1246 MAP

#13

RE: PETITION FOR RECLASSIFICATION FROM AN "A" HESIDEMIC ZONE TO AH "E" COMMERCIAL DUNG AND SPECIAL PERMIT FOR OASOLINE SERVICE STATION - S. WILLIES A WILLIES AVES, GROWN CEMPRAL PETROLEMM CORPORATION, GROWN CEMPRAL PETROLEMM CORPORATION,

The above entitled appeal having come on for hearing before the Board of Zoning Appeals of Beltimore County from an Order of the Zoning Commissioner of Baltimore County, dated July 27, 1948, denying the petition for reclassification from an "A" Residence Zone to an "E" Commercial Zone and Special Permit to use said property for Gasoline Service Station, testimony having been taken before the Board and the respective parties or their counsel heard,

It is thereupon this 15th day of November, 1948, ONDERED that the ONDER of the Zoning Commissioner be and the same is hereby reversed, and, it is further ORDERED that the property of the petitioner be and the same is hereby reclassified from an "A" Residence Zone to an "E" Commercial Zone and special permit granted for the operation of a Gasoline Service Station.

> arle L. Dingle William a Sapp

Approved: County Commissioners of Bettiagre County

Date: Mrd. 15, 1948

REC8 AUG 2 1548

Mr. Charles H. Doing Zoning Commissions Towson 4, Maryland

Re: PETITION FOR RECLASSIFICATION FROM "A" RESIDENCE ZONE TO "E" COMMERCIAL ZONE & SPECIAL PERMIT FOR GASOLINE SERVICE STATION - CROWN CENTRAL PETROLEUM CORPORATION, PETITIONERS - 546 LEEDS AND WILKENS AVENUE -13th DISTRICT OF BALTIMORE COUNTY

You will please enter an Appeal to the Board of Zoning Appeals of Baltimore County from your decision of July 27th, 1948 denying the petition filed by Crown Central Petroleum. W ion, Ralph W. Smith and Walter LeCompte, in the above case an forward the papers to the Board of Zoning Appeals of Baltimore County.

histarl land hunch

Dated this 2nd day of August, 1948.

This is an appeal from the refusal of the Zoning Commissioner to reclassify the property under consideration. from an "A" Residence Zone to an "E" Commercial Zone and refusel to grant a special permit to use the said property for a gasoline service station.

The property is a small triangular tract of land lying between the present Leeds Avenue and the proposed relocation of Wilkins Avenue. It appears obvious that the property will never be suitable for residential development because of its peculiar location between these two main thoroughfares. While the surrounding section is now residential in character it is reasonable to assume that commercial development will eventually desire to move in along this wide main thoroughfure which will shortly be completed so that we feel that the character of the neighborhood must necessarily change from a purely residential zone to a commercial zone. Some objection has been made to the use of the property for a filling station because of a possible traffic hazard in view of the fact that cars being serviced will necessarily move in and out with the heavy traffic on the new Wilkins Avenue and onto Leeds Avenue. A majority of the Board feels that since the State Roads Commission has indicated that it does not intend to have its entire right-of-way and that there will be an area between the paved portion of the newhighway and the filling station property will be possible for vehicles to enter upon and leave the highway without danger to vehicles travelling thereon.

> RE: PETITION FOR RECLASSIFICATION FROM "A" RESIDENCE ZONE TO "E" COMMERCIAL ZONE & SPECIAL FERMIT FOR GASOLINE SERVICE STATION - CROWN CENTRAL GASCLING STRICE STRICTOR - GUING CONTROL OF PETROLEM CORPORATION, PSTITIONERS - SWC LEEDS AND WILKENS AVENUE - 13TH DISTRICT OF BALTIMORE COUNTY

Pursuant to the advertisement, posting of property and public hearing on the above petition for a realization from an "A" reminince to an "P" commercial zone and for a Special Permit to use aid property, if reclaimizing, for a goalline service to the realization of the property and the property of the the realization that the best service and the state of the reclassification ought not to be increased between that is

recursity was not and property for a gasoline service station would create a traffic hazard. The lot, according to the plat plan filled with the pottion, is welco snaped being his 50° wide taperative to the pottion, is welcomed being his 50° with taperative the force of the west and Bileon Arenne Extension on the act, the force and fillens Arenne Extension on the act, the first proper for Arenne Extension, which will become Revie #1, reputed to be active to the property of the property of

IT IS CROEMED by the Zoning Commissioner of Baltimore County this 27th day of July 1948, that the above petition be and the same is hereby denied and that the above described property, or area, be and the same is hereby continued as and to remain an "A"

The majority of the Board feeling that this property is a suitable location for a gasoline service station and that it should clearly be reclassified for commercial use will sign an Order changing the classification of the property to an "E" Commercial Zone and granting the special permit for the operation of a filling station.

DISSENTING OPINION OF DR. SAMUEL H. HOOVER, CHAIRMAN, BOARD OF ZONING APPEALS OF BALTIMOR E COUNTY

I regret that I find myself unable to agree with the majority opinion in this cape.

I think it is plain that to permit the operation of a casoline service station at this location would exeste a serious truffle bezard. This location will eventually be the intersection of two heavily travelled thoroughfares; the lot upon which it is proposed to erect the service station is too small for the purpose and the shape is such that the erection of a building thereon will necessarily out off the view at the intersection so that motor vehicles entering Wilkins Avenue from Leeds Avenue will not be able to see and protect themselves from traffic travelling on Wilkins Avenue. I also feel that automobile a going in and out of this merticular location are bound to cause congestion and create a very dangerous situation because of the perculiar circumstances at this intersection and will cause a slowing down of traffic on what is supposed to be an express highway.

For these reasons I feel forced to dissent from the ma tority opinion.

Chairman, Board of Zoning Appeals of Baltimore County.

PETITION FOR (1) ZONING RECLASSIFICATION (3) SPECIAL PRESIT

To the Zoning Commissioner of Baltitore County:

I. of to. Grown Central Patroleum Corp. Logal Other South West corner of the intersection South Wast Cerner of the Intersection of beads due a Wilkins dre Extended.
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If you southerly on the restsid of beads dre.
If so the law on the restsid of beads withins dre Extendy
Southern what side of Wilkins dre Est. to ast side
of the following the sound status of the above described

preparty be reclassified, pursuant to the Zoning Lew of Beltimore County, from an "A" Residence Zone to an "E" Commercial Zone; and (3) for a Special Parmit, under said Zoning Law and Zoning Regu-Intions of Enlinere County, to use the above described property, for Gasoline Filling Station.

Property to be posted as prescribed by Zoning Regulations.

I, or we, merce to pay expenses of the above reclassification and Special Permit, advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the Zoning Aegulations and Restrictions of Baltimore County, adopted pursuant to the Zoning Law for Baltimore County.

Relph W Month Cover Central Petrolum Gorge.

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53 55 Dreg & offer Dear Drawing Ballo 22, mod. 300 dimercan Belly.

Ballo 22, mod. 300 dimercan Belly.

Ballo 2 Md.

25-7400

ORLEGED by the Zoning Spanissioner of Bultimore County this Sleb day of June . 194g.

that the subject metter of this petition be rivertised in

County and that the property be posted, as required by the

Zoning Augulations and Act of Assembly aforesaid, and that

n public hearing thereon be had in the office of the Zening

Commissioner of Haltimore County, Maryland, on the 19th day of _______, 194g, at 11:00___o'clock

a newspaper of general circulation throughout Baltimore

CERTIFICATE OF PUBLICATION

the 22d . in 1/4.

THE JEFFERSONIAN. 1. Stimult

Cost of Advertisement S.

CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

Posted for: Commercial

Patroler Lorent Contral Detroleum Control Nilking he Location of property Southeast corner of Leeds & Wilking he

Southwart of the southeast romes of Leeds to Read to feet & Posted by Hany Englant Bate of return July 3/48

\$27.00 V

RECEIVED of Crown Central Petroleum Corp. the sum of frenty Seven (\$27.00) Dollars, being cost of petition for reclassification, advertising, posting of property and Special Permit SWC of intersection of Leeds & Wilkins Avenue extended, 13th District of Baltimore County.

Zoning Commissioner

Monday, July 18, 1948 at 10 A. H.

August 6, 1948

\$22,00

DRIVED of Michaepl Paul Smith, Attorney for Grown Central Petroleum Corporation, the sum of Twenty Two (\$22,00) Dollars, being cost of appeal from the decision of the Zoning Commissioner denying the petition for reclassification and special permit for gasoline service station at the southwest corner of Leeds and Wilkins Avenues, 13th District of Beltimore County.

Zoning Commissioner



The state of the s

WIMPREAS, the laying out of said highway and or bridge and their apportunations, in addition to being required sable convenience, necessity and safety, is a material banefit to the andersigned.

THEREPORE, THIS DEED AND RELEASE WITNESSETH: That for and in consideration of the above NOW, PHEROOR, PHIS SEED AND RELEASE WITHESSEN: That for ani in consideration of the above mines, the Daller (1500) and other good and valuables consideration, the textpe sharron of the help as-printinged, se do brothy great and coursy unto the State of Maryland, in the oce of the State Roads demonstrated Maryland, its successor and assess, foresets in the complex all one right, title, and othersty face and death of all as and go-orderance, in and in all the land, together with the appartments thereto belonging or in any wave rettings, high persons the lines designed "right" on a pile a school and on indicated on the desired applied.

heirs and assigns, dis further release the herrs, others, agents, and employees, fr ages and or injuries whatsoccer caused i, ememors, and or rights, etc. for a pu- the creation or extension of slopes, until hiers, arising out of or caused by the thening, grading, improving, further in and their necessary appartenances we and their necessary appartenances we	as our property and or our rights me be affected by the valid proposed with their belonging or in any wise appreximining and see, for our electric state of Mary land and the Sarte Block Commonweal of Mary land, who there was the second of the second of the second of the second further to influence by the Calenga, and care or improvement set of the block highway and or bridge and their necessary apparentness, model submotion or exact anisons in connections therewish or an other nature. Leging can, opening, establishing, contrasting extending, without leging and, opening, establishing, contrasting extending, while the last of the land, formous and or rights, etc. in early granter
It was any change or grass thereas, and the grant to the successors and assigns, the right to a mentioned plat, such draining, structure touch. Commission to adequately strain retain the sale highway and or adjust such time as the contour of the land of for slopes is not longer necessary to:	Situs of Maryland to the use of the State Roads Commission of Mary- ture State of the State of the State Sta
rland, its successors and assigns, the rig	the State of Maryland to the use of the State Roads Commission that to create, use and maintain on or actions the adjacent land off the smaller is a re-received in the opinion of the State Roads Commission egend shawn in the left hand corner of the above mentioned plat.
AMD the grantore do further grant to land, its successors and assigns the pu sch and every year, snow fences, within r fences shall not interfere with the con- sing crops.	the State of Maryland to the use of the State Roods Commission or repetial hight to exect and maintain between October 1st, and April lat 100 feet of the Loud hereby granted in fee simple, provided that sais struction and use of buildings conserved or hereafter exected or not
AND the grantors covenant that they	have neither done, not suffered to be done, anything to occumber the be convexed, and that they will execute such other and further assur-
AND	
in this conveyance for the purpose of ution and effect of any mortgage and reights as mortgagers and on horsors in a	releasing the land, casements and or rights, berrin con-tred, from the or lien which they hold upon the property of the granters, retaining and to the remainder of the kind not affected by this conversarie.
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STATE OF MARYLAND, IN AND PO	COUNTY:
	and County aforesaid, personally appeared
acknowledged the aforegoing deed to I	
WITHERS my hand and Notarial Scal	this c day of . 19
	Notary Politic
	Ms Commission expires

