electric light and power lines, including transformers and transformer banks, when located on poles, on or contiguous to public highways, alleys, rear lot lines, railroad rights-of-way or if carrying less than 35,000 volts. "c. Conduits, cables; gas, sewer, storm drain, and water mains, all located underground. "d. Railroad."

*--- (**56**) ---*

7. Editor's Note—A previous entry for outdoor advertising signs was inserted in the draft of Bill No. 85-1967 through the copying of an apparently erroneous entry in a post-1955 edition of the zoning regulation. It is assumed, therefore, that the inclusion of the entry in the bill as enacted was inadvertent (No intent regarding the regulations of outdoor advertising signs is reflected in either the title of the bill or in any record pertaining to the bill.) Pursuant to Bill No. 212-1992, the deletion of outdoor advertising signs in the BR Zone shall not affect or apply to any special exception granted prior to the effective date of Bill No. 87-1991, or to any petition for special exception filed prior to the effective date of Bill No. 87-1991.

*--- (**57**) ---*

8. Editor's Note—"Truck terminal," which originally followed, was repealed by Bill No. 19-1976.

SECTION 237 - B.R. Zone Height Regulations

[BCZR 1955]

> *Footnotes:*
> *--- (**58**) ---*
> *1. Editor's Note—Churches, hospital and education uses follow height requirements of Section 300.2.*

§ 237.1. - Height regulations.

Same as in B.L. Zones.

SECTION 238 - B.R. Zone Area Regulations

[BCZR 1955]

Minimum requirements, except as provided in Article 3, shall be as follows:

§ 238.1. - Front yard.

Front yard for residences, as in Sections 302 and 303.1; for commercial buildings the front building line shall be not less than 50 feet from the front property line if on a dual highway; and not less than 25 feet from the front property line and not less than 50 feet from the center line of any other street, except as specified in Section 303.2.

§ 238.2. - Side and rear yards.

Side and rear yards for residences, as in Section 302; for other buildings, 30 feet.

§ 238.3. - Parking and loading areas.

Parking areas and loading space in accordance with the provisions of Section 409.

§ 238.4. - Storage and display of materials and vehicles.

Storage and display of materials, vehicles and equipment are permitted in the front yard, but not more than 15 feet in front of the required front building line.

§ 238.5. - Floor area ratio.

[Bill Nos. 7-1962; 111-1968; 100-1970]

The maximum permitted floor area ratio for any site in a B.R. Zone, except in C.C.C. and C.T. Districts, shall be 2.0.

SECTION 259

Districts
[Bill No. 40-1967]

§ 259.1. General. [Bill Nos. 111-1968; 127-1994]

In any district, the use, height, area and other regulations applicable in the underlying zone(s) or district(s) upon which the district is superimposed shall govern except as may specifically be enlarged, modified or limited by the district regulations in this section. In the case of conflict between the provisions of an underlying zone and overlaying district(s), the most recently enacted provision shall prevail.

§ 259.2. Statements of legislative intent for districts.

(Compliance with a statement of legislative intent shall not, in itself, be sufficient cause to classify property within the district to which such statement applies.)

A. C.R. (Commercial, Rural) District. **[Bill No. 103-1988]**

1. The C.R. District is established to provide opportunities for convenience shopping and personal services that are customarily and frequently needed by the rural residential and agricultural population and tourists. It is intended that the C.R. District be applied only to areas where such facilities are not available within a reasonable distance, where sewerage treatment and a potable water supply can be provided without an adverse effect on the environment and neighboring uses, and where public roads are capable of handling the anticipated increase in traffic without adverse impacts on surrounding areas. The commercial centers within C.R. Districts are not intended to be regional facilities providing specialty goods to a population outside of the rural area.

2. C.R. Districts may be assigned to areas of commercial development beyond the urban-rural demarcation line for which C.R. District designation is recommended in the Master Plan. The underlying zone may be B.L., B.M., B.R. or R-O. The C.R. District may also be applied to land zoned R.C.5 which is adjacent to a C.R. District, provided that the location, configuration and physical characteristics of the site and the potential for access to an adequate public road make the land suitable for commercial development.

B. A.S. (Automotive Services) District. The A.S. District may be applied within the urban-rural demarcation line (URDL) to certain parcels of land zoned B.L., B.M. or B.R., which are appropriate for uses dominated by the parking and servicing of automobiles or characterized by frequent parking turnover, such as fuel service stations and car wash operations. Any land heretofore classified as C.N.S., C.S.A., C.S.-1 or C.S.-2 on the effective date of Bill No. 172-1993 shall hereby be classified an A.S. District. For a parcel of land that is assigned with a combination of B.M.-I.M. and B.L.-A.S. zoning, a use permitted in the B.M.-I.M. Zone will also be permitted on the B.L.-A.S.-zoned portion of

the land. **[Bill Nos. 172-1993[1]; 2-2014]**

C. C.C.C. (Commercial, Community Core) District. C.C.C. Districts may be applied only to certain existing or proposed centers of shopping and auxiliary commercial activity which are on land zoned B.L., B.M. and/or B.R., any one of which centers must be intended to serve between 30,000 and 50,000 persons; provide shopping opportunities for convenience goods, appliances and, optionally, furniture; and include one or more junior department stores or variety stores. A planned shopping center having such characteristics may lie wholly or partially within a C.C.C. District.

D. C.T. (Commercial, Town-Center Core) District. C.T. Districts may be applied only to primary shopping areas within town centers on land zoned B.L., B.M., B.R. and/or M.L., the primary shopping area of any such center being that area which contains or is intended to contain a high incidence of pedestrian-oriented retail uses of a type ordinarily producing relatively high income and profit per square foot of sales area; includes or is intended to include major business generators (such as department stores); and also includes, or is intended to include, certain auxiliary services (such as offices) typically not occupying ground-floor frontage. Certain planned shopping centers having such characteristics may lie wholly or partially within C.T. Districts.

E. I.M. (Industrial, Major) District. I.M. Districts may be applied only to certain areas individually containing 100 acres or more of land zoned for industrial or semi-industrial use (M.H., M.L., M.L.R., M.R., B.R. and/or B.M.), undivided by expressways or freeways. In I.M. Districts, greater industrial use of prime industrial land is promoted by discouraging nonauxiliary commercial usage.

F. MD 43 (Maryland Route 43) Overlay District. The MD 43 Overlay District may be applied only to parcels of land zoned M.L., M.L.-I.M., M.H., O.R. M.H.-I.M., which are within the Middle River Employment Center Area, as identified in the Baltimore County Master Plan 2010. **[Bill No. 78-2002]**

§ 259.3. Special regulations for C.R. Districts. [Bill No. 103-1988]

A. Uses permitted by right. Any use permitted by right in the underlying zone on which the C.R. District is applied and which meets the bulk regulations of Section 259.3.C.1 is permitted by right.

B. Uses permitted by special exception.

1. Any use permitted by special exception in the underlying zone on which the C.R. District designation is applied and which meets the bulk regulations of Section 259.3.C.1 is permitted by special exception.

2. Any use permitted (by right or by special exception) within the C.R. District but which is not permitted in the underlying zone and which meets the bulk regulations of Section 259.3.C.1 is permitted by special exception, except that service stations and car wash operations are only permitted in a C.R. District with B.L., B.M. or B.R.

1. **Editor's Note**—This bill repealed former Subsections E, F and G of this Section 259.2, which subsections contained the legislative intent for the C.S.A. (Commercial, Supporting Area) District; C.S-1 (Commercial, Strip) District; and the C.S-2 (Commercial, Strip) District.

ARTICLE 4 - SPECIAL REGULATIONS

SECTION A400 - Purpose

[Bill Nos. 40-1967; 18-1976]

§ A400.1. - Legislative purpose.

Certain uses, whether permitted as of right or by special exception, have singular, individual characteristics which make it necessary, in the public interest, to specify regulations in greater detail than would be feasible in the individual use regulations for each or any of the zones or districts. This article, therefore, provides such regulations.

SECTION B400 - Application of This Article's Provisions

[Bill No. 18-1976]

§ B400.1. - Applicability.

[Bill No. 60-2011]

The provisions of this article apply only to principal uses except as otherwise specified (as in Item 405.4.D.7 and Section 447) or unless the provision implicitly relates to accessory usage (as in Section 405A).

SECTION 400 - Accessory Buildings in Residence Zones

[BCZR 1955; Bill No. 27-1963]

§ 400.1. - Location; lot coverage.

Accessory buildings in residence zones, other than farm buildings (Section 404) shall be located only in the rear yard and shall occupy not more than 40 percent thereof. On corner lots they shall be located only in the third of the lot farthest removed from any street and shall occupy not more than 50 percent of such third. In no case shall they be located less than 2½ feet from any side or rear lot lines, except that two private garages may be built with a common party wall straddling a side interior property line if all other requirements are met. The limitations imposed by this section shall not apply to a structure which is attached to the principal building by a covered passageway or which has one wall or part of one wall in common with it. Such structure shall be considered part of the principal building and shall be subject to the yard requirements for such a building.

§ 400.2. - Setback.

[Bill No. 2-1992]

Accessory buildings, including parking pads, shall be set back not less than 15 feet from the center line of any alley on which the lot abuts.

§ 400.3. - Height.

The height of accessory buildings, except as noted in Section 300, shall not exceed 15 feet.

§ 400.4. - Accessory apartments.

[Bill No. 49-2011 [1]]

An accessory apartment is permitted as a temporary use within a principal single-family detached dwelling or within an accessory building situated on the same owner-occupied lot as the principal dwelling in any zone that permits single-family dwellings, subject to the following requirements:

A. If located within an existing single-family detached dwelling:
   1. An applicant shall file with the Department of Permits, Approvals and Inspections an application for a use permit for an accessory apartment, on a form approved by the Department. With the application, the applicant shall submit a declaration of understanding, on a form approved by the Department, including but not necessarily limited to the following terms and conditions:
      a. The size of the accessory apartment may not exceed one-third of the overall floor area of the dwelling or 2,000 square feet, whichever is less;
      b. Any and all improvements to be dedicated as an accessory apartment shall be used solely as a single-family residence; and

Towson Communities Alliance
(a.k.a. Greater Towson Council of Community Associations)
P.O. Box 5421
Towson, MD 21285-5421
info@gtcca.org • www.tca.org

The TOWSON COMMUNITIES ALLIANCE ("TCA") HEREBY RESOLVED:

That at the December 15, 2022 meeting of the TCA, responsibility for review, representation and action on matters of zoning and code enforcement for the period:

January 1, 2023 – December 31, 2023

be placed in the duly elected Board of Directors, consisting of the following members, each of whom is authorized to testify on behalf of the Association (TCA or GTCCA) before the County Board of Appeals or other duly constituted zoning agency, body or commission.

- Henry Callegary, President
- Bryan Fischer vice-president
- Phoebe Evans Latocha, vice-president
- Joe Goodman, Treasurer
- Jo Marvan, Secretary
- Paul Hartman, director
- Ed Kilcullen, director
- Lorrie Geiss, director

AS WITNESS: Our hands and seal this **December 15, 2022**

ATTEST: Towson Communities Alliance (also known as Greater Towson Council of Community Associations)

President (Henry Callegary)

Secretary (Jo Marvan)

Towson Communities Alliance (aka GTCCA)
P.O. Box 5421
Towson, MD 21285-5421
gtccainformation@gmail.com
www.TowsonCommunities.org

AFFIDAVIT
STATE OF MARYLAND BALTIMORE COUNTY, SS:

TO WIT: I hereby swear upon penalty of perjury that I am currently a duly elected member of the (Board of Directors) (Zoning Committee) of the **TOWSON COMMUNITIES ALLIANCE**

PAUL HARTMAN

ATTEST:

President _____ (Henry Callegary)

Secretary _____ (Jo Marvan)

Towson Communities Alliance (aka GTCCA)
P.O. Box 5421
Towson, MD 21285-5421
gtccainformation@gmail.com
www.TowsonCommunities.org

TOWSON COMMUNITIES ALLIANCE RESOLVED:

That the position of the TCA Association as adopted by the (Board of Directors) (Zoning Committee) on the zoning matter known as:

1020, 1022, and 1024 York Road - Case No.: 2022-291-XA

The TCA is opposed to the Petition for Special Exception and Variance requested for the above-referenced properties in Towson, MD.

The proposed full-service car wash is not permitted by the current zoning and creates the potential for significant traffic issues, with vehicles stacking on York Road as they wait to enter the lot. There have been similar issues at a nearby car wash on Loch Raven Boulevard, and the proposed Towson Car Wash could cause the same type of back-ups that would wreak havoc on heavily traveled York Road. These back-ups would also limit access to neighboring businesses, which are all accessed from York Road.

We are also concerned about the amount of signage proposed for the site, and do not want to see additional visual clutter on this already cluttered commercial stretch of road.

While we appreciate the petitioners' interest in establishing a business in this area, the above concerns lead us to respectfully request that you deny the petition for special exception and variance.

AS WITNESS OUR HANDS AND SEAL THIS 10th day of July, 2023.

ATTEST: Towson Communities Alliance

President _____ (Henry Callegary)

Secretary _____ (Jo Marvan)

Board of Appeals of Baltimore County

JEFFERSON BUILDING
SECOND FLOOR, SUITE 203
105 WEST CHESAPEAKE AVENUE
TOWSON, MARYLAND 21204
410-887-3180
FAX: 410-887-3182

June 27, 2023

NOTICE OF ASSIGNMENT – DAY 2

IN THE MATTER OF: Glenn G. Berger and Wayne G. Berger – Legal Owners
1020, 1022, 1024 York Road
22-291-XA 9th Election District; 6th Council District

Re: Petition for Special Exception relief from BCZR §236.2 to permit a full-service car wash; and

Petition for Variance from BCZR:

2) §419.3.A to allow the required number of stacking spaces for the full-service car wash to be configured in a different pattern than single-file at the entrance to the tunnel, if necessary;
3) §238.2 to allow a side yard setback of 6 ft. for a commercial building in lieu of the required 30 ft.;
4) §419.4.B.3 to allow a landscape transition area width in the rear yard to be a minimum of 2 ft. abutting non-residentially zoned land in lieu of the required 6 ft. and to allow a landscape transition area width a minimum of 12 ft. in lieu of the required 15 ft. within 50 ft. of a residentially zoned property.
5) §419.4.B.1 to allow a car wash tunnel entrance to face an adjacent residentially zoned property;
6) §450.4 Table of Signs Regulations.5(b) to allow a total of 11 freestanding enterprise signs with sign areas/faces of 18 square feet (sign Nos. 12A, 12B), 36 square feet (sign No. 4), 4 square feet (sign Nos. 8A, 8B), and 2.77 square feet (sign Nos. 15A-15F), with a sign height of 6 feet (sign Nos. 12A, 12B), 13 feet (sign No. 4), 4 feet (sign Nos. 8A, 8B), and a 6 feet (sign Nos. 15A-15F) in lieu of the one freestanding enterprise sign permitted with a sign area/face of 75 square feet.
7) §450.5.B.4.a to allow a freestanding sign to be installed as close as 10 ft. to another freestanding sign on the same premises having an area larger than 8 square feet (between sign Nos. 12A and 12B) in lieu of the required 100 foot distance.

1/23/23 Opinion and Order of the Administrative Law Judge wherein the Petition for Special Exception pursuant to BCZR §236.2 to permit a full-service car wash was GRANTED; and the Petition for Variance from BCZR §419.3.A to allow the required number of stacking spaces for the full-service car wash to be configured in a different pattern than single-file at the entrance to the tunnel was DISMISSED AS MOOT; all other Variance requests were GRANTED, with conditions.

The Board convened for hearing in this matter on May 25, 2023. This matter did not conclude on that date. By agreement of Counsel, Day 2 in this matter is therefore

ASSIGNED FOR: AUGUST 24, 2023, AT 10:00 A.M. – Day 2

The above scheduled hearing will be held remotely using WebEx for audio and video participation. **Call-in information and a link to the hearing will be posted on our web calendar at** www.baltimorecountymd.gov/departments/appeals **the night before**.

A complete set of **exhibits must be emailed** at least **48 hours before the hearing** to **appealsboard@baltimorecountymd.gov** in a format that complies with MDEC (Maryland Electronic Court) standards.

NOTICE:

- This appeal is an evidentiary hearing. Parties should consider the advisability of retaining an attorney.
- Please refer to the Board's Rules of Practice & Procedure, Appendix B, Baltimore County Code.
- No postponements will be granted without sufficient reasons; said requests must be in writing and in compliance with Rule 2(b) of the Board's Rules. No postponements will be granted within 15 days of scheduled hearing date unless in full compliance with Rule 2(c).
- If you require special accommodations, please contact this office at least one week prior to hearing date.

If you do not have access to a computer or smart device, please contact our office for the call-in information the day before the scheduled hearing.

Krysundra Cannington
Legal Administrative Secretary

c.	Counsel for Petitioners	: David H. Karceski, Esquire Adam M. Rosenblatt, Esquire
	Petitioner/Legal Owners	: Glenn Berger and Wayne Berger
	Petitioner/Lessee	: Towson Car Wash, LLC, Thomas DeBacco, President
	Counsel for Protestants/Appellants	: Michael R. McCann, Esquire
	Protestants/Appellants	: Nigel Jamieson, Delva Thomas, Concerned Citizens of Baltimore County, Keith Morris, Executive Secretary
	Office of People's Counsel for Baltimore County	: Peter M. Zimmerman, Esquire, People's Counsel for Baltimore County

Paul M. Mayhew, Managing Administrative Law Judge
Stephen Lafferty, Director/Department of Planning
C. Pete Gutwald, Director/PAI
James R. Benjamin, Jr., County Attorney/Office of Law

Tammy Zahner

From: Paul Hartman/Towson Communities Alliance <paul@towsoncommunities.org>
Sent: Thursday, May 25, 2023 8:35 AM
To: Appeals Board
Subject: 1020, 1022, and 1024 York Road - Case No.: 2022-291-XA

CAUTION: This message from paul@towsoncommunities.org originated from a non Baltimore County Government or non BCPL email system. Hover over any links before clicking and use caution opening attachments.

Baltimore County Board of Appeals
Jefferson Building
105 West Chesapeake Avenue, Suite 203
Towson, MD 21204

Via e-mail: appealsboard@baltimorecountymd.gov

RE: 1020, 1022, and 1024 York Road - Case No.: 2022-291-XA

Your Honor:

I am writing on behalf of the Towson Communities Alliance (TCA), an umbrella organization representing the interests of more than thirty community associations in the Greater Towson area.

The TCA is opposed to the Petition for Special Exception and Variance requested for the above-referenced properties in Towson, MD.

The proposed full-service car wash is not permitted by the current zoning and creates the potential for significant traffic issues, with vehicles stacking on York Road as they wait to enter the lot. There have been similar issues at a nearby car wash on Loch Raven Boulevard, and the proposed Towson Car Wash could cause the same type of back-ups that would wreak havoc on heavily traveled York Road. These back-ups would also limit access to neighboring businesses, which are all accessed from York Road.

We are also concerned about the amount of signage proposed for the site, and do not want to see additional visual clutter on this already cluttered commercial stretch of road.

While we appreciate the petitioners' interest in establishing a business in this area, the above concerns lead us to respectfully request that you deny the petition for special exception and variance.

Thank you for your consideration.

Sincerely,

Paul Hartman

Board Member and Past President, Towson Communities Alliance

--
Paul Hartman
Past President and Webmaster
Towson Communities Alliance, formerly
The Greater Towson Council of Community Associations (GTCCA)
www.TowsonCommunities.org
410-622-8396

Tammy Zahner

From: Michael McCann <michael@mmccannlaw.net>
Sent: Wednesday, May 24, 2023 11:10 AM
To: Appeals Board; Krysundra Cannington; Tammy Zahner
Cc: Peter Max Zimmerman; Rosenblatt, Adam M.; Karceski, David H.
Subject: 1020-24 York Road 2022-0291-XA
Attachments: Suup to Notice of Appeal.pdf; Entry of Appearance.pdf

CAUTION: This message from michael@mmccannlaw.net originated from a non Baltimore County Government or non BCPL email system. Hover over any links before clicking and use caution opening attachments.

Sunny: Please find attached an Entry and Withdrawal of Appearance and a Supplement to Notice of Appeal in this matter.

Thank you.

Michael

Michael R. McCann
Michael R. McCann, PA
118 W. Pennsylvania Avenue
Towson, Maryland 21204
(p) 410-825-2150
(f) 410-825-2149

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IN RE: PETITIONS FOR SPECIAL EXCEPTION AND VARIANCE (1022, 1022, 1024 York Road)	*	BEFORE THE
	*	OFFICE OF
9th Election District 6th Councilmanic District	*	ADMINISTRATIVE
Glenn G. Berger and Wayne G. Berger *Legal Owners*	*	HEARINGS
Towson Car Wash, LLC *Contract Purchaser/Lessee*	*	Case No. 2022-0291-XA
	*	
	*	

* * * * * * * * * * * * *

SUPPLEMENT TO NOTICE OF APPEAL

Protestants, Nigel Jamieson, Delva Thomas, and Concerned Citizens of Baltimore County, by and through undersigned counsel, pursuant to Baltimore County Code §32-3-401(a), file this notice of appeal of the Opinion and Order of the Administrative Law Judge dated January 23, 2023. Pursuant to Rule 3 of the Rules of Practice and Procedure of the Board of Appeals, the addresses, telephone numbers and emails of Protestants are as follows:

Nigel Jamieson
7635 Cross Creek Dr.
Columbia, MD 21044
301-928-0936
ultimaterenal@hotmail.com

Delva Thomas
10515 Burnside Farm Rd.
Owings Mills, MD 21117
410-461-9393

Concerned Citizens of Baltimore County
1909 Potspring Rd.
Timonium, MD 21093
(443) 388-7616
jaywaltonfordelegate@gmail.com

Respectfully submitted,

Michael R. McCann
118 W. Pennsylvania Ave.
Towson, MD 21204
(410) 825-2150

Attorneys for Protestants

CERTIFICATE OF SERVICE

I hereby certify that on 24th day of May 2023 a copy of the foregoing supplemental notice of appeal was emailed and mailed, *via* first-class mail, postage prepaid to:

David Karceski, Esq.
Adam Rosenblatt, Esq.
Venable, LLP
210 W. Pennsylvania Avenue, Ste. 500
Towson, MD 21204

County Board of Appeals
105 W. Chesapeake Avenue
Towson, Maryland 21203

Peter Max Zimmerman
People's Counsel for Baltimore County
105 W. Chesapeake Avenue
Towson, Maryland 21203

Michael R. McCann

IN RE: PETITIONS FOR SPECIAL EXCEPTION AND VARIANCE (1022, 1022, 1024 York Road)	*	BEFORE THE
	*	OFFICE OF
9th Election District 6th Councilmanic District Glenn G. Berger and Wayne G. Berger *Legal Owners* Towson Car Wash, LLC *Contract Purchaser/Lessee*	*	ADMINISTRATIVE HEARINGS
	*	Case No. 2022-0291-XA
	*	
	*	

* * * * * * * * * * * * *

ENTRY AND WITHDRAWAL OF APPEARANCE

PLEASE ENTER the appearance of undersigned counsel for Protestants, Nigel Jamieson, Delva Thomas, Concerned Citizens of Baltimore County, Jay Walton, and Steve Mealy, and Wilson Ahn, in this matter. Please also withdraw the appearance of undersigned counsel for Sandra Levy. The addresses, emails, and telephone numbers of Protestants are as follows:

Nigel Jamieson
7635 Cross Creek Dr.
Columbia, MD 21044
301-928-0936
ultimaterenal@hotmail.com

Delva Thomas
10515 Burnside Farm Rd.
Owings Mills, MD 21117
410-461-9393

Concerned Citizens of Baltimore County
1909 Potspring Rd.
Timonium, MD 21093
(443) 388-7616
jaywaltonfordelegate@gmail.com

James Walton
1909 Potspring Road
Timonium, MD 21093
(443) 388-7616
jaywaltonfordelegate@gmail.com

Steve Mealy
35 Theo Lane
Towson, MD 21204
(410) 825-7151
stefhanplants@aol.com

Wilson Ahn
8611 Loch Raven Blvd.
Towson, MD 21286
(410) 707-8980

Respectfully submitted,

Michael R. McCann
118 W. Pennsylvania Ave.
Towson, MD 21204
(410) 825-2150

Attorneys for Protestants

CERTIFICATE OF SERVICE

I hereby certify that on 24th day of May 2023 a copy of the foregoing entry and withdrawal of appearance was emailed and mailed, *via* first-class mail, postage prepaid to:

David Karceski, Esq.
Adam Rosenblatt, Esq.
Venable, LLP
210 W. Pennsylvania Avenue, Ste. 500
Towson, MD 21204

County Board of Appeals
105 W. Chesapeake Avenue
Towson, Maryland 21203

Peter Max Zimmerman
People's Counsel for Baltimore County
105 W. Chesapeake Avenue
Towson, Maryland 21203

Michael R. McCann

Tammy Zahner

From: Peoples Counsel
Sent: Thursday, May 25, 2023 9:17 AM
To: Appeals Board
Subject: RE: Towson Car Wash - Berger - Case No. 2022-291-XA
Attachments: PC Total CBA Exhibit Hearing List.docx; PC 18 - Towson Comm Alliance Opposition Ltr (5-25-23).pdf

Good Morning,

Our office just received the attached email from the Towson Communities Alliance. We would like to supplement our proposed exhibits and mark it as PC Exhibit 18. We also attach our updated exhibit list for today's hearing.

Please let me know if you have any problems opening the document.

Thank you in advance.

Rebecca Wheatley, Legal Secretary
Office of People's Counsel
105 West Chesapeake Avenue, Suite 204
Towson, Maryland 21204
410-887-2188

Protestants' Exhibits
(1020-24 York Road)

1. MyNeighborhood Map

2. Photos of car wash ticket

Tammy Zahner

From: Appeals Board
Sent: Monday, May 22, 2023 8:48 AM
To: Peoples Counsel
Subject: RE: Towson Car Wash - Berger - Case No. 2022-291-XA

We were able to open all Exhibits.
Thank you.

Board of Appeals for Baltimore County
The Jefferson Building, Suite 203
105 W. Chesapeake Avenue
Towson, Maryland 21204
appealsboard@baltimorecountymd.gov
(410) 887-3180
(410) 887-3182 Fax

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From: Peoples Counsel <peoplescounsel@baltimorecountymd.gov>
Sent: Friday, May 19, 2023 10:08 AM
To: Appeals Board <appealsboard@baltimorecountymd.gov>
Subject: Towson Car Wash - Berger - Case No. 2022-291-XA

Good Morning,

Per our conversation, I have placed People's Counsel's proposed exhibits for the upcoming hearing and exhibit list in your Shared folder.

Please let me know if you have any problems opening the documents.

Thank you in advance.

Rebecca Wheatley, Legal Secretary
Office of People's Counsel
105 West Chesapeake Avenue, Suite 204
Towson, Maryland 21204
410-887-2188

Tammy Zahner

From: Appeals Board
Sent: Tuesday, May 23, 2023 8:16 AM
To: Rosenblatt, Adam M.
Subject: RE: Exhibits for Case No. 22-291-XA

The Board has received 4 emails with a total of 13 Exhibits and Exhibit List.
Thank you.

Board of Appeals for Baltimore County
The Jefferson Building, Suite 203
105 W. Chesapeake Avenue
Towson, Maryland 21204
appealsboard@baltimorecountymd.gov
(410) 887-3180
(410) 887-3182 Fax

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From: Rosenblatt, Adam M. <AMRosenblatt@Venable.com>
Sent: Monday, May 22, 2023 9:16 PM
To: Appeals Board <appealsboard@baltimorecountymd.gov>
Cc: Karceski, David H. <DKarceski@Venable.com>
Subject: RE: Exhibits for Case No. 22-291-XA

CAUTION: This message from AMRosenblatt@venable.com originated from a non Baltimore County Government or non BCPL email system. Hover over any links before clicking and use caution opening attachments.

Exhibits 12A-C and 13 and list of Exhibits.

Thank you.

Adam M. Rosenblatt, Esq. | **Venable LLP**
t 410.494.6271 | **f** 410.821.0147 | **m** 410.294.9430
210 W. Pennsylvania Avenue, Suite 500, Towson, MD 21204

AMRosenblatt@Venable.com | http://secure-web.cisco.com/1WNu2SFrxxxUeZu-v7FmC5sFKd34PJuETqaScm9Y5jKtVeAxmFBt9Qi9d_b46vKcib4scdQCr86tBH6UGx8armpRh4T9o3nqeJmcv05KKejB3pho1xhFpfHlLC9UrmCVoLcj_I7xtlhpbrV-YhWbXHv1e3kikK17eBZJjIi5PvkS2FhP8eojZYk0Gj3GLo6PHVh18rwjN0nI6czdj0JsWNs4as2DgZzBD8aR32yW7EvOsb-QNz7bwU1Kli2GbCOJD-n9-ZeZQBBqxJucC8N_0baneWWP9Pi5gAZ4Bqb_qB761YZnCC9a1SIM_N_dfa-Apj3v95WpcpQ5Ln1PSJAOOYabmcrMryMzTqRUa7qJP0Mv3ZKIZuZcZGOemBSeljuexpvndy_sRksPtKEgJsKnLHuj3UGyjFT0SwsB48Tg_BH39Q1IYR5RJ4yM4gXayFFJJ/http%3A%2F%2Fwww.Venable.com

---

From: Rosenblatt, Adam M.
Sent: Monday, May 22, 2023 8:54 PM
To: 'Appeals Board' <appealsboard@baltimorecountymd.gov>

Cc: Karceski, David H. <DKarceski@Venable.com>
Subject: RE: Exhibits for Case No. 22-291-XA

Exhibits 7-11

Adam M. Rosenblatt, Esq. | **Venable LLP**
t 410.494.6271 | **f** 410.821.0147 | **m** 410.294.9430
210 W. Pennsylvania Avenue, Suite 500, Towson, MD 21204

AMRosenblatt@Venable.com | http://secure-web.cisco.com/1WNu2SFrxxxUeZu-v7FmC5sFKd34PJuETqaScm9Y5jKtVeAxmFBt9Qi9d_b46vKcib4scdQCr86tBH6UGx8armpRh4T9o3nqeJmcv05KKejB3pho1xhFpfHlLC9UrmCVoLcj_I7xtlhpbrV-YhWbXHv1e3kikK17eBZJjIi5PvkS2FhP8eojZYk0Gj3GLo6PHVh18rwjN0nI6czdj0JsWNs4as2DgZzBD8aR32yW7EvOsb-QNz7bwU1Kli2GbCOJD-n9-ZeZQBBqxJucC8N_0baneWWP9Pi5gAZ4Bqb_qB761YZnCC9a1SIM_N_dfa-Apj3v95WpcpQ5Ln1PSJAOOYabmcrMryMzTqRUa7qJP0Mv3ZKlZuZcZGOemBSeljuexpvndy_sRksPtKEgJsKnLHuj3UGyjFT0SwsB48Tg_BH39Q1IYR5RJ4yM4gXayFFJJ/http%3A%2F%2Fwww.Venable.com

From: Rosenblatt, Adam M.
Sent: Monday, May 22, 2023 8:43 PM
To: 'Appeals Board' <appealsboard@baltimorecountymd.gov>
Cc: Karceski, David H. <DKarceski@Venable.com>
Subject: RE: Exhibits for Case No. 22-291-XA

Exhibits 3-7

Adam M. Rosenblatt, Esq. | **Venable LLP**
t 410.494.6271 | **f** 410.821.0147 | **m** 410.294.9430
210 W. Pennsylvania Avenue, Suite 500, Towson, MD 21204

AMRosenblatt@Venable.com | http://secure-web.cisco.com/1WNu2SFrxxxUeZu-v7FmC5sFKd34PJuETqaScm9Y5jKtVeAxmFBt9Qi9d_b46vKcib4scdQCr86tBH6UGx8armpRh4T9o3nqeJmcv05KKejB3pho1xhFpfHlLC9UrmCVoLcj_I7xtlhpbrV-YhWbXHv1e3kikK17eBZJjIi5PvkS2FhP8eojZYk0Gj3GLo6PHVh18rwjN0nI6czdj0JsWNs4as2DgZzBD8aR32yW7EvOsb-QNz7bwU1Kli2GbCOJD-n9-ZeZQBBqxJucC8N_0baneWWP9Pi5gAZ4Bqb_qB761YZnCC9a1SIM_N_dfa-Apj3v95WpcpQ5Ln1PSJAOOYabmcrMryMzTqRUa7qJP0Mv3ZKlZuZcZGOemBSeljuexpvndy_sRksPtKEgJsKnLHuj3UGyjFT0SwsB48Tg_BH39Q1IYR5RJ4yM4gXayFFJJ/http%3A%2F%2Fwww.Venable.com

From: Rosenblatt, Adam M.
Sent: Monday, May 22, 2023 8:40 PM
To: Appeals Board <appealsboard@baltimorecountymd.gov>
Cc: Karceski, David H. <DKarceski@Venable.com>
Subject: Exhibits for Case No. 22-291-XA

I am sending a series of emails with Petitioner's Exhibits for this hearing set for Thursday. Thank you.

Adam M. Rosenblatt, Esq. | **Venable LLP**
t 410.494.6271 | **f** 410.821.0147 | **m** 410.294.9430
210 W. Pennsylvania Avenue, Suite 500, Towson, MD 21204

AMRosenblatt@Venable.com | http://secure-web.cisco.com/1WNu2SFrxxxUeZu-v7FmC5sFKd34PJuETqaScm9Y5jKtVeAxmFBt9Qi9d_b46vKcib4scdQCr86tBH6UGx8armpRh4T9o3nqeJmcv05KKejB3pho1xhFpfHlLC9UrmCVoLcj_I7xtlhpbrV-YhWbXHv1e3kikK17eBZJjIi5PvkS2FhP8eojZYk0Gj3GLo6PHVh18rwjN0nI6czdj0JsWNs4as2DgZzBD8aR32yW7EvOsb-QNz7bwU1Kli2GbCOJD-n9-ZeZQBBqxJucC8N_0baneWWP9Pi5gAZ4Bqb_qB761YZnCC9a1SIM_N_dfa-Apj3v95WpcpQ5Ln1PSJAOOYabmcrMryMzTqRUa7qJP0Mv3ZKlZuZcZGOemBSeljuexpvndy_sRksPtKEgJsKnLHuj3UGyjFT0SwsB48Tg_BH39Q1IYR5RJ4yM4gXayFFJJ/http%3A%2F%2Fwww.Venable.com

****
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transmission and delete the message without copying or disclosing it.
****

Petitioner's Exhibit List

Case Number 2022-291-XA
1020, 1022, 1024 York Road

1. Revised Zoning Petition

2A-B. Red and Black Lined Site Plan

3A-F. Examples from other sites

4. Building Elevations

5. Thomas Sheckells CV

6. Aerial Photograph

7. Site Photos

8. Rendered Site Plan

9. Mark Keeley CV

10. Traffic Report

11. Map of Commercial Revitalization District

12A. County List of Community Associations

12B. Distance from Community Association to Subject Property

12C. Distance from Appellant Address Listed in Petition

13. Aerial of 934 York Road McDonald's

1020, 1022, 1024 YORK ROAD

REVISED PETITION FOR

SPECIAL EXCEPTION AND VARIANCE

1. **Petition for Special Exception for a full-service car wash, pursuant to Section 236.2 of the Baltimore County Zoning Regulations ("BCZR").**

~~2. Petition for Variance from BCZR Section 419.3.A to allow the required number of stacking spaces for the full-service car wash to be configured in a different pattern than single-file at the entrance to the tunnel, if necessary.~~

~~3.~~2. **Petition for Variance from BCZR Section 238.2 to allow a side yard setback of 6 feet for a commercial building in lieu of the required 30 feet.**

~~4. Petition for Variance from BCZR Section 419.4.B.3 to allow a landscape transition area width in the rear yard to be a minimum of 2 feet abutting non-residentially zoned land in lieu of the required 6 feet and to allow a landscape transition area width a minimum of 12 feet in lieu of the required 15 feet within 50 feet of a residentially zoned property.~~

~~5.~~3. **Petition for Variance from BCZR Section 419.4.B.1 to allow a car wash tunnel entrance to face an adjacent residentially zoned property.**

~~6. Petition for variance from BCZR Section 450.4. Table of Sign Regulations.5(b) to allow a total of 3 freestanding enterprise signs with sign areas/faces of 18 square feet (sign Nos. 12A, 12B) and 36 square feet (sign No. 4) with a sign height of 6 feet (Sign Nos. 12A, 12B) and 13 feet (sign No. 4) in lieu of the one freestanding enterprise sign permitted with a sign area/face of 75 square feet and height of 25 feet.~~

~~7. Petition for variance from BCZR Section 450.5.B.4.a to allow a freestanding sign to be installed as close as 10 feet to another freestanding sign on the same premises having an area larger than 8 square feet (between sign Nos. 12A and 12B) in lieu of the required 100 foot distance.~~

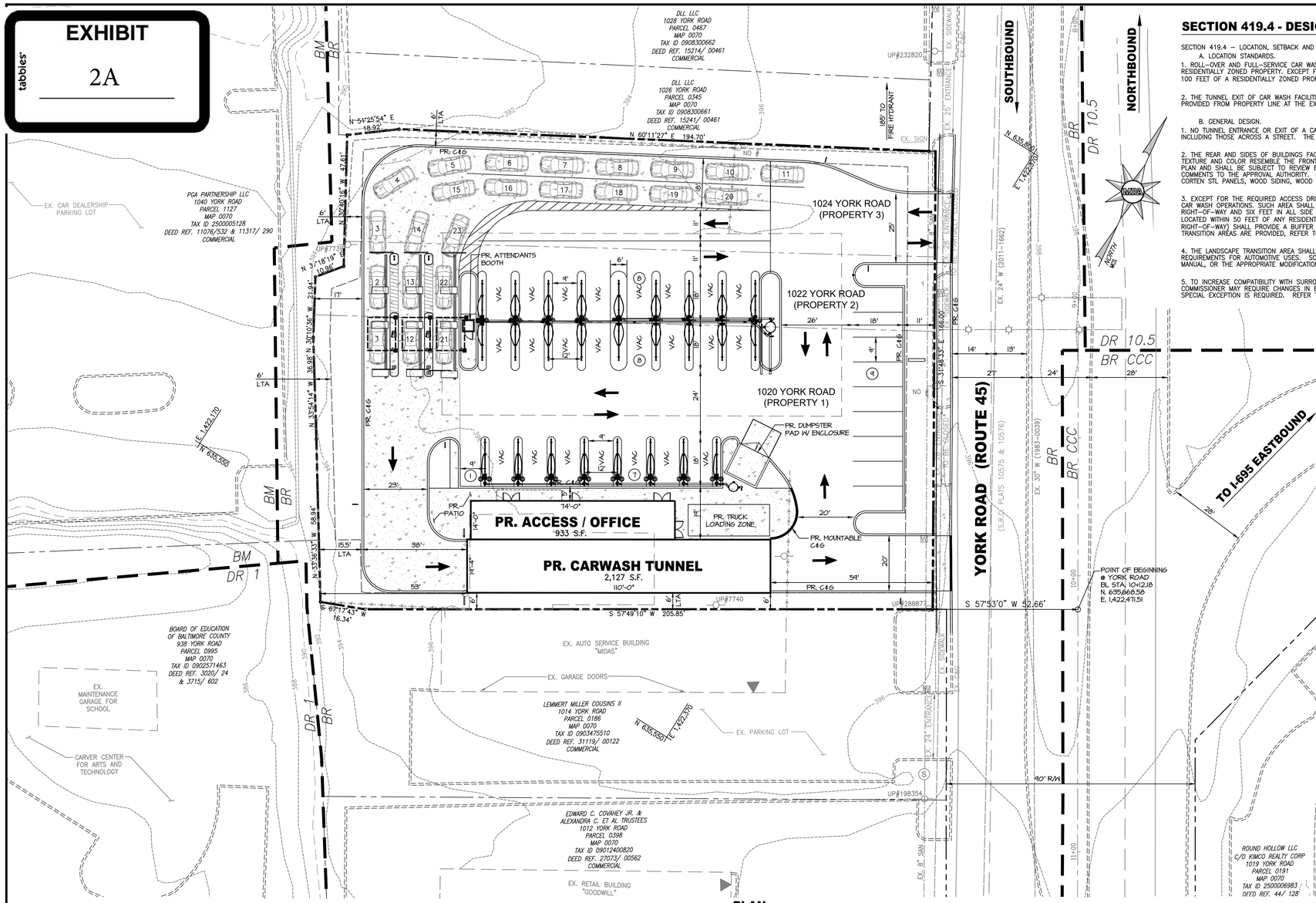
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EXHIBIT

2A

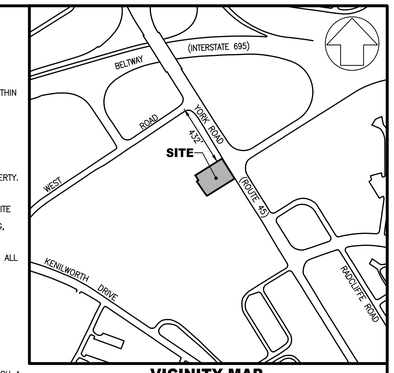
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PLAN

SCALE: 1" = 20'

20 0 20 40



VICINITY MAP

SCALE : 1" = 500'

SECTION 419.4 - DESIGN STANDARDS

SECTION 419.4 – LOCATION, SETBACK AND GENERAL DESIGN STANDARD

A. LOCATION STANDARDS.

1. ROLL–OVER AND FULL–SERVICE CAR WASH BUILDINGS SHALL BE SET BACK AT LEAST 50 FEET FROM THE LOT LINE OF ANY RESIDENTIALLY ZONED PROPERTY. EXCEPT FOR THE LANDSCAPE BUFFERS, NO PART OF A SELF–SERVICE CAR WASH SHALL BE WITHIN 100 FEET OF A RESIDENTIALLY ZONED PROPERTY. RESIDENTIAL ZONE SETBACK – REQUIRED=50', PROVIDED=53'

2. THE TUNNEL EXIT OF CAR WASH FACILITIES SHALL BE SET BACK AT LEAST 50 FEET FROM THE NEAREST EXIT DRIVE. 59' IS PROVIDED FROM PROPERTY LINE AT THE EXIT DRIVE.

B. GENERAL DESIGN.

1. NO TUNNEL ENTRANCE OR EXIT OF A CAR WASH OPERATION SHALL FACE AN ADJACENT RESIDENTIALLY ZONED PROPERTY NOT INCLUDING THOSE ACROSS A STREET. THE ENTRANCE OF THE TUNNEL FACES BOTH COMMERCIAL AND RESIDENTIAL ZONED PROPERTY.

2. THE REAR AND SIDES OF BUILDINGS FACING RESIDENTIALLY ZONED PROPERTIES SHALL BE FINISHED WITH MATERIALS THAT IN TEXTURE AND COLOR RESEMBLE THE FRONT OF THE BUILDING. THE TYPE OF FACADE TREATMENT SHALL BE INDICATED ON THE SITE PLAN AND SHALL BE SUBJECT TO REVIEW BY THE DIRECTOR OF THE DEPARTMENT OF PLANNING, WHO SHALL PROVIDE WRITTEN COMMENTS TO THE APPROVAL AUTHORITY. THE FACADE MATERIALS COMPRISE OF GROUND FACE CMU, CORRUGATED METAL SIDING, CORTEN STL PANELS, WOOD SIDING, WOOD SLAT SCREEN. REFER TO THE BUILDING ELEVATION FOR ADDITIONAL DETAIL.

3. EXCEPT FOR THE REQUIRED ACCESS DRIVES, A LANDSCAPED TRANSITION AREA SHALL BE PROVIDED ALONG THE PERIMETER OF ALL CAR WASH OPERATIONS. SUCH AREA SHALL HAVE A MINIMUM WIDTH OF TEN FEET WHERE THE CAR WASH FRONTS A PUBLIC RIGHT–OF–WAY AND SIX FEET IN ALL SIDE AND REAR YARDS ABUTTING NONRESIDENTIALLY ZONED LAND. CAR WASH OPERATIONS 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 THAT MEASURES NO LESS THAN 15 FEET FROM THAT PROPERTY LINE. LANDSCAPE TRANSITION AREAS ARE PROVIDED, REFER TO THE GENERAL NOTES FOR ADDITIONAL INFORMATION.

4. THE LANDSCAPE TRANSITION AREA SHALL BE PLANTED AND SCREENED IN ACCORDANCE WITH THE LANDSCAPE MANUAL REQUIREMENTS FOR AUTOMOTIVE USES. SCREENING AND LANDSCAPING SHALL COMPLY WITH THE BALTIMORE COUNTY LANDSCAPE MANUAL, OR THE APPROPRIATE MODIFICATION OF STANDARDS WILL BE REQUESTED.

5. TO INCREASE COMPATIBILITY WITH SURROUNDING BUILDINGS OR TO ENHANCE THE ATTRACTIVENESS OF THE SITE, THE ZONING COMMISSIONER MAY REQUIRE CHANGES IN BUILDING OR SITE PLAN DESIGN OR HOURS OF OPERATION FOR CAR WASHES FOR WHICH A SPECIAL EXCEPTION IS REQUIRED. REFER TO SITE PLAN, SIGNAGE, BUILDING ELEVATIONS AND NOTE 11 WITHIN THE GENERAL NOTES.

BENCHMARKS

BCO 1151 — N 635729.49, E 1421415.68
ELEV. 402.11
SPIKE IN SIDEWALK NORTH OF WEST RD.

BCO 972 — N 633768.61, E 1423193.18
ELEV. 413.79
CAPPED BAR IN ISLAND SOUTH OF BOSLEY AVE.

GENERAL NOTES

1. PROPERTY INFORMATION:
   - A. PROPERTY ADDRESS: 1020 (PROPERTY 1), 1022 (PROPERTY 2), 1024 YORK ROAD (PROPERTY 3)
   - B. NET ACREAGE: 0.95 AC ± (41,240 S.F.)
   - C. GROSS ACREAGE: 0.86 AC ± (37,608 S.F.)
   - D. ELECTION DISTRICT: 9
   - E. COUNCILMANIC DISTRICT: 5
   - F. ADC MAP: 27C4
   - G. CENSUS TRACT: 4903.01
   - H. TAX MAP: 0070
   - I. PARCEL: 595, 991
   - J. TAX ACCOUNT NO.: 0919000691 (PROPERTY 1), 0919000690 (PROPERTY 2), 0919001830 (PROPERTY 3)
   - K. DEED: 46511/00190
   - L. WATERSHED: LOCH RAVEN RESERVOIR
   - M. COMMERCIAL REVITALIZATION DISTRICT: TOWSON
2. ZONING: BR
3. ZONING MAP/GIS TILE NO.: 070A1
4. FLOOR AREA RATIO: MAXIMUM PERMITTED = 2.0; PROVIDED = 0.081 (3,060 S.F. / 37,608 S.F. = 0.081)
5. EXISTING LAND USE: COMMERCIAL – AUTO SERVICE; PROPOSED LAND USE: COMMERCIAL – FULL SERVICE CAR WASH
6. BR ZONE SETBACKS

	REQUIRED	PROVIDED
FRONT YARD BUILDING SETBACK	*50'	59'
SIDE YARD BUILDING SETBACK	30'	6'
REAR YARD BUILDING SETBACK	30'	53'

*SECTION 303.2 STANDARDS FOR BL, BM AND BR ZONES, THE DEPTH OF THE FRONT YARD OF ANY BUILDING HEREAFTER ERECTED SHALL BE NOT LESS THAN THE AVERAGE DEPTH OF THE FRONT YARDS OF ALL LOTS WITHIN 100 FEET ON EACH SIDE.
1028 YORK ROAD = 31.5' BUILDING SETBACK
1014 YORK ROAD = 58.4' BUILDING SETBACK
31.5+58.4 = 89.9, 89.9/2 = 45' REQUIRED SETBACK

7. LANDSCAPE TRANSITION AREAS (LTAS)

	REQUIRED	PROVIDED
ALONG YORK ROAD (PUBLIC)	10'	11'
ALONG REAR YARD (COMMERCIAL ZONE)	6'	6'
ALONG REAR YARD (RESIDENTIAL ZONE)	15'	15.5'
ALONG SIDE YARD	6'	6'

8. STACKING FOR CAR WASH SHALL COMPLY WITH 419.3.A.2 BCZR SECTION.

	REQUIRED	PROVIDED
FULL SERVICE CAR WASH	19'	23'

9. HEIGHT REQUIREMENTS

	ALLOWABLE	PROPOSED
**40' FOOT MAX OR HEIGHT TENT CALCULATION PURSUANT TO SECTION 231.1.B AND 231.1.D.		40'

**SECTION 231.1 HEIGHT REGULATIONS AND LIMITATIONS,

B. THE HEIGHT LIMITATION OF A BUILDING SHALL BE DETERMINED AS FOLLOWS: THE "BASIC HEIGHT" OF THE FRONT OR REAR WALL OF A BUILDING ALONG A STREET, ALLEY OR OTHER PUBLIC WAY IS DETERMINED BY A "BASE LINE PLANE" EXTENDING UPWARD AT A 45–DEGREE ANGLE FROM A "BASE LINE" AT THE AVERAGE ELEVATION ON THE PROPERTY LINE ON THE OPPOSITE SIDE OF THE RIGHT–OF–WAY, TOWARD A VERTICAL PLANE (THE "MEASURE PLANE") ON THE BUILDING LINE. REGARDLESS OF THE RIGHT–OF–WAY WIDTH THE "BASIC HEIGHT" SHALL NOT EXCEED 100 FEET, EXCEPT AS PERMITTED HEREINAFTER AS "AVERAGED HEIGHT," NOR SHALL IT BE REQUIRED TO BE LESS THAN 40 FEET.

D. NO PART OF ANY BUILDING WALL ADJACENT TO A SIDE OR REAR LOT LINE THAT DOES NOT ADJOIN A STREET OR OTHER PUBLIC WAY SHALL EXCEED A HEIGHT OF 40 FEET ABOVE THE AVERAGE GROUND LEVEL ALONG SUCH WALL, EXCEPT THAT ANY PART OF SUCH WALL MAY EXCEED THAT HEIGHT, PROVIDED THAT NO PORTION OF THE BUILDING WOULD PROJECT ABOVE A PLANE SLOPING INWARD AND UPWARD FROM THE LOT LINE AT THE RATE OF ONE–FOOT HORIZONTALLY FOR EACH FIVE FEET OF VERTICAL DISTANCE ABOVE SAID AVERAGE GROUND LEVEL.

10. THE MANUFACTURER'S RATED HOURLY PRODUCTION CAPACITY OF THE EQUIPMENT TO BE INSTALLED IN THE FULL SERVICE CAR WASH IS 150 CARS PER HOUR. ON AVERAGE THE PRODUCTION WILL BE 60 CARS PER HOUR.
11. HOURS FOR CAR WASH WILL BE LIMITED TO 8 AM TO 7 PM IN SUMMER AND 8 AM TO 6 PM IN WINTER.
12. THIS SITE IS SERVICED BY PUBLIC WATER AND SEWER.
13. THE SITE IS NOT LOCATED IN A 100 YEAR FLOODPLAIN (F.E.M.A. PANEL NO. 24001004300G).
14. THE SITE IS NOT LOCATED WITHIN IN A FAILED BASIC WATER, SEWER, OR TRANSPORTATION SERVICE AREA.
15. THE SITE IS LOCATED WITHIN A COMMERCIAL REVITALIZATION DISTRICT AND IS THEREFORE EXEMPT FROM THE PROVISION BCZR 4A02.4. PER BCZR 4A02.4 BASIC SERVICES MAPPING STANDARDS E. GENERAL EXCEPTIONS TO BASIC SERVICE MAPPING STANDARDS, I. TO ANY DEVELOPMENT LOCATED IN A COMMERCIAL REVITALIZATION DISTRICT.
16. THERE ARE NO KNOWN EXISTING WELLS OR SEPTIC FIELDS ON THIS PROPERTY.
17. THERE ARE NO HISTORIC BUILDINGS ON SITE.
18. THIS SITE IS NOT LOCATED IN THE CHESAPEAKE BAY CRITICAL AREA.
19. ANY FIXTURE USED TO ILLUMINATE AN OFF–STREET PARKING AREA SHALL BE ARRANGED AS TO REFLECT THE LIGHT AWAY FROM ADJACENT RESIDENTIAL SITE AND PUBLIC STREETS.
20. SIGNAGE ON THIS SITE SHALL CONFORM WITH THE SIGNAGE REQUIREMENTS OF THE BALTIMORE COUNTY ZONING REGULATIONS SECTION 450, OR A VARIANCE WILL BE REQUESTED. REFER TO SHEET 2 FOR SIGNAGE LAYOUT AND DETAILS.

ZONING HISTORY

CASE NO. R–1949–1432–XT – PETITION FOR TEMPORARY USE OF THE PROPERTY FOR ADVERTISING STRUCTURE WAS DENIED ON MAY 13, 1949.

CASE NO. R–1994–0321–XA – PETITION FOR TWO SPECIAL EXCEPTIONS FOR USED AUTOMOBILE SALES AT 1018 AND 1024 YORK ROAD. A PETITION FOR ZONING VARIANCE, RELIEF WAS REQUESTED FROM BCZR SECTION 303.2 TO ALLOW A FRONT YARD SETBACK OF 32' IN LIEU OF THE REQUIRED 45'; FROM SECTION 238.4 TO PERMIT STORAGE AND DISPLAY OF VEHICLES AND MATERIALS IN THE FRONT YARD SETBACK AREA IN LIEU OF THE REQUIREMENT THAT THE FRONT YARD AREA TO A DEPTH OF 30' REMAIN VEHICLE FREE; FROM SECTION 238.2 TO PERMIT 0' SIDE YARD SETBACK IN LIEU OF THE REQUIRED 30'; FROM SECTION 238.2 TO PERMIT 0' AND 41' DISTANCE BETWEEN BUILDINGS IN LIEU OF THE REQUIRED 60' AND 19' RESPECTIVELY; AND SECTION 413.2 TO PERMIT A TOTAL SIGN AREA OF 175.98 SQ FT FOR TWO SIGNS IN LIEU OF THE REQUIRED 100 SQ FT. GRANTED ON APRIL 11, 1994, SUBJECT HOWEVER TO THE FOLLOWING RESTRICTIONS WHICH ARE CONDITIONS PRECEDENT TO THE RELIEF GRANTED:

1. THE PETITIONER IS HEREBY MADE AWARE THAT PROCEEDING AT THIS TIME IS AT ITS 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 PETITIONER WOULD BE REQUIRED TO RETURN, AND BE RESPONSIBLE FOR RETURNING, SAID PROPERTY TO ITS ORIGINAL CONDITION.
2. THE PETITIONER SHALL NOT ALLOW THE PLACEMENT OF ANY OTHER OUTDOOR ADVERTISING SIGNS, BANNERS, STREAMERS, BALLOONS, ETC. THAT IS, THE SOLE MEANS OF ADVERTISING WILL BE THE TWO SIGNS REFERENCED HEREIN, APPROPRIATE LETTERING ON THE FACADE OF THE BUILDINGS AND PRICES/SIGNS AS MAY BE WRITTEN ON THE WINDSHIELDS OF THE VEHICLES. ANY OTHER MEANS OF OUTDOOR ADVERTISING, BE THEY TEMPORARY OR PERMANENT, WILL BE EXCLUDED.

CASE NO. 2022–0291–XA – PETITION FOR SPECIAL EXCEPTION TO PERMIT A FULL SERVICE CAR WASH. PETITION FOR VARIANCE TO ALLOW FOR THE FOLLOWING,

2. §419.3.A TO ALLOW THE REQUIRED NUMBER OF STACKING SPACES FOR THE FULL–SERVICE CAR WASH TO BE CONFIGURED IN A DIFFERENT PATTERN THAN SINGLE–FILE AT THE ENTRANCE TO THE TUNNEL, IF NECESSARY.
3. §238.2 TO ALLOW A SIDE YARD SETBACK OF 6 FT. FOR A COMMERCIAL BUILDING IN LIEU OF THE REQUIRED 30 FT.
4. §419.4.B.3 TO ALLOW A LANDSCAPE TRANSITION AREA WIDTH IN THE REAR YARD TO BE A MINIMUM OF 2 FT. ABUTTING NON–RESIDENTIALLY ZONED LAND IN LIEU OF THE REQUIRED 6 FT. AND TO ALLOW A LANDSCAPE TRANSITION AREA WIDTH A MINIMUM OF 12 FT. IN LIEU OF THE REQUIRED 15 FT. WITHIN 50 FT. OF A RESIDENTIALLY ZONED PROPERTY.
5. §419.4.B.1 TO ALLOW A CAR WASH TUNNEL ENTRANCE TO FACE AN ADJACENT RESIDENTIALLY ZONED PROPERTY.
6. §450.4 TABLE OF SIGNS REGULATIONS.5(B) TO ALLOW A TOTAL OF 11 FREESTANDING ENTERPRISE SIGNS WITH SIGN AREAS/FACES OF 18 SQUARE FEET (SIGN NOS. 12A, 12B), 36 SQUARE FEET (SIGN NO. 4), 4 SQUARE FEET (SIGN NOS. 8A, 8B), AND 2.77 SQUARE FEET (SIGN NOS. 15A–15F), WITH A SIGN HEIGHT OF 6 FEET (SIGN NOS. 12A, 12B), 13 FEET (SIGN NO. 4), 4 FEET (SIGN NOS. 8A, 8B), AND 6 FEET (SIGN NOS. 15A–15F) IN LIEU OF THE ONE FREESTANDING ENTERPRISE SIGN PERMITTED WITH A SIGN AREA/FACE OF 75 SQUARE FEET.
7. §450.5.B.4.A TO ALLOW A FREESTANDING SIGN TO BE INSTALLED AS CLOSE AS 10 FT. TO ANOTHER FREESTANDING SIGN ON THE SAME PREMISES HAVING AN AREA LARGER THAN 8 SQUARE FEET (BETWEEN SIGN NOS. 12A AND 12B) IN LIEU OF THE REQUIRED 100 FOOT DISTANCE.

THE RELIEF WAS GRANTED ON JANUARY 23, 2023 AND BE SUBJECT TO THE FOLLOWING,
1. PETITIONERS MAY APPLY FOR NECESSARY PERMITS AND/OR LICENSES UPON RECEIPT OF THIS ORDER. HOWEVER, PETITIONERS ARE HEREBY MADE AWARE THAT PROCEEDING AT THIS TIME IS AT THEIR OWN RISK UNTIL 30 DAYS FROM THE DATE HEREOF, DURING WHICH TIME AN APPEAL CAN BE FILED BY ANY PARTY. IF FOR WHATEVER REASON THIS ORDER IS REVERSED, PETITIONERS WOULD BE REQUIRED TO RETURN THE SUBJECT PROPERTY TO ITS ORIGINAL CONDITION.

2. THE REDLINE SITE PLAN (PET. EXS. 2A AND 2B) ARE INCORPORATED HEREIN AND MADE A PART HEREOF.

3. PETITIONERS MUST COMPLY WITH THE DOP AND SHA ZAC COMMENTS, COPIES OF WHICH ARE ATTACHED HERETO AND MADE A PART HEREOF.

GENERAL NOTE

THE CORRECTNESS OR COMPLETENESS OF EXISTING INFORMATION SHOWN ON THE DRAWINGS IS NOT WARRANTED OR GUARANTEED. THE CONTRACTOR SHALL VERIFY THE LOCATION OF UTILITIES AND UNDERGROUND FACILITIES, BY TEST PITS OR OTHER METHODS APPROVED BY THE OWNER'S REPRESENTATIVE, AS REQUIRED TO VERIFY EXACT LOCATIONS AND DEPTHS WITHIN THE LIMIT OF DISTURBANCE. ALL DISCREPANCIES BETWEEN INFORMATION SHOWN ON THE DRAWINGS AND THAT VERIFIED IN THE FIELD SHALL BE REPORTED TO THE OWNER'S REPRESENTATIVE PRIOR TO BEGINNING WORK.

COMMERCIAL PERMIT HISTORY

1020 YORK ROAD
PERMIT # B310792
CONSTRUCTION OF A CAR RENTAL OFFICE BUILDING.

1020 YORK ROAD
PERMIT # B707107
ERECT CHAIN FENCE WITH HEIGHT OF 8' AND LENGTH OF 120'.

1022 YORK ROAD
PERMIT # B826453 & B826879
CONSTRUCTION OF FREESTANDING D/F ENTERPRISE SIGN 9'x10' AND ONE ILLUMINATED WALL SIGN 3.5'x31.44'.

1022 YORK ROAD
PERMIT # B828817
CONSTRUCTION OF F/S PYLON SIGN 6.17'x12.17'x25'.

1024 YORK ROAD
PERMIT # E956459
UNDERGROUND ELECTRIC DIRECT BURIAL 12/3 TO EX. SIGN.

PARKING TABULATIONS CHART

(PARKING SPACES REQUIRED BY BCZR SECTION 419.3)

USE	PARKING RATE	PARKING SPACES REQUIRED PER SECTION 419.3
FULL–SERVICE CAR WASH	6/TUNNEL	6
FULL–SERVICE CAR WASH (ADDITIONAL SPACES)	4	4
VACUUMS	1/VACUUM	23
TOTAL PARKING REQUIRED		33
TOTAL PARKING PROVIDED		33

LEGEND

- EX. PROPERTY BOUNDARY LINE
- EX. RIGHT–OF–WAY
- EX. ADJACENT PROPERTY LINE
- EX. EASEMENT
- EX. ZONING LINE
- EX. BUILDING
- EX. EDGE OF PAVEMENT
- EX. EDGE OF CONCRETE
- EX. CURB
- 398 EX. 2' CONTOUR
- 400 EX. 10' CONTOUR
- EX. FENCE
- PR. CURB & GUTTER
- PR. BUILDING
- PR. SIDEWALK

DATUM

DESIGN & DRAWING BASED ON MARYLAND COORDINATE SYSTEM (MCS): HORIZONTAL NAD 83 (2011) VERTICAL NAVD 88

PROFESSIONAL CERTIFICATION

I HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME, AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MARYLAND, LICENSE NO. 38291, EXPIRATION DATE: 01/13/2024.

DEVELOPER

TOWSON CAR WASH LLC
c/o CANTON CAR WASH
10051 FRANKLIN SQUARE DRIVE
NOTTINGHAM, MARYLAND 21236
PHONE: (908) 528–0009
ATTN: THOMAS DEBACCO

OWNER

GLEN G. AND WAYNE G. BERGER
1020–1024 YORK ROAD
TOWSON, MARYLAND 21204

MORRIS & RITCHIE ASSOCIATES, INC.
ENGINEERS, PLANNERS, SURVEYORS AND LANDSCAPE ARCHITECTS
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STATE OF MARYLAND · MICHAEL GRAY COUGHLIN · 38291 · PROFESSIONAL ENGINEER

CANTON CAR WASH

1020–1024 YORK ROAD

SITE PLAN TO ACCOMPANY
SPECIAL EXCEPTION & VARIANCE PETITION

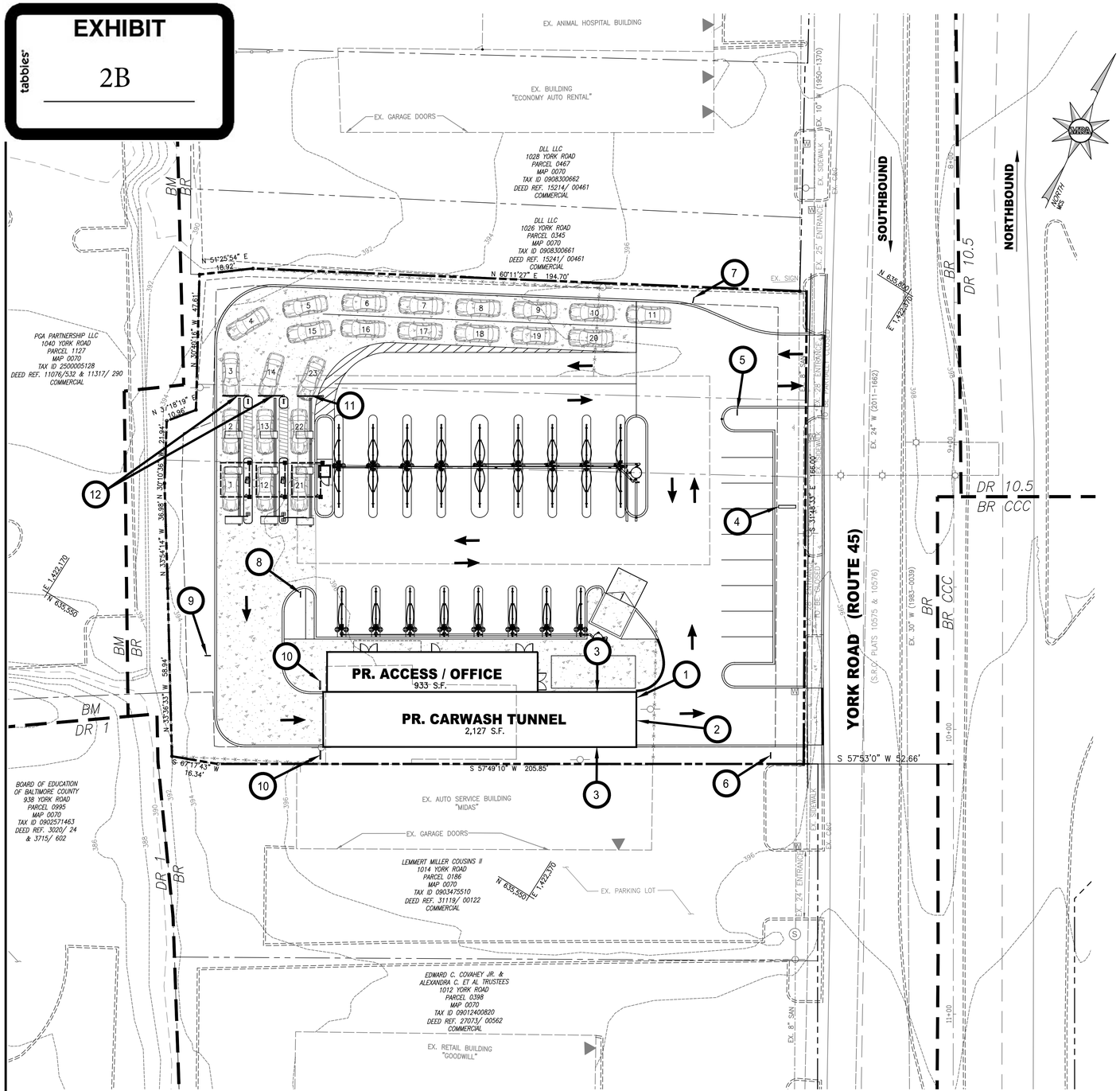
5TH COUNCILMANIC DISTRICT — BALTIMORE COUNTY, MARYLAND — 9TH ELECTION DISTRICT

DATE	REVISIONS		
		JOB NO.:	21837
		SCALE:	AS SHOWN
		DATE:	05/08/2023
		DRAWN BY:	MAS
		DESIGN BY:	THS
		REVIEW BY:	THS
		SHEET:	01 OF 02

EXHIBIT

tabbies

2B



PLAN

SCALE: 1" = 20'

20 0 20 40

GENERAL NOTE

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LEGEND

- EX. PROPERTY BOUNDARY LINE
- EX. RIGHT-OF-WAY
- EX. ADJACENT PROPERTY LINE
- EX. EASEMENT
- EX. ZONING LINE
- EX. BUILDING
- EX. EDGE OF PAVEMENT
- EX. EDGE OF CONCRETE
- EX. CURB
- 398 EX. 2' CONTOUR
- 400 EX. 10' CONTOUR
- EX. FENCE
- PR. CURB & GUTTER
- PR. BUILDING
- PR. SIDEWALK



FONT: CHALET NEW YORK NINETEEN SEVENTY

1 E-AN ADDRESS NUMBERS
NOT TO SCALE

SIGN AREA = 1.426 SF



2 ENTERPRISE E-FL-1-4.5 SIGN
NOT TO SCALE

SIGN AREA = 66.0 SF



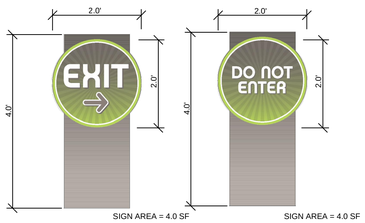
3 ENTERPRISE E-FL-1-6 SIGN
NOT TO SCALE

SIGN AREA =149.9 SF

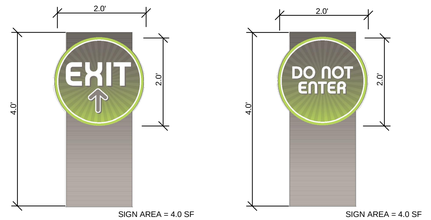


SIGN AREA = 36 SF

4 ENTERPRISE E-P SIGN
NOT TO SCALE

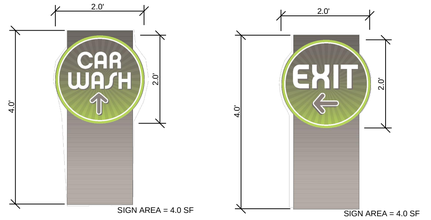


5 DIRECTIONAL W-D-2 AR / 4 SIGN
NOT TO SCALE



SIGN AREA = 4.0 SF SIGN AREA = 4.0 SF

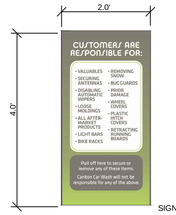
6 DIRECTIONAL W-D-2 AS / 4 SIGN
NOT TO SCALE



SIGN AREA = 4.0 SF SIGN AREA = 4.0 SF

7 DIRECTIONAL W-S-1 AS SIGN
NOT TO SCALE

8 DIRECTIONAL W-S-2 AL SIGN
NOT TO SCALE



SIGN AREA = 8.0 SF

9 NOTICE W-S-6 SIGN
NOT TO SCALE



SIGN AREA = 8.0 SF

10 NOTICE W-S-9 SIGN
NOT TO SCALE



SIGN AREA = 7.96 SF

11 DIRECTIONAL W-S-13 SIGN
NOT TO SCALE



SIGN AREA = 7.96 SF

12 DIRECTIONAL W-S-14 SIGN
NOT TO SCALE

DATUM

DESIGN & DRAWING BASED ON MARYLAND COORDINATE SYSTEM (MCS): HORIZONTAL NAD 83 (2011) VERTICAL NAVD 88

DEVELOPER

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c/o CANTON CAR WASH
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(410) 821-1690
FAX (410) 821-1748
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STATE OF MARYLAND · THOMAS H. GRAY COUGHLIN · 38291 · PROFESSIONAL ENGINEER

CANTON CAR WASH
1020-1024 YORK ROAD

SIGNAGE PLAN

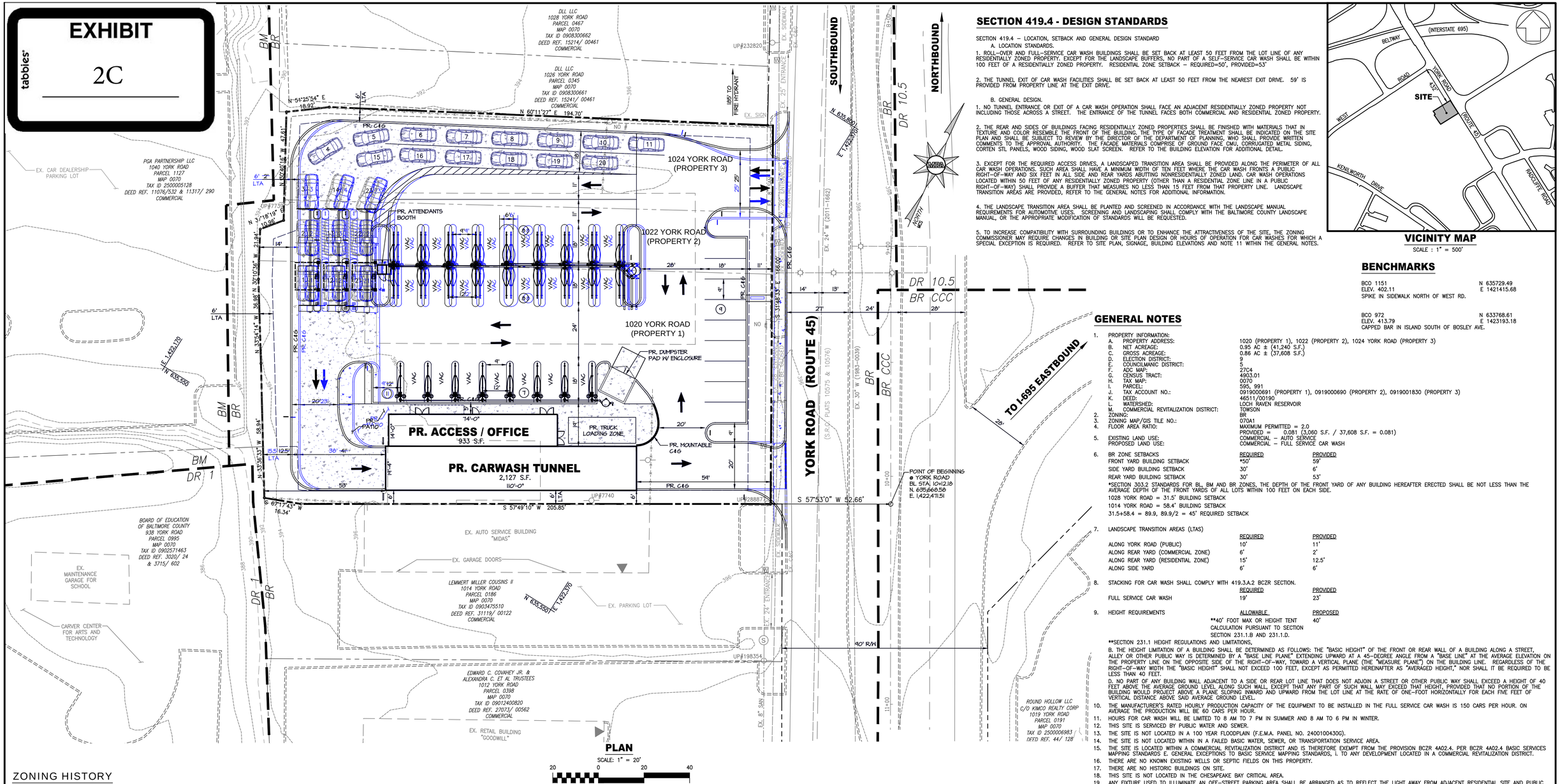
5TH COUNCILMANIC DISTRICT BALTIMORE COUNTY, MARYLAND 9TH ELECTION DISTRICT

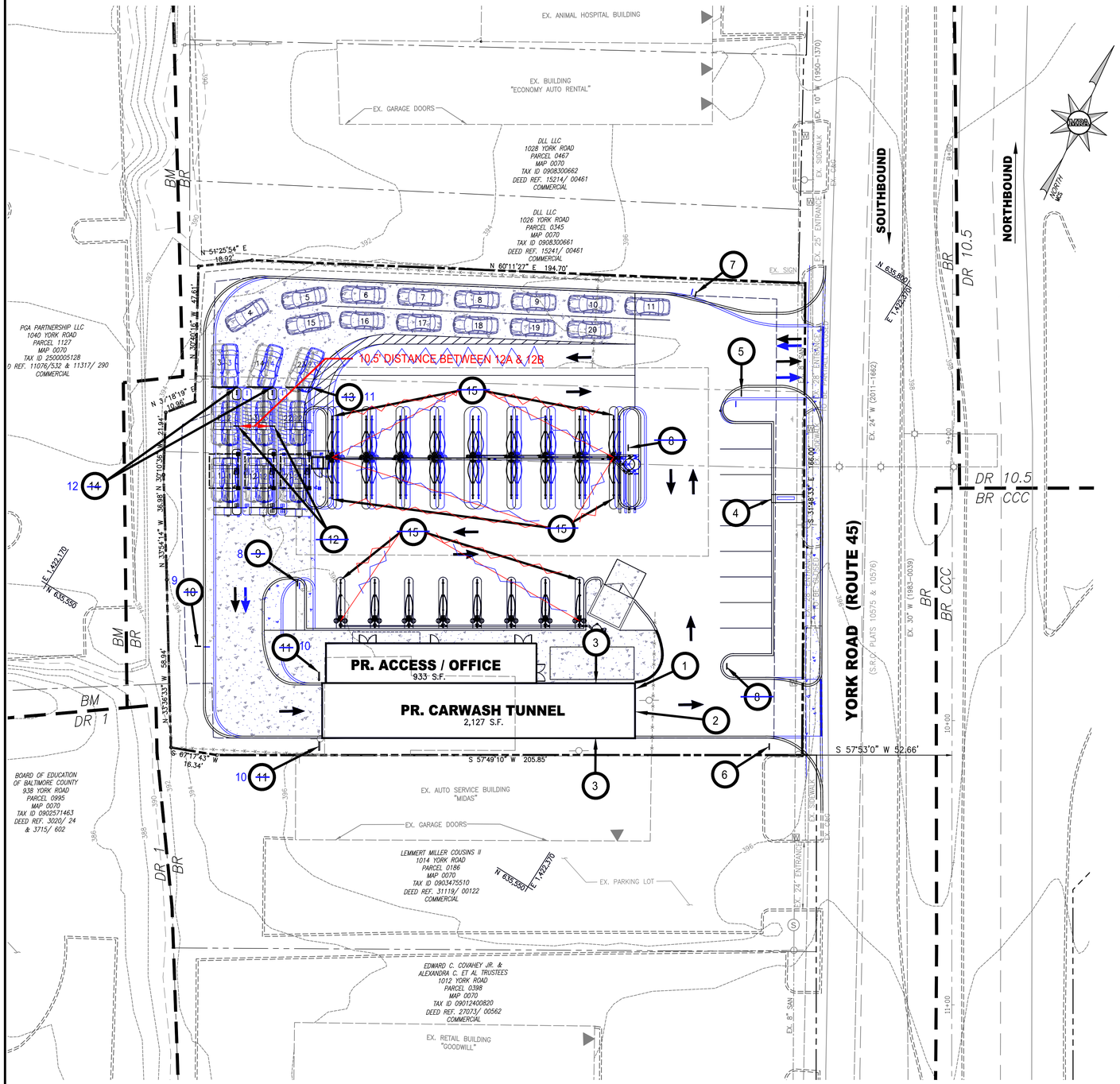
DATE	REVISIONS		
		JOB NO.:	21837
		SCALE:	AS SHOWN
		DATE:	05/08/2023
		DRAWN BY:	MAS
		DESIGN BY:	THS
		REVIEW BY:	THS
		SHEET:	02 OF 02

EXHIBIT

tabbles

2C


DLL LLC
1028 YORK ROAD
PARCEL 0467
MAP 0070
TAX ID 0908300662
DEED REF. 15214/ 00461
COMMERCIAL
DLL LLC
1026 YORK ROAD
PARCEL 0345
MAP 0070
TAX ID 0908300661
DEED REF. 15241/ 00461
COMMERCIAL
PGA PARTNERSHIP LLC
1040 YORK ROAD
PARCEL 1127
MAP 0070
TAX ID 2500005128
DEED REF. 11076/532 & 11317/ 290
COMMERCIAL
EX. CAR DEALERSHIP PARKING LOT
BOARD OF EDUCATION OF BALTIMORE COUNTY
938 YORK ROAD
PARCEL 0995
MAP 0070
TAX ID 0902571463
DEED REF. 3020/ 24 & 3715/ 602
EX. MAINTENANCE GARAGE FOR SCHOOL
CARVER CENTER FOR ARTS AND TECHNOLOGY
LEMMERT MILLER COUSINS II
1014 YORK ROAD
PARCEL 0186
MAP 0070
TAX ID 0903475510
DEED REF. 31119/ 00122
COMMERCIAL
EDWARD C. COVAHEY JR. & ALEXANDRA C. ET AL TRUSTEES
1012 YORK ROAD
PARCEL 0398
MAP 0070
TAX ID 0902400820
DEED REF. 27073/ 00562
COMMERCIAL
EX. RETAIL BUILDING "GOODWILL"
ROUND HOLLOW LLC
C/O KIMCO REALTY CORP
1019 YORK ROAD
PARCEL 0191
MAP 0070
TAX ID 2500006983
DEED REF. 44/ 128
1024 YORK ROAD (PROPERTY 3)
1022 YORK ROAD (PROPERTY 2)
1020 YORK ROAD (PROPERTY 1)
PR. ATTENDANTS BOOTH
PR. DUMPSTER PAD W/ ENCLOSURE
PR. ACCESS / OFFICE
933 S.F.
PR. CARWASH TUNNEL
2,127 S.F.
PR. TRUCK LOADING ZONE
PR. MOUNTABLE C4G
PR. PATIO
EX. AUTO SERVICE BUILDING "MIDAS"
EX. GARAGE DOORS
EX. PARKING LOT
EX. 24" ENTRANCE
EX. 8" SAN
EX. SIDEWALK
EX. CURB
EX. 25' ENTRANCE
195° TO FIRE HYDRANT
EX. SIGN
EX. 24" W (2011-1662)
EX. 30" W (1983-0039)
EX. 8" SAN
EX. 12" W
EX. 8" W
EX. 6" W
EX. 10" W
EX. 16" W
EX. 24" W
EX. 20" W
EX. 36" W
EX. 42" W
EX. 48" W
EX. 54" W
EX. 60" W
EX. 72" W
EX. 96" W
EX. 108" W
EX. 120" W
EX. 144" W
EX. 168" W
EX. 192" W
EX. 216" W
EX. 240" W
EX. 264" W
EX. 288" W
EX. 312" W
EX. 336" W
EX. 360" W
EX. 384" W
EX. 408" W
EX.



PLAN

SCALE: 1" = 20'

20 0 20 40

LEGEND

- EX. PROPERTY BOUNDARY LINE
- EX. RIGHT-OF-WAY
- EX. ADJACENT PROPERTY LINE
- EX. EASEMENT
- EX. ZONING LINE
- EX. BUILDING
- EX. EDGE OF PAVEMENT
- EX. EDGE OF CONCRETE
- EX. CURB
- 398 EX. 2' CONTOUR
- 400 EX. 10' CONTOUR
- EX. FENCE
- PR. CURB & GUTTER
- PR. BUILDING
- PR. SIDEWALK

GENERAL NOTE

THE CORRECTNESS OR COMPLETENESS OF EXISTING INFORMATION SHOWN ON THE DRAWINGS IS NOT WARRANTED OR GUARANTEED. THE CONTRACTOR SHALL VERIFY THE LOCATION OF UTILITIES AND UNDERGROUND FACILITIES, BY TEST PITS OR OTHER METHODS APPROVED BY THE OWNER'S REPRESENTATIVE, AS REQUIRED TO VERIFY EXACT LOCATIONS AND DEPTHS WITHIN THE LIMIT OF DISTURBANCE. ALL DISCREPANCIES BETWEEN INFORMATION SHOWN ON THE DRAWINGS AND THAT VERIFIED IN THE FIELD SHALL BE REPORTED TO THE OWNER'S REPRESENTATIVE PRIOR TO BEGINNING WORK.



FONT: CHALET NEW YORK NINETEEN SEVENTY

1 E-AN ADDRESS NUMBERS — NOT TO SCALE — SIGN AREA = 1.426 SF



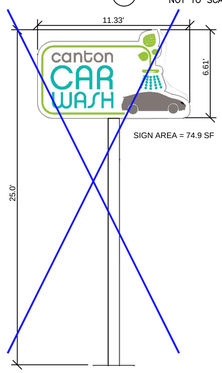
ENTERPRISE
E-FL-1-4.5 SIGN — NOT TO SCALE — SIGN AREA = 66.0 SF

2



ENTERPRISE
E-FL-1-6 SIGN — NOT TO SCALE — SIGN AREA =149.9 SF

3



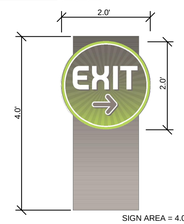
SIGN AREA = 74.9 SF

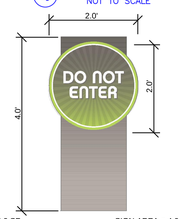


SIGN AREA = 36 SF

ENTERPRISE
E-P SIGN — NOT TO SCALE

4

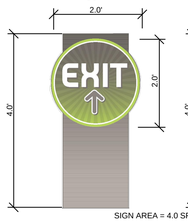


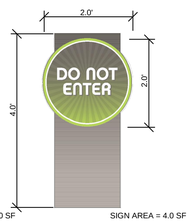


SIGN AREA = 4.0 SF SIGN AREA = 4.0 SF

DIRECTIONAL
W-D-2 AR / 4 SIGN — NOT TO SCALE

5





SIGN AREA = 4.0 SF SIGN AREA = 4.0 SF

DIRECTIONAL
W-D-2 AS / 4 SIGN — NOT TO SCALE

6

PROFESSIONAL CERTIFICATION

I HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME, AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MARYLAND, LICENSE NO. 38291, EXPIRATION DATE: 01/13/2024.

DATUM

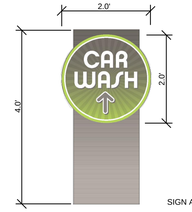
DESIGN & DRAWING BASED ON MARYLAND COORDINATE SYSTEM (MCS): HORIZONTAL NAD 83 (2011) VERTICAL NAVD 88

DEVELOPER

TOWSON ~~YORK~~ CAR WASH LLC
c/o CANTON CAR WASH
10051 FRANKLIN SQUARE DRIVE
NOTTINGHAM, MARYLAND 21236
PHONE: (908) 528-0009
ATTN: THOMAS DEBACCO

OWNER

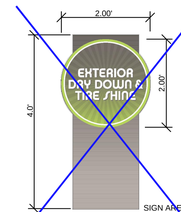
GLEN G. AND WAYNE G. BERGER
1020-1024 YORK ROAD
TOWSON, MARYLAND 21204



SIGN AREA = 4.0 SF

DIRECTIONAL
W-S-1 AS SIGN — NOT TO SCALE

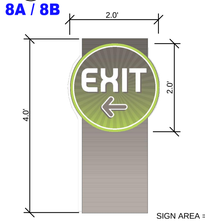
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SIGN AREA = 4.0 SF

ENTERPRISE
W-S-12 SIGN — NOT TO SCALE

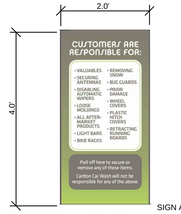
8
8A / 8B



SIGN AREA = 4.0 SF

DIRECTIONAL
W-S-2 AL SIGN — NOT TO SCALE

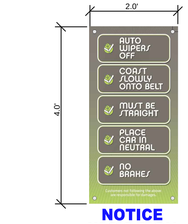
8 9



SIGN AREA = 8.0 SF

NOTICE
W-S-6 SIGN — NOT TO SCALE

9 10



SIGN AREA = 8 SF

NOTICE
W-S-9 SIGN — NOT TO SCALE

10 11



SIGN AREA = 18.0 SF

ENTERPRISE
W-S-8 SIGN — NOT TO SCALE

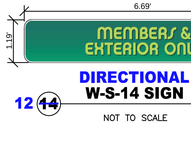
12
12A / 12B



SIGN AREA = 7.96 SF

DIRECTIONAL
W-S-13 SIGN — NOT TO SCALE

11 13



SIGN AREA = 7.96 SF

DIRECTIONAL
W-S-14 SIGN — NOT TO SCALE

12 14



SIGN AREA = 2.77 SF

ENTERPRISE
W-S-11 G SIGN — NOT TO SCALE

15
15 A-F

MORRIS & RITCHIE ASSOCIATES, INC.
ENGINEERS, PLANNERS, SURVEYORS AND LANDSCAPE ARCHITECTS
1220-B EAST JOPPA ROAD, SUITE 400K
TOWSON, MARYLAND 21286
(410) 821-1690
FAX (410) 821-1748
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STATE OF MARYLAND — MICHAEL GRAY COUGHLIN — 38291 — PROFESSIONAL ENGINEER

CANTON CAR WASH
1020-1024 YORK ROAD

SIGNAGE PLAN

5TH COUNCILMANIC DISTRICT BALTIMORE COUNTY, MARYLAND 9TH ELECTION DISTRICT

DATE	REVISIONS
01/03/2023	UPDATED SIGN PER BA CO DEPT OF PLANNING COMMENTS FOR SIGN E-P
	UPDATED OWNER NAME TO BE TOWSON CAR WASH, LLC
01/12/2023	UPDATED SIGNAGE TO PROVIDE TYPE OF SIGN PER COUNTY CODE IN HEADING
05/15/2023	BLUELINE DRAWING – BOA HEARING

JOB NO.:	21837
SCALE:	AS SHOWN
DATE:	12/06/2022
DRAWN BY:	MAS
DESIGN BY:	THS
REVIEW BY:	THS
SHEET:	02 OF 02

PETITIONER'S
EXHIBIT
3 A-F




PETITIONER'S
EXHIBIT
3 B
canton
CAR
WASH
Clearance 7'3"
Clearance 7'3"
canton
CAR
WASH
PLATINUM
GOLD
UNLIMITED WASH
PLATINUM
GOLD
CARNAUBA HOT WAX


PETITIONER'S
EXHIBIT
3C
TIME TO SHINE
PRE-SOAK
TRIPLE FOAM
canton
CAR WASH
PRE-SOAK
TRIPLE FOAM
PLEASE
PULL UP
#KeepitClean


PETITIONER'S
EXHIBIT
3 D


PETITIONER'S
EXHIBIT
3 E
SELF-
SERVE
FREE WITH ANY WASH
CLEAN
TOWELS
DIRTY
TOWELS



PETITIONER'S EXHIBIT
3 F

PETITIONER'S EXHIBIT 4



NORTH

SCALE
3/32"=1-0"

TOWSON CAR WASH
CONCEPT ELEVATIONS
11/09/2022

SCHAMU MACHOWSKI + PATTERSON ARCHITECTS, INC
1100 CATHEDRAL STREET, BALTIMORE, MD 21201
TEL 410-685-3582 WWW.SMP-ARCHITECTS.COM

F. 1982 SM+P ARCHITECTS



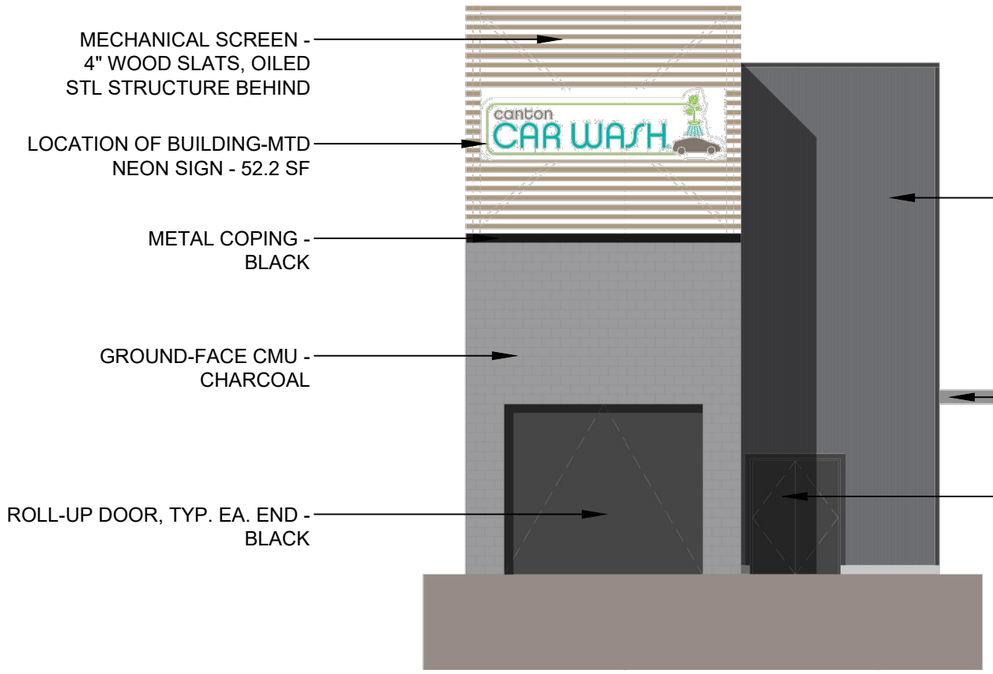
SOUTH

SCALE
3/32"=1-0"

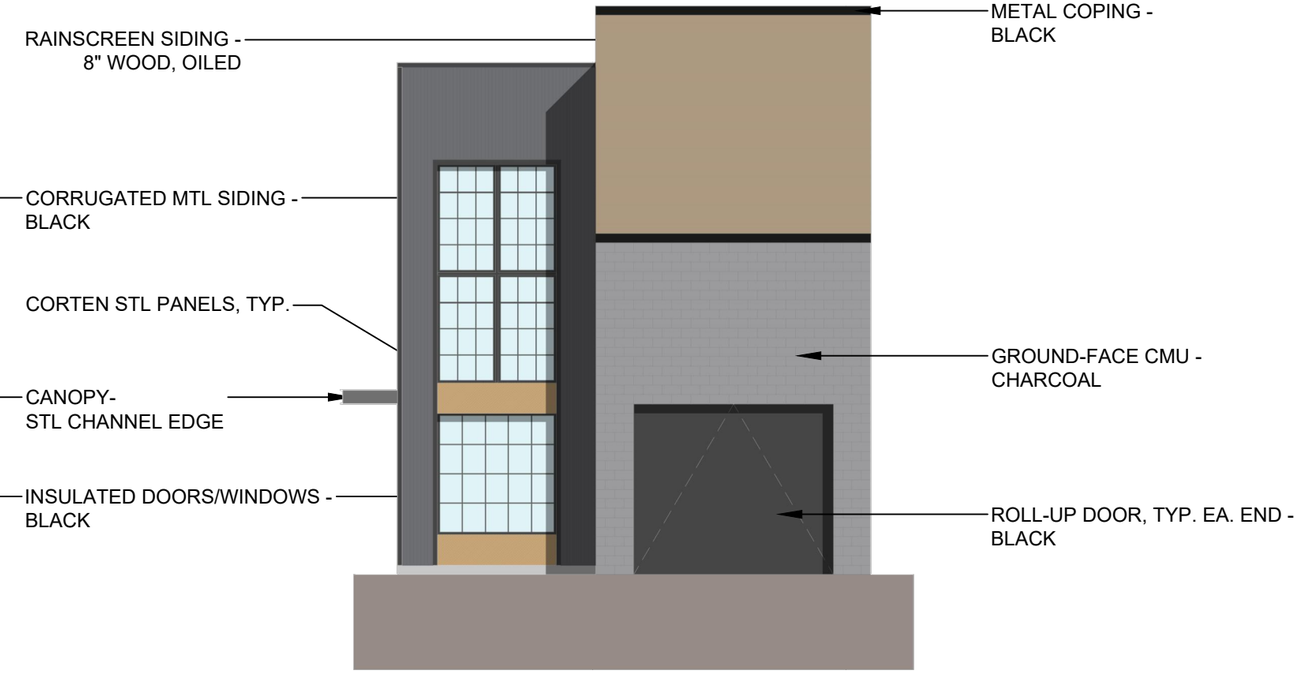
TOWSON CAR WASH
CONCEPT ELEVATIONS
11/09/2022

SCHAMU MACHOWSKI + PATTERSON ARCHITECTS, INC
1100 CATHEDRAL STREET, BALTIMORE, MD 21201
TEL 410-685-3582 WWW.SMP-ARCHITECTS.COM

F. 1982
SM+P
ARCHITECTS



EAST



WEST

SCALE
3/32"=1-0"

TOWSON CAR WASH

CONCEPT ELEVATIONS

11/09/2022

SCHAMU MACHOWSKI + PATTERSON ARCHITECTS, INC
1100 CATHEDRAL STREET, BALTIMORE, MD 21201
TEL 410-685-3582 WWW.SMP-ARCHITECTS.COM

F. 1982
SM+P
ARCHITECTS

PETITIONER'S EXHIBIT 5

THOMAS H. SHECKELLS
Principal

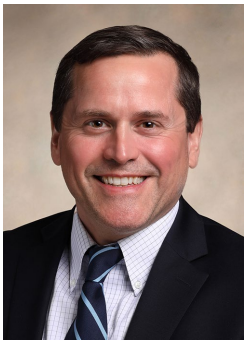
PROJECT ASSIGNMENT:
Civil Engineering & Land Planning Project Manager

YEARS OF EXPERIENCE:
MRA: 20

EDUCATION:
B.S. Geography, Environmental and Urban Planning, Towson University, 2003

QUALIFICATIONS:

2/3/2003 start date



Mr. Sheckells is an Associate with Morris & Ritchie Associates, Inc.'s Towson office. Mr. Sheckells has a comprehensive background in the civil engineering field. He has worked for MRA on a variety of projects located in Anne Arundel County, Baltimore County, Cecil County, Harford County, and Howard County, Maryland; and New Castle, Delaware.

Mr. Sheckells has extensive experience in the design and development of an assortment of site development projects including single-family and townhouse residential communities, multi-tenant neighborhoods, commercial properties, retail centers, hospitality buildings, government projects, fuel service, convenience stores, car washes, restaurants, and telecommunication sites. He has extensive knowledge of the procedures for processing permits and developments through Anne Arundel County, Baltimore County, Howard County, and other jurisdictions.

As an Associate in MRA's Towson office, Mr. Sheckells is responsible for engineering design of development projects, day-to-day preparation of construction documents, and management of client services. He also provides hands on leadership to design teams and coordination with clients, architects, contractors, real estate agents and review agencies to assure quality and timely completion of projects.

Mr. Sheckells has considerable design experience that includes site layout and design, grading, earthwork analysis, storm drain and utility design, hydrology and hydraulic analysis and design, erosion and sediment control design, culvert analysis and design, roadway design and stormwater management design for commercial and industrial lots and residential subdivision projects.

Mr. Sheckells is experienced in developing alternatives analysis to evaluate cost-effective design options and solving design problems with severe site constraints.

Examples of Mr. Sheckells' project experience include:

RESIDENTIAL

The Courts of Hidden Waters - Project Manager and Lead Project Design Engineer for a 24-lot subdivision. This project included design around environmentally sensitive areas to include a stream, wetlands and forest conservation areas. The project included the Baltimore County process from the Development Plan, DPC and through Engineering and Permitting.

Brightview Perry Hall Phases I and II, Baltimore County, Maryland - Project Design Engineer for a multi-phase assisted living facility.

Berkshire Manor, Harford County, Maryland - Project Design Engineer for site layout, storm drain, road network, water and sewer for a 290 residential subdivision that included single family and townhouse lots.

The Reserve at Riverside, Harford County, Maryland - Project Design Engineer for development of an apartment complex that includes 17 multi-story residential buildings and a clubhouse. This project was required to meet HUD specifications, had multiple stream crossings and environmental features (Wetlands, Waters of the US, and forested areas), and included a water booster station.

Cool Springs at Charleston, Cecil County, Maryland - Lead Project Design Engineer for development of 216 single family homes that included site layout, storm drain, roadway, water and sewer, grading, stormwater management, and erosion and sediment control.

Scott Gardens, Cecil County, Maryland - Lead Project Design Engineer for development of 66 single family homes that included site layout, storm drain, roadway, water and sewer, grading, stormwater management, and erosion and sediment control.

STATE HIGHWAY IMPROVEMENTS

Maryland State Highway Road Improvement Projects Along MD Route 7 Corridor, Anne Arundel County, Harford, Baltimore and Cecil County, Maryland - Project Design Engineer for multiple road improvement projects along MD Route 7 corridor located at intersections with Route 136, Route 543 & I-95, Stepney Road, Route 22 & Stepney Road, US Route 40, MD Route 2, and entrance improvements along state routes such as MD 43, Reisterstown Road, and Liberty Road. Improvement projects included road widening, roadway signage, jersey wall and lane assignments, storm drain and culvert design, and involvement in design of offsite areas for development and grading on private property.

COMMERCIAL AND INDUSTRIAL

5217 Campbell Boulevard, Baltimore County, Maryland – Project Manager and Lead Project Design Engineer for a full-service car wash facility for Canton Car Wash. This project was required to be processed through Special Exception with an ALJ Hearing, DRC, and Phase 2 Construction Plans review and approval.

11510 Reisterstown Road, Baltimore County, Maryland - Lead Project Design Engineer for re-development of an existing restaurant to construct a Royal Farms convenience store with fuel service. This project was required to be processed through Special Exception with an ALJ Hearing, DRC, Development Plan and Phase 2 Construction Plans review and approval.

1628-1630 West Joppa Road, Baltimore County, Maryland - Project Manager and Lead Project Design Engineer for engineering design and permitting of a commercial redevelopment site for a Royal Farms convenience store with fuel service. A Special Hearing to permit the redevelopment of a portion of the site in a riverine floodplain was required to be processed.

6430 Baltimore National Pike, Baltimore County, Maryland - Project Manager and Lead Project Design Engineer for engineering design and permitting of a commercial redevelopment site for a Royal Farms convenience store with fuel service. This project was required to be processed through Special Exception with an ALJ Hearing, DRC, Development Plan and Phase 2 Construction Plans review and approval.

9518 Pulaski Highway, Baltimore County, Maryland - Project Manager and Lead Project Design Engineer for engineering design and permitting of a commercial redevelopment site for a Royal Farms convenience store with fuel service. This project was required to be processed through Special Exception with an ALJ Hearing, DRC, Development Plan and Phase 2 Construction Plans review and approval. This project included extensive work along US 40 requiring a SHA Access Permit.

6124 Edmondson Avenue, Baltimore County, Maryland - Project Manager and Lead Project Design Engineer for engineering design and permitting of a commercial redevelopment site for a Royal Farms convenience store with fuel service. This project was required to be processed through Special Exception with an ALJ Hearing, DRC, Development Plan and Phase 2 Construction Plans review and approval. This project was located in a riverine floodplain therefore a Special Hearing application was also filed and processed.

8301 Perry Hall Boulevard, Baltimore County, Maryland - Project Manager and Lead Project Design Engineer for engineering design and permitting of a commercial redevelopment site for a Royal Farms convenience store with fuel service. This project was required to be processed through Special Exception with an ALJ Hearing, DRC, Development Plan and Phase 2 Construction Plans review and approval. This project was located in a riverine floodplain, therefore, a Special Hearing application was also filed and processed.

7501 Pulaski Highway - Project Manager and Lead Project Design Engineer for engineering design and permitting of a commercial redevelopment site for a Wawa convenience store with fuel service. This project was required to be processed through Special Exception with an ALJ Hearing, DRC, Development Plan and Phase 2 Construction Plans review and approval.

9940 York Road, Baltimore County, Maryland - Project Manager for engineering design and permitting of a commercial redevelopment site to remove an existing bank and to construct a Starbucks Restaurant. A parking variance was required to be processed for this project.

6900 York Road, Baltimore County, Maryland - Project Manager for engineering design and permitting of a commercial redevelopment site to remove an existing bank and to construct a Starbucks Restaurant.

Merritt Park Shopping Center, Baltimore County, Maryland - Lead Project Design Engineer for redevelopment of a shopping center in Dundalk. This included development of the existing strip mall, 5 new pad sites, MD Route 157 SHA Improvements, working with another consulting engineering firm to develop a Rite Aid and Chilis pad site, as well as acting as Project Manager for a Texas Roadhouse.

9107-9201 Yellow Brick Road, Baltimore County, Maryland - Project Manager for engineering design and permitting of a warehouse redevelopment site for

North Plaza Shopping Center, Baltimore County, Maryland - Project Manager for Sign Variance Case for the existing shopping center proposed and existing signage.

3 Talbott Avenue, Baltimore County, Maryland - Project Manager and provided testimony for a Sign Variance Case for the existing building and proposed signage for a new tenant and owner.

Church of the Nativity, Baltimore County, Maryland - Project Manager and provided testimony for a Sign Variance Case for the existing Church and proposed signage.

Valvoline Instant Oil Change, Anne Arundel County, Maryland - Project Manager for engineering design and permitting of a commercial redevelopment site to remove an existing bank and to construct an automobile service shop.

7305 Ritchie Highway, Anne Arundel County, Maryland - Project Manager for engineering design and permitting for redevelopment of the Glen Burnie Shopping Center for a new Bubba's Restaurant (7,800 SF).

517 Ritchie Highway, Anne Arundel County, Maryland - Project Manager and Lead Project Design Engineer for engineering and permitting of a commercial redevelopment site for a Royal Farms Store. This included a special exception and variance for the use in combination of a convenience store and fuel service station.

Magothy Gateway Shopping Center, Anne Arundel County, Maryland - Project Manager and Lead Design Engineer for engineering and permitting of a commercial redevelopment site that included a Harris Teeter, CVS, Sun Trust Bank and 117,000 SF of retail space. The site included the 3-step process as well processing a SHA Access Permit and Road Widening along MD Route 2, forest conservation and a downstream stormwater runoff analysis.

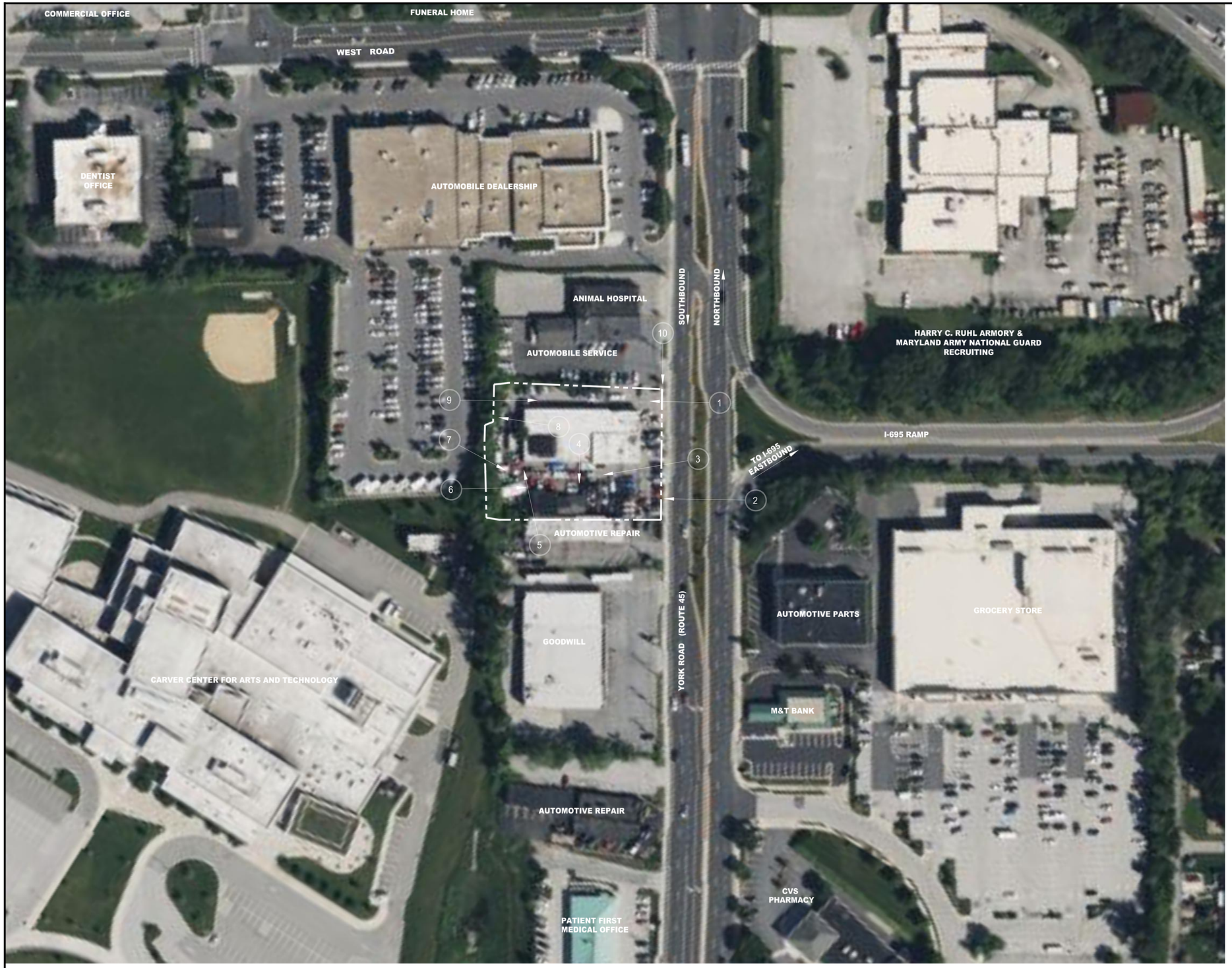
Popeyes Restaurant at Columbia, Howard County, Maryland - Project Manager and Lead Design Engineer for engineering and permitting of a commercial redevelopment site that included a Popeyes Restaurant within an existing shopping center.

8106 Stayton Drive, Howard County, Maryland - Project Manager and Lead Project Design Engineer for engineering and permitting of a commercial redevelopment site that includes a warehouse expansion of 40,000 SF.

7080 and 7084 Minstrel Way, Howard County, Maryland - Project Manager and Lead Project Design Engineer for re-development of a site to include multiple users Canton Car Wash and Royal Farms. This project was required to be processed through the Howard County Planning Board as well as the Howard County development and permit process.

7090 Deepage Drive, Howard County, Maryland - Project Manager and Lead Project Design Engineer for re-development of a shopping center to propose a Starbucks drive through. This project was required to be processed through the Howard County Planning Board as well as the Howard County development and permit process.

Northrop Grumman Corporation, Multiple Locations, Maryland - Project Manager and Lead Project Design Engineer for industrial redevelopment projects within multiple jurisdictions in the state of Maryland.

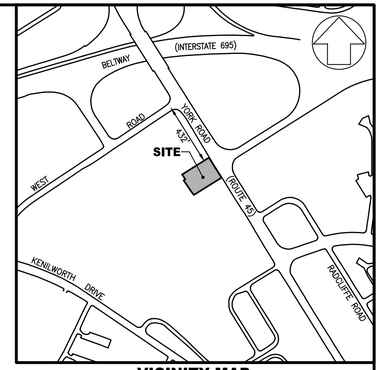


PLAN

SCALE: 1" = 60'

60 0 60 120





VICINITY MAP

SCALE : 1" = 500'

BENCHMARKS

BCO 1151 — N 635729.49, E 1421415.68
ELEV. 402.11
SPIKE IN SIDEWALK NORTH OF WEST RD.

BCO 972 — N 633768.61, E 1423193.18
ELEV. 413.79
CAPPED BAR IN ISLAND SOUTH OF BOSLEY AVE.

PETITIONER'S EXHIBIT 6

GENERAL NOTE

THE CORRECTNESS OR COMPLETENESS OF EXISTING INFORMATION SHOWN ON THE DRAWINGS IS NOT WARRANTED OR GUARANTEED. THE CONTRACTOR SHALL VERIFY THE LOCATION OF UTILITIES AND UNDERGROUND FACILITIES, BY TEST PITS OR OTHER METHODS APPROVED BY THE OWNER'S REPRESENTATIVE, AS REQUIRED TO VERIFY EXACT LOCATIONS AND DEPTHS WITHIN THE LIMIT OF DISTURBANCE. ALL DISCREPANCIES BETWEEN INFORMATION SHOWN ON THE DRAWINGS AND THAT VERIFIED IN THE FIELD SHALL BE REPORTED TO THE OWNER'S REPRESENTATIVE PRIOR TO BEGINNING WORK.

DATUM

DESIGN & DRAWING BASED ON MARYLAND COORDINATE SYSTEM (MCS):
HORIZONTAL NAD 83 (2011)
VERTICAL NAVD 88

DEVELOPER

TOWSON CAR WASH LLC
c/o CANTON CAR WASH
10051 FRANKLIN SQUARE DRIVE
NOTTINGHAM, MARYLAND 21236
PHONE: (908) 528-0009
ATTN: THOMAS DEBACCO

OWNER

GLEN G. AND WAYNE G. BERGER
1020-1024 YORK ROAD
TOWSON, MARYLAND 21204

MORRIS & RITCHIE ASSOCIATES, INC.
ENGINEERS, PLANNERS, SURVEYORS AND LANDSCAPE ARCHITECTS
1220-B EAST JOPPA ROAD, SUITE 400K
TOWSON, MARYLAND 21286
(410) 821-1690
FAX (410) 821-1748
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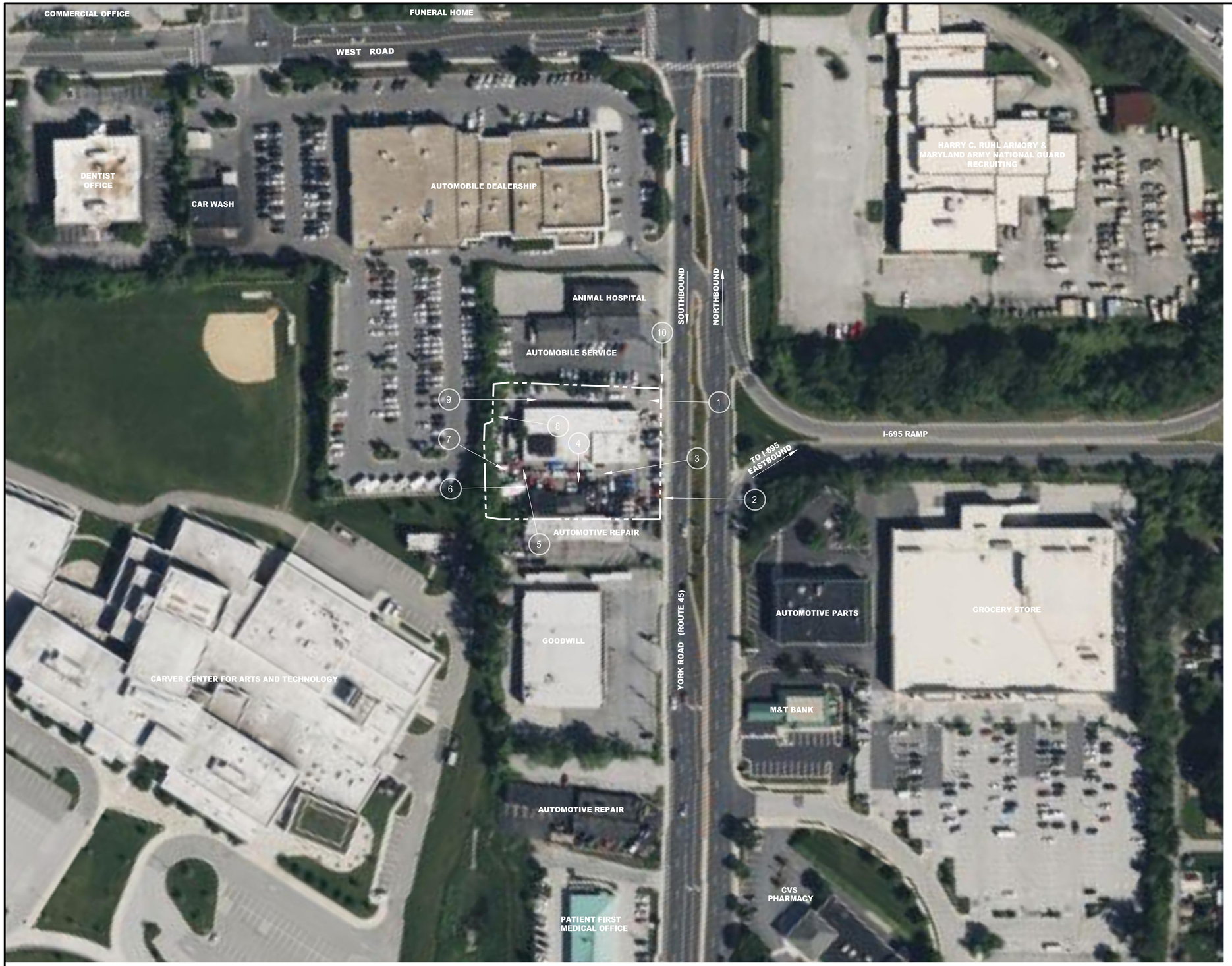
CANTON CAR WASH

1020–1024 YORK ROAD

AERIAL EXHIBIT

5TH COUNCILMANIC DISTRICT BALTIMORE COUNTY, MARYLAND 9TH ELECTION DISTRICT

DATE	REVISIONS		
		JOB NO.:	21837
		SCALE:	AS SHOWN
		DATE:	1/12/2023
		DRAWN BY:	MAS
		DESIGN BY:	THS
		REVIEW BY:	THS
		SHEET:	01 OF 01



PLAN

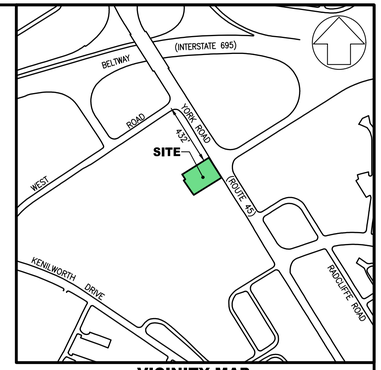
SCALE: 1" = 60'

60 0 60 120

GENERAL NOTE

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VICINITY MAP

SCALE : 1" = 500'

BENCHMARKS

BCO 1151 N 635729.49
ELEV. 402.11 E 1421415.68
SPIKE IN SIDEWALK NORTH OF WEST RD.

BCO 972 N 633768.61
ELEV. 413.79 E 1423193.18
CAPPED BAR IN ISLAND SOUTH OF BOSLEY AVE.

PETITIONER'S EXHIBIT

7

DATUM

DESIGN & DRAWING BASED ON MARYLAND COORDINATE SYSTEM (MCS):
HORIZONTAL NAD 83 (2011)
VERTICAL NAVD 88

DEVELOPER

TOWSON CAR WASH LLC
c/o CANTON CAR WASH
10051 FRANKLIN SQUARE DRIVE
NOTTINGHAM, MARYLAND 21236
PHONE: (908) 528-0009
ATTN: THOMAS DEBACCO

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CANTON CAR WASH
1020-1024 YORK ROAD

AERIAL EXHIBIT

5TH COUNCILMANIC DISTRICT BALTIMORE COUNTY, MARYLAND 9TH ELECTION DISTRICT

DATE	REVISIONS		
		JOB NO.:	21837
		SCALE:	AS SHOWN
		DATE:	1/12/2023
		DRAWN BY:	MAS
		DESIGN BY:	THS
		REVIEW BY:	THS
		SHEET:	01 OF 01

Photo 1



Photo 2



Photo 3



Photo 4



Photo 5



Photo 6



Photo 7



Photo 8 (2 views)



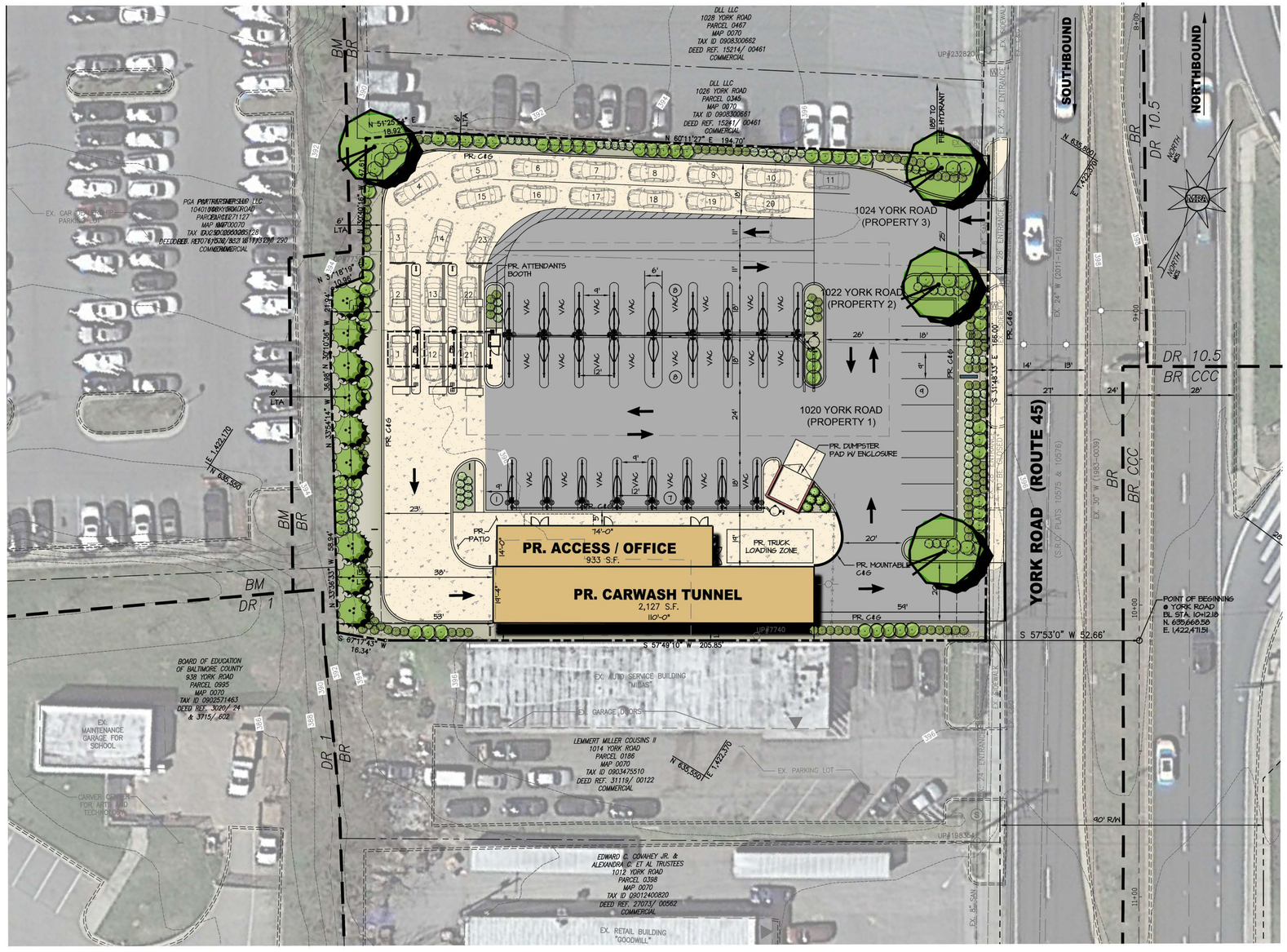


Photo 9



Photo 10


STAR
AUTO SERVICE
CARS
410-296-2800
towson
Economy Auto Rental
TAS
THE AUTO
SERVICE
410-938-8438
DOMESTIC . IMPORTS . EUROPEAN
Continental
GENERAL TIRE



PLAN
SCALE: 1" = 20'

MORRIS & RITCHIE ASSOCIATES, INC.
ENGINEERS, ARCHITECTS, PLANNERS, SURVEYORS,
AND LANDSCAPE ARCHITECTS

0 10 20 40 60

CANTON CAR WASH
RENDERING
(SCALE 1" = 20')

PETITIONER'S EXHIBIT 9

J. Mark Keeley, PTP

Project Manager/ Traffic Impact Studies

PROJECT ROLE
Lead Transportation Planner

Summary of Professional Skills:

Skills:

Traffic Operations Analysis
Traffic Impact Studies
Intersection Analysis
Transportation Planning Studies
Transportation Management Studies
Speed & Sight Distance Studies
Intersection Delay Studies
Parking Studies
Trip Generation Analyses

Computer software Packages: Microsoft software packages, TP +, MINUTP, Highway Capacity Software (HCS), SIDRA, Critical Lane Volume Analysis



Education
M.A. Geography/Planning
Towson University, 1993

B.A Salisbury University, 1987

Professional Registrations
Professional Transportation Planner (PTP) 2008 – Current

AICP, 2006 to 2010

YEARS EMPLOYED AS TANSPORTATION PLANNER
29

Professional Experience:

Traffic Concepts, Inc
7525 Connelley Drive, Suite B Hanover, Maryland 21076
Contact Number: 410-760-2911
Project Manager/Transportation Planner, July 2005 – Present

- Project Manager for Traffic Impact Studies Division;
- Develop price proposals and budgets for Traffic Impact Studies;
- Provide expert testimony at public hearings;
- Develop Master Planning Studies, Traffic Impact Studies, and Parking Studies for private and public sector clients;
- Address technical comments received from reviewing agencies and provide traffic mitigation strategies and solutions for clients;
- Represent clients at project Scoping Meetings, Planning Commission Meetings, Board of Appeals Hearings, and Community Meetings.

QUEEN ANNE'S COUNTY DEPARTMENT OF PUBLIC WORKS / DEPARTMENT OF PLANNING & ZONING
110 Vincit St #104, Centreville, MD 21617
Transportation/Land Use Planner IV, September 2002 – July 2005

- Managed the County Adequate Public Facilities Ordinance (Roads);
- Provided staff support to the Planning Commission and County Council;
- Review Traffic Impact Studies & recommended APFO mitigation measure requirements;
- Reviewed major and minor subdivision/site plans for compliance with the County's Zoning Ordinance and the Comprehensive Plan;
- Generated technical subdivision/site plan comments and present findings at County Council and Planning Commission Meetings;
- Initiated and directed general and specialized land use studies, which included vacant land inventories, site impact analysis, and transportation corridor studies;
- Appointed liaison to Federal and State Agencies for Maryland's Smart Growth initiatives and the Federal Clean Air Act Amendment (Air Quality Conformity).

J. Mark Keeley, PTP

Project Manager/ Traffic Impact Studies

PROJECT ROLE
Lead Transportation Planner

HARFORD COUNTY DEPARTMENT OF PLANNING AND ZONING
220 South Main Street Bel Air, Maryland 21014
Administrator, Office of Transportation, July 1999 – September 2002

- Developed the 2000 Transportation Plan, An Element of the Harford County Master Plan;
- Reviewed Traffic Impact Studies and recommended traffic mitigation measures;
- Initiated and directed planning studies relating to land use and transportation planning, which included computer modeling, transit planning, and traffic impact analysis;
- Managed the County Traffic Count Program;
- Managed the County Rideshare Program;
- Developed the Unified Planning Work Program;
- Developed the Transportation Improvement Program (TIP);
- Baltimore Metropolitan Council's Transportation Technical Committee Member;
- Baltimore Metropolitan Council's Bicycle and Pedestrian Advisory Group Member;
- Baltimore Metropolitan Council's Travel Analysis Advisory Group Member.

HARFORD COUNTY DEPARTMENT OF PLANNING AND ZONING
220 South Main Street Bel Air, Maryland 21014
Transportation Planner I & II, September 1993 – July 1999

- Planner assigned to the Edgewood Community Planning Council;
- Conducted transit-planning studies and rider-ship surveys for Harford Transit;
- Coordinated with the Harford Transit to develop new rural transit routes;
- Organized a Bicycle and Pedestrian Task Force to select bicycle routes;
- Managed the Commuter Assistance Grant for MTA;
- Developed a Regional Employees Commuter Option (ECO) Program for both the public sector and private sector businesses as mandated by the MDE;
- Prepared and reviewed Traffic Impact Studies for the County;
- Managed the Regional Travel Demand Model;
- Performed intersection analysis and recommended traffic mitigation measures.

Master Plan Writings:

- Co-author: 2000 Transportation Plan, Element of the Harford County Master Plan

Expert Witness Experience:

Baltimore County, MD
Carroll County, MD
Harford County, MD
Queen Anne's County, MD
Montgomery County, MD
City of Easton, MD
City of Elkton, MD
City of Salisbury, MD
Town of Centreville, MD
City of Frederick, MD
Howard County, MD
Town of Bel Air, MD
Town of Denton, MD
Westminster, MD

EDUCATION:

TOWSON UNIVERSITY
M.A. Degree - Geography and Planning, 1993

SALISBURY UNIVERSITY
B.A. Degree - Political Science, 1987

MT. ST. JOSEPH HIGH SCHOOL 4403 Frederick Ave., Baltimore, MD 21229
Graduated 1983

EXHIBIT

tabbies

10



TRAFFIC IMPACT STUDY

CANTON CAR WASH

BALTIMORE COUNTY, MARYLAND

MARCH 16, 2023

Revised: April 25, 2023

PREPARED FOR:

MORRIS & RITCHIE ASSOCIATES, INC.

PREPARED BY:

TRAFFIC CONCEPTS, INC.

7525 CONNELLEY DRIVE

SUITE B

HANOVER, MARYLAND 21076

(410) 760-2911

www.traffic-concepts.com

TC #3954

TABLE OF CONTENTS

PAGE

EXECUTIVE SUMMARY 1

INTRODUCTION 2

EXHIBIT 1 SITE LOCATION

EXHIBIT 2 LANE CONFIGURATION

EXISTING CONDITION 6

EXHIBIT 3A EXISTING TRAFFIC VOLUMES – WEEKDAY & SAT
EXHIBIT 3B EXISTING TRAFFIC VOLUMES – WEEKDAY MIDDAY

BACKGROUND CONDITION 9

FUTURE CONDITION 10

EXHIBIT 4A SITE GENERATED TRAFFIC – NEW TRIPS (WEEKDAY & SAT)
EXHIBIT 4B SITE GENERATED TRAFFIC – NEW TRIPS (WEEKDAY MIDDAY)

EXHIBIT 5A TOTAL FUTURE TRAFFIC VOLUMES (WEEKDAY & SAT)
EXHIBIT 5B TOTAL FUTURE TRAFFIC VOLUMES (WEEKDAY MIDDAY)

PLANNED OPERATIONS 15

INTERSECTION CAPACITY ANALYSIS 16

CONCLUSIONS AND RECOMMENDATIONS 18

APPENDICES

APPENDIX I INTERSECTION CAPACITY ANALYSES
- IA – CLV CALCULATIONS
- IB – HCM UNSIGNALIZED REPORTS

APPENDIX II TRAFFIC COUNT DATA
APPENDIX III SITE PLAN & TRIP DATA

EXECUTIVE SUMMARY

Traffic Concepts, Inc. conducted a traffic impact study for the proposed Canton Car Wash business. The project will redevelop the 1020 York Road site that currently contains a 11,800 s.f. commercial car care business that operates from two buildings. The buildings will be razed and replaced with the car wash facility.

Project Description: The proposed project includes a 2,127 sf car wash (single) tunnel and a 933 sf office/storage area. The total building gross floor area is 3,060 s.f. Additionally, the planned development will provide an area for outdoor wash/cleaning service.

Scope of Services: The key intersections listed below define the study area.

- MD 45 (York Road) @ West Road (Signalized)
- MD 45 (York Road) @ Fairmount Ave/Carver Center (Signalized)
- MD 45 (York Road) @ Site Accesses (2) (Unsignalized)

Analysis Methodology: The traffic study is comprised of an Existing, Background, and Future traffic condition. The key intersections were analyzed under each traffic condition, which is explained by the following formula:

Total Future Traffic = *(**Existing Condition** – current intersection turning movement volumes + **Background Condition** - 0% Growth Rate compounded over 1 year + pipeline development traffic + **Future Condition** - site generated traffic)*

All key intersections were analyzed with the Critical Lane Volume (CLV) methodology. Unsignalized key intersections were also analyzed with the Highway Capacity Manual software (HCM).

New Site Generated (Peak Hour) Trips: The new site generated peak hour trips listed below were generated with land use data contained in the *Institute of Transportation Engineers, Trip Generation Manual 11th Edition*.

Automated Car Wash	AM		PM		SAT		MID	
ITE Land Use Code 948*	IN	OUT	IN	OUT	IN	OUT	IN	OUT
3.060 ksf	22	21	22	21	46	47	46	47

* Since ITE does not provide AM or weekday midday peak hour rates, the PM peak hour rates were used to generate the AM peak hour trips and the SAT peak hour rates were used to generate the weekday midday peak hour trips.

Site Access: The existing commercial car care business site includes two (2) right-in/right-out movements directly onto MD 45 (York Road). The site plan for the proposed car wash shows an improve site access configuration that would eliminate the existing two (2) right-in/right-out access points and would create one (1) right-in/right-out access (north) and one (1) right-out only access (south). Therefore, the site is planned with one inbound movement that creates a directional traffic flow that improves the on-site circulation.

CONCLUSION: At the future build-out condition, the CLV and HCM analyses determined that all key intersections would continue to operate at adequate overall level of service standards of "D" or better. Based on the traffic study results, we recommend that this development be approved from a traffic impact standpoint.



INTRODUCTION

INTRODUCTION

Traffic Concepts, Inc. has prepared a traffic impact study for the Canton Car Wash business to be located at 1020 York Road, Towson MD. The property is situated along the west side of MD 45 (York Road). The site's location is depicted on Exhibit 1.

Existing Use & Access

Currently, the development site contains an 11,800 s.f. commercial car care business that operates from two buildings. The car care services associated with the current use include mechanical auto repair, auto painting, and a small auto sales component. The site currently has two right-in / right-out access points to York Road. However, in order to create a conservative analysis, this analysis considers the site vacant.

Project Description & Access

The developer will redevelop the site by razing the existing buildings and constructing a 2,127 s.f. car wash (single) tunnel and a 933 sf office/storage area. The total building gross floor area is 3,060 s.f. Additionally, the planned development will provide an area for outdoor wash/cleaning service.

The developer will also modify the existing commercial access points that includes two (2) right-in/right-out movements directly onto MD 45 (York Road). The site plan for the proposed car wash shows an improve site access configuration that would create one (1) right-in/right-out access (north) and one (1) right-out only access (south). Therefore, the site is planned with one inbound movement that creates a directional traffic flow that improves the on-site circulation. The site plan is included in Appendix III.

Key Intersections

- MD 45 (York Road) @ West Road (Signalized)
- MD 45 (York Road) @ Fairmount Ave/Carver Center (Signalized)
- MD 45 (York Road) @ Site Accesses (2) (Unsignalized)

Study Methodology

The key intersections were analyzed during the weekday morning (7:00 AM – 9:00 AM), evening (4:00 PM – 6:00 PM), and midday (11:00 AM – 2:00 PM) peak hours and during the Saturday (11:00 AM – 2:00 PM) midday peak hour time period.

The study was conducted in three traffic conditions that include the existing, background, and future intersection turning movement volumes. The total future traffic volumes are described with the following formula:

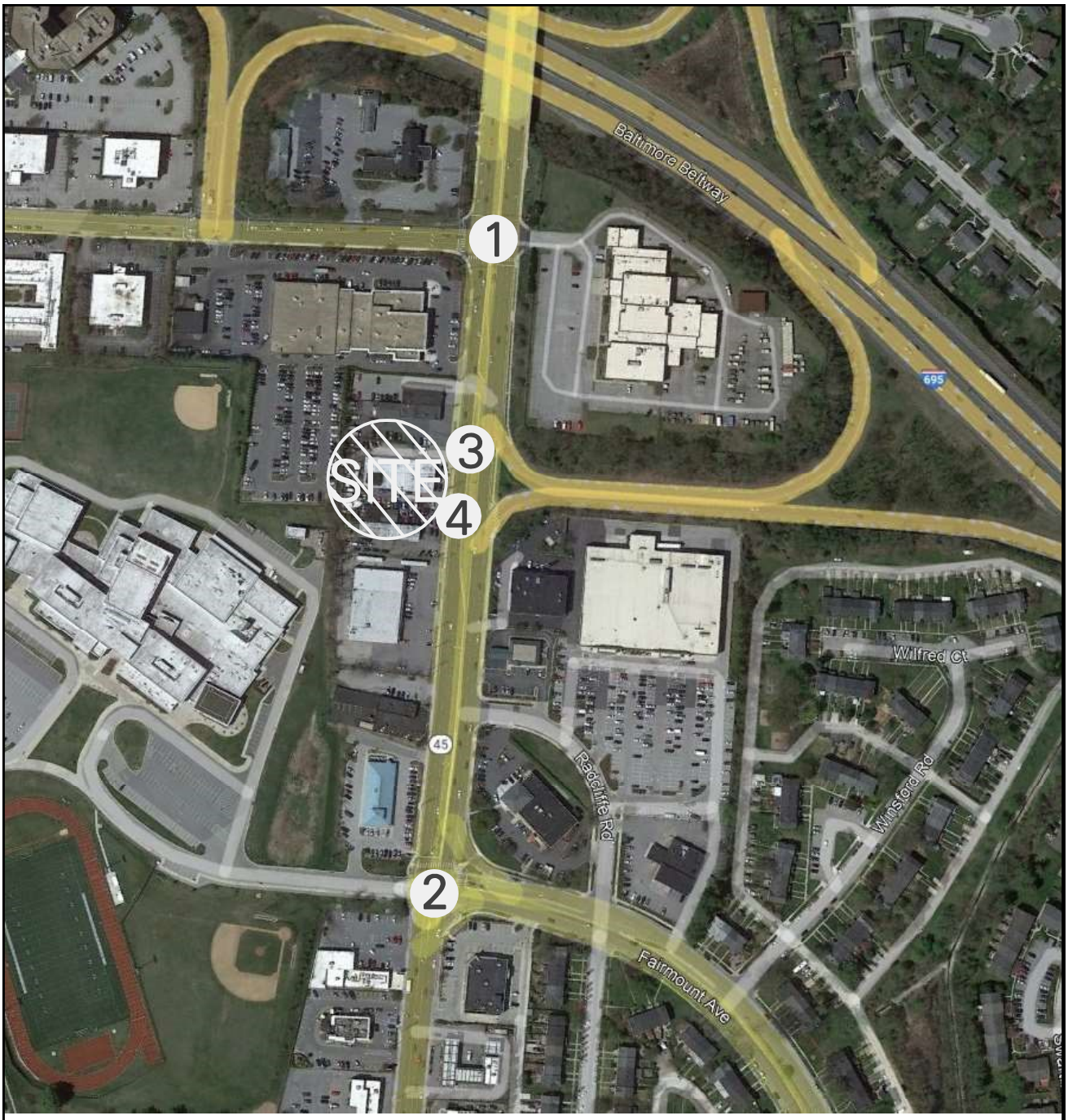
Total Future Traffic = (Existing Traffic + Growth in Existing Traffic + Approved Development Traffic + Site Generated Traffic)

Analysis Methodology

The intersection capacity analysis methodologies include the following: The *Critical Lane Volume (CLV)* method was used to analyze all key intersections. *The Highway Capacity Manual (HCM)* method was used to provide further analysis at the unsignalized key intersections. Exhibit 2 shows the existing and the proposed lane use configurations that were analyzed.

Trip Generation

The new site generated trips were determined with data contained in the *Institute of Transportation Engineers', Trip Generation Manual, 11th Edition (ITE Manual).*

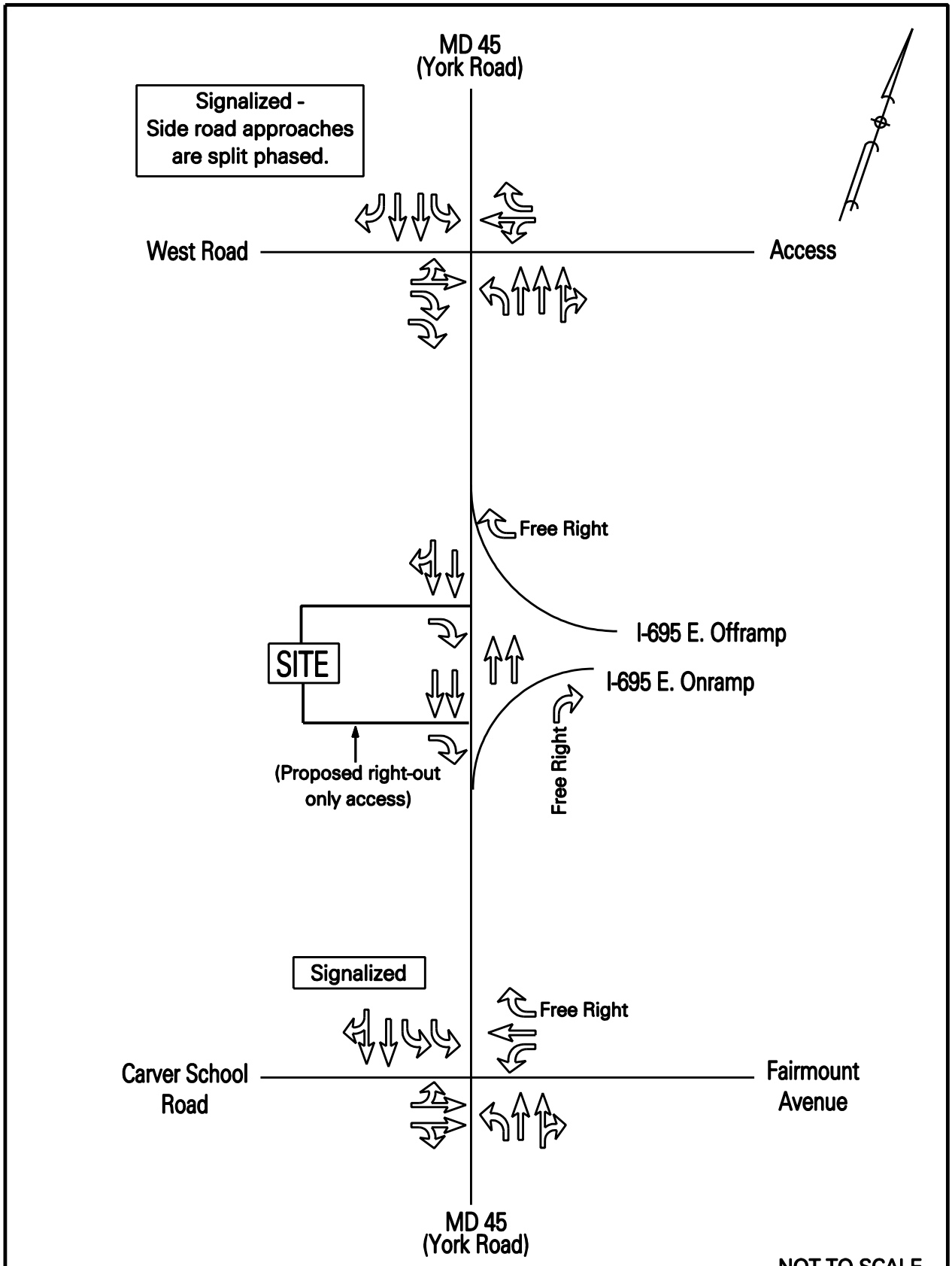


Key Intersections:

1. MD 45 (York Road) @ West Road
2. MD 45 (York Road) @ Fairmount Ave/Carver Center
3. MD 45 (York Road) @ North Site Access
4. MD 45 (York Road) @ South Site Access

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Suite B
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410-760-2911

EXHIBIT 1
Lane Configuration



TRAFFIC CONCEPTS, INC.
7525 Connellley Drive
Suite B
Hanover, Maryland 21076
410-760-2911

EXHIBIT 2
Lane Configuration



EXISTING CONDITION

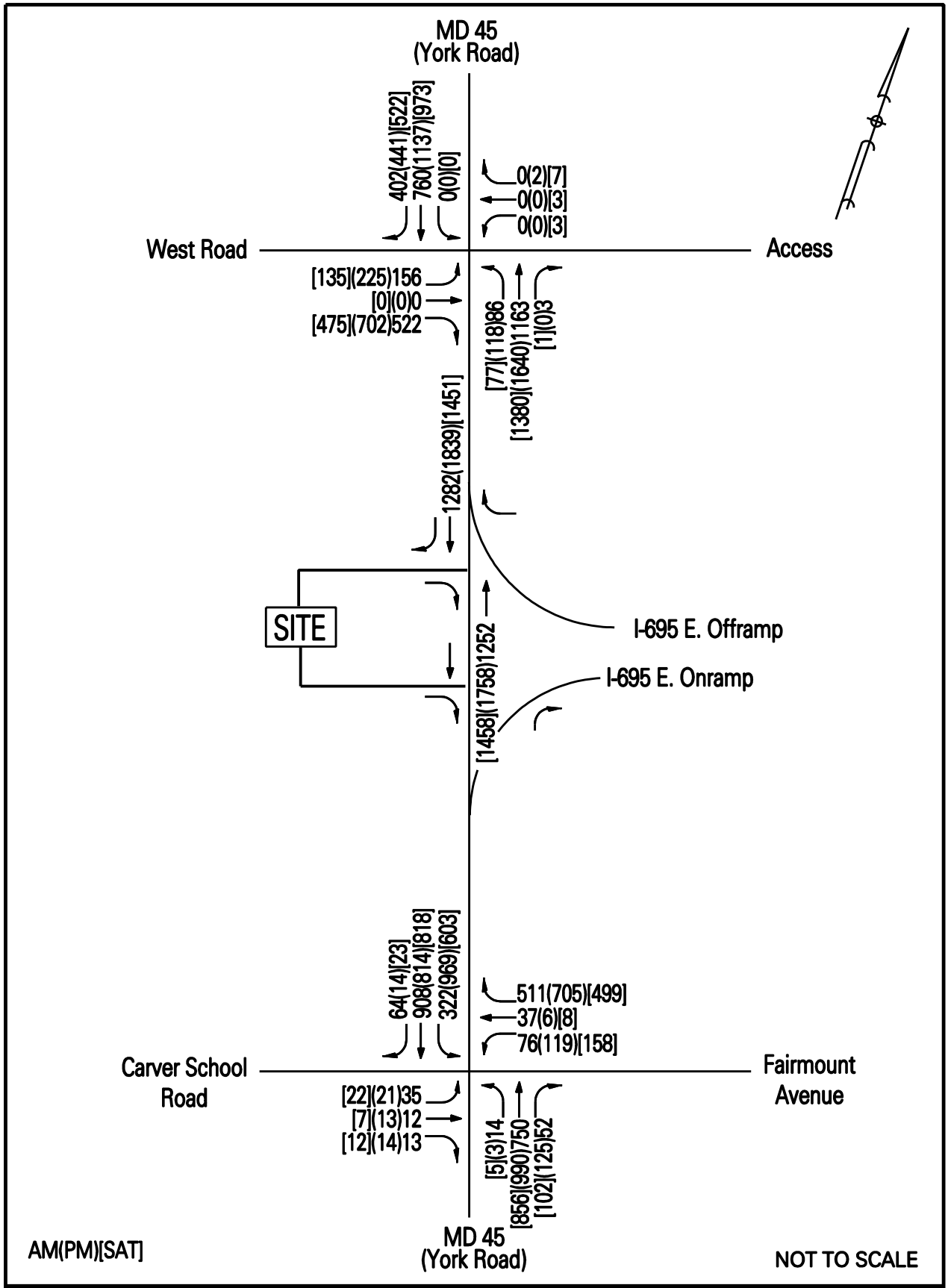
EXISTING CONDITION

The existing traffic condition establishes the baseline intersection levels of service at the key intersections. The intersection turning movement counts were conducted on December 17, 2022 and December 21, 2022 when schools were in session. The weekday midday counts were conducted on March 30, 2023.

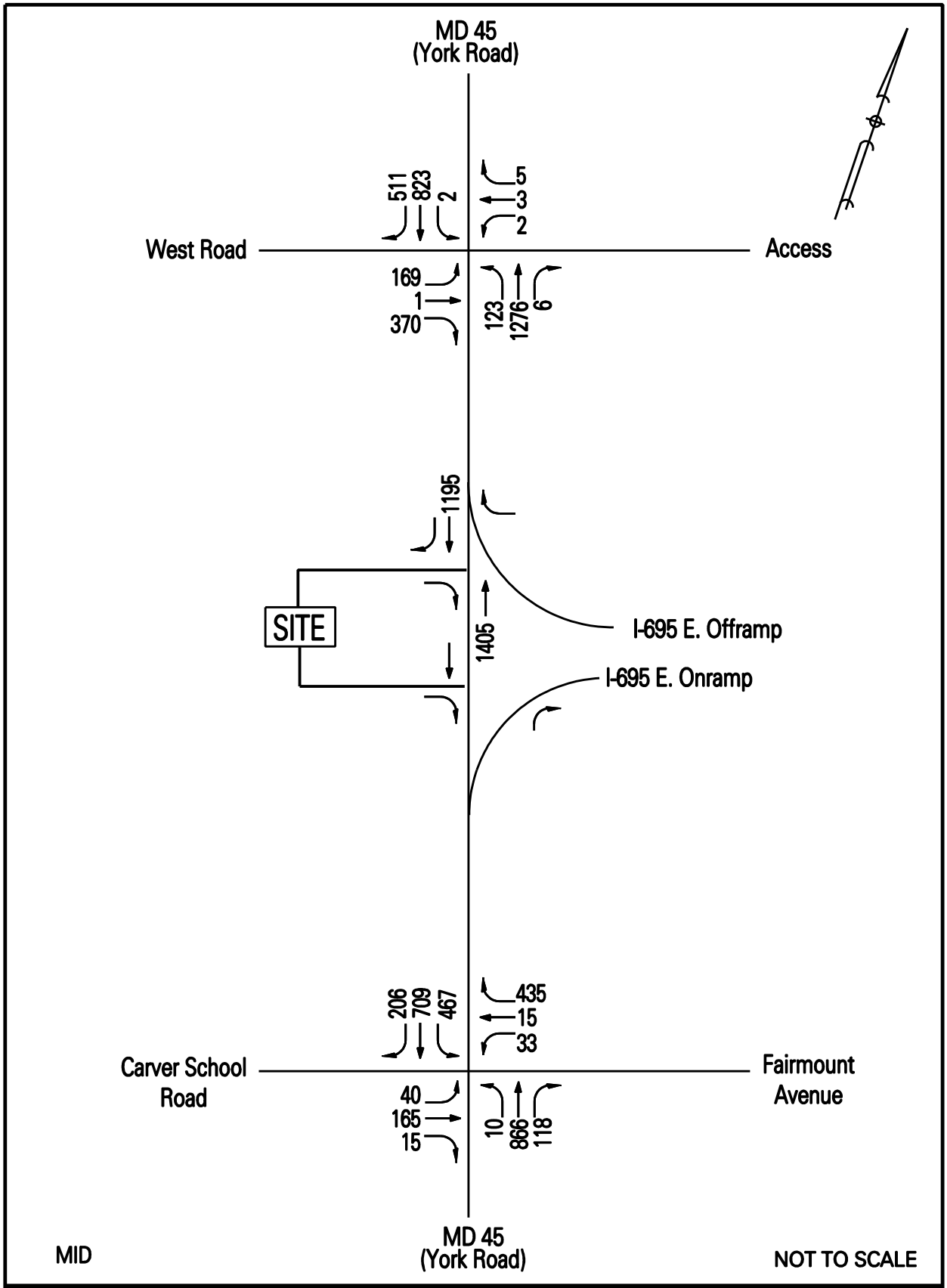
The weekday AM, PM, and Saturday midday peak hour traffic volumes are displayed on Exhibit 3A and the weekday midday peak hour volumes are shown on Exhibit 3B. The existing intersection counts are included in Appendix II.

Key Intersections

- MD 45 (York Road) @ West Road (Signalized)
- MD 45 (York Road) @ Fairmount Ave/Carver Center (Signalized)
- MD 45 (York Road) @ Site Accesses (2) (Unsignalized)



TRAFFIC CONCEPTS, INC. 7525 Connellley Drive Suite B Hanover, Maryland 21076 410-760-2911	EXHIBIT 3A Existing Traffic Volumes (Weekday & Saturday)



TRAFFIC CONCEPTS, INC. 7525 Connellley Drive Suite B Hanover, Maryland 21076 410-760-2911	EXHIBIT 3B Existing Traffic Volumes (Weekday Midday)



BACKGROUND CONDITION

BACKGROUND CONDITION

The background condition evaluates the key intersections using the existing intersection volumes, a growth rate, and peak hour trips generated by background or “pipeline” development projects.

Background Developments

Background developments are provided by Baltimore County and are defined as any project that has received plan approval and was not constructed or is currently only partially constructed. The County background development search did not reveal any nearby developments that would impact the stated key intersections.

Growth Rates

The historical traffic data published by MDOT SHA and available on the MDOT SHA I-TMS web page shows no appreciable traffic growth trends along the MD 45 corridor between 2017 and 2021. Therefore, a growth rate was not applied to the existing traffic volumes. We note the anticipated project build-out is one-year.



FUTURE CONDITION

FUTURE CONDITION

The future trips were conservatively calculated by including the entire proposed building gross floor area that includes the single car wash tunnel and the office/storage area, which equals 3,060 sf. We note the single car wash tunnel is only 2,127 sf. The planned car wash is most closely represented by the "automated car wash" (ITE LUC 948), as described below[1].

> *"An automated car wash is a facility that allows for the mechanical cleaning of the exterior of vehicles. Manual cleaning services may also be available at these facilities."* The proposed automated car wash facility meets this definition, as manual cleaning stations are proposed in addition to the automated car wash tunnel.

PROPOSED USE Automated Car Wash (ITE LUC 948)
Independent Variable: 1000 S.F. GFA (2.127 sf car wash tunnel + 933 sf Office/Storage Area) = 3.060 S.F. GFA

Time Period: Weekday (4PM and 6 PM)
Average Rate: 14.20 x 3.060
Fitted Curve Equation: Not Given
Calculated Trip Ends: Average Rate: 43(Total), 22 (Entry), 21 (Exit)

Time Period: Saturday Peak Hour of Generator
Average Rate: 30.40 x 3.060
Fitted Curve Equation: Not Given
Calculated Trip Ends: Average Rate: 93 (Total), 46 (Entry), 47 (Exit)

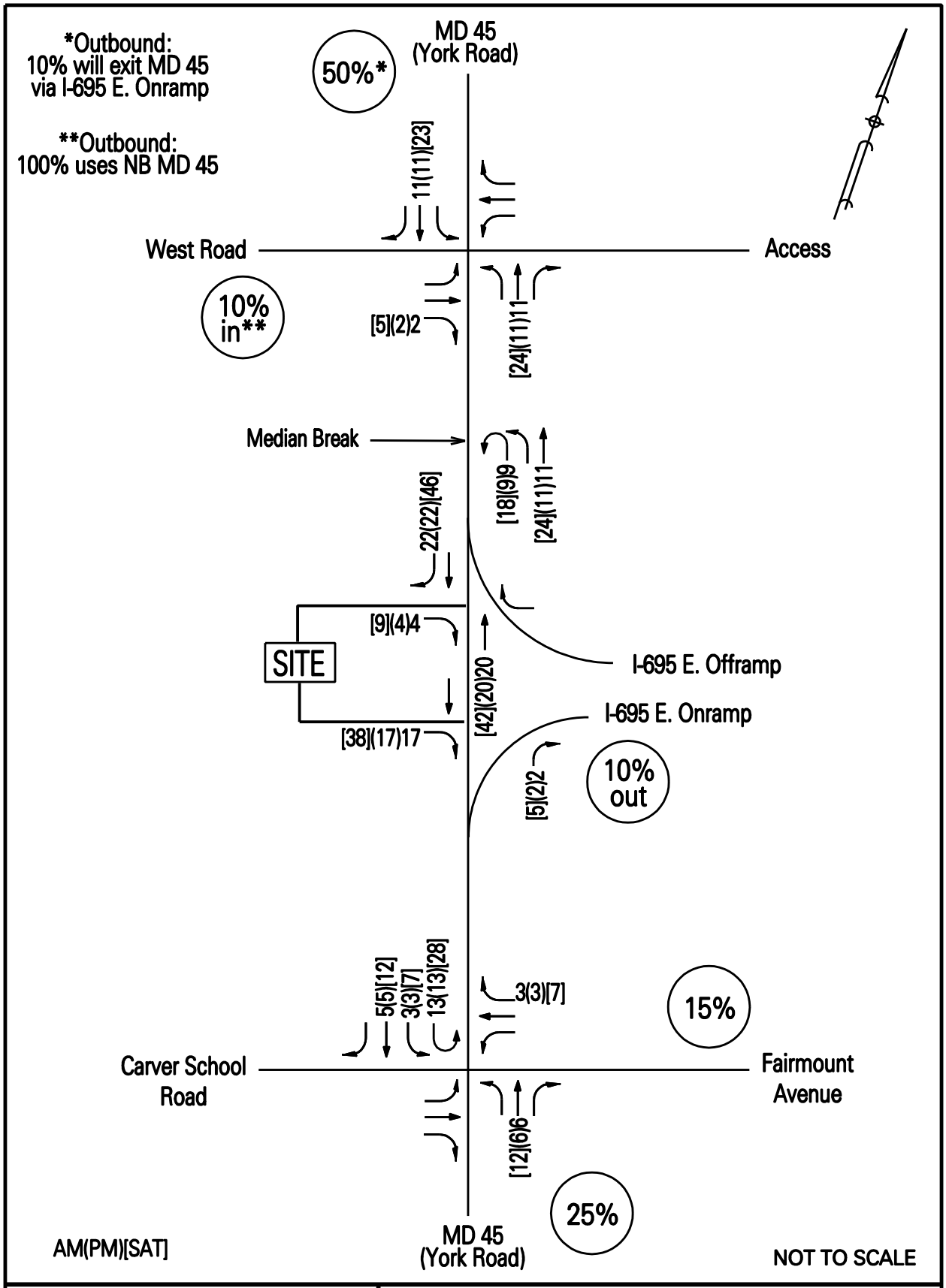
Trip Generation Summary								
	AM		PM		Sat		Midday	
	IN	OUT	IN	OUT	IN	OUT	IN	OUT
Automated Car Wash (948) / 3,060 sf Car Wash[2]	22	21	22	21	46	47	46	47
	43		43		93		93	

Source: ITE, Trip Generation Manual 11th Edition

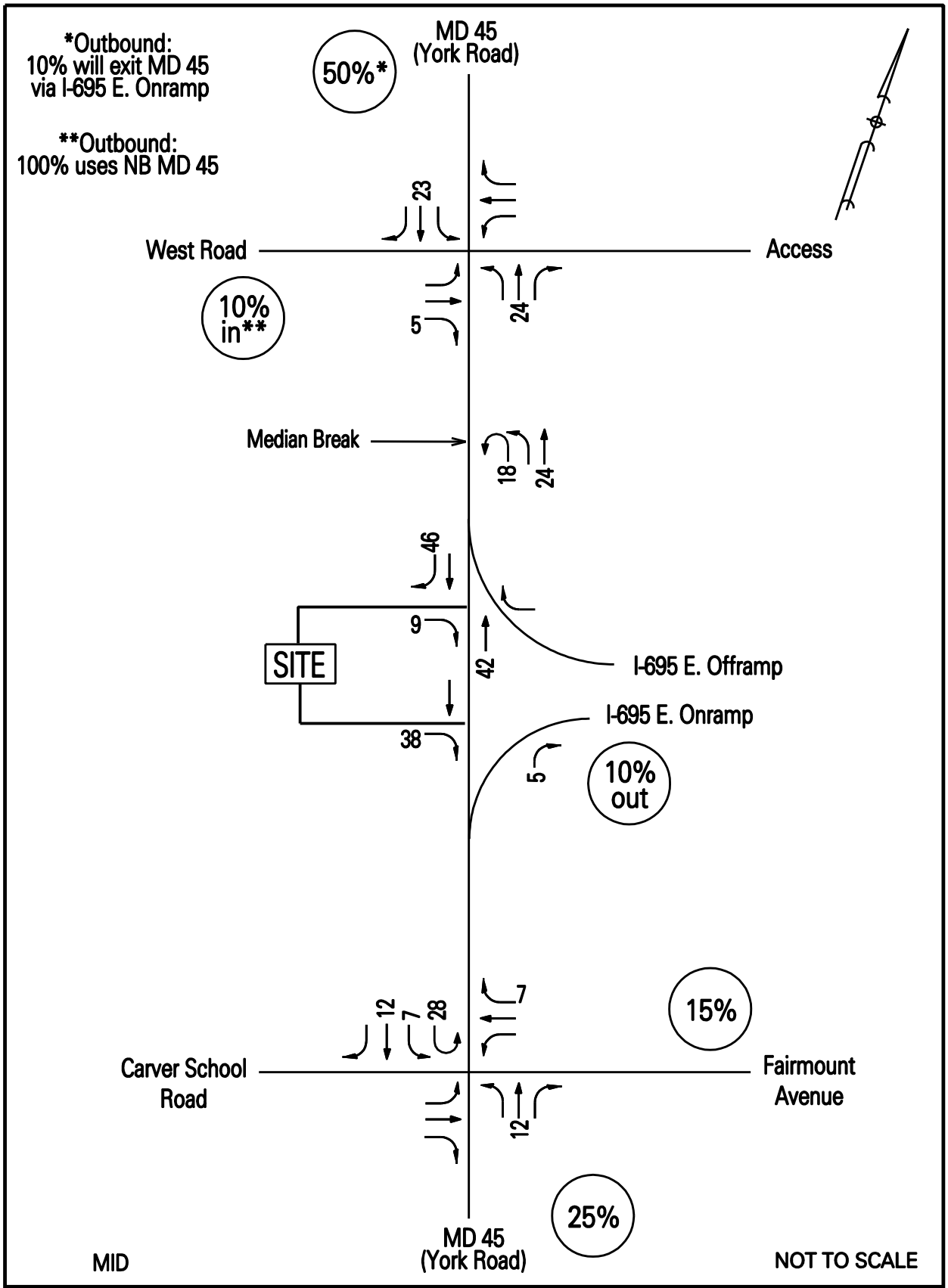
The site generated trips were then distributed and assigned to the road network based on the existing traffic patterns and our knowledge of the study area. Exhibits 4A and 4B shows the new site generated trip assignment. These site trips were added to the existing traffic volumes to obtain total future traffic volumes as, shown on Exhibits 5A and 5B.

[1] LUC 948 (Automated Car Wash) - Description: An automated car wash is a facility that allows for the mechanical cleaning of the exterior of vehicles. Manual cleaning service may also be available at the facility.

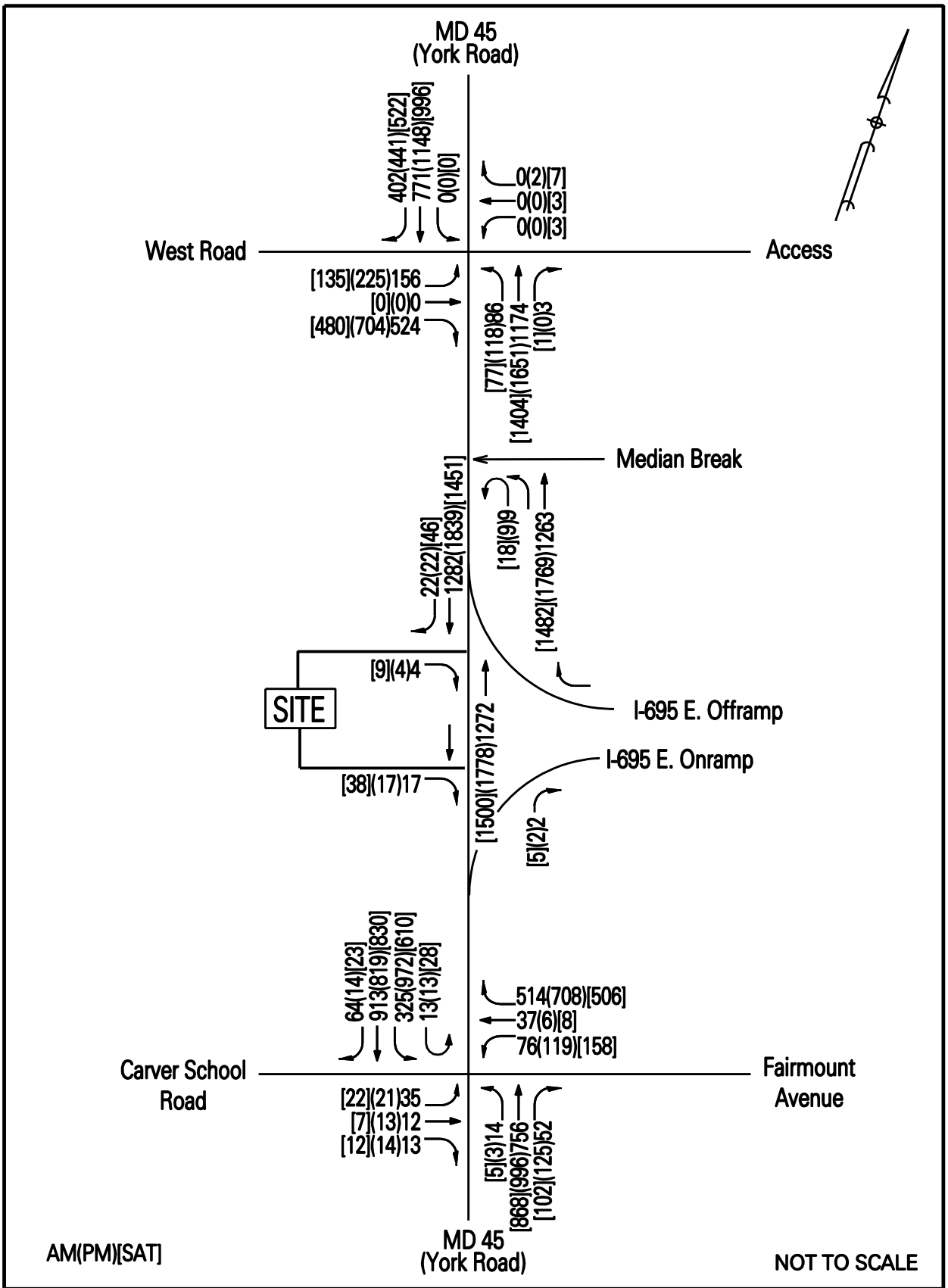
[2] Automated Car Wash (LUC 948) does not have AM or weekday midday peak hour rates. Therefore, the PM peak hour rates were used to generate the AM peak hour trips and the SAT peak hour rates were used to generate the midday peak hour trips.



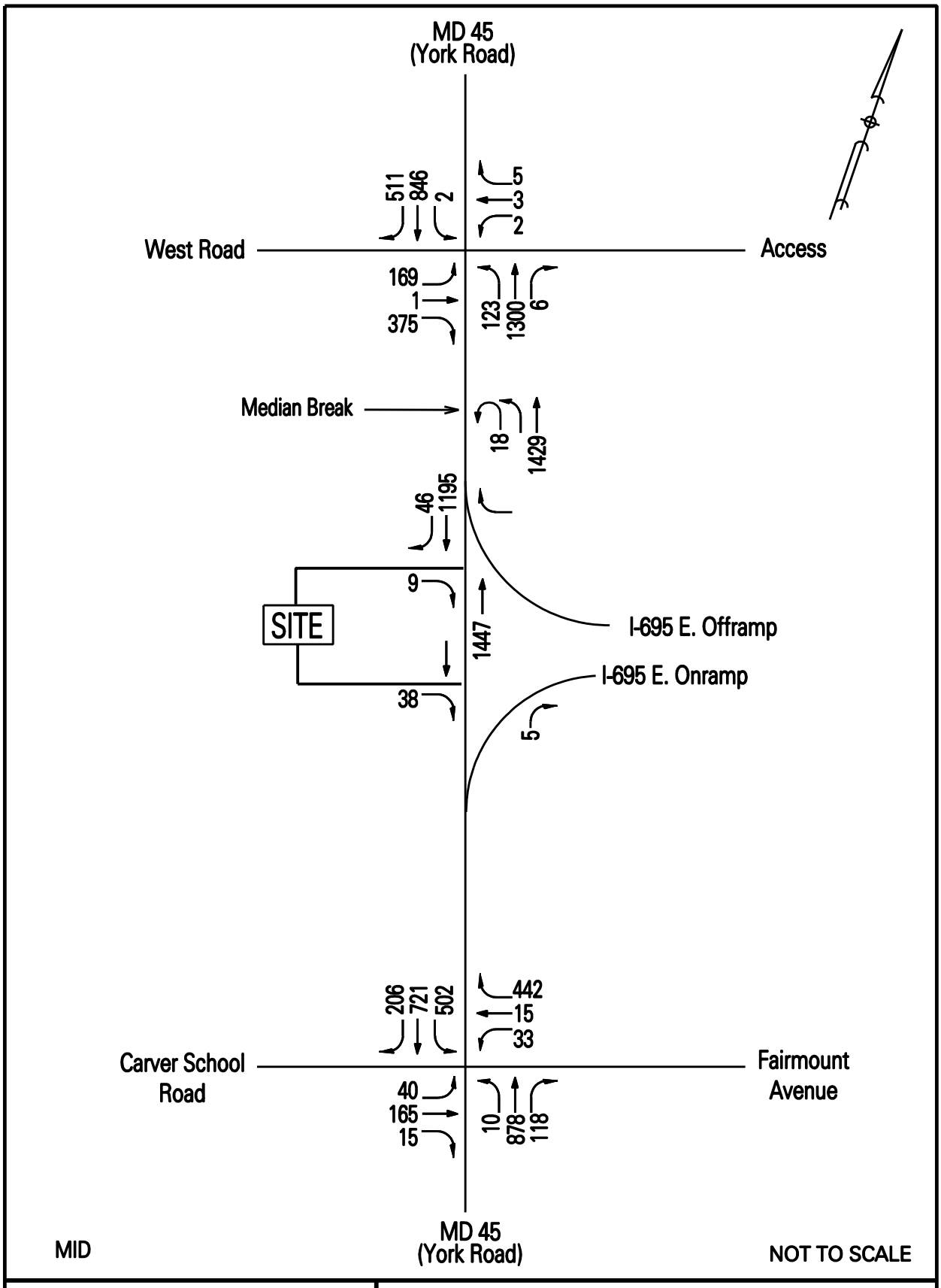
TRAFFIC CONCEPTS, INC. 7525 Connellley Drive Suite B Hanover, Maryland 21076 410-760-2911	EXHIBIT 4A Site Generated Traffic - New Trips (Weekday & Saturday)



TRAFFIC CONCEPTS, INC. 7525 Connellley Drive Suite B Hanover, Maryland 21076 410-760-2911	EXHIBIT 4B Site Generated Traffic - New Trips (Weekday Midday)



TRAFFIC CONCEPTS, INC. 7525 Connellley Drive Suite B Hanover, Maryland 21076 410-760-2911	EXHIBIT 5A Total Future Traffic Volumes (Weekday & Saturday)



TRAFFIC CONCEPTS, INC. 7525 Connellley Drive Suite B Hanover, Maryland 21076 410-760-2911	EXHIBIT 5B Total Future Traffic Volumes (Weekday Midday)



PLANNED OPERATIONS

Canton Car Wash Planned Operations

Canton Car Wash - 1020 York Road: On-site Stacking Mitigation Measures

The developer states the proposed full-service car wash facility would use a flat-bed conveyor belt to move vehicles through the single wash tunnel. This flat-bed conveyor belt technology, as stated by the developer, can process 100 vehicles for every 100 ft. of belt length. In this case, the conveyor belt will measure 130 ft, therefore 130 vehicles can be washed per hour.

The developer will construct 3 lanes of single-file vehicles approaching the tunnel that would be served by 3 separate pay stations. The system scans license plates to access membership accounts. An attendant will be stationed in one of the pay stations to assist customers, as needed. The pay stations operate with a gate that is activated when payment is complete. Once payment is made, the gate opens and the cars line up in a single-file line prior to the tunnel entrance. Between the gates and the tunnel entrance there is an additional 90 ft. which will provide space for an additional 5 vehicles to queue in line.

The available on-site stacking with three approach lanes to the car wash is approximately twenty-three (23) vehicles with space for five (5) additional vehicles approaching the wash tunnel. With this access configuration approaching the wash tunnel, the proposed car wash could serve 130 peak hour trips.



CAPACITY ANALYSIS RESULTS

INTERSECTION CAPACITY ANALYSIS

The key intersections were analyzed during the existing, background, and future traffic conditions using the following methodologies. All intersections were analyzed using the Critical Lane Volume (CLV) method and the unsignalized site accesses were analyzed using the Highway Capacity Manual (HCM) method. The results are listed in the following tables and the detailed calculations are included in Appendix I.

CRITICAL LANE VOLUME ANALYSIS – AM PEAK HOUR		
KEY INTERSECTIONS	EXISTING CLV / LOS	FUTURE CLV / LOS
MD 45 @ West Road	791 / A	798 / A
MD 45 @ Fairmount Ave/Carver Center	738 / A	751 / A
MD 45 @ Existing R-In/R-Out Site Access	-	721 / A
MD 45 @ R-Out only Site Access	-	722 / A
CRITICAL LANE VOLUME ANALYSIS – PM PEAK HOUR		
KEY INTERSECTIONS	EXISTING CLV / LOS	FUTURE CLV / LOS
MD 45 @ West Road	1131 / B	1138 / B
MD 45 @ Fairmount Ave/Carver Center	1334 / D	1347 / D
MD 45 @ Existing R-In/R-Out Site Access	-	1028 / B
MD 45 @ R-Out only Site Access	-	1028 / B
CRITICAL LANE VOLUME ANALYSIS – MIDDAY PEAK HOUR		
KEY INTERSECTIONS	EXISTING CLV / LOS	FUTURE CLV / LOS
MD 45 @ West Road	785 / A	799 / A
MD 45 @ Fairmount Ave/Carver Center	969 / A	997 / A
MD 45 @ Existing R-In/R-Out Site Access	-	795 / A
MD 45 @ R-Out only Site Access	-	834 / A
CRITICAL LANE VOLUME ANALYSIS – SAT PEAK HOUR		
KEY INTERSECTIONS	EXISTING CLV / LOS	FUTURE CLV / LOS
MD 45 @ West Road	880 / A	896 / A
MD 45 @ Fairmount Ave/Carver Center	1064 / B	1091 / B
MD 45 @ Existing R-In/R-Out Site Access	-	832 / A
MD 45 @ R-Out only Site Access	-	863 / A

HIGHWAY CAPACITY MANUAL: STOP CONTROL - AM PEAK HOUR	
KEY INTERSECTIONS	FUTURE Delay / LOS
MD 45 @ Existing R-in/R-out Site Access	
EB – Right	14.7 / B
MD 45 @ R-out Only Site Access	
EB – Right	14.9 / B

HIGHWAY CAPACITY MANUAL: STOP CONTROL - PM PEAK HOUR	
KEY INTERSECTIONS	FUTURE Delay / LOS
MD 45 @ Existing R-in/R-out Site Access	
EB – Right	20.6 / C
MD 45 @ R-out Only Site Access	
EB – Right	21.3 / C

HIGHWAY CAPACITY MANUAL: STOP CONTROL - MIDDAY PEAK HOUR	
KEY INTERSECTIONS	FUTURE Delay / LOS
MD 45 @ Existing R-in/R-out Site Access	
EB – Right	14.4 / B
MD 45 @ R-out Only Site Access	
EB – Right	14.8 / B

HIGHWAY CAPACITY MANUAL: STOP CONTROL - SAT PEAK HOUR	
KEY INTERSECTIONS	FUTURE Delay / LOS
MD 45 @ Existing R-in/R-out Site Access	
EB – Right	16.6 / C
MD 45 @ R-out Only Site Access	
EB – Right	17.4 / C



CONCLUSIONS

CONCLUSIONS AND RECOMMENDATIONS

The Baltimore County Basic Services Map shows the subject site is located within a “Transportation Zone” designated with an adequate Level of Service (LOS) “D” and is also located within the Commercial Revitalization District. Therefore, according to the Basic Services legislation, there are no development constraints that would prohibit the construction of this project.

Study Findings

The key intersections when analyzed with the CLV and HCM methodologies operate with acceptable “D” or better levels of service under the future build-out traffic conditions.

The proposed York Road site access would improve the existing access to MD 45 by eliminating the existing two (2) right-in/right-out access points and creating one (1) right-in/right-out access (north) and one (1) right-out only access (south). Therefore, the site is planned with one inbound movement that creates a directional traffic flow that improves the on-site circulation.

Conclusions

With the proposed improved site access configuration, the adequate level of service identified at the site access points, and with the adequate on-site vehicle storage, we recommend approval of the redevelopment plan from a traffic impact standpoint.

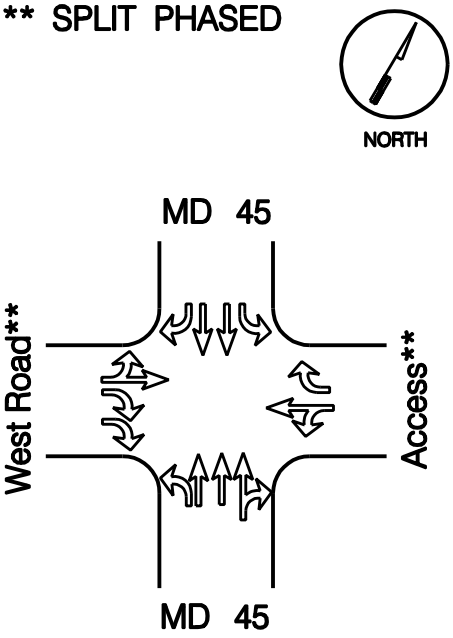


APPENDIX IA
CLV CALCULATIONS

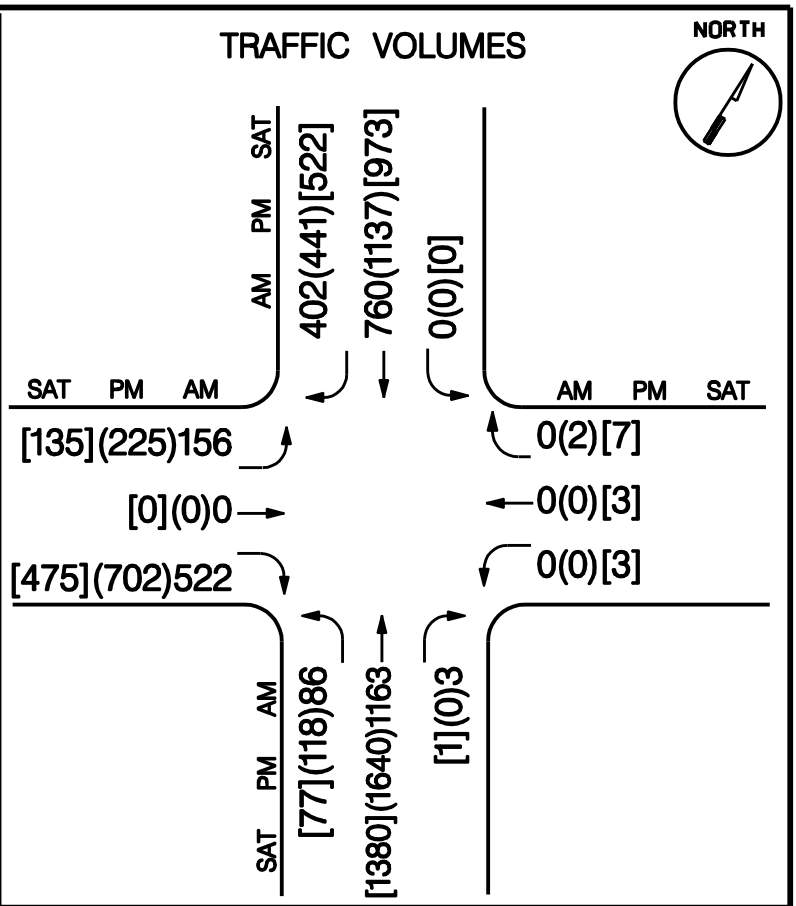
TRAFFIC CONCEPTS, Inc.

LANE CONFIGURATION

** SPLIT PHASED



TRAFFIC VOLUMES



		TOTAL VOLUME * LUF + OPPOSING LEFTS * LUF =								CRITICAL LANE VOLUME	LEVEL OF SERVICE
AM	NB	(1163+3)	*	0.4	+	0	*	1	=	466	
	SB	760	*	0.55	+	86	*	1	=	504*	
	EB	522	*	0.55					=	287*	A
	WB	0	*	1					=	0*	791
PM	NB	(1640+0)	*	0.4	+	0	*	1	=	656	
	SB	1137	*	0.55	+	118	*	1	=	743*	
	EB	702	*	0.55					=	386*	B
	WB	2	*	1					=	2*	1131
SAT	NB	(1380+1)	*	0.4	+	0	*	1	=	552	
	SB	973	*	0.55	+	77	*	1	=	612*	
	EB	475	*	0.55					=	261*	A
	WB	7	*	1					=	7*	880

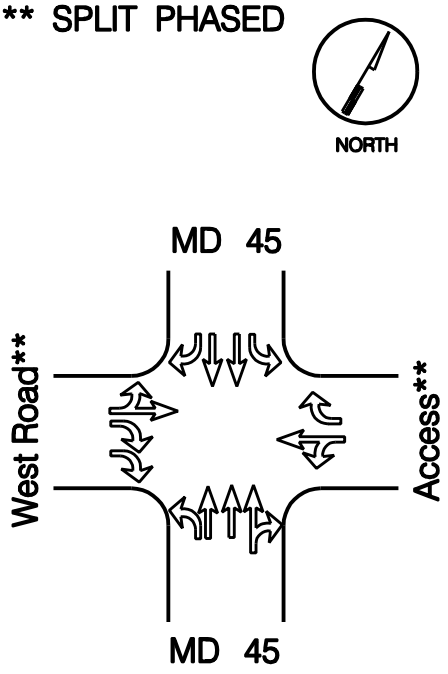
CRITICAL LANE ANALYSIS

Prepared By: I. HALSALL Condition: EXISTING

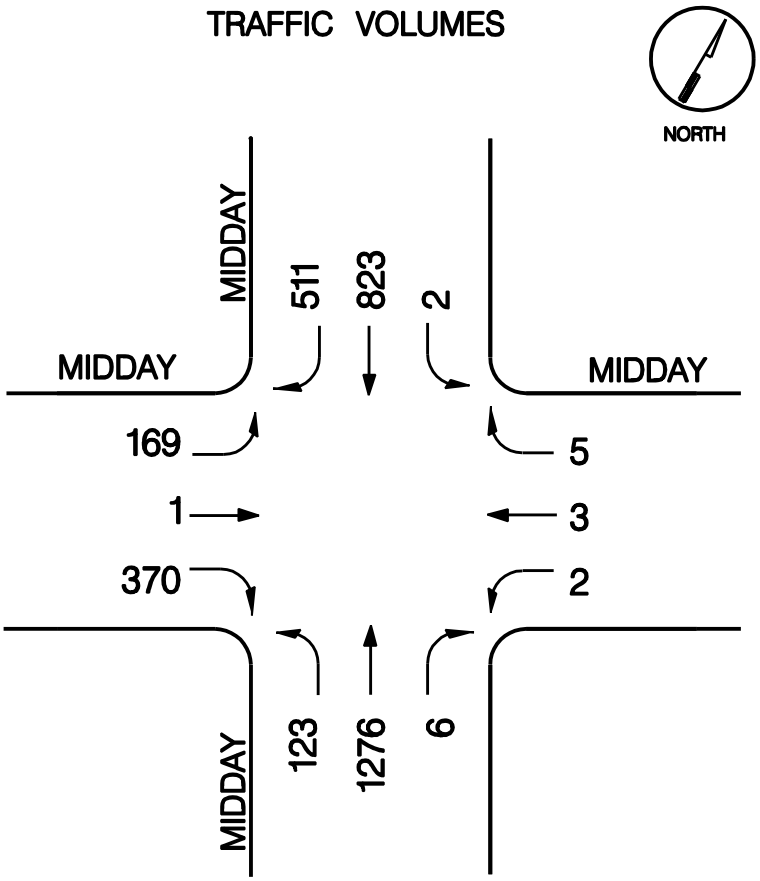
TRAFFIC CONCEPTS, Inc.

LANE CONFIGURATION

** SPLIT PHASED



TRAFFIC VOLUMES



MID

	TOTAL VOLUME * LUF + OPPOSING LEFTS * LUF =								CRITICAL LANE VOLUME	LEVEL OF SERVICE
NB	(1276+6)	*	0.4	+	2	*	1	=	515	
SB	823	*	0.55	+	123	*	1	=	576*	
EB	370	*	0.55					=	204*	A
WB	(3+2)	*	1					=	5*	785

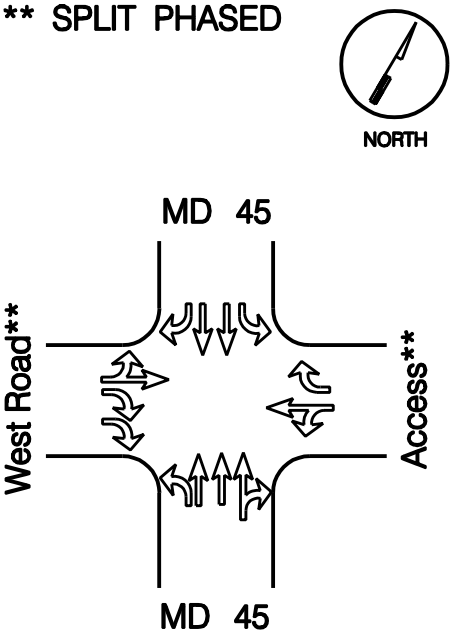
CRITICAL LANE ANALYSIS

Prepared By: I. HALSALL Condition: EXISTING

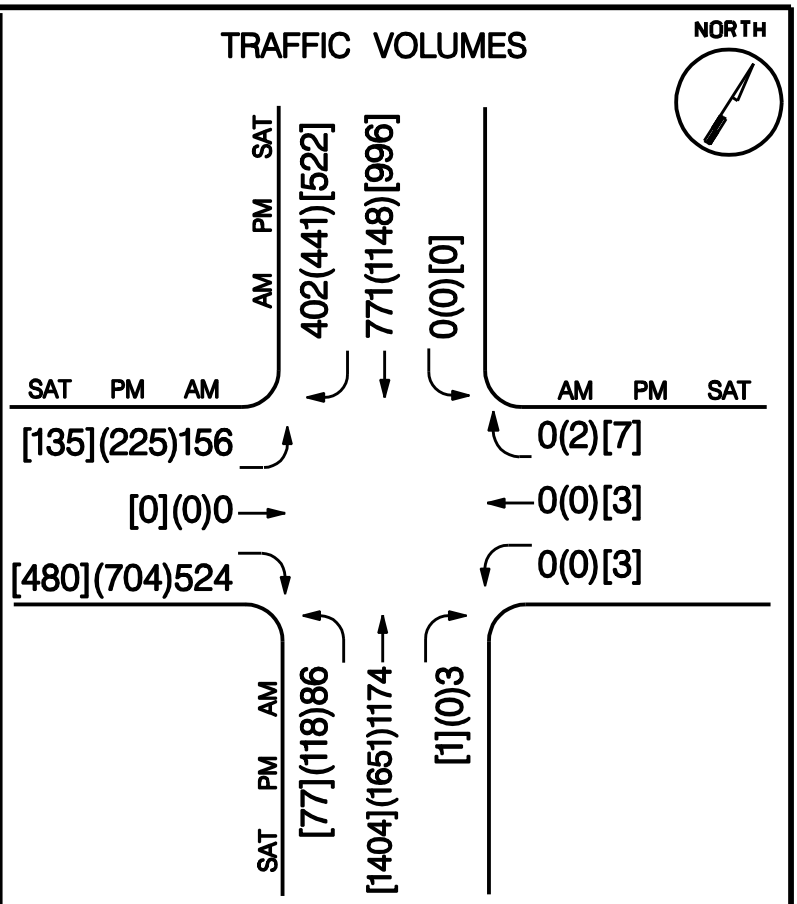
TRAFFIC CONCEPTS, Inc.

LANE CONFIGURATION

** SPLIT PHASED



TRAFFIC VOLUMES



		TOTAL VOLUME * LUF + OPPOSING LEFTS * LUF =								CRITICAL LANE VOLUME	LEVEL OF SERVICE
AM	NB	(1174+3)	*	0.4	+	0	*	1	=	471	
	SB	771	*	0.55	+	86	*	1	=	510*	
	EB	524	*	0.55					=	288*	A
	WB	0	*	1					=	0*	798
PM	NB	(1651+0)	*	0.4	+	0	*	1	=	660	
	SB	1148	*	0.55	+	118	*	1	=	749*	
	EB	704	*	0.55					=	387*	B
	WB	2	*	1					=	2*	1138
SAT	NB	(1404+1)	*	0.4	+	0	*	1	=	562	
	SB	996	*	0.55	+	77	*	1	=	625*	
	EB	480	*	0.55					=	264*	A
	WB	7	*	1					=	7*	896

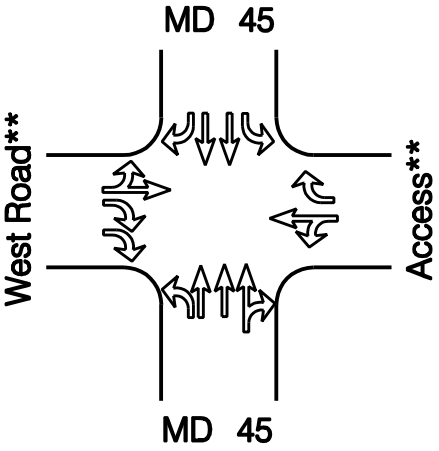
CRITICAL LANE ANALYSIS

Prepared By: I. HALSALL Condition: FUTURE

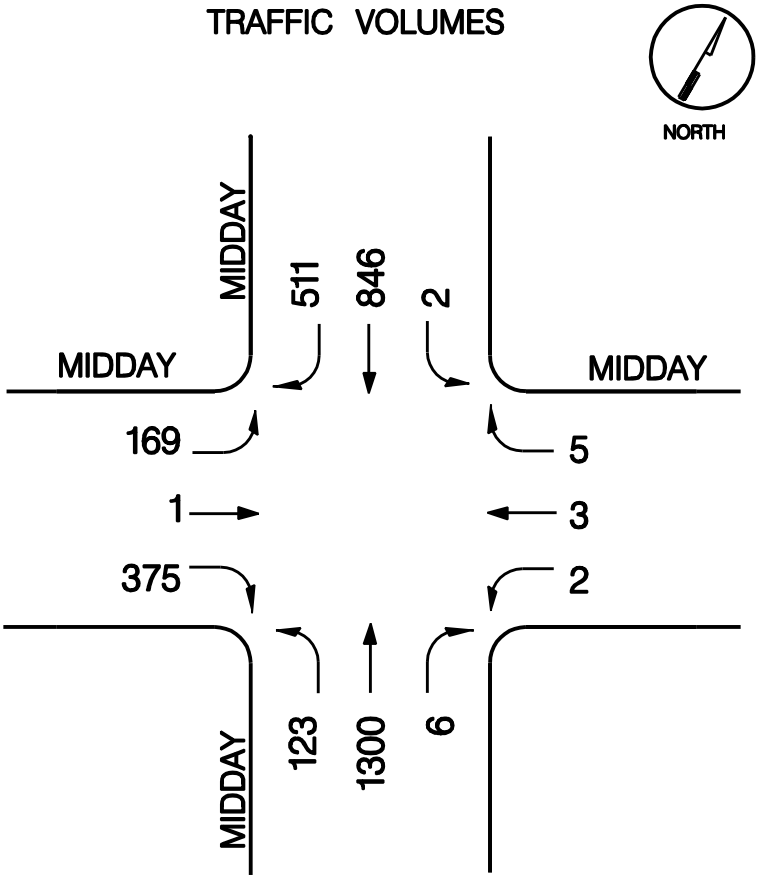
TRAFFIC CONCEPTS, Inc.

LANE CONFIGURATION

** SPLIT PHASED



TRAFFIC VOLUMES



MID

	TOTAL VOLUME * LUF + OPPOSING LEFTS * LUF =								CRITICAL LANE VOLUME	LEVEL OF SERVICE
NB	(1300+6)	*	0.4	+	2	*	1	=	524	
SB	846	*	0.55	+	123	*	1	=	588*	
EB	375	*	0.55					=	206*	A
WB	(3+2)	*	1					=	5*	799

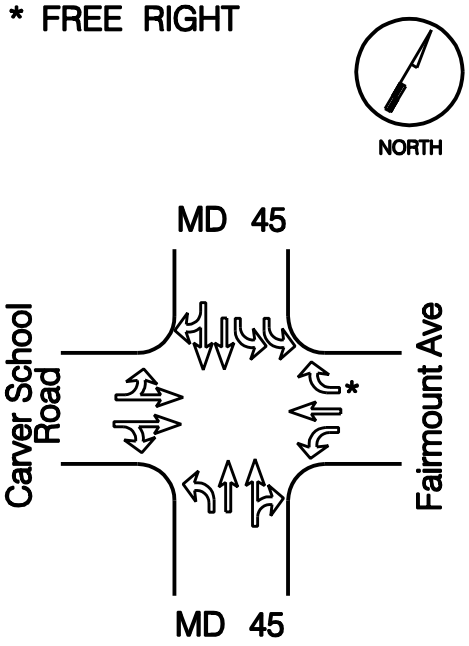
CRITICAL LANE ANALYSIS

Prepared By: I. HALSALL Condition: FUTURE

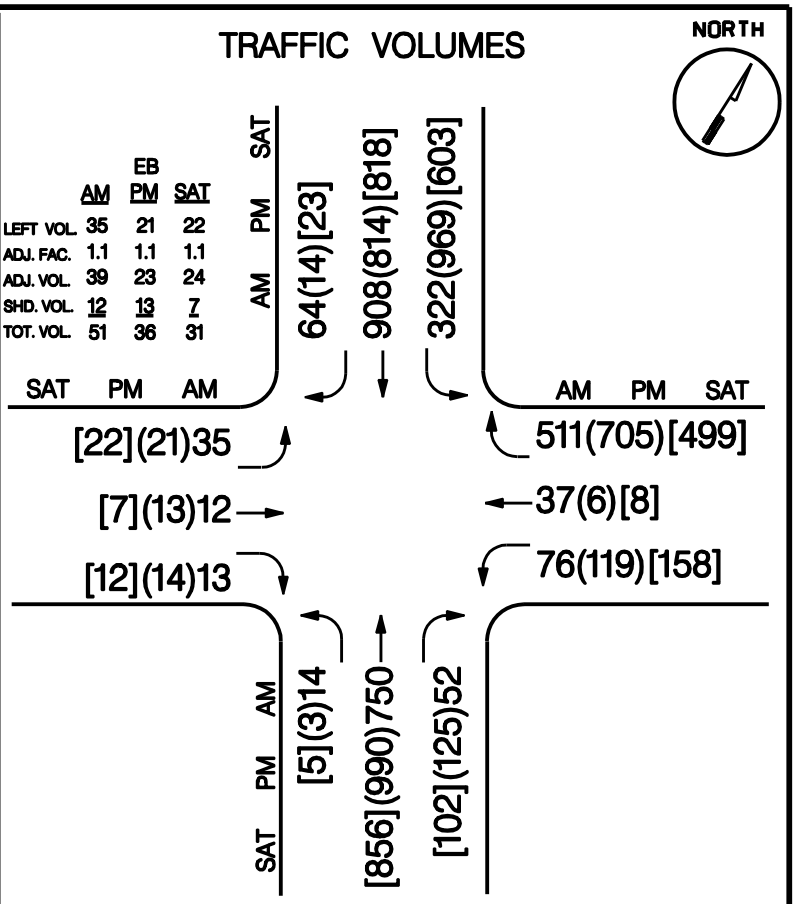
TRAFFIC CONCEPTS, Inc.

LANE CONFIGURATION

* FREE RIGHT



TRAFFIC VOLUMES



		TOTAL VOLUME * LUF + OPPOSING LEFTS * LUF =								CRITICAL LANE VOLUME	LEVEL OF SERVICE
AM	NB	(750+52)	*	0.55	+	322	*	0.6	=	634*	
	SB	(908+64)	*	0.55	+	14	*	1	=	549	
	EB	51	*	0.55	+	76	*	1	=	104*	A
	WB	37	*	1	+	35	*	1	=	72	738
PM	NB	(990+125)	*	0.55	+	969	*	0.6	=	1195*	
	SB	(814+14)	*	0.55	+	3	*	1	=	458	
	EB	36	*	0.55	+	119	*	1	=	139*	D
	WB	6	*	1	+	21	*	1	=	27	1334
SAT	NB	(856+102)	*	0.55	+	603	*	0.6	=	889*	
	SB	(818+23)	*	0.55	+	5	*	1	=	468	
	EB	31	*	0.55	+	158	*	1	=	175*	B
	WB	8	*	1	+	22	*	1	=	30	1064

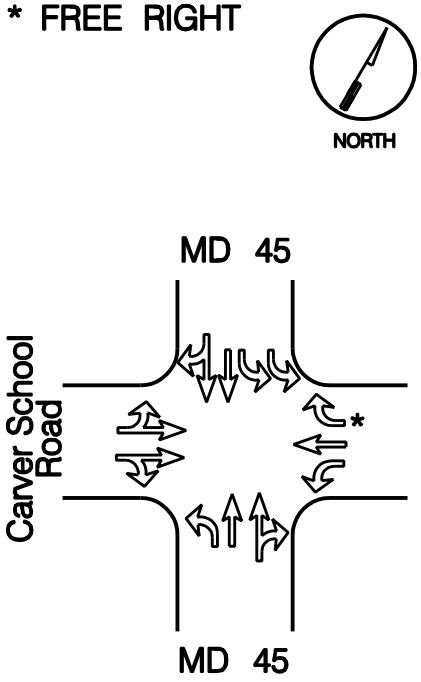
CRITICAL LANE ANALYSIS

Prepared By: I. HALSALL Condition: EXISTING

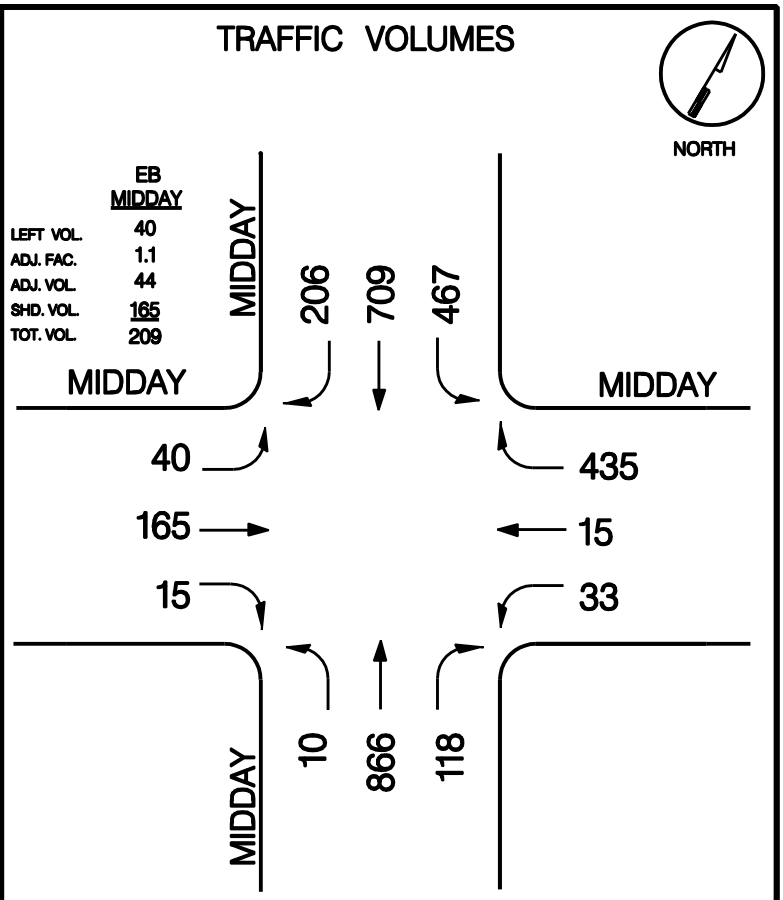
TRAFFIC CONCEPTS, Inc.

LANE CONFIGURATION

* FREE RIGHT



TRAFFIC VOLUMES



		TOTAL VOLUME	*	LUF	+	OPPOSING LEFTS	*	LUF	=	CRITICAL LANE VOLUME	LEVEL OF SERVICE
MID	NB	(866+118)	*	0.55	+	467	*	0.6	=	821*	
	SB	(709+206)	*	0.55	+	10	*	1	=	513	
	EB	209	*	0.55	+	33	*	1	=	148*	A
	WB	15	*	1	+	40	*	1	=	55	969

CRITICAL LANE ANALYSIS

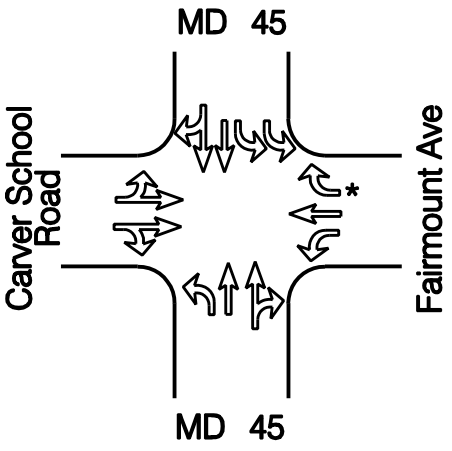
Prepared By: I. HALSALL Condition: EXISTING

TRAFFIC CONCEPTS, Inc.

LANE CONFIGURATION

* FREE RIGHT

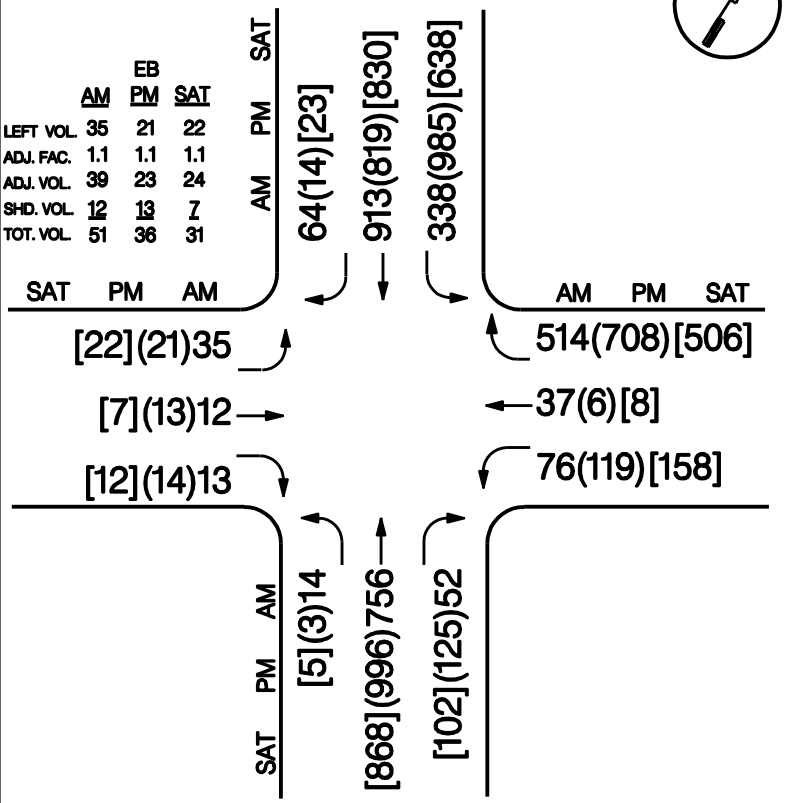




TRAFFIC VOLUMES



	EB AM	EB PM	EB SAT
LEFT VOL.	35	21	22
ADJ. FAC.	1.1	1.1	1.1
ADJ. VOL.	39	23	24
SHD. VOL.	12	13	7
TOT. VOL.	51	36	31



		TOTAL VOLUME * LUF + OPPOSING LEFTS * LUF =								CRITICAL LANE VOLUME	LEVEL OF SERVICE
AM	NB	(756+52)	*	0.55	+	338	*	0.6	=	647*	
	SB	(913+64)	*	0.55	+	14	*	1	=	551	
	EB	51	*	0.55	+	76	*	1	=	104*	A
	WB	37	*	1	+	35	*	1	=	72	751
PM	NB	(996+125)	*	0.55	+	985	*	0.6	=	1208*	
	SB	(819+14)	*	0.55	+	3	*	1	=	461	
	EB	36	*	0.55	+	119	*	1	=	139*	D
	WB	6	*	1	+	21	*	1	=	27	1347
SAT	NB	(868+102)	*	0.55	+	638	*	0.6	=	916*	
	SB	(830+23)	*	0.55	+	5	*	1	=	474	
	EB	31	*	0.55	+	158	*	1	=	175*	B
	WB	8	*	1	+	22	*	1	=	30	1091

CRITICAL LANE ANALYSIS

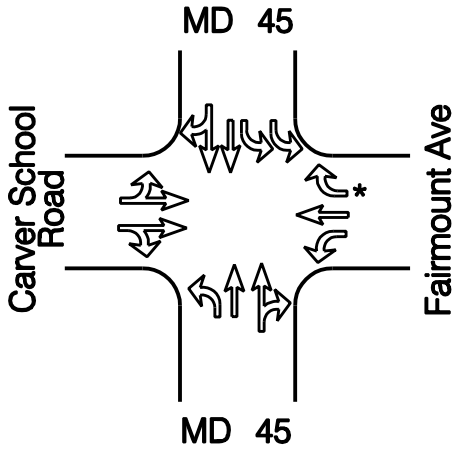
Prepared By: I. HALSALL Condition: FUTURE

TRAFFIC CONCEPTS, Inc.

LANE CONFIGURATION

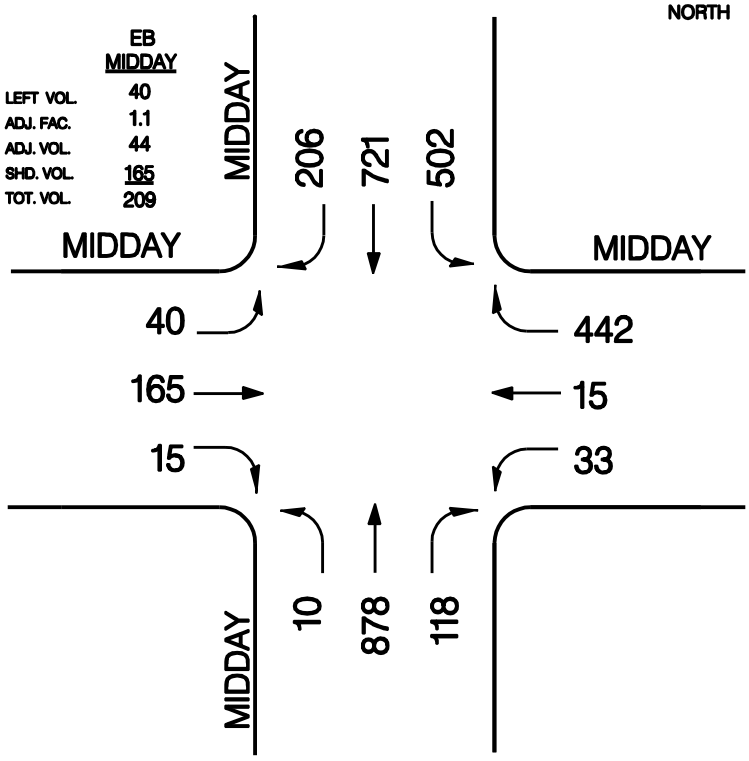
* FREE RIGHT

NORTH



TRAFFIC VOLUMES

NORTH



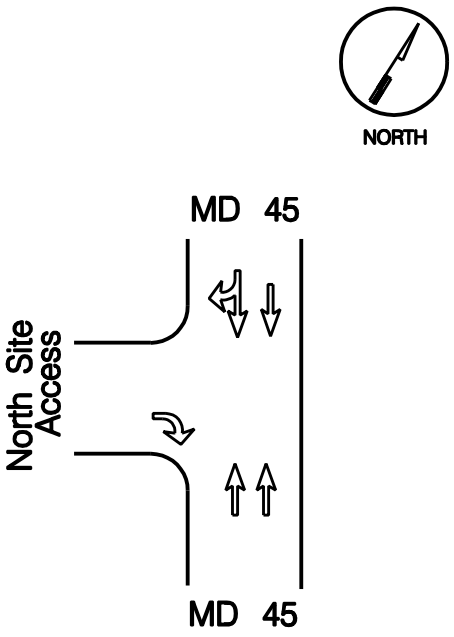
		TOTAL VOLUME	*	LUF	+	OPPOSING LEFTS	*	LUF	=	CRITICAL LANE VOLUME	LEVEL OF SERVICE
MID	NB	(878+118)	*	0.55	+	502	*	0.6	=	849*	
	SB	(721+206)	*	0.55	+	10	*	1	=	520	
	EB	209	*	0.55	+	33	*	1	=	148*	A
	WB	15	*	1	+	40	*	1	=	55	997

CRITICAL LANE ANALYSIS

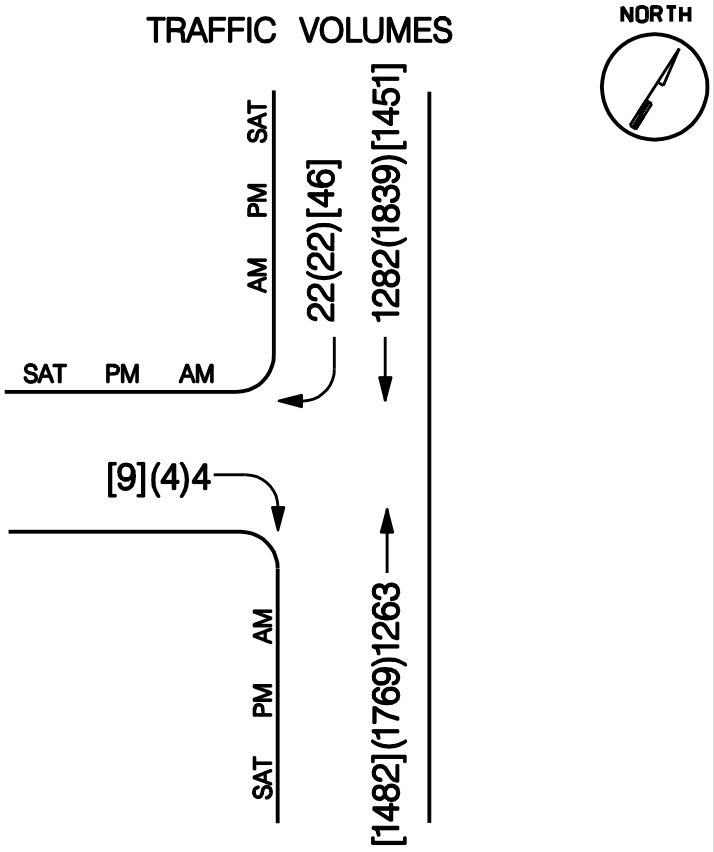
Prepared By: I. HALSALL Condition: FUTURE

TRAFFIC CONCEPTS, Inc.

LANE CONFIGURATION



TRAFFIC VOLUMES



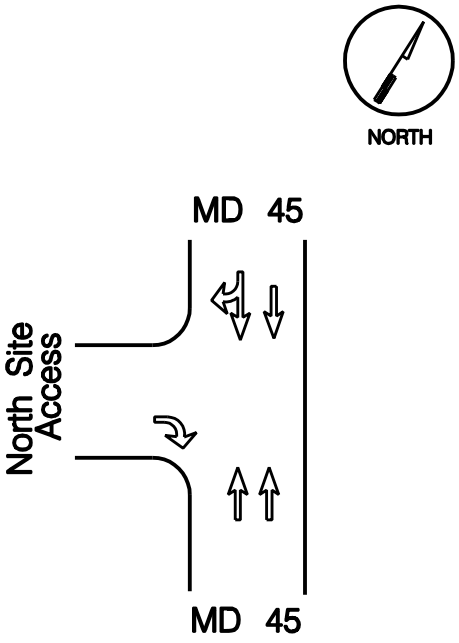
		TOTAL VOLUME * LUF + OPPOSING LEFTS * LUF =		CRITICAL LANE VOLUME	LEVEL OF SERVICE
AM	NB	1263 * 0.55	=	695	
	SB	(1282+22) * 0.55	=	717*	
	EB	4 * 1	=	4*	A
	WB	—		—	721
PM	NB	1769 * 0.55	=	973	
	SB	(1839+22) * 0.55	=	1024*	
	EB	4 * 1	=	4*	B
	WB	—		—	1028
SAT	NB	1482 * 0.55	=	815	
	SB	(1451+46) * 0.55	=	823*	
	EB	9 * 1	=	9*	A
	WB	—		—	832

CRITICAL LANE ANALYSIS

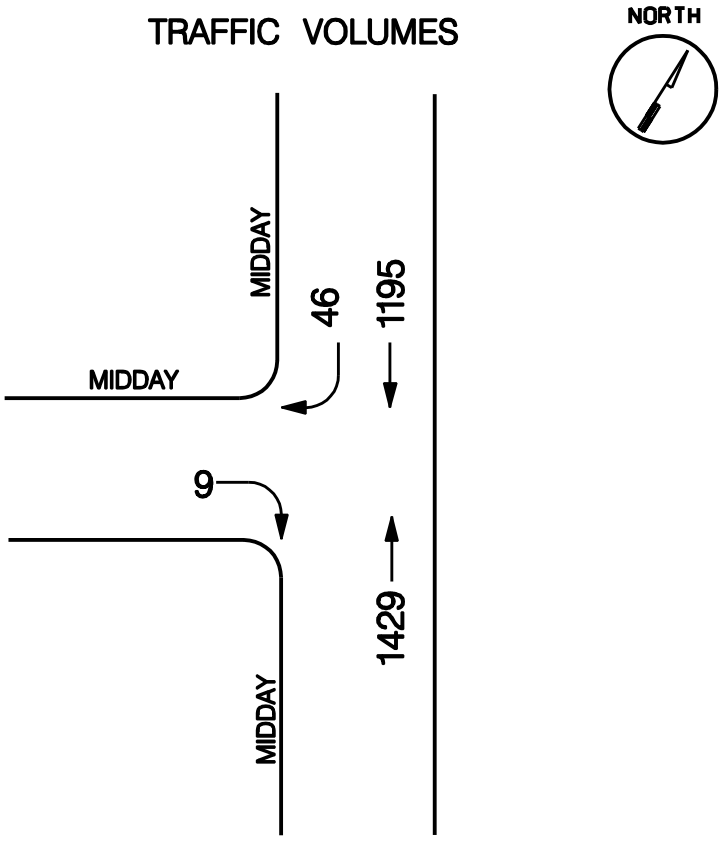
Prepared By: I. HALSALL Condition: FUTURE

TRAFFIC CONCEPTS, Inc.

LANE CONFIGURATION



TRAFFIC VOLUMES



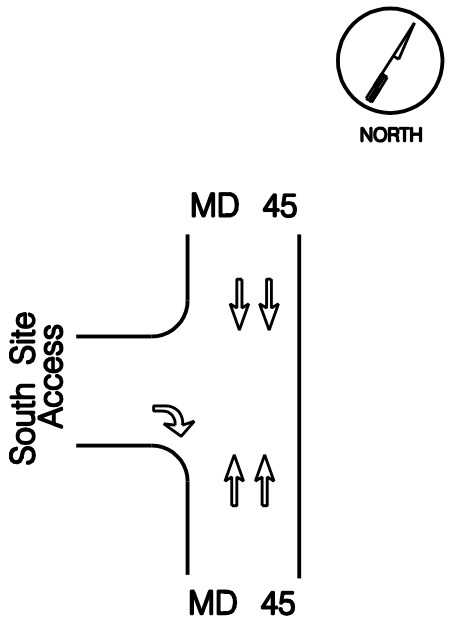
		TOTAL VOLUME * LUF + OPPOSING LEFTS * LUF =		CRITICAL LANE VOLUME	LEVEL OF SERVICE
MID	NB	1429 * 0.55	=	786*	
	SB	(1195 + 46) * 0.55	=	683	
	EB	9 * 1	=	9*	A
	WB	—		—	795

CRITICAL LANE ANALYSIS

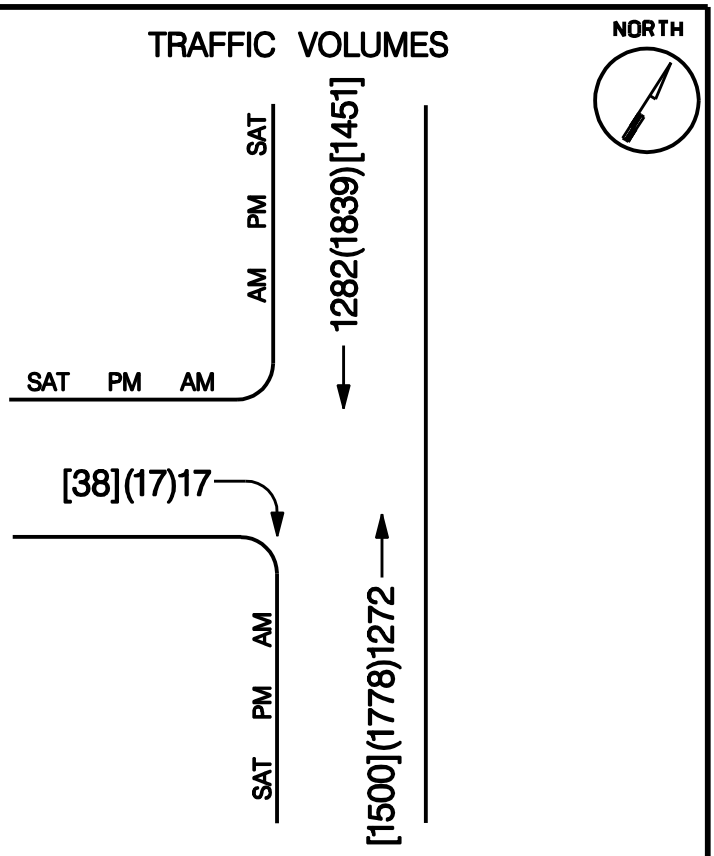
Prepared By: I. HALSALL Condition: FUTURE

TRAFFIC CONCEPTS, Inc.

LANE CONFIGURATION



TRAFFIC VOLUMES



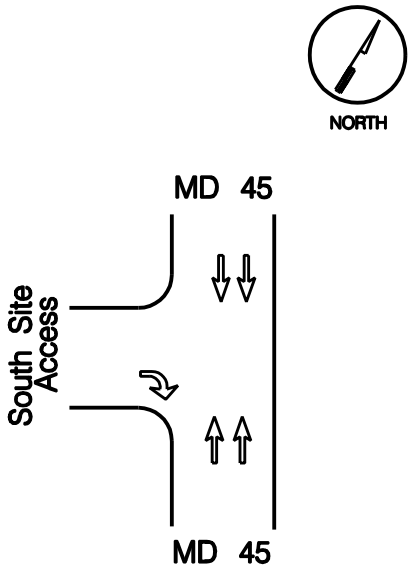
		TOTAL VOLUME * LUF + OPPOSING LEFTS * LUF =				CRITICAL LANE VOLUME	LEVEL OF SERVICE
AM	NB	1272	* 0.55		=	700	
	SB	1282	* 0.55		=	705*	
	EB	17	* 1		=	17*	A
	WB		—			—	722
PM	NB	1778	* 0.55		=	978	
	SB	1839	* 0.55		=	1011*	
	EB	17	* 1		=	17*	B
	WB		—			—	1028
SAT	NB	1500	* 0.55		=	825*	
	SB	1451	* 0.55		=	798	
	EB	38	* 1		=	38*	A
	WB		—			—	863

CRITICAL LANE ANALYSIS

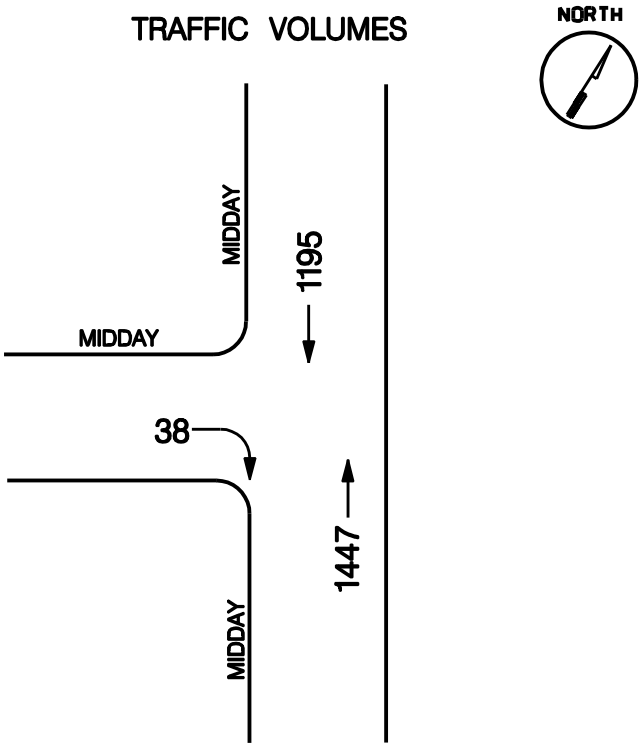
Prepared By: I. HALSALL Condition: FUTURE

TRAFFIC CONCEPTS, Inc.

LANE CONFIGURATION



TRAFFIC VOLUMES



MID

	TOTAL VOLUME * LUF + OPPOSING LEFTS * LUF =				CRITICAL LANE VOLUME	LEVEL OF SERVICE
NB	1447	* 0.55		=	796*	
SB	1195	* 0.55		=	657	
EB	38	* 1		=	38*	A
WB	—				—	834

CRITICAL LANE ANALYSIS

Prepared By: I. HALSALL Condition: FUTURE



APPENDIX IB
HCM UNSIGNALIED REPORTS

HCS Two-Way Stop-Control Report

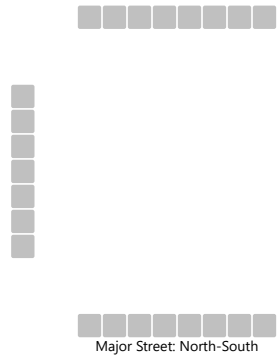
General Information

Analyst	I. Halsall
Agency/Co.	Traffic Concepts, Inc.
Date Performed	3/7/2023
Analysis Year	2023
Time Analyzed	Future AM
Intersection Orientation	North-South
Project Description	3954

Site Information

Intersection	MD 45 @ North Site Access
Jurisdiction	Baltimore Co, MD
East/West Street	North Site Access
North/South Street	MD 45
Peak Hour Factor	0.92
Analysis Time Period (hrs)	0.25

Lanes



Vehicle Volumes and Adjustments

Approach	Eastbound				Westbound				Northbound				Southbound			
Movement	U	L	T	R	U	L	T	R	U	L	T	R	U	L	T	R
Priority		10	11	12		7	8	9	1U	1	2	3	4U	4	5	6
Number of Lanes		0	0	1		0	0	0	0	0	2	0	0	0	2	0
Configuration				R							T				T	TR
Volume (veh/h)				4							1263				1282	22
Percent Heavy Vehicles (%)				3												
Proportion Time Blocked																
Percent Grade (%)		0														
Right Turn Channelized		No														
Median Type | Storage		Undivided														

Critical and Follow-up Headways

Base Critical Headway (sec)				6.9												
Critical Headway (sec)				6.96												
Base Follow-Up Headway (sec)				3.3												
Follow-Up Headway (sec)				3.33												

Delay, Queue Length, and Level of Service

Flow Rate, v (veh/h)				4												
Capacity, c (veh/h)				374												
v/c Ratio				0.01												
95% Queue Length, Q_{95} (veh)				0.0												
Control Delay (s/veh)				14.7												
Level of Service (LOS)				B												
Approach Delay (s/veh)		14.7														
Approach LOS		B														

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HCS Two-Way Stop-Control Report

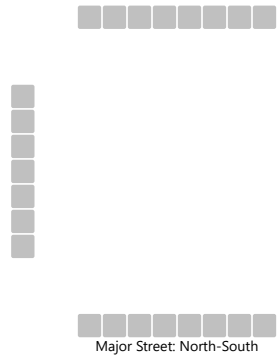
General Information

Analyst	I. Halsall
Agency/Co.	Traffic Concepts, Inc.
Date Performed	3/7/2023
Analysis Year	2023
Time Analyzed	Future PM
Intersection Orientation	North-South
Project Description	3954

Site Information

Intersection	MD 45 @ North Site Access
Jurisdiction	Baltimore Co, MD
East/West Street	North Site Access
North/South Street	MD 45
Peak Hour Factor	0.92
Analysis Time Period (hrs)	0.25

Lanes



Vehicle Volumes and Adjustments

Approach	Eastbound				Westbound				Northbound				Southbound			
Movement	U	L	T	R	U	L	T	R	U	L	T	R	U	L	T	R
Priority		10	11	12		7	8	9	1U	1	2	3	4U	4	5	6
Number of Lanes		0	0	1		0	0	0	0	0	2	0	0	0	2	0
Configuration				R							T				T	TR
Volume (veh/h)				4							1769				1839	22
Percent Heavy Vehicles (%)				3												
Proportion Time Blocked																
Percent Grade (%)		0														
Right Turn Channelized		No														
Median Type | Storage		Undivided														

Critical and Follow-up Headways

Base Critical Headway (sec)				6.9												
Critical Headway (sec)				6.96												
Base Follow-Up Headway (sec)				3.3												
Follow-Up Headway (sec)				3.33												

Delay, Queue Length, and Level of Service

Flow Rate, v (veh/h)				4												
Capacity, c (veh/h)				236												
v/c Ratio				0.02												
95% Queue Length, Q_{95} (veh)				0.1												
Control Delay (s/veh)				20.6												
Level of Service (LOS)				C												
Approach Delay (s/veh)		20.6														
Approach LOS		C														

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HCS Two-Way Stop-Control Report

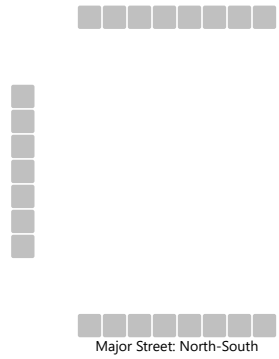
General Information

Analyst	I. Halsall
Agency/Co.	Traffic Concepts, Inc.
Date Performed	4/7/2023
Analysis Year	2023
Time Analyzed	Future MID
Intersection Orientation	North-South
Project Description	3954

Site Information

Intersection	MD 45 @ North Site Access
Jurisdiction	Baltimore Co, MD
East/West Street	North Site Access
North/South Street	MD 45
Peak Hour Factor	0.92
Analysis Time Period (hrs)	0.25

Lanes



Vehicle Volumes and Adjustments

Approach	Eastbound				Westbound				Northbound				Southbound			
Movement	U	L	T	R	U	L	T	R	U	L	T	R	U	L	T	R
Priority		10	11	12		7	8	9	1U	1	2	3	4U	4	5	6
Number of Lanes		0	0	1		0	0	0	0	0	2	0	0	0	2	0
Configuration				R							T				T	TR
Volume (veh/h)				9							1429				1195	46
Percent Heavy Vehicles (%)				3												
Proportion Time Blocked																
Percent Grade (%)		0														
Right Turn Channelized		No														
Median Type | Storage		Undivided														

Critical and Follow-up Headways

Base Critical Headway (sec)				6.9												
Critical Headway (sec)				6.96												
Base Follow-Up Headway (sec)				3.3												
Follow-Up Headway (sec)				3.33												

Delay, Queue Length, and Level of Service

Flow Rate, v (veh/h)				10												
Capacity, c (veh/h)				394												
v/c Ratio				0.02												
95% Queue Length, Q_{95} (veh)				0.1												
Control Delay (s/veh)				14.4												
Level of Service (LOS)				B												
Approach Delay (s/veh)		14.4														
Approach LOS		B														

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HCS Two-Way Stop-Control Report

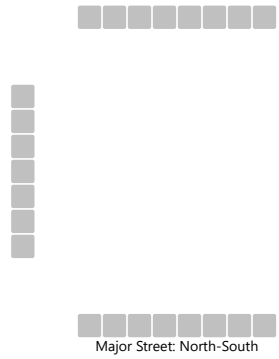
General Information

Analyst	I. Halsall
Agency/Co.	Traffic Concepts, Inc.
Date Performed	3/8/2023
Analysis Year	2023
Time Analyzed	Future SAT
Intersection Orientation	North-South
Project Description	3954

Site Information

Intersection	MD 45 @ North Site Access
Jurisdiction	Baltimore Co, MD
East/West Street	North Site Access
North/South Street	MD 45
Peak Hour Factor	0.92
Analysis Time Period (hrs)	0.25

Lanes



Vehicle Volumes and Adjustments

Approach	Eastbound				Westbound				Northbound				Southbound			
Movement	U	L	T	R	U	L	T	R	U	L	T	R	U	L	T	R
Priority		10	11	12		7	8	9	1U	1	2	3	4U	4	5	6
Number of Lanes		0	0	1		0	0	0	0	0	2	0	0	0	2	0
Configuration				R							T				T	TR
Volume (veh/h)				9							1482				1451	46
Percent Heavy Vehicles (%)				3												
Proportion Time Blocked																
Percent Grade (%)		0														
Right Turn Channelized		No														
Median Type | Storage		Undivided														

Critical and Follow-up Headways

Base Critical Headway (sec)				6.9												
Critical Headway (sec)				6.96												
Base Follow-Up Headway (sec)				3.3												
Follow-Up Headway (sec)				3.33												

Delay, Queue Length, and Level of Service

Flow Rate, v (veh/h)				10												
Capacity, c (veh/h)				319												
v/c Ratio				0.03												
95% Queue Length, Q_{95} (veh)				0.1												
Control Delay (s/veh)				16.6												
Level of Service (LOS)				C												
Approach Delay (s/veh)		16.6														
Approach LOS		C														

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HCS Two-Way Stop-Control Report

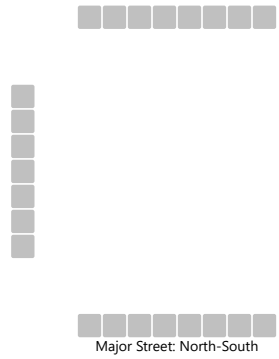
General Information

Analyst	I. Halsall
Agency/Co.	Traffic Concepts, Inc.
Date Performed	3/8/2023
Analysis Year	2023
Time Analyzed	Future AM
Intersection Orientation	North-South
Project Description	3954

Site Information

Intersection	MD 45 @ South Site Access
Jurisdiction	Baltimore Co, MD
East/West Street	South Site Access
North/South Street	MD 45
Peak Hour Factor	0.92
Analysis Time Period (hrs)	0.25

Lanes



Vehicle Volumes and Adjustments

Approach	Eastbound				Westbound				Northbound				Southbound			
Movement	U	L	T	R	U	L	T	R	U	L	T	R	U	L	T	R
Priority		10	11	12		7	8	9	1U	1	2	3	4U	4	5	6
Number of Lanes		0	0	1		0	0	0	0	0	2	0	0	0	2	0
Configuration				R							T				T	
Volume (veh/h)				17							1272				1282	
Percent Heavy Vehicles (%)				3												
Proportion Time Blocked																
Percent Grade (%)		0														
Right Turn Channelized		No														
Median Type | Storage		Undivided														

Critical and Follow-up Headways

Base Critical Headway (sec)				6.9												
Critical Headway (sec)				6.96												
Base Follow-Up Headway (sec)				3.3												
Follow-Up Headway (sec)				3.33												

Delay, Queue Length, and Level of Service

Flow Rate, v (veh/h)				18												
Capacity, c (veh/h)				381												
v/c Ratio				0.05												
95% Queue Length, Q_{95} (veh)				0.2												
Control Delay (s/veh)				14.9												
Level of Service (LOS)				B												
Approach Delay (s/veh)		14.9														
Approach LOS		B														

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HCS Two-Way Stop-Control Report

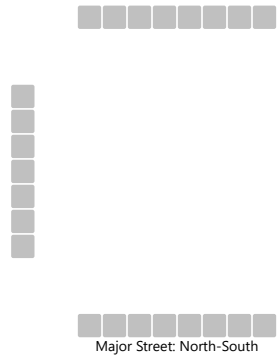
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Date Performed	3/8/2023
Analysis Year	2023
Time Analyzed	Future PM
Intersection Orientation	North-South
Project Description	3954

Site Information

Intersection	MD 45 @ South Site Access
Jurisdiction	Baltimore Co, MD
East/West Street	South Site Access
North/South Street	MD 45
Peak Hour Factor	0.92
Analysis Time Period (hrs)	0.25

Lanes



Vehicle Volumes and Adjustments

Approach	Eastbound				Westbound				Northbound				Southbound			
Movement	U	L	T	R	U	L	T	R	U	L	T	R	U	L	T	R
Priority		10	11	12		7	8	9	1U	1	2	3	4U	4	5	6
Number of Lanes		0	0	1		0	0	0	0	0	2	0	0	0	2	0
Configuration				R							T				T	
Volume (veh/h)				17							1778				1839	
Percent Heavy Vehicles (%)				3												
Proportion Time Blocked																
Percent Grade (%)		0														
Right Turn Channelized		No														
Median Type | Storage		Undivided														

Critical and Follow-up Headways

Base Critical Headway (sec)				6.9												
Critical Headway (sec)				6.96												
Base Follow-Up Headway (sec)				3.3												
Follow-Up Headway (sec)				3.33												

Delay, Queue Length, and Level of Service

Flow Rate, v (veh/h)				18												
Capacity, c (veh/h)				240												
v/c Ratio				0.08												
95% Queue Length, Q_{95} (veh)				0.2												
Control Delay (s/veh)				21.3												
Level of Service (LOS)				C												
Approach Delay (s/veh)		21.3														
Approach LOS		C														

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HCS Two-Way Stop-Control Report

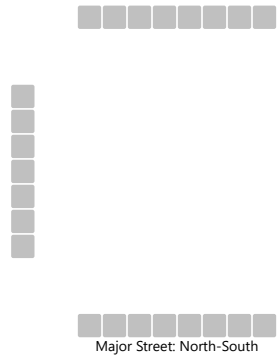
General Information

Analyst	I. Halsall
Agency/Co.	Traffic Concepts, Inc.
Date Performed	4/7/2023
Analysis Year	2023
Time Analyzed	Future MID
Intersection Orientation	North-South
Project Description	3954

Site Information

Intersection	MD 45 @ South Site Access
Jurisdiction	Baltimore Co, MD
East/West Street	South Site Access
North/South Street	MD 45
Peak Hour Factor	0.92
Analysis Time Period (hrs)	0.25

Lanes



Vehicle Volumes and Adjustments

Approach	Eastbound				Westbound				Northbound				Southbound			
Movement	U	L	T	R	U	L	T	R	U	L	T	R	U	L	T	R
Priority		10	11	12		7	8	9	1U	1	2	3	4U	4	5	6
Number of Lanes		0	0	1		0	0	0	0	0	2	0	0	0	2	0
Configuration				R							T				T	
Volume (veh/h)				38							1447				1195	
Percent Heavy Vehicles (%)				3												
Proportion Time Blocked																
Percent Grade (%)		0														
Right Turn Channelized		No														
Median Type | Storage		Undivided														

Critical and Follow-up Headways

Base Critical Headway (sec)				6.9												
Critical Headway (sec)				6.96												
Base Follow-Up Headway (sec)				3.3												
Follow-Up Headway (sec)				3.33												

Delay, Queue Length, and Level of Service

Flow Rate, v (veh/h)				41												
Capacity, c (veh/h)				410												
v/c Ratio				0.10												
95% Queue Length, Q_{95} (veh)				0.3												
Control Delay (s/veh)				14.8												
Level of Service (LOS)				B												
Approach Delay (s/veh)		14.8														
Approach LOS		B														

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HCS Two-Way Stop-Control Report

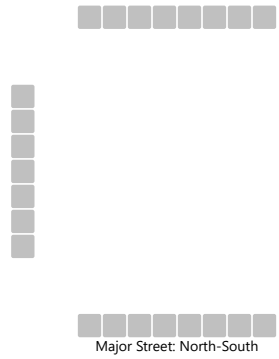
General Information

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Agency/Co.	Traffic Concepts, Inc.
Date Performed	3/8/2023
Analysis Year	2023
Time Analyzed	Future SAT
Intersection Orientation	North-South
Project Description	3954

Site Information

Intersection	MD 45 @ South Site Access
Jurisdiction	Baltimore Co, MD
East/West Street	South Site Access
North/South Street	MD 45
Peak Hour Factor	0.92
Analysis Time Period (hrs)	0.25

Lanes



Vehicle Volumes and Adjustments

Approach	Eastbound				Westbound				Northbound				Southbound			
Movement	U	L	T	R	U	L	T	R	U	L	T	R	U	L	T	R
Priority		10	11	12		7	8	9	1U	1	2	3	4U	4	5	6
Number of Lanes		0	0	1		0	0	0	0	0	2	0	0	0	2	0
Configuration				R							T				T	
Volume (veh/h)				38							1500				1451	
Percent Heavy Vehicles (%)				3												
Proportion Time Blocked																
Percent Grade (%)		0														
Right Turn Channelized		No														
Median Type | Storage		Undivided														

Critical and Follow-up Headways

Base Critical Headway (sec)				6.9												
Critical Headway (sec)				6.96												
Base Follow-Up Headway (sec)				3.3												
Follow-Up Headway (sec)				3.33												

Delay, Queue Length, and Level of Service

Flow Rate, v (veh/h)				41												
Capacity, c (veh/h)				332												
v/c Ratio				0.12												
95% Queue Length, Q_{95} (veh)				0.4												
Control Delay (s/veh)				17.4												
Level of Service (LOS)				C												
Approach Delay (s/veh)		17.4														
Approach LOS		C														

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APPENDIX II
TRAFFIC COUNT INFORMATION

PEAK HOUR TURNING MOVEMENT COUNT

INTERSECTION: MD 45 @ WEST RD **COUNTY:** BALTIMORE

COUNT BY: CAMERA **DATE:** DEC 21, 2022

WEATHER: CLEAR **DAY:** WEDNESDAY

CAM

	MD 45 NORTHBOUND			MD 45 SOUTHBOUND			WEST RD EASTBOUND			ACCESS WESTBOUND			
TIME	LEFT	THRU	RIGHT	LEFT	THRU	RIGHT	LEFT	THRU	RIGHT	LEFT	THRU	RIGHT	TOTAL
AM													
7:00-7:15	9	143	0	0	120	101	15	0	72	0	0	0	460
7:15-7:30	10	198	0	2	169	98	21	0	114	0	0	0	612
7:30-7:45	24	277	0	0	191	102	53	0	128	0	0	0	775
7:45-8:00	23	290	1	0	183	94	45	0	140	0	0	0	776
8:00-8:15	19	306	1	0	180	93	27	0	125	0	0	0	751
8:15-8:30	20	290	1	0	206	113	31	0	129	0	0	0	790
8:30-8:45	23	299	0	0	176	99	25	0	121	0	1	0	744
8:45-9:00	18	314	0	0	170	105	36	1	144	0	0	0	788
PEAK HR 7:30-8:30 TOTALS	**86**	**1163**	**3**	**0**	**760**	**402**	**156**	**0**	**522**	**0**	**0**	**0**	**PHF 0.98**
PM													
4:00-4:15	17	342	0	0	292	103	48	0	155	0	0	0	957
4:15-4:30	27	408	0	0	305	108	48	0	177	0	0	0	1073
4:30-4:45	34	409	0	0	296	110	38	0	135	0	0	2	1024
4:45-5:00	26	383	0	0	264	88	68	0	186	0	0	0	1015
5:00-5:15	29	417	0	0	271	128	64	0	219	0	0	0	1128
5:15-5:30	29	431	0	0	306	115	55	0	162	0	0	0	1098
5:30-5:45	15	329	0	0	290	120	43	0	191	0	0	0	988
5:45-6:00	24	299	0	0	246	111	51	0	206	0	0	0	937
PEAK HR 4:30-5:30 TOTALS	**118**	**1640**	**0**	**0**	**1137**	**441**	**225**	**0**	**702**	**0**	**0**	**2**	**PHF 0.95**

TRAFFIC CONCEPTS, INC.
7525 CONNELLEY DRIVE, SUITE B
HANOVER, MARYLAND 21076
(410) 760-2911 FAX (410) 760-2915
E-MAIL TRAFFIC@TRAFFIC-CONCEPTS.COM

M:\3954

PEAK HOUR TURNING MOVEMENT COUNT

INTERSECTION: MD 45 @ WEST RD

COUNTY: BALTIMORE

COUNT BY: CAMERA

DATE: MARCH 30, 2023

WEATHER: CLEAR

DAY: THURSDAY

CAM

	MD 45 NORTHBOUND			**MD 45** SOUTHBOUND			**WEST RD** EASTBOUND			**ACCESS** WESTBOUND			
TIME	LEFT	THRU	RIGHT	LEFT	THRU	RIGHT	LEFT	THRU	RIGHT	LEFT	THRU	RIGHT	TOTAL
11:00-11:15	17	295	0	0	191	91	32	0	91	1	0	0	718
11:15-11:30	22	261	1	0	163	112	31	0	80	0	0	0	670
11:30-11:45	26	279	2	0	180	115	58	0	82	2	0	0	744
11:45-12:00	21	273	0	0	226	104	28	0	101	2	0	0	755
12:00-12:15	26	287	1	0	196	118	52	1	104	1	2	2	790
12:15-12:30	24	337	0	0	219	141	56	0	76	0	0	1	854
12:30-12:45	32	326	3	0	188	126	34	0	105	0	0	0	814
12:45-1:00	41	326	2	2	220	126	27	0	85	1	1	2	833
1:00-1:15	21	254	0	1	200	116	52	0	97	0	0	1	742
1:15-1:30	25	312	0	1	205	117	32	0	88	1	1	1	783
1:30-1:45	27	301	0	1	196	140	47	0	122	0	0	1	835
1:45-2:00	25	278	1	0	241	114	34	0	108	1	0	0	802
PEAK HR 12:00-1:00 TOTALS	**123**	**1276**	**6**	**2**	**823**	**511**	**169**	**1**	**370**	**2**	**3**	**5**	**PHF 0.96**

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M\:3954

PEAK HOUR TURNING MOVEMENT COUNT

INTERSECTION: MD 45 @ WEST RD **COUNTY:** BALTIMORE

COUNT BY: CAMERA **DATE:** DEC 17, 2022

WEATHER: OVERCAST **DAY:** SATURDAY

CAM

	MD 45 NORTHBOUND			**MD 45** SOUTHBOUND			**WEST RD** EASTBOUND			**ACCESS** WESTBOUND			
TIME	LEFT	THRU	RIGHT	LEFT	THRU	RIGHT	LEFT	THRU	RIGHT	LEFT	THRU	RIGHT	TOTAL
SAT													
11:00-11:15	23	299	0	1	203	103	24	0	99	2	0	0	754
11:15-11:30	22	333	1	1	213	134	22	0	89	1	0	0	816
11:30-11:45	23	308	3	1	228	137	33	0	117	0	0	1	851
11:45-12:00	22	335	0	0	254	122	31	0	109	0	3	0	876
12:00-12:15	26	299	0	0	282	125	23	0	110	1	1	3	870
12:15-12:30	24	312	0	0	250	127	35	0	131	1	1	0	881
12:30-12:45	20	295	1	0	218	104	32	0	93	0	3	2	768
12:45-1:00	18	354	0	0	247	134	25	0	107	1	1	3	890
1:00-1:15	12	375	1	0	232	121	52	0	135	2	1	1	932
1:15-1:30	23	313	0	0	256	145	20	0	112	0	1	1	871
1:30-1:45	24	338	0	0	238	122	38	0	121	0	0	2	883
1:45-2:00	17	339	0	0	216	128	31	0	130	0	1	0	862
PEAK HR 12:45-1:45 TOTALS	**77**	**1380**	**1**	**0**	**973**	**522**	**135**	**0**	**475**	**3**	**3**	**7**	**PHF 0.96**

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M:\3954

PEAK HOUR TURNING MOVEMENT COUNT

INTERSECTION: MD 45 @ FAIRMOUNT AVENUE **COUNTY:** BALTIMORE

COUNT BY: CAMERA **DATE:** DEC 21, 2022

WEATHER: CLEAR **DAY:** WEDNESDAY

CAM

	MD 45 NORTHBOUND			**MD 45** SOUTHBOUND			**CARVER SCHOOL RD** EASTBOUND			**FAIRMOUNT AVE** WESTBOUND			
TIME	LEFT	THRU	RIGHT	LEFT	THRU	RIGHT	LEFT	THRU	RIGHT	LEFT	THRU	RIGHT	TOTAL
AM													
7:00-7:15	2	93	7	44	143	13	11	3	4	10	0	71	401
7:15-7:30	1	129	7	42	214	11	3	5	0	17	10	78	517
7:30-7:45	7	245	17	76	228	48	22	9	4	18	20	129	823
7:45-8:00	3	169	10	83	221	8	9	2	3	17	11	133	669
8:00-8:15	1	165	10	86	211	5	2	0	4	17	4	128	633
8:15-8:30	3	171	15	77	248	3	2	1	2	24	2	121	669
8:30-8:45	2	152	17	71	214	4	0	2	0	20	3	137	622
8:45-9:00	3	174	18	86	199	6	5	2	4	31	3	112	643
PEAK HR 7:30-8:30 TOTALS	**14**	**750**	**52**	**322**	**908**	**64**	**35**	**12**	**13**	**76**	**37**	**511**	**PHF 0.85**
PM													
4:00-4:15	1	247	29	268	214	4	2	5	2	37	1	108	918
4:15-4:30	0	286	33	247	210	4	2	3	3	29	0	180	997
4:30-4:45	1	243	36	232	174	3	3	3	4	22	2	164	887
4:45-5:00	1	223	33	231	203	3	7	3	2	47	3	175	931
5:00-5:15	1	238	23	259	227	4	9	4	5	21	1	186	978
5:15-5:30	2	265	43	221	219	3	3	3	0	35	1	170	965
5:30-5:45	1	212	30	238	216	1	2	6	2	41	7	152	908
5:45-6:00	1	192	36	262	212	6	4	6	2	27	0	114	862
PEAK HR 4:15-5:15 TOTALS	**3**	**990**	**125**	**969**	**814**	**14**	**21**	**13**	**14**	**119**	**6**	**705**	**PHF 0.95**

TRAFFIC CONCEPTS, INC.
7525 CONNELLEY DRIVE, SUITE B
HANOVER, MARYLAND 21076
(410) 760-2911 FAX (410) 760-2915
E-MAIL TRAFFIC@TRAFFIC-CONCEPTS.COM

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PEAK HOUR TURNING MOVEMENT COUNT

INTERSECTION: MD 45 @ FAIRMOUNT RD **COUNTY:** BALTIMORE

COUNT BY: CAMERA **DATE:** MARCH 30, 2023

WEATHER: CLEAR **DAY:** THURSDAY

CAM

	MD 45 NORTHBOUND			**MD 45** SOUTHBOUND			**CARVER CNTR** EASTBOUND			**FAIRMOUNT RD** WESTBOUND			
TIME	LEFT	THRU	RIGHT	LEFT	THRU	RIGHT	LEFT	THRU	RIGHT	LEFT	THRU	RIGHT	TOTAL
11:00-11:15	2	222	19	80	174	8	6	3	6	21	2	89	632
11:15-11:30	3	178	13	92	166	3	7	1	1	32	3	91	590
11:30-11:45	4	214	28	86	167	2	6	1	5	25	4	74	616
11:45-12:00	2	185	28	133	205	4	5	3	3	15	2	97	682
12:00-12:15	4	224	23	110	179	6	0	0	4	24	0	92	666
12:15-12:30	4	219	39	115	185	62	11	52	0	5	9	121	822
12:30-12:45	1	250	28	122	175	93	12	72	0	1	2	103	859
12:45-1:00	1	173	28	120	170	45	17	41	11	3	4	119	732
1:00-1:15	3	217	24	115	166	3	2	3	2	14	2	92	643
1:15-1:30	3	207	17	119	178	4	5	5	7	27	4	117	693
1:30-1:45	2	216	19	105	186	3	5	5	3	24	6	92	666
1:45-2:00	0	211	21	145	192	8	3	1	4	25	1	82	693
PEAK HR 12:00-1:00 TOTALS	**10**	**866**	**118**	**467**	**709**	**206**	**40**	**165**	**15**	**33**	**15**	**435**	**PHF 0.90**

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PEAK HOUR TURNING MOVEMENT COUNT

INTERSECTION: MD 45 @ FAIRMOUNT AVENUE **COUNTY:** BALTIMORE

COUNT BY: CAMERA **DATE:** DEC 17, 2022

WEATHER: OVERCAST **DAY:** SATURDAY

CAM

	MD 45 NORTHBOUND			**MD 45** SOUTHBOUND			**CARVER SCHOOL RD** EASTBOUND			**FAIRMOUNT AVE** WESTBOUND			
TIME	LEFT	THRU	RIGHT	LEFT	THRU	RIGHT	LEFT	THRU	RIGHT	LEFT	THRU	RIGHT	TOTAL
SAT													
11:00-11:15	1	179	27	129	157	3	7	3	2	36	0	124	668
11:15-11:30	3	187	22	151	154	4	2	4	1	34	0	134	696
11:30-11:45	0	212	19	145	172	0	3	2	1	36	0	111	701
11:45-12:00	1	199	21	182	178	2	3	1	2	39	1	119	748
12:00-12:15	3	201	31	164	193	3	3	1	1	22	2	97	721
12:15-12:30	3	180	24	169	208	0	7	1	1	34	0	111	738
12:30-12:45	0	211	27	134	177	2	2	1	6	45	1	106	712
12:45-1:00	2	186	35	163	202	3	3	2	2	31	3	120	752
1:00-1:15	3	235	23	144	196	5	5	2	4	34	3	126	780
1:15-1:30	0	193	22	154	223	5	9	2	2	40	2	102	754
1:30-1:45	1	233	30	148	196	4	2	1	3	38	0	123	779
1:45-2:00	1	195	27	157	203	9	6	2	3	46	3	148	800
PEAK HR 1:00-2:00 TOTALS	**5**	**856**	**102**	**603**	**818**	**23**	**22**	**7**	**12**	**158**	**8**	**499**	**PHF 0.97**

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APPENDIX III
SITE PLAN & TRIP DATA

Automated Car Wash
(948)

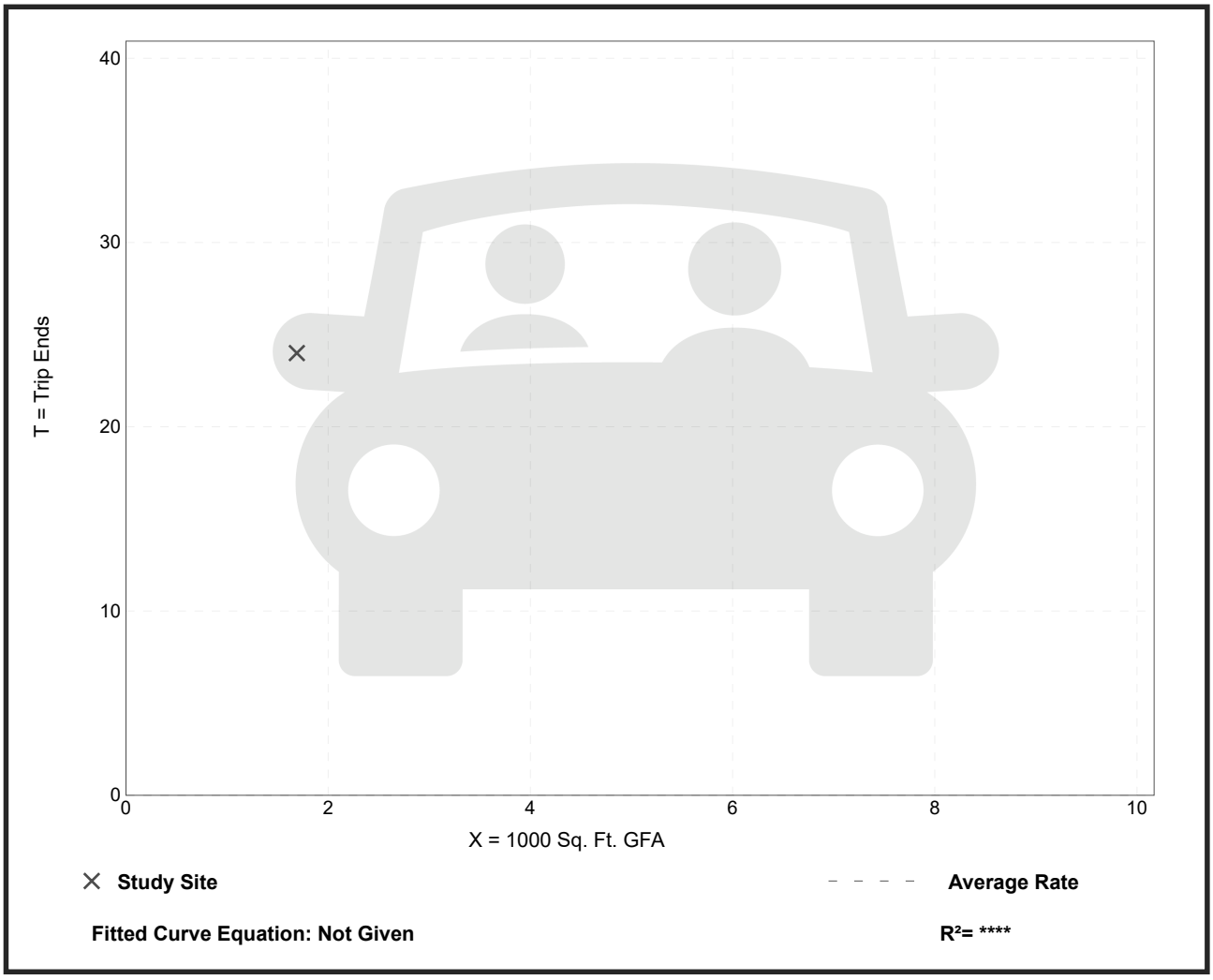
Vehicle Trip Ends vs: **1000 Sq. Ft. GFA**
On a: **Weekday,**
Peak Hour of Adjacent Street Traffic,
One Hour Between 4 and 6 p.m.
Setting/Location: **General Urban/Suburban**
Number of Studies: 1
Avg. 1000 Sq. Ft. GFA: 2
Directional Distribution: 50% entering, 50% exiting

Vehicle Trip Generation per 1000 Sq. Ft. GFA

Average Rate	Range of Rates	Standard Deviation
14.20	14.20 - 14.20	*

Data Plot and Equation

Caution – Small Sample Size



Trip Gen Manual, 11th Edition ● Institute of Transportation Engineers

Automated Car Wash
(948)

Vehicle Trip Ends vs: **1000 Sq. Ft. GFA**
On a: **Saturday, Peak Hour of Generator**

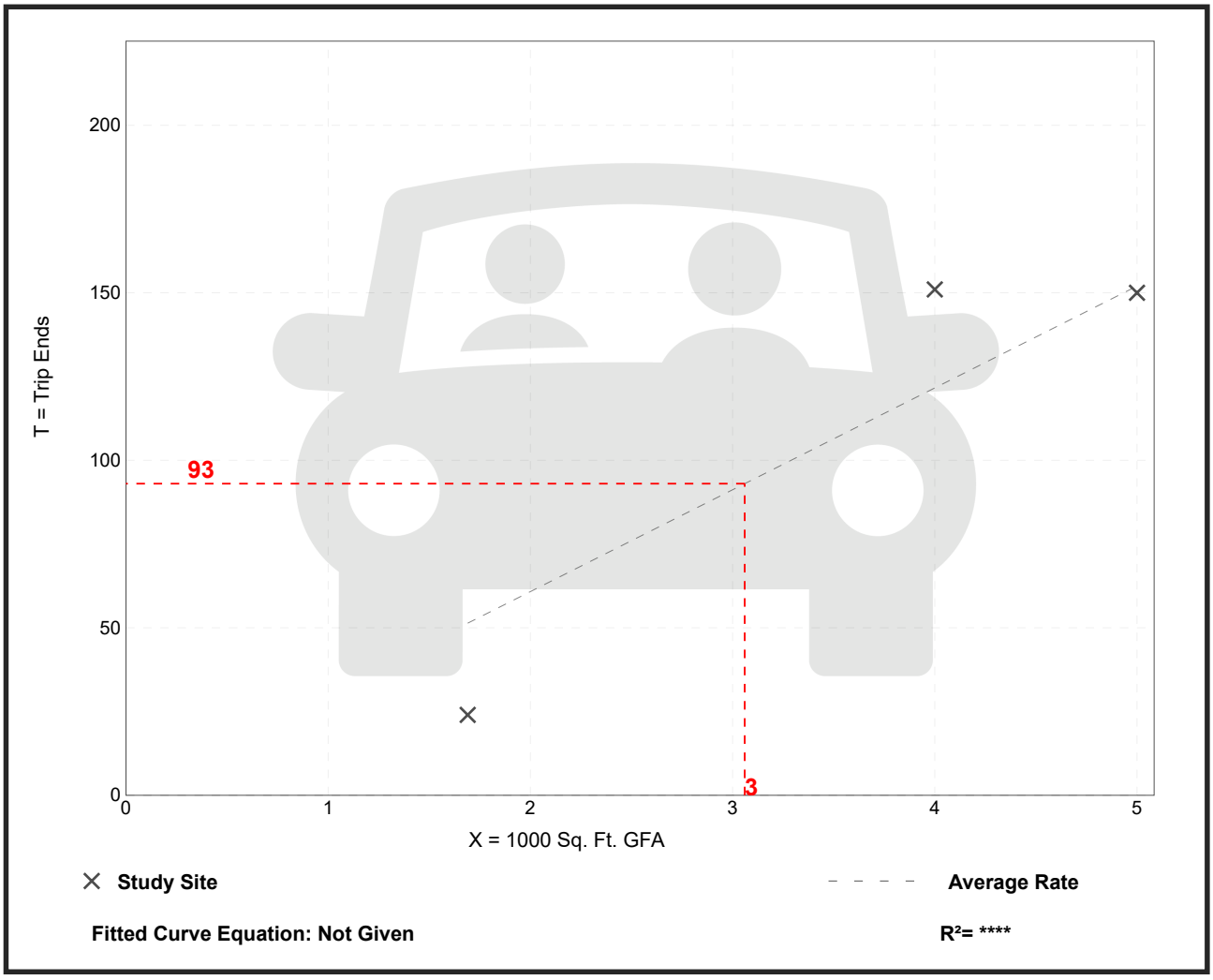
Setting/Location: **General Urban/Suburban**
Number of Studies: 3
Avg. 1000 Sq. Ft. GFA: 4
Directional Distribution: 50% entering, 50% exiting

Vehicle Trip Generation per 1000 Sq. Ft. GFA

Average Rate	Range of Rates	Standard Deviation
30.40	14.20 - 37.75	9.63

Data Plot and Equation

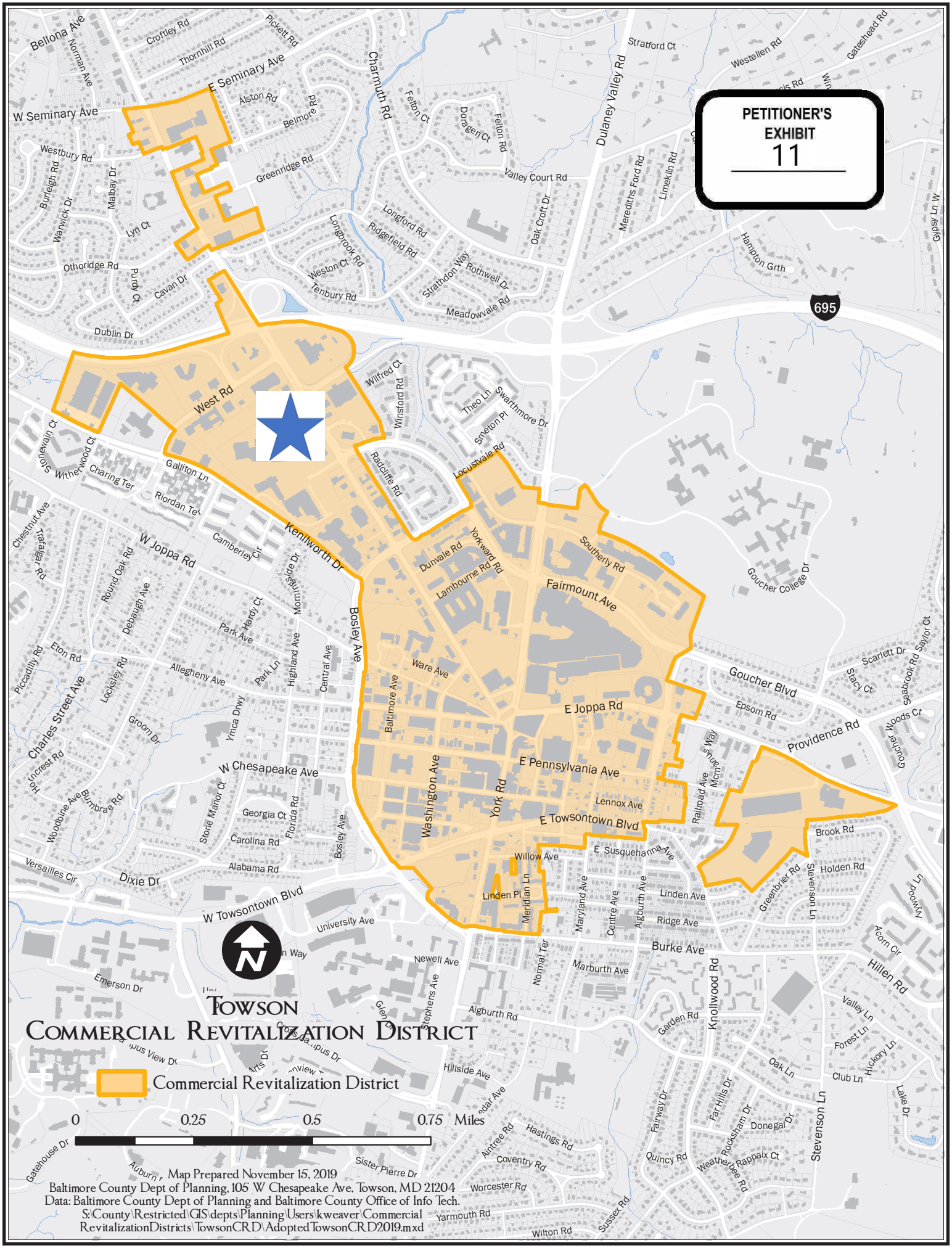
Caution – Small Sample Size



Fitted Curve Equation: Not Given

R^2= **

Trip Gen Manual, 11th Edition ● Institute of Transportation Engineers


PETITIONER'S EXHIBIT 11
Towson
Commercial Revitalization District
Commercial Revitalization District
0
0.25
0.5
0.75 Miles
Map Prepared November 15, 2019
Baltimore County Dept of Planning, 105 W Chesapeake Ave, Towson, MD 21204
Data: Baltimore County Dept of Planning and Baltimore County Office of Info Tech.
S:\County\Restricted\GIS\depts\Planning\Users\kweaver\Commercial RevitalizationDistricts\TowsonCRD\AdoptedTowsonCRD2019.mxd
W Seminary Ave
E Seminary Ave
Bellona Ave
Charmuth Rd
Dulaney Valley Rd
Valley Court Rd
Greenridge Rd
Longford Rd
Ridgefield Rd
Longbrook Rd
Weston Ct
Tenbury Rd
Strathdon Way
Rothwell Dr
Meadowvale Rd
Hampton Grth
695
West Rd
Kenilworth Dr
Locustvale Rd
Radcliffe Rd
Winsford Rd
Wilfred Ct
Theo Ln
Swarthmore Dr
Smeton Pl
Galliton Ln
Riordan Ter
Camberley Cir
W Joppa Rd
Bosley Ave
Dunvale Rd
Yorkward Rd
Lambourne Rd
Southerly Rd
Fairmount Ave
Goucher College Dr
Goucher Blvd
E Joppa Rd
Epsom Rd
Providence Rd
Scarlett Dr
Stacy Ct
Seabrook Rd
Saylor Ct
Woods Ct
Goucher Ct
Ware Ave
Baltimore Ave
Washington Ave
York Rd
E Pennsylvania Ave
Lennox Ave
E Towsontown Blvd
Railroad Ave
Memorial Ave
Brook Rd
E Susquehanna Ave
Willow Ave
Linden Pl
Meridian Ln
Maryland Ave
Centre Ave
Aigburth Ave
Linden Ave
Ridge Ave
Burke Ave
Normal Ter
Marburth Ave
Greenbrier Rd
Stevenson Ln
Holden Rd
Acorn Cir
Hillen Rd
Knollwood Rd
Garden Rd
Aigburth Rd
Valley Ln
Forest Ln
Hickory Ln
Oak Ln
Club Ln
Lake Dr
Stevenson Ln
Fairway Dr
Far Hills Dr
Rocksham Dr
Donegal Dr
Quincy Rd
Weatherbee Rd
Rappaix Ct
Aintree Rd
Hastings Rd
Coventry Rd
Worcester Rd
Yarmouth Rd
Wilton Rd
Sussex Rd
Sister Pierre Dr
Gatehouse Dr
Auburn Rd
Hillside Ave
Newell Ave
Stephens Ave
Emerson Dr
University Ave
W Towsontown Blvd
Dixie Dr
Versailles Cir
Alabama Rd
Carolina Rd
Georgia Ct
Florida Rd
Stone Manor Ct
W Chesapeake Ave
Ymca Drwy
Groom Dr
Charles Street Ave
Hollencrest Rd
Woodbine Ave
Burnbrae Rd
Piccadilly Rd
Eton Rd
Lockisley Rd
Allegheny Ave
Park Ln
Highland Ave
Central Ave
Park Ave
Hardy Ct
Morningside Dr
Debaugh Ave
Round Oak Rd
Chestnut Ave
Trafalgar Rd
Withenwood Ct
Charing Ter
Shohewain Ct
Dublin Dr
Othoridge Rd
Purdy Ct
Cavan Dr
Lyn Ct
Warwick Dr
Burleigh Rd
Westbury Rd
Mailbay Dr
Alston Rd
Belmore Rd
Pickett Rd
Croftley Rd
Thornhill Rd
Norman Ave
Felton Ct
Felton Rd
Doragen Ct
Oak Croft Dr
Merediths Ford Rd
Limekiln Rd
Stratford Ct
Westellen Rd
Gateshead Rd
Gayly Ln W

PETITIONER'S EXHIBIT 12A

Baltimore County Community Associations

Community Associations in Baltimore County

Organization	Last Updated	Salutation	First Name	Last Name	Title	Address	City	State	ZIP Code	Email	Website	District
Academy Heights Civic Association	5/16/2022	MR	Joseph	Shinault	PRESIDENT	PO Box 3292 Catonsville MD 21228	Catonsville	MD	21228	info@academyheightsmd.org	www.academyheightsmd.org	1
Aigburth Manor Assoc of Towson Inc	7/13/2022	MS	Mary Carol	Bruff	PRESIDENT	14 Hillside Avenue	Towson	MD	21286	info@aigburthmanor.org	www.aigburthmanor.org	6
Anneslie Community Assoc	9/29/2022	MR	Robert	Fisher	PRESIDENT	509 Dunkirk RD	Baltimore	MD	21212	president@anneslie.org	www.anneslie.org	5
Anton Woods Association Inc.	9/30/2022	MS	Janice	Perlman	PRESIDENT	3719 Michelle Way	Baltimore	MD	21208			2
Back River Neck Penn Comm Assoc	6/28/2018	MR	Carl	Maynard	PRESIDENT	PO Box 16754	Baltimore	MD	21221			6
Ballard Green Community Assoc Inc President's term ended	5/8/2022		Suresh	Rajagopalan	BOARD PRESIDENT	9471 Ballard Green Ave	Owings Mills	MD	21117	BallardGreenBoard@outlook.com		4
Bauernschmidt Manor Improv Assoc	8/19/2019	MR	Joseph	Elben	PRESIDENT	2318 Martin Drive	Baltimore	MD	21221	bauernschmidtmia@gmail.com		6
Berkshire Community Assoc	12/7/2016	MS	Nora	Baublitz	PRESIDENT	PO Box 25624	Baltimore	MD	21224	Berkshirecommunityassoc@yahoo.com		7
Bird River Beach Comm Assoc Inc	10/7/2019	MS	Christine	Hinkle	PRESIDENT	6518 Blackhead Road	Middle River	MD	21220	birdriverbeachassoc@gmail.com		6
Bird River Road Neighborhood Assoc.	5/8/2022	MS	Linda	Felts		PO Box 324	White Marsh	MD	21162	linda@cummingsrealtors.com		6
Biscayne Bay Village Community Assoc Inc.	6/24/2019	MR	Dave	Gerstmyer	PRESIDENT	PO Box 345	Chase	MD	210270345	dmgerstmyer@yahoo.com		6
Boston Courts Community Assoc Inc	10/15/2019	MR	Lee	McBride	PRESIDENT	631 Villager Circle	Baltimore	MD	21222	lmcbride631@gmail.com		7
Bowleys Quarters Improvement Assoc	12/9/2021	MR	James	Hock	PRESIDENT	P.O BOX 18051	Middle River	MD	21220	james.n.hock@gmail.com	www.bqia.org	6
CHESAPEAKE GATEWAY CHAMBER OF COMMERCE (FORMERLY ESSEX CHAMBER OF COMMERCE)	1/4/2023	MS	SHARON	KIHN	PRESIDENT	415 WILLIAMS COURT, SUITE 102 MIDDLE RIVER MD 21220	MIDDLE RIVER	MD	21220	info@chesapeakechamber.org	www.chesapeakechamber.org	6
Carney Improvement Association Inc.	10/30/2020	MS	Meg	O'Hare	PRESIDENT	3012 Summit Ave	Carney	MD	21234	carneycia@gmail.com		3, 5
Carroll Crest HOA	4/12/2022	MR	Benjamin	Colbert		4307 Gallatin St Hyattsville MD 20781	Hyattsville	MD	20781	carrollcresthoa@yahoo.com		6
Catonsville Manor Comm Assoc Inc	6/26/2018	MS	Kathryn	Honaker	PRESIDENT	1105 Dorchestor Ave	Baltimore	MD	21207	westcatonsvillemanor@gmail.com	http://www.neighborhoodlink.com/Catonsville_Manor:	1
Cedars HOA	1/18/2018	MS	Gail	Boyette	PRESIDENT	c/o Metropolis Condo Mgmt Inc; 4307 Gallatin Street	Hyattsville	MD	20870	gboyette105@gmail.com		4
Chase Manor HOA	5/31/2022		Metropolis	Management		4307 Gallatin Street Hyattsville MD 20781				ChaseManorBoard@gmail.com		
Chatterleigh Assoc, Inc.	6/28/2016	MS	Rita	Solinsky	PRESIDENT	PO Box 42243	Towson	MD	212842243	chatterleighassociation@gmail.com	www.chatterleigh.org	3
Chesaco HOA Inc.	9/22/2021	MR	Roy	Thomas	PRESIDENT	1736 Chesaco Ave Rosedale MD 21237	Baltimore	MD	21237	CVHA15@gmail.com		6
Chesapeake Bay Association Inc.	8/22/2022	DR	Frank	Neighoff	PRESIDENT	8903 Cuckold Point Road	Baltimore	MD	21219	Chesapeake.Bay.Assn@gmail.com	Chesapeake-Bay-Association.com	7
Cobblestone HOA	6/3/2020	MR	Alan	Donaldson	Board Pres	8 Stone Pine Ct	Baltimore	MD	21208	kgeorge@residential-realty.com	https://sites.google.com/site/cobblestonemdhoa	2
Colgate Improvement Assoc Inc	9/10/2019	MS	Donna	Meltin	PRESIDENT	8046 Eastdale Rd	Baltimore	MD	21224	mycolgatepride2013@gmail.com	www.facebook.com/colgateimprovementassociation	7
Colonial Village Neighborhood Improv Assoc	10/2/2019	MS	Kristin	Zeminski	SECRETARY	4107 Lowell Dr.,	Pikesville	MD	21208	colonialvillagepikesville@gmail.com	https://colonialvillagepikesville.homesteadcloud.com/	2
Combined Communities Advocacy Council of Greater Randallstown	5/24/2022		Aaron	Plymouth								4
Deer Run at Mayfield HOA Inc.	5/27/2021	MS		McCook	PROPERTY MANAGER	375 Piccard Dr Ste 210 Rockville MD 20850	Rockville	MD	20850	Community@accessmmi.com	https://mmi.cincwebaxis.com	2
Deerfield Community Association	5/3/2022	MS	Linda	Taylor	PRESIDENT	3305 Windsor Boulevard	Baltimore	MD	21207	mrtaylor50@verizon.net		4
Devonshire II Condo Assoc.	5/19/2022	MS	Ginger	Tildon	V.P.	MRA Property Management, Inc. 3103 Emmorton Rd Abingdon, MD 21009	Abingdon	MD	21009	mrapmi@mrapmi.com		7
Dumbarton Improvement Association	6/7/2022	MR	Barry	Nabozny	PRESIDENT	3517 Overbrook Road	Baltimore	MD	21208	dumbartonassociation@gmail.com		2
Dundalk Chamber of Commerce	3/31/2016	MS	Cathy	Hurley	EXEC. DIRECTOR	2 Dunmanway Ste 223	Baltimore	MD	21222	cathy@dundalkchamberofcommerce.org	http://www.dundalkchamberofcommerce.org/	7

Baltimore County Community Associations

Community Associations in Baltimore County

Organization	*Last Updated*	*Salutation*	*First Name*	*Last Name*	*Title*	*Address*	*City*	*State*	*ZIP Code*	*Email*	*Website*	*District*
Dundalk Renaissance Corporation	3/31/2016	MS	Amy	Menzer	EXEC. DIRECTOR	PO Box 9276	Baltimore	MD	21222	amy@dundalkusa.org	www.dundalkusa.org	7
EDMONDSON HEIGHTS CIVIC ASSOC	10/12/2022		JACQUISTA	POWELL	PRESIDENT	P.O. BOX 21150, CATONSVILLE, MD 21228	BALTIMORE	MD	21228	president@ehcaonline.org	https://www.ehcaonline.org/	1
East Catonsville Manor Community Assoc	5/22/2019	MS	Karen	Wolle	SECRETARY	5829 Carroll St	Baltimore	MD	21207	ecmca21207@gmail.com	www.ecmca.net	1
Eastwood Residents & Business Association of Baltimore County Inc.	8/23/2021	MS	Lynne	Mitchel	PRESIDENT	7306 Stratton Way	Baltimore	MD	21224	lynnmitchell1198@gmail.com	Facebook – Eastwood Residents & Business Community Association of Baltimore County Group	7
Essex Community Association	1/16/2018	MR	George	Lang, IV	PRESIDENT	342 Essex Ave	Essex	MD	21221	essexcomassoc@yahoo.com		7
Essex-Middle River Civic Council Inc	10/28/2021	MR	Robert	Bendler	PRESIDENT	1713 Wilson Point Road Middle River MD 21220	Middle River	MD	21220	shoreperfect@comcast.net		6, 7
Fairbrook Community HOA	6/9/2022		Franca	Soares de Souza	TREASURER	1099 Winterson Rd Suite 200, Linthicum Heights, MD 21090	Windsor Mill	MD	21244	francasds@gmail.com		1
Falls Road Comm Assoc.,Inc	10/7/2015	MR	Harold H.	Burns, Esq.	PRESIDENT	P.O. Box 555	Brooklandville	MD	21022		www.thefrca.org	2, 3
Fieldstone Community Group Inc	4/19/2022	MS	Tim	Clark		3603 Stoneybrook Rd	Randallstown	MD	21133	patclark07@verizon.net	http://fieldstonehoa.net/	4
Finns Landing HOA	3/5/2018	MR	Eric	Green	PRESIDENT	PO Box 1019	Randallstown	MD	21133	finnslanding21133@gmail.com		4
Fort Howard Community Association Inc.	5/28/2021	MR	Scott	Pappas	PRESIDENT	PO Box 341 Fort Howard MD 21052-0341	Fort Howard	MD	21052	mail@forthoward.org		7
GREATER KINGSVILLE CIVIC ASSOC	10/19/2022	MR	CHARLIE	WOLPOFF	PRESIDENT	PO BOX 221 KINGSVILLE MD 21087	KINGSVILLE	MD	21087		www.gkca.info	5
Garrison woods section 1 2 3 4	8/12/2021		Eric	Hess		Po Box 499 Linthicum Heights MD 21090				ehess@communitymanagers.net		1
Gray Manor-Northshire Community Assn	5/3/2021	MR	George	Fischer	PRESIDENT	2410 Plainfield Road	Baltimore	MD	21222	george@gmnca.org	http://gmnca.org	7
Graystone Community Assoc Inc	7/27/2021	MS	Mary	Williams	PRESIDENT	PO Box 11819, Baltimore MD 21207	Baltimore	MD	21207	graystonecommunity@gmail.com	gca-baltimore.org	1 & 4
Greater Arbutus Business Assoc	5/4/2022	MS	Bettina	Tebo	PRESIDENT	PO Box 7357	Baltimore	MD	21227	info@arbutus.org	www.arbutus.org	1
Greater Catonsville Chamber of Commerce	5/4/2022	MS	Namita	Kumar	EXEC. DIRECTOR	757 Frederick RD, Ste 102	Catonsville	MD	21228	chamber@catonsville.org	www.catonsville.org	1
Greater Greenspring Assoc.	10/11/2019	MR	Tom	Finnerty	PRESIDENT	119 St Thomas Ln	Owings Mills	MD	21117			2
Greater Jacksonville Assoc Inc	6/21/2019	MS	Elizabeth.	Lehmann	SECRETARY	PO Box 126	Phoenix	MD	21131	greaterjacksonville@gmail.com	www.GreaterJacksonville.org	3
Greater Living Opportunities, Inc.	3/1/2018	MS	Brenda	Harney	PRESIDENT	914 Winsap Court	Baltimore	MD	21227	glo.inc2016@gmail.com		1
Greater Patapsco Comm Assoc Inc (GPCA)	10/24/2019	MS	Kathleen	Skullney	ZONING CHAIR	P.O. Box 31	Granite	MD	21163	gpca21163@gmail.com	www.gpca.net	1, 4
Greater Timonium Community Council Inc	6/23/2022	MS	Eric	Rockel	PRESIDENT	PO Box 276 Timonium MD 21093	Lutherville	MD	21093	erockel@earthlink.net	www.gtccinc.org	3
Greater West Hills Community Assoc, Inc.	5/3/2018	MS	Cynthia	Green	SECRETARY	PO Box 11531	Baltimore	MD	21229	greaterhillscommunity@gmail.com	www.neighborhoodlink.com/Greater_W_Hills	
Green Towson Alliance	5/19/2022	MS	Kirsten	Hoffman		701 W. Joppa RD Towson MD 21204	Towson	MD	21204	hoffman01@yahoo.com	www.greentowsonalliance.org	5
Gunpowder Falls Watershed Preservation Assoc	9/11/2019	MR	Dewey	Clark	PRESIDENT	PO Box 2	Fork	MD	21051	gfwpa@protonmail.com		3, 5
Gwynn Oak Community Association	6/24/2021		Rosa	Griffin	PRESIDENT	2724 Gwynnmore Avenue Baltimore MD 21207	Baltimore	MD	21207	rosasoulmate@aol.com		4
Gwynnvale Civic Association	7/15/2021	MS	Joan	Bryan	SECRETARY	1316 Idylwood RD	Pikesville	MD	21208	jbbryan615@verizon.net		2
HARBEL Community Organization Inc. DBA HARBEL Housing Partnership	7/21/2022	MS	Zina	Moore	DIRECTOR	5807 Harford Road Baltimore, MD 21214	Baltimore	MD	21214	harbelhousing@gmail.com	www.harbel.org	5
HONEYGO RIDGE HOME OWNERS ASSOCIATION	11/30/2022	MR	MICHAEL	THOMAS	PRESIDENT	P.O. BOX 503, WHITE MARSH, MD 21162	WHITE MARSH	MD	21162	hoa@honeygoridge.com	www.honeygoridge.com	6

Baltimore County Community Associations

Community Associations in Baltimore County

Organization	Last Updated	Salutation	First Name	Last Name	Title	Address	City	State	ZIP Code	Email	Website	District
Halethorpe Improvement Association Inc	5/10/2022		Michael	McAuliffe	PRESIDENT	PO Box 7306 Halethorpe MD 21227	Halethorpe	MD	21227	halethorpe.improvement.assn@gmail.com	HalethorpeMD.org	1
Halethorpe Improvement Asson Inc	6/25/2021	MR	Michael	McAuliffe	PRESIDENT	PO Box7306 Halethorpe MD 21227	Halethorpe	MD	21227	halethorpe.improvement.assn@gmail.com	http://halethorpemd.org/	1
Hanover Road Assoc Inc	6/29/2021	MR	George	Harman	PRESIDENT	PO BOX 121 Upperco MD 21155	Upperco	MD	21155	harmangeorge@hotmail.com	www.hanoverroad.org	3
Harford Park Community Association Inc	9/9/2022	MS	Cathy	Thompson	PRESIDENT	2522 Linwood Road Parkville MD 21234	Parkville	MD	21234	info@harfordpark.org	www.harfordpark.org	6
Harris Hill Condominium Association	9/11/2019	MS	Michele	Yendall	SECRETARY	521 McManus Way	Towson	MD	21286	michele.yendall@comcast.net		5
Heatherfield Association	5/19/2022	MR	Dean	Merritt	PRESIDENT	3 Horseshoe Circle, Lutherville, MD 21093	Lutherville	MD	21093	heatherfield21093@gmail.com		2
Hernwood Heights Community Association Inc	5/26/2022	MS	Carla	Nelson Chambers	PRESIDENT	23 Sheraton Road, Randallstown, MD 21133	Randallstown	MD	21133	CChambersHHCA@comcast.net		4
Holland Hill Neighborhood Improvement Association Inc	9/2/2022	MS	Rachel	Keatts	DIRECTOR	5644 Whitby RD Baltimore MDF 21206	Baltimore	MD	21206	hollandhillbaltimore@gmail.com		6
Huntington Manor HOA, Inc.-C/O Kemper Management Associates	3/27/2018	MR	Mick	Kemper	Property Manager	PO Box 1451	Bel Air	MD	21014		www.huntingtonmanor.org	3
Idlewylde Comm Assoc, Inc.	6/13/2018	MR	Peter	Ismay	PRESIDENT	PO Box 66106	Baltimore	MD	21239		www.idlewylde.org	5
Ingleside Neighborhood Association of Catonsville Inc	4/19/2022	MR	Matthew	Riesner	PRESIDENT	706 Ingleside Ave, Catonsville, MD 21228	Catonsville	MD	21228	matthewriesner@gmail.com		1
Kenwood Gardens Condo Assoc	12/18/2016	MR	Bernard	Haske	PRESIDENT	1 Bristol Hill Ct	Catonsville	MD	21228			1
Kimberleigh Community Assoc.	5/3/2018	MR	Charles	Mason Jr.	PRESIDENT	3700 Pinelea Rd	Baltimore	MD	21208	dru4lyfe@hotmail.com		2
Kings Park Community Association Inc	5/3/2022	MR	Malik	Freeman	PRESIDENT	3508 Kings Point Randallstown MD 21133	Randallstown	MD	21133	kpca21133@gmail.com	www.kingspark21133.org	4
Kings Park HOA Inc	5/28/2021		Nigeria	Rolling-Ford	PRESIDENT	c/o American Community Management, 1099 Winterson Road, Suite 200, Linthicum Heights, MD 21090	Randallstown	MD	21133	president.kingsparkhoa@gmail.com		4
Knollbrook Community Assembly	11/10/2021	MS	Jordan	Wolfe	PRESIDENT	Box 1212; Cockeysville, MD 21030	Cockeysville	MD	21030	JordanWolfe88@gmail.com		3
LINOVER IMPROVEMENT ASSOCIATION	11/30/2022	MS	CAITLIN	KLIMM-KELLNER	PRESIDENT	PO BOX 16952, BALTIMORE, MD 21206	BALTIMORE	MD	21236	linover@linover.org	www.linover.org	6
Lake Falls Comm Assoc	11/9/2017	MR	Douglar	Munro	PRESIDENT	1210 Lake Falls Road	Baltimore	MD	21210	LakeFallsAssociation@gmail.com		2
Lakehurst Community Assoc	2/4/2019	MR	Daniel	Phelan	PRESIDENT	6007 Lakeview Rd	Baltimore	MD	21210	Lakehurst21210@gmail.com		2
Las Amigas Baltimore Chapter, Inc	9/11/2019	MS	Lois	Wysinger	REPRESENTATIVE	P.O. Box 47092	Baltimore	MD	21244	lasamigasbaltimore@hotmail.com	lasamigasincorporated.org	4, 5
Liberty Manor Community Assoc	6/7/2021	MS	Mildred	Owens	PRESIDENT	3321 Greenmead Road	Baltimore	MD	21244	mildred.owens@sbcglobal.net		4
Liberty Road Business Assoc.	9/14/2018	MS	Kelly	Carter	EXEC. DIRECTOR	PO Box 1417	Randallstown	MD	21133	lrba@lrba.biz	www.lrba.biz	4
Liberty Road Comm Council	7/9/2019	MS	Shirley	Supik	PRESIDENT	PO Box 256	Randallstown	MD	21133	liberty-road-community-council@googlegroups.com		4
Lutherville Community Association	9/2/2022	MS	Pamela K.	Shaw	PRESIDENT	P.O. Box 6, Lutherville-Timonium 21094	Lutherville	MD	21094	LuthervilleCommunity@gmail.com	www.luthervillecommunityassociation.org	3
Lynch Point Improv Assoc Inc	4/26/2016	MS	Leah	Diven	SECRETARY	7200 River Drive Rd	Baltimore	MD	21219		www.myedgemere.com/groups/lynch_pt_ia.htm	7
Lyons Manor Comm Assoc Inc	4/19/2022	MR	Kyle	Ayres	Community Assoc Manager	7484 Candlewood Rd Ste H	Hanover	MD	21076	kayres@communitymanagers.net	www.acmhome.com	4
Lyonswood HOA Inc	5/26/2021	MS	Dawn	Ferrus	DIRECTOR	P.O. Box 1426 Owings Mills, MD 21117	Owings Mills	MD	21117	lyonswoodhoa@gmail.com		4
Mardella Ridge Homeowner Association	11/7/2019	MR	Damien	Sharp	V.P.	9211 Mardella Ridge Court	Randallstown	MD	21133	mardellaridgehoa@gmail.com		4
Mardella Run Estate HOA Inc	4/19/2022	MS	Rhoda	Jones	PRESIDENT	17 Gondola View Court	Woodstock	MD	21163	jonesrhoda@ymail.com		4
Marriot's Choice HOA (previously Carriage Hill HOA)	10/24/2019	MR	Matt	Leebel	Community Manager	P.O. Box 767	Bel Air	MD	21014	matthew.leebel@fsresidential.com		4
Mayfield Community Assoc., Inc	8/8/2019	MS	Karen	Carter	SECRETARY	8302 Tinsley Road	Windsor Mill	MD	21244			4

Baltimore County Community Associations

Community Associations in Baltimore County

Organization	*Last Updated*	*Salutation*	*First Name*	*Last Name*	*Title*	*Address*	*City*	*State*	*ZIP Code*	*Email*	*Website*	*District*
McDonogh Green HOA	5/26/2021	MR	John	McNally	PRESIDENT	1777 Reisterstown Road, W22 #344, Pikesville, MD 21208	Randallstown	MD	21133	mcdonoghgreenhoa@gmail.com	www.mcdonoghgreenhoa.com	2
Merrymount Neighborhood Improvement Association Inc	6/25/2021		Jason	Taylor	PRESIDENT	8314 Charmel Drive	Windsor Mill	MD	21244	mmniainc@gmail.com		4
Middlesex Community Association	3/14/2018	MR	Jacob	O'Connell	PRESIDENT	PO Box 7997	Baltimore	MD	21221	middlesex21221@yahoo.com	on Facebook: Middlesex Row Homes	6
Milford Improvement Association	6/16/2022		Louise	Hellwig	SECRETARY	3707 Croydon Road Baltimore MD 21207	Baltimore	MD	21207	l_hellwig@yahoo.com		4
Milford Mill Road Community Assoc	10/5/2017	MS	Shirley	Nelson	PRESIDENT	7808 Brevort Rd	Baltimore	MD	21244	milfordmillroad7808@gmail.com		4
Millers Island Residents Association Inc	5/7/2022	DR	Frank	Neighoff	PRESIDENT	8903 Cuckold Point Road, Sparrows Point, MD 21219- 1633	Sparrows Point	MD	21219	Dr.Frank.Neighoff@gmail.com	www.residentsofmi.com	7
Miramar Landing HOA Inc	12/13/2021	MR	Matthew	Merckel	Property Manager	3706 Crondall Lane Ste 105, Owings Mills, MD 21117	Owings Mills	MD	21117	information@miramarlandinghoa.com	www.miramarlandinghoa.com	6
Neighborhood Safety Team Baltimore County Inc	6/29/2021	MR	Walter	Hollman Sr	PRESIDENT	PO Box 7664	Gwynn Oak	MD	21207	president@nstbc.org	www.nstbc.org	All
North County Community Group	4/16/2018	MS	Kathleen	Felber	PRESIDENT	4310 Beckleysville Rd	Hampstead	MD	21074	knotgarden57@comcast.net	https://www.facebook.com/northcountycommunitygroup/	3
North Point Peninsula Council, Inc.	12/13/2017	MR	Fran	Taylor	PRESIDENT	PO Box 444	Fort Howard	MD	21052	fralintay@comcast.net		7
North West Chamber of Commerce	5/11/2022		Emily	Winters						emily@northwestchambermd.com	https://northwestchambermd.com/about-us/board-of-directors/	4
Norwood Holabird Community Association Inc.	5/19/2022	MR	David	Rader II	PRESIDENT	7520 Westfield Rd	Dundalk	MD	21222	chexed@gmail.com	www.nhca.info	7
Oak Crest Community Assoc.	1/5/2022	MS	Maureen	Paugh	PRESIDENT	208 Rosewood Ave	Baltimore	MD	21228	oakcrestcommunityassoiation@gmail.com		1
Oakwood Village Community Assoc. Inc.	6/1/2021	MS	Vivian	Paysour	PRESIDENT	PO Box 146 Randallstown MD 21133	Randallstown	MD	21133	oakwoodvillage@gmail.com		4
Oella Homeowners Assoc	6/9/2022	MR	Chris	Carden	PROPERTY MANAGER	PO Box 488 Linthicum Heights MD 21090	Linthicum Heights	MD	21090	ccarden@communitymanagers.net	www.acmhome.com	1
Old Catonsville Neighborhood Association Inc	6/1/2021	MR	John	Marshall	PRESIDENT	16 Osborne Avenue, Catonsville, MD 21228	Catonsville	MD	21228	oldcatonsville@gmail.com	www.oldcatonsville.org	1
Old Court Greenspring Improvement Assn Inc	5/3/2022		Mical	Wilmoth Carton	PRESIDENT	3004 Old Court Road	Baltimore	MD	21208	ocgshoa@aol.com	ocgshoa.org	2
Old Dundalk Neighborhood Association	10/4/2022	MS	Jessica	Lilli	PRESIDENT	101 N Dundalk Avenue Baltimore, MD 21222	Baltimore	MD	21222	olddundalk@gmail.com		7
Orchard Glen Community Association	5/6/2022	MS	Cora	Brown	V.P.	8118 Milford Garden Drive Windsor Mill MD 21244	Baltimore	MD	21244	galloway44@comcast.net		4
Overbrook RD Catonsville Neighborhood Association	11/24/2020	MR	Robert	Gorey	PRESIDENT	36 Overbrook RD Catonsville MD 21228	Catonsville	MD	21228	overbrookroad@gmail.com		1
Overlea Community Association Inc	6/15/2022	MS	Melissa	Davis	PRESIDENT	109 W Elm Avenue	Baltimore	MD	21206	president@overleaonline.org	www.overleaonline.org	6
Overlea-Fullerton Business Assoc. Inc.	9/11/2019	MS	Donna	Bethke	PRESIDENT	7406 Brookwood Ave	Nottingham	MD	21236	ptavon@comcast.net	www.OverleaFullertonRosedaleBiz.com	5, 6
POT SPRING COMMUNITY ASSOCIATION	12/1/2022	MR	JEFF	MYERS	PRESIDENT	P.O. BOX 129, TIMONIUM MD 21094	TIMONIUM	MD	21093	Jeff.GailMyers@gmail.com	www.PotSpringCommunityAssociation.org	3
Pahl's Crossing HOA	9/13/2021	MS	Maryann	Moulden-Ferguson	PRESIDENT	7227 Pahls Farm Way, Pikesville, 21208, MD	Baltimore	MD	21208	pahlscrossingpresident@gmail.com		2
Paradise Comm Assoc	9/24/2020	MR	Joseph	Pallozzi	V.P.	6350 Frederick Road, Catonsville MD 21228	Baltimore	MD	21228	smerenbloom@verizon.net	https://www.facebook.com/groups/122232078411336/	1
Parkview Trails Community HOA Inc	8/24/2022	MS	Michelle	Davis	PRESIDENT	3600 Crondall Lane #100	Owings Mills	MD	21117	PVTBOARD@GMAIL.COM	www.acmhome.com	1
Parkville Carney Business Assoc, Inc.	9/11/2019	MR	Chris	Montcaimo	PRESIDENT	9613C Harford Rd, Ste 183	Baltimore	MD	21234	infol@ParkvilleCarney.org	www.ParkvilleCarney.org	3, 5, 6
Patapsco Overlook COA	4/19/2022	MS	Brenda	Hurbanis	BOARD PRESIDENT	28 Allegheny Avenue, Suite 515 Towson, MD 21204	Catonsville	MD	21228	marissa.freeman@fsresidential.com		1

Baltimore County Community Associations

Community Associations in Baltimore County

Organization	Last Updated	Salutation	First Name	Last Name	Title	Address	City	State	ZIP Code	Email	Website	District
Perry Hall Improvement Association Inc.	6/23/2022	MR	Pat	Keller	PRESIDENT	P O Box 63 Perry Hall MD 21128	Perry Hall	MD	21128	perryhallmail@gmail.com	www.perryhallmaryland.org	5
Pikesville Communities Corporation	5/13/2022	MR	Kenneth	Lasson, Esq	EXEC. DIRECTOR	6320 Wirt Ave	Baltimore	MD	21215	klasson@ubalt.edu	www.pikesvillecc.org	2
Pikesville Farms Co-Existence Society	11/15/2019		Joshua	Levine	PRESIDENT	112 Nelson Road	Pikesville			Jlevin@baltimorecountymd.gov		2
Pikesville Township Assoc Inc.	6/15/2022	MS	Deb	Patterson	PRESIDENT	1309 sudvale	Baltimore	MD	21208	pikesvilletownship@gmail.com		2
Pikesville-Greenspring Community Coalition Inc.	7/28/2022	MS	Tara	Momplaisir	PRESIDENT	7008 Rock Stream Court	Baltimore	MD	21208	pgccinc@aol.com	https://pgccinc.org/	2
Pikesville/Greenspring Comm Coalition	4/19/2022	MS	Tara	Momplaisir	PRESIDENT	7008 Rock Stream CT	Pikesville	MD	21208	PGCCInc@aol.com	www.pgccinc.org	2
Pikeswood Civic Assoc	5/7/2022	MS	Kim	Blackwell	PRESIDENT	9327 Tulsemere Road Randallstown, MD 21133	Randallstown	MD	21133	pikeswoodcivicassociation@gmail.com		4
Pine Ridge Community Association Inc	5/4/2022	MR	Howard	Needle	V.P.	1321 Harden Ln	Pikesville	MD	21208	HJNeedle@comcast.net		2
Point of Woods at Kings Point Association	8/26/2021		MNichelle	McGirt	PRESIDENT	3651 Waterwheel Square Randallstown MD 21133				Kings_point_association@yahoo.com		4
Relay Improvement Association	7/28/2022	MR	Frank	Meek	PRESIDENT	P.O. Box 24046, Relay, MD 21227	Baltimore	MD	21227		www.relaymaryland.com	1
Rices Lane Neighborhood Association	5/4/2022	MR	Kevin	Thomas	REPRESENTATIVE	9902 Reisterstown Rd STE 143 Owings Mills MD 21117	Owings Mills	MD	21117	Riceslaneassoc@Gmail.com		4
Ridgeleigh Community Association	9/13/2022	MS	Barbara	Lewis	PRESIDENT	PO Box 9851 Loch Raven MD 21284	Loch Raven	MD	21284	president@ridgeleigh.net	www.ridgeleigh.net	5
Riverview/Ryerson Circle Communities Association Inc	5/27/2021	MS	Betty	Cain	V.P.	1022 Fredonia Court Baltimore MD 21227	Baltimore	MD	21227	Ronaldwhitehead44@gmail.com		1
Robin Hill Comm Assoc Inc.	3/15/2018	MS	Florine	Smith	PRESIDENT	6116 Talles Rd	Baltimore	MD	21207			4
Rockaway Beach / Turkey Point Improvement Assoc	7/7/2021	MR	Kevin	McDonough	V.P.	628 Rockaway Beach Ave	Baltimore	MD	21221	Info@turkeypoint.org	www.turkeypoint.org	7
Rolling Oaks Community Assoc	6/29/2021	MR	Tony	Baysmore	PRESIDENT	7501 Jilbert Lane	Windsor Mill	MD	21244	duanetony@msn.com		4
Rosedale Community Association	9/2/2022	MR	Russ	Mirabile	PRESIDENT	7932 Oakdale Ave, Rosedale MD 21237	Baltimore	MD	21237			6n & 7
Rossville Community Association	7/28/2022	MR	Russell	Mirabile	PRESIDENT	7932 Oakdale Ave Rosedale MD 21237		MD	21237	gshipe@msn.com		6 & 7
Ruxton Riderwood Lake Roland Area Improvement Association	8/31/2022	MS	Hope	Jordan	EXEC. DIRECTOR	P.O. Box 204 Riderwood, MD 21139	Riderwood	MD	21139	office@rrlraia.org	https://www.rrlraia.org	2
Scotts Hills Community Association	6/24/2022	MS	Evelyn	White	PRESIDENT	1007 Parkvalley Court	Pikesville	MD	21208	evelynwhite464@gmail.com		2
Security-Woodlawn Business Association	7/22/2022	MS	Shantel	Mason	PRESIDENT	6340 Security Boulevard Ste 100	Baltimore	MD	21207	info.swba@gmail.com	www.securitywoodlawn.com	1, 4
Seminary Overlook HOA	4/12/2022	MR	John	Brunnett	PRESIDENT	PO Box 242, Brooklandville, MD 21022	Lutherville	MD	21093	jbrunnett@offitkurman.com	https://seminaryoverlook.com	3
Seminary Ridge Owners Association	8/25/2021		Blandy	Becker	PRESIDENT	P.O. Box 1182 Brooklandville, MD 21022	Lutherville	MD	21093	seminaryridgecommunityemail@gmail.com	http://seminary-ridge.org/	2
Southern Rockdale Community Assoc.	6/1/2021	MS	Kathleen	Styles	PRESIDENT	PO Box 47233 Windsor Mill MD 21244	Windsor Mill	MD	21244	srockdalecommunitya@gmail.com		4
Southland Hills Improvement Association	6/1/2022		Dave	Edwards	PRESIDENT	403 W Chesapeake Ave	Towson	MD	21204	southlandnews@gmail.com	http://southlandhills.org/home/	5
Sparks Glencoe Community Planning Council	7/1/2022		Angelo	Otterbein	PRESIDENT	P.O. Box 937 Sparks MD 21152	Monkton	MD	21111	info@sgcpc.org	www.sgcpc.org	3
Sparks Glencoe Community Planning Council	7/1/2022		Angelo	Otterbein	PRESIDENT	P.O. Box 937 Sparks MD 21152	Monkton	MD	21111	info@sgcpc.org	www.sgcpc.org	3
Stevenswood Improv Assoc., Inc	7/16/2019	MR	Arthur	Brown	PRESIDENT	3427 Edcrest Road	Windsor Mill	MD	21244	stevenswoodimprovementassoc@gmail.com	www.stevenswood.org/	4
Stonegate @ Patapsco II HOA Inc	5/11/2022	MR	Mark	Shorter	PRESIDENT	c/o Metropolis Management LLC, 4307 Gallatin St, Hyattsville, MD 20781	Baltimore	MD	21244	stonegatetwoboard@gmail.com		1
Stoneybrook Community Council Association	5/16/2022		DeVonne	Parks	PRESIDENT	P.O. Box 800 Randallstown, MD 21133	Randallstown	MD	21133	stoneybrookcommunity@gmail.com	www.stoneybrookcca.org	4

Baltimore County Community Associations

Community Associations in Baltimore County

Organization	Last Updated	Salutation	First Name	Last Name	Title	Address	City	State	ZIP Code	Email	Website	District
Sussex Community Assoc	6/2/2021	MS	Leah	Biddinger	PRESIDENT	327 Margaret Ave	Essex	MD	21221	sussexcommunityassn@gmail.com	https://www.sussexcommunityassn.org/	7
TOWSON ESTATES ASSOCIATION	10/12/2022	MR	PHIL	DORSEY	PRESIDENT	1200 EDGEMONT RD	TOWSON	MD	21286	towsonestatesassociation@gmail.com	https://www.towsonestates.org/	5
The Clearings Community Assoc.	4/18/2017	MR	Robert	Chertkof	PRESIDENT	1112 Somerset Place	Lutherville	MD	21093	bobChert@aol.com		2
The Fellowship Community Association	10/15/2020	MS	Christine	Horel	PRESIDENT	6800 Ridgewood Road Towson MD 21286	Towson	MD	21286	ffcamd@gmail.com		5
The Fields of Sagamore HOA	11/13/2015	MR	Marc	Greenberg	Agent	3706 Crondall Ln Ste 105	Owings Mills	MD	21117			2
The Meadows of Greenspring HOA	7/11/2019	MR	Michael	Friedman	PRESIDENT	C/O WPM Real Estate Mgmt, 11433 Cronridge Dr	Lutherville	MD	210934512	mikefriedman311@comcast.net		2
The Overbrook Improvement Association	7/2/2014	MR	Josh	Lashley	PRESIDENT	317 Worthington Rd	Baltimore	MD	21286	overbrook.president@gmail.com	www.overbrook.us	5
Towson Chamber of Commerce	1/10/2019	MS	Nancy	Hafford	EXEC. DIRECTOR	44 W. Chesapeake Ave.	Towson	MD	21204	info@towsonchamber.com	www.towsonchamber.com	5
Towson Manor Village Community Association	6/23/2022	MR	Ed	Kilcullen	President (Incumbent)	100 Maryland Ave	Towson	MD	21286		www.towsonmanorvillage.org	5
Turner Station Conservation Teams Inc.	10/16/2019	MS	Gloria	Nelson	PRESIDENT	323 Sollers Point Rd	Dundalk	MD	21222	tsct@turnerstation.org	https://turnerstation.org	7
Twelve Trees Assoc Inc	4/12/2022	MS	Donna	Clayton	PRESIDENT	26 Papago Ct. Randallstown, MD 21133	Randallstown	MD	21133	Villageoftwelvetrees@gmail.com	https://www.facebook.com/groups/359992318015838	4
Valleys Planning Council Inc	12/9/2021	MS	Renee	Hamidi	EXEC. DIRECTOR	PO Box 5402, Towson MD 21285-5402	Towson	MD	21204	info@thevpc.org	www.thevpc.org	2, 3
Villa Nova Comm Assoc, Inc.	1/9/2019	MS	Sheila	Lewis	PRESIDENT	3907 Buckingham Road	Baltimore	MD	21207	MsHeather12@hotmail.com	www.villanovaassoc.org	2
Villages at Woodholme Condo	11/20/2019	MR	Dennis	Sober	BOARD PRESIDENT	11433 Cronridge Drive, Owings Mills MD 21117	Pikesville	MD	21208	villagesatwoodholme@wpmllc.com		2
WHITE MARSH-COWENTON COMMUNITY ASSOCIATION INC	12/6/2022	MS	HEATHER	PATTI	PRESIDENT	10916 PHILADELPHIA RD, WHITE MARSH MD 21162	WHITE MARSH	MD	21162	wmcca.info@gmail.com	http://www.whitemarsh-cowenton.com/	5
Wakefield Improv Assoc of Dulaney Valley	11/15/2019	MR	Ed	Beimfohr	PRESIDENT	603 Boxmere Ct	Timonium	MD	21093			3
Watersedge Community Association	5/26/2021	MR	Scott	Smith	PRESIDENT				21222	watersedgecommunityassociation@yahoo.com	https://www.facebook.com/groups/watersedgedundalk/?multi_permalinks=20222574214	7
Westerlee Improvement Assoc, Inc.	1/9/2019	MR	Klaus	Philipsen	PRESIDENT	2018 Cedar Circle Drive	Baltimore	MD	21228	kphilipsen@archplan.com	www.westerleenews.com	1
Westgate Community Association	7/21/2022	MR	Benjamin	Orr	PRESIDENT	PO Box 25331 Baltimore, MD 21229	Baltimore	MD	21229	westgatecommunitynews@gmail.com	https://www.westgatebaltimore.org/	1
Willow Glen South Improvement Assoc	9/12/2019	MS	Christina	Herron	PRESIDENT	7417 Prince George Road	Baltimore	MD	21208	willowglensouth21208@gmail.com	www.willowglensouth.org	2
Wilson Point Civic Improv Assoc.	3/18/2019	MR	Robert	Bendler	PRESIDENT	1713 Wilson Point Rd	Baltimore	MD	21220	shoreperfect@comcast.net		6
Wiltondale Improv Assoc.	3/19/2019	MR	Fiver	Soraruf	V.P.	PO Box 42446	Towson	MD	21284	contact@wiltondale.org	www.wiltondale.org	5
Windemere HOA Inc.	4/2/2019	MR	Bill	McLean	PRESIDENT	PO Box 34	Phoenix	MD	21131	email@windemere-hoa.org	www.windemere-hoa.org	3
Windlass Run Improvement Assoc Inc.	4/10/2019	MR	William	Kammer	PRESIDENT	PO Box 505	White Marsh	MD	21162	wria@comcast.net		6
Woodbrook Community Assoc.	4/19/2022	MR	Gary	Cumbo, Sr.	PRESIDENT	8604 Lisa Ct	Randallstown	MD	21133	gpcumbo157@gmail.com		2
Woodlands of Deer Park Community Assoc.	5/25/2021	MS	Virginia	Jones	PRESIDENT	3927 Tiverton Road, Randallstown MD 21133	Randallstown	MD	21133	woodlandsdp@gmail.com		4
Woodlawn Estates Home Assoc	1/9/2019	MR	John	Nesbitt	PRESIDENT	1822 Colmar Road	Baltimore	MD	21207	jjnkeara@netscape.net		4
Woodmoor Comm Assoc	6/15/2022		Gloria	Shelton	PRESIDENT	3216 Doycron Ct. Gwynn Oak 21207	Baltimore	MD	21207	Woodmoorcommunityassociation@gmail.com	Woodmoor Community Association in Facebook groups	4
Wyndham Commons Condominium Assoc Inc	9/11/2019	MR	Sean	Suhar	ATTORNEY	7226 Lee DeForest Dr, Suite 102	Columbia	MD	21046	lawyers@naglezaller.com		4

4007 Cloverland Dr, Phoenix, MD 21131

1020 York Rd, Towson, MD 21204

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via Dulaney Valley Rd — 16 min
Fastest route now due to traffic conditions — 8.6 miles

Details

via Dulaney Valley Rd and MD-45 S/York Rd — 18 min — 9.0 miles

via Dulaney Valley Rd, E Timonium Rd and MD-45 S/York Rd — 19 min — 9.3 miles

Explore 1020 York Rd

Restaurants | Hotels | Gas stations | Parking Lots | More

Gas | EV charging | Hotels | More

4007 Cloverland Drive

Eagle's Nest Country Club

Pappas Restaurant and Sports Bar

Warren Rd

Walmart Supercenter

The Home Depot

Fox Hollow Golf Course

Pot Spring Rd

Loch Raven Reservoir Park

Sam's Club

Greenside Dr

Girkwood Rd

Loch Raven Dr

E Padonia Rd

Jake's Grill

W Padonia Rd

Broadway Rd

Falls Rd

19 min
9.3 miles

Loch Raven Reservoir

Pine Ridge Golf Course

Five Farms Golf Course

REI

W Timonium Rd

Eastridge Rd

Timonium

Kohl's

E Ridgely Rd

Margate Rd

16 min
8.6 miles

Brooklandville

Meadowood Regional Park

Hampton

Hampton Ln

Providence Rd

Trader Joe's

1020 York Road

W Joppa Rd

Thornton Rd

Bellona Ave

Charles St

Boyce Ave

Ruxton Rd

Woodvalley Dr

The Cheesecake Factory

Goucher College

Baltimore Beltway

Weber's Cider Mill Farm

Total Wine & More

Chick-fil-A

E Joppa Rd

Towson University

Burke Ave

Hillen Rd

Goucher Blvd

York Rd

Greater Baltimore Medical Ctr

Lake Roland Park

Yorktown

Lowe's Home Improvement

Putty Hill Ave

Perring Pkwy

Oakleigh Rd

Lasalle Rd

Richmond Ave

Providence Rd

Mandl Rd

Layers

PETITIONER'S EXHIBIT
12 B

Google

Map data ©2023 United States

912 Hampton Ln, Towson, MD 21286

1020 York Rd, Towson, MD 21204

Add destination

Leave now

Options

Send directions to your phone

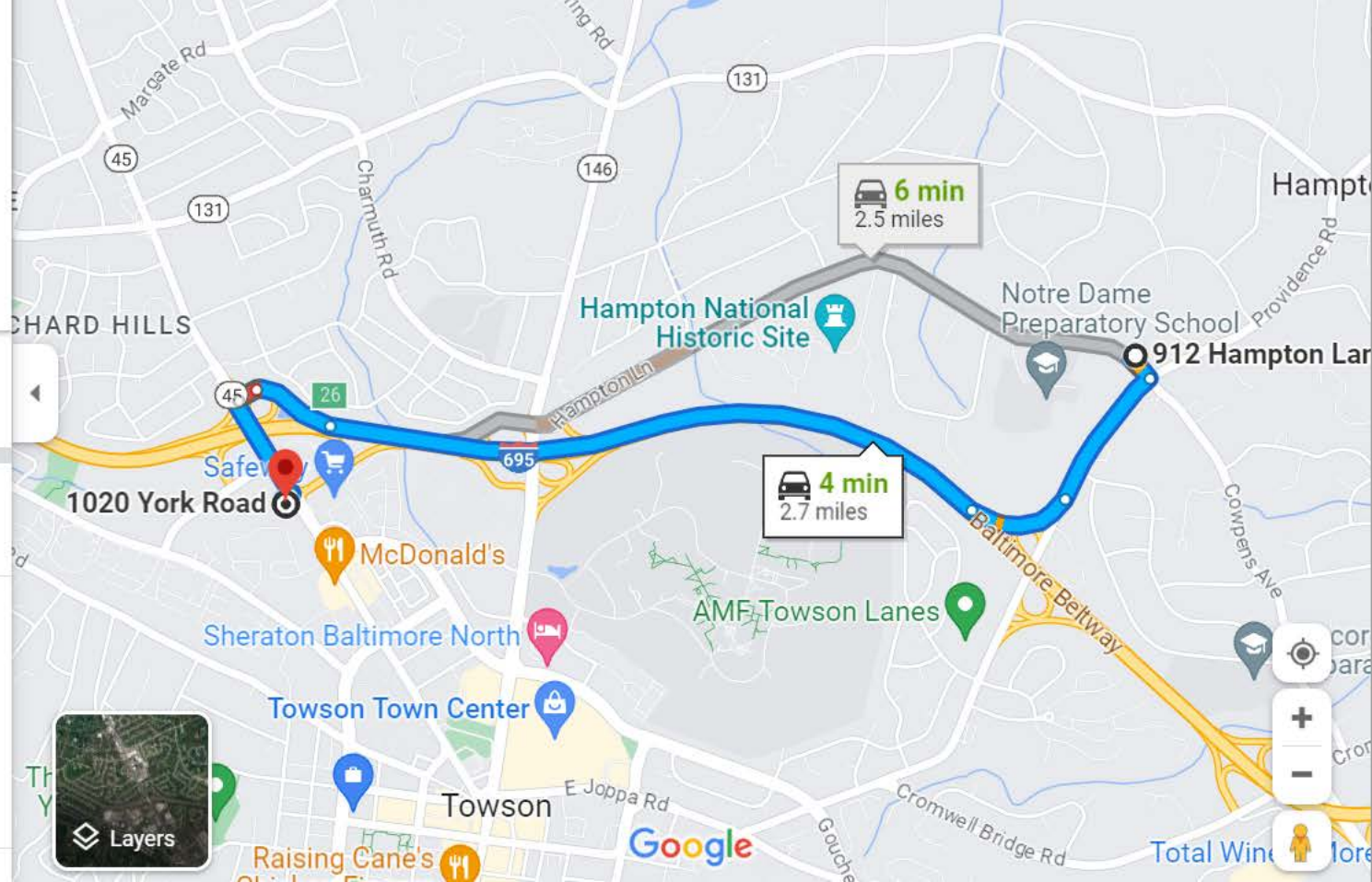
via I-695 W

4 min

Fastest route now due to traffic conditions

2.7 miles

Details



Aerial of 934 York Road

EXHIBIT

tabbies

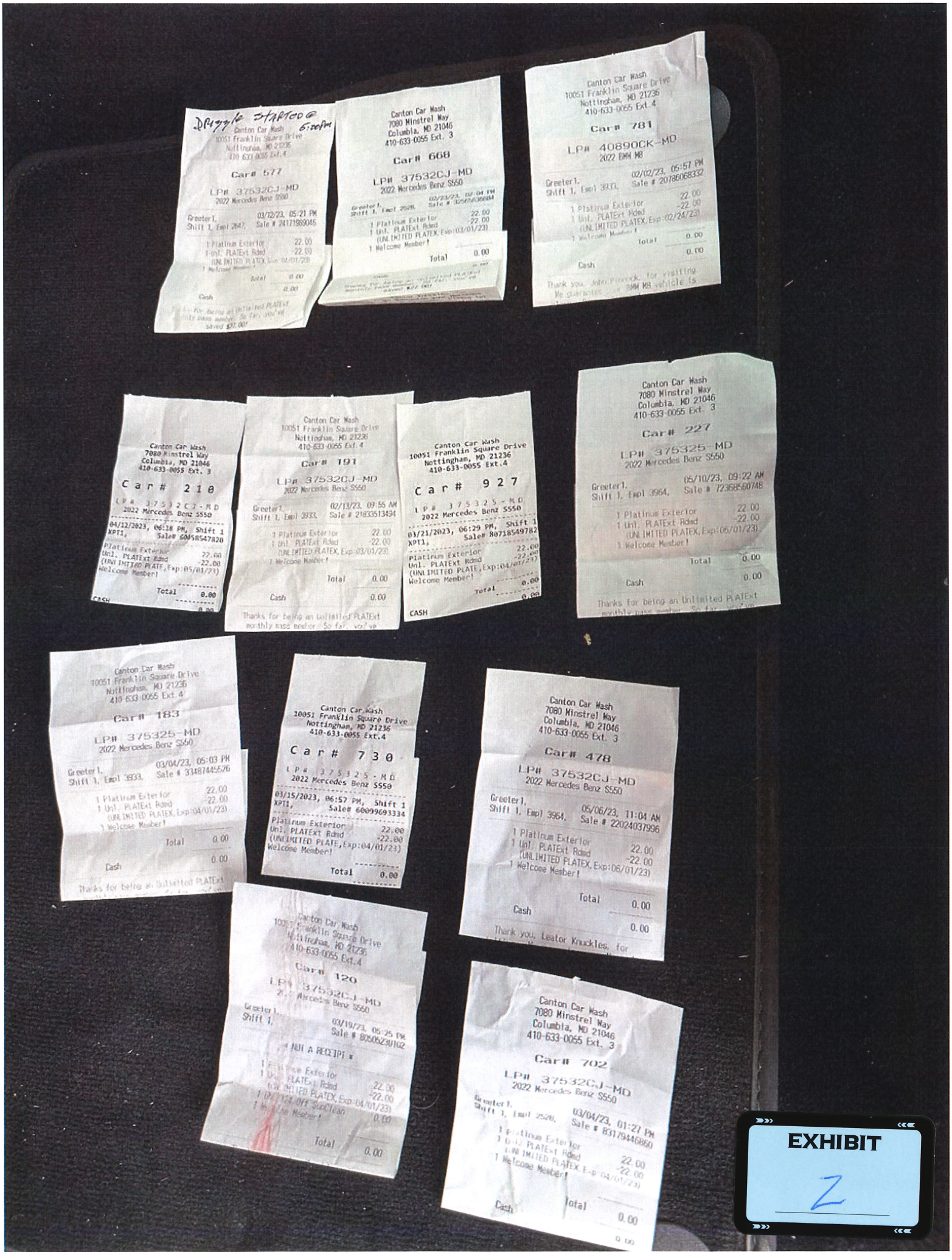
13



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Baltimore County Government, VITA, Esri, HERE, Garmin, INCREMENT P, USGS, EPA, USDA |


Canton Car Wash
10051 Franklin Square Drive
Nottingham, MD 21236
410-633-0055 Ext.4
Car# 577
LP# 37532CJ-MD
2022 Mercedes Benz S560
Canton Car Wash
7080 Minstrel Way
Columbia, MD 21046
410-633-0055 Ext. 3
Car# 668
LP# 37532CJ-MD
2022 Mercedes Benz S550
Canton Car Wash
10051 Franklin Square Drive
Nottingham, MD 21236
410-633-0055 Ext.4
Car# 781
LP# 40890CK-MD
2022 BMW M8
Canton Car Wash
7080 Minstrel Way
Columbia, MD 21046
410-633-0055 Ext. 3
Car# 210
Canton Car Wash
10051 Franklin Square Drive
Nottingham, MD 21236
410-633-0055 Ext.4
Car# 191
LP# 37532CJ-MD
2022 Mercedes Benz S560
Canton Car Wash
10051 Franklin Square Drive
Nottingham, MD 21236
410-633-0055 Ext.4
Car# 927
LP# 375325-MD
2022 Mercedes Benz S550
Canton Car Wash
7080 Minstrel Way
Columbia, MD 21046
410-633-0055 Ext. 3
Car# 227
LP# 375325-MD
2022 Mercedes Benz S550
Canton Car Wash
10051 Franklin Square Drive
Nottingham, MD 21236
410-633-0055 Ext.4
Car# 183
LP# 375325-MD
2022 Mercedes Benz S550
Canton Car Wash
10051 Franklin Square Drive
Nottingham, MD 21236
410-633-0055 Ext.4
Car# 730
LP# 375325-MD
2022 Mercedes Benz S550
Canton Car Wash
7080 Minstrel Way
Columbia, MD 21046
410-633-0055 Ext. 3
Car# 478
LP# 37532CJ-MD
2022 Mercedes Benz S550
Canton Car Wash
10051 Franklin Square Drive
Nottingham, MD 21236
410-633-0055 Ext.4
Car# 120
Canton Car Wash
7080 Minstrel Way
Columbia, MD 21046
410-633-0055 Ext. 3
Car# 702
LP# 37532CJ-MD
2022 Mercedes Benz S550
EXHIBIT
Z



Canton Car Wash
7080 Minstrel Way
Columbia, MD 21046
410-633-0055 Ext. 3

Car # 141

LP# 8ATG29-MD
2001 Honda Accord

05/23/2023, 05:51 PM, Shift 1
XPT1, Sale# 73742391916

Platinum Exterior	22.00
FULL SERVICE INT	17.00
Unl. PLATFS Rdmd	-39.00

(UNLIMITED PLATF,Exp:06/22/23)
Welcome Member!
Select Fragrance

Total	0.00
CASH	0.00

Thank you, Nigel Jamieson,
for visiting.

From: Rosenblatt, Adam M.
To: Peoples Counsel; Appeals Board
Cc: Karceski, David H.; Michael McCann
Subject: RE: Glen & Wayne Berger - Towson Car Wash LLC - Case No. 2022-291-XA
Date: Friday, April 21, 2023 10:23:14 AM
Attachments: Reply to People"s Counsel(59635066.1).pdf

CAUTION: This message from AMRosenblatt@venable.com originated from a non Baltimore County Government or non BCPL email system. Hover over any links before clicking and use caution opening attachments.

We are attaching a response to People's Counsel's pleading.

Thank you very much.

Adam M. Rosenblatt, Esq. | Venable LLP
t 410.494.6271 | f 410.821.0147 | m 410.294.9430
210 W. Pennsylvania Avenue, Suite 500, Towson, MD 21204

AMRosenblatt@Venable.com | www.Venable.com

From: Peoples Counsel <peoplescounsel@baltimorecountymd.gov>
Sent: Monday, April 17, 2023 12:35 PM
To: Appeals Board <appealsboard@baltimorecountymd.gov>
Cc: Rosenblatt, Adam M. <AMRosenblatt@Venable.com>; Karceski, David H. <DKarceski@Venable.com>; Michael McCann <michael@mmccannlaw.net>
Subject: Glen & Wayne Berger - Towson Car Wash LLC - Case No. 2022-291-XA

Caution: External Email

Good Afternoon,

Attached for filing, please find People's Counsel for Baltimore County's Answer to Appellee's Motion to Dismiss with regard to the above-mentioned case.

Thank you for your consideration.

Rebecca M. Wheatley, Legal Secretary
People's Counsel for Baltimore County
105 West Chesapeake Avenue, Suite 204
Towson, Maryland 21204
(410) 887-2189 Direct Dial
(410) 887-2188 Office

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****
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****

RE:	PETITION FOR SPECIAL EXCEPTION AND VARIANCE	*	BEFORE THE
	1020, 1022 & 1024 York Road; SW/S of York Road, 444' SE of West Road	*	BOARD OF
	9th Election & 6th Councilmanic Districts	*	APPEALS FOR
	Legal Owner(s): Glen & Wayne Berger		
	Contract Purchaser(s): Towson Car Wash LLC Petitioner(s)	*	BALTIMORE COUNTY
		*	CASE No.: 2022-291-XA

* * * * * * * * * * * * *

PEOPLE'S COUNSEL FOR BALTIMORE COUNTY'S ANSWER TO APPELLEE'S MOTION TO DISMISS

People's Counsel answers and opposes Appellant Towson Car Wash, LLC's (TCW's) Motion to Dismiss for the following reasons:

I. The *De Novo* Appeal and What It Means

1. Upon receipt of the County Board of Appeals' (CBA's) Notice of Assignment dated April 3, 2023 for a May 25, 2023 hearing on this *de novo* appeal, People's Counsel reviewed the file.

2. The zoning petition requests a special exception for a full-service carwash at 1020-24 York Road in Towson. There are multiple variances. These span stacking space configuration, side yard setback for a commercial building, landscape transition area width abutting non-residential and residential zone properties, carwash tunnel entrance location, and a myriad of sign variances.

3. Our office had entered its appearance in writing in the proceedings before the Office of Administrative Hearings. Our appearance is hereby entered at the CBA.

4. Attorney Michael McCann filed the appeal at the Office of Administrative Hearings (OAH) on February 22, 2023 for Nigel Jamieson, Delva Thomas, Sandra Levy, and Concerned Citizens of Baltimore County (CCBC).

5. The appeal is timely filed from the decision of Administrative Law Judge (ALJ) Maureen Murphy dated January 23, 2023. The record includes ALJ Murphy's 14-page opinion, a 3-page Inter-Office Memorandum from the Department of Planning dated December 13, 2022, and a 2-page letter from CCBC.

6. OAH accepted the appeal and provided notice to the parties and public consistent with customary practice,

7. OAH transmitted the record to the CBA. County Code Secs. 32-3-108, 32-3-109(e). The CBA then issued the Notice of Assignment in due course. CBA Rule 2.A.

8. The cover letter/Notice of Appeal include attorney Michael McCann's name, address, telephone number, and e-mail address. There is a protestant address of 912 Hampton Lane. This appears to be the address of appellant Sandra Levy. The CCBC Phoenix, Maryland address is on their January 12, 2023 letter filed with OAH, which ALJ Murphy cites in her opinion.

9. The *de novo* character of the appeal connotes the case begins anew, as if there were no decision below. County Charter Sec. 604. See Pollard's Towing v. Berman's Body Parts & Mechanical 137 Md. App. 277, 287-89 (2001. The "… *de novo* hearing is for all intents and purposes the first hearing of the case." Hill v. Baltimore County 86 Md. App. 642, 655 (1991); Boehm v Anne Arundel County 54 Md. App. 497, 511; cert. denied 297 Md. 108 (1983).

10. Reviewing the file, we found TCW, listed in the petition as contract purchaser, filed a Motion to Dismiss the appeal, alleging technical defects in the form of the appeal. TCW did not send a copy of the motion to our office.

11. TCW's Motion presents a question of first impression under new CBA Rule 3.A derived from 2022 Bill 12-22. The question is whether the omission of appellant telephone numbers and e-mail addresses and, in part, addresses, should result in dismissal. The appeal here is filed by an attorney on behalf of appellants. But the question has broad application to appeals filed by parties without attorneys, whether petitioners or protestants. The question may also have implications for other pleadings. In sum, the question presented is of great public interest beyond this case.

12. TCW proposes the harsh remedy of dismissal for the technical omission of incidental information. They make no allegation of prejudice, and there is none. Such a harsh remedy would conflict with administrative law, statutory construction, and fairness.

13. Ironically, for this *de novo* case, TCW's entering motion omits their address, telephone number, and e-mail address. This information is required under CBA Rule 5.D.

14. Moreover, Glenn Berger and Wayne Berger, the petitioning property owners did not join the motion. This renders the motion effectively incomplete. (As noted also, the motion was not sent to People's Counsel, already a party of record at OAH.)

15. In this context, consistent with our office's defense of the comprehensive zoning maps, we are participating in this case. We oppose the Motion to Dismiss the appeal.

II. People's Counsel's Defense of the Public Interest

16. There are issues of public interest in this zoning case which warrant appearance of our office under Baltimore County Charter Section 524.1 and review by the CBA

17. Consistent with our office's charter assignment to defend the comprehensive zoning maps, we participate in special exception cases, People's Counsel v Loyola College 406 Md. 54 (2008); variance cases, Trinity Assembly of God v. People's Counsel 407 Md. 53 (2008); and combination special exception/variance cases. Umerley v. People's Counsel 108 Md. App. 497, cert. denied 342 Md. 584 (1996) and Riffin v. People's Counsel 137 Md. App. 90; cert. denied 363 Md. 660 (2001). These appellate decisions are illustrative of the many cases which we enter each year.

18. Our office deems it in the public interest to assure that the appeal progresses in the usual way to a hearing on the merits and thorough review in accord with relevant statutory criteria for special exceptions, variances, and their combination, consistent with the comprehensive zoning maps.

III. Liberal Standards for Participation of All Parties in Agency Proceedings

19. To contextualize, County Code Sec. 32-3-401 (a) states, in pertinent part,. "*In general.* A person aggrieved or feeling aggrieved by the decision of the Zoning Commissioner … may appeal the decision or order to the Board of Appeals." Emphasis supplied. The words "feeling aggrieved" place no geographic or other limitations on the capacity of appellants. Cf. Accokeek, Mattowoman, Piscataway Creeks Community Council v. Public Service Commission 451 Md. 1, 14-15 (2016). The scope is more expansive than that of "aggrievement" by itself.

20. The judicially established rules and standards for the participation of all parties in agency proceedings are "liberal" and "not very strict." Dorsey v. Bethel A.M.E. Church 375 Md. 59, 72-74 (2003); Morris v. Howard Research & Dev. Corp. 278 Md. 417, 423 (1976); Maryland Nat'l v. Smith 333 Md. 3, 10 (1993); Sugarloaf Citizens v. MDE 344 Md. 271, 286-87 (1996).

Dorsey included this observation, 354 Md. at 73,

> "And in *Maryland–Nat'l v. Smith, supra,* 333 Md. at 10, 633 A.2d at 859, we stated: "*Morris* and other cases of this Court indicate that the threshold for establishing oneself as a party before an administrative agency is indeed low. Although we have said that one's presence at the hearing and testimony in favor of an asserted position is sufficient, *id.,* we have also said that personal appearance and testimony at the hearing are not required. *Hertelendy v. Montgomery Cty.,* 245 Md. 554, 567, 226 A.2d 672 (1967); *Largo Civic Ass'n v. Pr. Geo's Co.,* 21 Md.App. 76, 81, 318 A.2d 834 (1974). In fact, it has been held to be sufficient that the hearing examiner considered the appellant to be a party, *Northampton v. Pr. George's Co.,* 21 Md.App. 625, 633–34, 321 A.2d 204, *rev'd on other grounds,* 273 Md. 93, 327 A.2d 774 (1974), or that the appellant's name was submitted to the Board of Appeals as one who would be aggrieved by an adverse decision. *Wright v. McCubbin,* 260 Md. 11, 14, 271 A.2d 365 (1970). *See also Baxter v. Montgomery County,* 248 Md. 111, 113, 235 A.2d 536 (1967) (submitting (testifying before agency is sufficient); *DuBay v. Crane,* 240 Md. 180, 184, 213 A.2d 487 (1965) (identifying self on agency record as a party is sufficient)."

21. Dorsey illustrates additional parties may appear at CBA hearings without prior notice even in development appeals on the record. The same goes for *de novo* appeals.

22. The low thresholds for filing appeals, establishing party status, and appearing at the hearing carry over to the prevalence of substance over form in reviewing technical aspects of the appeal.

IV. Alleged Technical Irregularities Do Not Justify Dismissal of the Appeal

23. The Motion to Dismiss alleges a violation of CBA Rule 3. Bill 12-22. The allegation is that the address listed on the appeal is Sandra Levy's address, just one of the four appellants, and that there are no e-mail addresses or telephone numbers listed.

24. Rule 3.A., states,

> "No appeal shall be entertained by the Board of Appeals unless the notice of appeal states the names, addresses, telephone numbers, and e-mail addresses of the persons notice such appeal."

25. Concurrently, Rule 1.E.1 initially states,

> "All appeals to the Board of Appeals from the Zoning Commissioner or Deputy Zoning Commissioner shall be in conformance with the rules of the Zoning Commissioner of Baltimore County with respect to the form of the appeal …."

26. The Zoning Commissioner, Rules, BCZR Appendix G, Code of County Regulations, do not have any rule which prescribes the form of the appeal to the CBA. Accordingly, the form of the appeal at its inception must be considered flexible.

27. This brings us to the "entertainment" of the appeal under CBA Rule 3.A and the provision that the notice of appeal shall state names, addresses, telephone numbers, and e-mail addresses.

28. The essential purpose of having addresses, and especially, telephone numbers and e-mail addresses, is to facilitate communication between the CBA and the parties and public. But where an attorney files the appeal on behalf of appellants or enters an appearance for any party, the communications are with the attorneys. Each attorney is then responsible to keep clients informed. This appearance fulfills the purpose of the rule. Michael McCann has already stated his address, telephone number, and e-mail address. This is the functional equivalent of and/or substantial compliance with Rule 3.A.

29. Moreover, the word "entertain" sensibly refers to the time of the CBA hearing.

30. It is noteworthy that Rule 5.D requires the appearance of an attorney also to include the above identifying information, along with such information for the parties. So long as the attorney provides his or her own information, the additional information is incidental.

31. For additional context, it should be remembered that additional parties as well as witnesses may show up at CBA *de novo* hearings without prior notice, much less addresses, phone numbers, and e-mail addresses. There are no pre-hearing depositions and discovery unless by agreement. CBA Rule 4.A.4.

32. Rule 3.A does not preclude additions or amendments to the notice of appeal if deemed necessary and appropriate to fulfill its essential purpose to the word "entertain" does not set a time frame for inclusion of every detail.

33. Statutory construction focuses on legislative context and purpose. The word "shall" may be viewed as s mandatory or directory based on the circumstances. The Court held it "directory" when there was no prejudice to the opposing party. Resetar v. State Bd. of Education 284 Md. 537, 547-50 (1979).

34. It is stated in 4 Am. Law. Zoning Sec. 40:14 (5th Ed., Salkin),

> "It should not be concluded that the courts view board pleadings in a highly technical matter without regard to the intended informality of board procedure."

Accordingly, as the Court said in Town of Somerset v. Montgomery County Bd. of Appeals 245 Md. 52, 61 (1966),

> "Where there is compliance with the substance of the requirements of statute or rules and the other parties have not been prejudiced, technical irregularities cannot be made the basis for depriving persons of the opportunity to assert their legal rights …. [Citations omitted]"

35. To illustrate, where the late filing of a memorandum of law upon judicial review of an agency decision caused no prejudice, the Court held the word "shall" to be directory. People's Counsel v. Public Service Comm'n 52 Md. App. 715, 719-21 (Md. App. 1982). Then Maryland Rule B12 – the predecessor of current Rule 7-207 – required the filing of the memorandum within 30 days of notice of agency transmission of the record.

36. In the event the CBA decides preliminarily that additional addresses, and e-mails and phone numbers should be provided in advance of the merits hearing, such additional or amendment would thereby cure and/or resolve any issues. This was the situation in Gordon v. City Council of City of Santa Ana 188 Cal. App. 2d 680 (1981).

V. Equity and Fairness

37. To repeat, upon entering the case, TCW attorneys did not include any TCW address, telephone number, and email address.

38. It comes into play here that the Bergers, owners of the York Road property, did not join in the motion. The motion may be viewed as incomplete in their absence.

39. From any point of view, equity and fairness oppose the motion.

Conclusion

People's Counsel asks the County Board of Appeals to deny the motion to dismiss the appeal and, in due course, conduct the usual *de* novo special exception hearing on the merits with fairness to all parties.

We also ask the CBA to address and sort out the motion in advance of the hearing on the merits.

Peter Max Zimmerman
PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio
CAROLE S. DEMILIO
Deputy People's Counsel
Jefferson Building, Suite 204
105 West Chesapeake Avenue
Towson, MD 21204
(410) 887-2188
Peoplescounsel@baltimorecountymd.gov

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 17th day of April, 2023, a copy of the foregoing People's Counsel for Baltimore County's Answer to Appellee's Motion to Dismiss was emailed to Michael McCann, 118 W. Pennsylvania Avenue, Towson, Maryland 21204, michael@mmccannlaw.net, Attorney for Appellants and Adam M. Rosenblatt, Esquire, amrosenblatt@venable.com & David Karceski, Esquire, dhkarceski@venable.com, 210 W. Pennsylvania Avenue, Suite 500, Towson, Maryland 21204, Attorneys for Petitioner(s).

Peter Max Zimmerman
PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Tammy Zahner

From: Peoples Counsel
Sent: Monday, April 17, 2023 12:35 PM
To: Appeals Board
Cc: Rosenblatt, Adam M.; dhkarceski@venable.com; Michael McCann
Subject: Glen & Wayne Berger - Towson Car Wash LLC - Case No. 2022-291-XA
Attachments: PC Answer to Pet Motion to Dismiss - 2022-291-XA.pdf

Good Afternoon,

Attached for filing, please find People's Counsel for Baltimore County's Answer to Appellee's Motion to Dismiss with regard to the above-mentioned case.

Thank you for your consideration.

Rebecca M. Wheatley, Legal Secretary
People's Counsel for Baltimore County
105 West Chesapeake Avenue, Suite 204
Towson, Maryland 21204
(410) 887-2189 Direct Dial
(410) 887-2188 Office

IN RE: PETITION FOR SPECIAL EXCEPTION AND VARIANCE	*	**BEFORE THE**
	*	**BOARD OF APPEALS**
1020, 1022, 1024 York Road	*	**FOR BALTIMORE COUNTY**
9th Election District **6th Council District**	*	
	*	**Case No. 2022-0291-XA**
RE: Appeal of January 23, 2023 Order Approving zoning petition	*	
	*	

* *

REPLY TO PEOPLE'S COUNSEL'S
OPPOSITION TO MOTION TO DISMISS

Appellee/Petitioner, Towson Car Wash, LLC, by undersigned counsel, hereby files this Reply to the Opposition filed by People's counsel and states as follows:

I. APPELLANTS COULD HAVE CORRECTED THEIR PROCEDURAL ERROR IN A MATTER OF MINUTES, THIS DID NOT REQUIRE INVOLVEMENT FROM PEOPLE'S COUNSEL.

People's Counsel's involvement has unnecessarily taken an issue that could have been corrected in a matter of minutes and turned it into a multiparty argument that will likely waste valuable time at the outset of the scheduled hearing in this case. This is not a case, nor a Motion, where an inexperienced party risks losing their right to a hearing because they do not understand the technical rules establishing how to properly file an appeal. There is likely no person that has filed more appeals to the Board than Protestants' counsel, Michael McCann.

Mr. McCann indicated his understanding of the Motion in correspondence to the Board on April 12, 2023, stating "I will be filing a response to Mr. Rosenblatt's motion to dismiss, hopefully well before the hearing on May 25. Just haven't gotten to it yet." People's Counsel's involvement is not assisting the Board or the parties with any issue in this case, it is Mr. McCann's decision to either rectify the procedural issue or choose to fight for the Notice of Appeal as filed.

II. PEOPLE'S COUNSEL'S ARGUMENT REGARDING THE CONTACT INFORMATION SUPPLIED BY PETITIONER IS LEGALLY FLAWED.

People's Counsel's argument regarding Petitioner's obligations under Rule 5.D is misplaced. This case was initiated when the Petitioners filed their zoning petition, not when they filed their motion to dismiss the appeal. The zoning petition separately lays out the name, addresses, email addresses, and phone numbers of the two individual property owners and the contract purchaser, Towson Car Wash, LLC. All of the contact information for both owners and the contract purchaser is contained in the Board's file as it was included in the petition that initiated this action. Additionally, Rule 5.D further supports Petitioner's Motion to Dismiss because it clearly shows a separate obligation for an attorney entering an appearance in a Board hearing to provide contact information for both the attorney and for the "persons on whose behalf the attorney has entered an appearance." That information was not provided in this case, and the Board cannot entertain this appeal.

III. FAILURE TO PROVIDE CONTACT INFORMATION FOR THE APPELLANTS DOES PREJUDICE THE PETITIONERS, THOUGH PREJUDICE IS NOT REQUIRED FOR JURISDICTIONAL STATUTES.

This is a special exception case where Petitioners must provide testimony regarding the potential impact of the proposed use on the surrounding area. It is impossible to address any and all potential concerns without knowing where the Protestants are located. It is unclear whether the Protestants are residents, nearby business owners, or competitors in the car wash industry. Knowing this basic information will impact the way Petitioner presents its case. Not knowing this information is negatively impacting the Petitioner and preventing them from properly preparing for this case.

Furthermore, Appellants' failure to provide their addresses and contact information prevents Petitioners from making any legitimate effort to address their concerns prior to the hearing. With every day that passes, Petitioner has less opportunity to properly prepare for the case and to offer to resolve any issues that may be of concern to the Appellants.

Additionally, prejudice is not required here because Rule 3 is a jurisdictional rule containing mandatory language that cannot be waived. *See Cty. Council of Prince George's Cty. v. Palmer Rd. Landfill, Inc*., 247 Md. App. 403, 420 (2020) (citing *Bowles v. Russell*, 551 U.S. 205, 213 (2007)).

IV. RULE 3 CONTAINS CLEAR AND MANDATORY LANGUAGE THAT HAS BEEN VIOLATED IN THIS CASE.

Rule 3 of the Rules of Practice and Procedure of the Baltimore County Board of Appeals, as amended by Bill No. 12-22, clearly and unequivocally states as follows:

> No appeal **shall** be entertained by the Board of Appeals unless the Notice of Appeal states the names, addresses, telephone numbers, and e-mail addresses of the persons noting such appeal.

(emphasis added).

Rule 3 contains mandatory language ("shall") and legally prohibits the Board from entertaining this appeal. We do not need to analyze general case law to understand the meaning of "shall" because as stated in BCC § 1-2-209, to which the Board's Rules are an Appendix, "the word "shall" shall have a mandatory effect and establish a requirement."

People's Counsel's analysis ignores the basic principles of statutory construction. They guess, or speculate, as to what the County Council intended the words of Rule 3 to mean. Their personal belief as to what the Council may have intended has no place in this analysis:

> we look first to the language of the statute, giving it its natural and ordinary meaning. We do so on the tacit theory that the General Assembly is presumed to have meant what it said and said what it meant. When the statutory language is clear, we need not look beyond the statutory language to determine the General Assembly's intent. If the words of the statute, construed according to their common and everyday meaning, are clear and unambiguous and express a plain meaning, we will give effect to the statute as it is written. In addition, we neither add nor delete words to a clear and unambiguous statute to give it a meaning not reflected by the words that the General Assembly used or engage in forced or subtle interpretation in an attempt to extend or limit the statute's meaning.

> If there is no ambiguity in the language, either inherently or by reference to other relevant laws or circumstances, the inquiry as to legislative intent ends.

Md. Ins. Admin. v. State Farm Mut. Auto. Ins. Co., 451 Md. 323, 335 (2017).

It would be difficult to find a more straightforward statement than "no appeal shall be entertained by the Board of Appeals." As there is no ambiguity to the language, our "inquiry as to legislative intent ends." *Id*. There is no doubt that Protestants failed to comply with the Board's simple and straightforward rule governing appeals to the Board. As a result, the Board shall not entertain this appeal.

WHEREFORE, Petitioners respectfully request that this matter must be dismissed.

Respectfully submitted,



Adam M. Rosenblatt
David H. Karceski
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Towson, Maryland 21204
(410) 494-6271
amrosenblatt@venable.com
dkarceski@venable.com
Attorney for Appellee/Developer

CERTIFICATE OF SERVICE

I hereby certify on this 10th day of April, 2023, that a copy of the foregoing motion, was served via electronic mail on: Michael McCann, michael@mmccannlaw.net, attorney for Appellants, and People's Counsel, peoplescounsel@baltimorecountymd.gov.



Adam M. Rosenblatt

Board of Appeals of Baltimore County

JEFFERSON BUILDING
SECOND FLOOR, SUITE 203
105 WEST CHESAPEAKE AVENUE
TOWSON, MARYLAND 21204
410-887-3180
FAX: 410-887-3182

April 3, 2023

NOTICE OF ASSIGNMENT

IN THE MATTER OF: Glenn G. Berger and Wayne G. Berger – Legal OwnerS
1020, 1022, 1024 York Road
22-291-XA 9th Election District; 6th Council District

Re: Petition for Special Exception relief from BCZR §236.2 to permit a full-service car wash; and

Petition for Variance from BCZR:

2) §419.3.A to allow the required number of stacking spaces for the full-service car wash to be configured in a different pattern than single-file at the entrance to the tunnel, if necessary;
1) §238.2 to allow a side yard setback of 6 ft. for a commercial building in lieu of the required 30 ft.;
2) §419.4.B.3 to allow a landscape transition area width in the rear yard to be a minimum of 2 ft. abutting non-residentially zoned land in lieu of the required 6 ft. and to allow a landscape transition area width a minimum of 12 ft. in lieu of the required 15 ft. within 50 ft. of a residentially zoned property.
3) §419.4.B.1 to allow a car wash tunnel entrance to face an adjacent residentially zoned property;
4) §450.4 Table of Signs Regulations.5(b) to allow a total of 11 freestanding enterprise signs with sign areas/faces of 18 square feet (sign Nos. 12A, 12B), 36 square feet (sign No. 4), 4 square feet (sign Nos. 8A, 8B), and 2.77 square feet (sign Nos. 15A-15F), with a sign height of 6 feet (sign Nos. 12A, 12B), 13 feet (sign No. 4), 4 feet (sign Nos. 8A, 8B), and a 6 feet (sign Nos. 15A-15F) in lieu of the one freestanding enterprise sign permitted with a sign area/face of 75 square feet.
5) §450.5.B.4.a to allow a freestanding sign to be installed as close as 10 ft. to another freestanding sign on the same premises having an area larger than 8 square feet (between sign Nos. 12A and 12B) in lieu of the required 100 foot distance.

1/23/23 Opinion and Order of the Administrative Law Judge wherein the Petition for Special Exception pursuant to BCZR §236.2 to permit a full-service car wash was GRANTED; and the Petition for Variance from BCZR §419.3.A to allow the required number of stacking spaces for the full-service car wash to be configured in a different pattern than single-file at the entrance to the tunnel was DISMISSED AS MOOT; all other Variance requests were GRANTED, with conditions.

ASSIGNED FOR: MAY 25, 2023, AT 10:00 A.M.

The above scheduled hearing will be held remotely using WebEx for audio and video participation. **Call-in information and a link to the hearing will be posted on our**

web calendar at www.baltimorecountymd.gov/departments/appeals **the night before**.

A complete set of **exhibits must be emailed** at least **48 hours before the hearing** to **appealsboard@baltimorecountymd.gov** in a format that complies with MDEC (Maryland Electronic Court) standards.

NOTICE:

- This appeal is an evidentiary hearing. Parties should consider the advisability of retaining an attorney.
- Please refer to the Board's Rules of Practice & Procedure, Appendix B, Baltimore County Code.
- No postponements will be granted without sufficient reasons; said requests must be in writing and in compliance with Rule 2(b) of the Board's Rules. No postponements will be granted within 15 days of scheduled hearing date unless in full compliance with Rule 2(c).
- If you require special accommodations, please contact this office at least one week prior to hearing date.

If you do not have access to a computer or smart device, please contact our office for the call-in information the day before the scheduled hearing.

Krysundra Cannington, Administrator

c. Counsel for Petitioners : David H. Karceski, Esquire
Adam M. Rosenblatt, Esquire
Petitioner/Legal Owners : Glenn Berger and Wayne Berger
Petitioner/Lessee : Towson Car Wash, LLC, Thomas DeBacco, President

Counsel for Protestants/Appellants : Michael R. McCann, Esquire
Protestants/Appellants : Nigel Jamieson, Delva Thomas, Sandra Levy, Concerned Citizens of Baltimore County, Keith Morris, Executive Secretary

Office of People's Counsel
Paul M. Mayhew, Managing Administrative Law Judge
Stephen Lafferty, Director/Department of Planning
C. Pete Gutwald, Director/PAI
James R. Benjamin, Jr., County Attorney/Office of Law

IN RE: PETITION FOR SPECIAL EXCEPTION AND VARIANCE	*	**BEFORE THE**
	*	**BOARD OF APPEALS**
1020, 1022, 1024 York Road	*	**FOR BALTIMORE COUNTY**
9th Election District **6th Council District**	*	
	*	**Case No. 2022-0291-XA**
RE: Appeal of January 23, 2023 Order Approving zoning petition	*	
	*	

* *

MOTION TO DISMISS

Appellee/Contract Purchaser, Towson Car Wash, LLC, by undersigned counsel, hereby submits this Motion to Dismiss the above-captioned appeal and states as follows:

1. Rule 3 of the Rules of Practice and Procedure of the Baltimore County Board of Appeals, as amended by Baltimore County Council Bill No. 12-22, states as follows:

> No appeal **shall** be entertained by the Board of Appeals unless the Notice of Appeal states the names, addresses, telephone numbers, and e-mail addresses of the persons noting such appeal.

(emphasis added).

2. The Notice of Appeal filed in this case is deficient and legally cannot be entertained by the Board.

3. Specifically, the Notice lists four Protestants/Appellants: Nigel Jamieson, Delva Thomas, Sandra Levy and Concerned Citizens of Baltimore County. A single address is listed for the "protestants" – 912 Hampton Lane, Towson, Maryland 21286. A review of SDAT records confirms this is a residential property owned by Sandra Levy, one of the four Protestants/Appellants apparently filing an appeal in this case. No addresses are listed for the other

three Appellants, and no email address or telephone numbers are listed for any of the four Protestants.

4. Rule 3 contains mandatory language ("shall") and legally prohibits the Board of Appeals from entertaining this appeal. As stated in § 1-2-209 of the Baltimore County Code, to which the Board's Rules are an Appendix, "the word "shall" shall have a mandatory effect and establish a requirement."

WHEREFORE, the Board of Appeals has no authority to entertain this appeal and the matter must be dismissed.

Respectfully submitted,



Adam M. Rosenblatt
David H. Karceski
Venable LLP
210 W. Pennsylvania Ave., Suite 500
Towson, Maryland 21204
(410) 494-6271
amrosenblatt@venable.com
dkarceski@venable.com
Attorney for Appellee/Developer

CERTIFICATE OF SERVICE

I hereby certify on this 20th day of March, 2023, that a copy of the foregoing motion, was served via electronic mail on: Michael McCann, 118 W. Pennsylvania Avenue, Towson, Maryland 21204, michael@mmccannlaw.net, attorney for Appellants.



Adam M. Rosenblatt

Tammy Zahner

From: Rosenblatt, Adam M. <AMRosenblatt@Venable.com>
Sent: Monday, March 20, 2023 3:31 PM
To: Appeals Board
Cc: Karceski, David H.
Subject: 1020-1024 York Road (Case No. 2022-02910XA): Motion to Dismiss
Attachments: Motion to Dismiss CBA Appeal(58869056.1).pdf

CAUTION: This message from AMRosenblatt@venable.com originated from a non Baltimore County Government or non BCPL email system. Hover over any links before clicking and use caution opening attachments.

I am attaching a Motion for this case. Thank you very much.

Adam M. Rosenblatt, Esq. | **Venable LLP**
t 410.494.6271 | **f** 410.821.0147 | **m** 410.294.9430
210 W. Pennsylvania Avenue, Suite 500, Towson, MD 21204

AMRosenblatt@Venable.com | www.Venable.com

****
This electronic mail transmission may contain confidential or privileged information. If you believe you have received this message in error, please notify the sender by reply transmission and delete the message without copying or disclosing it.
****

Michael R. McCann, P.A.
118 W. Pennsylvania Avenue
Towson, Maryland 21204
Phone: (410) 825-2150
Facsimile: (410) 825-2149
michael@mmccannlaw.net

February 22, 2023

Via Hand Delivery

Office of Administrative Hearings
105 W. Chesapeake Avenue
Towson, Maryland 21204

Re: 1020-1024 York Road
Case no. 2022-0291-XA

To whom it may concern:

Enclosed for filing in this matter is a Notice of Appeal, along with the requisite filing fee.

Please contact me if you have any questions. Thank you.

Respectfully,

Michael R. McCann

cc: counsel of record

RECEIVED
FEB 22 2023
OFFICE OF
ADMINISTRATIVE HEARINGS

IN RE: PETITIONS FOR SPECIAL EXCEPTION
AND VARIANCE
(1022, 1022, 1024 York Road)

9th Election District
6th Councilmanic District
Glenn G. Berger and Wayne G. Berger
Legal Owners
Towson Car Wash, LLC
Contract Purchaser/Lessee

* BEFORE THE
* OFFICE OF
* ADMINISTRATIVE
* HEARINGS
* Case No. 2022-0291-XA
*
*

* * * * * * * * * * * * *

NOTICE OF APPEAL

Protestants, Nigel Jamieson, Delva Thomas, Sandra Levy, and Concerned Citizens of Baltimore County, by and through undersigned counsel, pursuant to Baltimore County Code §32-3-401(a), file this notice of appeal of the Opinion and Order of the Administrative Law Judge dated January 23, 2023. Pursuant to Rule 3 of the Rules of Practice and Procedure of the Board of Appeals, the address of protestants is 912 Hampton Lane, Towson, Maryland 21286.

Respectfully submitted,

Michael R. McCann
118 W. Pennsylvania Ave.
Towson, MD 21204
(410) 825-2150

Attorneys for Protestants

RECEIVED
FEB 22 2023
OFFICE OF
ADMINISTRATIVE HEARINGS

CERTIFICATE OF SERVICE

I hereby certify that on 22nd day of February 2023 a copy of the foregoing notice of appeal was emailed and mailed, *via* first-class mail, postage prepaid to:

David Karceski, Esq.
Adam Rosenblatt, Esq.
Venable, LLP
210 W. Pennsylvania Avenue, Ste. 500
Towson, MD 21204

County Board of Appeals
105 W. Chesapeake Avenue
Towson, Maryland 21203

Michael R. McCann

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

No. 203983

Date: 2/22/23

Fund	Dept	Unit	Sub Unit	Rev Source/ Obj	Sub Rev/ Sub Obj	Dept Obj	BS Acct	Amount
001	806	6000		6150				700.00

Total: $ 700.00

Rec From: Michael McCann,

For: OAH
Case #: 2022-0291-XA
Address: 1020, 1022, 1024 York Road
Hearing Date: 1/17/2023 1:30 p.m.
Check #: 0385

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

PAID RECEIPT

BUSINESS	ACTUAL	TIME	DRW
2/27/2023	2/24/2023	10:03:35	2

REG TRNZ WALKIN MSJ
>>RECEIPT 020305 2/24/2023 OFLN
Rept 5 528 ZONING VERIFICATION
Rec No 203983
Receipt Tot $ 700.00
700.00 CK .00 CA
Baltimore County, Maryland

CASHIER'S VALIDATION

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

No. 203983

Date: 2/22/23

Fund	Dept	Unit	Sub Unit	Rev Source/ Obj	Sub Rev/ Sub Obj	Dept Obj	BS Acct	Amount
001	806	0000		6150				700.00

Total: $ 700.00

Rec From: Michael McCann,

For: OAH
Case #: 2022-0291-XA
Address: 1020, 1022, 1024 York Road
Hearing Date: 1/17/2023 1:30 p.m.
Check #: 6385

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

CASHIER'S VALIDATION

LAW OFFICES OF MICHAEL R. MCCANN
118 W. PENNSYLVANIA AVE
TOWSON, MD 21204

6385
65-320/550 7384

DATE 2/22/23

PAY TO THE ORDER OF Baltimore County $ 700.00

Seven Hundred DOLLARS

Photo Safe Deposit® Details on back

WELLS FARGO Wells Fargo Bank, N.A. Maryland wellsfargo.com

FOR appeal 2022-0291

MP

IN RE: PETITIONS FOR SPECIAL EXCEPTION AND VARIANCE (1022, 1024 York Road) 9th Election District 6th Council District Glenn G. Berger and Wayne G. Berger *Legal Owner* Towson Car Wash, LLC *Contract Purchaser/Lessee* **Petitioners**	* * * * * * * * *	BEFORE THE THE OFFICE ADMINISTRATIVE HEARINGS FOR BALTIMORE COUNTY **Case No: 2022-0291-XA**

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings ("OAH") for consideration of Petitions for Special Exception and Variance filed on behalf of Glenn G. Berger, legal owner, and Towson Car Wash, LLC., lessee ("Petitioners") for the property known as 1020, 1022, 1024 York Rd., Towson (the "Property"). A Petition for Special Exception was filed from the Baltimore County Zoning Regulations ("BCZR"), §236.2 to permit a full-service car wash. Petition for Variances were also filed from BCZR which correspond to the Variance numbers on the Petition as follows:

> 2. §419.3.A to allow the required number of stacking spaces for the full-service car wash to be configured in a different pattern than single-file at the entrance to the tunnel, if necessary.
> 3. §238.2 to allow a side yard setback of 6 ft. for a commercial building in lieu of the required 30 ft.
> 4. §419.4.B.3 to allow a landscape transition area width in the rear yard to be a minimum of 2 ft. abutting non-residentially zoned land in lieu of the required 6 ft. and to allow a landscape transition area width a minimum of 12 ft. in lieu of the required 15 ft. within 50 ft. of a residentially zoned property.
> 5. §419.4.B.1 to allow a car wash tunnel entrance to face an adjacent residentially zoned property.
> 6. §450.4 Table of Signs Regulations.5(b) to allow a total of 11 freestanding enterprise signs with sign areas/faces of 18 square feet (sign Nos. 12A, 12B), 36 square feet (sign No. 4), 4 square feet (sign Nos. 8A, 8B), and 2.77 square feet (sign Nos. 15A-15F), with a sign height of 6 feet (sign Nos. 12A, 12B), 13 feet (sign No. 4), 4 feet

ORDER RECEIVED FOR FILING
Date 1-23-23
By

(sign Nos. 8A, 8B), and 6 feet (sign Nos. 15A-15F) in lieu of the one freestanding enterprise sign permitted with a sign area/face of 75 square feet.

7. §450.5.B.4.a to allow a freestanding sign to be installed as close as 10 ft. to another freestanding sign on the same premises having an area larger than 8 square feet (between sign Nos. 12A and 12B) in lieu of the required 100 foot distance.

Due to COVID-19 a public WebEx hearing was conducted virtually in lieu of an in-person hearing. The Petitions were properly advertised and posted. Chris Riveria, COO of Canton Car Wash along with Thomas Sheckells, a planning expert with Morris & Ritchie Associates, the civil engineering firm who prepared a redlined site plan (the "Redlined Site Plan"). (Pet. Ex. 2A, 2B). David Karceski, Esquire, Adam Rosenblatt, Esquire, and Venable, LLP represented the Petitioners. There were no Protestants or interested citizens in attendance. A statement in opposition was submitted by Concerns Citizens of Baltimore County. (See File).

Zoning Advisory Committee ("ZAC") comments were received from the Department of Planning ("DOP") who is opposed to the Special Exception relief stating that the use could increase traffic and overflow onto York Rd. which is prohibited under BCZR, §502.1.B. DOP also indicated that if the Special Exception was granted, the agency was not opposed to the Variance relief. State Highway Administration ("SHA") noted that the existing 2 entrances onto York Rd. (MD 45) may require modification and a Traffic Impact Study ("TIS") was requested. Oddly, there was no ZAC comment from Development Plans Review ("DPR") or from Department of Environmental Protection and Sustainability ("DEPS").

The case proceeded by way of modified proffer by Mr. Rosenblatt and Mr. Karseski. Thomas H. Sheckells was admitted as an expert planner with knowledge of the BCZR including Petitions for Special Exceptions and Variances. (Pet. Ex. 5). The Property is comprised of 3 separately addressed parcels totaling 0.86 acres +/- (37,608 sf) located on the west side of York

ORDER RECEIVED FOR FILING
Date 1-23-23
By

Rd. (MD 45). The Property is directly across from the I-695 eastbound ramp. On the northern boundary is another automobile service garage, on the western side is a parking lot for Lexus of Towson as well as the maintenance building for Carver Center for Arts, and on the southern end is a Meineke muffler shop, a Midas store, as well as a Goodwill store. It is zoned Business, Roadside (BR). There are no adjacent residential properties.

The Property is currently being used as an auto service garage and used automobile sales yard. Street view photographs depict a commercial building with a lot full of cars surrounded by a chain link fence. (Pet. Ex. 7). Also shown in the photographs is that the Property is also operating as a junk yard with appliances, several boats, car parts, tires, trailers, an old ambulance used for storage, and other items of junk, trash and debris scattered throughout the Property. There are at least 3 freestanding enterprise signs mounted on poles along the street frontage on York Rd. and 1 sign covered with a black tarp (Pet. Ex. 7.10). To describe the current state of the Property as an eyesore would be an understatement.

Petitioners propose to construct and operate a full-service car wash which moves vehicles on a flat-bed conveyor belt through a tunnel as shown on the Redlined Site Plan. (Pet. Ex. 2A). An architectural rendering of the building and tunnel were provided. (Pet. Ex. 4). Mr. Riveria described the flat-bed conveyor belt as using the latest technology which uses friction to clean the vehicles. (Pet. Ex 3C). He explained that the flat-bed conveyor belt allows 30% more vehicles to be cleaned than the traditional chain conveyor found in most car washes. While it is more expensive, the flat-bed conveyor belt can process 100 vehicles for every 100 ft. of belt length. In this case, the conveyor belt will measure 130 ft.; 130 vehicles can be washed per hour. There will be 3 lanes of single-file vehicles on their approach to 3 separate pay stations. License plates are scanned to access accounts. An attendant will be in 1 of the pay stations to assist customers, if

ORDER RECEIVED FOR FILIN
Date 1-23-23
By

needed. Additional attendants are available to ensure efficient traffic circulation. Each of the 3 pay lanes will have a gate locked by a magnetic sensor which is not activated until payment is complete. Once payment is made, the gate opens and the cars line up in a single-file line prior to the tunnel entrance. Between the gates and the tunnel entrance there is an additional 90 ft. which will provide space for an additional 5 vehicles to queue in line. (Pet. Ex. 2A, 2B).

As of the date of the hearing, Canton Car Wash operates 4 other locations: Nottingham/White March; Columbia; Abingdon; and Canton. A 5th location is opening soon in Glen Burnie. Nearly 80% of the customers of Canton Car Wash have memberships and are looking for a high-end experience. Mr. Riveria described that some locations, such as Nottingham/White Marsh are full-service car washes meaning that after car goes through the wash tunnel, the customer has the option to exit the vehicle and wait in a lounge while employees clean the interior. At the proposed Towson location, it will be an express-car wash only and will not provide interior cleaning by employees; customers may clean the interior themselves at the self-service vacuum parking spaces using a central vacuum system. (Pet. Exs. 3D-3F). As such, there will only be 6 employees at the proposed Towson location.

Mr. Riveria added that the water used to clean the vehicles is recaptured in underground storage tanks and reused. This underground tank system costs $250,000.00. The Towson car wash will use biodegradable chemicals only, not harsh chemicals as used in older touchless car washes. The two access driveways into the Property currently permit both ingress and egress onto York Rd. On the Redlined Site Plan, the northern driveway will be right in and right out only, and the southern driveway will be right out only.

The street views photographs confirm that the Property currently has no landscaping; it is entirely paved and covered with either vehicles or used as a junk yard/open dump. In regard to

ORDER RECEIVED FOR FILIN
Date 1-23-23
By

proposed landscaping, a Site Rendering shows that landscaping will be planted around the perimeter of the Property, except for the proposed access driveways and along the southern property line where the car wash tunnel aligns with the building used by Midas. (Pet. Ex. 8). Mr. Sheckells highlighted that the required 6 ft. landscaped transition area will be met along the front to screen the use from York Rd. (actually 10 ft. provided), as well as 6 ft. landscaped buffers on the northern and southern boundaries. However, due to the shape of the Property (not a true rectangle), Variance relief is needed to reduce the required width of the landscape transition area in the south western corner of the rear yard to 12.5 ft. where the Property abuts the Carver School maintenance building. Because the south western corner boundary line is within 50 ft. of the DR 1 zone where the maintenance building is located, a 15 ft. landscaped buffer is required. As shown on the Revised Site Plan, the car wash tunnel entrance will be located in that corner and the space available for the landscaped buffer is 12.5 ft. Similarly, along the north western boundary line, the Property juts inward thus decreasing the space available to provide a 6 ft. landscaped buffer area. As a result, Petitioner is able to provide a 2 ft. landscape transition area.

The abutting DR zone location next to the south western corner also dictates that the car wash tunnel needs Variance relief for its entrance to face the DR zone and Carver maintenance building. The proffered testimony emphasized that there are no homes facing the car wash tunnel and that the DR zone is only one-half of the adjacent zone; the Carver property is not residentially used. Moreover, the tunnel is 53 ft. from that Property line. In addition, the testimony and Redlined Site Plan shows that, in order to provide the stacking spaces, vacuum spaces, queuing area, the proposed car wash tunnel building needs to be located within 6 ft. of the southern Property line, essentially facing the Midas building. Mr. Sheckells testified that if the proposed setback for the car wash tunnel is denied, the car wash tunnel would need to be pushed toward the interior of

ORDER RECEIVED FOR FILIN
Date 1-23-23
By

the site which would negatively impact circulation. He also highlighted that the existing auto repair/sales building was granted a 0 ft. setback from the Property line and that that building has existed since 1994.

As it pertains to signage, Mr. Sheckells mentioned that currently, not only are there 3 freestanding, enterprise, pole-mounted signs along York Rd. to advertise the car repair and car sale business, but there is an additional sign with a black tarp covering it as shown in the photos. (Pet. Ex. 7-3). In response to the DOP request that the proposed one (1) freestanding enterprise sign on York Rd. have a 'monument' style base rather than a pole, Petitioner revised the initial proposed sign with one which will now have a monument base. (Pet. Ex. 2B). [1]

As indicated on the Revised Petition, the BCZR permit one (1) freestanding enterprise sign with a face of 75 sf and 25 ft. in height. (Pet. Ex. 1). [2] The proffered evidence shown on the street view photographs was that, for this use, additional signage is needed. For example, Signs 12A and 12 B are two (2) order-board signs located at the 3 payment gates to efficiently provide for customers to select a service and efficiently proceed through the payment lines and into the tunnel. Because the square footage of the order board signs will be larger than 8 sf as shown in the photographs, those signs are required to be separated by 100 ft. (Pet. Ex. 3B).

In addition to the order board signs and freestanding monument sign on York Rd., the proffered testimony described the need for additional advertising within the site as shown by signs 8A and 8B (Dry Down Exterior and Tire Shine) as well as six (6) signs at specific locations alerting customers that after they pay for a car wash, they may clean the interior of their own vehicles. (Signs 15A-15F Self Serve Free With Wash). While the photographs of the Self Serve vacuum

[1] DOP ZAC comment appears to inadvertently listed Sign 3 as the one the agency wanted a monument base but it was actually Sign 4. Sign 3 is a wall-mounted sign so it would not have a base.
[2] The Revised Petition for Special Exception and Variance filed on January 19, 2023 inadvertently omitted the required height of 25 ft for the permitted enterprise sign.

ORDER RECEIVED FOR FILIN
Date 1-23-23
By

spaces are from the Abingdon location, Petitioners here have chosen to install only six (6) of the Self Serve signs at certain visible spots. (Pet. Exs. 3E, 3F).

Mr. Sheckells opined that the proposed use will meet each of the BCZR, §502.1 Special Exception factors. In particular, Mr. Sheckells testified that the car wash will provide a needed service in an established commercial community as the closest car wash is located in Hunt Valley. It was his opinion that the aesthetics of the Property will be improved substantially from the current condition as shown on the colored rendering. (Pet. Ex. 8). It was also his opinion that the use will not cause traffic or congestion in the roads, streets or alleys in that the use is exceeding the stacking requirement. Importantly, he mentioned that on York Rd. in front of the Property is a median which prevents vehicles from turning left when exiting the Property. Consequently, with the elimination of a right turn in at the southern access point, this will reduce the potential for vehicles backing up on York Rd. He pointed out that the northern access point is 25 ft. wide which provides sufficient area to enter and exit thus also eliminating potential for back-ups on York Rd.

With regard to potential for overcrowding of land, Mr. Sheckells testified that the 3-lane stacking lanes, 3 payment gates and planned circulation, combined with the installation of the latest conveyor belt technology provides efficient movement of people and vehicles within the site. In regard to parking, the 6 employees can park in the 9 parking spaces near York Rd. A total of 33 parking spaces is required and 33 parking spaces will be provided. As for impact on public improvements, this commercial use does not impact schools, parks, water or sewer. Indeed, as explained by Mr. Riveria, water used to wash vehicles will be recycled to be used again in other car washes. Mr. Sheckells are indicated that the car wash tunnel will not impact light or air as it will not cast shadows or prevent air circulation on the Midas building. He opined that the proposed use is consistent with the BR zone which is the most intense zone and will be next to other

ORDER RECEIVED FOR FILIN
Date 1-23-23
By

automotive service uses. As it currently exists, the entire Property is paved and no landscaping is present. The proposed use will have a perimeter landscape buffer along with internal landscaping. He also confirmed that there are no environmental or natural resources on site. Mr. Sheckells acknowledged that the proposed use here will not have a greater impact here than elsewhere in the BR zone.

To address the DOP ZAC comment and the written statement provided by Concerned Citizens for Baltimore County, Petitioners offered Mark Keeley, PTP who was accepted as a transportation planner. (Pet. Ex. 9). Mr. Keeley reviewed both the DOP ZAC comment and the citizen statement and prepared a Traffic Impact Study ("TIS") dated January 12, 2023. (Pet. Ex. 10). Mr. Keeley had also prepared a TIS for the Petitioner's Nottingham location. Mr. Keeley referred to the Institute of Transportation Engineers ("ITE") trip Generation Manual which compared the trips generated by the existing automobile care center with an automated car wash. He concluded that an additional 3 vehicles would be generated in the morning peak hours but 10 less vehicles would be generated in the pm peak hours. On Saturdays, the proposed use would generate an additional 25 vehicles. However, with 23 stacking spaces, and an additional queuing lane for 5 more vehicles prior to the car wash entrance, a total of 28 spaces which will accommodate the 25 vehicles projected on Saturdays.

Mr. Keeley agreed that the existing median on York Rd. prevents the potential for collisions, delays or backups for vehicles which can not turn left out of the Property. The only turn out of the Property is a right turn in the southern direction. He noted that car wash peak hours do not coincide with the industry standard peak hours of 7-9 am and 4-6 pm. Canton Car Wash highest peak hours are on Saturdays from 11 am – 2 pm. In formulating the basis for his opinion, Mr. Keeley considered the use of new conveyor belt technology which will be able to process 130

ORDER RECEIVED FOR FILIN
Date 1-23-23
By

vehicles per hour. He also pointed out that the Property is located in the Towson Commercial Revitalization District which exempts the Property from the Basic Services Map. (Pet. Ex 11).

When questioned about the difference in stacking lanes and traffic issues of the proposed Towson location and the Nottingham location as set forth in the Concerned Citizens of Baltimore County statement, Mr. Keeley explained that the Nottingham location has only 2 stacking lanes with only 2 pay stations, combined with a full-service station. As such, the 23 stacking spaces at the Nottingham location, and services provided there are different from those provided at the Towson location. Having prepared the TIS for the Nottingham location, Mr. Keeley did not agree with the traffic issues raised in the Concerned Citizens' statement. Mr. Rosenblatt also pointed out that Concerned Citizens of Baltimore County is not a registered community association in Baltimore County and that the address on the statement is in Phoenix, MD nearly 9 miles from the Property. (Pet. Exs. 12A, 12B).

SPECIAL EXCEPTION

Under Maryland law, a special exception use enjoys a presumption that it is in the interest of the general welfare, and therefore, valid. *Schultz v. Pritts*, 291 Md. 1, 11 (1981). The *Schultz* standard was revisited in *Attar v. DMS Tollgate, LLC*, 451 Md. 272 (2017), where the court of appeals discussed the nature of the evidentiary presumption in special exception cases. The court again emphasized a special exception is properly denied only when there are facts and circumstances showing that the adverse impacts of the use at the particular location in question would be above and beyond those inherently associated with the special exception use.

The proposed use meets the definition of a full-service car wash in BCZR, §101.1 as follows:

> CAR WASH, FULL-SERVICE — A car wash providing automated exterior washing or waxing services, or which provides cleaning, washing, waxing, drying or interior cleaning by hand. For the purpose of these regulations, a facility which provides

ORDER RECEIVED FOR FILING
Date 1-23-23
By

> complete interior and exterior detail cleaning that takes more than approximately two hours per car shall not be considered a full-service car wash.

The record evidence establishes that there are no adverse impacts of the proposed use at the particular location in question, above and beyond those inherently associated with a car wash use. Without repeating all of the evidence and testimony set forth above, I find that the proposed use meets each of the BCZR, §502.1 Special Exceptions factors and will be a noticeable improvement over the existing auto repair/auto sales/junkyard/open dump conditions which is devoid of landscaping. The main concern voiced by both DOP and the written opposition is potential for traffic congestion onto York Rd. The DOP ZAC comment did not articulate any basis for the agency's concern about traffic other than a *potential* for "increasing traffic and overflow it could cause onto York Rd." It was unusual for the Petitioners' representatives not to have contacted DOP about the ZAC comment, and not to provide DOP with the TIS for their consideration. In fairness to DOP, it appears that DOP did not have the benefit reviewing the TIS or considering the evidence that was provided at the hearing. Had DOP been provided that information, the DOP position may have changed.

It was also not clear what the Concerned Citizens of Baltimore County's geographic boundaries are and where that group obtained the information contained in the statement. I do note that the Phoenix address on the statement is at least 9 miles from this Property. At the hearing, the information contained in the statement was countered by both Mr. Riveria and Mr. Keeley. As a result, the weight of the evidence including the TIS in regard to potential traffic issues weighed in favor of the Petitioners. Based on the evidence, I am persuaded that the proposed car wash use with 3 stacking lanes, 3 pay stations, an additional 5 vehicles queuing prior to car wash tunnel, plus use of the latest conveyor belt technology which washes 130 vehicles per hour, the elimination of right

ORDER RECEIVED FOR FILING
Date 1-23-23
By

turn-in access point on the southern driveway, as well as right turn out only from the Property, will prevent any foreseeable traffic congestion onto York Rd. I am convinced by the weight of the evidence that the Nottingham Canton Car Wash location, a full-service car wash with less stacking spaces, is entirely different than the proposed Towson location. As a result, the Special Exception will be granted.

VARIANCES

A variance request involves a two-step process, summarized as follows:

(1) It must be shown the property is unique in a manner which makes it unlike surrounding properties, and that uniqueness or peculiarity must necessitate variance relief; and
(2) If variance relief is denied, Petitioner will experience a practical difficulty or hardship.

Cromwell v. Ward, 102 Md. App. 691 (1995).

In regard to the requested Variance #2 under BCZR, §419.3.A to allow stacking spaces to be configured in 3 lanes of single-file vehicles prior to the car wash entrance, I find the requested relief should be dismissed as moot. I find that the proposed layout complies with BCZR, §419.3.A which only requires single-file at the entrance to the car wash tunnel. In addition, as set forth in BCZR, §419.3, the proposed layout of 3 single file lanes provides for automobile circulation in a manner that precludes vehicles from waiting on York Rd. before gaining access to the single vehicle entrance into the tunnel.

As described above, the Property is unique due to its odd shape particularly on the north western boundary line which juts inward. The Petitioner would suffer a practical difficulty and unreasonable hardship if each of the Variance relief listed in the Petition as Variance #3 - #5 are denied because the site layout would be altered in that it would restrict the internal traffic circulation rendering it less efficient. Specifically, I find that the proposed car wash tunnel

ORDER RECEIVED FOR FILING
Date 1-23-23
By

entrance will not negatively impact the Carver maintenance building; the DR zoned land is not used residentially. Moreover, locating the car wash tunnel within 6 ft. from the southern boundary line will not negatively impact the Midas commercial building. In regard to the reduced landscape transition areas, the proposed landscaped buffers are dictated by the shape of the Property. As a condition of the Order, the DOP enhanced landscaping recommendations are helpful will be imposed.

In regard to the Variance relief for the proposed signs, the one (1) proposed freestanding monument sign will replace the three (3) signs currently existing along York Rd. I find that this change is an improvement as it will reduce clutter and distraction to motorists using York Rd. The 4th existing sign currently covered by a black tarp will also be eliminated. The BCZR only allows for one (1) large sign at 75 sf and 25 ft. tall. As applied here, that limitation of one (1) sign is not practicable with a car wash facility. The order board signs (Signs 8A and 8B) are needed in the 3 pay lanes and cannot be located 100 ft. apart. Other than Sign 4, the remaining signs are internal to the site and are needed to provide information to customer/members and non-members as to additional services offered and/or to the cost of the car wash. It is noteworthy that the Petitioners have elected not to install the 'Self Serve Free with Any Car Wash' (Signs 15A-15F) at *every* vacuum space (as that would be 23 Self Serve signs) as those signs have been installed at the Abingdon location, but rather to install only six (6) of those signs in visible locations on the Redlined Site Plan. Toward that end, the Redlined Site Plan shall be incorporated into and made a part hereof the Order.

THEREFORE, IT IS ORDERED this **23rd** day of **January, 2023**, by this Administrative Law Judge, that the Petition for Special Exception filed pursuant to BCZR, §236.2 to permit a full-service car wash be, and it is hereby, **GRANTED**.

ORDER RECEIVED FOR FILING
Date 1-23-23
By

IT IS FURTHER ORDERED, that the Petition for Variance from BCZR, §419.3.A to allow the required number of stacking spaces for the full-service car wash to be configured in a different pattern than single-file at the entrance to the tunnel, if necessary, be and it is hereby **DISMISSED AS MOOT**.

IT IS FURTHER ORDERED, that the Petition for Variance from BCZR, §238.2 to allow a side yard setback of 6 ft. for a commercial building in lieu of the required 30 ft. be, and it is hereby **GRANTED**.

IT IS FURTHER ORDERED, that the Petition for Variance from BCZR, §419.4.B.3 to allow a landscape transition area width in the rear yard to be a minimum of 2 ft. abutting non-residentially zoned land in lieu of the required 6 ft. and to allow a landscape transition area width a minimum of 12 ft. in lieu of the required 15 ft. within 50 ft. of a residentially zoned property be, and it is hereby **GRANTED**.

IT IS FURTHER ORDERED, that the Petition for Variance from BCZR, §419.4.B.1 to allow a car wash tunnel entrance to face an adjacent residentially zoned property be, and it is hereby **GRANTED**.

IT IS FURTHER ORDERED, that the Petition for Variance from BCZR,§450.4 Table of Signs Regulations.5(b) to allow a total of 11 freestanding enterprise signs with sign areas/faces of 18 square feet (sign Nos. 12A, 12B), 36 square feet (sign No. 4), 4 square feet (sign Nos. 8A, 8B), and 2.77 square feet (sign Nos. 15A-15F), with a sign height of 6 feet (sign Nos. 12A, 12B), 13 feet (sign No. 4), 4 feet (sign Nos. 8A, 8B), and 6 feet (sign Nos. 15A-15F) in lieu of the one freestanding enterprise sign permitted with a sign area/face of 75 square feet be, and it is hereby **GRANTED**.

ORDER RECEIVED FOR FILIN
Date 1-23-23
By

IT IS FURTHER ORDERED, that the Petition for Variance from BCZR, §450.5.B.4.a to allow a freestanding sign to be installed as close as 10 ft. to another freestanding sign on the same premises having an area larger than 8 square feet (between sign Nos. 12A and 12B) in lieu of the required 100 foot distance be, and it is hereby **GRANTED**.

The relief granted herein shall be subject to the following:

1. Petitioners may apply for necessary permits and/or licenses upon receipt of this Order. However, Petitioners are hereby made aware that proceeding at this time is at their own risk until 30 days from the date hereof, during which time an appeal can be filed by any party. If for whatever reason this Order is reversed, Petitioners would be required to return the subject property to its original condition.

2. The Redlined Site Plan (Pet. Exs. 2A and 2B) are incorporated herein and made a part hereof.

3. Petitioners must comply with the DOP and SHA ZAC comments, copies of which are attached hereto and made a part hereof.

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

Maureen E. Murphy

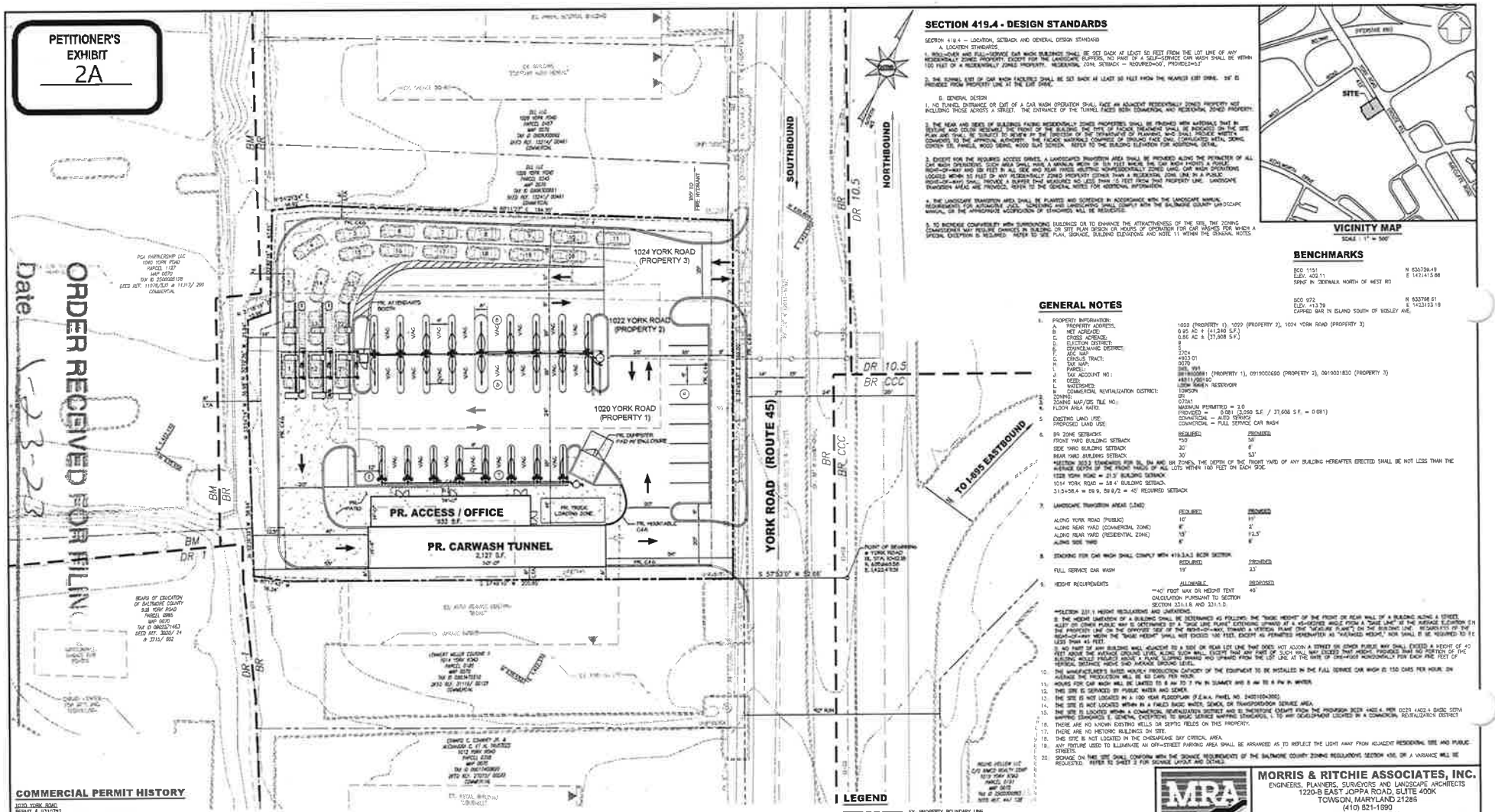
MAUREEN E. MURPHY
Administrative Law Judge
for Baltimore County

MEM:dlm

ORDER RECEIVED FOR FILING
Date 1-23-23
By

PETITIONER'S EXHIBIT 2A

ORDER RECEIVED FOR FILING
Date 1-23-23
By



PLAN
SCALE: 1" = 20'

SECTION 419.4 - DESIGN STANDARDS

SECTION 419.4 – LOCATION, SETBACK, AND GENERAL DESIGN STANDARD

A. LOCATION STANDARDS

1. ROLL-OVER AND FULL-SERVICE CAR WASH BUILDINGS SHALL BE SET BACK AT LEAST 50 FEET FROM THE LOT LINE OF ANY RESIDENTIALLY ZONED PROPERTY, EXCEPT FOR THE LANDSCAPE BUFFERS. NO PART OF A SELF-SERVICE CAR WASH SHALL BE WITHIN 100 FEET OF A RESIDENTIALLY ZONED PROPERTY. RESIDENTIAL ZONE SETBACK — REQUIRED=50', PROVIDED=53'

2. THE EXHAUST END OF CAR WASH FACILITIES SHALL BE SET BACK AT LEAST 50 FEET FROM THE NEAREST LOT LINE. 25' IS PROVIDED FROM PROPERTY LINE AT THE EAST SIDE.

B. GENERAL DESIGN

1. NO TUNNEL ENTRANCE OR EXIT OF A CAR WASH OPERATION SHALL FACE AN ADJACENT RESIDENTIALLY ZONED PROPERTY NOT INCLUDING THOSE ACROSS A STREET. THE ENTRANCE OF THE TUNNEL FACES BOTH COMMERCIAL AND RESIDENTIAL ZONED PROPERTY.

3. THE REAR AND SIDES OF BUILDINGS FACING RESIDENTIALLY ZONED PROPERTIES SHALL BE FINISHED WITH MATERIALS THAT IN TEXTURE AND COLOR RESEMBLE THE FRONT OF THE BUILDING. THE TYPE OF FINISH TREATMENT SHALL BE INDICATED ON THE SITE PLAN AND SHALL BE SUBJECT TO REVIEW BY THE DIRECTOR OF THE DEPARTMENT OF PLANNING, WHO SHALL PROVIDE WRITTEN COMMENTS TO THE APPROVING AUTHORITY. THE FACADE MATERIALS SHALL CONSIST OF ORNAMENTAL METAL, DECORATIVE CONCRETE BLOCK, WOOD SIDING, WOOD SIDING, WOOD SLAT SCREEN. REFER TO THE BUILDING ELEVATION FOR ADDITIONAL DETAIL.

2. EXCEPT FOR THE REQUIRED ACCESS DRIVES, A LANDSCAPED TRANSITION AREA SHALL BE PROVIDED ALONG THE PERIMETER OF ALL CAR WASH OPERATIONS. SUCH AREA SHALL HAVE A MINIMUM WIDTH OF TEN FEET WHERE THE CAR WASH FACES A PUBLIC RIGHT-OF-WAY AND TEN FEET IN ALL SIDE AND REAR YARDS ADJOINING NONRESIDENTIALLY ZONED LAND. CAR WASH OPERATIONS LOCATED WITHIN 50 FEET OF ANY RESIDENTIALLY ZONED PROPERTY EITHER THAN A RESIDENTIAL ZONE LINE IN A PUBLIC RIGHT-OF-WAY SHALL PROVIDE A BUFFER THAT MEASURES NO LESS THAN 15 FEET FROM THAT PROPERTY LINE. LANDSCAPE TRANSITION AREAS ARE PROVIDED. REFER TO THE GENERAL NOTES FOR ADDITIONAL INFORMATION.

4. THE LANDSCAPE TRANSITION AREA SHALL BE PLANTED AND SCREENED IN ACCORDANCE WITH THE LANDSCAPE MANUAL REQUIREMENTS FOR ADDITIONAL LANDSCAPING AND SCREENING. ANY EXISTING VEGETATION THAT COMPLY WITH THE BALTIMORE COUNTY LANDSCAPE MANUAL OR THE APPROPRIATE MODIFICATION OR VARIANCE WILL BE PRESERVED.

5. TO INCREASE COMPATIBILITY WITH SURROUNDING BUILDINGS OR TO ENHANCE THE ATTRACTIVENESS OF THE SITE, THE ZONING COMMISSIONER MAY REQUIRE CHANGES IN BUILDING OR SITE PLAN DESIGN OR HOURS OF OPERATION FOR CAR WASHES FOR WHICH A SPECIAL EXCEPTION IS REQUIRED. REFER TO SITE PLAN, SIGNAGE, BUILDING ELEVATIONS AND NOTE 11 WITHIN THE GENERAL NOTES

VICINITY MAP
SCALE: 1" = 500'

BENCHMARKS

BCO 1151
ELEV.: 403.11
SPIKE IN SIDEWALK NORTH OF WEST RD
N 636739.49
E 1421415.66

BCO 972
ELEV.: 413.79
CAPPED BAR IN ISLAND SOUTH OF SIDSLEY AVE.
N 633798.61
E 1423153.18

GENERAL NOTES

1. PROPERTY INFORMATION:
   - A. PROPERTY ADDRESS: 1023 (PROPERTY 1), 1022 (PROPERTY 2), 1024 YORK ROAD (PROPERTY 3)
   - B. NET ACREAGE: 0.93 AC ± (41,240 S.F.)
   - C. GROSS ACREAGE: 0.86 AC ± (37,608 S.F.)
   - D. ELECTION DISTRICT: 8
   - E. COUNCILMANIC DISTRICT: 5
   - F. ADC MAP: 2704
   - G. CENSUS TRACT: 4903.01
   - H. TAX MAP: 0070
   - I. PARCEL: 348, 991
   - J. TAX ACCOUNT NO.: 0819000681 (PROPERTY 1), 0819000690 (PROPERTY 2), 0819001830 (PROPERTY 3)
   - K. DEED: 45211/0519/00
   - L. WATERSHED: LOCH RAVEN RESERVOIR
   - M. COMMERCIAL REVITALIZATION DISTRICT: TOWSON
2. ZONING: BR
3. ZONING MAP/GIS TILE NO.: 070A1
4. FLOOR AREA RATIO: MAXIMUM PERMITTED = 2.0; PROVIDED = 0.081 (3,050 S.F. / 37,608 S.F. = 0.081)
5. EXISTING LAND USE: COMMERCIAL – AUTO SERVICE; PROPOSED LAND USE: COMMERCIAL – FULL SERVICE CAR WASH
6. BR ZONE SETBACKS:

	REQUIRED	PROVIDED
FRONT YARD BUILDING SETBACK	150	56
SIDE YARD BUILDING SETBACK	30'	6'
REAR YARD BUILDING SETBACK	30'	53'

   *SECTION 203.2 STANDARDS FOR BL BM AND BR ZONES, THE DEPTH OF THE FRONT YARD OF ANY BUILDING HEREAFTER ERECTED SHALL BE NOT LESS THAN THE AVERAGE DEPTH OF THE FRONT YARDS OF ALL LOTS WITHIN 100 FEET ON EACH SIDE.
   1020 YORK ROAD = 21.5' BUILDING SETBACK.
   1014 YORK ROAD = 58.4' BUILDING SETBACK.
   315+58.4 = 86.9, 86.9/2 = 43' REQUIRED SETBACK
7. LANDSCAPE TRANSITION AREAS (LTA):

	REQUIRED	PROVIDED
ALONG YORK ROAD (PUBLIC)	10'	11'
ALONG REAR YARD (COMMERCIAL ZONE)	8'	2'
ALONG REAR YARD (RESIDENTIAL ZONE)	15'	12.5'
ALONG SIDE YARD	8'	8'

8. STACKING FOR CAR WASH SHALL COMPLY WITH 419.3.A.3 BCZR SECTION:

	REQUIRED	PROVIDED
FULL SERVICE CAR WASH	19'	23'

9. HEIGHT REQUIREMENTS:

	ALLOWABLE	PROPOSED
	**40' FOOT MAX ON HEIGHT TENT CALCULATION PURSUANT TO SECTION 301.1.B. AND 301.1.D.	40

   **SECTION 301.1 HEIGHT REGULATIONS AND EXCEPTIONS.
   B. THE HEIGHT LIMITATION OF A BUILDING SHALL BE DETERMINED AS FOLLOWS: THE "BASIC HEIGHT" OF THE FRONT OR REAR WALL OF A BUILDING ALONG A STREET, ALLEY OR OTHER PUBLIC WAY IS DETERMINED BY A "SKY LINE PLANE" EXTENDING UPWARD AT A 45-DEGREE ANGLE FROM A "BASE LINE" AT THE AVERAGE ELEVATION OF THE PROPERTIES LINE OR THE CROWN OF THE PAVEMENT, WHICHEVER IS HIGHER, TOWARD A VERTICAL PLANE (THE "MEASURE PLANE") ON THE BUILDING LINE. AS REGARDS FEE OF THE RIGHT-OF-WAY WIDTH THE "BASE HEIGHT" SHALL NOT EXCEED 100 FEET. EXCEPT AS PERMITTED HEREINAFTER AS "VARIANCE HEIGHT," NOR SHALL IT BE REQUIRED TO BE LESS THAN 45 FEET.
   D. NO PART OF ANY BUILDING SHALL ADJACENT TO A SIDE OR REAR LOT LINE THAT DOES NOT ADJOIN A STREET OR OTHER PUBLIC WAY SHALL EXCEED A HEIGHT OF 40 FEET ABOVE THE LEVEL OF SUCH LOT LINE, ABOVE SUCH MAXIMUM LEVEL ALONG SUCH MAY EXCEED THAT HEIGHT, BUT EACH PART OF SUCH WALL MAY EXCEED THAT HEIGHT BY NO MORE THAN ONE FOOT FOR EACH ADDITIONAL FOOT OF HORIZONTAL DISTANCE WHICH SUCH PART IS FROM SUCH LOT LINE. NO PART OF ANY BUILDING SHALL EXCEED A HEIGHT OF ONE AND ONE-HALF TIMES THE VERTICAL DISTANCE FROM SUCH LOT LINE AT THE GRADE OF SUCH PART.
10. THE MANUFACTURER'S RATED HOURLY PRODUCTION CAPACITY OF THE EQUIPMENT TO BE INSTALLED IN THE FULL SERVICE CAR WASH IS 150 CARS PER HOUR, OR AVERAGE THE PRODUCTION WILL BE 60 CARS PER HOUR.
11. HOURS FOR CAR WASH WILL BE LIMITED TO 8 AM TO 7 PM IN SUMMER AND 8 AM TO 6 PM IN WINTER.
12. THIS SITE IS SERVICED BY PUBLIC WATER AND SEWER.
13. THE SITE IS NOT LOCATED IN A 100 YEAR FLOODPLAIN (F.E.M.A. PANEL NO. 24005C0065D).
14. THE SITE IS NOT LOCATED IN A FAILED BASIC WATER, SEWER, OR TRANSPORTATION SERVICE AREA.
15. THE SITE IS LOCATED WITHIN A COMMERCIAL REVITALIZATION DISTRICT AND IS THEREFORE EXEMPT FROM THE PROVISION BCZR 4A02.4, PER BCZR 4A02.4 (BASIC SERVICES MAPPING STANDARDS 1, GENERAL EXCEPTIONS) TO BASIC SERVICES MAPPING STANDARDS, 1, TO ANY DEVELOPMENT LOCATED IN A COMMERCIAL REVITALIZATION DISTRICT
16. THERE ARE NO KNOWN EXISTING WELLS OR SEPTIC FIELDS ON THIS PROPERTY.
17. THERE ARE NO HISTORIC BUILDINGS ON SITE.
18. THIS SITE IS NOT LOCATED IN THE CHESAPEAKE BAY CRITICAL AREA.
19. ANY FIXTURE USED TO ILLUMINATE AN OFF-STREET PARKING AREA SHALL BE ARRANGED AS TO REFLECT THE LIGHT AWAY FROM ADJACENT RESIDENTIAL SITE AND PUBLIC STREETS.
20. SIGNAGE ON THIS SITE SHALL CONFORM WITH THE SIGNAGE REQUIREMENTS OF THE BALTIMORE COUNTY ZONING REGULATIONS SECTION 450, OR A VARIANCE WILL BE REQUESTED. REFER TO SHEET 2 FOR SIGNAGE LAYOUT AND DETAILS.

COMMERCIAL PERMIT HISTORY

1020 YORK ROAD
PERMIT # B310792
CONSTRUCTION OF A CAR RENTAL OFFICE BUILDING.

1020 YORK ROAD
PERMIT # B337187
ERECT CHAIN FENCE WITH HEIGHT OF 8' AND LENGTH OF 130'.

1022 YORK ROAD
PERMIT # B838452 & B838574
CONSTRUCTION OF FREESTANDING D/F ENTERPRISE SIGN 9'x10' AND ONE ILLUMINATED WALL SIGN 2.5'x31.44'.

1022 YORK ROAD
PERMIT # B838617
CONSTRUCTION OF F/S PYLON SIGN 6.17'x12.17'x25'.

1024 YORK ROAD
PERMIT # B856456
UNDERGROUND ELECTRIC DIRECT BURIAL 12/3 TO ID SIGN.

ZONING HISTORY

CASE NO. R-1949-1435-XT – PETITION FOR TEMPORARY USE OF THE PROPERTY FOR ADVERTISING STRUCTURE WAS DENIED ON MAY 13, 1949.

CASE NO. R-1984-232-A & – PETITION FOR TWO SPECIAL EXCEPTIONS FOR USES AUTOMOBILE SALES AT 1018 AND 1024 YORK ROAD, A PETITION FOR ZONING VARIANCE, RELIEF WAS REQUESTED FROM BCZR SECTION 203.2 TO ALLOW A FRONT YARD SETBACK OF 22' IN LIEU OF THE REQUIRED 43'; FROM SECTION 238.A TO PERMIT STORAGE AND DISPLAY OF VEHICLES AND MATERIALS IN THE FRONT YARD SETBACK AREA IN LIEU OF THE REQUIREMENT THAT ONE FRONT YARD AREA TO A DEPTH OF 20' REMAIN VEHICLE FREE; FROM SECTION 238.2 TO PERMIT 0' SIDE YARD SETBACK IN LIEU OF THE REQUIRED 30' FROM SECTION 238.3 TO PERMIT 0' AND 47' DISTANCE BETWEEN BUILDINGS IN LIEU OF THE REQUIRED 60' AND 10' RESPECTIVELY; AND SECTION 413.3 TO PERMIT A TOTAL SIGN AREA OF 175.88 SQ FT FOR TWO SIGNS IN LIEU OF THE REQUIRED 150 SQ FT. GRANTED ON APRIL 11, 1984, SUBJECT HOWEVER TO THE FOLLOWING RESTRICTIONS WHICH ARE CONDITIONS PRECEDENT TO THE RELIEF GRANTED:

1. THE PETITIONER IS HEREBY MADE AWARE THAT PROCEEDING AT THIS TIME IS AT ITS 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 PETITIONER WOULD BE REQUIRED TO RETURN, AND BE RESPONSIBLE FOR RETURNING, SAID PROPERTY TO ITS ORIGINAL CONDITION.
2. THE PETITIONER SHALL NOT ALLOW THE PLACEMENT OF ANY OTHER OUTDOOR ADVERTISING SIGNS, BANNERS, STREAMERS, BALLOONS, ETC. THAT IS, THE SOLE MEANS OF ADVERTISING WILL BE THE TWO SIGNS HITHERTO HEREIN, APPROPRIATE LETTERING ON THE FACADE OF THE BUILDINGS AND PRODUCTIONS AS MAY BE WRITTEN ON THE WINDSHIELDS OF THE VEHICLES. ANY OTHER MEANS OF OUTDOOR ADVERTISING, BE THEY TEMPORARY OR PERMANENT, WILL BE EXCLUDED.

PARKING TABULATIONS CHART
(PARKING SPACES REQUIRED BY BCZR SECTION 419.2)

USE	PARKING RATE	PARKING SPACES REQUIRED PER SECTION 419.3
FULL-SERVICE CAR WASH	1/TUNNEL	1
FULL-SERVICE CAR WASH (ADDITIONAL SPACES)	4	4
VACUUMS	1/VACUUM	28
TOTAL PARKING REQUIRED		33
TOTAL PARKING PROVIDED		33

LEGEND

- EX. PROPERTY BOUNDARY LINE
- EX. RIGHT-OF-WAY
- EX. ADJACENT PROPERTY LINE
- EX. EASEMENT
- EX. ZONING LINE
- EX. BUILDING
- EX. EDGE OF PAVEMENT
- EX. EDGE OF CONCRETE
- EX. CURB
- EX. 2' CONTOUR
- EX. 10' CONTOUR
- EX. FENCE
- PR. CURB & GUTTER
- PR. BUILDING
- PR. SIDEWALK

DATUM

DESIGN & DRAWING BASED ON MARYLAND COORDINATE SYSTEM (MCS): HORIZONTAL NAD 83 (2011) VERTICAL NAVD 88

PROFESSIONAL CERTIFICATION

I HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME, AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MARYLAND, LICENSE NO. 34201, EXPIRATION DATE: 01/13/2024.

DEVELOPER

TOWSON YORK CAR WASH LLC
C/O CANTON CAR WASH
10551 FRANKLIN SQUARE DRIVE
NOTTINGHAM, MARYLAND 21236
PHONE: (888) 226-0008
ATTN: MICHAEL DESIMONE

OWNER

GLEN E. AND WAYNE E. BERGER
1020–1024 YORK ROAD
TOWSON, MARYLAND 21204

MORRIS & RITCHIE ASSOCIATES, INC.
ENGINEERS, PLANNERS, SURVEYORS AND LANDSCAPE ARCHITECTS
1220-B EAST JOPPA ROAD, SUITE 400K
TOWSON, MARYLAND 21286
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CANTON CAR WASH
1020–1024 YORK ROAD

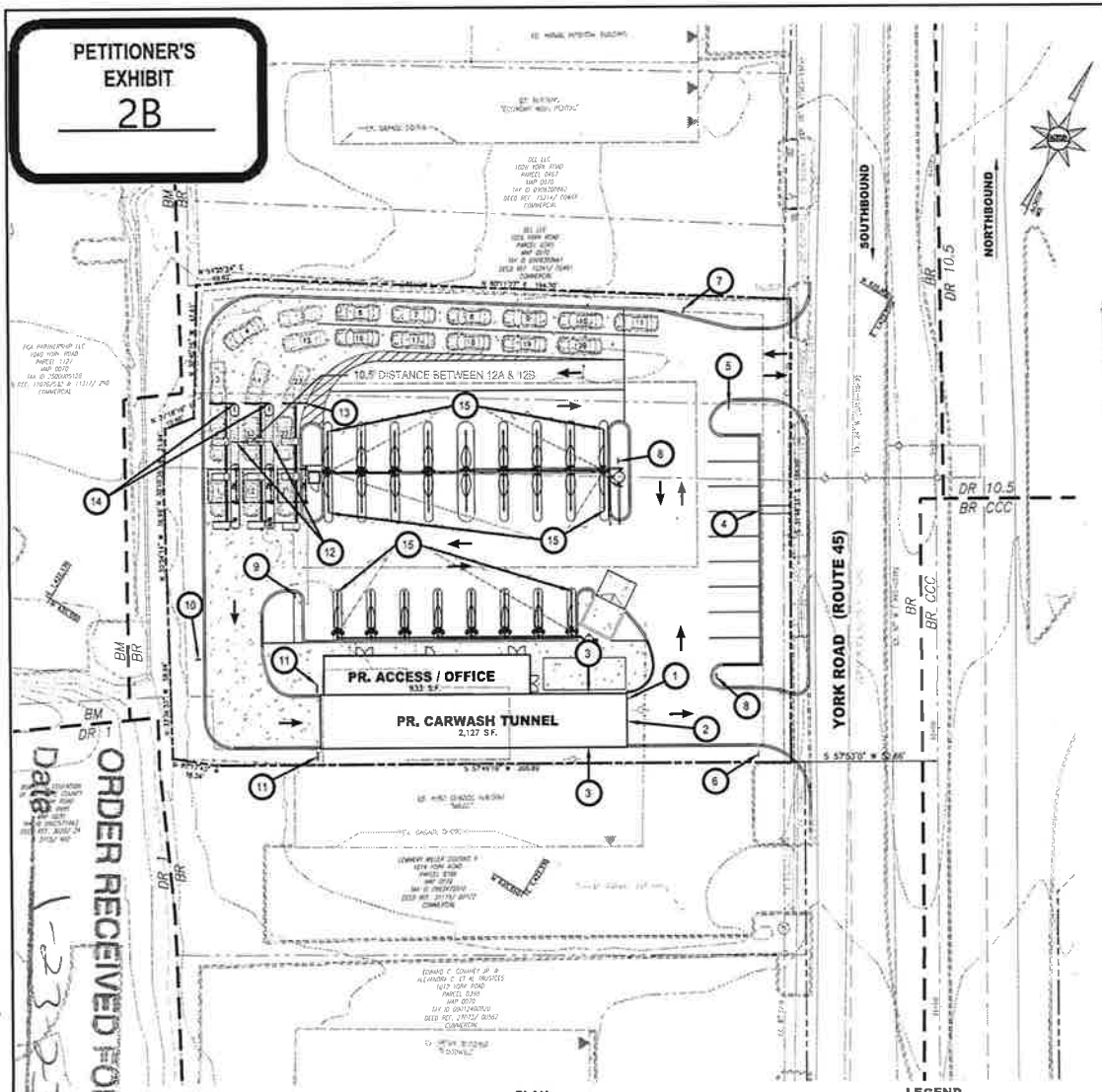
SITE PLAN TO ACCOMPANY
SPECIAL EXCEPTION & VARIANCE PETITION

10TH COUNCILMANIC DISTRICT BALTIMORE COUNTY, MARYLAND 8TH ELECTION DISTRICT

DATE	REVISIONS
11/04/2022	ORIGINAL SUBMISSION TO BE CONSISTENT WITH CAR WASH LLC

JOB NO.: 21637
SCALE: AS SHOWN
DATE: 12/08/2022
DRAWN BY: MRS
DESIGN BY: EHS
REVIEW BY: EHS
SHEET: 01 OF 02

PETITIONER'S EXHIBIT
2B



PLAN
SCALE: 1" = 20'

ORDER RECEIVED FOR FILING
Date 1-23-23
By

GENERAL NOTE
THE CORRECTNESS OR COMPLETENESS OF EXISTING INFORMATION SHOWN ON THE DRAWINGS IS NOT WARRANTED OR GUARANTEED. THE CONTRACTOR SHALL VERIFY THE LOCATION OF UTILITIES AND UNDERGROUND FACILITIES, BY TEST PITS OR OTHER METHODS APPROVED BY THE OWNER'S REPRESENTATIVE, AS REQUIRED TO VERIFY EXACT LOCATIONS AND DEPTHS WITHIN THE LIMIT OF DISTURBANCE. ALL DISCREPANCIES BETWEEN INFORMATION SHOWN ON THE DRAWINGS AND THAT VERIFIED IN THE FIELD SHALL BE REPORTED TO THE OWNER'S REPRESENTATIVE PRIOR TO BEGINNING WORK.

LEGEND
- EX. PROPERTY BOUNDARY LINE
- EX. RIGHT-OF-WAY
- EX. ADJACENT PROPERTY LINE
- EX. EASEMENT
- EX. ZONING LINE
- EX. BUILDING
- EX. EDGE OF PAVEMENT
- EX. EDGE OF CONCRETE
- EX. CURB
- EX. 5' CONTOUR
- EX. 1' CONTOUR
- EX. FENCE
- PR. CURB & GUTTER
- PR. BUILDING
- PR. SIDEWALK

1020
FONT CHALET NEW YORK MINETEEN SEVENTY

1 **E-AN ADDRESS NUMBERS** — NOT TO SCALE — SIGN AREA = 1.426 SF

2 **ENTERPRISE E-FL-1-4.5 SIGN** — NOT TO SCALE — SIGN AREA = 50.0 SF

3 **ENTERPRISE E-FL-1-6 SIGN** — NOT TO SCALE — SIGN AREA = 143.5 SF

4 **ENTERPRISE E-P SIGN** — NOT TO SCALE — SIGN AREA = 74.6 SF

5 **DIRECTIONAL W-D-2 AR / 4 SIGN** — NOT TO SCALE — SIGN AREA = 4.0 SF

6 **DIRECTIONAL W-D-2 AS / 4 SIGN** — NOT TO SCALE — SIGN AREA = 4.0 SF

7 **DIRECTIONAL W-S-1 AS SIGN** — NOT TO SCALE — SIGN AREA = 4.2 SF

8 **ENTERPRISE W-S-12 SIGN** — NOT TO SCALE — SIGN AREA = 4.2 SF — 8A / 8B

9 **DIRECTIONAL W-S-2 AL SIGN** — NOT TO SCALE — SIGN AREA = 4.2 SF

10 **NOTICE W-S-6 SIGN** — NOT TO SCALE — SIGN AREA = 4.2 SF

11 **NOTICE W-S-9 SIGN** — NOT TO SCALE — SIGN AREA = 8 SF

12 **ENTERPRISE W-S-8 SIGN** — NOT TO SCALE — SIGN AREA = 18.3 SF — 12A / 12B

13 **DIRECTIONAL W-S-13 SIGN** — NOT TO SCALE — SIGN AREA = 7.08 SF

14 **DIRECTIONAL W-S-14 SIGN** — NOT TO SCALE — SIGN AREA = 7.08 SF

15 **ENTERPRISE W-S-11 G SIGN** — NOT TO SCALE — SIGN AREA = 2.77 SF — 15 A-F

PROFESSIONAL CERTIFICATION
I HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME, AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MARYLAND, LICENSE NO. 38581, EXPIRATION DATE: 01/13/2024.

DATUM
DESIGN & DRAWING BASED ON MARYLAND COORDINATE SYSTEM (MCS): HORIZONTAL NAD 83 (2011) VERTICAL NAVD 88

DEVELOPER
TOWSON HOPE CAR WASH LLC
c/o CANTON CAR WASH
10551 FRANKLIN SQUARE DRIVE
NOTTINGHAM, MARYLAND 21236
PHONE: (908) 328-0008
ATTN: DAMIAN DEMACOS

OWNER
GLEN C. AND WAYNE C. BERGER
1020-1024 YORK ROAD
TOWSON, MARYLAND 21204

MORRIS & RITCHIE ASSOCIATES, INC.
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CANTON CAR WASH
1020-1024 YORK ROAD

SIGNAGE PLAN

5TH COUNCILMANIC DISTRICT — BALTIMORE COUNTY, MARYLAND — 5TH ELECTION DISTRICT

DATE	REVISIONS	
01/05/2023	UPDATED SIGN PER BA CC DEPT OF PLANNING COMMENTS FOR SDP-21-147	JOB NO.: 21137
	UPDATED SIGNAGE NAME TO BE TOWSON CAR WASH, LLC	SCALE: AS SHOWN
01/17/2023	UPDATED SIGNAGE TO REMOVE 3 FT OF SIGN TOP CLEARED ADDED IN PERIOD	DATE: 12/06/2022
		DRAWN BY: MAS
		DESIGN BY: TMS
		REVIEW BY: TMS
		SHEET: 10 OF 15

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE MEMORANDUM

RECEIVED DEC 29 2022

TO: C. Pete Gutwald
Director, Department of Permits, Approvals and Inspections

DATE: 12/13/2022

FROM: Steve Lafferty
Director, Department of Planning

SUBJECT: **ZONING ADVISORY COMMITTEE COMMENTS**
Case Number: 2022-291-XA

INFORMATION:
Property Address: 1020, 1022, and 1024 York Road, Towson
Petitioner: Glenn G. Berger and Wayne G. Berger
Zoning: BR
Requested Action: Special Exception and Variance

The Department of Planning has reviewed the petition for:

Special Exception:

1. For a full-service car wash, pursuant to Section 236.2 of the BCZR;

Variance:

2. From BCZR Section 419.3.A to allow the required number of stacking spaces for the full-service car wash to be configured in a different pattern than single-file at the entrance to the tunnel;
3. From BCZR Section 238.2 to allow a side yard setback of 6 feet for a commercial building in lieu of the required 30 feet;
4. From BCZR Section 419.4.B.2 to allow a landscape transition area width in the rear yard to be a minimum of 2 feet abutting non-residentially zoned land in lieu of the required 6 feet, and to allow a landscape transition area width a minimum of 12 feet in lieu of the required 15 feet within 50 feet of a residentially zoned property; and
5. From BCZR Section 419.4.B.1 to allow a car wash tunnel entrance to face an adjacent residentially zoned property.

The subject site, which is approximately 0.8 acres zoned BR, is composed of three parcels and is currently a Star Auto Service used car sales business. The use and setbacks were approved in Zoning Case 1994-321-XA. The surrounding uses on York Road are commercial, including a Midas Tires and Auto Service and a Goodwill to the south and an auto rental, animal hospital, and Lexus dealership to the north. Behind the site is parking for the Lexus dealership and a Baltimore County Publics Schools high school, Carver Center for Arts and Technology.

This portion of York Road leads to the gateway or entrance to downtown Towson, and is heavily traveled and congested. North and southbound lanes of this portion of York Road are separated by a concrete median from Fairmount Avenue to West Road, with one break just north of 1030 York Road. There is a

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Date 1-23-23
By

695 northbound off ramp on West Road, north of the subject site. York and West Road is a C-level intersection, and York and Fairmount is a D-level intersection.

The site is within the boundaries of the Towson Commercial Revitalization District, the Towson Community Plan, the Kenilworth Drive Corridor Plan, and the Eastern Baltimore County Pedestrian and Bicycle Access Plan. Relevant guidance from the Towson Community Plan advises to "simplify and clean up commercial buildings and site signs", "construct uniform, moderately scaled buildings", "orient building fronts to the streets", and "locate building fronts up against streetscapes" (York Road North, page 46).

The Department of Planning opposes the Special Exception request for a full-service car wash, pursuant to Section 236.2 of the BCZR. Section 502.1.B of the BCZR indicates that before any special exception may be granted, it must appear that the use for which the special exception is requested will not "[t]end to create congestion in roads, streets or alleys therein." When considering the anticipated increasing traffic and the overflow it could cause onto York Road, the Department of Planning opposes the request.

Should the Special Exception be granted, the Department of Planning requests that sign 3 on the signage plan, the Canton Car Wash pylon sign, be a monument style sign to better fit with the surrounding commercial site on York Road.

Should the Special Exception be granted, the Department of Planning has no objections to the Variance from BCZR Section 419.3.A to allow the required number of stacking spaces for the full-service car wash to be configured in a different pattern than single-file at the entrance to the tunnel. The irregular stacking may decrease the possibility of traffic overflowing onto York Road from the subject site.

Should the Special Exception be granted, the Department of Planning has no objections to the Variance from BCZR Section 238.2 to allow a side yard setback of 6 feet for a commercial building in lieu of the required 30 feet, as this stretch of York Road is primarily commercial structures with relatively small side yard setbacks.

Should the Special Exception be granted, the Department of Planning does not object to the Variance from BCZR Section 419.4.B.2 to allow a landscape transition area width in the rear yard to be a minimum of 2 feet abutting non-residentially zoned land in lieu of the required 6 feet and to allow a landscape transition area width a minimum of 12 feet in lieu of the required 15 feet within 50 feet of a residentially zoned property with the following conditions:

1. Landscaping to the rear of the property should be as dense as possible and variably heighted to screen the new development and car headlights in the car wash drive aisles to the extent possible from the existing development;
2. Enhanced landscaping shall be provided in the side yards and along York Road to compensate for the decreased landscaping to the rear of the development; and
3. Planters and/or landscape islands shall be provided to further beautify the site.

The Department of Planning requests these conditions, as the proposal for a 2 feet landscape transition area in lieu of the required 6 feet is minimal and does not allow for screening of the site from the existing surrounding uses. Enhanced landscaping elsewhere on site will improve the overall appearance.

Should the Special Exception be granted, the Department of Planning has no objections to the Variance from BCZR Section 419.4.B.1 to allow a car wash tunnel entrance to face an adjacent residentially zoned property. Although the property to the rear of the site is zoned DR 1, it is Carver Center for Arts and Technology, a high school, and is not used residentially. There are relatively steep slopes and a change in

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By

grade from the portion of the Carver property that will face the car wash entrance tunnel, which will decrease visibility and impact. Additionally, the car wash tunnel entrance would face a not-heavily-used portion of Carver, a grassy field and a fenced off maintenance storage facility and parking pad.

For further information concerning the matters stated herein, please contact Taylor Bensley at 410-887-3482.

Prepared by:

Taylor Bensley

Division Chief:

Jenifer G. Nugent

SL/JGN

c: David Karceski, Esq.
David Birkenthal
Ngone Seye Diop
Office of Administrative Hearings
People's Counsel for Baltimore County

ORDER RECEIVED FOR FILING

Date 1-23-23

By

MARYLAND DEPARTMENT OF TRANSPORTATION
STATE HIGHWAY ADMINISTRATION

Larry Hogan
Governor
Boyd K. Rutherford
Lt. Governor
James F. Ports, Jr.
Secretary
Tim Smith, P.E.
Administrator

January 6, 2023

Ms. Kristen Lewis
Baltimore County Department of
Permits, Approvals and Inspections
County Office Building, Room 109
111 West Chesapeake Avenue
Towson, Maryland 21204

Dear Ms. Lewis:

We have reviewed the site plan to accompany the petition for special exception and variance on the subject of the Case number referenced below. An internal review reveals that there are two existing entrances onto MD 45, York Road. which may require modification due to the proposed conditions. Entrances consistent with current State Highway Administration guidelines are required as a condition of approval for Canton Car Wash, Case Number 2022-0291-xa.

Due to the parameters of this project, MDOT-SHA will require submission of a Traffic Impact Study (TIS) which shall include weekend traffic to determine the impacts on the roadway network. The applicant must contact the State Highway Administration to begin this process. Should you have any questions regarding this matter feel free to contact Ms. Teresa Eller at 410-229-2424 or 1-866-998-0367 (in Maryland only) extension 2424, or by email at (teller@mdot.maryland.gov).

Sincerely,

Teresa Eller for,

Sutapa Samanta, P.E.
Metropolitan District Engineer
Maryland Department of Transportation
State Highway Administration
District 4 - Baltimore and Harford Counties

Cc: Tom Sheckells

ORDER RECEIVED FOR FILING
Date 1-23-23
By

JOHN A. OLSZEWSKI, JR.
County Executive

PAUL M. MAYHEW
Managing Administrative Law Judge
LAWRENCE M. STAHL
Administrative Law Judge
MAUREEN E. MURPHY
Administrative Law Judge

January 23, 2023

David Karceski, Esquire – dkarceski@venable.com
Adam M. Rosenblatt, Esquire – amrosenblatt@venable.com
Venable, LLP
210 W. Pennsylvania Avenue, Suite 500
Towson, MD 21203

RE: Petitions for Special Exception & Variance
Case No. 2022-0291-XA
Property: 1020, 1022, 1024 York Road

Dear Counsel:

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

Pursuant to Baltimore County Code § 32-3-401(a), "a person aggrieved or feeling aggrieved" by this Decision and Order 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 the Office of Administrative Hearings at 410-887-3868.

Sincerely,

Maureen E. Murphy

Maureen E. Murphy
Administrative Law Judge
for Baltimore County

MEM/dlm
Attachment

c: Chris Rivera – chris@cantoncarwash.com
Thomas Sheckells – tsheckells@mragta.com
Mark Keely – mkeeley@traffic-concepts.com
Delva T – wbanacker@gmail.com

JOHN A. OLSZEWSKI, JR.
County Executive

PAUL M. MAYHEW
Managing Administrative Law Judge
MAUREEN E. MURPHY
Administrative Law Judge

February 22, 2023

David Karceski, Esquire – dkarceski@venable.com
Adam M. Rosenblatt, Esquire – amrosenblatt@venable.com
Venable, LLP
210 W. Pennsylvania Avenue, Suite 500
Towson, MD 21203

RECEIVED
FEB 22 2023
BALTIMORE COUNTY
BOARD OF APPEALS

RE: Petitions for Special Exception & Variance
Case No. 2022-0291-XA
Property: 1020, 1022, 1024 York Road

Dear Counsel:

Please be advised that an appeal of the above-referenced case was filed in this Office on February 22, 2023. All materials relative to the case have been forwarded to the Baltimore County Board of Appeals ("Board").

If you are the person or party taking the appeal, you should notify other similarly interested parties or persons known to you of the appeal. If you are an attorney of record, it is your responsibility to notify your client.

If you have any questions concerning this matter, please do not hesitate to contact the Board at 410-887-3180.

Sincerely,

Paul M. Mayhew

PAUL M. MAYHEW
Managing Administrative Law Judge
for Baltimore County

PMM:dlw
Attachment
c: *See Next Page*

c: Board of Appeals
People's Counsel
Michael R. McCann, Esq., michael@mmccannlaw.net
Chris Rivera – chris@cantoncarwash.com
Thomas Sheckells – tsheckells@mragta.com
Mark Keely – mkeeley@traffic-concepts.com
Delva T – wbanacker@gmail.com

APPEAL

Petition for Special Exception & Variance
Case No.: 2022-0291--XA
1020,1022,1024 YORK ROAD
9th Election District, 6th Council District

Petition for Special Exception & Variance –12/8/22

Zoning Description of Property (1 page)

Revised Petition -

Notice of Webex Zoning Hearing – 12/15/22

Certification of Publication – *The Daily Record* Newspaper – 12/28/22

Certification of Posting by Sgt. Black – 12/27/22 and 1/15/23

Entry of Appearance by People's Counsel –12/12/22

Attendance Sheet (4)

Zoning Advisory Committee Comments:
State Highway Administration 1/6/23

Petitioner's Exhibits:

1. Revised Zoning Petition
2A-B. Redlined Site Plan
3A-F. Examples from other sites
4. Building Elevations
5. Thomas Sheckells CV
6. Aerial Photograph
7. Site Photos
8. Rendered Site Plan
9. Mark Keeley CV
10. Traffic Report
11. Map of Commercial Revitalization District
12A. County List of Community Associations
12B. Distance from Community Association to Subject Property

Opposition Letter from Keith Morris

Miscellaneous correspondence, emails and web ex information, SDAT

Cover Letter and Administrative Law Judge's Opinion and Order – 1/23/23 – by Judge Murphy - Granted

Notice of Appeal & Check No. 6385 for $700 - Received on 2/22/23 filed by Michael McCann, Esq.

Cashier's Receipt No. 203983

Materials Sent to BOA – 2/22/23

Tammy Zahner

From: Donna Mignon
Sent: Wednesday, February 22, 2023 9:32 AM
To: Michael McCann; Debra Wiley; Administrative Hearings
Cc: Rosenblatt, Adam M.; Karceski, David H.; Appeals Board
Subject: RE: 1020-1024 York Road



Good Morning,
Thank you.

Donna L. Mignon
Legal Assistant
Baltimore County Office of Administrative Hearings
105 West Chesapeake Avenue, Suite 103
Towson, Maryland 21204
410-887-3868

From: Michael McCann <michael@mmccannlaw.net>
Sent: Wednesday, February 22, 2023 9:31 AM
To: Donna Mignon <dmignon@baltimorecountymd.gov>; Debra Wiley <dwiley@baltimorecountymd.gov>; Administrative Hearings <administrativehearings@baltimorecountymd.gov>
Cc: Rosenblatt, Adam M. <AMRosenblatt@Venable.com>; Karceski, David H. <DKarceski@Venable.com>; Appeals Board <appealsboard@baltimorecountymd.gov>
Subject: 1020-1024 York Road

CAUTION: This message from michael@mmccannlaw.net originated from a non Baltimore County Government or non BCPL email system. Hover over any links before clicking and use caution opening attachments.

Donna/Debra: Attached is a notice of appeal in this matter. I will drop off a hard copy this morning.

Thank you.

Michael

Michael R. McCann
Michael R. McCann, PA
118 W. Pennsylvania Avenue
Towson, Maryland 21204
(p) 410-825-2150
(f) 410-825-2149

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responsible for delivering this message to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please delete/destroy any copy of this message and notify Michael R. McCann at 410 825-2150.

Michael R. McCann, P.A.
118 W. Pennsylvania Avenue
Towson, Maryland 21204
Phone: (410) 825-2150
Facsimile: (410) 825-2149
michael@mmccannlaw.net

February 22, 2023

Via Hand Delivery

Office of Administrative Hearings
105 W. Chesapeake Avenue
Towson, Maryland 21204

Re: 1020-1024 York Road
Case no. 2022-0291-XA

To whom it may concern:

Enclosed for filing in this matter is a Notice of Appeal, along with the requisite filing fee.

Please contact me if you have any questions. Thank you.

Respectfully,

Michael R. McCann

cc: counsel of record



IN RE: PETITIONS FOR SPECIAL EXCEPTION
AND VARIANCE
(1022, 1022, 1024 York Road)

9th Election District
6th Councilmanic District
Glenn G. Berger and Wayne G. Berger
Legal Owners
Towson Car Wash, LLC
Contract Purchaser/Lessee

* BEFORE THE
* OFFICE OF
* ADMINISTRATIVE
* HEARINGS
* Case No. 2022-0291-XA
*
*

* * * * * * * * * * * * *

NOTICE OF APPEAL

Protestants, Nigel Jamieson, Delva Thomas, Sandra Levy, and Concerned Citizens of Baltimore County, by and through undersigned counsel, pursuant to Baltimore County Code §32-3-401(a), file this notice of appeal of the Opinion and Order of the Administrative Law Judge dated January 23, 2023. Pursuant to Rule 3 of the Rules of Practice and Procedure of the Board of Appeals, the address of protestants is 912 Hampton Lane, Towson, Maryland 21286.

Respectfully submitted,

Michael R. McCann
118 W. Pennsylvania Ave.
Towson, MD 21204
(410) 825-2150

Attorneys for Protestants

RECEIVED
FEB 22 2023
OFFICE OF
ADMINISTRATIVE HEARINGS

CERTIFICATE OF SERVICE

I hereby certify that on 22nd day of February 2023 a copy of the foregoing notice of appeal was emailed and mailed, *via* first-class mail, postage prepaid to:

David Karceski, Esq.
Adam Rosenblatt, Esq.
Venable, LLP
210 W. Pennsylvania Avenue, Ste. 500
Towson, MD 21204

County Board of Appeals
105 W. Chesapeake Avenue
Towson, Maryland 21203

Michael R. McCann

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

No. 203983

Date: 2/22/23

Fund	Dept	Unit	Sub Unit	Rev Source/ Obj	Sub Rev/ Sub Obj	Dept Obj	BS Acct	Amount
001	806	6000		6150				700.00

Total: $700.00

Rec From: Michael McCann

For: OAH
Case #: 2022-0291-XA
Address: 1020, 1022, 1024 York Road
Hearing Date: 1/17/2023 1:30 p.m.
Check #: 0385

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CASHIER'S VALIDATION

PAID RECEIPT

BUSINESS	ACTUAL	TIME	DRW
2/27/2023	2/24/2023	10:03:35	2

REG TRX2 WALKIN MSJ
>>RECEIPT # 020305 2/24/2023 OFLN
Rcpt 5 526 ZONING VERIFICATION
203983
Rcpt Tot $ 700.00
700.00 CK .00 CA
Baltimore County, Maryland

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

No. 203983

Date: 2/22/23

Fund	Dept	Unit	Sub Unit	Rev Source/ Obj	Sub Rev/ Sub Obj	Dept Obj	BS Acct	Amount
001	806	0000		6150				700.00
							Total:	$ 700.00

Rec From: Michael McCann,

For: OAH
Case #: 2022-0291-XA
Address: 1020, 1022, 1024 York Road
Hearing Date: 1/17/2023 1:30 p.m.
Check #: 6385

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

CASHIER'S VALIDATION

LAW OFFICES OF MICHAEL R. MCCANN
118 W. PENNSYLVANIA AVE
TOWSON, MD 21204

6385
65-320/550 7384

DATE 2/22/23

PAY TO THE ORDER OF Baltimore County Seven Hundred $ 700.00 DOLLARS

Photo Safe Deposit® Details on back

WELLS FARGO. Wells Fargo Bank, N.A. Maryland wellsfargo.com

FOR appeal 2022-0291

MP

Donna Mignon

From: Michael McCann <michael@mmccannlaw.net>
Sent: Wednesday, February 22, 2023 9:31 AM
To: Donna Mignon; Debra Wiley; Administrative Hearings
Cc: Rosenblatt, Adam M.; Karceski, David H.; Appeals Board
Subject: 1020-1024 York Road
Attachments: 20230222094858698.pdf

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Donna/Debra: Attached is a notice of appeal in this matter. I will drop off a hard copy this morning.

Thank you.

Michael

Michael R. McCann
Michael R. McCann, PA
118 W. Pennsylvania Avenue
Towson, Maryland 21204
(p) 410-825-2150
(f) 410-825-2149

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Michael R. McCann, P.A.
118 W. Pennsylvania Avenue
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Phone: (410) 825-2150
Facsimile: (410) 825-2149
michael@mmccannlaw.net

RECEIVED
FEB 22 2023
BALTIMORE COUNTY
BOARD OF APPEALS

February 22, 2023

Via Hand Delivery

Office of Administrative Hearings
105 W. Chesapeake Avenue
Towson, Maryland 21204

Re: 1020-1024 York Road
Case no. 2022-0291-XA

To whom it may concern:

Enclosed for filing in this matter is a Notice of Appeal, along with the requisite filing fee.

Please contact me if you have any questions. Thank you.

Respectfully,

Michael R. McCann

cc: counsel of record

IN RE: PETITIONS FOR SPECIAL EXCEPTION
AND VARIANCE
(1022, 1022, 1024 York Road)

9th Election District
6th Councilmanic District
Glenn G. Berger and Wayne G. Berger
Legal Owners
Towson Car Wash, LLC
Contract Purchaser/Lessee

* BEFORE THE
* OFFICE OF
* ADMINISTRATIVE
* HEARINGS
* Case No. 2022-0291-XA
*
*

* * * * * * * * * * * * *

NOTICE OF APPEAL

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Respectfully submitted,

Michael R. McCann
118 W. Pennsylvania Ave.
Towson, MD 21204
(410) 825-2150

Attorneys for Protestants

CERTIFICATE OF SERVICE

I hereby certify that on 22nd day of February 2023 a copy of the foregoing notice of appeal was emailed and mailed, *via* first-class mail, postage prepaid to:

David Karceski, Esq.
Adam Rosenblatt, Esq.
Venable, LLP
210 W. Pennsylvania Avenue, Ste. 500
Towson, MD 21204

County Board of Appeals
105 W. Chesapeake Avenue
Towson, Maryland 21203

Michael R. McCann

Donna Mignon

From: Administrative Hearings
Sent: Tuesday, February 21, 2023 10:51 AM
To: wbanacker@gmail.com
Cc: Debra Wiley; Administrative Hearings
Subject: FW: Decision - Case No. 2022-0291-XA - 1020, 1022, 1024 York Road - Berger/Berger/Towson Car Wash
Attachments: ltr 2022-0291-XA w MM signature.pdf; 2022-0291-XA - car wash.singlefile.signs.grant.pdf; 2022-0291-XA - Exhibit 2A-B - Redlined Site Plan.pdf; 2022-0291-XA - DOP ZAC Comments.pdf; 2022-0291-XA - SHA ZAC Comments.pdf

Good Morning,
Per our telephone conversation, please find attached the Order in regard to the above-referenced matter.

Please be advised that if you wish to file an appeal we must have a letter indicating you want to file an appeal and a check in the amount of $700.00 made payable to Baltimore County.
You have until 2/22/23 to file the appeal with our office. Our office hours are 7:30 a.m. – 3:30 p.m.

If you have any other questions or concerns, please contact our office.

Thank you. Have a great day.

From: Debra Wiley <dwiley@baltimorecountymd.gov>
Sent: Monday, January 23, 2023 4:26 PM
To: David Karceski, Esquire – <dkarceski@venable.com>; Adam M. Rosenblatt, Esquire – <amrosenblatt@venable.com>
Cc: Chris Rivera – <chris@cantoncarwash.com>; Thomas Sheckells – <tsheckells@mragta.com>; Mark Keely – <mkeeley@traffic-concepts.com>; Delva T – <wbanacker@gmail.com>; Donna Mignon <dmignon@baltimorecountymd.gov>; County Council <countycouncil@baltimorecountymd.gov>; Henry Ayakwah <hayakwah@baltimorecountymd.gov>; Jeffery Livingston <jlivingston@baltimorecountymd.gov>; Jenifer G. Nugent <jnugent@baltimorecountymd.gov>; PAI Zoning <paizoning@baltimorecountymd.gov>; Peoples Counsel <peoplescounsel@baltimorecountymd.gov>; Vishnubhai K Desai <vdesai@baltimorecountymd.gov>
Subject: Decision - Case No. 2022-0291-XA - 1020, 1022, 1024 York Road - Berger/Berger/Towson Car Wash

Good Afternoon,

Please find attached ALJ Murphy's Opinion and Order in reference to the above matter.

Have a great evening.

Debra Wiley

From: Debra Wiley
Sent: Monday, January 23, 2023 4:26 PM
To: David Karceski, Esquire –; Adam M. Rosenblatt, Esquire –
Cc: Chris Rivera –; Thomas Sheckells –; Mark Keely –; Delva T –; Donna Mignon; County Council; Henry Ayakwah; Jeffery Livingston; Jenifer G. Nugent; PAI Zoning; Peoples Counsel; Vishnubhai K Desai
Subject: Decision - Case No. 2022-0291-XA - 1020, 1022, 1024 York Road - Berger/Berger/Towson Car Wash
Attachments: ltr 2022-0291-XA w MM signature.pdf; 2022-0291-XA - car wash.singlefile.signs.grant.pdf; 2022-0291-XA - Exhibit 2A-B - Redlined Site Plan.pdf; 2022-0291-XA - DOP ZAC Comments.pdf; 2022-0291-XA - SHA ZAC Comments.pdf

Good Afternoon,

Please find attached ALJ Murphy's Opinion and Order in reference to the above matter.

Have a great evening.

JOHN A. OLSZEWSKI, JR.
County Executive

PAUL M. MAYHEW
Managing Administrative Law Judge
LAWRENCE M. STAHL
Administrative Law Judge
MAUREEN E. MURPHY
Administrative Law Judge

January 23, 2023

David Karceski, Esquire – dkarceski@venable.com
Adam M. Rosenblatt, Esquire – amrosenblatt@venable.com
Venable, LLP
210 W. Pennsylvania Avenue, Suite 500
Towson, MD 21203

RE: Petitions for Special Exception & Variance
Case No. 2022-0291-XA
Property: 1020, 1022, 1024 York Road

Dear Counsel:

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

Pursuant to Baltimore County Code § 32-3-401(a), "a person aggrieved or feeling aggrieved" by this Decision and Order 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 the Office of Administrative Hearings at 410-887-3868.

Sincerely,

Maureen E. Murphy

Maureen E. Murphy
Administrative Law Judge
for Baltimore County

MEM/dlm
Attachment

c: Chris Rivera – chris@cantoncarwash.com
Thomas Sheckells – tsheckells@mragta.com
Mark Keely – mkeeley@traffic-concepts.com
Delva T – wbanacker@gmail.com

IN RE: PETITIONS FOR SPECIAL EXCEPTION AND VARIANCE	*	BEFORE THE
(1022, 1024 York Road)		THE OFFICE
9th Election District	*	
6th Council District		ADMINISTRATIVE HEARINGS
Glenn G. Berger and Wayne G. Berger	*	
Legal Owner		FOR BALTIMORE COUNTY
Towson Car Wash, LLC	*	
Contract Purchaser/Lessee		**Case No: 2022-0291-XA**
	*	
Petitioners		

* * * * * * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings ("OAH") for consideration of Petitions for Special Exception and Variance filed on behalf of Glenn G. Berger, legal owner, and Towson Car Wash, LLC., lessee ("Petitioners") for the property known as 1020, 1022, 1024 York Rd., Towson (the "Property"). A Petition for Special Exception was filed from the Baltimore County Zoning Regulations ("BCZR"), §236.2 to permit a full-service car wash. Petition for Variances were also filed from BCZR which correspond to the Variance numbers on the Petition as follows:

> 2. §419.3.A to allow the required number of stacking spaces for the full-service car wash to be configured in a different pattern than single-file at the entrance to the tunnel, if necessary.
> 3. §238.2 to allow a side yard setback of 6 ft. for a commercial building in lieu of the required 30 ft.
> 4. §419.4.B.3 to allow a landscape transition area width in the rear yard to be a minimum of 2 ft. abutting non-residentially zoned land in lieu of the required 6 ft. and to allow a landscape transition area width a minimum of 12 ft. in lieu of the required 15 ft. within 50 ft. of a residentially zoned property.
> 5. §419.4.B.1 to allow a car wash tunnel entrance to face an adjacent residentially zoned property.
> 6. §450.4 Table of Signs Regulations.5(b) to allow a total of 11 freestanding enterprise signs with sign areas/faces of 18 square feet (sign Nos. 12A, 12B), 36 square feet (sign No. 4), 4 square feet (sign Nos. 8A, 8B), and 2.77 square feet (sign Nos. 15A-15F), with a sign height of 6 feet (sign Nos. 12A, 12B), 13 feet (sign No. 4), 4 feet

ORDER RECEIVED FOR FILING
Date 1-23-23
By

(sign Nos. 8A, 8B), and 6 feet (sign Nos. 15A-15F) in lieu of the one freestanding enterprise sign permitted with a sign area/face of 75 square feet.

7. §450.5.B.4.a to allow a freestanding sign to be installed as close as 10 ft. to another freestanding sign on the same premises having an area larger than 8 square feet (between sign Nos. 12A and 12B) in lieu of the required 100 foot distance.

Due to COVID-19 a public WebEx hearing was conducted virtually in lieu of an in-person hearing. The Petitions were properly advertised and posted. Chris Riveria, COO of Canton Car Wash along with Thomas Sheckells, a planning expert with Morris & Ritchie Associates, the civil engineering firm who prepared a redlined site plan (the "Redlined Site Plan"). (Pet. Ex. 2A, 2B). David Karceski, Esquire, Adam Rosenblatt, Esquire, and Venable, LLP represented the Petitioners. There were no Protestants or interested citizens in attendance. A statement in opposition was submitted by Concerns Citizens of Baltimore County. (See File).

Zoning Advisory Committee ("ZAC") comments were received from the Department of Planning ("DOP") who is opposed to the Special Exception relief stating that the use could increase traffic and overflow onto York Rd. which is prohibited under BCZR, §502.1.B. DOP also indicated that if the Special Exception was granted, the agency was not opposed to the Variance relief. State Highway Administration ("SHA") noted that the existing 2 entrances onto York Rd. (MD 45) may require modification and a Traffic Impact Study ("TIS") was requested. Oddly, there was no ZAC comment from Development Plans Review ("DPR") or from Department of Environmental Protection and Sustainability ("DEPS").

The case proceeded by way of modified proffer by Mr. Rosenblatt and Mr. Karseski. Thomas H. Sheckells was admitted as an expert planner with knowledge of the BCZR including Petitions for Special Exceptions and Variances. (Pet. Ex. 5). The Property is comprised of 3 separately addressed parcels totaling 0.86 acres +/- (37,608 sf) located on the west side of York

ORDER RECEIVED FOR FILIN
Date 1-23-23
By

Rd. (MD 45). The Property is directly across from the I-695 eastbound ramp. On the northern boundary is another automobile service garage, on the western side is a parking lot for Lexus of Towson as well as the maintenance building for Carver Center for Arts, and on the southern end is a Meineke muffler shop, a Midas store, as well as a Goodwill store. It is zoned Business, Roadside (BR). There are no adjacent residential properties.

The Property is currently being used as an auto service garage and used automobile sales yard. Street view photographs depict a commercial building with a lot full of cars surrounded by a chain link fence. (Pet. Ex. 7). Also shown in the photographs is that the Property is also operating as a junk yard with appliances, several boats, car parts, tires, trailers, an old ambulance used for storage, and other items of junk, trash and debris scattered throughout the Property. There are at least 3 freestanding enterprise signs mounted on poles along the street frontage on York Rd. and 1 sign covered with a black tarp (Pet. Ex. 7.10). To describe the current state of the Property as an eyesore would be an understatement.

Petitioners propose to construct and operate a full-service car wash which moves vehicles on a flat-bed conveyor belt through a tunnel as shown on the Redlined Site Plan. (Pet. Ex. 2A). An architectural rendering of the building and tunnel were provided. (Pet. Ex. 4). Mr. Riveria described the flat-bed conveyor belt as using the latest technology which uses friction to clean the vehicles. (Pet. Ex 3C). He explained that the flat-bed conveyor belt allows 30% more vehicles to be cleaned than the traditional chain conveyor found in most car washes. While it is more expensive, the flat-bed conveyor belt can process 100 vehicles for every 100 ft. of belt length. In this case, the conveyor belt will measure 130 ft.; 130 vehicles can be washed per hour. There will be 3 lanes of single-file vehicles on their approach to 3 separate pay stations. License plates are scanned to access accounts. An attendant will be in 1 of the pay stations to assist customers, if

ORDER RECEIVED FOR FILIN
Date 1-23-23
By

needed. Additional attendants are available to ensure efficient traffic circulation. Each of the 3 pay lanes will have a gate locked by a magnetic sensor which is not activated until payment is complete. Once payment is made, the gate opens and the cars line up in a single-file line prior to the tunnel entrance. Between the gates and the tunnel entrance there is an additional 90 ft. which will provide space for an additional 5 vehicles to queue in line. (Pet. Ex. 2A, 2B).

As of the date of the hearing, Canton Car Wash operates 4 other locations: Nottingham/White March; Columbia; Abingdon; and Canton. A 5th location is opening soon in Glen Burnie. Nearly 80% of the customers of Canton Car Wash have memberships and are looking for a high-end experience. Mr. Riveria described that some locations, such as Nottingham/White Marsh are full-service car washes meaning that after car goes through the wash tunnel, the customer has the option to exit the vehicle and wait in a lounge while employees clean the interior. At the proposed Towson location, it will be an express-car wash only and will not provide interior cleaning by employees; customers may clean the interior themselves at the self-service vacuum parking spaces using a central vacuum system. (Pet. Exs. 3D-3F). As such, there will only be 6 employees at the proposed Towson location.

Mr. Riveria added that the water used to clean the vehicles is recaptured in underground storage tanks and reused. This underground tank system costs $250,000.00. The Towson car wash will use biodegradable chemicals only, not harsh chemicals as used in older touchless car washes. The two access driveways into the Property currently permit both ingress and egress onto York Rd. On the Redlined Site Plan, the northern driveway will be right in and right out only, and the southern driveway will be right out only.

The street views photographs confirm that the Property currently has no landscaping; it is entirely paved and covered with either vehicles or used as a junk yard/open dump. In regard to

ORDER RECEIVED FOR FILING
Date 1-23-23
By PW

proposed landscaping, a Site Rendering shows that landscaping will be planted around the perimeter of the Property, except for the proposed access driveways and along the southern property line where the car wash tunnel aligns with the building used by Midas. (Pet. Ex. 8). Mr. Sheckells highlighted that the required 6 ft. landscaped transition area will be met along the front to screen the use from York Rd. (actually 10 ft. provided), as well as 6 ft. landscaped buffers on the northern and southern boundaries. However, due to the shape of the Property (not a true rectangle), Variance relief is needed to reduce the required width of the landscape transition area in the south western corner of the rear yard to 12.5 ft. where the Property abuts the Carver School maintenance building. Because the south western corner boundary line is within 50 ft. of the DR 1 zone where the maintenance building is located, a 15 ft. landscaped buffer is required. As shown on the Revised Site Plan, the car wash tunnel entrance will be located in that corner and the space available for the landscaped buffer is 12.5 ft. Similarly, along the north western boundary line, the Property juts inward thus decreasing the space available to provide a 6 ft. landscaped buffer area. As a result, Petitioner is able to provide a 2 ft. landscape transition area.

The abutting DR zone location next to the south western corner also dictates that the car wash tunnel needs Variance relief for its entrance to face the DR zone and Carver maintenance building. The proffered testimony emphasized that there are no homes facing the car wash tunnel and that the DR zone is only one-half of the adjacent zone; the Carver property is not residentially used. Moreover, the tunnel is 53 ft. from that Property line. In addition, the testimony and Redlined Site Plan shows that, in order to provide the stacking spaces, vacuum spaces, queuing area, the proposed car wash tunnel building needs to be located within 6 ft. of the southern Property line, essentially facing the Midas building. Mr. Sheckells testified that if the proposed setback for the car wash tunnel is denied, the car wash tunnel would need to be pushed toward the interior of

ORDER RECEIVED FOR FILING
Date 1-23-23
By

the site which would negatively impact circulation. He also highlighted that the existing auto repair/sales building was granted a 0 ft. setback from the Property line and that that building has existed since 1994.

As it pertains to signage, Mr. Sheckells mentioned that currently, not only are there 3 freestanding, enterprise, pole-mounted signs along York Rd. to advertise the car repair and car sale business, but there is an additional sign with a black tarp covering it as shown in the photos. (Pet. Ex. 7-3). In response to the DOP request that the proposed one (1) freestanding enterprise sign on York Rd. have a 'monument' style base rather than a pole, Petitioner revised the initial proposed sign with one which will now have a monument base. (Pet. Ex. 2B). [1]

As indicated on the Revised Petition, the BCZR permit one (1) freestanding enterprise sign with a face of 75 sf and 25 ft. in height. (Pet. Ex. 1). [2] The proffered evidence shown on the street view photographs was that, for this use, additional signage is needed. For example, Signs 12A and 12 B are two (2) order-board signs located at the 3 payment gates to efficiently provide for customers to select a service and efficiently proceed through the payment lines and into the tunnel. Because the square footage of the order board signs will be larger than 8 sf as shown in the photographs, those signs are required to be separated by 100 ft. (Pet. Ex. 3B).

In addition to the order board signs and freestanding monument sign on York Rd., the proffered testimony described the need for additional advertising within the site as shown by signs 8A and 8B (Dry Down Exterior and Tire Shine) as well as six (6) signs at specific locations alerting customers that after they pay for a car wash, they may clean the interior of their own vehicles. (Signs 15A-15F Self Serve Free With Wash). While the photographs of the Self Serve vacuum

[1] DOP ZAC comment appears to inadvertently listed Sign 3 as the one the agency wanted a monument base but it was actually Sign 4. Sign 3 is a wall-mounted sign so it would not have a base.
[2] The Revised Petition for Special Exception and Variance filed on January 19, 2023 inadvertently omitted the required height of 25 ft for the permitted enterprise sign.

ORDER RECEIVED FOR FILIN
Date 1-23-23
By

spaces are from the Abingdon location, Petitioners here have chosen to install only six (6) of the Self Serve signs at certain visible spots. (Pet. Exs. 3E, 3F).

Mr. Sheckells opined that the proposed use will meet each of the BCZR, §502.1 Special Exception factors. In particular, Mr. Sheckells testified that the car wash will provide a needed service in an established commercial community as the closest car wash is located in Hunt Valley. It was his opinion that the aesthetics of the Property will be improved substantially from the current condition as shown on the colored rendering. (Pet. Ex. 8). It was also his opinion that the use will not cause traffic or congestion in the roads, streets or alleys in that the use is exceeding the stacking requirement. Importantly, he mentioned that on York Rd. in front of the Property is a median which prevents vehicles from turning left when exiting the Property. Consequently, with the elimination of a right turn in at the southern access point, this will reduce the potential for vehicles backing up on York Rd. He pointed out that the northern access point is 25 ft. wide which provides sufficient area to enter and exit thus also eliminating potential for back-ups on York Rd.

With regard to potential for overcrowding of land, Mr. Sheckells testified that the 3-lane stacking lanes, 3 payment gates and planned circulation, combined with the installation of the latest conveyor belt technology provides efficient movement of people and vehicles within the site. In regard to parking, the 6 employees can park in the 9 parking spaces near York Rd. A total of 33 parking spaces is required and 33 parking spaces will be provided. As for impact on public improvements, this commercial use does not impact schools, parks, water or sewer. Indeed, as explained by Mr. Riveria, water used to wash vehicles will be recycled to be used again in other car washes. Mr. Sheckells are indicated that the car wash tunnel will not impact light or air as it will not cast shadows or prevent air circulation on the Midas building. He opined that the proposed use is consistent with the BR zone which is the most intense zone and will be next to other

ORDER RECEIVED FOR FILIN
Date 1-23-23
By

automotive service uses. As it currently exists, the entire Property is paved and no landscaping is present. The proposed use will have a perimeter landscape buffer along with internal landscaping. He also confirmed that there are no environmental or natural resources on site. Mr. Sheckells acknowledged that the proposed use here will not have a greater impact here than elsewhere in the BR zone.

To address the DOP ZAC comment and the written statement provided by Concerned Citizens for Baltimore County, Petitioners offered Mark Keeley, PTP who was accepted as a transportation planner. (Pet. Ex. 9). Mr. Keeley reviewed both the DOP ZAC comment and the citizen statement and prepared a Traffic Impact Study ("TIS") dated January 12, 2023. (Pet. Ex. 10). Mr. Keeley had also prepared a TIS for the Petitioner's Nottingham location. Mr. Keeley referred to the Institute of Transportation Engineers ("ITE") trip Generation Manual which compared the trips generated by the existing automobile care center with an automated car wash. He concluded that an additional 3 vehicles would be generated in the morning peak hours but 10 less vehicles would be generated in the pm peak hours. On Saturdays, the proposed use would generate an additional 25 vehicles. However, with 23 stacking spaces, and an additional queuing lane for 5 more vehicles prior to the car wash entrance, a total of 28 spaces which will accommodate the 25 vehicles projected on Saturdays.

Mr. Keeley agreed that the existing median on York Rd. prevents the potential for collisions, delays or backups for vehicles which can not turn left out of the Property. The only turn out of the Property is a right turn in the southern direction. He noted that car wash peak hours do not coincide with the industry standard peak hours of 7-9 am and 4-6 pm. Canton Car Wash highest peak hours are on Saturdays from 11 am – 2 pm. In formulating the basis for his opinion, Mr. Keeley considered the use of new conveyor belt technology which will be able to process 130

ORDER RECEIVED FOR FILIN
Date 1-23-23
By

vehicles per hour. He also pointed out that the Property is located in the Towson Commercial Revitalization District which exempts the Property from the Basic Services Map. (Pet. Ex 11).

When questioned about the difference in stacking lanes and traffic issues of the proposed Towson location and the Nottingham location as set forth in the Concerned Citizens of Baltimore County statement, Mr. Keeley explained that the Nottingham location has only 2 stacking lanes with only 2 pay stations, combined with a full-service station. As such, the 23 stacking spaces at the Nottingham location, and services provided there are different from those provided at the Towson location. Having prepared the TIS for the Nottingham location, Mr. Keeley did not agree with the traffic issues raised in the Concerned Citizens' statement. Mr. Rosenblatt also pointed out that Concerned Citizens of Baltimore County is not a registered community association in Baltimore County and that the address on the statement is in Phoenix, MD nearly 9 miles from the Property. (Pet. Exs. 12A, 12B).

SPECIAL EXCEPTION

Under Maryland law, a special exception use enjoys a presumption that it is in the interest of the general welfare, and therefore, valid. *Schultz v. Pritts*, 291 Md. 1, 11 (1981). The *Schultz* standard was revisited in *Attar v. DMS Tollgate, LLC*, 451 Md. 272 (2017), where the court of appeals discussed the nature of the evidentiary presumption in special exception cases. The court again emphasized a special exception is properly denied only when there are facts and circumstances showing that the adverse impacts of the use at the particular location in question would be above and beyond those inherently associated with the special exception use.

The proposed use meets the definition of a full-service car wash in BCZR, §101.1 as follows:

> CAR WASH, FULL-SERVICE — A car wash providing automated exterior washing or waxing services, or which provides cleaning, washing, waxing, drying or interior cleaning by hand. For the purpose of these regulations, a facility which provides

ORDER RECEIVED FOR FILING
Date 1-23-23
By

> complete interior and exterior detail cleaning that takes more than approximately two hours per car shall not be considered a full-service car wash.

The record evidence establishes that there are no adverse impacts of the proposed use at the particular location in question, above and beyond those inherently associated with a car wash use. Without repeating all of the evidence and testimony set forth above, I find that the proposed use meets each of the BCZR, §502.1 Special Exceptions factors and will be a noticeable improvement over the existing auto repair/auto sales/junkyard/open dump conditions which is devoid of landscaping. The main concern voiced by both DOP and the written opposition is potential for traffic congestion onto York Rd. The DOP ZAC comment did not articulate any basis for the agency's concern about traffic other than a *potential* for "increasing traffic and overflow it could cause onto York Rd." It was unusual for the Petitioners' representatives not to have contacted DOP about the ZAC comment, and not to provide DOP with the TIS for their consideration. In fairness to DOP, it appears that DOP did not have the benefit reviewing the TIS or considering the evidence that was provided at the hearing. Had DOP been provided that information, the DOP position may have changed.

It was also not clear what the Concerned Citizens of Baltimore County's geographic boundaries are and where that group obtained the information contained in the statement. I do note that the Phoenix address on the statement is at least 9 miles from this Property. At the hearing, the information contained in the statement was countered by both Mr. Riveria and Mr. Keeley. As a result, the weight of the evidence including the TIS in regard to potential traffic issues weighed in favor of the Petitioners. Based on the evidence, I am persuaded that the proposed car wash use with 3 stacking lanes, 3 pay stations, an additional 5 vehicles queuing prior to car wash tunnel, plus use of the latest conveyor belt technology which washes 130 vehicles per hour, the elimination of right

ORDER RECEIVED FOR FILING
Date 1-23-23
By

turn-in access point on the southern driveway, as well as right turn out only from the Property, will prevent any foreseeable traffic congestion onto York Rd. I am convinced by the weight of the evidence that the Nottingham Canton Car Wash location, a full-service car wash with less stacking spaces, is entirely different than the proposed Towson location. As a result, the Special Exception will be granted.

VARIANCES

A variance request involves a two-step process, summarized as follows:

(1) It must be shown the property is unique in a manner which makes it unlike surrounding properties, and that uniqueness or peculiarity must necessitate variance relief; and
(2) If variance relief is denied, Petitioner will experience a practical difficulty or hardship.

Cromwell v. Ward, 102 Md. App. 691 (1995).

In regard to the requested Variance #2 under BCZR, §419.3.A to allow stacking spaces to be configured in 3 lanes of single-file vehicles prior to the car wash entrance, I find the requested relief should be dismissed as moot. I find that the proposed layout complies with BCZR, §419.3.A which only requires single-file at the entrance to the car wash tunnel. In addition, as set forth in BCZR, §419.3, the proposed layout of 3 single file lanes provides for automobile circulation in a manner that precludes vehicles from waiting on York Rd. before gaining access to the single vehicle entrance into the tunnel.

As described above, the Property is unique due to its odd shape particularly on the north western boundary line which juts inward. The Petitioner would suffer a practical difficulty and unreasonable hardship if each of the Variance relief listed in the Petition as Variance #3 - #5 are denied because the site layout would be altered in that it would restrict the internal traffic circulation rendering it less efficient. Specifically, I find that the proposed car wash tunnel

ORDER RECEIVED FOR FILING
Date 1-23-23
By

entrance will not negatively impact the Carver maintenance building; the DR zoned land is not used residentially. Moreover, locating the car wash tunnel within 6 ft. from the southern boundary line will not negatively impact the Midas commercial building. In regard to the reduced landscape transition areas, the proposed landscaped buffers are dictated by the shape of the Property. As a condition of the Order, the DOP enhanced landscaping recommendations are helpful will be imposed.

In regard to the Variance relief for the proposed signs, the one (1) proposed freestanding monument sign will replace the three (3) signs currently existing along York Rd. I find that this change is an improvement as it will reduce clutter and distraction to motorists using York Rd. The 4th existing sign currently covered by a black tarp will also be eliminated. The BCZR only allows for one (1) large sign at 75 sf and 25 ft. tall. As applied here, that limitation of one (1) sign is not practicable with a car wash facility. The order board signs (Signs 8A and 8B) are needed in the 3 pay lanes and cannot be located 100 ft. apart. Other than Sign 4, the remaining signs are internal to the site and are needed to provide information to customer/members and non-members as to additional services offered and/or to the cost of the car wash. It is noteworthy that the Petitioners have elected not to install the 'Self Serve Free with Any Car Wash' (Signs 15A-15F) at *every* vacuum space (as that would be 23 Self Serve signs) as those signs have been installed at the Abingdon location, but rather to install only six (6) of those signs in visible locations on the Redlined Site Plan. Toward that end, the Redlined Site Plan shall be incorporated into and made a part hereof the Order.

THEREFORE, IT IS ORDERED this **23rd** day of **January, 2023**, by this Administrative Law Judge, that the Petition for Special Exception filed pursuant to BCZR, §236.2 to permit a full-service car wash be, and it is hereby, **GRANTED**.

ORDER RECEIVED FOR FILING
Date 1-23-23
By

IT IS FURTHER ORDERED, that the Petition for Variance from BCZR, §419.3.A to allow the required number of stacking spaces for the full-service car wash to be configured in a different pattern than single-file at the entrance to the tunnel, if necessary, be and it is hereby **DISMISSED AS MOOT**.

IT IS FURTHER ORDERED, that the Petition for Variance from BCZR, §238.2 to allow a side yard setback of 6 ft. for a commercial building in lieu of the required 30 ft. be, and it is hereby **GRANTED**.

IT IS FURTHER ORDERED, that the Petition for Variance from BCZR, §419.4.B.3 to allow a landscape transition area width in the rear yard to be a minimum of 2 ft. abutting non-residentially zoned land in lieu of the required 6 ft. and to allow a landscape transition area width a minimum of 12 ft. in lieu of the required 15 ft. within 50 ft. of a residentially zoned property be, and it is hereby **GRANTED**.

IT IS FURTHER ORDERED, that the Petition for Variance from BCZR, §419.4.B.1 to allow a car wash tunnel entrance to face an adjacent residentially zoned property be, and it is hereby **GRANTED**.

IT IS FURTHER ORDERED, that the Petition for Variance from BCZR,§450.4 Table of Signs Regulations.5(b) to allow a total of 11 freestanding enterprise signs with sign areas/faces of 18 square feet (sign Nos. 12A, 12B), 36 square feet (sign No. 4), 4 square feet (sign Nos. 8A, 8B), and 2.77 square feet (sign Nos. 15A-15F), with a sign height of 6 feet (sign Nos. 12A, 12B), 13 feet (sign No. 4), 4 feet (sign Nos. 8A, 8B), and 6 feet (sign Nos. 15A-15F) in lieu of the one freestanding enterprise sign permitted with a sign area/face of 75 square feet be, and it is hereby **GRANTED**.

ORDER RECEIVED FOR FILING
Date 1-23-23
By

IT IS FURTHER ORDERED, that the Petition for Variance from BCZR, §450.5.B.4.a to allow a freestanding sign to be installed as close as 10 ft. to another freestanding sign on the same premises having an area larger than 8 square feet (between sign Nos. 12A and 12B) in lieu of the required 100 foot distance be, and it is hereby **GRANTED**.

The relief granted herein shall be subject to the following:

1. Petitioners may apply for necessary permits and/or licenses upon receipt of this Order. However, Petitioners are hereby made aware that proceeding at this time is at their own risk until 30 days from the date hereof, during which time an appeal can be filed by any party. If for whatever reason this Order is reversed, Petitioners would be required to return the subject property to its original condition.

2. The Redlined Site Plan (Pet. Exs. 2A and 2B) are incorporated herein and made a part hereof.

3. Petitioners must comply with the DOP and SHA ZAC comments, copies of which are attached hereto and made a part hereof.

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

Maureen E. Murphy

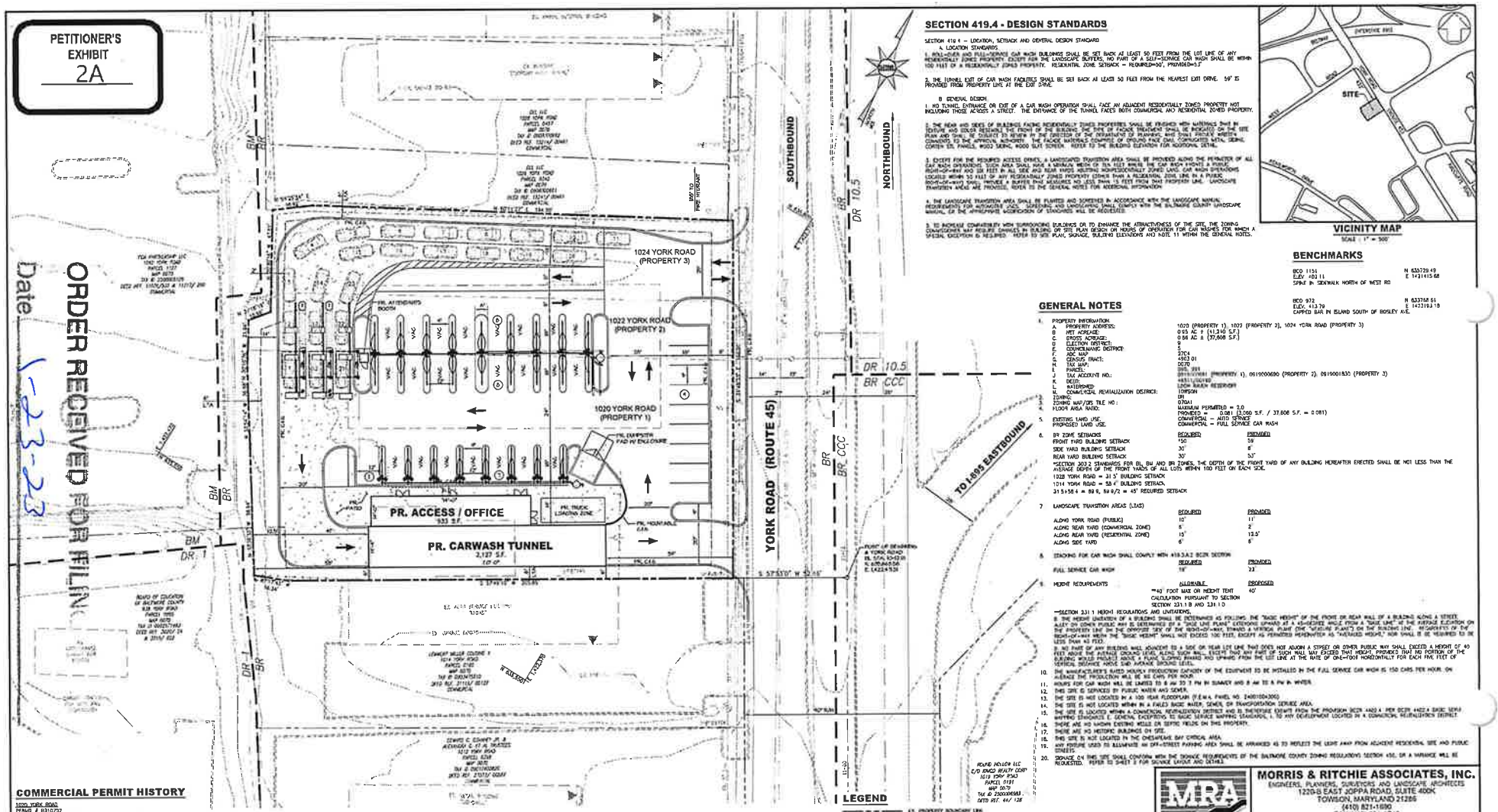
MAUREEN E. MURPHY
Administrative Law Judge
for Baltimore County

MEM:dlm

ORDER RECEIVED FOR FILING
Date 1-23-23
By DLM

PETITIONER'S EXHIBIT 2A

ORDER RECEIVED FOR FILING
Date 1-23-23
By RE



SECTION 419.4 - DESIGN STANDARDS

SECTION 419.4 – LOCATION, SETBACK AND GENERAL DESIGN STANDARD

A. LOCATION STANDARDS

1. ROLL-OVER AND FULL-SERVICE CAR WASH BUILDINGS SHALL BE SET BACK AT LEAST 50 FEET FROM THE LOT LINE OF ANY RESIDENTIALLY ZONED PROPERTY, EXCEPT FOR THE LANDSCAPE BUFFERS. NO PART OF A SELF-SERVICE CAR WASH SHALL BE WITHIN 100 FEET OF A RESIDENTIALLY ZONED PROPERTY. RESIDENTIAL ZONE SETBACK – REQUIRED=50', PROVIDED=51.5'

2. THE TUNNEL EXIT OF CAR WASH FACILITIES SHALL BE SET BACK AT LEAST 50 FEET FROM THE NEAREST EXIT DRIVE. 59' IS PROVIDED FROM PROPERTY LINE AT THE EXIT DRIVE.

B. GENERAL DESIGN

1. NO TUNNEL ENTRANCE OR EXIT OF A CAR WASH OPERATION SHALL FACE AN ADJACENT RESIDENTIALLY ZONED PROPERTY NOT INCLUDING THOSE ACROSS A STREET. THE ENTRANCE OF THE TUNNEL FACES BOTH COMMERCIAL AND RESIDENTIAL ZONED PROPERTY.

2. THE REAR AND SIDES OF BUILDINGS FACING RESIDENTIALLY ZONED PROPERTIES SHALL BE FINISHED WITH MATERIALS THAT IN TEXTURE AND COLOR RESEMBLE THE FRONT OF THE BUILDING. ANY TYPE OF FACADE TREATMENT SHALL BE INDICATED ON THE SITE PLAN AND SHALL BE SUBJECT TO REVIEW IN THE DIRECTION OF THE DEPARTMENT OF PLANNING, WHO SHALL PROVIDE WRITTEN COMMENTS TO THE APPROVAL AUTHORITY. THE FACADE MATERIALS CONSIST OF GROUND FACE CMU, CORRUGATED METAL SIDING, COMPOSITE EIFS PANELS, WOOD SIDING, WOOD SLAT SCREEN. REFER TO THE BUILDING ELEVATION FOR ADDITIONAL DETAIL.

3. EXCEPT FOR THE REQUIRED ACCESS DRIVES, A LANDSCAPED TRANSITION AREA SHALL BE PROVIDED ALONG THE PERIMETER OF ALL CAR WASH OPERATIONS. SUCH AREA SHALL HAVE A MINIMUM WIDTH OF TEN FEET WHERE THE CAR WASH FRONTS A PUBLIC RIGHT-OF-WAY AND 100 FEET IN ALL SIDE AND REAR YARDS ADJOINING RESIDENTIALLY ZONED LAND. CAR WASH OPERATIONS 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 THAT MEASURES NO LESS THAN 15 FEET FROM THAT PROPERTY LINE. LANDSCAPE TRANSITION AREAS ARE PROVIDED. REFER TO THE GENERAL NOTES FOR ADDITIONAL INFORMATION

4. THE LANDSCAPE TRANSITION AREA SHALL BE PLANTED AND SCREENED IN ACCORDANCE WITH THE LANDSCAPE MANUAL REQUIREMENTS FOR AUTOMOBILE SALES. SCREENING AND LANDSCAPING SHALL COMPLY WITH THE BALTIMORE COUNTY LANDSCAPE MANUAL OR THE APPROPRIATE MODIFICATION OF STANDARDS WILL BE REQUESTED.

5. TO INCREASE COMPATIBILITY WITH SURROUNDING BUILDINGS OR TO ENHANCE THE ATTRACTIVENESS OF THE SITE, THE ZONING COMMISSIONER MAY REQUIRE CHANGES IN BUILDING OR SITE PLAN DESIGN OR HOURS OF OPERATION FOR CAR WASHES FOR WHICH A SPECIAL EXCEPTION IS REQUIRED. REFER TO SITE PLAN, SIGNAGE, BUILDING ELEVATIONS AND NOTE 11 WITHIN THE GENERAL NOTES.

BENCHMARKS

BCO 1151
ELEV.: 451.11
SPIKE IN SIDEWALK NORTH OF WEST RD
N 635720.49
E 1431415.68

BCO 972
ELEV.: 413.79
CAPPED BAR IN ISLAND SOUTH OF ROSLEY AVE.
N 633758.51
E 1423193.18

GENERAL NOTES

1. PROPERTY INFORMATION:
   - A. PROPERTY ADDRESS: 1020 (PROPERTY 1), 1022 (PROPERTY 2), 1024 YORK ROAD (PROPERTY 3)
   - B. NET ACREAGE: 0.93 AC ± (41,210 S.F.)
   - C. GROSS ACREAGE: 0.86 AC ± (37,608 S.F.)
   - D. ELECTION DISTRICT: 9
   - E. COUNCILMANIC DISTRICT: 5
   - F. ADC MAP: 2704
   - G. CENSUS TRACT: 4903.01
   - H. TAX MAP: 0070
   - I. PARCEL: 355, 991
   - J. TAX ACCOUNT NO.: 0819000680 (PROPERTY 1), 0819000680 (PROPERTY 2), 0819001830 (PROPERTY 3)
   - K. DEED: 14511/00192
   - L. WATERSHED: LOCH RAVEN RESERVOIR
   - M. COMMERCIAL REVITALIZATION DISTRICT: TOWSON
2. ZONING: BR
3. ZONING MAP/GIS TILE NO.: 070A1
4. FLOOR AREA RATIO: MAXIMUM PERMITTED = 2.0; PROVIDED = 0.081 (3,060 S.F. / 37,608 S.F. = 0.081)
5. EXISTING LAND USE: COMMERCIAL – AUTO SERVICE; PROPOSED LAND USE: COMMERCIAL – FULL SERVICE CAR WASH
6. BR ZONE SETBACKS

	REQUIRED	PROVIDED
FRONT YARD BUILDING SETBACK	*50	58
SIDE YARD BUILDING SETBACK	30'	6'
REAR YARD BUILDING SETBACK	30'	53'

*SECTION 303.2 STANDARDS FOR BL, BM AND BR ZONES. THE DEPTH OF THE FRONT YARD OF ANY BUILDING HEREAFTER ERECTED SHALL BE NOT LESS THAN THE AVERAGE DEPTH OF THE FRONT YARDS OF ALL LOTS WITHIN 100 FEET ON EACH SIDE.
1022 YORK ROAD = 31.5' BUILDING SETBACK
1014 YORK ROAD = 58.4' BUILDING SETBACK
31.5+58.4 = 89.9, 89.9/2 = 45' REQUIRED SETBACK

7. LANDSCAPE TRANSITION AREAS (LTAS)

	REQUIRED	PROVIDED
ALONG YORK ROAD (PUBLIC)	10'	11'
ALONG REAR YARD (COMMERCIAL ZONE)	8'	8'
ALONG REAR YARD (RESIDENTIAL ZONE)	15'	13.5'
ALONG SIDE YARD	6'	6'

8. STACKING FOR CAR WASH SHALL COMPLY WITH 419.3.A.2 BCZR SECTION

	REQUIRED	PROVIDED
FULL SERVICE CAR WASH	18'	23

9. HEIGHT REQUIREMENTS

	ALLOWABLE	PROPOSED
	"45' FOOT MAX OR HEIGHT TENT CALCULATION PURSUANT TO SECTION 231.1 B AND 231.1 D	40'

—SECTION 231.1 HEIGHT REGULATIONS AND LIMITATIONS.
B. THE HEIGHT LIMITATION OF A BUILDING SHALL BE DETERMINED AS FOLLOWS: THE "BASIC HEIGHT" OF THE FRONT OR REAR WALL OF A BUILDING ALONG A STREET, ALLEY OR OTHER PUBLIC WAY IS DETERMINED BY A "BASE LINE PLANE" EXTENDING UPWARD AT A 45-DEGREE ANGLE FROM A "BASE LINE" AT THE AVERAGE ELEVATION OF THE PROPERTY ALONG THE APPROXIMATE CENTER OF THE ABOVE-MENTIONED STREET, ALLEY OR OTHER PUBLIC WAY (THE "BASELINE PLANE") ON THE BUILDING LINE. 45-DEGREE ANGLES OF THE BASE LINE PLANE MEASURED FROM THE RIGHT-OF-WAY MEETH THE "BASIC HEIGHT" SHALL NOT EXCEED 100 FEET, EXCEPT AS PERMITTED HEREINAFTER AS "ALTERED HEIGHT," NOR SHALL IT BE REQUIRED TO BE LESS THAN 45 FEET.
D. NO PART OF ANY BUILDING SHALL ADJACENT TO A SIDE OR REAR LOT LINE THAT DOES NOT ADJOIN A STREET OR OTHER PUBLIC WAY SHALL EXCEED A HEIGHT OF 45 FEET ABOVE THE PAVEMENT OR GROUND LEVEL ALONG SUCH SIDE OR REAR LOT LINE, EXCEPT THAT ANY PART OF SUCH WALL MAY EXCEED THAT HEIGHT, PROVIDED THAT NO PORTION OF THE BUILDING WOULD PROJECT ABOVE A PLANE SLOPING INWARD AND UPWARD FROM THE LOT LINE AT THE RATE OF ONE-FOOT HORIZONTALLY FOR EACH FIVE FEET OF VERTICAL DISTANCE ABOVE SAID LOT LINE AVERAGE GROUND LEVEL.

10. THE MANUFACTURER'S RATED WASHER PRODUCTION CAPACITY OF THE EQUIPMENT TO BE INSTALLED IN THE FULL SERVICE CAR WASH IS 150 CARS PER HOUR. ON AVERAGE THE PRODUCTION WILL BE 100 CARS PER HOUR.
11. HOURS FOR CAR WASH WILL BE LIMITED TO 8 AM TO 7 PM IN SUMMER AND 8 AM TO 6 PM IN WINTER.
12. THIS SITE IS SERVICED BY PUBLIC WATER AND SEWER.
13. THE SITE IS NOT LOCATED IN A 100 YEAR FLOODPLAIN (F.E.M.A. PANEL NO. 24005C0040G)
14. THE SITE IS NOT LOCATED WITHIN A FIELD'S BASIC WATER, SEWER, OR TRANSPORTATION SERVICE AREA.
15. THE SITE IS LOCATED WITHIN A COMMERCIAL REVITALIZATION DISTRICT AND IS THEREFORE EXEMPT FROM THE PROVISION BCZR 4A02.4 PER BCZR 4A02.4 BASIC SERVICES MAPPING STANDARDS 1, 2, AND 3 AND EXCEPTING TO BASIC SERVICES MAPPING STANDARDS 1, 2, TO ANY DEVELOPMENT LOCATED IN A COMMERCIAL REVITALIZATION DISTRICT.
16. THERE ARE NO KNOWN EXISTING WELLS OR SEPTIC FIELDS ON THIS PROPERTY.
17. THERE ARE NO HISTORIC BUILDINGS ON SITE.
18. THIS SITE IS NOT LOCATED IN THE CHESAPEAKE BAY CRITICAL AREA.
19. ANY FUTURE USED TO ILLUMINATE AN OFF-STREET PARKING AREA SHALL BE ARRANGED AS TO REFLECT THE LIGHT AWAY FROM ADJACENT RESIDENTIAL SITE AND PUBLIC STREETS.
20. SIGNAGE ON THIS SITE SHALL CONFORM WITH THE SIGNAGE REQUIREMENTS OF THE BALTIMORE COUNTY ZONING REGULATIONS SECTION 450, OR A VARIANCE WILL BE REQUESTED. REFER TO SHEET 2 FOR SIGNAGE LAYOUT AND DETAILS.

COMMERCIAL PERMIT HISTORY

1020 YORK ROAD
PERMIT # B310722
CONSTRUCTION OF A CAR RENTAL OFFICE BUILDING

1020 YORK ROAD
PERMIT # B707107
ERECT CHAIN FENCE WITH HEIGHT OF 8' AND LENGTH OF 120'.

1022 YORK ROAD
PERMIT # B828433 & B828878
CONSTRUCTION OF FREESTANDING D/F ENTERPRISE SIGN 9'x10' AND ONE ILLUMINATED WALL SIGN 3.5'x31.44'.

1022 YORK ROAD
PERMIT # B838017
CONSTRUCTION OF F/S PYLON SIGN 8.17'x12.17'x25'.

1024 YORK ROAD
PERMIT # E956456
UNDERGROUND ELECTRIC DIRECT BURIAL 12/3 TO EF SIGN.

GENERAL NOTE

THE CORRECTNESS OR COMPLETENESS OF EXISTING INFORMATION SHOWN ON THE DRAWINGS IS NOT WARRANTED OR GUARANTEED. THE CONTRACTOR SHALL VERIFY THE LOCATION OF UTILITIES AND UNDERGROUND FACILITIES, BY TEST PITS OR OTHER METHODS APPROVED BY THE OWNER'S REPRESENTATIVE, AS REQUIRED TO VERIFY EXACT LOCATIONS AND DEPTHS WITHIN THE LIMIT OF DISTURBANCE. ALL DISCREPANCIES BETWEEN INFORMATION SHOWN ON THE DRAWINGS AND THAT VERIFIED IN THE FIELD SHALL BE REPORTED TO THE OWNER'S REPRESENTATIVE PRIOR TO BEGINNING WORK.

ZONING HISTORY

CASE NO. R-1994-0231-A – PETITION FOR TEMPORARY USE OF THE PROPERTY FOR ADVERTISING STRUCTURE WAS DENIED ON MAY 12, 1994

CASE NO. R-1994-0231-AA – PETITION FOR TWO SPECIAL EXCEPTIONS FOR USED AUTOMOBILE SALES AT 1018 AND 1024 YORK ROAD. A PETITION FOR ZONING VARIANCE, RELIEF WAS REQUESTED FROM BCZR SECTION 303.2 TO ALLOW A FRONT YARD SETBACK OF 23' IN LIEU OF THE REQUIRED 45'; FROM SECTION 238.A TO PERMIT STORAGE AND DISPLAY OF VEHICLES AND MATERIALS IN THE FRONT YARD SETBACK AREA IN LIEU OF THE REQUIREMENT THAT THE FRONT YARD AREA TO A DEPTH OF 20' REMAIN VEHICLE FREE; FROM SECTION 238.2 TO PERMIT 0' SIDE YARD SETBACK IN LIEU OF THE REQUIRED 30'; FROM SECTION 238.3 TO PERMIT 0' AND 47' DISTANCE BETWEEN BUILDINGS IN LIEU OF THE REQUIRED 60' AND 95' RESPECTIVELY, AND SECTION 413.2 TO PERMIT A TOTAL SIGN AREA OF 175.88 SQ FT FOR TWO SIGNS IN LIEU OF THE REQUIRED 100 SQ FT GRANTED ON APRIL 11, 1994, SUBJECT HOWEVER TO THE FOLLOWING RESTRICTIONS WHICH ARE CONDITIONS PRECEDENT TO THE RELIEF GRANTED:

1. THE PETITIONER IS HEREBY MADE AWARE THAT PROCEEDING AT THIS TIME IS AT ITS 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 PETITIONER WOULD BE REQUIRED TO RETURN, AND BE RESPONSIBLE FOR RETURNING, SAID PROPERTY TO ITS ORIGINAL CONDITION.
2. THE PETITIONER SHALL NOT ALLOW THE PLACEMENT OF ANY OTHER OUTDOOR ADVERTISING SIGNS, BANNERS, STREAMERS, BALLOONS, ETC. THAT IS, THE SOLE MEANS OF ADVERTISING WILL BE THE TWO SIGNS REFERENCED HEREIN, APPROPRIATE LETTERING ON THE FACADE OF THE BUILDINGS AND PRODUCTIONS AS MAY BE WORN ON THE WINDSHIELDS OF THE VEHICLES. ANY OTHER MEANS OF OUTDOOR ADVERTISING, BE THEY TEMPORARY OR PERMANENT, WILL BE EXCLUDED.

PLAN
SCALE: 1" = 20'
20 0 20 40

PARKING TABULATIONS CHART

(PARKING SPACES REQUIRED BY BCZR SECTION 419.3)

USE	PARKING RATE	PARKING SPACES REQUIRED PER SECTION 419.3
FULL-SERVICE CAR WASH	8/TUNNEL	8
FULL-SERVICE CAR WASH (ADDITIONAL SPACES)	4	4
VACUUMS	1/VACUUM	23
TOTAL PARKING REQUIRED		35
TOTAL PARKING PROVIDED		35

LEGEND

EX. PROPERTY BOUNDARY LINE
EX. RIGHT-OF-WAY
EX. ADJACENT PROPERTY LINE
EX. EASEMENT
EX. ZONING LINE
EX. BUILDING
EX. EDGE OF PAVEMENT
EX. CURB
EX. 2' CONTOUR
EX. 10' CONTOUR
EX. FENCE
PR. CURB & GUTTER
PR. BUILDING
PR. SIDEWALK

PROFESSIONAL CERTIFICATION

I HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME, AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MARYLAND, LICENSE NO. 30391, EXPIRATION DATE: 01/12/2024

DATUM

DESIGN & DRAWING BASED ON MARYLAND COORDINATE SYSTEM (MCS), HORIZONTAL AND NAD (2011) VERTICAL NAVD 88

DEVELOPER

CANTON CAR WASH LLC
C/O CANTON CAR WASH
10051 RUNNING SQUARE DRIVE
HUNTSVILLE, MARYLAND 21336
PHONE: (908) 526-4008
ATTN: THOMAS DESALCO

OWNER

GLEN E. AND WAYNE E. REYGLEY
1020-1024 YORK ROAD
TOWSON, MARYLAND 21204

MORRIS & RITCHIE ASSOCIATES, INC.
ENGINEERS, PLANNERS, SURVEYORS AND LANDSCAPE ARCHITECTS
1220-B EAST JOPPA ROAD, SUITE 400K
TOWSON, MARYLAND 21286
(410) 821-1690
FAX (410) 821-1748
MRAGTA.COM

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CANTON CAR WASH

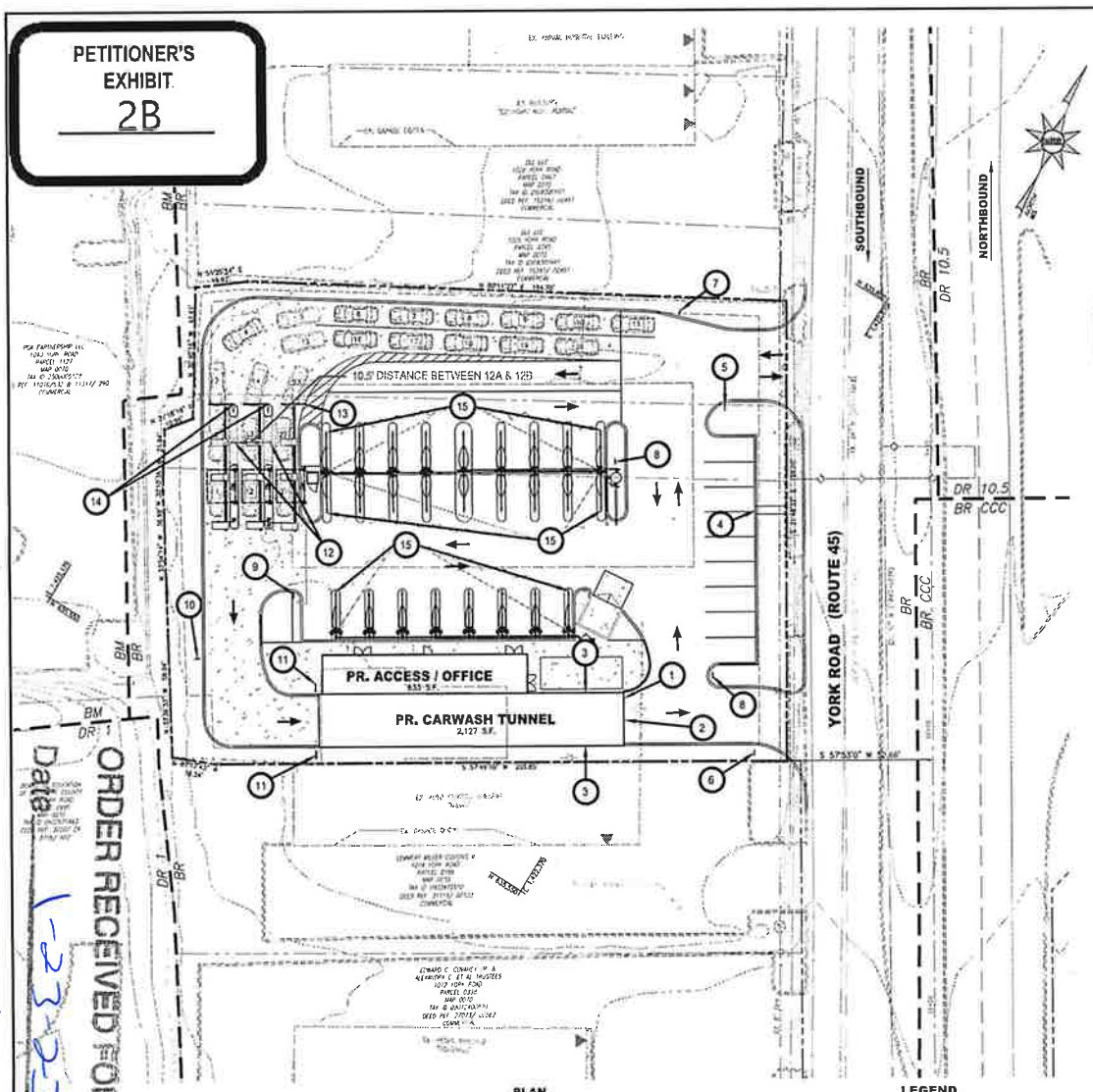
1020-1024 YORK ROAD

SITE PLAN TO ACCOMPANY
SPECIAL EXCEPTION & VARIANCE PETITION

5TH COUNCILMANIC DISTRICT BALTIMORE COUNTY, MARYLAND 9TH ELECTION DISTRICT

DATE	REVISIONS	JOB NO.: 21837
11/04/2022	REVISED ZONING NOTE TO BE TOWSON CAR WASH, LLC	SCALE: AS SHOWN
		DATE: 12/08/2022
		DRAWN BY: MRS
		DESIGN BY: TMS
		REVIEW BY: TMS
		SHEET: 01 OF 02

PETITIONER'S EXHIBIT
2B



PLAN
SCALE: 1" = 20'

LEGEND
- EX. PROPERTY BOUNDARY LINE
- EX. RIGHT-OF-WAY
- EX. ADJACENT PROPERTY LINE
- EX. EASEMENT
- EX. ZONING LINE
- EX. BUILDING
- EX. EDGE OF PAVEMENT
- EX. EDGE OF CONCRETE
- EX. CURB
- EX. 5' CONTOUR
- EX. 10' CONTOUR
- EX. FENCE
- PR. CURB & GUTTER
- PR. BUILDING
- PR. SIDEWALK

1020
FORT CHARLES NEW YORK AND FIFTY SEVENTY

1 E-AN ADDRESS NUMBERS
NOT TO SCALE

canton CAR WASH
2 ENTERPRISE E-FL-1-4.5 SIGN
NOT TO SCALE

canton CAR WASH
3 ENTERPRISE E-FL-1-6 SIGN
NOT TO SCALE

canton CAR WASH
4 ENTERPRISE E-P SIGN
NOT TO SCALE

EXIT
DO NOT ENTER
5 DIRECTIONAL W-D-2 AR / 4 SIGN
NOT TO SCALE

EXIT
DO NOT ENTER
6 DIRECTIONAL W-D-2 AS / 4 SIGN
NOT TO SCALE

CAR WASH
7 DIRECTIONAL W-S-1 AS SIGN
NOT TO SCALE

EXTERIOR ONLY DOUBLE PRESSURE
8 ENTERPRISE W-S-12 SIGN
NOT TO SCALE
8A / 8B

EXIT
9 DIRECTIONAL W-S-2 AL SIGN
NOT TO SCALE

10 NOTICE W-S-5 SIGN
NOT TO SCALE

11 NOTICE W-S-9 SIGN
NOT TO SCALE

EXIT
12 ENTERPRISE W-S-8 SIGN
NOT TO SCALE
12A / 12B

ALL VEHICLES
13 DIRECTIONAL W-S-13 SIGN
NOT TO SCALE

MEMBERS & EXTERIOR ONLY
14 DIRECTIONAL W-S-14 SIGN
NOT TO SCALE

SELF-SERVE
FREE WITH ANY WASH
15 ENTERPRISE W-S-11 G SIGN
NOT TO SCALE
15 A-F

GENERAL NOTE
THE COMPLETENESS OR COMPLETENESS OF EXISTING INFORMATION SHOWN ON THE DRAWINGS IS NOT WARRANTED OR GUARANTEED. THE CONTRACTOR SHALL VERIFY THE LOCATION OF UTILITIES AND UNDERGROUND FACILITIES, BY TEST PITS OR OTHER METHODS APPROVED BY THE OWNER'S REPRESENTATIVE, AS REQUIRED TO VERIFY EXACT LOCATIONS AND DEPTHS WITHIN THE LIMIT OF DISTURBANCE. ALL DISCREPANCIES BETWEEN INFORMATION SHOWN ON THE DRAWINGS AND THAT VERIFIED IN THE FIELD SHALL BE REPORTED TO THE OWNER'S REPRESENTATIVE PRIOR TO BEGINNING WORK.

DATUM
DESIGN & DRAWING BASED ON MARYLAND COORDINATE SYSTEM (MCS) NORTH/ZONE, NAD 83 (2011) VERTICAL NAVD 88

PROFESSIONAL CERTIFICATION
I HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME, AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MARYLAND, LICENSE NO. 38291, EXPIRATION DATE: 01/13/2024.

DEVELOPER
TOWSON YORK CAR WASH LLC
c/o CANTON CAR WASH
10221 FRANKLIN SQUARE DRIVE
NOTTINGHAM, MARYLAND 21236
PHONE: (302) 528-0008
ATTN: THOMAS DIONILIO

OWNER
GLEN G. AND WAYNE G. BERGER
1020-1034 YORK ROAD
TOWSON, MARYLAND 21204

MORRIS & RITCHIE ASSOCIATES, INC.
ENGINEERS, PLANNERS, SURVEYORS AND LANDSCAPE ARCHITECTS
1220-B EAST JOPPA ROAD, SUITE 400K
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FAX (410) 821-1746
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CANTON CAR WASH
1020-1034 YORK ROAD

SIGNAGE PLAN

7TH COUNCILMANIC DISTRICT BALTIMORE COUNTY, MARYLAND 8TH ELECTION DISTRICT

DATE	REVISIONS	JOB NO.:	21537
11/29/23	UPDATED SIGN PER BA-23-007V COMMENTS FOR SIGN 6-9	SCALE:	AS SHOWN
	UPDATED SIGNAGE TABLE TO BE TOWSON CAR WASH, LLC	DATE:	12/08/2023
12/11/23	UPDATED SIGNAGE TO REMOVE 5'6" OF SIGN FOR CLEARANCE	DRAWN BY:	MAS
		DESIGN BY:	TMS
		REVIEW BY:	TMS
		SHEET:	02 OF 02

ORDER RECEIVED FOR FILING
Date 1-23-24
By EC

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE MEMORANDUM

RECEIVED DEC 29 2022

TO: C. Pete Gutwald
Director, Department of Permits, Approvals and Inspections

DATE: 12/13/2022

FROM: Steve Lafferty
Director, Department of Planning

SUBJECT: **ZONING ADVISORY COMMITTEE COMMENTS**
Case Number: 2022-291-XA

INFORMATION:
Property Address: 1020, 1022, and 1024 York Road, Towson
Petitioner: Glenn G. Berger and Wayne G. Berger
Zoning: BR
Requested Action: Special Exception and Variance

The Department of Planning has reviewed the petition for:

Special Exception:

1. For a full-service car wash, pursuant to Section 236.2 of the BCZR;

Variance:

2. From BCZR Section 419.3.A to allow the required number of stacking spaces for the full-service car wash to be configured in a different pattern than single-file at the entrance to the tunnel;
3. From BCZR Section 238.2 to allow a side yard setback of 6 feet for a commercial building in lieu of the required 30 feet;
4. From BCZR Section 419.4.B.2 to allow a landscape transition area width in the rear yard to be a minimum of 2 feet abutting non-residentially zoned land in lieu of the required 6 feet, and to allow a landscape transition area width a minimum of 12 feet in lieu of the required 15 feet within 50 feet of a residentially zoned property; and
5. From BCZR Section 419.4.B.1 to allow a car wash tunnel entrance to face an adjacent residentially zoned property.

The subject site, which is approximately 0.8 acres zoned BR, is composed of three parcels and is currently a Star Auto Service used car sales business. The use and setbacks were approved in Zoning Case 1994-321-XA. The surrounding uses on York Road are commercial, including a Midas Tires and Auto Service and a Goodwill to the south and an auto rental, animal hospital, and Lexus dealership to the north. Behind the site is parking for the Lexus dealership and a Baltimore County Publics Schools high school, Carver Center for Arts and Technology.

This portion of York Road leads to the gateway or entrance to downtown Towson, and is heavily traveled and congested. North and southbound lanes of this portion of York Road are separated by a concrete median from Fairmount Avenue to West Road, with one break just north of 1030 York Road. There is a

ORDER RECEIVED FOR FILING
Date 1-23-23
By

695 northbound off ramp on West Road, north of the subject site. York and West Road is a C-level intersection, and York and Fairmount is a D-level intersection.

The site is within the boundaries of the Towson Commercial Revitalization District, the Towson Community Plan, the Kenilworth Drive Corridor Plan, and the Eastern Baltimore County Pedestrian and Bicycle Access Plan. Relevant guidance from the Towson Community Plan advises to "simplify and clean up commercial buildings and site signs", "construct uniform, moderately scaled buildings", "orient building fronts to the streets", and "locate building fronts up against streetscapes" (York Road North, page 46).

The Department of Planning opposes the Special Exception request for a full-service car wash, pursuant to Section 236.2 of the BCZR. Section 502.1.B of the BCZR indicates that before any special exception may be granted, it must appear that the use for which the special exception is requested will not "[t]end to create congestion in roads, streets or alleys therein." When considering the anticipated increasing traffic and the overflow it could cause onto York Road, the Department of Planning opposes the request.

Should the Special Exception be granted, the Department of Planning requests that sign 3 on the signage plan, the Canton Car Wash pylon sign, be a monument style sign to better fit with the surrounding commercial site on York Road.

Should the Special Exception be granted, the Department of Planning has no objections to the Variance from BCZR Section 419.3.A to allow the required number of stacking spaces for the full-service car wash to be configured in a different pattern than single-file at the entrance to the tunnel. The irregular stacking may decrease the possibility of traffic overflowing onto York Road from the subject site.

Should the Special Exception be granted, the Department of Planning has no objections to the Variance from BCZR Section 238.2 to allow a side yard setback of 6 feet for a commercial building in lieu of the required 30 feet, as this stretch of York Road is primarily commercial structures with relatively small side yard setbacks.

Should the Special Exception be granted, the Department of Planning does not object to the Variance from BCZR Section 419.4.B.2 to allow a landscape transition area width in the rear yard to be a minimum of 2 feet abutting non-residentially zoned land in lieu of the required 6 feet and to allow a landscape transition area width a minimum of 12 feet in lieu of the required 15 feet within 50 feet of a residentially zoned property with the following conditions:

1. Landscaping to the rear of the property should be as dense as possible and variably heighted to screen the new development and car headlights in the car wash drive aisles to the extent possible from the existing development;
2. Enhanced landscaping shall be provided in the side yards and along York Road to compensate for the decreased landscaping to the rear of the development; and
3. Planters and/or landscape islands shall be provided to further beautify the site.

The Department of Planning requests these conditions, as the proposal for a 2 feet landscape transition area in lieu of the required 6 feet is minimal and does not allow for screening of the site from the existing surrounding uses. Enhanced landscaping elsewhere on site will improve the overall appearance.

Should the Special Exception be granted, the Department of Planning has no objections to the Variance from BCZR Section 419.4.B.1 to allow a car wash tunnel entrance to face an adjacent residentially zoned property. Although the property to the rear of the site is zoned DR 1, it is Carver Center for Arts and Technology, a high school, and is not used residentially. There are relatively steep slopes and a change in

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Date 1-23-23
By

grade from the portion of the Carver property that will face the car wash entrance tunnel, which will decrease visibility and impact. Additionally, the car wash tunnel entrance would face a not-heavily-used portion of Carver, a grassy field and a fenced off maintenance storage facility and parking pad.

For further information concerning the matters stated herein, please contact Taylor Bensley at 410-887-3482.

Prepared by:

Taylor Bensley

Division Chief:

Jenifer G. Nugent

SL/JGN

c: David Karceski, Esq.
David Birkenthal
Ngone Seye Diop
Office of Administrative Hearings
People's Counsel for Baltimore County

ORDER RECEIVED FOR FILING

Date 1-23-23

By

MARYLAND DEPARTMENT OF TRANSPORTATION
STATE HIGHWAY ADMINISTRATION

Larry Hogan
Governor
Boyd K. Rutherford
Lt. Governor
James F. Ports, Jr.
Secretary
Tim Smith, P.E.
Administrator

January 6, 2023

Ms. Kristen Lewis
Baltimore County Department of
Permits, Approvals and Inspections
County Office Building, Room 109
111 West Chesapeake Avenue
Towson, Maryland 21204

Dear Ms. Lewis:

We have reviewed the site plan to accompany the petition for special exception and variance on the subject of the Case number referenced below. An internal review reveals that there are two existing entrances onto MD 45, York Road. which may require modification due to the proposed conditions. Entrances consistent with current State Highway Administration guidelines are required as a condition of approval for Canton Car Wash, Case Number 2022-0291-xa.

Due to the parameters of this project, MDOT-SHA will require submission of a Traffic Impact Study (TIS) which shall include weekend traffic to determine the impacts on the roadway network. The applicant must contact the State Highway Administration to begin this process. Should you have any questions regarding this matter feel free to contact Ms. Teresa Eller at 410-229-2424 or 1-866-998-0367 (in Maryland only) extension 2424, or by email at (teller@mdot.maryland.gov).

Sincerely,

Teresa Eller for,

Sutapa Samanta, P.E.
Metropolitan District Engineer
Maryland Department of Transportation
State Highway Administration
District 4 - Baltimore and Harford Counties

Cc: Tom Sheckells

ORDER RECEIVED FOR FILING
Date 1-23-23
By

Debra Wiley

From: Rosenblatt, Adam M. <AMRosenblatt@Venable.com>
Sent: Thursday, January 19, 2023 2:22 PM
To: Debra Wiley
Cc: Donna Mignon; Karceski, David H.
Subject: RE: Zoning Case No. 2022-291-XA (Canton Car Wash York Road)
Attachments: Exhibit 12A - County List of Community Associations.pdf; Exhibit 12B - Distance from Community Association to Property.pdf; Petitioner's Exhibit List.docx

CAUTION: This message from AMRosenblatt@venable.com originated from a non Baltimore County Government or non BCPL email system. Hover over any links before clicking and use caution opening attachments.

Thank you for the reminder. We actually referenced two Exhibits in response/rebuttal to the community letter we received the morning of the hearing. I marked them as 12A and 12 B as they were simultaneously introduced at the hearing. I am also attaching an updated list of Petitioner's Exhibits for your records.

Adam M. Rosenblatt, Esq. | Venable LLP
t 410.494.6271 | f 410.821.0147 | m 410.294.9430
210 W. Pennsylvania Avenue, Suite 500, Towson, MD 21204

AMRosenblatt@Venable.com | www.Venable.com

From: Debra Wiley <dwiley@baltimorecountymd.gov>
Sent: Thursday, January 19, 2023 1:17 PM
To: Rosenblatt, Adam M. <AMRosenblatt@Venable.com>
Cc: Donna Mignon <dmignon@baltimorecountymd.gov>
Subject: FW: Zoning Case No. 2022-291-XA (Canton Car Wash York Road)

Caution: External Email

Hi Adam,

Would you please email Exhibit 12 – it was a late submission.

Thanks.

From: Rosenblatt, Adam M. <AMRosenblatt@Venable.com>
Sent: Thursday, January 19, 2023 12:22 PM
To: Maureen E Murphy <mmurphy@baltimorecountymd.gov>; Administrative Hearings <administrativehearings@baltimorecountymd.gov>
Cc: Karceski, David H. <DKarceski@Venable.com>
Subject: Zoning Case No. 2022-291-XA (Canton Car Wash York Road)

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Good Afternoon Judge Murphy,

During the public hearing in Case No. 2022-260-XA, it was determined that Petitioner should submit a revised/redlined site plan and revised zoning petition language. Attached to this e-mail is a redlined site plan that addresses the proper categorization of certain signs as freestanding "enterprise" signs that were referred to as "directional" signs on Exhibit 2B (Sign Nos. 8A-B and 15A-F). For signs 15A-F, we added redlined arrows to show the proper location of the 6 "self-serve" signs.

We also revised paragraph 6 of the revised Zoning Petition that was accepted into evidence as Petitioner's Exhibit 1. Paragraph 6 now reflects that there are 11 enterprise signs (we added signs 8A-B and 15A-F) instead of 3. The amended zoning petition language is now consistent with the content of the redlined/revised site plan.

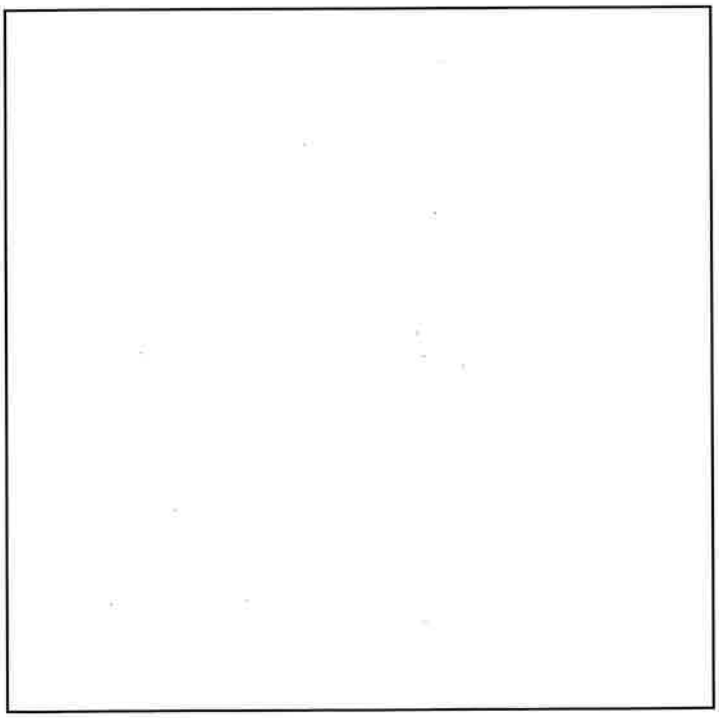
We appreciate the opportunity to provide the redlined/revised site plan and amended zoning petition. Please let us know whether any additional materials would be helpful. We will bring hard copies to your office to replace the copies that were submitted prior to the public hearing.

Thank you.

Adam M. Rosenblatt, Esq. | Venable LLP
t 410.494.6271 | f 410.821.0147 | m 410.294.9430
210 W. Pennsylvania Avenue, Suite 500, Towson, MD 21204

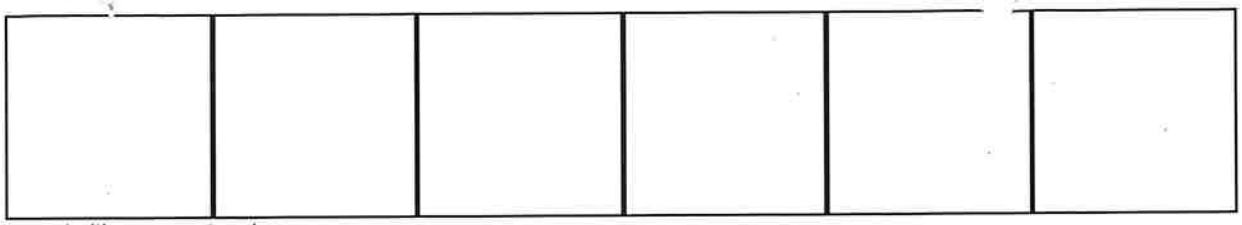
AMRosenblatt@Venable.com | www.Venable.com

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****

hm 1-17-23

Donna Mignon

From: Rosenblatt, Adam M. <AMRosenblatt@Venable.com>
Sent: Thursday, January 19, 2023 12:22 PM
To: Maureen E Murphy; Administrative Hearings
Cc: Karceski, David H.
Subject: Zoning Case No. 2022-291-XA (Canton Car Wash York Road)
Attachments: Exhibit 1 - Revised Zoning Petition.pdf; Exhibit 2A-B - Redlined Site Plan.pdf

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We appreciate the opportunity to provide the redlined/revised site plan and amended zoning petition. Please let us know whether any additional materials would be helpful. We will bring hard copies to your office to replace the copies that were submitted prior to the public hearing.

Thank you.

Adam M. Rosenblatt, Esq. | Venable LLP
t 410.494.6271 | f 410.821.0147 | m 410.294.9430
210 W. Pennsylvania Avenue, Suite 500, Towson, MD 21204

AMRosenblatt@Venable.com | www.Venable.com

****
This electronic mail transmission may contain confidential or privileged information. If you believe you have received this message in error, please notify the sender by reply transmission and delete the message without copying or disclosing it.
****

PETITIONER'S EXHIBIT 1

1020, 1022, 1024 YORK ROAD

REVISED PETITION FOR

SPECIAL EXCEPTION AND VARIANCE

1. Petition for Special Exception for a full-service car wash, pursuant to Section 236.2 of the Baltimore County Zoning Regulations ("BCZR").

2. Petition for Variance from BCZR Section 419.3.A to allow the required number of stacking spaces for the full-service car wash to be configured in a different pattern than single-file at the entrance to the tunnel, if necessary.

3. Petition for Variance from BCZR Section 238.2 to allow a side yard setback of 6 feet for a commercial building in lieu of the required 30 feet.

4. Petition for Variance from BCZR Section 419.4.B.3 to allow a landscape transition area width in the rear yard to be a minimum of 2 feet abutting non-residentially zoned land in lieu of the required 6 feet and to allow a landscape transition area width a minimum of 12 feet in lieu of the required 15 feet within 50 feet of a residentially zoned property.

5. Petition for Variance from BCZR Section 419.4.B.1 to allow a car wash tunnel entrance to face an adjacent residentially zoned property.

6. Petition for variance from BCZR Section 450.4. Table of Sign Regulations.5(b) to allow a total of 3 freestanding enterprise signs with sign areas/faces of 18 square feet (sign Nos. 12A, 12B) and 36 square feet (sign No. 4) with a sign height of 6 feet (Sign Nos. 12A, 12B) and 13 feet (sign No. 4) in lieu of the one freestanding enterprise sign permitted with a sign area/face of 75 square feet and height of 25 feet.

7. Petition for variance from BCZR Section 450.5.B.4.a to allow a freestanding sign to be installed as close as 10 feet to another freestanding sign on the same premises having an area larger than 8 square feet (between sign Nos. 12A and 12B) in lieu of the required 100 foot distance.

CERTIFICATE OF POSTING

2022-0291-XA

RE: Case No.: _____

Petitioner/Developer: _____
Glenn Berger, Wayne Berger
Towson Car Wash, LLC.

January 17, 2023

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:

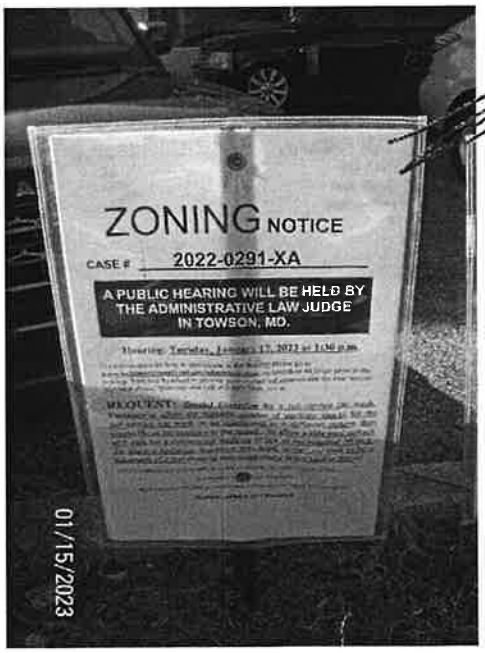
Ladies and Gentlemen:

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: _____

1020, 1022 & 1024 York Road ***SIGN 1 Recertification***

December 27, 2022

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



Sincerely,

January 15, 2023

(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)

CERTIFICATE OF POSTING

2022-0291-XA

RE: Case No.: _____

Petitioner/Developer: _____
Glenn Berger, Wayne Berger
Towson Car Wash, LLC.

_____
January 17, 2023

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:

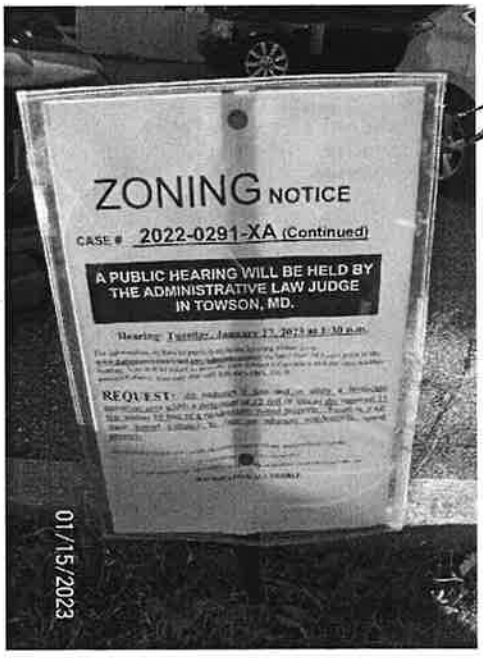
This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at: _____

1020, 1022 & 1024 York Road ***SIGN 2 Recertification***

_____

December 27, 2022

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



Sincerely,

January 15, 2023

(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)

CERTIFICATE OF POSTING

2022-0291-XA

RE: Case No.: _____

Petitioner/Developer: _____
Glenn Berger, Wayne Berger
Towson Car Wash, LLC.

January 17, 2023

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:

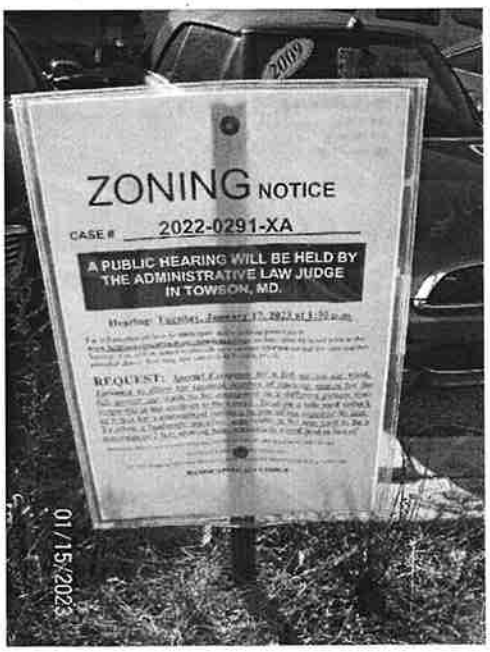
Ladies and Gentlemen:

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: _____

1020, 1022 & 1024 York Road *SIGN 3 Recertification*

December 27, 2022

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



Sincerely,

January 15, 2023

(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)

CERTIFICATE OF POSTING

2022-0291-XA

RE: Case No.: _____

Petitioner/Developer: _____
Glenn Berger, Wayne Berger
Towson Car Wash, LLC.

_____
January 17, 2023

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: _____

1020, 1022 & 1024 York Road *SIGN 4 Recertification*

_____

December 27, 2022

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



Sincerely,

January 15, 2023

(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)

Donna Mignon

From: Rosenblatt, Adam M. <AMRosenblatt@Venable.com>
Sent: Tuesday, January 17, 2023 1:07 PM
To: Administrative Hearings
Subject: FW: Recertification's For 2022-0291-XA
Attachments: Re-Cert 1 2022-0291-XA.doc; Re-Cert 3 2022-0291-XA.doc; Re-Cert 2 2022-0291-XA.doc; Re-Cert 4 2022-0291-XA.doc; Re-Cert GHroups 1 & 2 2022-0291-XA.doc

CAUTION: This message from AMRosenblatt@venable.com originated from a non Baltimore County Government or non BCPL email system. Hover over any links before clicking and use caution opening attachments.

Adam M. Rosenblatt, Esq. | Venable LLP
t 410.494.6271 | f 410.821.0147 | m 410.294.9430
210 W. Pennsylvania Avenue, Suite 500, Towson, MD 21204

AMRosenblatt@Venable.com | www.Venable.com

From: SGT ROBERT BLACK <1opie@comcast.net>
Sent: Monday, January 16, 2023 9:12 PM
To: Lukasevich, Barbara A. <balukasevich@venable.com>; Karceski, David H. <DKarceski@Venable.com>; Rosenblatt, Adam M. <AMRosenblatt@Venable.com>; lmoxley@baltimorecountymd.gov
Subject: Recertification's For 2022-0291-XA

Caution: External Email

Recertification's for 1020,1022 & 1024 York Road. Thanks.

****
This electronic mail transmission may contain confidential or privileged information. If you believe you have received this message in error, please notify the sender by reply transmission and delete the message without copying or disclosing it.
****

Donna Mignon

From: Administrative Hearings <administrativehearings@baltimorecountymd.gov>
Sent: Friday, January 13, 2023 9:32 AM
To: Karceski, David H.
Subject: 2022-0291-XA 1020 1024 York Road D/Hearing 2/17/22 at 1:30 p.m.

Good Morning Mr. Karceski,

Please forward your Exhibits today since Monday is a holiday.

Thank you.

Baltimore County Office of Administrative Hearings
105 West Chesapeake Avenue, Suite 103
Towson, Maryland 21204
410-887-3868

CASE # 2022-0291-XA

Concerned Citizens of Baltimore County
4007 Cloverland Dr.
Phoenix, MD 21131

RECEIVED
JAN 13 2023
OFFICE OF
ADMINISTRATIVE HEARINGS

12 January 2023

Dear Judge:

We are writing to request that you deny the Carwash's request to grant a variance to the County's Stacking requirements for carwashes. The **.79** acre lot cannot accommodate the building, necessary washing equipment, parking, and vehicular circulation without causing major traffic issues on southbound York Rd.

We trust you will weigh the minimal benefit that a new carwash would have at that location against the major negative impact such an establishment would have on traffic and the safety of those who use that busy section of York Rd.

Some members of our organization have lived in the Towson corridor of Baltimore County for almost 50 years. We remember the detrimental impact the Towson Ford Carwash had on that same block of the south-bound lane of York Rd. about 25 years ago. Back then, although Towson Ford had better stacking than the one being proposed in the current petition, cars would back up all the way up to West Rd. We remember lines extending pass the 695 overpass after a heavy snow fall. Today, that block of York Rd. has a traffic count of over **68,000** each day. That is over **18,000** more cars each day than in 1990 when Towson Ford operated their carwash.

This location is simply too small to handle the volume of traffic that York Rd. produces, without creating a bottleneck and all the associated safety consequences.

Canton Carwash had stacking issues at their location at 10051 Franklin that has 60% less traffic than York Rd. Baltimore County was forced to change the traffic pattern by directing the stacking onto other private roadways adjacent to the facility. At this location on York Rd., that option does not exist.

Furthermore, the Canton Carwash at the Franklin Square location is known to handle over 2,100 cars on their busiest days at their 2.28 acre site. That equates to 191 cars

each hour during the 11 hours that they are open.
And while they have the benefit of double lanes for stacking, they still have long lines extending out of their property on busy days.

We submit that if the Canton location on Franklin Square Blvd with 60% less traffic and almost 3-times larger space than the York Rd. location forced Baltimore County to change the traffic pattern on the main Rd., it goes without saying we will have a traffic nightmare on York Rd. The math and usage record of Canton Carwash suggest that the number of cars using the York Rd location on their busiest days could be as high as 3,500 - 4000.

This court should not be put in a position where it is expected to return motorists and Baltimore County residents to the horrible traffic conditions from which we escaped two and a half decades ago when Towson Ford closed its carwash. Nor should the court be asked to permit something that will not promote safety and convenience for Baltimore County residents and all those who use that corridor of York Rd.

As things stand right now, Baltimore County residents are suffering from the traffic nightmare that the Auto Spa Carwash causes on busy days on York Rd about 2 miles to the north. This has caused blockage to the entrances of adjacent businesses, as well as fender benders and long delays for motorists. We do not need to duplicate an undesirable condition like this down the street.

Canton Carwash is a high volume entity. On a **.79** acre lot, it is mathematically impossible to wash the number of cars that they will inevitably draw without dozens of vehicles spilling over onto York Rd. and causing all sorts of traffic issues.

Sincerely,



Keith Morris
Executive Secretary

Donna Mignon

From: Administrative Hearings
Sent: Tuesday, January 10, 2023 8:39 AM
To: 'Karceski, David H.'; Rosenblatt, Adam M.
Subject: Case No: 2022-0291-XA - 1020, 1022, 1024 York Road

Good Morning:

As you are aware, a virtual Webex hearing has been scheduled for January 17, 2023 at 1:30 p.m. You should have received an invitation in an email which invited you to this hearing when the event was created on or about December 15, 2022.

Please email any and all hearing exhibits, documents, site plans, photographs or evidence of any kind that you wish to present at the hearing to our office . The documents must be submitted in PDF format at least two full business days in advance of the hearing to : Office of Administrative Hearings at administrativehearings@baltimorecountymd.gov

Exhibits must be separately numbered and submitted, an exhibit list with the Case Number, an exhibit number and a brief description for each exhibit.

*****These exhibits will be displayed on a computer screen as you explain at the hearing what you are seeking in your case. Please note that these documents are in addition to any paperwork submitted when you originally filed your petition with the Office of Zoning Review. Our Office is separate from the Office of Zoning. ***** If our office does not receive this information, your case may not be able to be heard on this day. Thank you.

You can find more information on our website
at: https://www.baltimorecountymd.gov/departments/adminhearings/devzoninghearings.html

Please bring a hard copy of all exhibits and drop off in our lobby (address below) at least two full business days before the hearing date.

Thank you.

Office of Administrative Hearings
105 West Chesapeake Avenue, Suite 103
Towson, MD 21204
410-887-3868

Maryland The Daily Record
200 St. Paul Place
Baltimore, MD, 21202
Phone: 4435248100

MARYLAND
THE DAILY RECORD

Affidavit of Publication

To: Venable, LLP - Barb Lukasevich
PO Box 94475
Pasadena, CA, 911094475

Re: Legal Notice 2460250,

CASE NUMBER: 2022-0291-XA

We hereby certify that the annexed advertisement was published in Maryland The Daily Record, a Daily newspaper published
in the State of Maryland 1 time(s) on the following date(s):
12/28/2022

By Darlene Miller

Darlene Miller
Authorized Designee of the Publisher

Baltimore County

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 virtual hearing on the property identified herein as follows:

CASE NUMBER: 2022-0291-XA
1020, 1022 & 1024 York Road
Southwest side of York Road, 444 feet southeast of West Road
9th Election District - 6th Councilmanic District
Legal Owners: Glenn Berger, Wayne Berger
Contract Purchaser/Lessee: Towson Car Wash, LLC

Special Exception for a full-service car wash. Variance to allow the required number of stacking spaces for the full-service car wash to be configured in a different pattern than single-file at the entrance to the tunnel. To allow a side yard setback of 6 feet for a commercial building in lieu of the required 30 feet. To allow a landscape transition area width in the rear yard to be a minimum of 2 feet abutting non-residentially zoned land in lieu of the required 6 feet and to allow a landscape transition area width a minimum of 12 feet in lieu of the required 15 feet within 50 feet of a residentially zoned property. To allow a car wash tunnel entrance to face an adjacent residentially zoned property.

Hearing: Tuesday, January 17, 2023 at 1:30 p.m.

For information on how to participate in the hearings please go to www.baltimorecountymd/gov/adminhearings no later than 48 hours prior to the hearing. You will be asked to provide your contact information and the case number provided above. You may also call 410-887-3868, ext. 0.

Pete Gutwald
Director of Permits, Approvals and Inspections for Baltimore County

d28 2460250

CERTIFICATE OF POSTING

RECEIVED DEC 30 2022

2022-0291-XA

RE: Case No.: _____

Petitioner/Developer: _____
Glenn Berger, Wayne Berger
Towson Car Wash, LLC.

January 17, 2023

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: _____

1020, 1022 & 1024 York Road ***SIGN 1***

December 27, 2022

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



Sincerely,

December 27, 2022

(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)

CERTIFICATE OF POSTING

RECEIVED DEC 30 2022

2022-0291-XA

RE: Case No.: _____

Petitioner/Developer: _____
Glenn Berger, Wayne Berger
Towson Car Wash, LLC.

January 17, 2023

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:

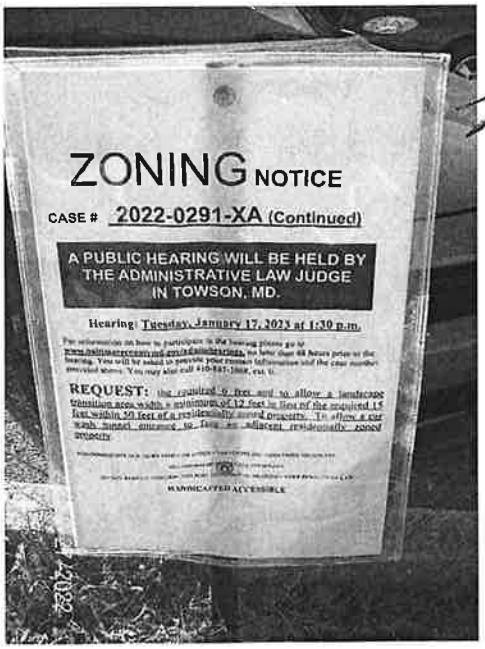
Ladies and Gentlemen:

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: _____

1020, 1022 & 1024 York Road ***SIGN 2***

December 27, 2022

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



Sincerely,

December 27, 2022

(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)

CERTIFICATE OF POSTING

RECEIVED DEC 30 2022

2022-0291-XA

RE: Case No.: _____

Petitioner/Developer: _____
Glenn Berger, Wayne Berger
Towson Car Wash, LLC.

January 17, 2023

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:

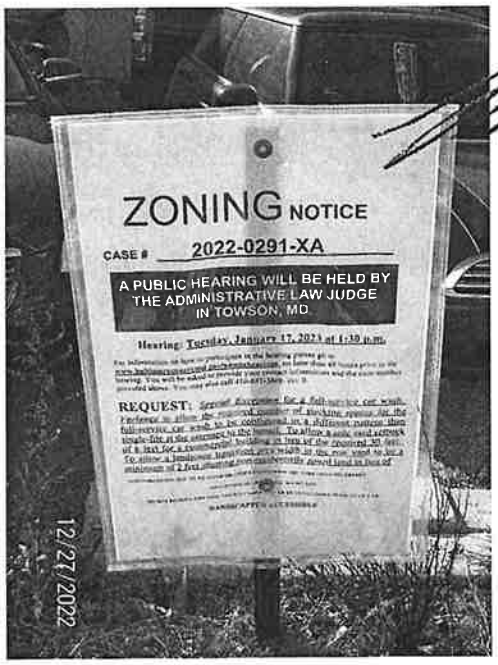
Ladies and Gentlemen:

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: _____

1020, 1022 & 1024 York Road *SIGN 3*

December 27, 2022

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



Sincerely,

December 27, 2022

(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)

CERTIFICATE OF POSTING

RECEIVED DEC 30 2022

2022-0291-XA

RE: Case No.: _____

Petitioner/Developer: _____
Glenn Berger, Wayne Berger
Towson Car Wash, LLC.

January 17, 2023

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:

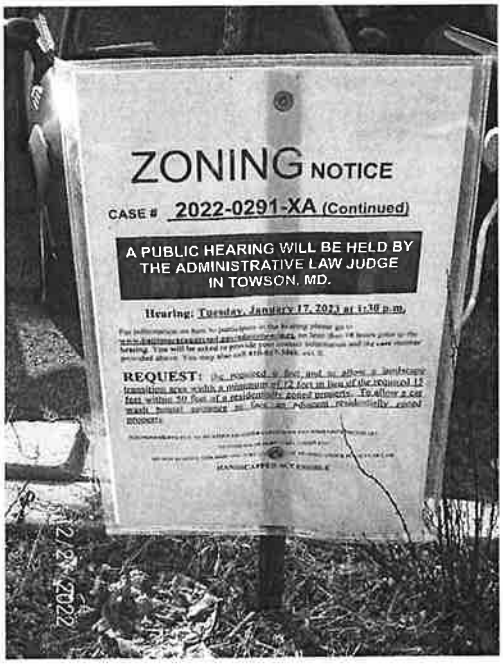
Ladies and Gentlemen:

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: _____

1020, 1022 & 1024 York Road ***SIGN 4***

December 27, 2022

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



Sincerely,

December 27, 2022

(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)

CERTIFICATE OF POSTING

RECEIVED DEC 30 2022

2022-0291-XA

RE: Case No.: _____

Petitioner/Developer: _____
Glenn Berger, Wayne Berger
Towson Car Wash, LLC.

January 17, 2023

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: _____

1020, 1022 & 1024 York Road ***Groups 1 & 2***

December 27, 2022

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



Sincerely,

December 27, 2022

(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)

JOHN A. OLSZEWSKI, JR.
Executive

C. PETE GUTWALD, AICP
Director, Department of Permits, Approvals and Inspections

County

December 15, 2022

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 virtual hearing on the property identified herein as follows:

CASE NUMBER: 2022-0291-XA
1020, 1022 & 1024 York Road
Southwest side of York Road, 444 feet southeast of West Road
9th Election District – 6th Councilmanic District
Legal Owners: Glenn Berger, Wayne Berger
Contract Purchaser/Lessee: Towson Car Wash, LLC

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Hearing: Tuesday, January 17, 2023 at 1:30 p.m.

For information on how to participate in the hearings please go to www.baltimorecountymd/gov/adminhearings no later than 48 hours prior to the hearing. You will be asked to provide your contact information and the case number provided above. You may also call 410-887-3868, ext. 0.

Pete Gutwald
Director

PW/kl

C: David Karceski, 210 W. Pennsylvania Avenue, Ste. 500, Towson 21204
Thomas DeBacco, 10051 Franklin Square Dr., Nottingham 21236
Glenn Berger, 111 Hamlet Hill Road, Apt. 1307, Baltimore 21210
Wayne Berger, Park Heights Avenue, Baltimore 21208

NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY WED., DEC. 28, 2022**

TO: THE DAILY RECORD
Wednesday, December 28, 2022 - Issue

Please forward billing to:
Barb Lukasevich
Venable, LLP
210 W. Pennsylvania Avenue, Ste. 500
Towson, MD 21204
410-494-6352

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 virtual hearing on the property identified herein as follows:

CASE NUMBER: 2022-0291-XA
1020, 1022 & 1024 York Road
Southwest side of York Road, 444 feet southeast of West Road
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Pete Gutwald
Director of Permits, Approvals and Inspections for Baltimore County

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE MEMORANDUM

RECEIVED DEC 29 2022

TO: C. Pete Gutwald
Director, Department of Permits, Approvals and Inspections

DATE: 12/13/2022

FROM: Steve Lafferty
Director, Department of Planning

SUBJECT: **ZONING ADVISORY COMMITTEE COMMENTS**
Case Number: 2022-291-XA

INFORMATION:
Property Address: 1020, 1022, and 1024 York Road, Towson
Petitioner: Glenn G. Berger and Wayne G. Berger
Zoning: BR
Requested Action: Special Exception and Variance

The Department of Planning has reviewed the petition for:

Special Exception:

1. For a full-service car wash, pursuant to Section 236.2 of the BCZR;

Variance:

2. From BCZR Section 419.3.A to allow the required number of stacking spaces for the full-service car wash to be configured in a different pattern than single-file at the entrance to the tunnel;
3. From BCZR Section 238.2 to allow a side yard setback of 6 feet for a commercial building in lieu of the required 30 feet;
4. From BCZR Section 419.4.B.2 to allow a landscape transition area width in the rear yard to be a minimum of 2 feet abutting non-residentially zoned land in lieu of the required 6 feet, and to allow a landscape transition area width a minimum of 12 feet in lieu of the required 15 feet within 50 feet of a residentially zoned property; and
5. From BCZR Section 419.4.B.1 to allow a car wash tunnel entrance to face an adjacent residentially zoned property.

The subject site, which is approximately 0.8 acres zoned BR, is composed of three parcels and is currently a Star Auto Service used car sales business. The use and setbacks were approved in Zoning Case 1994-321-XA. The surrounding uses on York Road are commercial, including a Midas Tires and Auto Service and a Goodwill to the south and an auto rental, animal hospital, and Lexus dealership to the north. Behind the site is parking for the Lexus dealership and a Baltimore County Publics Schools high school, Carver Center for Arts and Technology.

This portion of York Road leads to the gateway or entrance to downtown Towson, and is heavily traveled and congested. North and southbound lanes of this portion of York Road are separated by a concrete median from Fairmount Avenue to West Road, with one break just north of 1030 York Road. There is a

695 northbound off ramp on West Road, north of the subject site. York and West Road is a C-level intersection, and York and Fairmount is a D-level intersection.

The site is within the boundaries of the Towson Commercial Revitalization District, the Towson Community Plan, the Kenilworth Drive Corridor Plan, and the Eastern Baltimore County Pedestrian and Bicycle Access Plan. Relevant guidance from the Towson Community Plan advises to "simplify and clean up commercial buildings and site signs", "construct uniform, moderately scaled buildings", "orient building fronts to the streets", and "locate building fronts up against streetscapes" (York Road North, page 46).

The Department of Planning opposes the Special Exception request for a full-service car wash, pursuant to Section 236.2 of the BCZR. Section 502.1.B of the BCZR indicates that before any special exception may be granted, it must appear that the use for which the special exception is requested will not "[t]end to create congestion in roads, streets or alleys therein." When considering the anticipated increasing traffic and the overflow it could cause onto York Road, the Department of Planning opposes the request.

Should the Special Exception be granted, the Department of Planning requests that sign 3 on the signage plan, the Canton Car Wash pylon sign, be a monument style sign to better fit with the surrounding commercial site on York Road.

Should the Special Exception be granted, the Department of Planning has no objections to the Variance from BCZR Section 419.3.A to allow the required number of stacking spaces for the full-service car wash to be configured in a different pattern than single-file at the entrance to the tunnel. The irregular stacking may decrease the possibility of traffic overflowing onto York Road from the subject site.

Should the Special Exception be granted, the Department of Planning has no objections to the Variance from BCZR Section 238.2 to allow a side yard setback of 6 feet for a commercial building in lieu of the required 30 feet, as this stretch of York Road is primarily commercial structures with relatively small side yard setbacks.

Should the Special Exception be granted, the Department of Planning does not object to the Variance from BCZR Section 419.4.B.2 to allow a landscape transition area width in the rear yard to be a minimum of 2 feet abutting non-residentially zoned land in lieu of the required 6 feet and to allow a landscape transition area width a minimum of 12 feet in lieu of the required 15 feet within 50 feet of a residentially zoned property with the following conditions:

1. Landscaping to the rear of the property should be as dense as possible and variably heighted to screen the new development and car headlights in the car wash drive aisles to the extent possible from the existing development;
2. Enhanced landscaping shall be provided in the side yards and along York Road to compensate for the decreased landscaping to the rear of the development; and
3. Planters and/or landscape islands shall be provided to further beautify the site.

The Department of Planning requests these conditions, as the proposal for a 2 feet landscape transition area in lieu of the required 6 feet is minimal and does not allow for screening of the site from the existing surrounding uses. Enhanced landscaping elsewhere on site will improve the overall appearance.

Should the Special Exception be granted, the Department of Planning has no objections to the Variance from BCZR Section 419.4.B.1 to allow a car wash tunnel entrance to face an adjacent residentially zoned property. Although the property to the rear of the site is zoned DR 1, it is Carver Center for Arts and Technology, a high school, and is not used residentially. There are relatively steep slopes and a change in

grade from the portion of the Carver property that will face the car wash entrance tunnel, which will decrease visibility and impact. Additionally, the car wash tunnel entrance would face a not-heavily-used portion of Carver, a grassy field and a fenced off maintenance storage facility and parking pad.

For further information concerning the matters stated herein, please contact Taylor Bensley at 410-887-3482.

Prepared by:

Taylor Bensley

Division Chief:

Jenifer G. Nugent

SL/JGN

c: David Karceski, Esq.
David Birkenthal
Ngone Seye Diop
Office of Administrative Hearings
People's Counsel for Baltimore County

January 6, 2023

Ms. Kristen Lewis
Baltimore County Department of
Permits, Approvals and Inspections
County Office Building, Room 109
111 West Chesapeake Avenue
Towson, Maryland 21204

Dear Ms. Lewis:

We have reviewed the site plan to accompany the petition for special exception and variance on the subject of the Case number referenced below. An internal review reveals that there are two existing entrances onto MD 45, York Road. which may require modification due to the proposed conditions. Entrances consistent with current State Highway Administration guidelines are required as a condition of approval for Canton Car Wash, Case Number 2022-0291-xa.

Due to the parameters of this project, MDOT-SHA will require submission of a Traffic Impact Study (TIS) which shall include weekend traffic to determine the impacts on the roadway network. The applicant must contact the State Highway Administration to begin this process. Should you have any questions regarding this matter feel free to contact Ms. Teresa Eller at 410-229-2424 or 1-866-998-0367 (in Maryland only) extension 2424, or by email at (teller@mdot.maryland.gov).

Sincerely,

Teresa Eller for,

Sutapa Samanta, P.E.
Metropolitan District Engineer
Maryland Department of Transportation
State Highway Administration
District 4 - Baltimore and Harford Counties

Cc: Tom Sheckells

RECEIVED DEC 12 2022

RE: PETITION FOR SPECIAL EXCEPTION AND VARIANCE	*	BEFORE THE OFFICE
1020, 1022 & 1024 York Road; SW/S of York Road, 444' SE of West Road	*	OF ADMINSTRATIVE
9th Election & 6th Councilmanic Districts	*	HEARINGS FOR
Legal Owner(s): Glen & Wayne Berger		
Contract Purchaser(s): Towson Car Wash LLC* Petitioner(s)		BALTIMORE COUNTY
	*	2022-291-XA

* * * * * * * * * * * * *

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/rmw
PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

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

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 12th day of December, 2022, a copy of the foregoing Entry of Appearance was emailed to David Karceski, Esquire ,210 W. Pennsylvania Avenue, Suite 500, Towson, Maryland 21204, dhkarceski@venable.com, Attorney for Petitioner(s).

Peter Max Zimmerman/rmw
PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

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 twenty (20) 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: 2022-0291-XA

Property Address: 1020-1024 York Road

Legal Owners (Petitioners): Glenn G. Berger & Wayne G. Berger

Contract Purchaser/Lessee: Towson Car Wash, LLC

PLEASE FORWARD ADVERTISING BILL TO:

Name: Company/Firm (if applicable): Barb Lukasevich, Venable LLP

Address: 210 W. Pennsylvania Ave
Suite 500
Towson, MD 21204

Telephone Number: 410-494-6352

*Failure to advertise and/or post a sign on the property within the designated time will result in the Hearing request being delayed. The delayed Hearing Case will be cycled to the end of pending case files and rescheduled in the order that it is received. Also, a $250.00 rescheduling fee may be required after two failed advertisings and/or postings.

Real Property Data Search ( )
Search Result for BALTIMORE COUNTY

View Map | View GroundRent Redemption | View GroundRent Registration

Special Tax Recapture: None

Account Identifier: **District** - 09 **Account Number** - 0919000691

Owner Information

Owner Name:	BERGER GLENN G BERGER WAYNE G	**Use:**	COMMERCIAL
		Principal Residence:	NO
Mailing Address:	APT 1307 111 HAMLET HILL RD BALTIMORE MD 21210-1516	**Deed Reference:**	/46511/ 00190

Location & Structure Information

Premises Address:	1020 YORK RD TOWSON 21204-	**Legal Description:**	LOT WS YORK ROAD AND IMPROVEMENTS 3960 S SEMINARY AVE

Map:	Grid:	Parcel:	Neighborhood:	Subdivision:	Section:	Block:	Lot:	Assessment Year:	Plat No:
0070	0001	0595	20000.04	0000				2023	Plat Ref:

Town: None

Primary Structure Built	Above Grade Living Area	Finished Basement Area	Property Land Area	County Use
1950	6,000 SF		22,225 SF	06

StoriesBasementType	ExteriorQuality	Full/Half Bath	Garage	Last Notice of Major Improvements
OFFICE BUILDING/	C2			

Value Information

	Base Value	Value As of 01/01/2020	Phase-in Assessments As of 07/01/2022	As of 07/01/2023
Land:	777,800	777,800		
Improvements	13,500	13,500		
Total:	791,300	791,300	791,300	
Preferential Land:	0			

Transfer Information

Seller: BERGER GLENN G TRUSTEE	**Date:** 03/07/2022	**Price:** $0
Type: NON-ARMS LENGTH OTHER	**Deed1:** /46511/ 00190	**Deed2:**
Seller: BERGER GLENN GORDON	**Date:** 03/07/2022	**Price:** $0
Type: NON-ARMS LENGTH OTHER	**Deed1:** /46511/ 00185	**Deed2:**
Seller: BERGER TILLIE	**Date:** 12/30/2021	**Price:** $0
Type: NON-ARMS LENGTH OTHER	**Deed1:** /46122/ 00253	**Deed2:**

Exemption Information

Partial Exempt Assessments:	Class	07/01/2022	07/01/2023
County:	000	0.00	
State:	000	0.00	
Municipal:	000	0.00	0.00

Special Tax Recapture: None

Homestead Application Information

Homestead Application Status: No Application

Homeowners' Tax Credit Application Information

Homeowners' Tax Credit Application Status: No Application **Date:**

Real Property Data Search ( )
Search Result for BALTIMORE COUNTY

View Map | View GroundRent Redemption | View GroundRent Registration

Special Tax Recapture: None

Account Identifier: **District -** 09 **Account Number -** 0919000690

Owner Information

Owner Name:	BERGER GLENN G BERGER WAYNE G	**Use:**	COMMERCIAL
		Principal Residence:	NO
Mailing Address:	UNIT 1307 111 HAMLET HILL RD BALTIMORE MD 21210-1516	**Deed Reference:**	/46511/ 00190

Location & Structure Information

Premises Address:	1022 YORK RD 0-0000	**Legal Description:**	LT WS YORK RD 3960 S SEMINARY AV

Map:	Grid:	Parcel:	Neighborhood:	Subdivision:	Section:	Block:	Lot:	Assessment Year:	Plat No:
0070	0001	0595	20000.04	0000				2023	Plat Ref:

Town: None

Primary Structure Built	Above Grade Living Area	Finished Basement Area	Property Land Area	County Use
			5,589 SF	06

Stories	Basement	Type	Exterior	Quality	Full/Half Bath	Garage	Last Notice of Major Improvements
		/					

Value Information

	Base Value	Value As of 01/01/2020	Phase-in Assessments As of 07/01/2022	As of 07/01/2023
Land:	195,600	195,600		
Improvements	0	0		
Total:	195,600	195,600	195,600	
Preferential Land:	0			

Transfer Information

Seller: BERGER GLENN G TRUSTEE	**Date:** 03/07/2022	**Price:** $0
Type: NON-ARMS LENGTH OTHER	**Deed1:** /46511/ 00190	**Deed2:**
Seller: BERGER GLENN G	**Date:** 03/07/2022	**Price:** $0
Type: NON-ARMS LENGTH OTHER	**Deed1:** /46511/ 00185	**Deed2:**
Seller: BERGER TILLIE	**Date:** 12/30/2021	**Price:** $0
Type: NON-ARMS LENGTH OTHER	**Deed1:** /46122/ 00253	**Deed2:**

Exemption Information

Partial Exempt Assessments:	Class	07/01/2022	07/01/2023
County:	000	0.00	
State:	000	0.00	
Municipal:	000	0.00	0.00

Special Tax Recapture: None

Homestead Application Information

Homestead Application Status: No Application

Homeowners' Tax Credit Application Information

Homeowners' Tax Credit Application Status: No Application **Date:**

Real Property Data Search ( )
Search Result for BALTIMORE COUNTY

View Map | View GroundRent Redemption | View GroundRent Registration

Special Tax Recapture: None

Account Identifier: **District -** 09 **Account Number -** 0919001830

Owner Information

Owner Name:	BERGER GLENN G BERGER WAYNE G	**Use:**	COMMERCIAL
		Principal Residence:	NO
Mailing Address:	APT 1307 111 HAMLET HILL RD BALTIMORE MD 21210-1516	**Deed Reference:**	/46511/ 00190

Location & Structure Information

Premises Address:	1024 YORK RD TOWSON 21204-	**Legal Description:**	LT WS YORK RD 3960 S SEMINARY AVE

Map:	Grid:	Parcel:	Neighborhood:	Subdivision:	Section:	Block:	Lot:	Assessment Year:	Plat No:
0070	0001	0991	20000.04	0000				2023	Plat Ref:

Town: None

Primary Structure Built	Above Grade Living Area	Finished Basement Area	Property Land Area	County Use
1960	4,350 SF		6,600 SF	06

StoriesBasementType	ExteriorQuality	Full/Half Bath	Garage	Last Notice of Major Improvements
OFFICE BUILDING/	C2			

Value Information

	Base Value	Value As of 01/01/2020	Phase-in Assessments As of 07/01/2022	As of 07/01/2023
Land:	231,000	231,000		
Improvements	147,100	147,100		
Total:	378,100	378,100	378,100	
Preferential Land:	0			

Transfer Information

Seller: BERGER GLENN G TRUSTEE	**Date:** 03/07/2022	**Price:** $0
Type: NON-ARMS LENGTH OTHER	**Deed1:** /46511/ 00190	**Deed2:**
Seller: BERGER GLENN GORDON	**Date:** 03/07/2022	**Price:** $0
Type: NON-ARMS LENGTH OTHER	**Deed1:** /46511/ 00185	**Deed2:**
Seller: BERGER TILLIE	**Date:** 12/30/2021	**Price:** $0
Type: NON-ARMS LENGTH OTHER	**Deed1:** /46122/ 00253	**Deed2:**

Exemption Information

Partial Exempt Assessments:	Class	07/01/2022	07/01/2023
County:	000	0.00	
State:	000	0.00	
Municipal:	000	0.00|	0.00|

Special Tax Recapture: None

Homestead Application Information

Homestead Application Status: No Application

Homeowners' Tax Credit Application Information

Homeowners' Tax Credit Application Status: No Application **Date:**

Petitioner's Exhibit List

Case Number 2022-291-XA
1020, 1022, 1024 York Road

1. Revised Zoning Petition

2A-B. Redlined Site Plan

3A-F. Examples from other sites

4. Building Elevations

5. Thomas Sheckells CV

6. Aerial Photograph

7. Site Photos

8. Rendered Site Plan

9. Mark Keeley CV

10. Traffic Report

11. Map of Commercial Revitalization District

12A. County List of Community Associations

12B. Distance from Community Association to Subject Property

Petitioner's Exhibit List

Case Number 2022-291-XA
1020, 1022, 1024 York Road

1. Revised Zoning Petition

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7. Site Photos

8. Rendered Site Plan

9. Mark Keeley CV

10. Traffic Report

11. Map of Commercial Revitalization District

PETITIONER'S EXHIBIT 1

1020, 1022, 1024 YORK ROAD

REVISED PETITION FOR

SPECIAL EXCEPTION AND VARIANCE

1. Petition for Special Exception for a full-service car wash, pursuant to Section 236.2 of the Baltimore County Zoning Regulations ("BCZR").

2. Petition for Variance from BCZR Section 419.3.A to allow the required number of stacking spaces for the full-service car wash to be configured in a different pattern than single-file at the entrance to the tunnel, if necessary.

3. Petition for Variance from BCZR Section 238.2 to allow a side yard setback of 6 feet for a commercial building in lieu of the required 30 feet.

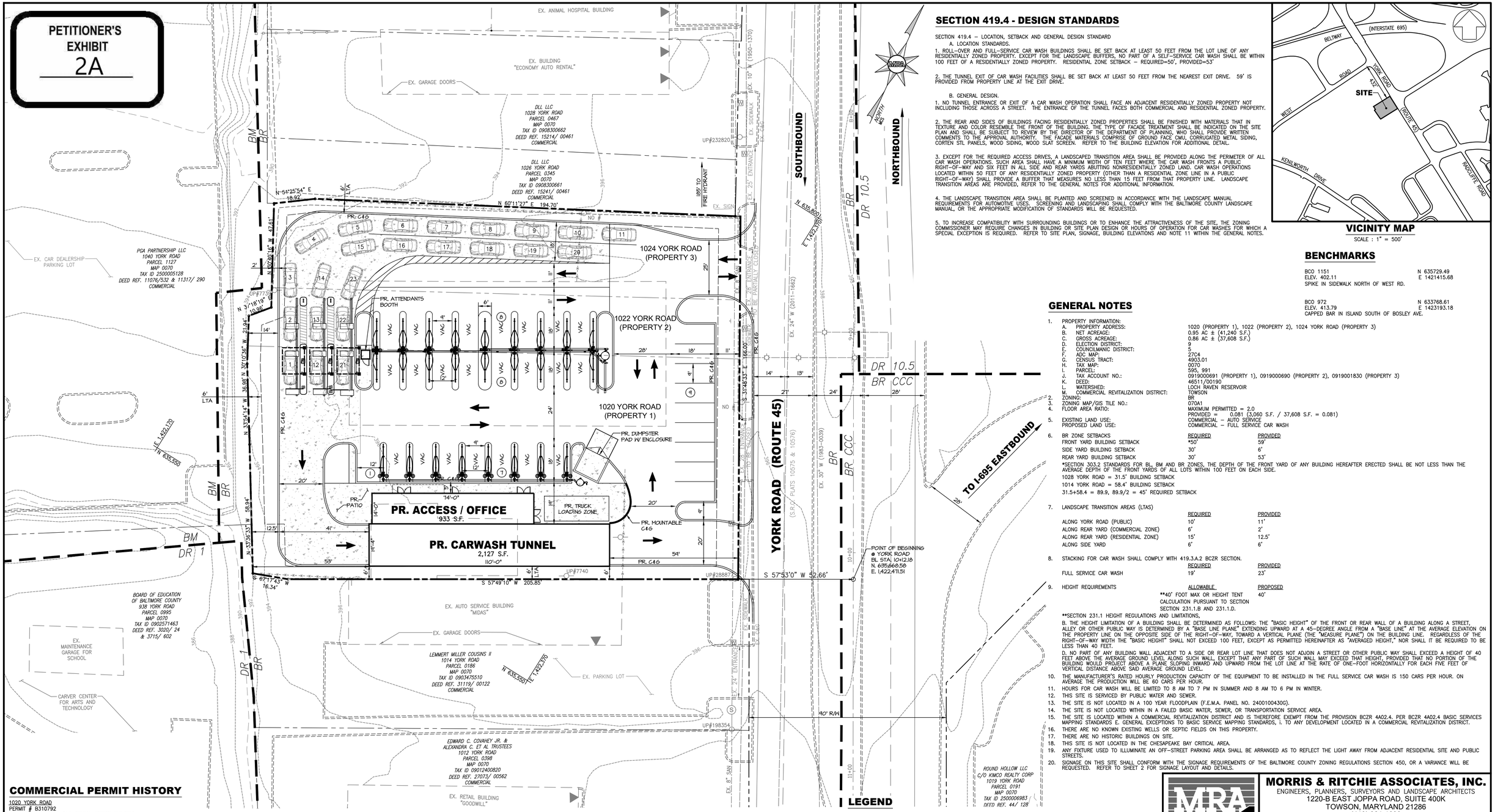
4. Petition for Variance from BCZR Section 419.4.B.3 to allow a landscape transition area width in the rear yard to be a minimum of 2 feet abutting non-residentially zoned land in lieu of the required 6 feet and to allow a landscape transition area width a minimum of 12 feet in lieu of the required 15 feet within 50 feet of a residentially zoned property.

5. Petition for Variance from BCZR Section 419.4.B.1 to allow a car wash tunnel entrance to face an adjacent residentially zoned property.

6. Petition for variance from BCZR Section 450.4. Table of Sign Regulations.5(b) to allow a total of 11 freestanding enterprise signs with sign areas/faces of 18 square feet (sign Nos. 12A, 12B), 36 square feet (sign No. 4), 4 square feet (sign Nos. 8A, 8B), and 2.77 square feet (sign Nos. 15A-15F), with a sign height of 6 feet (sign Nos. 12A, 12B), 13 feet (sign No. 4), 4 feet (sign Nos. 8A, 8B), and 6 feet (sign Nos. 15A-15F) in lieu of the one freestanding enterprise sign permitted with a sign area/face of 75 square feet.

7. Petition for variance from BCZR Section 450.5.B.4.a to allow a freestanding sign to be installed as close as 10 feet to another freestanding sign on the same premises having an area larger than 8 square feet (between sign Nos. 12A and 12B) in lieu of the required 100 foot distance.

PETITIONER'S EXHIBIT 2A



VICINITY MAP
SCALE : 1" = 500'

SECTION 419.4 - DESIGN STANDARDS

SECTION 419.4 – LOCATION, SETBACK AND GENERAL DESIGN STANDARD

A. LOCATION STANDARDS.

1. ROLL–OVER AND FULL–SERVICE CAR WASH BUILDINGS SHALL BE SET BACK AT LEAST 50 FEET FROM THE LOT LINE OF ANY RESIDENTIALLY ZONED PROPERTY. EXCEPT FOR THE LANDSCAPE BUFFERS, NO PART OF A SELF–SERVICE CAR WASH SHALL BE WITHIN 100 FEET OF A RESIDENTIALLY ZONED PROPERTY. RESIDENTIAL ZONE SETBACK – REQUIRED=50', PROVIDED=53'

2. THE TUNNEL EXIT OF CAR WASH FACILITIES SHALL BE SET BACK AT LEAST 50 FEET FROM THE NEAREST EXIT DRIVE. 59' IS PROVIDED FROM PROPERTY LINE AT THE EXIT DRIVE.

B. GENERAL DESIGN.

1. NO TUNNEL ENTRANCE OR EXIT OF A CAR WASH OPERATION SHALL FACE AN ADJACENT RESIDENTIALLY ZONED PROPERTY NOT INCLUDING THOSE ACROSS A STREET. THE ENTRANCE OF THE TUNNEL FACES BOTH COMMERCIAL AND RESIDENTIAL ZONED PROPERTY.

2. THE REAR AND SIDES OF BUILDINGS FACING RESIDENTIALLY ZONED PROPERTIES SHALL BE FINISHED WITH MATERIALS THAT IN TEXTURE AND COLOR RESEMBLE THE FRONT OF THE BUILDING. THE TYPE OF FACADE TREATMENT SHALL BE INDICATED ON THE SITE PLAN AND SHALL BE SUBJECT TO REVIEW BY THE DIRECTOR OF THE DEPARTMENT OF PLANNING, WHO SHALL PROVIDE WRITTEN COMMENTS TO THE APPROVAL AUTHORITY. THE FACADE MATERIALS COMPRISE OF GROUND FACE CMU, CORRUGATED METAL SIDING, CORTEN STL PANELS, WOOD SIDING, WOOD SLAT SCREEN. REFER TO THE BUILDING ELEVATION FOR ADDITIONAL DETAIL.

3. EXCEPT FOR THE REQUIRED ACCESS DRIVES, A LANDSCAPED TRANSITION AREA SHALL BE PROVIDED ALONG THE PERIMETER OF ALL CAR WASH OPERATIONS. SUCH AREA SHALL HAVE A MINIMUM WIDTH OF TEN FEET WHERE THE CAR WASH FRONTS A PUBLIC RIGHT–OF–WAY AND SIX FEET IN ALL SIDE AND REAR YARDS ABUTTING NONRESIDENTIALLY ZONED LAND. CAR WASH OPERATIONS 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 THAT MEASURES NO LESS THAN 15 FEET FROM THAT PROPERTY LINE. LANDSCAPE TRANSITION AREAS ARE PROVIDED, REFER TO THE GENERAL NOTES FOR ADDITIONAL INFORMATION.

4. THE LANDSCAPE TRANSITION AREA SHALL BE PLANTED AND SCREENED IN ACCORDANCE WITH THE LANDSCAPE MANUAL REQUIREMENTS FOR AUTOMOTIVE USES. SCREENING AND LANDSCAPING SHALL COMPLY WITH THE BALTIMORE COUNTY LANDSCAPE MANUAL, OR THE APPROPRIATE MODIFICATION OF STANDARDS WILL BE REQUESTED.

5. TO INCREASE COMPATIBILITY WITH SURROUNDING BUILDINGS OR TO ENHANCE THE ATTRACTIVENESS OF THE SITE, THE ZONING COMMISSIONER MAY REQUIRE CHANGES IN BUILDING OR SITE PLAN DESIGN OR HOURS OF OPERATION FOR CAR WASHES FOR WHICH A SPECIAL EXCEPTION IS REQUIRED. REFER TO SITE PLAN, SIGNAGE, BUILDING ELEVATIONS AND NOTE 11 WITHIN THE GENERAL NOTES.

BENCHMARKS

BCO 1151 — N 635729.49, E 1421415.68
ELEV. 402.11
SPIKE IN SIDEWALK NORTH OF WEST RD.

BCO 972 — N 633768.61, E 1423193.18
ELEV. 413.79
CAPPED BAR IN ISLAND SOUTH OF BOSLEY AVE.

GENERAL NOTES

1. PROPERTY INFORMATION:
   - A. PROPERTY ADDRESS: 1020 (PROPERTY 1), 1022 (PROPERTY 2), 1024 YORK ROAD (PROPERTY 3)
   - B. NET ACREAGE: 0.95 AC ± (41,240 S.F.)
   - C. GROSS ACREAGE: 0.86 AC ± (37,608 S.F.)
   - D. ELECTION DISTRICT: 9
   - E. COUNCILMANIC DISTRICT: 5
   - F. ADC MAP: 27C4
   - G. CENSUS TRACT: 4903.01
   - H. TAX MAP: 0070
   - I. PARCEL: 595, 991
   - J. TAX ACCOUNT NO.: 0919000691 (PROPERTY 1), 0919000690 (PROPERTY 2), 0919001830 (PROPERTY 3)
   - K. DEED: 46511/00190
   - L. WATERSHED: LOCH RAVEN RESERVOIR
   - M. COMMERCIAL REVITALIZATION DISTRICT: TOWSON
2. ZONING: BR
3. ZONING MAP/GIS TILE NO.: 070A1
4. FLOOR AREA RATIO: MAXIMUM PERMITTED = 2.0; PROVIDED = 0.081 (3,060 S.F. / 37,608 S.F. = 0.081)
5. EXISTING LAND USE: COMMERCIAL – AUTO SERVICE; PROPOSED LAND USE: COMMERCIAL – FULL SERVICE CAR WASH
6. BR ZONE SETBACKS

	REQUIRED	PROVIDED
FRONT YARD BUILDING SETBACK	*50'	59'
SIDE YARD BUILDING SETBACK	30'	6'
REAR YARD BUILDING SETBACK	30'	53'

*SECTION 303.2 STANDARDS FOR BL, BM AND BR ZONES, THE DEPTH OF THE FRONT YARD OF ANY BUILDING HEREAFTER ERECTED SHALL BE NOT LESS THAN THE AVERAGE DEPTH OF THE FRONT YARDS OF ALL LOTS WITHIN 100 FEET ON EACH SIDE.
1028 YORK ROAD = 31.5' BUILDING SETBACK
1014 YORK ROAD = 58.4' BUILDING SETBACK
31.5+58.4 = 89.9, 89.9/2 = 45' REQUIRED SETBACK

7. LANDSCAPE TRANSITION AREAS (LTAS)

	REQUIRED	PROVIDED
ALONG YORK ROAD (PUBLIC)	10'	11'
ALONG REAR YARD (COMMERCIAL ZONE)	6'	2'
ALONG REAR YARD (RESIDENTIAL ZONE)	15'	12.5'
ALONG SIDE YARD	6'	6'

8. STACKING FOR CAR WASH SHALL COMPLY WITH 419.3.A.2 BCZR SECTION.

	REQUIRED	PROVIDED
FULL SERVICE CAR WASH	19'	23'

9. HEIGHT REQUIREMENTS

	ALLOWABLE	PROPOSED
**40' FOOT MAX OR HEIGHT TENT CALCULATION PURSUANT TO SECTION SECTION 231.1.B AND 231.1.D.		40'

**SECTION 231.1 HEIGHT REGULATIONS AND LIMITATIONS.
B. THE HEIGHT LIMITATION OF A BUILDING SHALL BE DETERMINED AS FOLLOWS: THE "BASIC HEIGHT" OF THE FRONT OR REAR WALL OF A BUILDING ALONG A STREET, ALLEY OR OTHER PUBLIC WAY IS DETERMINED BY A "BASE LINE PLANE" EXTENDING UPWARD AT A 45–DEGREE ANGLE FROM A "BASE LINE" AT THE AVERAGE ELEVATION ON THE PROPERTY LINE ON THE OPPOSITE SIDE OF THE RIGHT–OF–WAY, TOWARD A VERTICAL PLANE (THE "MEASURE PLANE") ON THE BUILDING LINE. REGARDLESS OF THE RIGHT–OF–WAY WIDTH THE "BASIC HEIGHT" SHALL NOT EXCEED 100 FEET, EXCEPT AS PERMITTED HEREINAFTER AS "AVERAGED HEIGHT," NOR SHALL IT BE REQUIRED TO BE LESS THAN 40 FEET.
D. NO PART OF ANY BUILDING WALL ADJACENT TO A SIDE OR REAR LOT LINE THAT DOES NOT ADJOIN A STREET OR OTHER PUBLIC WAY SHALL EXCEED A HEIGHT OF 40 FEET ABOVE THE AVERAGE GROUND LEVEL ALONG SUCH WALL, EXCEPT THAT ANY PART OF SUCH WALL MAY EXCEED THAT HEIGHT, PROVIDED THAT NO PORTION OF THE BUILDING WOULD PROJECT ABOVE A PLANE SLOPING INWARD AND UPWARD FROM THE LOT LINE AT THE RATE OF ONE–FOOT HORIZONTALLY FOR EACH FIVE FEET OF VERTICAL DISTANCE ABOVE SAID AVERAGE GROUND LEVEL.

10. THE MANUFACTURER'S RATED HOURLY PRODUCTION CAPACITY OF THE EQUIPMENT TO BE INSTALLED IN THE FULL SERVICE CAR WASH IS 150 CARS PER HOUR. ON AVERAGE THE PRODUCTION WILL BE 60 CARS PER HOUR.
11. HOURS FOR CAR WASH WILL BE LIMITED TO 8 AM TO 7 PM IN SUMMER AND 8 AM TO 6 PM IN WINTER.
12. THIS SITE IS SERVICED BY PUBLIC WATER AND SEWER.
13. THE SITE IS NOT LOCATED IN A 100 YEAR FLOODPLAIN (F.E.M.A. PANEL NO. 24001004330).
14. THE SITE IS NOT LOCATED WITHIN A FAULED BASIC WATER, SEWER, OR TRANSPORTATION SERVICE AREA.
15. THE SITE IS LOCATED WITHIN A COMMERCIAL REVITALIZATION DISTRICT AND IS THEREFORE EXEMPT FROM THE PROVISION BCZR 4A02.4. PER BCZR 4A02.4 BASIC SERVICES MAPPING STANDARDS E. GENERAL EXCEPTIONS TO BASIC SERVICE MAPPING STANDARDS, i. TO ANY DEVELOPMENT LOCATED IN A COMMERCIAL REVITALIZATION DISTRICT.
16. THERE ARE NO KNOWN EXISTING WELLS OR SEPTIC FIELDS ON THIS PROPERTY.
17. THERE ARE NO HISTORIC BUILDINGS ON SITE.
18. THIS SITE IS NOT LOCATED IN THE CHESAPEAKE BAY CRITICAL AREA.
19. ANY FIXTURE USED TO ILLUMINATE AN OFF–STREET PARKING AREA SHALL BE ARRANGED AS TO REFLECT THE LIGHT AWAY FROM ADJACENT RESIDENTIAL SITE AND PUBLIC STREETS.
20. SIGNAGE ON THIS SITE SHALL CONFORM WITH THE SIGNAGE REQUIREMENTS OF THE BALTIMORE COUNTY ZONING REGULATIONS SECTION 450, OR A VARIANCE WILL BE REQUESTED. REFER TO SHEET 2 FOR SIGNAGE LAYOUT AND DETAILS.

COMMERCIAL PERMIT HISTORY

1020 YORK ROAD
PERMIT # B310792
CONSTRUCTION OF A CAR RENTAL OFFICE BUILDING.

1020 YORK ROAD
PERMIT # B707107
ERECT CHAIN FENCE WITH HEIGHT OF 8' AND LENGTH OF 120'.

1022 YORK ROAD
PERMIT # B826453 & B826879
CONSTRUCTION OF FREESTANDING D/F ENTERPRISE SIGN 9'x10' AND ONE ILLUMINATED WALL SIGN 3.5'x31.44'.

1022 YORK ROAD
PERMIT # B828817
CONSTRUCTION OF F/S PYLON SIGN 6.17'x12.17'x25'.

1024 YORK ROAD
PERMIT # E956459
UNDERGROUND ELECTRIC DIRECT BURIAL 12/3 TO EX. SIGN.

GENERAL NOTE

THE CORRECTNESS OR COMPLETENESS OF EXISTING INFORMATION SHOWN ON THE DRAWINGS IS NOT WARRANTED OR GUARANTEED. THE CONTRACTOR SHALL VERIFY THE LOCATION OF UTILITIES AND UNDERGROUND FACILITIES, BY TEST PITS OR OTHER METHODS APPROVED BY THE OWNER'S REPRESENTATIVE, AS REQUIRED TO VERIFY EXACT LOCATIONS AND DEPTHS WITHIN THE LIMIT OF DISTURBANCE. ALL DISCREPANCIES BETWEEN INFORMATION SHOWN ON THE DRAWINGS AND THAT VERIFIED IN THE FIELD SHALL BE REPORTED TO THE OWNER'S REPRESENTATIVE PRIOR TO BEGINNING WORK.

ZONING HISTORY

CASE NO. R–1949–1432–XT – PETITION FOR TEMPORARY USE OF THE PROPERTY FOR ADVERTISING STRUCTURE WAS DENIED ON MAY 13, 1949.

CASE NO. R–1994–0321–XA – PETITION FOR TWO SPECIAL EXCEPTIONS FOR USED AUTOMOBILE SALES AT 1018 AND 1024 YORK ROAD. A PETITION FOR ZONING VARIANCE, RELIEF WAS REQUESTED FROM BCZR SECTION 303.2 TO ALLOW A FRONT YARD SETBACK OF 32' IN LIEU OF THE REQUIRED 45'; FROM SECTION 238.4 TO PERMIT STORAGE AND DISPLAY OF VEHICLES AND MATERIALS IN THE FRONT YARD SETBACK AREA IN LIEU OF THE REQUIREMENT THAT THE FRONT YARD AREA TO A DEPTH OF 30' REMAIN VEHICLE FREE; FROM SECTION 238.2 TO PERMIT 0' SIDE YARD SETBACK IN LIEU OF THE REQUIRED 30'; FROM SECTION 238.2 TO PERMIT 0' AND 41' DISTANCE BETWEEN BUILDINGS IN LIEU OF THE REQUIRED 60' AND 19' RESPECTIVELY; AND SECTION 413.2 TO PERMIT A TOTAL SIGN AREA OF 175.98 SQ FT FOR TWO SIGNS IN LIEU OF THE REQUIRED 100 SQ FT. GRANTED ON APRIL 11, 1994, SUBJECT HOWEVER TO THE FOLLOWING RESTRICTIONS WHICH ARE CONDITIONS PRECEDENT TO THE RELIEF GRANTED:

1. THE PETITIONER IS HEREBY MADE AWARE THAT PROCEEDING AT THIS TIME IS AT ITS 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 PETITIONER WOULD BE REQUIRED TO RETURN, AND BE RESPONSIBLE FOR RETURNING, SAID PROPERTY TO ITS ORIGINAL CONDITION.
2. THE PETITIONER SHALL NOT ALLOW THE PLACEMENT OF ANY OTHER OUTDOOR ADVERTISING SIGNS, BANNERS, STREAMERS, BALLOONS, ETC. THAT IS, THE SOLE MEANS OF ADVERTISING WILL BE THE TWO SIGNS REFERENCED HEREIN, APPROPRIATE LETTERING ON THE FACADE OF THE BUILDINGS AND PRICES/SIGNS AS MAY BE WRITTEN ON THE WINDSHIELDS OF THE VEHICLES. ANY OTHER MEANS OF OUTDOOR ADVERTISING, BE THEY TEMPORARY OR PERMANENT, WILL BE EXCLUDED.

PLAN

SCALE: 1" = 20'
20 0 20 40

PARKING TABULATIONS CHART

(PARKING SPACES REQUIRED BY BCZR SECTION 419.3)

USE	PARKING RATE	PARKING SPACES REQUIRED PER SECTION 419.3
FULL–SERVICE CAR WASH	6/TUNNEL	6
FULL–SERVICE CAR WASH (ADDITIONAL SPACES)	4	4
VACUUMS	1/VACUUM	23
TOTAL PARKING REQUIRED		33
TOTAL PARKING PROVIDED		33

LEGEND

- EX. PROPERTY BOUNDARY LINE
- EX. RIGHT–OF–WAY
- EX. ADJACENT PROPERTY LINE
- EX. EASEMENT
- EX. ZONING LINE
- EX. BUILDING
- EX. EDGE OF PAVEMENT
- EX. EDGE OF CONCRETE
- EX. CURB
- EX. 2' CONTOUR
- EX. 10' CONTOUR
- EX. FENCE
- PR. CURB & GUTTER
- PR. BUILDING
- PR. SIDEWALK

PROFESSIONAL CERTIFICATION

I HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME, AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MARYLAND, LICENSE NO. 38291, EXPIRATION DATE: 01/13/2024.

DATUM

DESIGN & DRAWING BASED ON MARYLAND COORDINATE SYSTEM (MCS): HORIZONTAL NAD 83 (2011) VERTICAL NAVD 88

DEVELOPER

TOWSON ~~YORK~~ CAR WASH LLC
c/o CANTON CAR WASH
10051 FRANKLIN SQUARE DRIVE
NOTTINGHAM, MARYLAND 21236
PHONE: (908) 528–0009
ATTN: THOMAS DEBACCO

OWNER

GLEN G. AND WAYNE G. BERGER
1020–1024 YORK ROAD
TOWSON, MARYLAND 21204

MORRIS & RITCHIE ASSOCIATES, INC.
ENGINEERS, PLANNERS, SURVEYORS AND LANDSCAPE ARCHITECTS
1220-B EAST JOPPA ROAD, SUITE 400K
TOWSON, MARYLAND 21286
(410) 821-1690
FAX (410) 821-1748
MRAGTA.COM

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STATE OF MARYLAND · MICHAEL GREGORY CYR · 38291 · PROFESSIONAL ENGINEER

CANTON CAR WASH

1020–1024 YORK ROAD

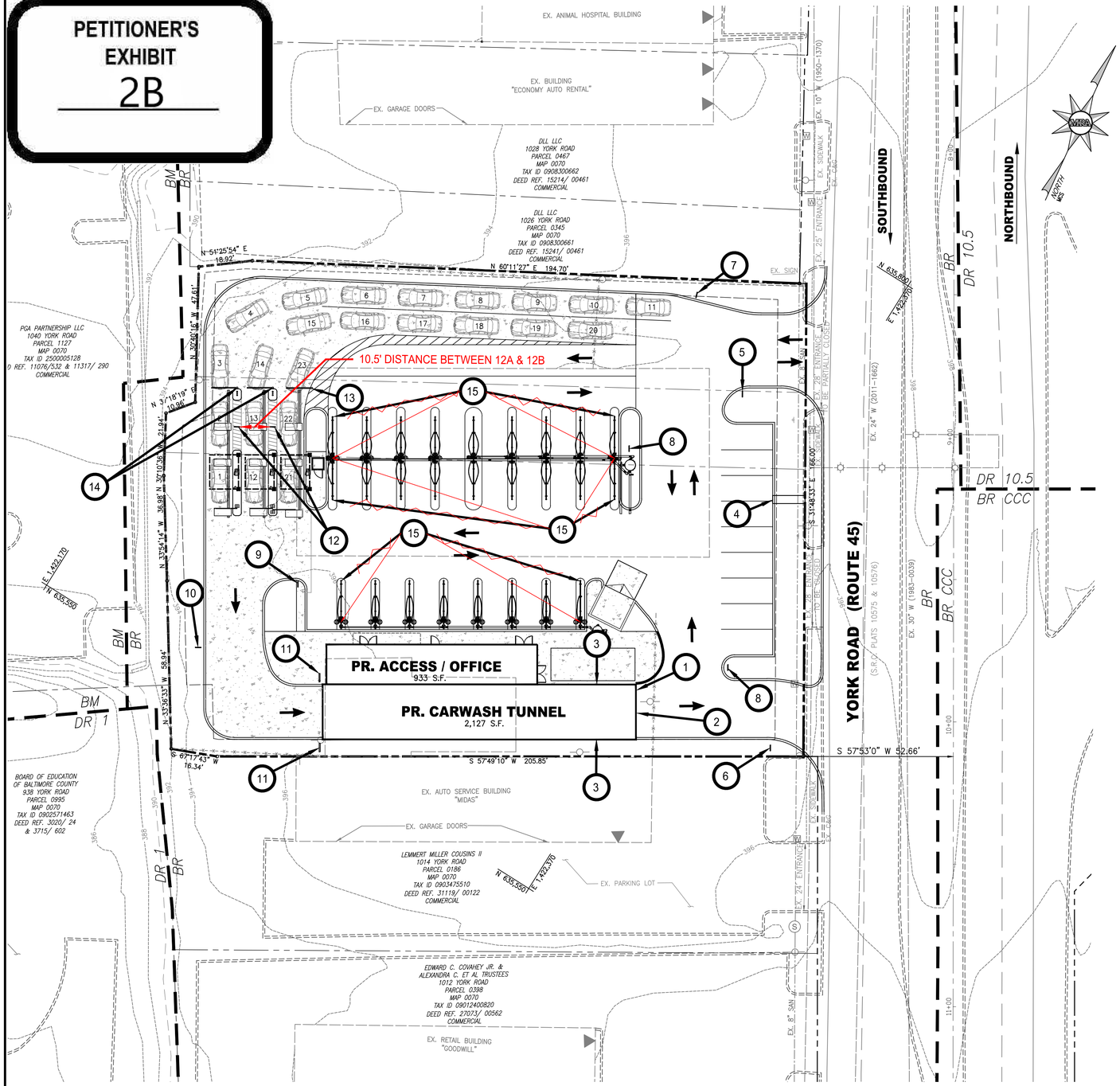
SITE PLAN TO ACCOMPANY
SPECIAL EXCEPTION & VARIANCE PETITION

5TH COUNCILMANIC DISTRICT BALTIMORE COUNTY, MARYLAND 9TH ELECTION DISTRICT

DATE	REVISIONS		
01/03/2023	UPDATED OWNER NAME TO BE TOWSON CAR WASH, LLC	JOB NO.:	21837
		SCALE:	AS SHOWN
		DATE:	12/06/2022
		DRAWN BY:	MAS
		DESIGN BY:	THS
		REVIEW BY:	THS
		SHEET:	01 OF 02

PETITIONER'S EXHIBIT

2B


EX. ANIMAL HOSPITAL BUILDING
EX. BUILDING "ECONOMY AUTO RENTAL"
EX. GARAGE DOORS
DLL LLC 1028 YORK ROAD PARCEL 0467 MAP 0070 TAX ID 0908300662 DEED REF. 15214/ 00461 COMMERCIAL
DLL LLC 1026 YORK ROAD PARCEL 0345 MAP 0070 TAX ID 0908300661 DEED REF. 15241/ 00461 COMMERCIAL
PGA PARTNERSHIP LLC 1040 YORK ROAD PARCEL 1127 MAP 0070 TAX ID 2500005128 DEED REF. 11076/532 & 11317/ 290 COMMERCIAL
10.5' DISTANCE BETWEEN 12A & 12B
PR. ACCESS / OFFICE 933 S.F.
PR. CARWASH TUNNEL 2,127 S.F.
EX. AUTO SERVICE BUILDING "MIDAS"
EX. GARAGE DOORS
EX. PARKING LOT
LEMMERT MILLER COUSINS II 1014 YORK ROAD PARCEL 0186 MAP 0070 TAX ID 0903475510 DEED REF. 31119/ 00122 COMMERCIAL
BOARD OF EDUCATION OF BALTIMORE COUNTY 938 YORK ROAD PARCEL 0995 MAP 0070 TAX ID 0902571463 DEED REF. 3020/ 24 & 3715/ 602
EDWARD C. COVAHEY JR. & ALEXANDRA C. ET AL TRUSTEES 1012 YORK ROAD PARCEL 0398 MAP 0070 TAX ID 0901240820 DEED REF. 27073/ 00562 COMMERCIAL
EX. RETAIL BUILDING "GOODWILL"
SOUTHBOUND
NORTHBOUND
YORK ROAD (ROUTE 45) (S.R.O. PLATS 10575 & 10576)
DR 10.5 BR CCC
N 51°25'54" E 15.02'
N 60°11'27" E 194.70'
S 57°53'0" W 52.66'
S 57°49'10" W 205.85'
S 67°17'43" W 78.34'
N 635,800 E 1,423,370
N 635,550 E 1,423,170
EX. 24" ENTRANCE TO BE PARTIALLY CLOSED
EX. 25' ENTRANCE
EX. 28' ENTRANCE TO BE CLOSED
EX. 24" ENTRANCE TO BE CLOSED
EX. 8" SAN
EX. SIGN
EX. SIGNAL
EX. SIGNAL BOX
EX. SIGNAL POLE
EX. SIGNAL MAST ARM
EX. SIGNAL CONTROLLER
EX. SIGNAL HEAD
EX. SIGNAL PEDESTAL
EX. SIGNAL CONDUIT
EX. SIGNAL HANDHOLE
EX. SIGNAL CABINET
EX. SIGNAL CONTROL CABINET
EX. SIGNAL CONTROL CABINET W/ BATTERY BACKUP
EX. SIGNAL CONTROL CABINET W/ BATTERY BACKUP & GENERATOR
EX. SIGNAL CONTROL CABINET W/ BATTERY BACKUP & GENERATOR & SOLAR PANEL
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PETITIONER'S
EXHIBIT
3 A-F




PETITIONER'S
EXHIBIT
3 B
canton
CAR
WASH
Clearance 7'3"
Clearance 7'3"
canton
CAR
WASH
PLATINUM
GOLD
UNLIMITED WASH
PLATINUM
GOLD
CARNAUBA HOT WAX


PETITIONER'S
EXHIBIT
3C
TIME TO SHINE
PRE-SOAK
TRIPLE FOAM
canton
CAR WASH
PRE-SOAK
TRIPLE FOAM
PLEASE
PULL UP
#KeepitClean


PETITIONER'S
EXHIBIT
3 D


PETITIONER'S
EXHIBIT
3 E
SELF-
SERVE
FREE WITH ANY WASH
CLEAN
TOWELS
DIRTY
TOWELS



PETITIONER'S EXHIBIT
3 F

PETITIONER'S EXHIBIT 4



NORTH

SCALE
3/32"=1-0"

TOWSON CAR WASH
CONCEPT ELEVATIONS
11/09/2022

SCHAMU MACHOWSKI + PATTERSON ARCHITECTS, INC
1100 CATHEDRAL STREET, BALTIMORE, MD 21201
TEL 410-685-3582 WWW.SMP-ARCHITECTS.COM

F. 1982 SM+P ARCHITECTS



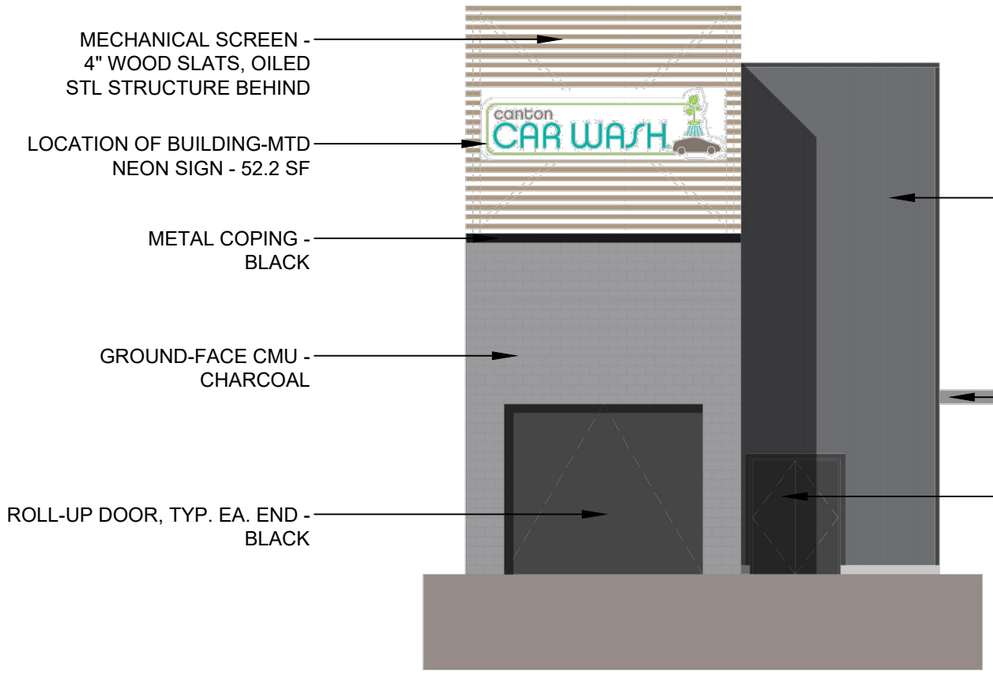
SOUTH

SCALE
3/32"=1-0"

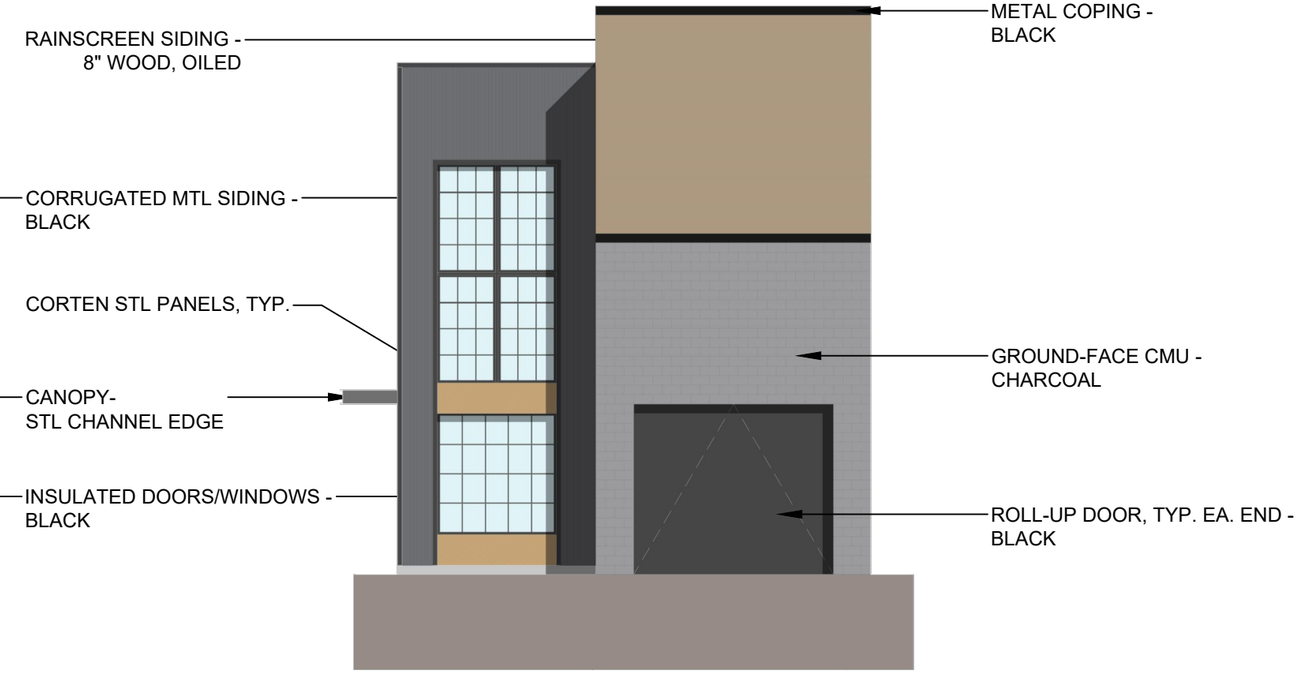
TOWSON CAR WASH
CONCEPT ELEVATIONS
11/09/2022

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TEL 410-685-3582 WWW.SMP-ARCHITECTS.COM

F. 1982
SM+P
ARCHITECTS



EAST



WEST

SCALE
3/32"=1-0"

TOWSON CAR WASH

CONCEPT ELEVATIONS

11/09/2022

SCHAMU MACHOWSKI + PATTERSON ARCHITECTS, INC
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TEL 410-685-3582 WWW.SMP-ARCHITECTS.COM

F. 1982
SM+P
ARCHITECTS

PETITIONER'S EXHIBIT 5

THOMAS H. SHECKELLS
Principal

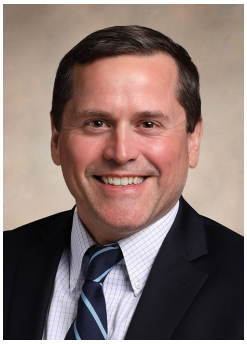
PROJECT ASSIGNMENT:
Civil Engineering & Land Planning Project Manager

YEARS OF EXPERIENCE:
MRA: 20

EDUCATION:
B.S. Geography, Environmental and Urban Planning, Towson University, 2003

QUALIFICATIONS:

2/3/2003 start date



Mr. Sheckells is an Associate with Morris & Ritchie Associates, Inc.'s Towson office. Mr. Sheckells has a comprehensive background in the civil engineering field. He has worked for MRA on a variety of projects located in Anne Arundel County, Baltimore County, Cecil County, Harford County, and Howard County, Maryland; and New Castle, Delaware.

Mr. Sheckells has extensive experience in the design and development of an assortment of site development projects including single-family and townhouse residential communities, multi-tenant neighborhoods, commercial properties, retail centers, hospitality buildings, government projects, fuel service, convenience stores, car washes, restaurants, and telecommunication sites. He has extensive knowledge of the procedures for processing permits and developments through Anne Arundel County, Baltimore County, Howard County, and other jurisdictions.

As an Associate in MRA's Towson office, Mr. Sheckells is responsible for engineering design of development projects, day-to-day preparation of construction documents, and management of client services. He also provides hands on leadership to design teams and coordination with clients, architects, contractors, real estate agents and review agencies to assure quality and timely completion of projects.

Mr. Sheckells has considerable design experience that includes site layout and design, grading, earthwork analysis, storm drain and utility design, hydrology and hydraulic analysis and design, erosion and sediment control design, culvert analysis and design, roadway design and stormwater management design for commercial and industrial lots and residential subdivision projects.

Mr. Sheckells is experienced in developing alternatives analysis to evaluate cost-effective design options and solving design problems with severe site constraints.

Examples of Mr. Sheckells' project experience include:

RESIDENTIAL

The Courts of Hidden Waters - Project Manager and Lead Project Design Engineer for a 24-lot subdivision. This project included design around environmentally sensitive areas to include a stream, wetlands and forest conservation areas. The project included the Baltimore County process from the Development Plan, DPC and through Engineering and Permitting.

Brightview Perry Hall Phases I and II, Baltimore County, Maryland - Project Design Engineer for a multi-phase assisted living facility.

Berkshire Manor, Harford County, Maryland - Project Design Engineer for site layout, storm drain, road network, water and sewer for a 290 residential subdivision that included single family and townhouse lots.

The Reserve at Riverside, Harford County, Maryland - Project Design Engineer for development of an apartment complex that includes 17 multi-story residential buildings and a clubhouse. This project was required to meet HUD specifications, had multiple stream crossings and environmental features (Wetlands, Waters of the US, and forested areas), and included a water booster station.

Cool Springs at Charleston, Cecil County, Maryland - Lead Project Design Engineer for development of 216 single family homes that included site layout, storm drain, roadway, water and sewer, grading, stormwater management, and erosion and sediment control.

Scott Gardens, Cecil County, Maryland - Lead Project Design Engineer for development of 66 single family homes that included site layout, storm drain, roadway, water and sewer, grading, stormwater management, and erosion and sediment control.

STATE HIGHWAY IMPROVEMENTS

Maryland State Highway Road Improvement Projects Along MD Route 7 Corridor, Anne Arundel County, Harford, Baltimore and Cecil County, Maryland - Project Design Engineer for multiple road improvement projects along MD Route 7 corridor located at intersections with Route 136, Route 543 & I-95, Stepney Road, Route 22 & Stepney Road, US Route 40, MD Route 2, and entrance improvements along state routes such as MD 43, Reisterstown Road, and Liberty Road. Improvement projects included road widening, roadway signage, jersey wall and lane assignments, storm drain and culvert design, and involvement in design of offsite areas for development and grading on private property.

COMMERCIAL AND INDUSTRIAL

5217 Campbell Boulevard, Baltimore County, Maryland – Project Manager and Lead Project Design Engineer for a full-service car wash facility for Canton Car Wash. This project was required to be processed through Special Exception with an ALJ Hearing, DRC, and Phase 2 Construction Plans review and approval.

11510 Reisterstown Road, Baltimore County, Maryland - Lead Project Design Engineer for re-development of an existing restaurant to construct a Royal Farms convenience store with fuel service. This project was required to be processed through Special Exception with an ALJ Hearing, DRC, Development Plan and Phase 2 Construction Plans review and approval.

1628-1630 West Joppa Road, Baltimore County, Maryland - Project Manager and Lead Project Design Engineer for engineering design and permitting of a commercial redevelopment site for a Royal Farms convenience store with fuel service. A Special Hearing to permit the redevelopment of a portion of the site in a riverine floodplain was required to be processed.

6430 Baltimore National Pike, Baltimore County, Maryland - Project Manager and Lead Project Design Engineer for engineering design and permitting of a commercial redevelopment site for a Royal Farms convenience store with fuel service. This project was required to be processed through Special Exception with an ALJ Hearing, DRC, Development Plan and Phase 2 Construction Plans review and approval.

9518 Pulaski Highway, Baltimore County, Maryland - Project Manager and Lead Project Design Engineer for engineering design and permitting of a commercial redevelopment site for a Royal Farms convenience store with fuel service. This project was required to be processed through Special Exception with an ALJ Hearing, DRC, Development Plan and Phase 2 Construction Plans review and approval. This project included extensive work along US 40 requiring a SHA Access Permit.

6124 Edmondson Avenue, Baltimore County, Maryland - Project Manager and Lead Project Design Engineer for engineering design and permitting of a commercial redevelopment site for a Royal Farms convenience store with fuel service. This project was required to be processed through Special Exception with an ALJ Hearing, DRC, Development Plan and Phase 2 Construction Plans review and approval. This project was located in a riverine floodplain therefore a Special Hearing application was also filed and processed.

8301 Perry Hall Boulevard, Baltimore County, Maryland - Project Manager and Lead Project Design Engineer for engineering design and permitting of a commercial redevelopment site for a Royal Farms convenience store with fuel service. This project was required to be processed through Special Exception with an ALJ Hearing, DRC, Development Plan and Phase 2 Construction Plans review and approval. This project was located in a riverine floodplain, therefore, a Special Hearing application was also filed and processed.

7501 Pulaski Highway - Project Manager and Lead Project Design Engineer for engineering design and permitting of a commercial redevelopment site for a Wawa convenience store with fuel service. This project was required to be processed through Special Exception with an ALJ Hearing, DRC, Development Plan and Phase 2 Construction Plans review and approval.

9940 York Road, Baltimore County, Maryland - Project Manager for engineering design and permitting of a commercial redevelopment site to remove an existing bank and to construct a Starbucks Restaurant. A parking variance was required to be processed for this project.

6900 York Road, Baltimore County, Maryland - Project Manager for engineering design and permitting of a commercial redevelopment site to remove an existing bank and to construct a Starbucks Restaurant.

Merritt Park Shopping Center, Baltimore County, Maryland - Lead Project Design Engineer for redevelopment of a shopping center in Dundalk. This included development of the existing strip mall, 5 new pad sites, MD Route 157 SHA Improvements, working with another consulting engineering firm to develop a Rite Aid and Chilis pad site, as well as acting as Project Manager for a Texas Roadhouse.

9107-9201 Yellow Brick Road, Baltimore County, Maryland - Project Manager for engineering design and permitting of a warehouse redevelopment site for

North Plaza Shopping Center, Baltimore County, Maryland - Project Manager for Sign Variance Case for the existing shopping center proposed and existing signage.

3 Talbott Avenue, Baltimore County, Maryland - Project Manager and provided testimony for a Sign Variance Case for the existing building and proposed signage for a new tenant and owner.

Church of the Nativity, Baltimore County, Maryland - Project Manager and provided testimony for a Sign Variance Case for the existing Church and proposed signage.

Valvoline Instant Oil Change, Anne Arundel County, Maryland - Project Manager for engineering design and permitting of a commercial redevelopment site to remove an existing bank and to construct an automobile service shop.

7305 Ritchie Highway, Anne Arundel County, Maryland - Project Manager for engineering design and permitting for redevelopment of the Glen Burnie Shopping Center for a new Bubba's Restaurant (7,800 SF).

517 Ritchie Highway, Anne Arundel County, Maryland - Project Manager and Lead Project Design Engineer for engineering and permitting of a commercial redevelopment site for a Royal Farms Store. This included a special exception and variance for the use in combination of a convenience store and fuel service station.

Magothy Gateway Shopping Center, Anne Arundel County, Maryland - Project Manager and Lead Design Engineer for engineering and permitting of a commercial redevelopment site that included a Harris Teeter, CVS, Sun Trust Bank and 117,000 SF of retail space. The site included the 3-step process as well processing a SHA Access Permit and Road Widening along MD Route 2, forest conservation and a downstream stormwater runoff analysis.

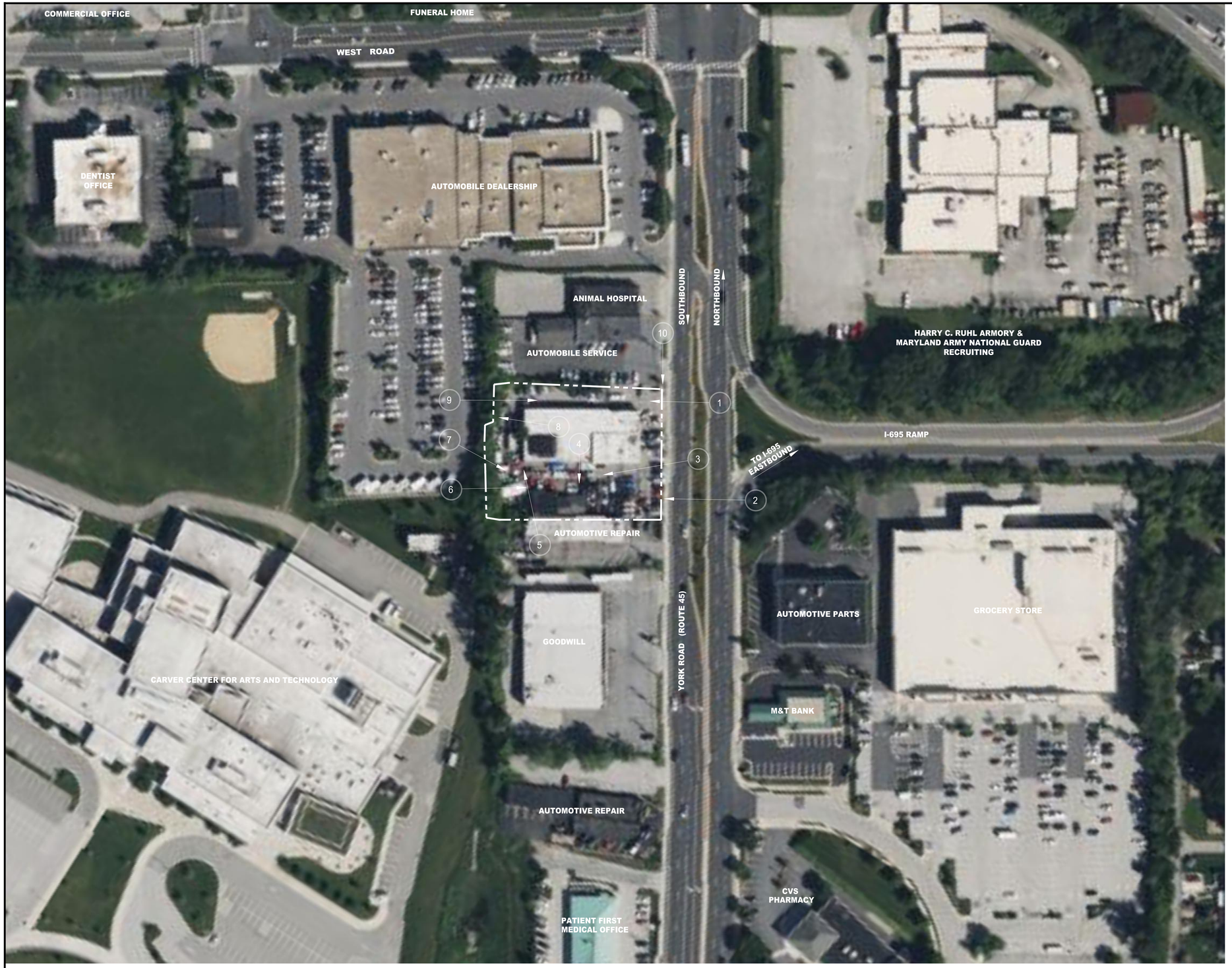
Popeyes Restaurant at Columbia, Howard County, Maryland - Project Manager and Lead Design Engineer for engineering and permitting of a commercial redevelopment site that included a Popeyes Restaurant within an existing shopping center.

8106 Stayton Drive, Howard County, Maryland - Project Manager and Lead Project Design Engineer for engineering and permitting of a commercial redevelopment site that includes a warehouse expansion of 40,000 SF.

7080 and 7084 Minstrel Way, Howard County, Maryland - Project Manager and Lead Project Design Engineer for re-development of a site to include multiple users Canton Car Wash and Royal Farms. This project was required to be processed through the Howard County Planning Board as well as the Howard County development and permit process.

7090 Deepage Drive, Howard County, Maryland - Project Manager and Lead Project Design Engineer for re-development of a shopping center to propose a Starbucks drive through. This project was required to be processed through the Howard County Planning Board as well as the Howard County development and permit process.

Northrop Grumman Corporation, Multiple Locations, Maryland - Project Manager and Lead Project Design Engineer for industrial redevelopment projects within multiple jurisdictions in the state of Maryland.

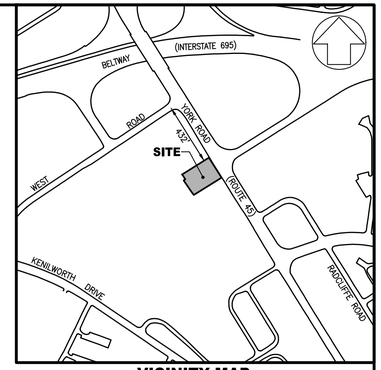


PLAN

SCALE: 1" = 60'

60 0 60 120





VICINITY MAP

SCALE : 1" = 500'

BENCHMARKS

BCO 1151 — N 635729.49, E 1421415.68
ELEV. 402.11
SPIKE IN SIDEWALK NORTH OF WEST RD.

BCO 972 — N 633768.61, E 1423193.18
ELEV. 413.79
CAPPED BAR IN ISLAND SOUTH OF BOSLEY AVE.

PETITIONER'S EXHIBIT 6

GENERAL NOTE

THE CORRECTNESS OR COMPLETENESS OF EXISTING INFORMATION SHOWN ON THE DRAWINGS IS NOT WARRANTED OR GUARANTEED. THE CONTRACTOR SHALL VERIFY THE LOCATION OF UTILITIES AND UNDERGROUND FACILITIES, BY TEST PITS OR OTHER METHODS APPROVED BY THE OWNER'S REPRESENTATIVE, AS REQUIRED TO VERIFY EXACT LOCATIONS AND DEPTHS WITHIN THE LIMIT OF DISTURBANCE. ALL DISCREPANCIES BETWEEN INFORMATION SHOWN ON THE DRAWINGS AND THAT VERIFIED IN THE FIELD SHALL BE REPORTED TO THE OWNER'S REPRESENTATIVE PRIOR TO BEGINNING WORK.

DATUM

DESIGN & DRAWING BASED ON MARYLAND COORDINATE SYSTEM (MCS):
HORIZONTAL NAD 83 (2011)
VERTICAL NAVD 88

DEVELOPER

TOWSON CAR WASH LLC
c/o CANTON CAR WASH
10051 FRANKLIN SQUARE DRIVE
NOTTINGHAM, MARYLAND 21236
PHONE: (908) 528-0009
ATTN: THOMAS DEBACCO

OWNER

GLEN G. AND WAYNE G. BERGER
1020-1024 YORK ROAD
TOWSON, MARYLAND 21204

MORRIS & RITCHIE ASSOCIATES, INC.
ENGINEERS, PLANNERS, SURVEYORS AND LANDSCAPE ARCHITECTS
1220-B EAST JOPPA ROAD, SUITE 400K
TOWSON, MARYLAND 21286
(410) 821-1690
FAX (410) 821-1748
MRAGTA.COM
Copyright 2023 Morris & Ritchie Associates, Inc.

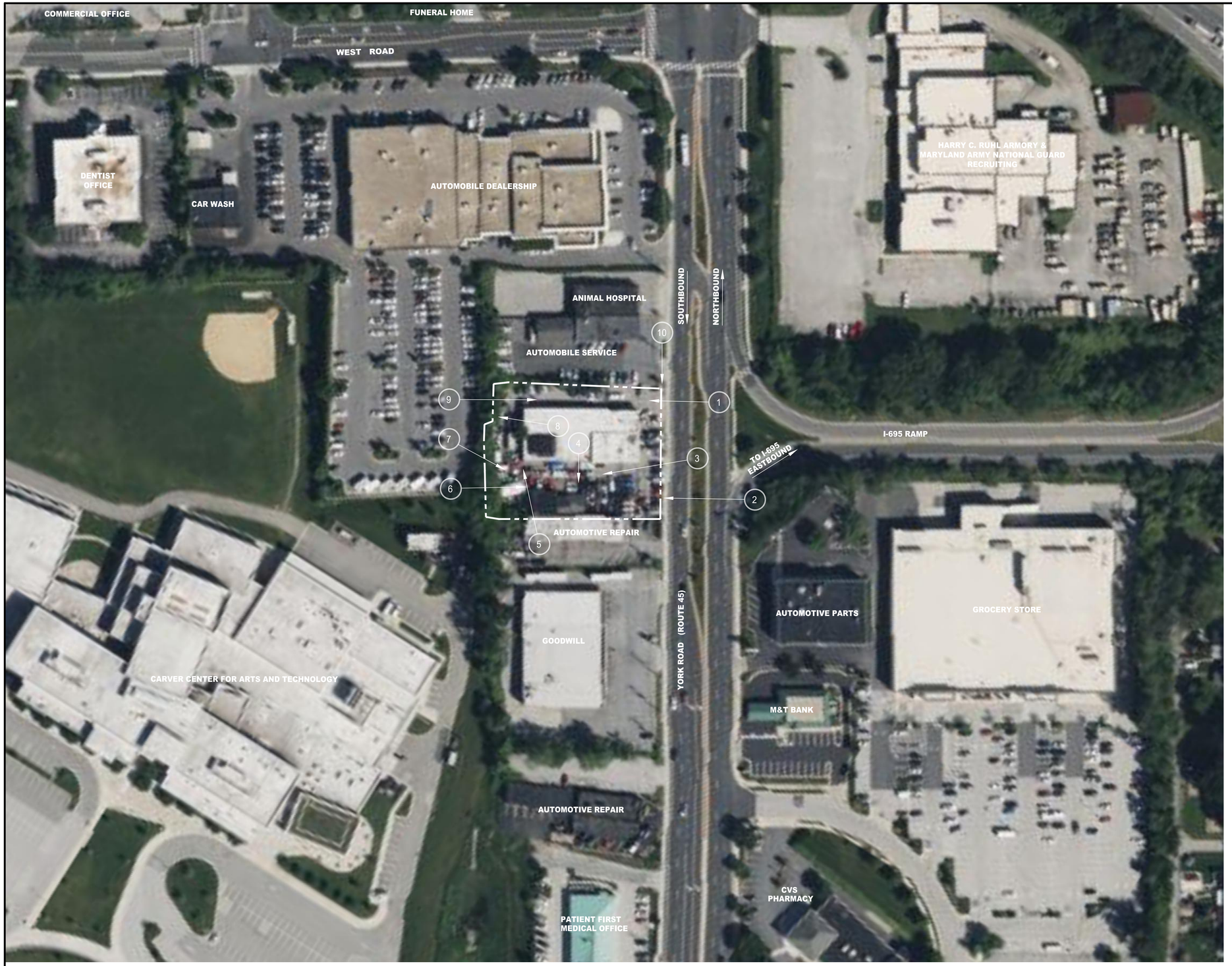
CANTON CAR WASH

1020–1024 YORK ROAD

AERIAL EXHIBIT

5TH COUNCILMANIC DISTRICT BALTIMORE COUNTY, MARYLAND 9TH ELECTION DISTRICT

DATE	REVISIONS		
		JOB NO.:	21837
		SCALE:	AS SHOWN
		DATE:	1/12/2023
		DRAWN BY:	MAS
		DESIGN BY:	THS
		REVIEW BY:	THS
		SHEET:	01 OF 01



PLAN

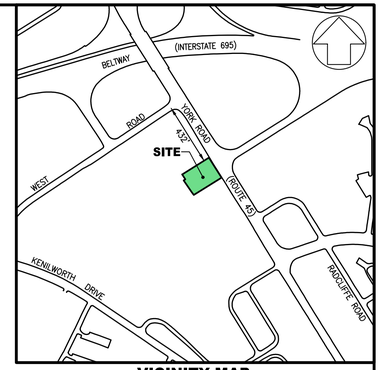
SCALE: 1" = 60'

60 0 60 120

GENERAL NOTE

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VICINITY MAP

SCALE : 1" = 500'

BENCHMARKS

BCO 1151 N 635729.49
ELEV. 402.11 E 1421415.68
SPIKE IN SIDEWALK NORTH OF WEST RD.

BCO 972 N 633768.61
ELEV. 413.79 E 1423193.18
CAPPED BAR IN ISLAND SOUTH OF BOSLEY AVE.

PETITIONER'S EXHIBIT

7

DATUM

DESIGN & DRAWING BASED ON MARYLAND COORDINATE SYSTEM (MCS):
HORIZONTAL NAD 83 (2011)
VERTICAL NAVD 88

DEVELOPER

TOWSON CAR WASH LLC
c/o CANTON CAR WASH
10051 FRANKLIN SQUARE DRIVE
NOTTINGHAM, MARYLAND 21236
PHONE: (908) 528-0009
ATTN: THOMAS DEBACCO

OWNER

GLEN G. AND WAYNE G. BERGER
1020-1024 YORK ROAD
TOWSON, MARYLAND 21204

MORRIS & RITCHIE ASSOCIATES, INC.
ENGINEERS, PLANNERS, SURVEYORS AND LANDSCAPE ARCHITECTS
1220-B EAST JOPPA ROAD, SUITE 400K
TOWSON, MARYLAND 21286
(410) 821-1690
FAX (410) 821-1748
MRAGTA.COM
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CANTON CAR WASH
1020-1024 YORK ROAD

AERIAL EXHIBIT

5TH COUNCILMANIC DISTRICT BALTIMORE COUNTY, MARYLAND 9TH ELECTION DISTRICT

DATE	REVISIONS		
		JOB NO.:	21837
		SCALE:	AS SHOWN
		DATE:	1/12/2023
		DRAWN BY:	MAS
		DESIGN BY:	THS
		REVIEW BY:	THS
		SHEET:	01 OF 01

Photo 1



Photo 2



Photo 3



Photo 4



Photo 5



Photo 6



Photo 7



Photo 8 (2 views)





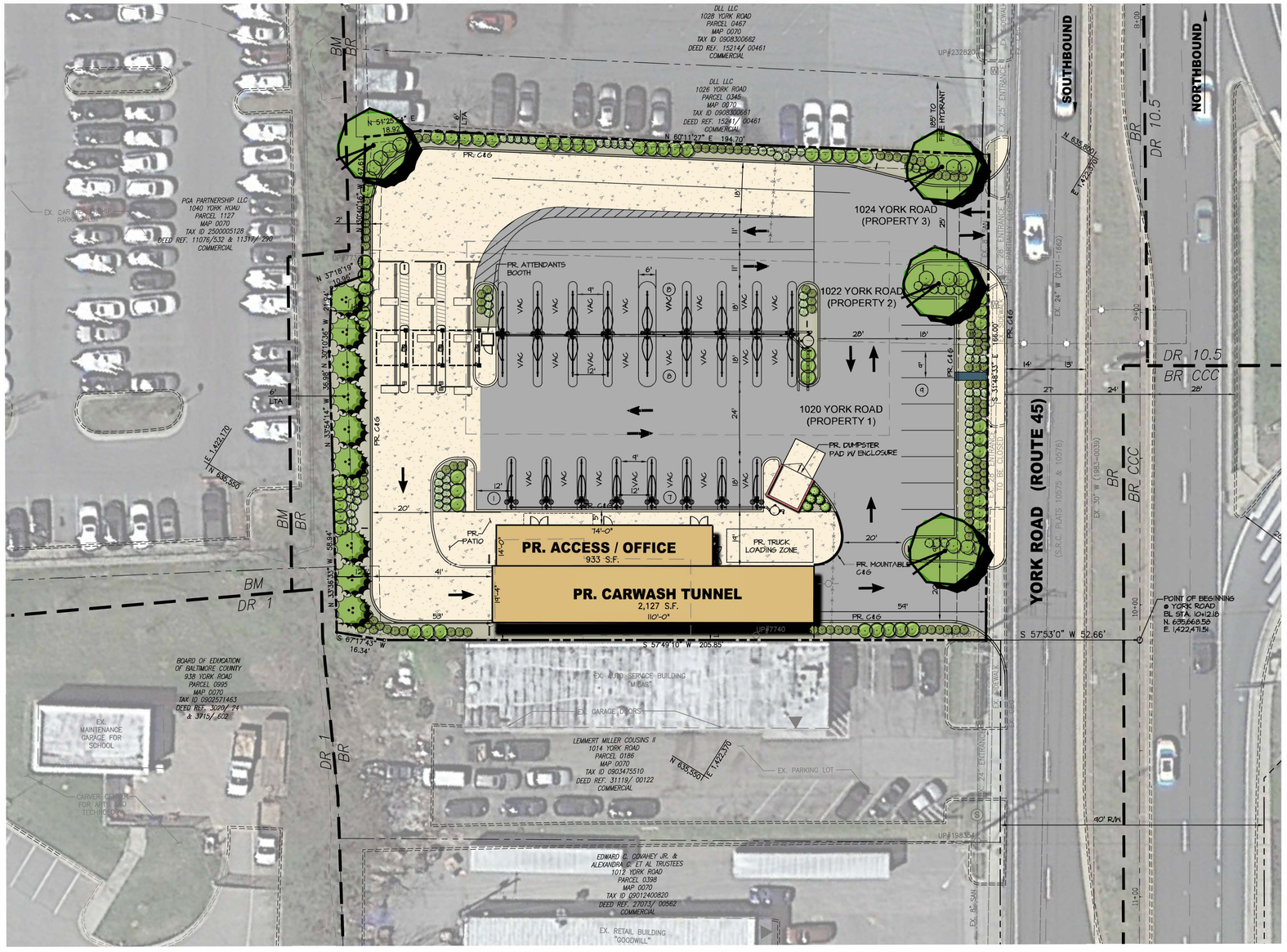
Photo 9



Photo 10


STAR
AUTO SERVICE
CARS
410-296-2800
towson
Economy Auto Rental
TAS
THE AUTO
SERVICE
410-938-8438
DOMESTIC . IMPORTS . EUROPEAN
Continental
GENERAL TIRE

PETITIONER'S
EXHIBIT
8



PLAN
SCALE: 1" = 20'
20 0 20 40

MORRIS & RITCHIE ASSOCIATES, INC.
ENGINEERS, ARCHITECTS, PLANNERS, SURVEYORS,
AND LANDSCAPE ARCHITECTS

0 10 20 40 60

CANTON CAR WASH
RENDERING
(SCALE 1" = 20')

PETITIONER'S EXHIBIT 9

J. Mark Keeley, PTP

Project Manager/ Traffic Impact Studies

PROJECT ROLE
Lead Transportation Planner

Summary of Professional Skills:

Skills:

Traffic Operations Analysis
Traffic Impact Studies
Intersection Analysis
Transportation Planning Studies
Transportation Management Studies
Speed & Sight Distance Studies
Intersection Delay Studies
Parking Studies
Trip Generation Analyses

Computer software Packages: Microsoft software packages, TP +, MINUTP, Highway Capacity Software (HCS), SIDRA, Critical Lane Volume Analysis



Education
M.A. Geography/Planning
Towson University, 1993

B.A Salisbury University, 1987

Professional Registrations
Professional Transportation Planner (PTP) 2008 – Current

AICP, 2006 to 2010

YEARS EMPLOYED AS TANSPORTATION PLANNER
29

Professional Experience:

Traffic Concepts, Inc
7525 Connelley Drive, Suite B Hanover, Maryland 21076
Contact Number: 410-760-2911
Project Manager/Transportation Planner, July 2005 – Present

- Project Manager for Traffic Impact Studies Division;
- Develop price proposals and budgets for Traffic Impact Studies;
- Provide expert testimony at public hearings;
- Develop Master Planning Studies, Traffic Impact Studies, and Parking Studies for private and public sector clients;
- Address technical comments received from reviewing agencies and provide traffic mitigation strategies and solutions for clients;
- Represent clients at project Scoping Meetings, Planning Commission Meetings, Board of Appeals Hearings, and Community Meetings.

QUEEN ANNE'S COUNTY DEPARTMENT OF PUBLIC WORKS / DEPARTMENT OF PLANNING & ZONING
110 Vincit St #104, Centreville, MD 21617
Transportation/Land Use Planner IV, September 2002 – July 2005

- Managed the County Adequate Public Facilities Ordinance (Roads);
- Provided staff support to the Planning Commission and County Council;
- Review Traffic Impact Studies & recommended APFO mitigation measure requirements;
- Reviewed major and minor subdivision/site plans for compliance with the County's Zoning Ordinance and the Comprehensive Plan;
- Generated technical subdivision/site plan comments and present findings at County Council and Planning Commission Meetings;
- Initiated and directed general and specialized land use studies, which included vacant land inventories, site impact analysis, and transportation corridor studies;
- Appointed liaison to Federal and State Agencies for Maryland's Smart Growth initiatives and the Federal Clean Air Act Amendment (Air Quality Conformity).

J. Mark Keeley, PTP

Project Manager/ Traffic Impact Studies

PROJECT ROLE
Lead Transportation Planner

HARFORD COUNTY DEPARTMENT OF PLANNING AND ZONING
220 South Main Street Bel Air, Maryland 21014
Administrator, Office of Transportation, July 1999 – September 2002

- Developed the 2000 Transportation Plan, An Element of the Harford County Master Plan;
- Reviewed Traffic Impact Studies and recommended traffic mitigation measures;
- Initiated and directed planning studies relating to land use and transportation planning, which included computer modeling, transit planning, and traffic impact analysis;
- Managed the County Traffic Count Program;
- Managed the County Rideshare Program;
- Developed the Unified Planning Work Program;
- Developed the Transportation Improvement Program (TIP);
- Baltimore Metropolitan Council's Transportation Technical Committee Member;
- Baltimore Metropolitan Council's Bicycle and Pedestrian Advisory Group Member;
- Baltimore Metropolitan Council's Travel Analysis Advisory Group Member.

HARFORD COUNTY DEPARTMENT OF PLANNING AND ZONING
220 South Main Street Bel Air, Maryland 21014
Transportation Planner I & II, September 1993 – July 1999

- Planner assigned to the Edgewood Community Planning Council;
- Conducted transit-planning studies and rider-ship surveys for Harford Transit;
- Coordinated with the Harford Transit to develop new rural transit routes;
- Organized a Bicycle and Pedestrian Task Force to select bicycle routes;
- Managed the Commuter Assistance Grant for MTA;
- Developed a Regional Employees Commuter Option (ECO) Program for both the public sector and private sector businesses as mandated by the MDE;
- Prepared and reviewed Traffic Impact Studies for the County;
- Managed the Regional Travel Demand Model;
- Performed intersection analysis and recommended traffic mitigation measures.

Master Plan Writings:

- Co-author: 2000 Transportation Plan, Element of the Harford County Master Plan

Expert Witness Experience:

Baltimore County, MD
Carroll County, MD
Harford County, MD
Queen Anne's County, MD
Montgomery County, MD
City of Easton, MD
City of Elkton, MD
City of Salisbury, MD
Town of Centreville, MD
City of Frederick, MD
Howard County, MD
Town of Bel Air, MD
Town of Denton, MD
Westminster, MD

EDUCATION:

TOWSON UNIVERSITY
M.A. Degree - Geography and Planning, 1993

SALISBURY UNIVERSITY
B.A. Degree - Political Science, 1987

MT. ST. JOSEPH HIGH SCHOOL 4403 Frederick Ave., Baltimore, MD 21229
Graduated 1983

TRAFFIC CONCEPTS, INC.

Traffic Impact Studies • Feasibility • Traffic Signal Design • Traffic Counts •Expert Testimony

PETITIONER'S EXHIBIT 10

January 12, 2023

Office of Administration Hearings
Jefferson Building
105 West Chesapeake Avenue, Suite 103
Towson, Maryland 21204

RE: Traffic Impact Study - Exemption Letter
Canton Car Wash - 1020 York Road
Baltimore County, MD
T/C 3954

Dear Sir or Madam:

We are pleased to submit the following peak hour trip generation letter and traffic brief for the proposed Canton Car Wash located at 1020 York Road. This site according to the 2022 Basic Services Map is located within the Commercial Revitalization District. We note that general exceptions to basic services mapping standards apply to any development located in this designated district.

Existing Use
Currently, the site contains a commercial car care business that operates from two buildings. The car care services associated with the current use include mechanical auto repair, auto painting, and a small auto sales component. The total gross floor area of the two buildings is 11,800 sf. The existing site access includes two (2) right-in/right-out movements directly onto MD 45 (York Road).

Proposed Use
The proposed use is the Canton Car Wash with one automated wash tunnel and an area for outdoor wash/cleaning services. The site plan for the proposed car wash shows an improve site access configuration that would eliminate the existing two (2) right-in/right-out access points and would create one (1) right-in/right-out access (north) and one (1) right-out only access (south). Therefore, the site is planned with one inbound movement that creates a directional traffic flow that improves the on-site circulation.

Trip Generation Calculation

The *Institute of Transportation Engineers, Trip Generation Manual 11th Edition* (ITE) was used to determine the peak hour trips generated by the existing and the proposed use.

The ITE description for an automated car wash is as follows: *"An automated car wash is a facility that allows for the mechanical cleaning of the exterior of vehicles. Manual cleaning services may also be available at these facilities."* The proposed automated car was facility meets this definition, as manual cleaning stations are proposed in addition to the automated car wash tunnel.

EXISTING USE - Automobile Care Center (ITE LUC 942)
Independent Variable: 1000 Sq. Ft. GFA (11.800 ksf car care center)
(Total gross floor area of two buildings)

Time Period: Weekday Peak Hour of Adjacent Street Traffic- One Hour Between 7 and 9 a.m.
Average Rate: 2.25
Fitted Curve Equation: Not Given
Calculated Trip Ends: Average Rate: 27 (Total), 18 (Entry), 9 (Exit)

Time Period: Weekday Peak Hour of Adjacent Street Traffic- One Hour Between 4 and 6 p.m.
Average Rate:3.11
Fitted Curve Equation: T = 2.41(X) + 11.83
Calculated Trip Ends: Fitted Curve: 40 (Total), 19 (Entry), 21 (Exit)

PROPOSED USE Automated Car Wash (ITE LUC 948)
Independent Variable: 1000 Sq. Ft. GFA (3.059 ksf car wash)

Time Period: Weekday Peak Hour of Adjacent Street Traffic- One Hour Between 4 and 6 p.m.
Average Rate: 14.20
Fitted Curve Equation: Not Given
Calculated Trip Ends: Average Rate: 30 (Total), 15 (Entry), 15 (Exit)

Time Period: Saturday Peak Hour of Generator
Average Rate: 30.40
Fitted Curve Equation: Not Given
Calculated Trip Ends: Average Rate: 65 (Total), 32 (Entry), 33 (Exit)

Trip Generation Summary			
	AM	PM	Sat
Automobile Care Center (942) / 11,800 sf Car Care Center[1]	27	40	40
Automated Car Wash (948) / 3,059 sf Car Wash[2]	30	30	65
Difference	+ 3	-10	+ 25

Source: ITE, Trip Generation Manual 11th Edition

[1] Land Use 942 Automobile Care Center does not have a Saturday peak hour rate. Therefore, the PM peak hour rates were used to generate the Saturday peak hour trips.

[2] Land Use 948 Automated Car Wash does not have AM peak hour rates. Therefore, the PM peak hour rates were used to generate the AM peak hour trips.

Canton Car Wash Planned Operations

The Canton Car Wash owners operate several car wash facilities in the Baltimore Metropolitan Area that include: Ponca Street, Baltimore; Franklin Square Drive, Nottingham, MD; Minstrel Way, Columbia, MD; and Emmorton Road, Abingdon, MD. A 5th car wash to be located in Glen Burnie is imminent.

All Canton Car Wash facilities operate seven days of the week from 8 AM to 6 PM. According to the Canton Car Wash ownership team, the weekday peak hours for their sites are 11 AM to 3 PM. Therefore, the weekday peak hour of the car wash does not directly correspond to the peak hour of the adjacent street traffic (commuting hours), which according to the ITE, Trip Generation Manual are 7 AM to 9 AM and 4 PM to 6 PM.

The canton Car Wash owners have stated, the number of cars served on a Saturday is consistent throughout the day with the slow periods being 8:00 AM and 5:00 PM. The ITE trip generation rates for a Saturday, determined 65 trips are generated by a single automated car wash tunnel, during the peak hour.

The planned automated car wash tunnel coupled with multiple drive through lanes and multiple pay stations would allow the car wash facility to meet the peak hour demand and to maintain efficient on-site traffic flows. According to the Canton Car Wash owners, the main cause of excessive on-site car wash stacking is due to vehicle delays at pay stations, the speed in which vehicles travel through the wash tunnel, and one single file lane approaching the wash tunnel.

<u>Canton Car Wash - 1020 York Road: On-site Stacking Mitigation Measures</u>

In order to address on-site stacking, the planned Canton Car Wash site will have three (3) approach lanes and three (3) pay stations (one station per lane) to handle vehicle queuing. Additionally, the car wash tunnel technology proposed at the subject site includes a flat belt conveyor with variable speed settings that can serve on average 120 cars per hour. Based on demand, the conveyor speed can be increased or decreased.

The available on-site stacking at the subject site is approximately twenty-three (23) vehicles. This amount of on-site stacking is achieved with three lanes approaching the car wash tunnel. The speed at which each customer is served is increased with a pay station installed at each lane. Generally, the two outside lanes, as shown on the site plan are reserved for members and the inside lane next to the car wash attendant post is planned for non-members. However, all lanes can be used by customers regardless of their membership status. With this access configuration approaching the wash tunnel, the proposed car wash could serve the stated 65 peak hour trips, as determined by the ITE Saturday peak hour trip rate.

CONCLUSIONS

The planned site is located within the Commercial Revitalization District and is exempt from the Baltimore County Basic Services standards.

As stated with the ITE peak hour trip generation comparison, included with this letter, the peak hour trips generated by the proposed car wash when compared to the existing automobile use generates few new peak hour trips.

The site as designed, can store at any one time 23 vehicles on-site within the tunnel approach lanes without blocking the internal drive isles or spilling onto the adjacent public roadway. Also, and an important point to note, is the 90 additional feet from the pay stations to the tunnel entrance that allows stacking space for 4 to 5 additional vehicles.

Based on ITE peak hour trip generation studies, a single car wash tunnel would generate most peak hour trips on a Saturday, which are 65 peak hour trips. The proposed car wash tunnel can serve an average of 120 cars per hour.

With the ITE peak hour trip generation information, the on-site vehicle stacking of 23 vehicles, and the car wash processing speed, we expect no vehicle blocking along public streets or undue traffic delays at the proposed site access to York Road.

If you have any questions or require additional information, please feel free to contact me at your convenience.

Sincerely,

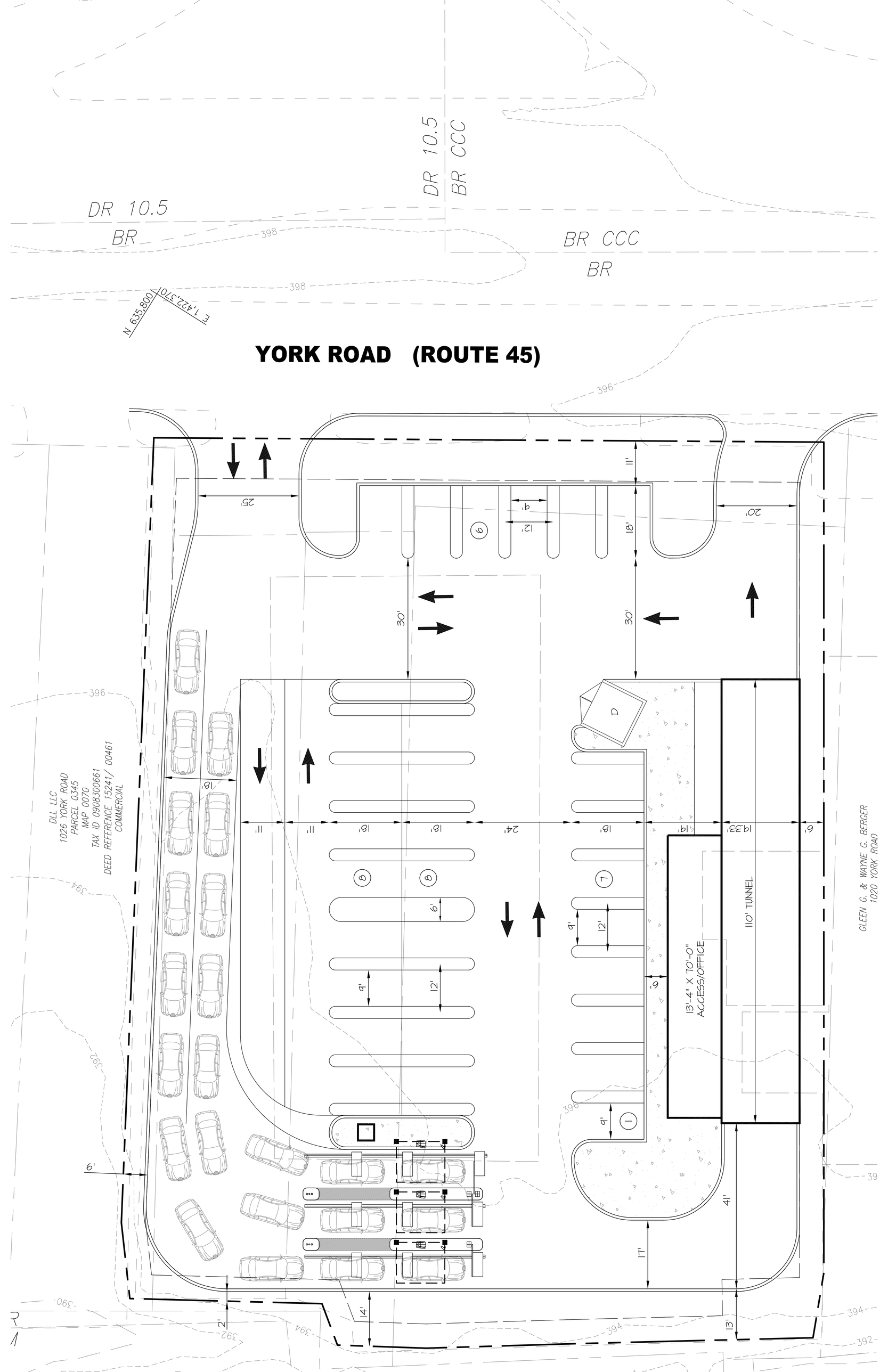
TRAFFIC CONCEPTS, INC.

J. Mark Keeley

Mark Keeley, PTP
MKeeley@traffic-concepts.com

cc: Mr. Thomas DeBacco, President, Canton Car Wash

Attachments: Site Plan
ITE Trip Generation Data


DR 10.5
BR CCC
DR 10.5
BR
BR CCC
BR
398
398
N 635,800
E 1,422,370
YORK ROAD (ROUTE 45)
396
DLL LLC
1026 YORK ROAD
PARCEL 0345
MAP 0070
TAX ID 0908300661
DEED REFERENCE 15241/ 00461
COMMERCIAL
GLEEN G. & WAYNE G. BERGER
1020 YORK ROAD
25'
11'
20'
18'
12'
9'
30'
30'
D
18'
11'
18'
18'
24'
18'
18'
14.33'
6'
8
8
7
1
9'
12'
9'
12'
6'
13'-4" X 10'-0"
ACCESS/OFFICE
110' TUNNEL
6'
41'
17'
2'
14'
13'
394
392
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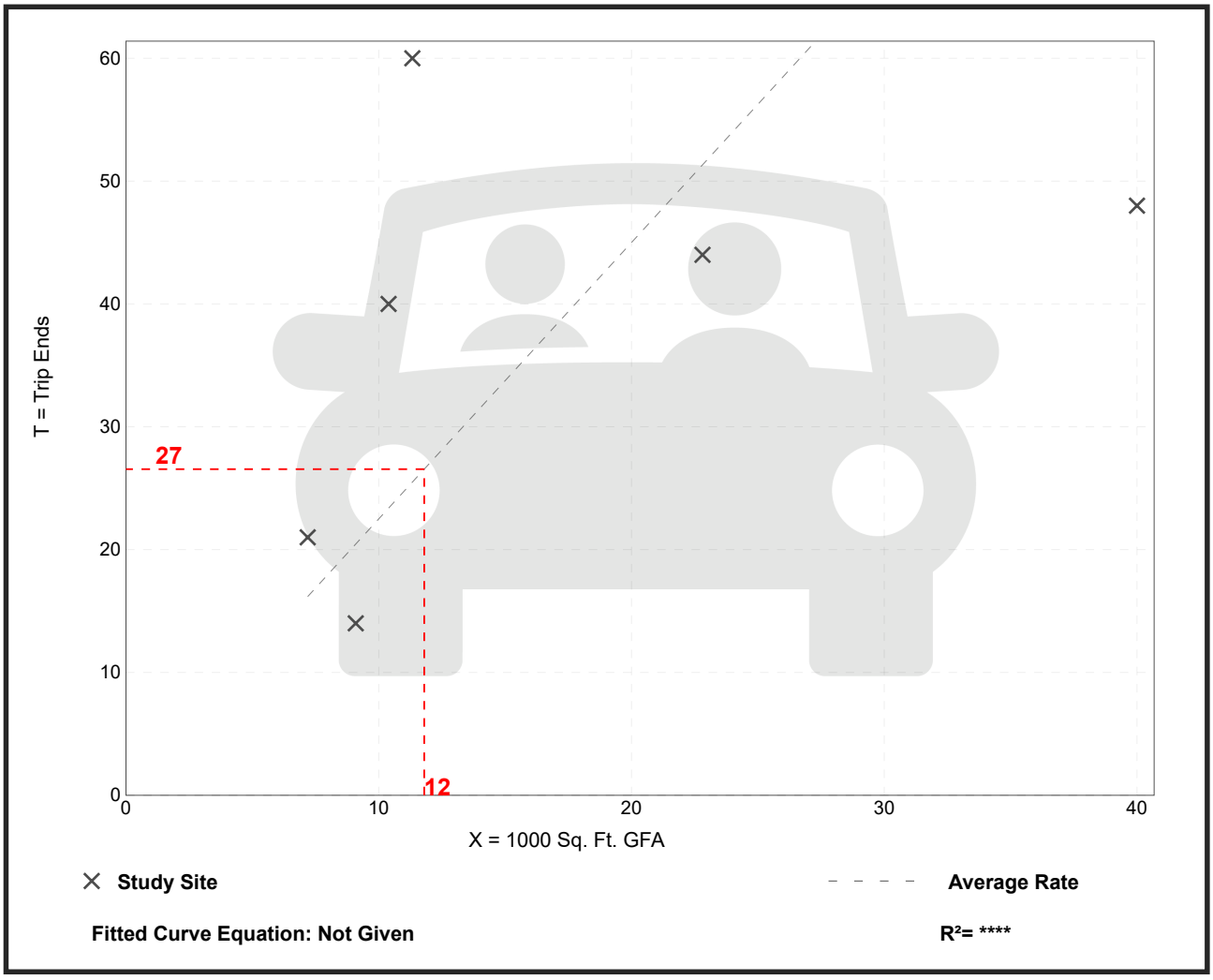
Automobile Care Center
(942)

Vehicle Trip Ends vs: **1000 Sq. Ft. GFA**
On a: **Weekday,**
Peak Hour of Adjacent Street Traffic,
One Hour Between 7 and 9 a.m.
Setting/Location: **General Urban/Suburban**
Number of Studies: 6
Avg. 1000 Sq. Ft. GFA: 17
Directional Distribution: 66% entering, 34% exiting

Vehicle Trip Generation per 1000 Sq. Ft. GFA

Average Rate	Range of Rates	Standard Deviation
2.25	1.20 - 5.30	1.49

Data Plot and Equation



Trip Gen Manual, 11.1 Ed ● Institute of Transportation Engineers

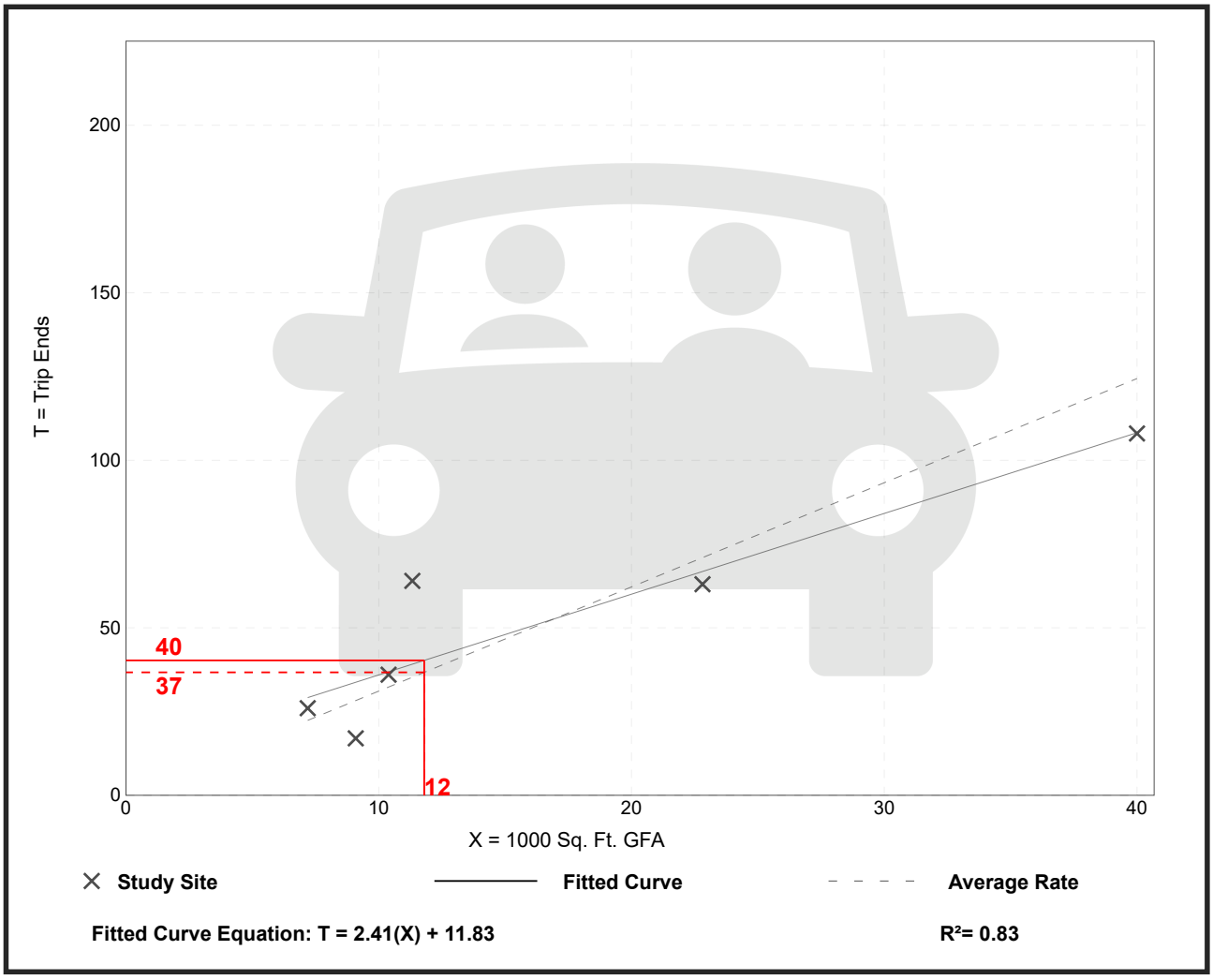
Automobile Care Center
(942)

Vehicle Trip Ends vs: **1000 Sq. Ft. GFA**
On a: **Weekday,**
Peak Hour of Adjacent Street Traffic,
One Hour Between 4 and 6 p.m.
Setting/Location: **General Urban/Suburban**
Number of Studies: 6
Avg. 1000 Sq. Ft. GFA: 17
Directional Distribution: 48% entering, 52% exiting

Vehicle Trip Generation per 1000 Sq. Ft. GFA

Average Rate	Range of Rates	Standard Deviation
3.11	1.87 - 5.65	1.09

Data Plot and Equation



Trip Gen Manual, 11.1 Ed ● Institute of Transportation Engineers

Automated Car Wash
(948)

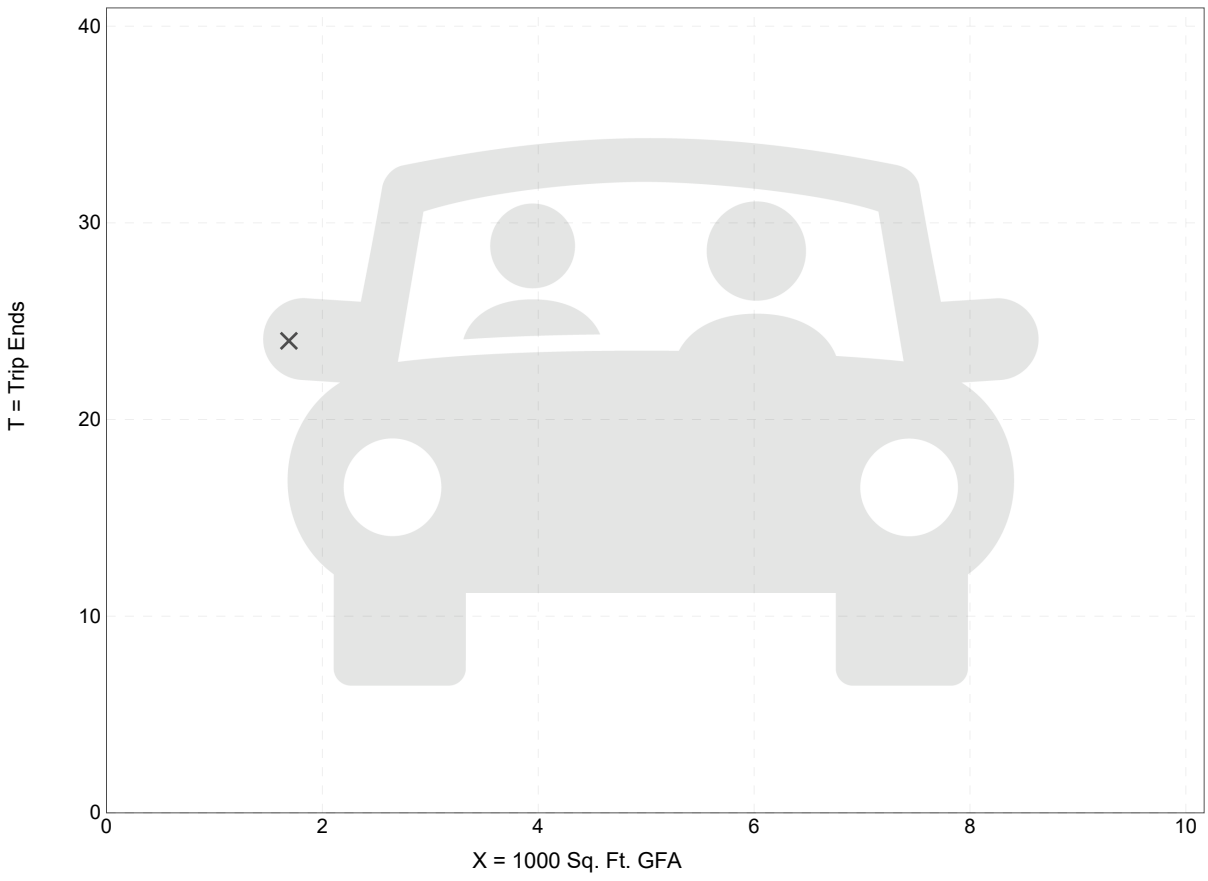
Vehicle Trip Ends vs: **1000 Sq. Ft. GFA**
On a: **Weekday,**
Peak Hour of Adjacent Street Traffic,
One Hour Between 4 and 6 p.m.
Setting/Location: **General Urban/Suburban**
Number of Studies: 1
Avg. 1000 Sq. Ft. GFA: 2
Directional Distribution: 50% entering, 50% exiting

Vehicle Trip Generation per 1000 Sq. Ft. GFA

Average Rate	Range of Rates	Standard Deviation
14.20	14.20 - 14.20	*

Data Plot and Equation

Caution – Small Sample Size



Fitted Curve Equation: Not Given

R^2= **

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Automated Car Wash
(948)

Vehicle Trip Ends vs: **1000 Sq. Ft. GFA**
On a: **Saturday, Peak Hour of Generator**

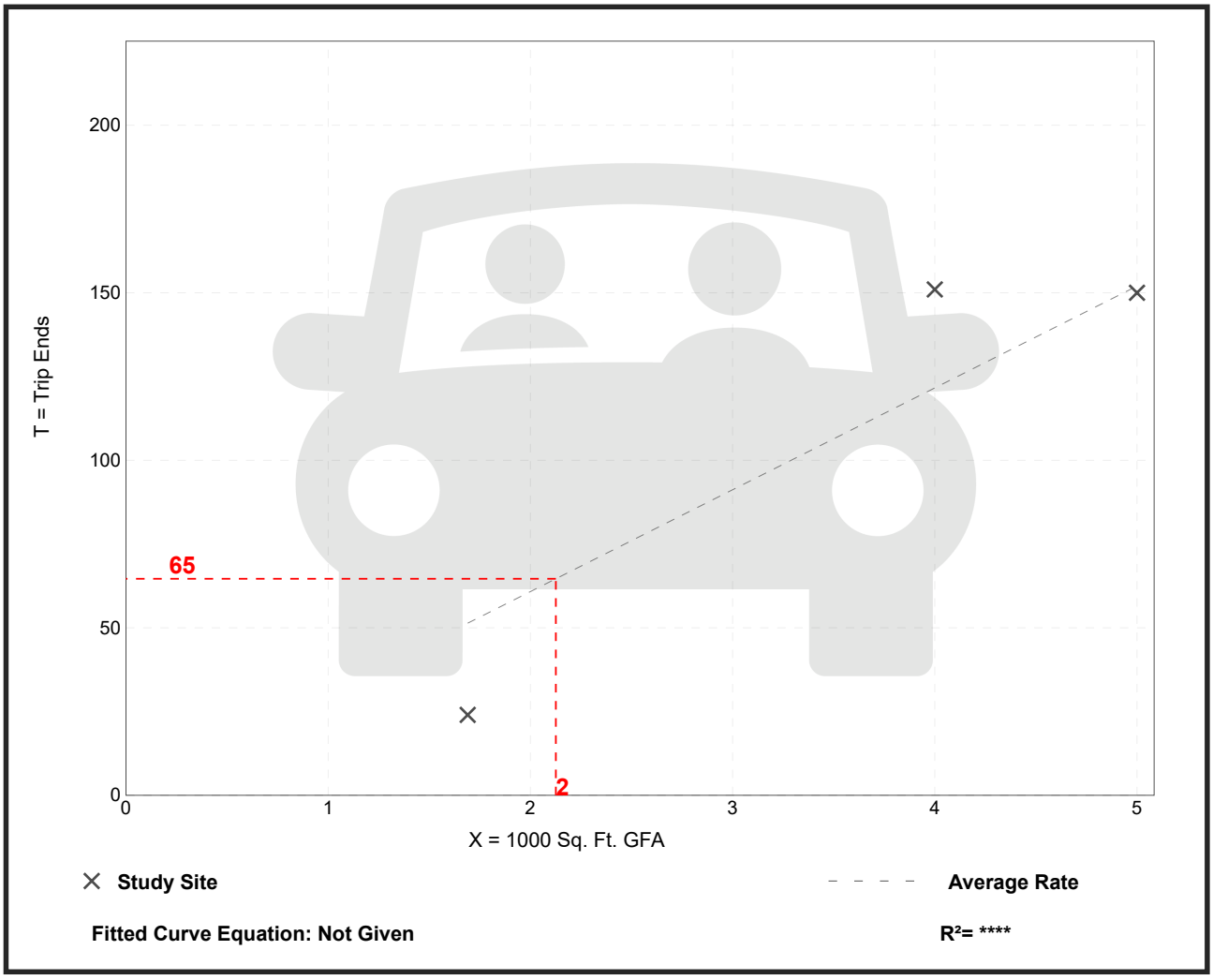
Setting/Location: **General Urban/Suburban**
Number of Studies: 3
Avg. 1000 Sq. Ft. GFA: 4
Directional Distribution: 50% entering, 50% exiting

Vehicle Trip Generation per 1000 Sq. Ft. GFA

Average Rate	Range of Rates	Standard Deviation
30.40	14.20 - 37.75	9.63

Data Plot and Equation

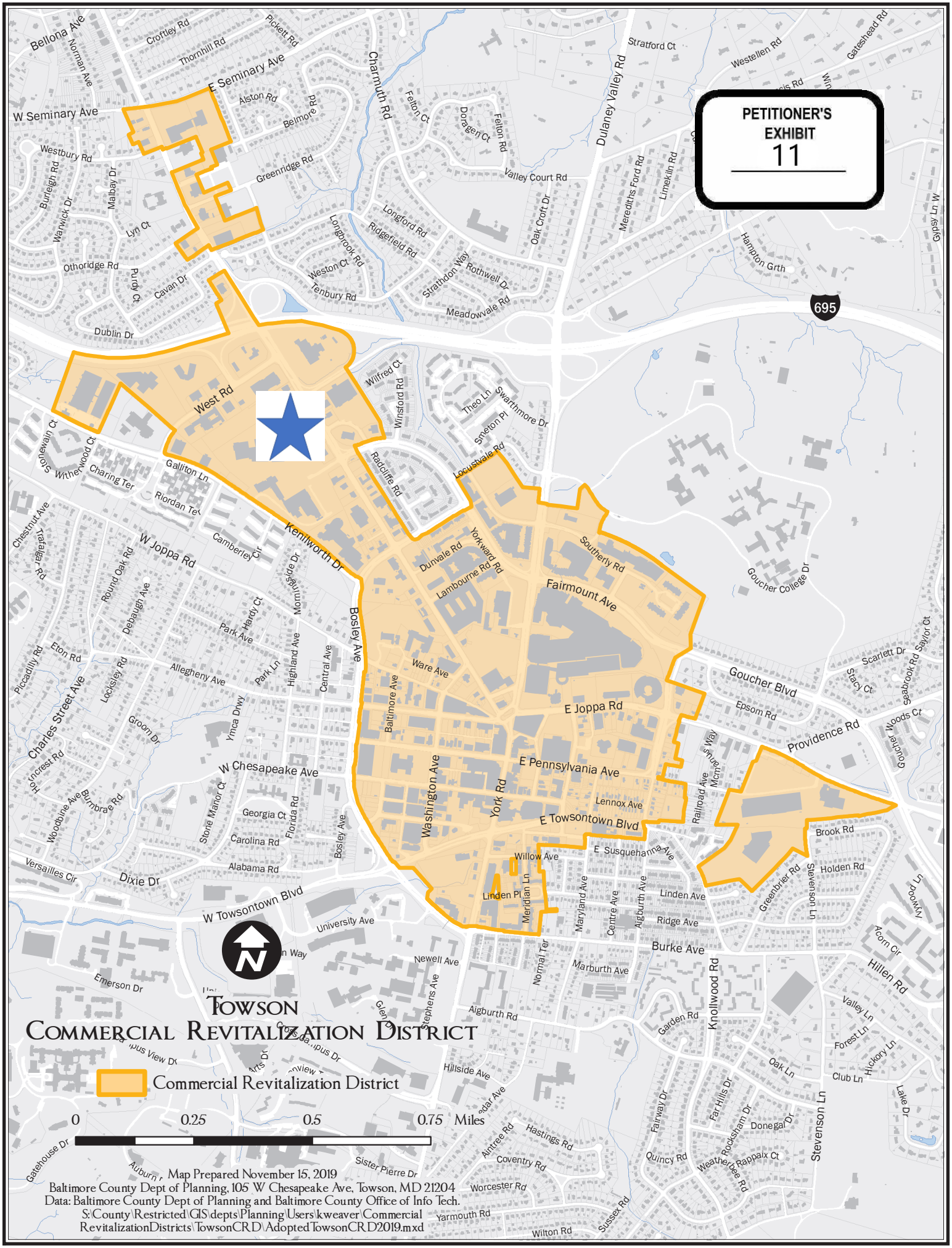
Caution – Small Sample Size



Fitted Curve Equation: Not Given

R^2= **

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PETITIONER'S EXHIBIT 11
Towson
Commercial Revitalization District
Commercial Revitalization District
0
0.25
0.5
0.75 Miles
Map Prepared November 15, 2019
Baltimore County Dept of Planning, 105 W Chesapeake Ave, Towson, MD 21204
Data: Baltimore County Dept of Planning and Baltimore County Office of Info Tech.
S:\County\Restricted\GIS\depts\Planning\Users\kweaver\Commercial RevitalizationDistricts\TowsonCRD\AdoptedTowsonCRD2019.mxd
W Seminary Ave
E Seminary Ave
Bellona Ave
Charmuth Rd
Dulaney Valley Rd
Valley Court Rd
Greenridge Rd
Longford Rd
Ridgefield Rd
Longbrook Rd
Weston Ct
Tenbury Rd
Strathdon Way
Rothwell Dr
Meadowvale Rd
Hampton Grth
695
West Rd
Kenilworth Dr
Locustvale Rd
Radcliffe Rd
Winsford Rd
Wilfred Ct
Theo Ln
Swarthmore Dr
Smeton Pl
Galliton Ln
Riordan Ter
Camberley Cir
W Joppa Rd
Bosley Ave
Dunvale Rd
Yorkward Rd
Lambourne Rd
Southerly Rd
Fairmount Ave
Goucher College Dr
Goucher Blvd
E Joppa Rd
Epsom Rd
Providence Rd
Scarlett Dr
Stacy Ct
Seabrook Rd
Saylor Ct
Woods Ct
Goucher Ct
Ware Ave
Baltimore Ave
Washington Ave
York Rd
E Pennsylvania Ave
Lennox Ave
E Towsontown Blvd
Railroad Ave
Memorial Ave
Brook Rd
E Susquehanna Ave
Willow Ave
Linden Pl
Meridian Ln
Maryland Ave
Centre Ave
Aigburth Ave
Linden Ave
Ridge Ave
Burke Ave
Normal Ter
Marburth Ave
Greenbrier Rd
Stevenson Ln
Holden Rd
Acorn Cir
Hillen Rd
Knollwood Rd
Garden Rd
Aigburth Rd
Valley Ln
Forest Ln
Hickory Ln
Oak Ln
Club Ln
Lake Dr
Stevenson Ln
Fairway Dr
Far Hills Dr
Rocksham Dr
Donegal Dr
Quincy Rd
Weatherbee Rd
Rappaix Ct
Aintree Rd
Hastings Rd
Coventry Rd
Worcester Rd
Yarmouth Rd
Wilton Rd
Sussex Rd
Sister Pierre Dr
Gatehouse Dr
Auburn Rd
Hillside Ave
Newell Ave
Stephens Ave
Emerson Dr
University Ave
W Towsontown Blvd
Dixie Dr
Versailles Cir
Alabama Rd
Carolina Rd
Georgia Ct
Florida Rd
Stone Manor Ct
W Chesapeake Ave
Ymca Drwy
Groom Dr
Charles Street Ave
Hollencrest Rd
Woodbine Ave
Burnbrae Rd
Piccadilly Rd
Eton Rd
Lockisley Rd
Allegheny Ave
Park Ln
Highland Ave
Central Ave
Park Ave
Hardy Ct
Morningside Dr
Debaugh Ave
Round Oak Rd
Chestnut Ave
Trafalgar Rd
Withenwood Ct
Charing Ter
Shohewain Ct
Dublin Dr
Othoridge Rd
Purdy Ct
Cavan Dr
Lyn Ct
Warwick Dr
Burleigh Rd
Westbury Rd
Mailbay Dr
Alston Rd
Belmore Rd
Pickett Rd
Croftley Rd
Thornhill Rd
Norman Ave
Felton Ct
Felton Rd
Doragen Ct
Oak Croft Dr
Merediths Ford Rd
Limekiln Rd
Stratford Ct
Westellen Rd
Gateshead Rd
Gayly Ln W

PETITIONER'S EXHIBIT 12A

Baltimore County Community Associations

Community Associations in Baltimore County

Organization	Last Updated	Salutation	First Name	Last Name	Title	Address	City	State	ZIP Code	Email	Website	District
Academy Heights Civic Association	5/16/2022	MR	Joseph	Shinault	PRESIDENT	PO Box 3292 Catonsville MD 21228	Catonsville	MD	21228	info@academyheightsmd.org	www.academyheightsmd.org	1
Aigburth Manor Assoc of Towson Inc	7/13/2022	MS	Mary Carol	Bruff	PRESIDENT	14 Hillside Avenue	Towson	MD	21286	info@aigburthmanor.org	www.aigburthmanor.org	6
Anneslie Community Assoc	9/29/2022	MR	Robert	Fisher	PRESIDENT	509 Dunkirk RD	Baltimore	MD	21212	president@anneslie.org	www.anneslie.org	5
Anton Woods Association Inc.	9/30/2022	MS	Janice	Perlman	PRESIDENT	3719 Michelle Way	Baltimore	MD	21208			2
Back River Neck Penn Comm Assoc	6/28/2018	MR	Carl	Maynard	PRESIDENT	PO Box 16754	Baltimore	MD	21221			6
Ballard Green Community Assoc Inc President's term ended	5/8/2022		Suresh	Rajagopalan	BOARD PRESIDENT	9471 Ballard Green Ave	Owings Mills	MD	21117	BallardGreenBoard@outlook.com		4
Bauernschmidt Manor Improv Assoc	8/19/2019	MR	Joseph	Elben	PRESIDENT	2318 Martin Drive	Baltimore	MD	21221	bauernschmidtmia@gmail.com		6
Berkshire Community Assoc	12/7/2016	MS	Nora	Baublitz	PRESIDENT	PO Box 25624	Baltimore	MD	21224	Berkshirecommunityassoc@yahoo.com		7
Bird River Beach Comm Assoc Inc	10/7/2019	MS	Christine	Hinkle	PRESIDENT	6518 Blackhead Road	Middle River	MD	21220	birdriverbeachassoc@gmail.com		6
Bird River Road Neighborhood Assoc.	5/8/2022	MS	Linda	Felts		PO Box 324	White Marsh	MD	21162	linda@cummingsrealtors.com		6
Biscayne Bay Village Community Assoc Inc.	6/24/2019	MR	Dave	Gerstmyer	PRESIDENT	PO Box 345	Chase	MD	210270345	dmgerstmyer@yahoo.com		6
Boston Courts Community Assoc Inc	10/15/2019	MR	Lee	McBride	PRESIDENT	631 Villager Circle	Baltimore	MD	21222	lmcbride631@gmail.com		7
Bowleys Quarters Improvement Assoc	12/9/2021	MR	James	Hock	PRESIDENT	P.O BOX 18051	Middle River	MD	21220	james.n.hock@gmail.com	www.bqia.org	6
CHESAPEAKE GATEWAY CHAMBER OF COMMERCE (FORMERLY ESSEX CHAMBER OF COMMERCE)	1/4/2023	MS	SHARON	KIHN	PRESIDENT	415 WILLIAMS COURT, SUITE 102 MIDDLE RIVER MD 21220	MIDDLE RIVER	MD	21220	info@chesapeakechamber.org	www.chesapeakechamber.org	6
Carney Improvement Association Inc.	10/30/2020	MS	Meg	O'Hare	PRESIDENT	3012 Summit Ave	Carney	MD	21234	carneycia@gmail.com		3, 5
Carroll Crest HOA	4/12/2022	MR	Benjamin	Colbert		4307 Gallatin St Hyattsville MD 20781	Hyattsville	MD	20781	carrollcresthoa@yahoo.com		6
Catonsville Manor Comm Assoc Inc	6/26/2018	MS	Kathryn	Honaker	PRESIDENT	1105 Dorchestor Ave	Baltimore	MD	21207	westcatonsvillemanor@gmail.com	http://www.neighborhoodlink.com/Catonsville_Manor:	1
Cedars HOA	1/18/2018	MS	Gail	Boyette	PRESIDENT	c/o Metropolis Condo Mgmt Inc; 4307 Gallatin Street	Hyattsville	MD	20870	gboyette105@gmail.com		4
Chase Manor HOA	5/31/2022		Metropolis	Management		4307 Gallatin Street Hyattsville MD 20781				ChaseManorBoard@gmail.com		
Chatterleigh Assoc, Inc.	6/28/2016	MS	Rita	Solinsky	PRESIDENT	PO Box 42243	Towson	MD	212842243	chatterleighassociation@gmail.com	www.chatterleigh.org	3
Chesaco HOA Inc.	9/22/2021	MR	Roy	Thomas	PRESIDENT	1736 Chesaco Ave Rosedale MD 21237	Baltimore	MD	21237	CVHA15@gmail.com		6
Chesapeake Bay Association Inc.	8/22/2022	DR	Frank	Neighoff	PRESIDENT	8903 Cuckold Point Road	Baltimore	MD	21219	Chesapeake.Bay.Assn@gmail.com	Chesapeake-Bay-Association.com	7
Cobblestone HOA	6/3/2020	MR	Alan	Donaldson	Board Pres	8 Stone Pine Ct	Baltimore	MD	21208	kgeorge@residential-realty.com	https://sites.google.com/site/cobblestonemdhoa	2
Colgate Improvement Assoc Inc	9/10/2019	MS	Donna	Meltin	PRESIDENT	8046 Eastdale Rd	Baltimore	MD	21224	mycolgatepride2013@gmail.com	www.facebook.com/colgateimprovementassociation	7
Colonial Village Neighborhood Improv Assoc	10/2/2019	MS	Kristin	Zeminski	SECRETARY	4107 Lowell Dr.,	Pikesville	MD	21208	colonialvillagepikesville@gmail.com	https://colonialvillagepikesville.homesteadcloud.com/	2
Combined Communities Advocacy Council of Greater Randallstown	5/24/2022		Aaron	Plymouth								4
Deer Run at Mayfield HOA Inc.	5/27/2021	MS		McCook	PROPERTY MANAGER	375 Piccard Dr Ste 210 Rockville MD 20850	Rockville	MD	20850	Community@accessmmi.com	https://mmi.cincwebaxis.com	2
Deerfield Community Association	5/3/2022	MS	Linda	Taylor	PRESIDENT	3305 Windsor Boulevard	Baltimore	MD	21207	mrtaylor50@verizon.net		4
Devonshire II Condo Assoc.	5/19/2022	MS	Ginger	Tildon	V.P.	MRA Property Management, Inc. 3103 Emmorton Rd Abingdon, MD 21009	Abingdon	MD	21009	mrapmi@mrapmi.com		7
Dumbarton Improvement Association	6/7/2022	MR	Barry	Nabozny	PRESIDENT	3517 Overbrook Road	Baltimore	MD	21208	dumbartonassociation@gmail.com		2
Dundalk Chamber of Commerce	3/31/2016	MS	Cathy	Hurley	EXEC. DIRECTOR	2 Dunmanway Ste 223	Baltimore	MD	21222	cathy@dundalkchamberofcommerce.org	http://www.dundalkchamberofcommerce.org/	7

Baltimore County Community Associations

Community Associations in Baltimore County

Organization	*Last Updated*	*Salutation*	*First Name*	*Last Name*	*Title*	*Address*	*City*	*State*	*ZIP Code*	*Email*	*Website*	*District*
Dundalk Renaissance Corporation	3/31/2016	MS	Amy	Menzer	EXEC. DIRECTOR	PO Box 9276	Baltimore	MD	21222	amy@dundalkusa.org	www.dundalkusa.org	7
EDMONDSON HEIGHTS CIVIC ASSOC	10/12/2022		JACQUISTA	POWELL	PRESIDENT	P.O. BOX 21150, CATONSVILLE, MD 21228	BALTIMORE	MD	21228	president@ehcaonline.org	https://www.ehcaonline.org/	1
East Catonsville Manor Community Assoc	5/22/2019	MS	Karen	Wolle	SECRETARY	5829 Carroll St	Baltimore	MD	21207	ecmca21207@gmail.com	www.ecmca.net	1
Eastwood Residents & Business Association of Baltimore County Inc.	8/23/2021	MS	Lynne	Mitchel	PRESIDENT	7306 Stratton Way	Baltimore	MD	21224	lynnmitchell1198@gmail.com	Facebook – Eastwood Residents & Business Community Association of Baltimore County Group	7
Essex Community Association	1/16/2018	MR	George	Lang, IV	PRESIDENT	342 Essex Ave	Essex	MD	21221	essexcomassoc@yahoo.com		7
Essex-Middle River Civic Council Inc	10/28/2021	MR	Robert	Bendler	PRESIDENT	1713 Wilson Point Road Middle River MD 21220	Middle River	MD	21220	shoreperfect@comcast.net		6, 7
Fairbrook Community HOA	6/9/2022		Franca	Soares de Souza	TREASURER	1099 Winterson Rd Suite 200, Linthicum Heights, MD 21090	Windsor Mill	MD	21244	francasds@gmail.com		1
Falls Road Comm Assoc.,Inc	10/7/2015	MR	Harold H.	Burns, Esq.	PRESIDENT	P.O. Box 555	Brooklandville	MD	21022		www.thefrca.org	2, 3
Fieldstone Community Group Inc	4/19/2022	MS	Tim	Clark		3603 Stoneybrook Rd	Randallstown	MD	21133	patclark07@verizon.net	http://fieldstonehoa.net/	4
Finns Landing HOA	3/5/2018	MR	Eric	Green	PRESIDENT	PO Box 1019	Randallstown	MD	21133	finnslanding21133@gmail.com		4
Fort Howard Community Association Inc.	5/28/2021	MR	Scott	Pappas	PRESIDENT	PO Box 341 Fort Howard MD 21052-0341	Fort Howard	MD	21052	mail@forthoward.org		7
GREATER KINGSVILLE CIVIC ASSOC	10/19/2022	MR	CHARLIE	WOLPOFF	PRESIDENT	PO BOX 221 KINGSVILLE MD 21087	KINGSVILLE	MD	21087		www.gkca.info	5
Garrison woods section 1 2 3 4	8/12/2021		Eric	Hess		Po Box 499 Linthicum Heights MD 21090				ehess@communitymanagers.net		1
Gray Manor-Northshire Community Assn	5/3/2021	MR	George	Fischer	PRESIDENT	2410 Plainfield Road	Baltimore	MD	21222	george@gmnca.org	http://gmnca.org	7
Graystone Community Assoc Inc	7/27/2021	MS	Mary	Williams	PRESIDENT	PO Box 11819, Baltimore MD 21207	Baltimore	MD	21207	graystonecommunity@gmail.com	gca-baltimore.org	1 & 4
Greater Arbutus Business Assoc	5/4/2022	MS	Bettina	Tebo	PRESIDENT	PO Box 7357	Baltimore	MD	21227	info@arbutus.org	www.arbutus.org	1
Greater Catonsville Chamber of Commerce	5/4/2022	MS	Namita	Kumar	EXEC. DIRECTOR	757 Frederick RD, Ste 102	Catonsville	MD	21228	chamber@catonsville.org	www.catonsville.org	1
Greater Greenspring Assoc.	10/11/2019	MR	Tom	Finnerty	PRESIDENT	119 St Thomas Ln	Owings Mills	MD	21117			2
Greater Jacksonville Assoc Inc	6/21/2019	MS	Elizabeth.	Lehmann	SECRETARY	PO Box 126	Phoenix	MD	21131	greaterjacksonville@gmail.com	www.GreaterJacksonville.org	3
Greater Living Opportunities, Inc.	3/1/2018	MS	Brenda	Harney	PRESIDENT	914 Winsap Court	Baltimore	MD	21227	glo.inc2016@gmail.com		1
Greater Patapsco Comm Assoc Inc (GPCA)	10/24/2019	MS	Kathleen	Skullney	ZONING CHAIR	P.O. Box 31	Granite	MD	21163	gpca21163@gmail.com	www.gpca.net	1, 4
Greater Timonium Community Council Inc	6/23/2022	MS	Eric	Rockel	PRESIDENT	PO Box 276 Timonium MD 21093	Lutherville	MD	21093	erockel@earthlink.net	www.gtccinc.org	3
Greater West Hills Community Assoc, Inc.	5/3/2018	MS	Cynthia	Green	SECRETARY	PO Box 11531	Baltimore	MD	21229	greaterhillscommunity@gmail.com	www.neighborhoodlink.com/Greater_W_Hills	
Green Towson Alliance	5/19/2022	MS	Kirsten	Hoffman		701 W. Joppa RD Towson MD 21204	Towson	MD	21204	hoffman01@yahoo.com	www.greentowsonalliance.org	5
Gunpowder Falls Watershed Preservation Assoc	9/11/2019	MR	Dewey	Clark	PRESIDENT	PO Box 2	Fork	MD	21051	gfwpa@protonmail.com		3, 5
Gwynn Oak Community Association	6/24/2021		Rosa	Griffin	PRESIDENT	2724 Gwynnmore Avenue Baltimore MD 21207	Baltimore	MD	21207	rosasoulmate@aol.com		4
Gwynnvale Civic Association	7/15/2021	MS	Joan	Bryan	SECRETARY	1316 Idylwood RD	Pikesville	MD	21208	jbbryan615@verizon.net		2
HARBEL Community Organization Inc. DBA HARBEL Housing Partnership	7/21/2022	MS	Zina	Moore	DIRECTOR	5807 Harford Road Baltimore, MD 21214	Baltimore	MD	21214	harbelhousing@gmail.com	www.harbel.org	5
HONEYGO RIDGE HOME OWNERS ASSOCIATION	11/30/2022	MR	MICHAEL	THOMAS	PRESIDENT	P.O. BOX 503, WHITE MARSH, MD 21162	WHITE MARSH	MD	21162	hoa@honeygoridge.com	www.honeygoridge.com	6

Baltimore County Community Associations

Community Associations in Baltimore County

Organization	Last Updated	Salutation	First Name	Last Name	Title	Address	City	State	ZIP Code	Email	Website	District
Halethorpe Improvement Association Inc	5/10/2022		Michael	McAuliffe	PRESIDENT	PO Box 7306 Halethorpe MD 21227	Halethorpe	MD	21227	halethorpe.improvement.assn@gmail.com	HalethorpeMD.org	1
Halethorpe Improvement Asson Inc	6/25/2021	MR	Michael	McAuliffe	PRESIDENT	PO Box7306 Halethorpe MD 21227	Halethorpe	MD	21227	halethorpe.improvement.assn@gmail.com	http://halethorpemd.org/	1
Hanover Road Assoc Inc	6/29/2021	MR	George	Harman	PRESIDENT	PO BOX 121 Upperco MD 21155	Upperco	MD	21155	harmangeorge@hotmail.com	www.hanoverroad.org	3
Harford Park Community Association Inc	9/9/2022	MS	Cathy	Thompson	PRESIDENT	2522 Linwood Road Parkville MD 21234	Parkville	MD	21234	info@harfordpark.org	www.harfordpark.org	6
Harris Hill Condominium Association	9/11/2019	MS	Michele	Yendall	SECRETARY	521 McManus Way	Towson	MD	21286	michele.yendall@comcast.net		5
Heatherfield Association	5/19/2022	MR	Dean	Merritt	PRESIDENT	3 Horseshoe Circle, Lutherville, MD 21093	Lutherville	MD	21093	heatherfield21093@gmail.com		2
Hernwood Heights Community Association Inc	5/26/2022	MS	Carla	Nelson Chambers	PRESIDENT	23 Sheraton Road, Randallstown, MD 21133	Randallstown	MD	21133	CChambersHHCA@comcast.net		4
Holland Hill Neighborhood Improvement Association Inc	9/2/2022	MS	Rachel	Keatts	DIRECTOR	5644 Whitby RD Baltimore MDF 21206	Baltimore	MD	21206	hollandhillbaltimore@gmail.com		6
Huntington Manor HOA, Inc.-C/O Kemper Management Associates	3/27/2018	MR	Mick	Kemper	Property Manager	PO Box 1451	Bel Air	MD	21014		www.huntingtonmanor.org	3
Idlewylde Comm Assoc, Inc.	6/13/2018	MR	Peter	Ismay	PRESIDENT	PO Box 66106	Baltimore	MD	21239		www.idlewylde.org	5
Ingleside Neighborhood Association of Catonsville Inc	4/19/2022	MR	Matthew	Riesner	PRESIDENT	706 Ingleside Ave, Catonsville, MD 21228	Catonsville	MD	21228	matthewriesner@gmail.com		1
Kenwood Gardens Condo Assoc	12/18/2016	MR	Bernard	Haske	PRESIDENT	1 Bristol Hill Ct	Catonsville	MD	21228			1
Kimberleigh Community Assoc.	5/3/2018	MR	Charles	Mason Jr.	PRESIDENT	3700 Pinelea Rd	Baltimore	MD	21208	dru4lyfe@hotmail.com		2
Kings Park Community Association Inc	5/3/2022	MR	Malik	Freeman	PRESIDENT	3508 Kings Point Randallstown MD 21133	Randallstown	MD	21133	kpca21133@gmail.com	www.kingspark21133.org	4
Kings Park HOA Inc	5/28/2021		Nigeria	Rolling-Ford	PRESIDENT	c/o American Community Management, 1099 Winterson Road, Suite 200, Linthicum Heights, MD 21090	Randallstown	MD	21133	president.kingsparkhoa@gmail.com		4
Knollbrook Community Assembly	11/10/2021	MS	Jordan	Wolfe	PRESIDENT	Box 1212; Cockeysville, MD 21030	Cockeysville	MD	21030	JordanWolfe88@gmail.com		3
LINOVER IMPROVEMENT ASSOCIATION	11/30/2022	MS	CAITLIN	KLIMM-KELLNER	PRESIDENT	PO BOX 16952, BALTIMORE, MD 21206	BALTIMORE	MD	21236	linover@linover.org	www.linover.org	6
Lake Falls Comm Assoc	11/9/2017	MR	Douglar	Munro	PRESIDENT	1210 Lake Falls Road	Baltimore	MD	21210	LakeFallsAssociation@gmail.com		2
Lakehurst Community Assoc	2/4/2019	MR	Daniel	Phelan	PRESIDENT	6007 Lakeview Rd	Baltimore	MD	21210	Lakehurst21210@gmail.com		2
Las Amigas Baltimore Chapter, Inc	9/11/2019	MS	Lois	Wysinger	REPRESENTATIVE	P.O. Box 47092	Baltimore	MD	21244	lasamigasbaltimore@hotmail.com	lasamigasincorporated.org	4, 5
Liberty Manor Community Assoc	6/7/2021	MS	Mildred	Owens	PRESIDENT	3321 Greenmead Road	Baltimore	MD	21244	mildred.owens@sbcglobal.net		4
Liberty Road Business Assoc.	9/14/2018	MS	Kelly	Carter	EXEC. DIRECTOR	PO Box 1417	Randallstown	MD	21133	lrba@lrba.biz	www.lrba.biz	4
Liberty Road Comm Council	7/9/2019	MS	Shirley	Supik	PRESIDENT	PO Box 256	Randallstown	MD	21133	liberty-road-community-council@googlegroups.com		4
Lutherville Community Association	9/2/2022	MS	Pamela K.	Shaw	PRESIDENT	P.O. Box 6, Lutherville-Timonium 21094	Lutherville	MD	21094	LuthervilleCommunity@gmail.com	www.luthervillecommunityassociation.org	3
Lynch Point Improv Assoc Inc	4/26/2016	MS	Leah	Diven	SECRETARY	7200 River Drive Rd	Baltimore	MD	21219		www.myedgemere.com/groups/lynch_pt_ia.htm	7
Lyons Manor Comm Assoc Inc	4/19/2022	MR	Kyle	Ayres	Community Assoc Manager	7484 Candlewood Rd Ste H	Hanover	MD	21076	kayres@communitymanagers.net	www.acmhome.com	4
Lyonswood HOA Inc	5/26/2021	MS	Dawn	Ferrus	DIRECTOR	P.O. Box 1426 Owings Mills, MD 21117	Owings Mills	MD	21117	lyonswoodhoa@gmail.com		4
Mardella Ridge Homeowner Association	11/7/2019	MR	Damien	Sharp	V.P.	9211 Mardella Ridge Court	Randallstown	MD	21133	mardellaridgehoa@gmail.com		4
Mardella Run Estate HOA Inc	4/19/2022	MS	Rhoda	Jones	PRESIDENT	17 Gondola View Court	Woodstock	MD	21163	jonesrhoda@ymail.com		4
Marriot's Choice HOA (previously Carriage Hill HOA)	10/24/2019	MR	Matt	Leebel	Community Manager	P.O. Box 767	Bel Air	MD	21014	matthew.leebel@fsresidential.com		4
Mayfield Community Assoc., Inc	8/8/2019	MS	Karen	Carter	SECRETARY	8302 Tinsley Road	Windsor Mill	MD	21244			4

Baltimore County Community Associations

Community Associations in Baltimore County

Organization	*Last Updated*	*Salutation*	*First Name*	*Last Name*	*Title*	*Address*	*City*	*State*	*ZIP Code*	*Email*	*Website*	*District*
McDonogh Green HOA	5/26/2021	MR	John	McNally	PRESIDENT	1777 Reisterstown Road, W22 #344, Pikesville, MD 21208	Randallstown	MD	21133	mcdonoghgreenhoa@gmail.com	www.mcdonoghgreenhoa.com	2
Merrymount Neighborhood Improvement Association Inc	6/25/2021		Jason	Taylor	PRESIDENT	8314 Charmel Drive	Windsor Mill	MD	21244	mmniainc@gmail.com		4
Middlesex Community Association	3/14/2018	MR	Jacob	O'Connell	PRESIDENT	PO Box 7997	Baltimore	MD	21221	middlesex21221@yahoo.com	on Facebook: Middlesex Row Homes	6
Milford Improvement Association	6/16/2022		Louise	Hellwig	SECRETARY	3707 Croydon Road Baltimore MD 21207	Baltimore	MD	21207	l_hellwig@yahoo.com		4
Milford Mill Road Community Assoc	10/5/2017	MS	Shirley	Nelson	PRESIDENT	7808 Brevort Rd	Baltimore	MD	21244	milfordmillroad7808@gmail.com		4
Millers Island Residents Association Inc	5/7/2022	DR	Frank	Neighoff	PRESIDENT	8903 Cuckold Point Road, Sparrows Point, MD 21219- 1633	Sparrows Point	MD	21219	Dr.Frank.Neighoff@gmail.com	www.residentsofmi.com	7
Miramar Landing HOA Inc	12/13/2021	MR	Matthew	Merckel	Property Manager	3706 Crondall Lane Ste 105, Owings Mills, MD 21117	Owings Mills	MD	21117	information@miramarlandinghoa.com	www.miramarlandinghoa.com	6
Neighborhood Safety Team Baltimore County Inc	6/29/2021	MR	Walter	Hollman Sr	PRESIDENT	PO Box 7664	Gwynn Oak	MD	21207	president@nstbc.org	www.nstbc.org	All
North County Community Group	4/16/2018	MS	Kathleen	Felber	PRESIDENT	4310 Beckleysville Rd	Hampstead	MD	21074	knotgarden57@comcast.net	https://www.facebook.com/northcountycommunitygroup/	3
North Point Peninsula Council, Inc.	12/13/2017	MR	Fran	Taylor	PRESIDENT	PO Box 444	Fort Howard	MD	21052	fralintay@comcast.net		7
North West Chamber of Commerce	5/11/2022		Emily	Winters						emily@northwestchambermd.com	https://northwestchambermd.com/about-us/board-of-directors/	4
Norwood Holabird Community Association Inc.	5/19/2022	MR	David	Rader II	PRESIDENT	7520 Westfield Rd	Dundalk	MD	21222	chexed@gmail.com	www.nhca.info	7
Oak Crest Community Assoc.	1/5/2022	MS	Maureen	Paugh	PRESIDENT	208 Rosewood Ave	Baltimore	MD	21228	oakcrestcommunityassoiation@gmail.com		1
Oakwood Village Community Assoc. Inc.	6/1/2021	MS	Vivian	Paysour	PRESIDENT	PO Box 146 Randallstown MD 21133	Randallstown	MD	21133	oakwoodvillage@gmail.com		4
Oella Homeowners Assoc	6/9/2022	MR	Chris	Carden	PROPERTY MANAGER	PO Box 488 Linthicum Heights MD 21090	Linthicum Heights	MD	21090	ccarden@communitymanagers.net	www.acmhome.com	1
Old Catonsville Neighborhood Association Inc	6/1/2021	MR	John	Marshall	PRESIDENT	16 Osborne Avenue, Catonsville, MD 21228	Catonsville	MD	21228	oldcatonsville@gmail.com	www.oldcatonsville.org	1
Old Court Greenspring Improvement Assn Inc	5/3/2022		Mical	Wilmoth Carton	PRESIDENT	3004 Old Court Road	Baltimore	MD	21208	ocgshoa@aol.com	ocgshoa.org	2
Old Dundalk Neighborhood Association	10/4/2022	MS	Jessica	Lilli	PRESIDENT	101 N Dundalk Avenue Baltimore, MD 21222	Baltimore	MD	21222	olddundalk@gmail.com		7
Orchard Glen Community Association	5/6/2022	MS	Cora	Brown	V.P.	8118 Milford Garden Drive Windsor Mill MD 21244	Baltimore	MD	21244	galloway44@comcast.net		4
Overbrook RD Catonsville Neighborhood Association	11/24/2020	MR	Robert	Gorey	PRESIDENT	36 Overbrook RD Catonsville MD 21228	Catonsville	MD	21228	overbrookroad@gmail.com		1
Overlea Community Association Inc	6/15/2022	MS	Melissa	Davis	PRESIDENT	109 W Elm Avenue	Baltimore	MD	21206	president@overleaonline.org	www.overleaonline.org	6
Overlea-Fullerton Business Assoc. Inc.	9/11/2019	MS	Donna	Bethke	PRESIDENT	7406 Brookwood Ave	Nottingham	MD	21236	ptavon@comcast.net	www.OverleaFullertonRosedaleBiz.com	5, 6
POT SPRING COMMUNITY ASSOCIATION	12/1/2022	MR	JEFF	MYERS	PRESIDENT	P.O. BOX 129, TIMONIUM MD 21094	TIMONIUM	MD	21093	Jeff.GailMyers@gmail.com	www.PotSpringCommunityAssociation.org	3
Pahl's Crossing HOA	9/13/2021	MS	Maryann	Moulden-Ferguson	PRESIDENT	7227 Pahls Farm Way, Pikesville, 21208, MD	Baltimore	MD	21208	pahlscrossingpresident@gmail.com		2
Paradise Comm Assoc	9/24/2020	MR	Joseph	Pallozzi	V.P.	6350 Frederick Road, Catonsville MD 21228	Baltimore	MD	21228	smerenbloom@verizon.net	https://www.facebook.com/groups/122232078411336/	1
Parkview Trails Community HOA Inc	8/24/2022	MS	Michelle	Davis	PRESIDENT	3600 Crondall Lane #100	Owings Mills	MD	21117	PVTBOARD@GMAIL.COM	www.acmhome.com	1
Parkville Carney Business Assoc, Inc.	9/11/2019	MR	Chris	Montcaimo	PRESIDENT	9613C Harford Rd, Ste 183	Baltimore	MD	21234	infol@ParkvilleCarney.org	www.ParkvilleCarney.org	3, 5, 6
Patapsco Overlook COA	4/19/2022	MS	Brenda	Hurbanis	BOARD PRESIDENT	28 Allegheny Avenue, Suite 515 Towson, MD 21204	Catonsville	MD	21228	marissa.freeman@fsresidential.com		1

Baltimore County Community Associations

Community Associations in Baltimore County

Organization	Last Updated	Salutation	First Name	Last Name	Title	Address	City	State	ZIP Code	Email	Website	District
Perry Hall Improvement Association Inc.	6/23/2022	MR	Pat	Keller	PRESIDENT	P O Box 63 Perry Hall MD 21128	Perry Hall	MD	21128	perryhallmail@gmail.com	www.perryhallmaryland.org	5
Pikesville Communities Corporation	5/13/2022	MR	Kenneth	Lasson, Esq	EXEC. DIRECTOR	6320 Wirt Ave	Baltimore	MD	21215	klasson@ubalt.edu	www.pikesvillecc.org	2
Pikesville Farms Co-Existence Society	11/15/2019		Joshua	Levine	PRESIDENT	112 Nelson Road	Pikesville			Jlevin@baltimorecountymd.gov		2
Pikesville Township Assoc Inc.	6/15/2022	MS	Deb	Patterson	PRESIDENT	1309 sudvale	Baltimore	MD	21208	pikesvilletownship@gmail.com		2
Pikesville-Greenspring Community Coalition Inc.	7/28/2022	MS	Tara	Momplaisir	PRESIDENT	7008 Rock Stream Court	Baltimore	MD	21208	pgccinc@aol.com	https://pgccinc.org/	2
Pikesville/Greenspring Comm Coalition	4/19/2022	MS	Tara	Momplaisir	PRESIDENT	7008 Rock Stream CT	Pikesville	MD	21208	PGCCInc@aol.com	www.pgccinc.org	2
Pikeswood Civic Assoc	5/7/2022	MS	Kim	Blackwell	PRESIDENT	9327 Tulsemere Road Randallstown, MD 21133	Randallstown	MD	21133	pikeswoodcivicassociation@gmail.com		4
Pine Ridge Community Association Inc	5/4/2022	MR	Howard	Needle	V.P.	1321 Harden Ln	Pikesville	MD	21208	HJNeedle@comcast.net		2
Point of Woods at Kings Point Association	8/26/2021		MNichelle	McGirt	PRESIDENT	3651 Waterwheel Square Randallstown MD 21133				Kings_point_association@yahoo.com		4
Relay Improvement Association	7/28/2022	MR	Frank	Meek	PRESIDENT	P.O. Box 24046, Relay, MD 21227	Baltimore	MD	21227		www.relaymaryland.com	1
Rices Lane Neighborhood Association	5/4/2022	MR	Kevin	Thomas	REPRESENTATIVE	9902 Reisterstown Rd STE 143 Owings Mills MD 21117	Owings Mills	MD	21117	Riceslaneassoc@Gmail.com		4
Ridgeleigh Community Association	9/13/2022	MS	Barbara	Lewis	PRESIDENT	PO Box 9851 Loch Raven MD 21284	Loch Raven	MD	21284	president@ridgeleigh.net	www.ridgeleigh.net	5
Riverview/Ryerson Circle Communities Association Inc	5/27/2021	MS	Betty	Cain	V.P.	1022 Fredonia Court Baltimore MD 21227	Baltimore	MD	21227	Ronaldwhitehead44@gmail.com		1
Robin Hill Comm Assoc Inc.	3/15/2018	MS	Florine	Smith	PRESIDENT	6116 Talles Rd	Baltimore	MD	21207			4
Rockaway Beach / Turkey Point Improvement Assoc	7/7/2021	MR	Kevin	McDonough	V.P.	628 Rockaway Beach Ave	Baltimore	MD	21221	Info@turkeypoint.org	www.turkeypoint.org	7
Rolling Oaks Community Assoc	6/29/2021	MR	Tony	Baysmore	PRESIDENT	7501 Jilbert Lane	Windsor Mill	MD	21244	duanetony@msn.com		4
Rosedale Community Association	9/2/2022	MR	Russ	Mirabile	PRESIDENT	7932 Oakdale Ave, Rosedale MD 21237	Baltimore	MD	21237			6n & 7
Rossville Community Association	7/28/2022	MR	Russell	Mirabile	PRESIDENT	7932 Oakdale Ave Rosedale MD 21237		MD	21237	gshipe@msn.com		6 & 7
Ruxton Riderwood Lake Roland Area Improvement Association	8/31/2022	MS	Hope	Jordan	EXEC. DIRECTOR	P.O. Box 204 Riderwood, MD 21139	Riderwood	MD	21139	office@rrlraia.org	https://www.rrlraia.org	2
Scotts Hills Community Association	6/24/2022	MS	Evelyn	White	PRESIDENT	1007 Parkvalley Court	Pikesville	MD	21208	evelynwhite464@gmail.com		2
Security-Woodlawn Business Association	7/22/2022	MS	Shantel	Mason	PRESIDENT	6340 Security Boulevard Ste 100	Baltimore	MD	21207	info.swba@gmail.com	www.securitywoodlawn.com	1, 4
Seminary Overlook HOA	4/12/2022	MR	John	Brunnett	PRESIDENT	PO Box 242, Brooklandville, MD 21022	Lutherville	MD	21093	jbrunnett@offitkurman.com	https://seminaryoverlook.com	3
Seminary Ridge Owners Association	8/25/2021		Blandy	Becker	PRESIDENT	P.O. Box 1182 Brooklandville, MD 21022	Lutherville	MD	21093	seminaryridgecommunityemail@gmail.com	http://seminary-ridge.org/	2
Southern Rockdale Community Assoc.	6/1/2021	MS	Kathleen	Styles	PRESIDENT	PO Box 47233 Windsor Mill MD 21244	Windsor Mill	MD	21244	srockdalecommunitya@gmail.com		4
Southland Hills Improvement Association	6/1/2022		Dave	Edwards	PRESIDENT	403 W Chesapeake Ave	Towson	MD	21204	southlandnews@gmail.com	http://southlandhills.org/home/	5
Sparks Glencoe Community Planning Council	7/1/2022		Angelo	Otterbein	PRESIDENT	P.O. Box 937 Sparks MD 21152	Monkton	MD	21111	info@sgcpc.org	www.sgcpc.org	3
Sparks Glencoe Community Planning Council	7/1/2022		Angelo	Otterbein	PRESIDENT	P.O. Box 937 Sparks MD 21152	Monkton	MD	21111	info@sgcpc.org	www.sgcpc.org	3
Stevenswood Improv Assoc., Inc	7/16/2019	MR	Arthur	Brown	PRESIDENT	3427 Edcrest Road	Windsor Mill	MD	21244	stevenswoodimprovementassoc@gmail.com	www.stevenswood.org/	4
Stonegate @ Patapsco II HOA Inc	5/11/2022	MR	Mark	Shorter	PRESIDENT	c/o Metropolis Management LLC, 4307 Gallatin St, Hyattsville, MD 20781	Baltimore	MD	21244	stonegatetwoboard@gmail.com		1
Stoneybrook Community Council Association	5/16/2022		DeVonne	Parks	PRESIDENT	P.O. Box 800 Randallstown, MD 21133	Randallstown	MD	21133	stoneybrookcommunity@gmail.com	www.stoneybrookcca.org	4

Baltimore County Community Associations

Community Associations in Baltimore County

Organization	Last Updated	Salutation	First Name	Last Name	Title	Address	City	State	ZIP Code	Email	Website	District
Sussex Community Assoc	6/2/2021	MS	Leah	Biddinger	PRESIDENT	327 Margaret Ave	Essex	MD	21221	sussexcommunityassn@gmail.com	https://www.sussexcommunityassn.org/	7
TOWSON ESTATES ASSOCIATION	10/12/2022	MR	PHIL	DORSEY	PRESIDENT	1200 EDGEMONT RD	TOWSON	MD	21286	towsonestatesassociation@gmail.com	https://www.towsonestates.org/	5
The Clearings Community Assoc.	4/18/2017	MR	Robert	Chertkof	PRESIDENT	1112 Somerset Place	Lutherville	MD	21093	bobChert@aol.com		2
The Fellowship Community Association	10/15/2020	MS	Christine	Horel	PRESIDENT	6800 Ridgewood Road Towson MD 21286	Towson	MD	21286	ffcamd@gmail.com		5
The Fields of Sagamore HOA	11/13/2015	MR	Marc	Greenberg	Agent	3706 Crondall Ln Ste 105	Owings Mills	MD	21117			2
The Meadows of Greenspring HOA	7/11/2019	MR	Michael	Friedman	PRESIDENT	C/O WPM Real Estate Mgmt, 11433 Cronridge Dr	Lutherville	MD	210934512	mikefriedman311@comcast.net		2
The Overbrook Improvement Association	7/2/2014	MR	Josh	Lashley	PRESIDENT	317 Worthington Rd	Baltimore	MD	21286	overbrook.president@gmail.com	www.overbrook.us	5
Towson Chamber of Commerce	1/10/2019	MS	Nancy	Hafford	EXEC. DIRECTOR	44 W. Chesapeake Ave.	Towson	MD	21204	info@towsonchamber.com	www.towsonchamber.com	5
Towson Manor Village Community Association	6/23/2022	MR	Ed	Kilcullen	President (Incumbent)	100 Maryland Ave	Towson	MD	21286		www.towsonmanorvillage.org	5
Turner Station Conservation Teams Inc.	10/16/2019	MS	Gloria	Nelson	PRESIDENT	323 Sollers Point Rd	Dundalk	MD	21222	tsct@turnerstation.org	https://turnerstation.org	7
Twelve Trees Assoc Inc	4/12/2022	MS	Donna	Clayton	PRESIDENT	26 Papago Ct. Randallstown, MD 21133	Randallstown	MD	21133	Villageoftwelvetrees@gmail.com	https://www.facebook.com/groups/359992318015838	4
Valleys Planning Council Inc	12/9/2021	MS	Renee	Hamidi	EXEC. DIRECTOR	PO Box 5402, Towson MD 21285-5402	Towson	MD	21204	info@thevpc.org	www.thevpc.org	2, 3
Villa Nova Comm Assoc, Inc.	1/9/2019	MS	Sheila	Lewis	PRESIDENT	3907 Buckingham Road	Baltimore	MD	21207	MsHeather12@hotmail.com	www.villanovaassoc.org	2
Villages at Woodholme Condo	11/20/2019	MR	Dennis	Sober	BOARD PRESIDENT	11433 Cronridge Drive, Owings Mills MD 21117	Pikesville	MD	21208	villagesatwoodholme@wpmllc.com		2
WHITE MARSH-COWENTON COMMUNITY ASSOCIATION INC	12/6/2022	MS	HEATHER	PATTI	PRESIDENT	10916 PHILADELPHIA RD, WHITE MARSH MD 21162	WHITE MARSH	MD	21162	wmcca.info@gmail.com	http://www.whitemarsh-cowenton.com/	5
Wakefield Improv Assoc of Dulaney Valley	11/15/2019	MR	Ed	Beimfohr	PRESIDENT	603 Boxmere Ct	Timonium	MD	21093			3
Watersedge Community Association	5/26/2021	MR	Scott	Smith	PRESIDENT				21222	watersedgecommunityassociation@yahoo.com	https://www.facebook.com/groups/watersedgedundalk/?multi_permalinks=20222574214	7
Westerlee Improvement Assoc, Inc.	1/9/2019	MR	Klaus	Philipsen	PRESIDENT	2018 Cedar Circle Drive	Baltimore	MD	21228	kphilipsen@archplan.com	www.westerleenews.com	1
Westgate Community Association	7/21/2022	MR	Benjamin	Orr	PRESIDENT	PO Box 25331 Baltimore, MD 21229	Baltimore	MD	21229	westgatecommunitynews@gmail.com	https://www.westgatebaltimore.org/	1
Willow Glen South Improvement Assoc	9/12/2019	MS	Christina	Herron	PRESIDENT	7417 Prince George Road	Baltimore	MD	21208	willowglensouth21208@gmail.com	www.willowglensouth.org	2
Wilson Point Civic Improv Assoc.	3/18/2019	MR	Robert	Bendler	PRESIDENT	1713 Wilson Point Rd	Baltimore	MD	21220	shoreperfect@comcast.net		6
Wiltondale Improv Assoc.	3/19/2019	MR	Fiver	Soraruf	V.P.	PO Box 42446	Towson	MD	21284	contact@wiltondale.org	www.wiltondale.org	5
Windemere HOA Inc.	4/2/2019	MR	Bill	McLean	PRESIDENT	PO Box 34	Phoenix	MD	21131	email@windemere-hoa.org	www.windemere-hoa.org	3
Windlass Run Improvement Assoc Inc.	4/10/2019	MR	William	Kammer	PRESIDENT	PO Box 505	White Marsh	MD	21162	wria@comcast.net		6
Woodbrook Community Assoc.	4/19/2022	MR	Gary	Cumbo, Sr.	PRESIDENT	8604 Lisa Ct	Randallstown	MD	21133	gpcumbo157@gmail.com		2
Woodlands of Deer Park Community Assoc.	5/25/2021	MS	Virginia	Jones	PRESIDENT	3927 Tiverton Road, Randallstown MD 21133	Randallstown	MD	21133	woodlandsdp@gmail.com		4
Woodlawn Estates Home Assoc	1/9/2019	MR	John	Nesbitt	PRESIDENT	1822 Colmar Road	Baltimore	MD	21207	jjnkeara@netscape.net		4
Woodmoor Comm Assoc	6/15/2022		Gloria	Shelton	PRESIDENT	3216 Doycron Ct. Gwynn Oak 21207	Baltimore	MD	21207	Woodmoorcommunityassociation@gmail.com	Woodmoor Community Association in Facebook groups	4
Wyndham Commons Condominium Assoc Inc	9/11/2019	MR	Sean	Suhar	ATTORNEY	7226 Lee DeForest Dr, Suite 102	Columbia	MD	21046	lawyers@naglezaller.com		4

4007 Cloverland Dr, Phoenix, MD 21131

1020 York Rd, Towson, MD 21204

Add destination

Leave now

Options

Send directions to your phone

via Dulaney Valley Rd — 16 min
Fastest route now due to traffic conditions — 8.6 miles

Details

via Dulaney Valley Rd and MD-45 S/York Rd — 18 min — 9.0 miles

via Dulaney Valley Rd, E Timonium Rd and MD-45 S/York Rd — 19 min — 9.3 miles

Explore 1020 York Rd

Restaurants | Hotels | Gas stations | Parking Lots | More

Gas | EV charging | Hotels | More

4007 Cloverland Drive

Eagle's Nest Country Club

Pappas Restaurant and Sports Bar

Warren Rd

Walmart Supercenter

The Home Depot

Fox Hollow Golf Course

Pot Spring Rd

Loch Raven Reservoir Park

Sam's Club

Greenside Dr

Girkwood Rd

Loch Raven Dr

E Padonia Rd

Jake's Grill

W Padonia Rd

Broadway Rd

Falls Rd

19 min
9.3 miles

Loch Raven Reservoir

Pine Ridge Golf Course

Five Farms Golf Course

REI

W Timonium Rd

Eastridge Rd

Timonium

Kohl's

E Ridgely Rd

Margate Rd

16 min
8.6 miles

Brooklandville

Meadowood Regional Park

Hampton

Hampton Ln

Providence Rd

Trader Joe's

1020 York Road

W Joppa Rd

Thornton Rd

Bellona Ave

Charles St

Boyce Ave

Ruxton Rd

Woodvalley Dr

The Cheesecake Factory

Goucher College

Baltimore Beltway

Weber's Cider Mill Farm

Total Wine & More

Chick-fil-A

E Joppa Rd

Towson University

Burke Ave

Hillen Rd

Goucher Blvd

York Rd

Greater Baltimore Medical Ctr

Lake Roland Park

Yorktown

Lowe's Home Improvement

Putty Hill Ave

Perring Pkwy

Oakleigh Rd

Lasalle Rd

Richmond Ave

Providence Rd

Mandl Rd

Layers

PETITIONER'S EXHIBIT
12 B

Google

Map data ©2023 United States

PETITIONER'S EXHIBIT 1

1020, 1022, 1024 YORK ROAD

REVISED PETITION FOR

SPECIAL EXCEPTION AND VARIANCE

1. Petition for Special Exception for a full-service car wash, pursuant to Section 236.2 of the Baltimore County Zoning Regulations ("BCZR").

2. Petition for Variance from BCZR Section 419.3.A to allow the required number of stacking spaces for the full-service car wash to be configured in a different pattern than single-file at the entrance to the tunnel, if necessary.

3. Petition for Variance from BCZR Section 238.2 to allow a side yard setback of 6 feet for a commercial building in lieu of the required 30 feet.

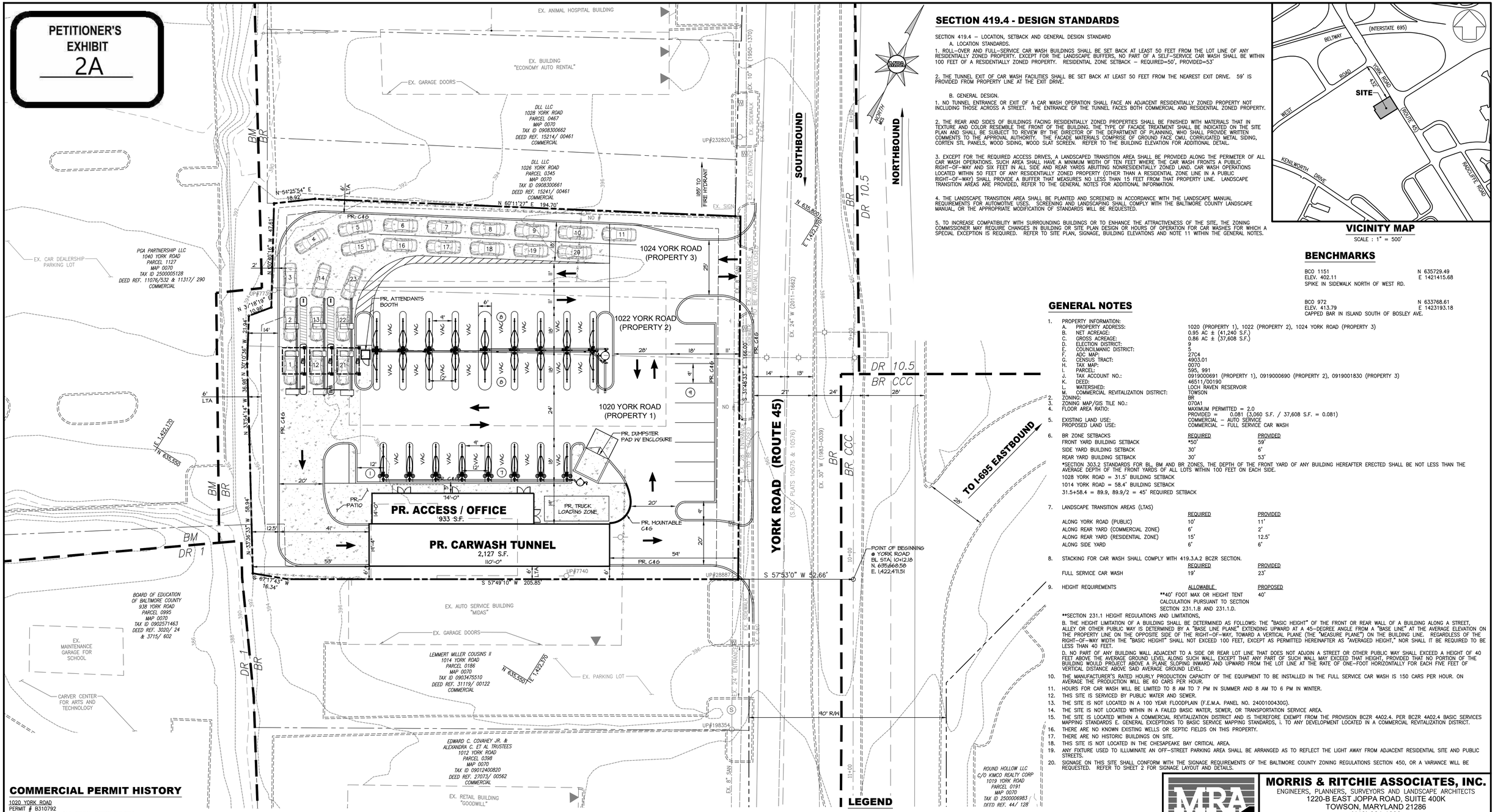
4. Petition for Variance from BCZR Section 419.4.B.3 to allow a landscape transition area width in the rear yard to be a minimum of 2 feet abutting non-residentially zoned land in lieu of the required 6 feet and to allow a landscape transition area width a minimum of 12 feet in lieu of the required 15 feet within 50 feet of a residentially zoned property.

5. Petition for Variance from BCZR Section 419.4.B.1 to allow a car wash tunnel entrance to face an adjacent residentially zoned property.

6. Petition for variance from BCZR Section 450.4. Table of Sign Regulations.5(b) to allow a total of 11 freestanding enterprise signs with sign areas/faces of 18 square feet (sign Nos. 12A, 12B), 36 square feet (sign No. 4), 4 square feet (sign Nos. 8A, 8B), and 2.77 square feet (sign Nos. 15A-15F), with a sign height of 6 feet (sign Nos. 12A, 12B), 13 feet (sign No. 4), 4 feet (sign Nos. 8A, 8B), and 6 feet (sign Nos. 15A-15F) in lieu of the one freestanding enterprise sign permitted with a sign area/face of 75 square feet.

7. Petition for variance from BCZR Section 450.5.B.4.a to allow a freestanding sign to be installed as close as 10 feet to another freestanding sign on the same premises having an area larger than 8 square feet (between sign Nos. 12A and 12B) in lieu of the required 100 foot distance.

PETITIONER'S EXHIBIT 2A



VICINITY MAP
SCALE : 1" = 500'

SECTION 419.4 - DESIGN STANDARDS

SECTION 419.4 – LOCATION, SETBACK AND GENERAL DESIGN STANDARD

A. LOCATION STANDARDS.

1. ROLL–OVER AND FULL–SERVICE CAR WASH BUILDINGS SHALL BE SET BACK AT LEAST 50 FEET FROM THE LOT LINE OF ANY RESIDENTIALLY ZONED PROPERTY. EXCEPT FOR THE LANDSCAPE BUFFERS, NO PART OF A SELF–SERVICE CAR WASH SHALL BE WITHIN 100 FEET OF A RESIDENTIALLY ZONED PROPERTY. RESIDENTIAL ZONE SETBACK – REQUIRED=50', PROVIDED=53'

2. THE TUNNEL EXIT OF CAR WASH FACILITIES SHALL BE SET BACK AT LEAST 50 FEET FROM THE NEAREST EXIT DRIVE. 59' IS PROVIDED FROM PROPERTY LINE AT THE EXIT DRIVE.

B. GENERAL DESIGN.

1. NO TUNNEL ENTRANCE OR EXIT OF A CAR WASH OPERATION SHALL FACE AN ADJACENT RESIDENTIALLY ZONED PROPERTY NOT INCLUDING THOSE ACROSS A STREET. THE ENTRANCE OF THE TUNNEL FACES BOTH COMMERCIAL AND RESIDENTIAL ZONED PROPERTY.

2. THE REAR AND SIDES OF BUILDINGS FACING RESIDENTIALLY ZONED PROPERTIES SHALL BE FINISHED WITH MATERIALS THAT IN TEXTURE AND COLOR RESEMBLE THE FRONT OF THE BUILDING. THE TYPE OF FACADE TREATMENT SHALL BE INDICATED ON THE SITE PLAN AND SHALL BE SUBJECT TO REVIEW BY THE DIRECTOR OF THE DEPARTMENT OF PLANNING, WHO SHALL PROVIDE WRITTEN COMMENTS TO THE APPROVAL AUTHORITY. THE FACADE MATERIALS COMPRISE OF GROUND FACE CMU, CORRUGATED METAL SIDING, CORTEN STL PANELS, WOOD SIDING, WOOD SLAT SCREEN. REFER TO THE BUILDING ELEVATION FOR ADDITIONAL DETAIL.

3. EXCEPT FOR THE REQUIRED ACCESS DRIVES, A LANDSCAPED TRANSITION AREA SHALL BE PROVIDED ALONG THE PERIMETER OF ALL CAR WASH OPERATIONS. SUCH AREA SHALL HAVE A MINIMUM WIDTH OF TEN FEET WHERE THE CAR WASH FRONTS A PUBLIC RIGHT–OF–WAY AND SIX FEET IN ALL SIDE AND REAR YARDS ABUTTING NONRESIDENTIALLY ZONED LAND. CAR WASH OPERATIONS 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 THAT MEASURES NO LESS THAN 15 FEET FROM THAT PROPERTY LINE. LANDSCAPE TRANSITION AREAS ARE PROVIDED, REFER TO THE GENERAL NOTES FOR ADDITIONAL INFORMATION.

4. THE LANDSCAPE TRANSITION AREA SHALL BE PLANTED AND SCREENED IN ACCORDANCE WITH THE LANDSCAPE MANUAL REQUIREMENTS FOR AUTOMOTIVE USES. SCREENING AND LANDSCAPING SHALL COMPLY WITH THE BALTIMORE COUNTY LANDSCAPE MANUAL, OR THE APPROPRIATE MODIFICATION OF STANDARDS WILL BE REQUESTED.

5. TO INCREASE COMPATIBILITY WITH SURROUNDING BUILDINGS OR TO ENHANCE THE ATTRACTIVENESS OF THE SITE, THE ZONING COMMISSIONER MAY REQUIRE CHANGES IN BUILDING OR SITE PLAN DESIGN OR HOURS OF OPERATION FOR CAR WASHES FOR WHICH A SPECIAL EXCEPTION IS REQUIRED. REFER TO SITE PLAN, SIGNAGE, BUILDING ELEVATIONS AND NOTE 11 WITHIN THE GENERAL NOTES.

BENCHMARKS

BCO 1151 — N 635729.49, E 1421415.68
ELEV. 402.11
SPIKE IN SIDEWALK NORTH OF WEST RD.

BCO 972 — N 633768.61, E 1423193.18
ELEV. 413.79
CAPPED BAR IN ISLAND SOUTH OF BOSLEY AVE.

GENERAL NOTES

1. PROPERTY INFORMATION:
   - A. PROPERTY ADDRESS: 1020 (PROPERTY 1), 1022 (PROPERTY 2), 1024 YORK ROAD (PROPERTY 3)
   - B. NET ACREAGE: 0.95 AC ± (41,240 S.F.)
   - C. GROSS ACREAGE: 0.86 AC ± (37,608 S.F.)
   - D. ELECTION DISTRICT: 9
   - E. COUNCILMANIC DISTRICT: 5
   - F. ADC MAP: 27C4
   - G. CENSUS TRACT: 4903.01
   - H. TAX MAP: 0070
   - I. PARCEL: 595, 991
   - J. TAX ACCOUNT NO.: 0919000691 (PROPERTY 1), 0919000690 (PROPERTY 2), 0919001830 (PROPERTY 3)
   - K. DEED: 46511/00190
   - L. WATERSHED: LOCH RAVEN RESERVOIR
   - M. COMMERCIAL REVITALIZATION DISTRICT: TOWSON
2. ZONING: BR
3. ZONING MAP/GIS TILE NO.: 070A1
4. FLOOR AREA RATIO: MAXIMUM PERMITTED = 2.0; PROVIDED = 0.081 (3,060 S.F. / 37,608 S.F. = 0.081)
5. EXISTING LAND USE: COMMERCIAL – AUTO SERVICE; PROPOSED LAND USE: COMMERCIAL – FULL SERVICE CAR WASH
6. BR ZONE SETBACKS

	REQUIRED	PROVIDED
FRONT YARD BUILDING SETBACK	*50'	59'
SIDE YARD BUILDING SETBACK	30'	6'
REAR YARD BUILDING SETBACK	30'	53'

*SECTION 303.2 STANDARDS FOR BL, BM AND BR ZONES, THE DEPTH OF THE FRONT YARD OF ANY BUILDING HEREAFTER ERECTED SHALL BE NOT LESS THAN THE AVERAGE DEPTH OF THE FRONT YARDS OF ALL LOTS WITHIN 100 FEET ON EACH SIDE.
1028 YORK ROAD = 31.5' BUILDING SETBACK
1014 YORK ROAD = 58.4' BUILDING SETBACK
31.5+58.4 = 89.9, 89.9/2 = 45' REQUIRED SETBACK

7. LANDSCAPE TRANSITION AREAS (LTAS)

	REQUIRED	PROVIDED
ALONG YORK ROAD (PUBLIC)	10'	11'
ALONG REAR YARD (COMMERCIAL ZONE)	6'	2'
ALONG REAR YARD (RESIDENTIAL ZONE)	15'	12.5'
ALONG SIDE YARD	6'	6'

8. STACKING FOR CAR WASH SHALL COMPLY WITH 419.3.A.2 BCZR SECTION.

	REQUIRED	PROVIDED
FULL SERVICE CAR WASH	19'	23'

9. HEIGHT REQUIREMENTS

	ALLOWABLE	PROPOSED
**40' FOOT MAX OR HEIGHT TENT CALCULATION PURSUANT TO SECTION SECTION 231.1.B AND 231.1.D.		40'

**SECTION 231.1 HEIGHT REGULATIONS AND LIMITATIONS.
B. THE HEIGHT LIMITATION OF A BUILDING SHALL BE DETERMINED AS FOLLOWS: THE "BASIC HEIGHT" OF THE FRONT OR REAR WALL OF A BUILDING ALONG A STREET, ALLEY OR OTHER PUBLIC WAY IS DETERMINED BY A "BASE LINE PLANE" EXTENDING UPWARD AT A 45–DEGREE ANGLE FROM A "BASE LINE" AT THE AVERAGE ELEVATION ON THE PROPERTY LINE ON THE OPPOSITE SIDE OF THE RIGHT–OF–WAY, TOWARD A VERTICAL PLANE (THE "MEASURE PLANE") ON THE BUILDING LINE. REGARDLESS OF THE RIGHT–OF–WAY WIDTH THE "BASIC HEIGHT" SHALL NOT EXCEED 100 FEET, EXCEPT AS PERMITTED HEREINAFTER AS "AVERAGED HEIGHT," NOR SHALL IT BE REQUIRED TO BE LESS THAN 40 FEET.
D. NO PART OF ANY BUILDING WALL ADJACENT TO A SIDE OR REAR LOT LINE THAT DOES NOT ADJOIN A STREET OR OTHER PUBLIC WAY SHALL EXCEED A HEIGHT OF 40 FEET ABOVE THE AVERAGE GROUND LEVEL ALONG SUCH WALL, EXCEPT THAT ANY PART OF SUCH WALL MAY EXCEED THAT HEIGHT, PROVIDED THAT NO PORTION OF THE BUILDING WOULD PROJECT ABOVE A PLANE SLOPING INWARD AND UPWARD FROM THE LOT LINE AT THE RATE OF ONE–FOOT HORIZONTALLY FOR EACH FIVE FEET OF VERTICAL DISTANCE ABOVE SAID AVERAGE GROUND LEVEL.

10. THE MANUFACTURER'S RATED HOURLY PRODUCTION CAPACITY OF THE EQUIPMENT TO BE INSTALLED IN THE FULL SERVICE CAR WASH IS 150 CARS PER HOUR. ON AVERAGE THE PRODUCTION WILL BE 60 CARS PER HOUR.
11. HOURS FOR CAR WASH WILL BE LIMITED TO 8 AM TO 7 PM IN SUMMER AND 8 AM TO 6 PM IN WINTER.
12. THIS SITE IS SERVICED BY PUBLIC WATER AND SEWER.
13. THE SITE IS NOT LOCATED IN A 100 YEAR FLOODPLAIN (F.E.M.A. PANEL NO. 24001004330).
14. THE SITE IS NOT LOCATED WITHIN A FAULED BASIC WATER, SEWER, OR TRANSPORTATION SERVICE AREA.
15. THE SITE IS LOCATED WITHIN A COMMERCIAL REVITALIZATION DISTRICT AND IS THEREFORE EXEMPT FROM THE PROVISION BCZR 4A02.4. PER BCZR 4A02.4 BASIC SERVICES MAPPING STANDARDS E. GENERAL EXCEPTIONS TO BASIC SERVICE MAPPING STANDARDS, i. TO ANY DEVELOPMENT LOCATED IN A COMMERCIAL REVITALIZATION DISTRICT.
16. THERE ARE NO KNOWN EXISTING WELLS OR SEPTIC FIELDS ON THIS PROPERTY.
17. THERE ARE NO HISTORIC BUILDINGS ON SITE.
18. THIS SITE IS NOT LOCATED IN THE CHESAPEAKE BAY CRITICAL AREA.
19. ANY FIXTURE USED TO ILLUMINATE AN OFF–STREET PARKING AREA SHALL BE ARRANGED AS TO REFLECT THE LIGHT AWAY FROM ADJACENT RESIDENTIAL SITE AND PUBLIC STREETS.
20. SIGNAGE ON THIS SITE SHALL CONFORM WITH THE SIGNAGE REQUIREMENTS OF THE BALTIMORE COUNTY ZONING REGULATIONS SECTION 450, OR A VARIANCE WILL BE REQUESTED. REFER TO SHEET 2 FOR SIGNAGE LAYOUT AND DETAILS.

COMMERCIAL PERMIT HISTORY

1020 YORK ROAD
PERMIT # B310792
CONSTRUCTION OF A CAR RENTAL OFFICE BUILDING.

1020 YORK ROAD
PERMIT # B707107
ERECT CHAIN FENCE WITH HEIGHT OF 8' AND LENGTH OF 120'.

1022 YORK ROAD
PERMIT # B826453 & B826879
CONSTRUCTION OF FREESTANDING D/F ENTERPRISE SIGN 9'x10' AND ONE ILLUMINATED WALL SIGN 3.5'x31.44'.

1022 YORK ROAD
PERMIT # B828817
CONSTRUCTION OF F/S PYLON SIGN 6.17'x12.17'x25'.

1024 YORK ROAD
PERMIT # E956459
UNDERGROUND ELECTRIC DIRECT BURIAL 12/3 TO EX. SIGN.

GENERAL NOTE

THE CORRECTNESS OR COMPLETENESS OF EXISTING INFORMATION SHOWN ON THE DRAWINGS IS NOT WARRANTED OR GUARANTEED. THE CONTRACTOR SHALL VERIFY THE LOCATION OF UTILITIES AND UNDERGROUND FACILITIES, BY TEST PITS OR OTHER METHODS APPROVED BY THE OWNER'S REPRESENTATIVE, AS REQUIRED TO VERIFY EXACT LOCATIONS AND DEPTHS WITHIN THE LIMIT OF DISTURBANCE. ALL DISCREPANCIES BETWEEN INFORMATION SHOWN ON THE DRAWINGS AND THAT VERIFIED IN THE FIELD SHALL BE REPORTED TO THE OWNER'S REPRESENTATIVE PRIOR TO BEGINNING WORK.

ZONING HISTORY

CASE NO. R–1949–1432–XT – PETITION FOR TEMPORARY USE OF THE PROPERTY FOR ADVERTISING STRUCTURE WAS DENIED ON MAY 13, 1949.

CASE NO. R–1994–0321–XA – PETITION FOR TWO SPECIAL EXCEPTIONS FOR USED AUTOMOBILE SALES AT 1018 AND 1024 YORK ROAD. A PETITION FOR ZONING VARIANCE, RELIEF WAS REQUESTED FROM BCZR SECTION 303.2 TO ALLOW A FRONT YARD SETBACK OF 32' IN LIEU OF THE REQUIRED 45'; FROM SECTION 238.4 TO PERMIT STORAGE AND DISPLAY OF VEHICLES AND MATERIALS IN THE FRONT YARD SETBACK AREA IN LIEU OF THE REQUIREMENT THAT THE FRONT YARD AREA TO A DEPTH OF 30' REMAIN VEHICLE FREE; FROM SECTION 238.2 TO PERMIT 0' SIDE YARD SETBACK IN LIEU OF THE REQUIRED 30'; FROM SECTION 238.2 TO PERMIT 0' AND 41' DISTANCE BETWEEN BUILDINGS IN LIEU OF THE REQUIRED 60' AND 19' RESPECTIVELY; AND SECTION 413.2 TO PERMIT A TOTAL SIGN AREA OF 175.98 SQ FT FOR TWO SIGNS IN LIEU OF THE REQUIRED 100 SQ FT. GRANTED ON APRIL 11, 1994, SUBJECT HOWEVER TO THE FOLLOWING RESTRICTIONS WHICH ARE CONDITIONS PRECEDENT TO THE RELIEF GRANTED:

1. THE PETITIONER IS HEREBY MADE AWARE THAT PROCEEDING AT THIS TIME IS AT ITS 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 PETITIONER WOULD BE REQUIRED TO RETURN, AND BE RESPONSIBLE FOR RETURNING, SAID PROPERTY TO ITS ORIGINAL CONDITION.
2. THE PETITIONER SHALL NOT ALLOW THE PLACEMENT OF ANY OTHER OUTDOOR ADVERTISING SIGNS, BANNERS, STREAMERS, BALLOONS, ETC. THAT IS, THE SOLE MEANS OF ADVERTISING WILL BE THE TWO SIGNS REFERENCED HEREIN, APPROPRIATE LETTERING ON THE FACADE OF THE BUILDINGS AND PRICES/SIGNS AS MAY BE WRITTEN ON THE WINDSHIELDS OF THE VEHICLES. ANY OTHER MEANS OF OUTDOOR ADVERTISING, BE THEY TEMPORARY OR PERMANENT, WILL BE EXCLUDED.

PLAN

SCALE: 1" = 20'
20 0 20 40

PARKING TABULATIONS CHART

(PARKING SPACES REQUIRED BY BCZR SECTION 419.3)

USE	PARKING RATE	PARKING SPACES REQUIRED PER SECTION 419.3
FULL–SERVICE CAR WASH	6/TUNNEL	6
FULL–SERVICE CAR WASH (ADDITIONAL SPACES)	4	4
VACUUMS	1/VACUUM	23
TOTAL PARKING REQUIRED		33
TOTAL PARKING PROVIDED		33

LEGEND

- EX. PROPERTY BOUNDARY LINE
- EX. RIGHT–OF–WAY
- EX. ADJACENT PROPERTY LINE
- EX. EASEMENT
- EX. ZONING LINE
- EX. BUILDING
- EX. EDGE OF PAVEMENT
- EX. EDGE OF CONCRETE
- EX. CURB
- EX. 2' CONTOUR
- EX. 10' CONTOUR
- EX. FENCE
- PR. CURB & GUTTER
- PR. BUILDING
- PR. SIDEWALK

PROFESSIONAL CERTIFICATION

I HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME, AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MARYLAND, LICENSE NO. 38291, EXPIRATION DATE: 01/13/2024.

DATUM

DESIGN & DRAWING BASED ON MARYLAND COORDINATE SYSTEM (MCS): HORIZONTAL NAD 83 (2011) VERTICAL NAVD 88

DEVELOPER

TOWSON ~~YORK~~ CAR WASH LLC
c/o CANTON CAR WASH
10051 FRANKLIN SQUARE DRIVE
NOTTINGHAM, MARYLAND 21236
PHONE: (908) 528–0009
ATTN: THOMAS DEBACCO

OWNER

GLEN G. AND WAYNE G. BERGER
1020–1024 YORK ROAD
TOWSON, MARYLAND 21204

MORRIS & RITCHIE ASSOCIATES, INC.
ENGINEERS, PLANNERS, SURVEYORS AND LANDSCAPE ARCHITECTS
1220-B EAST JOPPA ROAD, SUITE 400K
TOWSON, MARYLAND 21286
(410) 821-1690
FAX (410) 821-1748
MRAGTA.COM

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STATE OF MARYLAND · MICHAEL GREGORY CYR · 38291 · PROFESSIONAL ENGINEER

CANTON CAR WASH

1020–1024 YORK ROAD

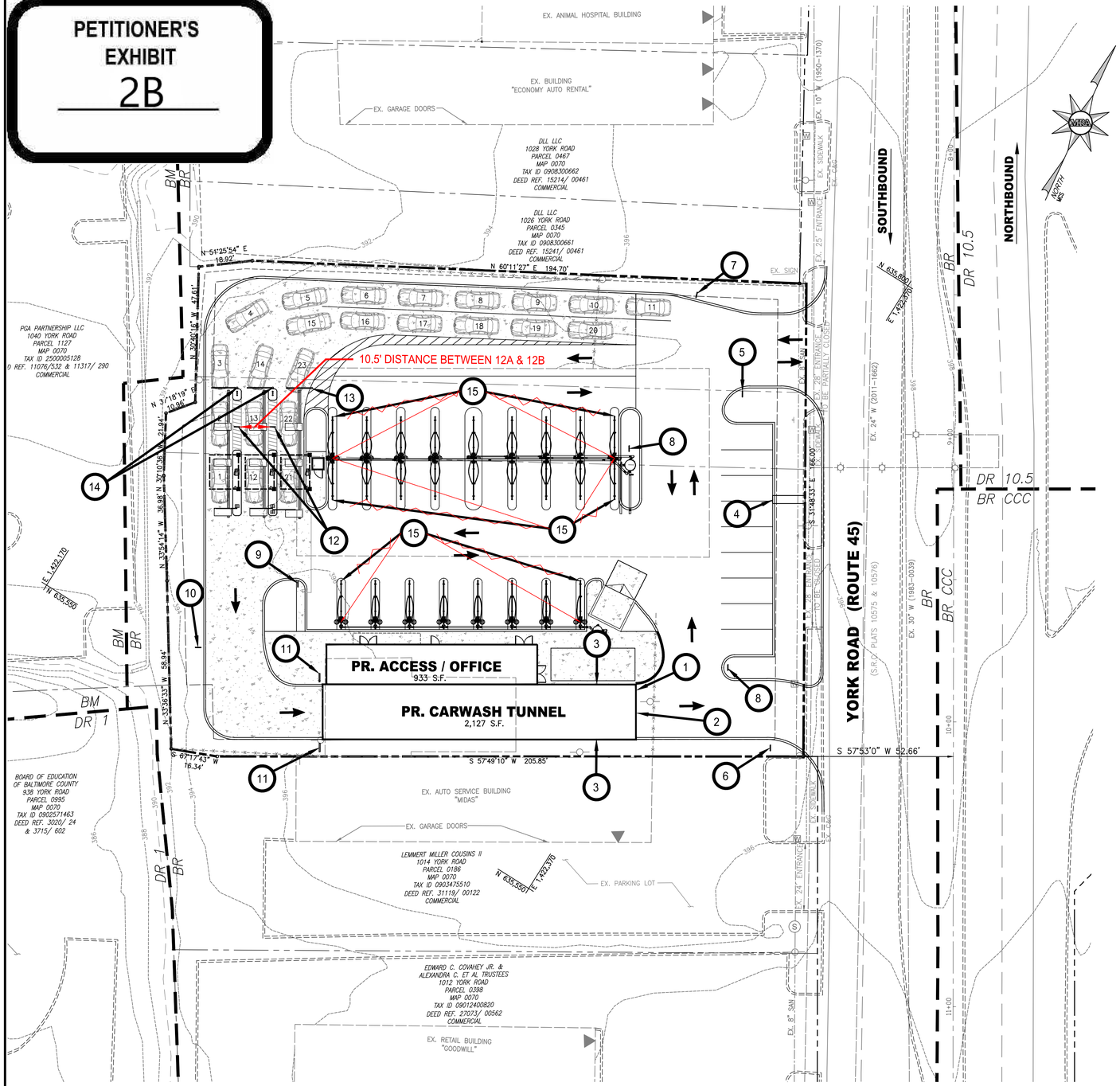
SITE PLAN TO ACCOMPANY
SPECIAL EXCEPTION & VARIANCE PETITION

5TH COUNCILMANIC DISTRICT BALTIMORE COUNTY, MARYLAND 9TH ELECTION DISTRICT

DATE	REVISIONS		
01/03/2023	UPDATED OWNER NAME TO BE TOWSON CAR WASH, LLC	JOB NO.:	21837
		SCALE:	AS SHOWN
		DATE:	12/06/2022
		DRAWN BY:	MAS
		DESIGN BY:	THS
		REVIEW BY:	THS
		SHEET:	01 OF 02

PETITIONER'S EXHIBIT

2B


EX. ANIMAL HOSPITAL BUILDING
EX. BUILDING "ECONOMY AUTO RENTAL"
EX. GARAGE DOORS
DLL LLC 1028 YORK ROAD PARCEL 0467 MAP 0070 TAX ID 0908300662 DEED REF. 15214/ 00461 COMMERCIAL
DLL LLC 1026 YORK ROAD PARCEL 0345 MAP 0070 TAX ID 0908300661 DEED REF. 15241/ 00461 COMMERCIAL
PGA PARTNERSHIP LLC 1040 YORK ROAD PARCEL 1127 MAP 0070 TAX ID 2500005128 DEED REF. 11076/532 & 11317/ 290 COMMERCIAL
10.5' DISTANCE BETWEEN 12A & 12B
PR. ACCESS / OFFICE 933 S.F.
PR. CARWASH TUNNEL 2,127 S.F.
EX. AUTO SERVICE BUILDING "MIDAS"
EX. GARAGE DOORS
EX. PARKING LOT
LEMMERT MILLER COUSINS II 1014 YORK ROAD PARCEL 0186 MAP 0070 TAX ID 0903475510 DEED REF. 31119/ 00122 COMMERCIAL
BOARD OF EDUCATION OF BALTIMORE COUNTY 938 YORK ROAD PARCEL 0995 MAP 0070 TAX ID 0902571463 DEED REF. 3020/ 24 & 3715/ 602
EDWARD C. COVAHEY JR. & ALEXANDRA C. ET AL TRUSTEES 1012 YORK ROAD PARCEL 0398 MAP 0070 TAX ID 0901240820 DEED REF. 27073/ 00562 COMMERCIAL
EX. RETAIL BUILDING "GOODWILL"
SOUTHBOUND
NORTHBOUND
YORK ROAD (ROUTE 45) (S.R.O. PLATS 10575 & 10576)
DR 10.5 BR CCC
N 51°25'54" E 15.02'
N 60°11'27" E 194.70'
S 57°53'0" W 52.66'
S 57°49'10" W 205.85'
S 67°17'43" W 78.34'
N 635,800 E 1,423,370
N 635,550 E 1,423,170
EX. 24" ENTRANCE TO BE PARTIALLY CLOSED
EX. 25' ENTRANCE
EX. 28' ENTRANCE TO BE CLOSED
EX. 24" ENTRANCE TO BE CLOSED
EX. 8" SAN
EX. SIGN
EX. SIGNAL
EX. SIGNAL BOX
EX. SIGNAL POLE
EX. SIGNAL MAST ARM
EX. SIGNAL CONTROLLER
EX. SIGNAL HEAD
EX. SIGNAL PEDESTAL
EX. SIGNAL CONDUIT
EX. SIGNAL HANDHOLE
EX. SIGNAL CABINET
EX. SIGNAL CONTROL CABINET
EX. SIGNAL CONTROL CABINET W/ BATTERY BACKUP
EX. SIGNAL CONTROL CABINET W/ BATTERY BACKUP & GENERATOR
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CASE # 2022-0291-XA

Concerned Citizens of Baltimore County
4007 Cloverland Dr.
Phoenix, MD 21131

RECEIVED
JAN 13 2023
OFFICE OF
ADMINISTRATIVE HEARINGS

12 January 2023

Dear Judge:

We are writing to request that you deny the Carwash's request to grant a variance to the County's Stacking requirements for carwashes. The **.79** acre lot cannot accommodate the building, necessary washing equipment, parking, and vehicular circulation without causing major traffic issues on southbound York Rd.

We trust you will weigh the minimal benefit that a new carwash would have at that location against the major negative impact such an establishment would have on traffic and the safety of those who use that busy section of York Rd.

Some members of our organization have lived in the Towson corridor of Baltimore County for almost 50 years. We remember the detrimental impact the Towson Ford Carwash had on that same block of the south-bound lane of York Rd. about 25 years ago. Back then, although Towson Ford had better stacking than the one being proposed in the current petition, cars would back up all the way up to West Rd. We remember lines extending pass the 695 overpass after a heavy snow fall. Today, that block of York Rd. has a traffic count of over **68,000** each day. That is over **18,000** more cars each day than in 1990 when Towson Ford operated their carwash.

This location is simply too small to handle the volume of traffic that York Rd. produces, without creating a bottleneck and all the associated safety consequences.

Canton Carwash had stacking issues at their location at 10051 Franklin that has 60% less traffic than York Rd. Baltimore County was forced to change the traffic pattern by directing the stacking onto other private roadways adjacent to the facility. At this location on York Rd., that option does not exist.

Furthermore, the Canton Carwash at the Franklin Square location is known to handle over 2,100 cars on their busiest days at their 2.28 acre site. That equates to 191 cars

each hour during the 11 hours that they are open.
And while they have the benefit of double lanes for stacking, they still have long lines extending out of their property on busy days.

We submit that if the Canton location on Franklin Square Blvd with 60% less traffic and almost 3-times larger space than the York Rd. location forced Baltimore County to change the traffic pattern on the main Rd., it goes without saying we will have a traffic nightmare on York Rd. The math and usage record of Canton Carwash suggest that the number of cars using the York Rd location on their busiest days could be as high as 3,500 - 4000.

This court should not be put in a position where it is expected to return motorists and Baltimore County residents to the horrible traffic conditions from which we escaped two and a half decades ago when Towson Ford closed its carwash. Nor should the court be asked to permit something that will not promote safety and convenience for Baltimore County residents and all those who use that corridor of York Rd.

As things stand right now, Baltimore County residents are suffering from the traffic nightmare that the Auto Spa Carwash causes on busy days on York Rd about 2 miles to the north. This has caused blockage to the entrances of adjacent businesses, as well as fender benders and long delays for motorists. We do not need to duplicate an undesirable condition like this down the street.

Canton Carwash is a high volume entity. On a **.79** acre lot, it is mathematically impossible to wash the number of cars that they will inevitably draw without dozens of vehicles spilling over onto York Rd. and causing all sorts of traffic issues.

Sincerely,

Keith Morris

Keith Morris
Executive Secretary

MARYLAND DEPARTMENT OF TRANSPORTATION
STATE HIGHWAY ADMINISTRATION

Larry Hogan
Governor
Boyd K. Rutherford
Lt. Governor
James F. Ports, Jr.
Secretary
Tim Smith, P.E.
Administrator

January 6, 2023

Ms. Kristen Lewis
Baltimore County Department of
Permits, Approvals and Inspections
County Office Building, Room 109
111 West Chesapeake Avenue
Towson, Maryland 21204

Dear Ms. Lewis:

We have reviewed the site plan to accompany the petition for special exception and variance on the subject of the Case number referenced below. An internal review reveals that there are two existing entrances onto MD 45, York Road. which may require modification due to the proposed conditions. Entrances consistent with current State Highway Administration guidelines are required as a condition of approval for Canton Car Wash, Case Number 2022-0291-xa.

Due to the parameters of this project, MDOT-SHA will require submission of a Traffic Impact Study (TIS) which shall include weekend traffic to determine the impacts on the roadway network. The applicant must contact the State Highway Administration to begin this process. Should you have any questions regarding this matter feel free to contact Ms. Teresa Eller at 410-229-2424 or 1-866-998-0367 (in Maryland only) extension 2424, or by email at (teller@mdot.maryland.gov).

Sincerely,

Teresa Eller for,

Sutapa Samanta, P.E.
Metropolitan District Engineer
Maryland Department of Transportation
State Highway Administration
District 4 - Baltimore and Harford Counties

Cc: Tom Sheckells

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE MEMORANDUM

RECEIVED DEC 29 2022

TO: C. Pete Gutwald
Director, Department of Permits, Approvals and Inspections

DATE: 12/13/2022

FROM: Steve Lafferty
Director, Department of Planning

SUBJECT: **ZONING ADVISORY COMMITTEE COMMENTS**
Case Number: 2022-291-XA

INFORMATION:
Property Address: 1020, 1022, and 1024 York Road, Towson
Petitioner: Glenn G. Berger and Wayne G. Berger
Zoning: BR
Requested Action: Special Exception and Variance

The Department of Planning has reviewed the petition for:

Special Exception:

1. For a full-service car wash, pursuant to Section 236.2 of the BCZR;

Variance:

2. From BCZR Section 419.3.A to allow the required number of stacking spaces for the full-service car wash to be configured in a different pattern than single-file at the entrance to the tunnel;
3. From BCZR Section 238.2 to allow a side yard setback of 6 feet for a commercial building in lieu of the required 30 feet;
4. From BCZR Section 419.4.B.2 to allow a landscape transition area width in the rear yard to be a minimum of 2 feet abutting non-residentially zoned land in lieu of the required 6 feet, and to allow a landscape transition area width a minimum of 12 feet in lieu of the required 15 feet within 50 feet of a residentially zoned property; and
5. From BCZR Section 419.4.B.1 to allow a car wash tunnel entrance to face an adjacent residentially zoned property.

The subject site, which is approximately 0.8 acres zoned BR, is composed of three parcels and is currently a Star Auto Service used car sales business. The use and setbacks were approved in Zoning Case 1994-321-XA. The surrounding uses on York Road are commercial, including a Midas Tires and Auto Service and a Goodwill to the south and an auto rental, animal hospital, and Lexus dealership to the north. Behind the site is parking for the Lexus dealership and a Baltimore County Publics Schools high school, Carver Center for Arts and Technology.

This portion of York Road leads to the gateway or entrance to downtown Towson, and is heavily traveled and congested. North and southbound lanes of this portion of York Road are separated by a concrete median from Fairmount Avenue to West Road, with one break just north of 1030 York Road. There is a

695 northbound off ramp on West Road, north of the subject site. York and West Road is a C-level intersection, and York and Fairmount is a D-level intersection.

The site is within the boundaries of the Towson Commercial Revitalization District, the Towson Community Plan, the Kenilworth Drive Corridor Plan, and the Eastern Baltimore County Pedestrian and Bicycle Access Plan. Relevant guidance from the Towson Community Plan advises to "simplify and clean up commercial buildings and site signs", "construct uniform, moderately scaled buildings", "orient building fronts to the streets", and "locate building fronts up against streetscapes" (York Road North, page 46).

The Department of Planning opposes the Special Exception request for a full-service car wash, pursuant to Section 236.2 of the BCZR. Section 502.1.B of the BCZR indicates that before any special exception may be granted, it must appear that the use for which the special exception is requested will not "[t]end to create congestion in roads, streets or alleys therein." When considering the anticipated increasing traffic and the overflow it could cause onto York Road, the Department of Planning opposes the request.

Should the Special Exception be granted, the Department of Planning requests that sign 3 on the signage plan, the Canton Car Wash pylon sign, be a monument style sign to better fit with the surrounding commercial site on York Road.

Should the Special Exception be granted, the Department of Planning has no objections to the Variance from BCZR Section 419.3.A to allow the required number of stacking spaces for the full-service car wash to be configured in a different pattern than single-file at the entrance to the tunnel. The irregular stacking may decrease the possibility of traffic overflowing onto York Road from the subject site.

Should the Special Exception be granted, the Department of Planning has no objections to the Variance from BCZR Section 238.2 to allow a side yard setback of 6 feet for a commercial building in lieu of the required 30 feet, as this stretch of York Road is primarily commercial structures with relatively small side yard setbacks.

Should the Special Exception be granted, the Department of Planning does not object to the Variance from BCZR Section 419.4.B.2 to allow a landscape transition area width in the rear yard to be a minimum of 2 feet abutting non-residentially zoned land in lieu of the required 6 feet and to allow a landscape transition area width a minimum of 12 feet in lieu of the required 15 feet within 50 feet of a residentially zoned property with the following conditions:

1. Landscaping to the rear of the property should be as dense as possible and variably heighted to screen the new development and car headlights in the car wash drive aisles to the extent possible from the existing development;
2. Enhanced landscaping shall be provided in the side yards and along York Road to compensate for the decreased landscaping to the rear of the development; and
3. Planters and/or landscape islands shall be provided to further beautify the site.

The Department of Planning requests these conditions, as the proposal for a 2 feet landscape transition area in lieu of the required 6 feet is minimal and does not allow for screening of the site from the existing surrounding uses. Enhanced landscaping elsewhere on site will improve the overall appearance.

Should the Special Exception be granted, the Department of Planning has no objections to the Variance from BCZR Section 419.4.B.1 to allow a car wash tunnel entrance to face an adjacent residentially zoned property. Although the property to the rear of the site is zoned DR 1, it is Carver Center for Arts and Technology, a high school, and is not used residentially. There are relatively steep slopes and a change in

grade from the portion of the Carver property that will face the car wash entrance tunnel, which will decrease visibility and impact. Additionally, the car wash tunnel entrance would face a not-heavily-used portion of Carver, a grassy field and a fenced off maintenance storage facility and parking pad.

For further information concerning the matters stated herein, please contact Taylor Bensley at 410-887-3482.

Prepared by:

Taylor Bensley

Division Chief:

Jenifer G. Nugent

SL/JGN

c: David Karceski, Esq.
David Birkenthal
Ngone Seye Diop
Office of Administrative Hearings
People's Counsel for Baltimore County

Webinar Name

Zoning Hearing - Case No: 2022-0291-XA - 1020, 1022, 1024 York Road - Owners: Glenn Berger, Wayne Berger - Contract Purchaser/

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Webinar Start Time	Webinar End Time	Display Name	First Name	Last Name	Role	Attendee Email
2023-01-17 13:18:09	2023-01-17 15:30:12	Adam Rosenblatt	N/A	N/A	panelist	amrosenblatt@venable.com
2023-01-17 13:18:09	2023-01-17 15:30:12	Adam Rosenblatt	N/A	N/A	panelist	amrosenblatt@venable.com
2023-01-17 13:18:09	2023-01-17 15:30:12	Chris Rivera	N/A	N/A	panelist	chris@cantoncarwash.com
2023-01-17 13:18:09	2023-01-17 15:30:12	david karceski	N/A	N/A	panelist	dkarceski@venable.com
2023-01-17 13:18:09	2023-01-17 15:30:12	delva T	N/A	N/A	attendee	wbanacker@gmail.com
2023-01-17 13:18:09	2023-01-17 15:30:12	Donna Mignon	N/A	N/A	host	dmignon@baltimorecountymd.gov
2023-01-17 13:18:09	2023-01-17 15:30:12	Mark Keeley	N/A	N/A	panelist	mkeeley@traffic-concepts.com
2023-01-17 13:18:09	2023-01-17 15:30:12	Maureen E Murphy	N/A	N/A	host	mmurphy@baltimorecountymd.gov
2023-01-17 13:18:09	2023-01-17 15:30:12	Thomas Sheckells	N/A	N/A	panelist	tsheckells@mragta.com

Join Time	Leave Time	Attendance Duration	Connection Type	Source ID
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2023-01-17 13:18:09	2023-01-17 13:25:47	8 mins	Desktop app	N/A
2023-01-17 13:25:28	2023-01-17 15:30:17	125 mins	Desktop app	N/A
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2023-01-17 13:33:54	2023-01-17 15:30:17	117 mins	Desktop app	N/A
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Session Name

Zoning Hearing - Case No: 2022-0291-XA - 1020, 1022, 1024 York Road - Owners: Glenn Berger, Wayne Berger - Contract Purchaser/

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Donna Mignon

From: Kristen L Lewis
Sent: Thursday, December 15, 2022 12:17 PM
To: Donna Mignon; Debra Wiley
Subject: Webex 2022-0291-XA

Good afternoon,

Below is a new case needing a webex link created. Thank you.

2022-0291-XA
1020, 1022, 1024 York Road
Owners: Glenn Berger, Wayne Berger
Contract Purchaser/Lessee: Towson Car Wash, LLC
Chris Rivera - Petitioner / Canton Car Wash - Chris@cantoncarwash.com
Thomas Sheckells - Morris and Ritchie Associates - Tsheckells@mragta.com
Mark Keeley - Traffic Concepts - Mkeeley@traffic-concepts.com
Adam Rosenblatt - arosenblatt@venable.com
David Karceski - Dkarceski@venable.com
1/17/23 at 1:30 p.m.

Kristen Lewis-Coles
Legal Secretary
PAI – Zoning Review

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For

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English | Donna

< Back to List

Zoning Hearing - Case No: 2022-0291-XA - 1020, 1022, 1024 York Road - Owners: Glenn Berger, Wayne Berger - Contract Purchaser/

Webinar

Donna Mignon 1:30 PM - 2:30 PM Tuesday, Jan 17 2023
(UTC-05:00) Eastern Time (US & Canada)

Save as template

Start Webinar

Webinar information

Join information

Panelist Attendee Host

WT
WE
WS

Donna Mignon

Subject:	Zoning Hearing - Case No: 2022-0291-XA - 1020, 1022, 1024 York Road - Owners: Glenn Berger, Wayne Berger - Contract Purchaser/
Location:	https://baltimorecountymd.webex.com/baltimorecountymd/j.php?MTID=m32f69433b82d14b0f9244fdb06655074
Start:	Tue 1/17/2023 1:30 PM
End:	Tue 1/17/2023 2:30 PM
Show Time As:	Tentative
Recurrence:	(none)
Meeting Status:	Not yet responded
Organizer:	Cisco Webex

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Zoning Hearing
Case No: 2022-0291-XA
Address: 1020, 1022, 1024 York Road
Owners: Glen Berger, Wayne Berger
Contract Purchaser/Lessee: Towson Car Wash, LLC

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When it's time, start your webinar.

Tuesday, January 17, 2023
1:30 PM | (UTC-05:00) Eastern Time (US & Canada) | 1 hr

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Donna Mignon

From: Donna Mignon <messenger@webex.com>
Sent: Thursday, December 15, 2022 12:23 PM
To: Donna Mignon
Subject: (Forward to attendee) Webex webinar invitation: Zoning Hearing - Case No: 2022-0291-XA - 1020, 1022, 1024 York Road - Owners: Glenn Berger, Wayne Berger - Contract Purchaser/
Attachments: Webex_webinar.ics

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Zoning Hearing
Case No: 2022-0291-XA
Address: 1020, 1022, 1024 York Road
Owners: Glen Berger, Wayne Berger
Contract Purchaser/Lessee: Towson Car Wash, LLC

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PETITION FOR ZONING HEARING(S)

To be filed with the Department of Permits, Approvals and Inspections
To the Office of Administrative Hearings for Baltimore County for the property located at:

Address 1020, 1022, 1024 York Road **Currently Zoned** BR

Deed Reference 46511 / 190 **10 Digit Tax Account #** 0919000691, 0919000690, 0919001830

Owner(s) Printed Name(s) Glenn G. Berger and Wayne G. Berger

(SELECT THE HEARING(S) BY MARKING X AT THE APPROPRIATE SELECTION(S) AND ADDING THE PETITION REQUEST)

The undersigned, who own and occupy the property situate in Baltimore County and which is described in the plan/plat attached hereto and made a part hereof, hereby petition for an:

1.____ **a Special Hearing** under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve

2. X **a Special Exception** under the Zoning Regulations of Baltimore County to use the herein described property for

See Attachment 1

3. X **a Variance** from Section(s)

See Attachment 1

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)**

TO BE PRESENTED AT HEARING

Property is to be posted and advertised as prescribed by the zoning regulations.
I/ we agree to pay expenses of above petition(s), advertising, posting, etc. and further agree to be bound 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:

See Attachment 2
Name - Type or Print

Signature

Mailing Address City State

Zip Code Telephone # Email Address

ORDER RECEIVED FOR FILING
Date 12/23/22
BY

Attorney for Petitioner:

David Karceski, Esq.
Name - Type or Print

Signature

210 W. Pennsylvania Ave. Suite 500 Towson MD
Mailing Address City State

21204 410-494-6285 DHKarceski@venable.com
Zip Code Telephone # Email Address

Legal Owners (Petitioners):

See Attachment 3 & 4
Name #1 – Type or Print / Name #2 – Type or Print

Signature #1 / Signature # 2

Mailing Address City State

Zip Code Telephone #'s (Cell and Home) Email Address

Representative to be contacted:

David Karceski, Esq.
Name – Type or Print

Signature

210 W. Pennsylvania Ave. Suite 500 Towson MD
Mailing Address City State

21204 410-494-6285 DHKarceski@venable.com
Zip Code Telephone # Email Address

CASE NUMBER 2023-0071-XA **Filing Date** 12/8/22 **Do Not Schedule Dates** _____ **Reviewer** JS

3/2022

1020, 1022, 1024 YORK ROAD

ATTACHMENT 1 TO PETITION FOR SPECIAL EXCEPTION AND VARIANCE

1. Petition for Special Exception for a full-service car wash, pursuant to Section 236.2 of the Baltimore County Zoning Regulations ("BCZR").

2. Petition for Variance from BCZR Section 419.3.A to allow the required number of stacking spaces for the full-service car wash to be configured in a different pattern than single-file at the entrance to the tunnel.

3. Petition for Variance from BCZR Section 238.2 to allow a side yard setback of 6 feet for a commercial building in lieu of the required 30 feet.

4. Petition for Variance from BCZR Section 419.4.B.3 to allow a landscape transition area width in the rear yard to be a minimum of 2 feet abutting non-residentially zoned land in lieu of the required 6 feet and to allow a landscape transition area width a minimum of 12 feet in lieu of the required 15 feet within 50 feet of a residentially zoned property.

5. Petition for Variance from BCZR Section 419.4.B.1 to allow a car wash tunnel entrance to face an adjacent residentially zoned property.

2022-0291-XA

1020, 1022, 1024 YORK ROAD

ATTACHMENT 3 TO PETITION FOR SPECIAL EXCEPTION AND VARIANCE

1020, 1022, 1024 YORK ROAD
TAX MAP 70, PARCEL 595 & 991
TAX ACCOUNT # 0919000691, 0919000690, 0919001830
DEED REFERENCE: 46511/190

Legal Owner:

Glenn G. Berger

Address: 111 Hamlet Hill Rd. Apt. 1307, Baltimore, MD 21210
Phone: 410-903-3539
Email: ggbfit@comcast.net

2022-0291-XA

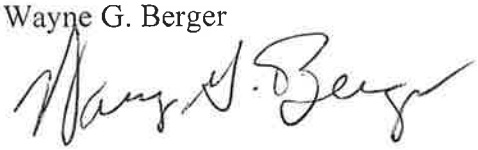
1020, 1022, 1024 YORK ROAD

ATTACHMENT 4 TO PETITION FOR SPECIAL EXCEPTION AND VARIANCE

1020, 1022, 1024 YORK ROAD
TAX MAP 70, PARCEL 595 & 991
TAX ACCOUNT # 0919000691, 0919000690, 0919001830
DEED REFERENCE: 46511/190

Legal Owner:

Wayne G. Berger



Address: 7396 Park Heights Avenue, Baltimore, MD 21208
Phone: 410-499-6947
Email: wayne.berger2@comcast.net

2022-0291-XA

1020, 1022, 1024 YORK ROAD

ATTACHMENT 2 TO PETITION FOR SPECIAL EXCEPTION AND VARIANCE

1020, 1022, 1024 YORK ROAD
TAX MAP 70, PARCEL 595 & 991
TAX ACCOUNT # 0919000691, 0919000690, 0919001830
DEED REFERENCE: 46511/190

Lessee:

TOWSON CAR WASH, LLC

By: Thomas DeBacco
Title: President
Address: 10051 Franklin Square Drive, Nottingham, MD 21236
Phone: 908-528-0009
Email: tom@cantoncarwash.com

2022-0291-XA

MORRIS & RITCHIE ASSOCIATES, INC.

ENGINEERS, ARCHITECTS, PLANNERS, SURVEYORS,
AND LANDSCAPE ARCHITECTS

December 6, 2022

ZONING AREA DESCRIPTION
FOR 1020-1024 YORK ROAD

Beginning at a point located at the intersection of York Road (MD Rte 45) at BL STA 10+12.18 or N 635,668.58 E 1,422,471.51, at the distance of 52.66' and bearing of S 57°53'0" W to a point. Thence, the following courses and distances:

2) South 57°49'10" West 205.85'.
3) South 67°17'43" West 16.34'.
4) North 33°36'33" West 58.94'.
5) North 33°54'14" West 36.98'.
6) North 30°10'36" West 21.94'.
7) North 3°18'19" East 10.96'.
8) North 30°40'16" West 47.61'.
9) North 51°25'54" East 18.92'.
10) North 60°11'27" East 194.70'.
11) South 31°48'33" East 166.00'.

Containing 37,608 square feet or 0.86 acres of land, more or less, being located in the 9th Election District and 5th Councilmanic District of Baltimore County, Maryland

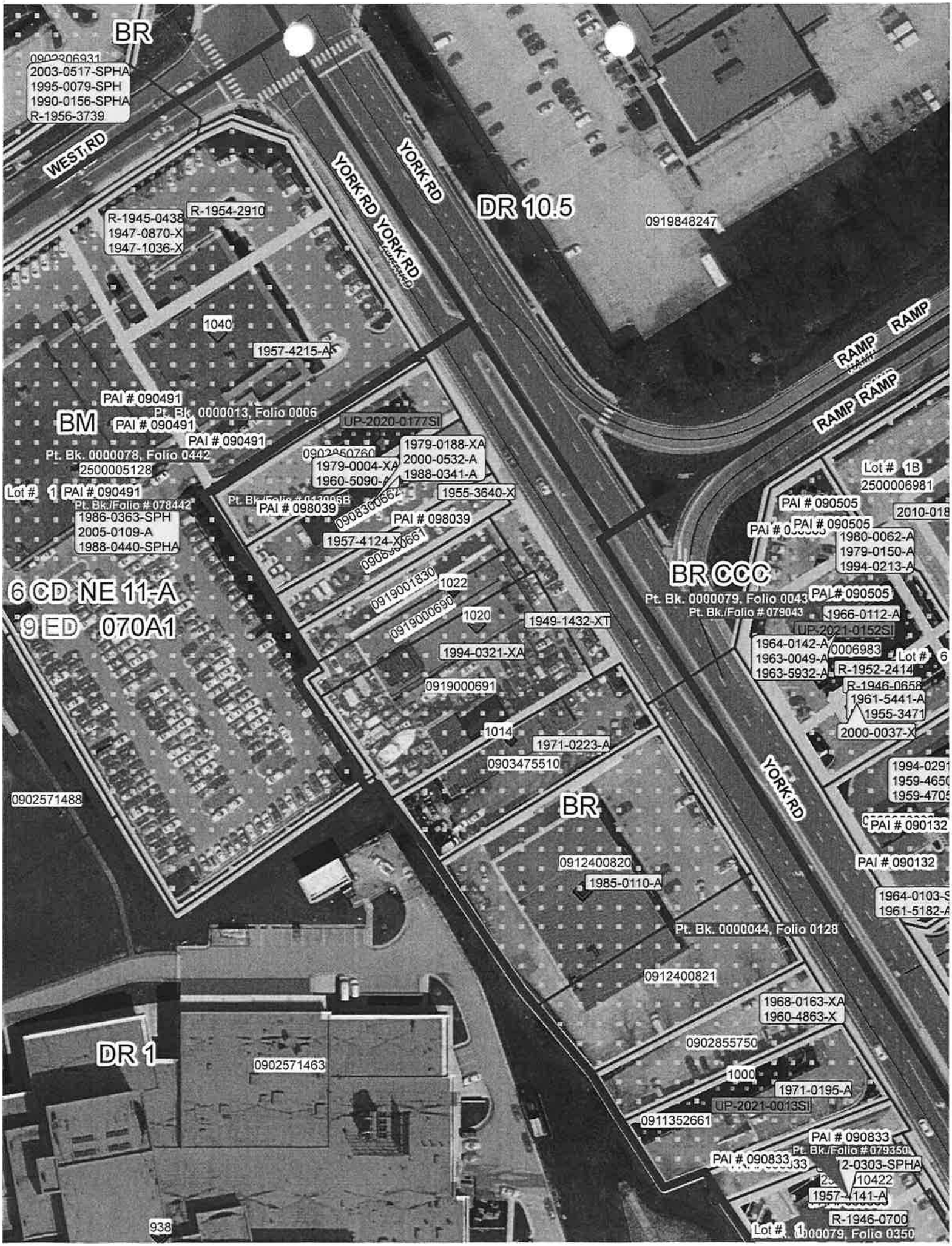
I certify that this description was either personally prepared by me or I was in responsible charge of its preparation.



2022-0291-XA

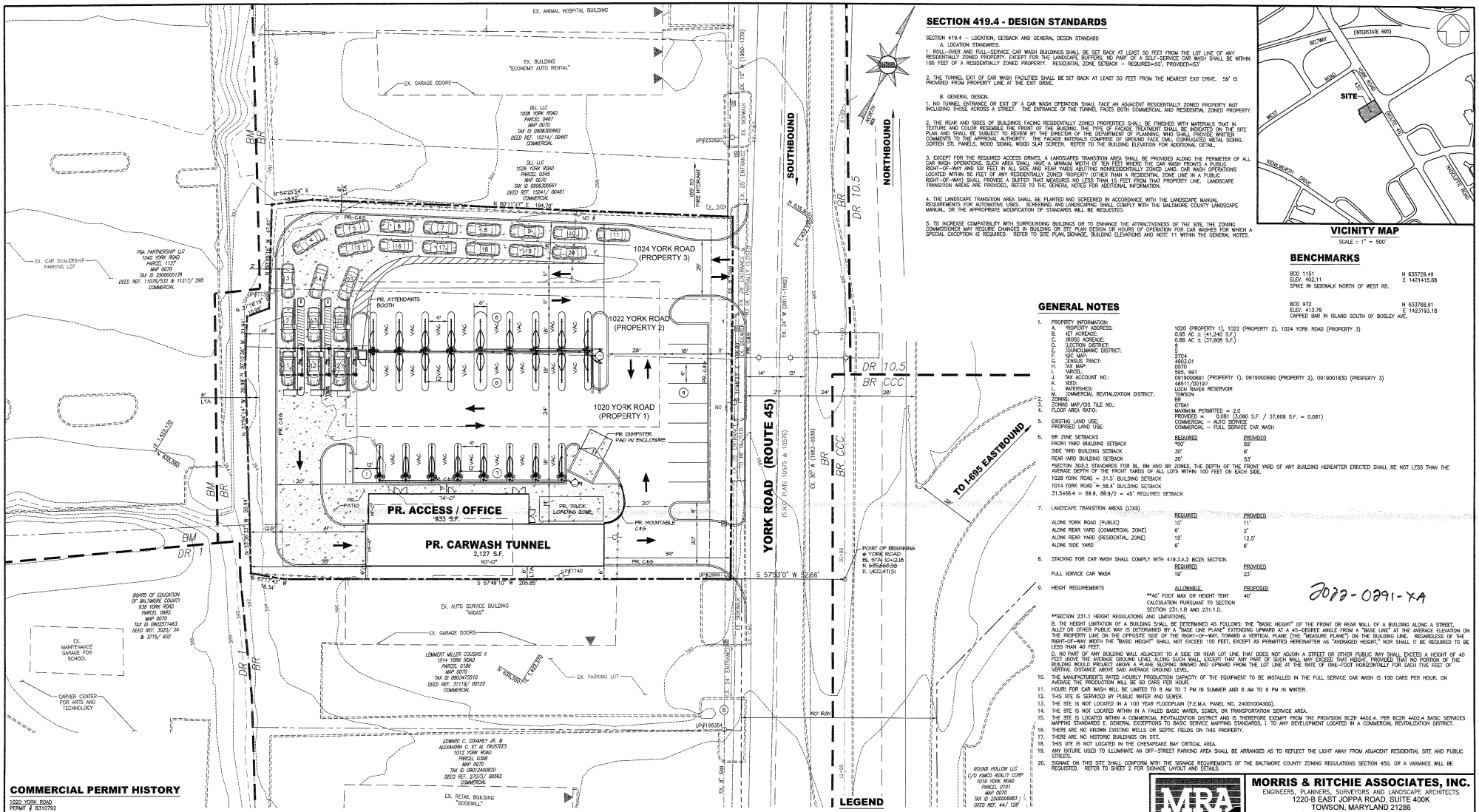
1220-B East Joppa Road, Suite 400k, Towson, MD 21286 (410) 821-1690 Fax: (410) 821-1748 www.mragta.com

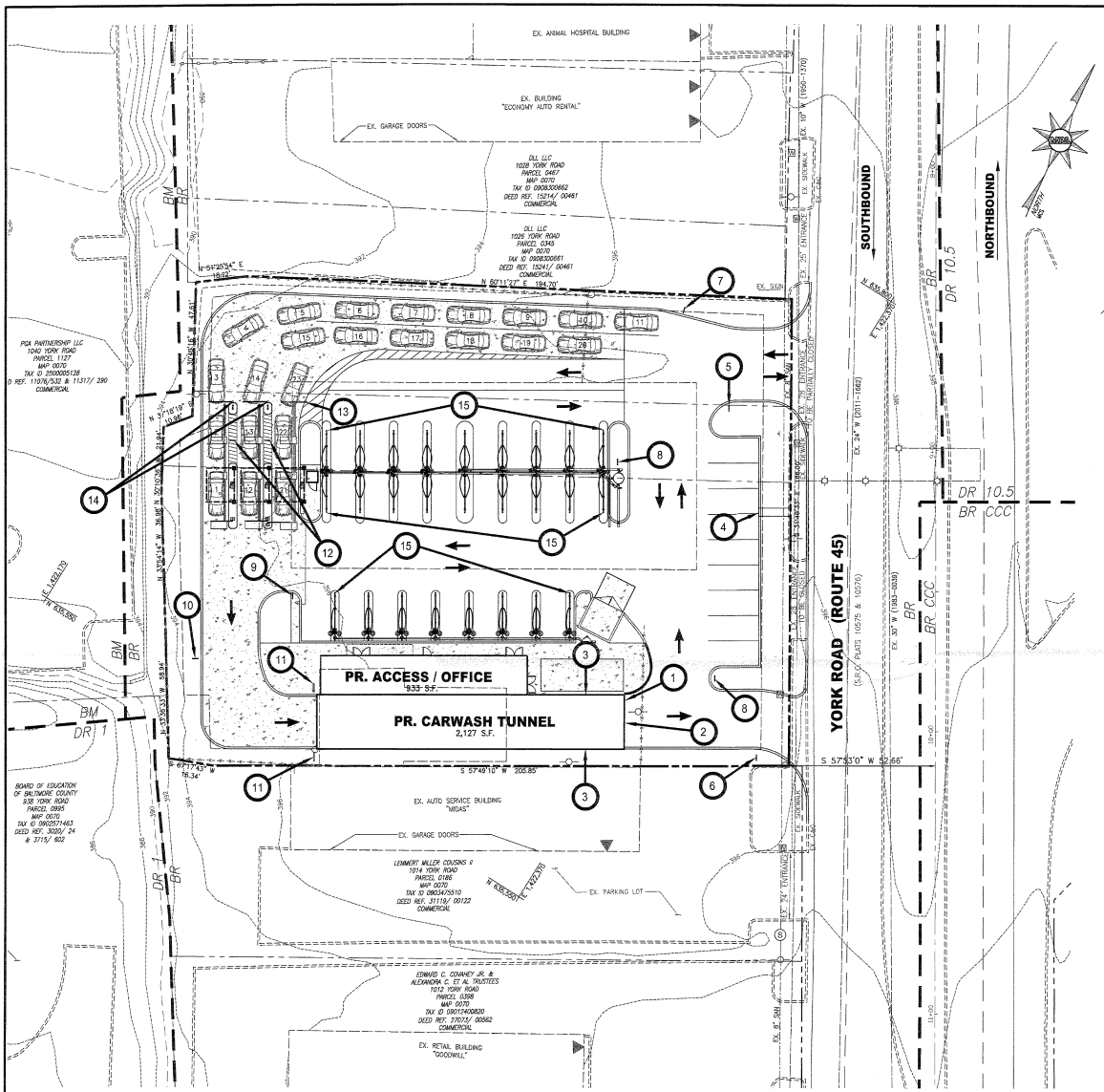
Abingdon, MD (410) 515-9000 ✦ Baltimore, MD (410) 935-5050 ✦ Laurel, MD (410) 792-9792 ✦ Towson, MD (410) 821-1690 ✦ Georgetown, DE (302) 855-5734 ✦ New Castle, DE (302) 326-2200 ✦ Sterling, VA (703) 674-0161 ✦ Raleigh, NC (984)200-2103


BR
2003-0517-SPHA
1995-0079-SPH
1990-0156-SPHA
R-1956-3739
WEST RD
YORK RD
YORK RD
DR 10.5
0919848247
R-1945-0438
1947-0870-X
1947-1036-X
R-1954-2910
1040
1957-4215-A
RAMP
RAMP
RAMP
RAMP
PAI # 090491
Pt. Bk. 0000013, Folio 0006
BM
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Pt. Bk. 0000078, Folio 0442
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1988-0341-A
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PAI # 098039
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1014
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Pt. Bk./Folio # 079350
PAI # 090833
12-0303-SPHA
10422
1957-4141-A
R-1946-0700
Lot # 1
Pt. Bk. 0000079, Folio 0350

Baltimore County - My Neighborhood




EX. ANIMAL HOSPITAL BUILDING
EX. BUILDING "ECONOMY AUTO RENTAL"
EX. GARAGE DOORS
DLL LLC 1038 YORK ROAD PARCEL 0467 MAP 0070 TAX ID 0908200662 DEED REF. 15214/ 00451 COMMERCIAL
DLL LLC 1026 YORK ROAD PARCEL 0345 MAP 0070 TAX ID 0908200561 DEED REF. 15241/ 00461 COMMERCIAL
PGA PARTNERSHIP LLC 1040 YORK ROAD PARCEL 1127 MAP 0070 TAX ID 2500005126 DEED REF. 11076/532 & 11317/ 290 COMMERCIAL
EX. CAR DEALERSHIP PARKING LOT
1024 YORK ROAD (PROPERTY 3)
1022 YORK ROAD (PROPERTY 2)
1020 YORK ROAD (PROPERTY 1)
PR. ATTENDANTS BOOTH
PR. DUMPSTER PAD W/ ENCLOSURE
PR. ACCESS / OFFICE 933 S.F.
PR. CARWASH TUNNEL 2,127 S.F.
PR. TRUCK LOADING ZONE
PR. MOUNTABLE C46
PR. PATIO
PR. C46
PR. C46 (TYP.)
EX. AUTO SERVICE BUILDING "MIDAS"
EX. GARAGE DOORS
EX. PARKING LOT
BOARD OF EDUCATION OF BALTIMORE COUNTY 938 YORK ROAD PARCEL 0985 MAP 0070 TAX ID 0902271463 DEED REF. 3025/ 24 & 3715/ 602
EX. MAINTENANCE GARAGE FOR SCHOOL
CARVER CENTER FOR ARTS AND TECHNOLOGY
LEMMERT MILLER COLSONS II 1014 YORK ROAD PARCEL 0186 MAP 0070 TAX ID 0903475510 DEED REF. 31119/ 00122 COMMERCIAL
EDWARD C. COURNEY JR. & ALEXANDRA C. ET AL TRUSTEES 1012 YORK ROAD PARCEL 0398 MAP 0070 TAX ID 0901240820 DEED REF. 27073/ 00362 COMMERCIAL
EX. RETAIL BUILDING "GOODWILL"
ROUND HOLLOW LLC C/O KIMCO REALTY CORP 1019 YORK ROAD PARCEL 0197 MAP 0070 TAX ID 2500006983 / DEED REF. 44/ 128
YORK ROAD (ROUTE 45)
SOUTHBOUND
NORTHBOUND
TO I-695 EASTBOUND
POINT OF BEGINNING @ YORK ROAD BL STA 104+22.16 N. 635660.39 E. 1422,411.51
EX. 24" W (2011-1992)
EX. 30" W (1983-1939)
EX. 8" SAN
EX. 24" ENTRANCE
EX. 20" ENTRANCE
EX. 10" W (1960-1970)
EX. 6" W
EX. 8" W
EX. 12" W
EX. 2" GAS
EX. SIGN
HSE TO FIRE HYDRANT
UP#7740
UP#7736
UP#2888778
UP#2323520
UP#198354
N 635,360
N 635,380
N 635,390
N 635,395
N 635,400
N 635,405
N 635,410
N 635,415
N 635,420
N 635,425
N 635,430
N 635,435
N 635,440
N 635,445
N 635,450
N 635,455
N 635,460
N 635,465
N 635,470
N 635,475
N 635,480
N 635,485
N



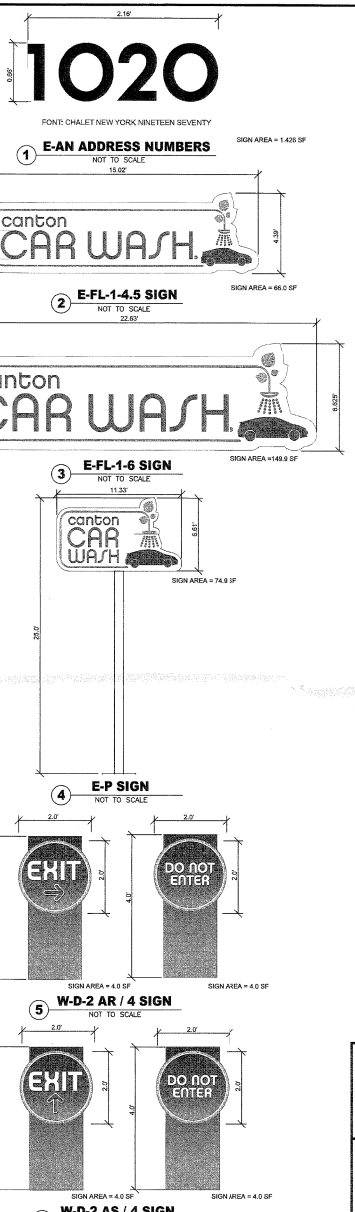
PLAN
SCALE: 1" = 20'
20 0 20 40

LEGEND

- EX. PROPERTY BOUNDARY LINE
- EX. RIGHT-OF-WAY
- EX. ADJACENT PROPERTY LINE
- EX. EASEMENT
- EX. ZONING LINE
- EX. BUILDING
- EX. EDGE OF PAVEMENT
- EX. EDGE OF CONCRETE
- EX. CURB
- EX. 2' CONTOUR
- EX. 10' CONTOUR
- EX. FENCE
- PR. CURB & GUTTER
- PR. BUILDING
- PR. SIDEWALK

GENERAL NOTE

THE CORRECTNESS OR COMPLETENESS OF EXISTING INFORMATION SHOWN ON THE DRAWINGS IS NOT WARRANTED OR GUARANTEED. THE CONTRACTOR SHALL VERIFY THE LOCATION OF UTILITIES AND UNDERGROUND FACILITIES, BY TEST PITS OR OTHER METHODS APPROVED BY THE OWNER'S REPRESENTATIVE, AS REQUIRED TO VERIFY EXACT LOCATIONS AND DEPTHS WITHIN THE LIMIT OF DISTURBANCE. ALL DISCREPANCIES BETWEEN INFORMATION SHOWN ON THE DRAWINGS AND THAT VERIFIED IN THE FIELD SHALL BE REPORTED TO THE OWNER'S REPRESENTATIVE PRIOR TO BEGINNING WORK.



DATUM

DESIGN & DRAWING BASED ON MARYLAND COORDINATE SYSTEM (MCS): HORIZONTAL NAD 83 (2011) VERTICAL NAVD 88

PROFESSIONAL CERTIFICATION

I HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME, AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MARYLAND, LICENSE NO. 38291, EXPIRATION DATE: 01/11/2024.

DEVELOPER

YORK CAR WASH LLC
c/o CANTON CAR WASH
10051 FRANKLIN SQUARE DRIVE
NOTTINGHAM, MARYLAND 21236
PHONE: (908) 528-0009
ATTN: THOMAS DEMOCO

OWNER

GLEN G. AND WAYNE G. BERGER
1020-1024 YORK ROAD
TOWSON, MARYLAND 21204

MORRIS & RITCHIE ASSOCIATES, INC.
ENGINEERS, PLANNERS, SURVEYORS AND LANDSCAPE ARCHITECTS
1220-B EAST JOPPA ROAD, SUITE 400K
TOWSON, MARYLAND 21286
(410) 821-1690
FAX (410) 821-1748
MRAGTA.COM

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CANTON CAR WASH

1020-1024 YORK ROAD

SIGNAGE PLAN

5TH COUNCILMANIC DISTRICT BALTIMORE COUNTY, MARYLAND 9TH ELECTION DISTRICT

DATE	REVISIONS		
		JOB NO.:	21837
		SCALE:	AS SHOWN
		DATE:	12/06/2022
		DRAWN BY:	MAS
		DESIGN BY:	THS
		REVIEW BY:	THS
		SHEET:	02 OF 02

RECEIVED OCT 18 2022

RE: PETITION FOR SPECIAL HEARING AND SPECIAL EXCEPTION	*	BEFORE THE OFFICE
10123 Reisterstown Road; NE/S of Reisterstown Road, opposite Painters Mill Road	*	OF ADMINSTRATIVE
4th Election & 2nd Councilmanic Districts	*	HEARINGS FOR
Legal Owner(s): CDN Limited Partnership, CDN Holdings LLC - by Nicolett Zizos	*	BALTIMORE COUNTY
Contract Purchaser(s): Craig Vanbrenen Petitioner(s)	*	2022-226-SPHX

* * * * * * * * * * * * *

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/rmw
PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

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

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 18th day of October, 2022, a copy of the foregoing Entry of Appearance was mailed to Tim O'Donald, 650 S. Exeter Street, Suite 200, Baltimore, Maryland 21202, todonald@harboreast.com and Timothy Kotroco, Esquire, 305 Washington Avenue, Towson, Maryland 21204, TKotroco@gmail.com , Attorney for Petitioner(s).

Peter Max Zimmerman/rmw
PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Debra Wiley

From: Debra Wiley
Sent: Wednesday, November 30, 2022 11:51 AM
To: Matt Bishop -
Subject: FW: Decision - Case No. 2022-0226-SPHX - 10123 Reisterstown Road - Zizos / Vanbreman
Attachments: 0376_001.pdf

From: Debra Wiley
Sent: Wednesday, November 30, 2022 11:50 AM
To: Timothy Kotroco, Esquire – <tkotroco@gmail.com>; Matthew T. Kotroco, Esquire – <mattkotroco@gmail.com>
Cc: Dino La Fiandra, Esq. – <dcl@lafiandralaw.com>; Nicolett Zizos – <nikki0031@gmail.com>; Craig Vanbreman – <craig@gcawexpress.com>; Matthew Bishop – <matt.bishop@kiimley-horn.com>; Donna Mignon <dmignon@baltimorecountymd.gov>; County Council <countycouncil@baltimorecountymd.gov>; Henry Ayakwah <hayakwah@baltimorecountymd.gov>; Jeffery Livingston <jlivingston@baltimorecountymd.gov>; Jenifer G. Nugent <jnugent@baltimorecountymd.gov>; PAI Zoning <paizoning@baltimorecountymd.gov>; Peoples Counsel <peoplescounsel@baltimorecountymd.gov>; Vishnubhai K Desai <vdesai@baltimorecountymd.gov>
Subject: Decision - Case No. 2022-0226-SPHX - 10123 Reisterstown Road - Zizos / Vanbreman

Good Morning,

Please find attached ALJ Mayhew's Opinion and Order in reference to the above matter.

Have a great and safe day.

From: adminhearingcopier@baltimorecountymd.gov <adminhearingcopier@baltimorecountymd.gov>
Sent: Wednesday, November 30, 2022 11:52 AM
To: Debra Wiley <dwiley@baltimorecountymd.gov>
Subject: Attached Image

RE:	PETITION FOR SPECIAL EXCEPTION 1630 E. Joppa Road; North side of East Joppa Rd, 315 FT West of Loch Raven Blvd 9th Election & 5th Councilmanic Districts Legal Owner(s): GRS Properties, LLC Contract Purchaser(s: Green Clean Auto Wash Petitioner(s)	* * * * *	BEFORE THE OFFICE OF ADMINSTRATIVE HEARINGS FOR BALTIMORE COUNTY 2021-199-X

* * * * * * * * * * * * *

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/rmw
PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

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

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 15th day of July, 2021, a copy of the foregoing Entry of Appearance was emailed to Timothy Kotroco, Esquire, 305 Washington Avenue, Suite 502, Towson, Maryland 21204, tkotroco@gmail.com, Attorney for Petitioner(s).

Peter Max Zimmerman/rmw
PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Donna Mignon

From: Donna Mignon
Sent: Tuesday, November 2, 2021 7:57 AM
To: 'Tim Kotroco'
Cc: 'jspahn@5304dorsey.com'; 'Craig Van Bremen'; 'Bishop, Matt'; Debra Wiley; County Council (countycouncil@baltimorecountymd.gov); Henry Ayakwah; Jeffery Livingston (jlivingston@baltimorecountymd.gov); Jenifer G. Nugent; Peter Max Zimmerman (pzimmerman@baltimorecountymd.gov); Rebecca Wheatley (rwheatley@baltimorecountymd.gov); Vishnubhai K Desai (vdesai@baltimorecountymd.gov)
Subject: Case No: 2021-0199-X 1630 E. Joppa Road
Attachments: 2021-0199-X.pdf

Good Morning,

Please find attached ALJ Murphy's Opinion and Order in reference to the above matter.

Have a great and safe day.

Donna Mignon, Legal Assistant
Baltimore County Office of Administrative Hearings
105 West Chesapeake Avenue, Suite 103
Towson, Maryland 21204
410-887-3868