

FILED FEB 7 1953

Re: Petition for Reclassification from an "A" Residence Zone to an "B" Commercial Zone - Special Permit for Gasoline Service Station - S. E. Cor. Hanover & Old Hanover Roads, 4th District South Bros., Petitioners

Mr. Augustine J. Muller, Zoning Commissioner of Baltimore County, Towson, Maryland

Please enter an appeal to the Board Zoning Appeals of Baltimore County from your decision rendered in the above matter and transmit all papers to said Board.

Smith Brothers Builders + S. E. Cor. Hanover & Old Hanover Roads

Feb. 7, 1953

Re: Petition for Reclassification from an "A" Residence Zone to an "B" Commercial Zone and a Special Permit for a Gasoline Service Station - S. E. Cor. Hanover and Old Hanover Roads, 4th Dist., South Bros., Petitioners

The property which is the subject of this petition for reclassification to commercial use and a special permit for the erection of a gasoline service station, is located in the 4th District, north of the intersection of Hanover and Old Hanover Roads, Glen Morris, Fourth District. This intersection is the easterly end and lies to the north of the Over-pass over the railroad which is located at and near the top of the hill as you go easterly from the Over-pass.

The petitioner at Mr. John Brown, a representative of Shropshire Brothers, testified that this was a logical location for a gasoline service station to serve traffic using the Hanover Road. Both Mr. Smith and Mr. Brown testified that there are no facilities in Baltimore suitable for servicing trucks, that the service station areas are small and that large tractor-trailer trucks cannot get in to the station and out again without causing traffic problems.

Mr. Brown stated that he has a service station located similarly to this on the Westminster Pike in Carroll County and that the operation has proven to be a successful one.

The proponents to the granting of this reclassification and issuance of a special permit for a gasoline service station contend that there is no need for such service in that area and that the use of the property for this purpose will seriously depreciate property values in the area. In addition, the proponents contend that the location of a service station as proposed will be a serious traffic hazard as the station will be located at or near the top of the hill and that trucks going to and from the station will be dangerous to the public.

Mr. E. C. Chaney, District Engineer, District No. 4, State Road Commission, in a letter to this Department stated as follows concerning the traffic hazard caused by a service station at this location:

"You asked me to give my opinion as to whether or not a service station at this location would create a hazard on the Hanover Road. I looked this location over very carefully in the field and in my opinion this will create a rather serious hazard. If the service station is built on the extreme southern limits of this property you will have a better site distance for traffic coming south; however, this is on an approximate 65 grade and in a fifty mile speed limit, and I do not feel that it is a good location for a service station, particularly that caters to truck traffic."

ORDERED by the Zoning Commissioner of Baltimore County this 10th day of December, 1952.

that the subject matter of this petition be advertised in a newspaper of general circulation throughout Baltimore County and that the property be posted, as required by the Zoning Regulations and Act of Assembly aforesaid, and that a public hearing, thereon be held in the office of the Zoning Commissioner of Baltimore County, Maryland, on the 21st day of January, 1953, at 1:00 o'clock P.M.

Zoning Commissioner of Baltimore County

PETITION FOR (1) ZONING RECLASSIFICATION (2) SPECIAL PERMIT

To the Zoning Commissioner of Baltimore County: I, or we, Smith Brothers, Builders Legal Owner

all that parcel of land in the 4th District of Baltimore County at the southeast corner of Hanover Road and Old Hanover Road, thence southerly and binding on the east side of Hanover Road 675 feet, thence easterly 225 feet to the west side of Old Hanover Road, thence northerly and binding on the west side of Old Hanover Road 717 feet to place of beginning.

whereby petition (1) that the zoning status of the above described property be reclassified, pursuant to the Zoning Law of Baltimore County, from an "A" Residence Zone to an "B" Commercial Zone; and (2) for a Special Permit, under said Zoning Law and Zoning Regulations of Baltimore County, to use the above described property, for GASOLINE SERVICE STATION

Property to be posted as prescribed by Zoning Regulations.

I, or we, agree 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 Regulations and Restrictions of Baltimore County, adopted pursuant to the Zoning Law for Baltimore County.

Smith Brothers Builders

As John A. Smith

Respectfully

In view of the aforesaid and in view of the fact that the reclassification of this property would constitute "spot zoning", it is the opinion of the Zoning Commissioner of Baltimore County that the reclassification to commercial use and a special permit for the operation of a service station should be denied.

It is this 21st day of January, 1953, ORDERED by the Zoning Commissioner of Baltimore County that the aforesaid petition for reclassification from an "A" Residence Zone to an "B" Commercial Zone and a special permit for gasoline service station, be and the same is hereby denied.

Augustine J. Muller
Zoning Commissioner of Baltimore County



Mr. Augustine J. Muller, Zoning Commissioner of Baltimore County, 303 Washington Ave., Towson 4, Md.

Dear Mr. Muller:

I acknowledge your letter of January 9, 1953, stating that a petition had been filed with your Department for reclassification to commercial use and a special permit for a gasoline service station on the property in the 4th District corner formed by the intersection of Hanover and Old Hanover Roads approximately one half mile from Glen Morris.

You asked me to give my opinion as to whether or not a service station at this location would create a hazard on the Hanover Road. I looked this location over very carefully in the field and in my opinion this will create a rather serious hazard. If the service station is built on the extreme southern limits of this property you will have a better site distance for traffic coming south; however, this is on an approximate 65 grade and in a fifty mile speed limit, and I do not feel that it is a good location for a service station, particularly that caters to truck traffic.

If you would care to discuss this with me further I will be more than glad to do so.

Very truly yours,

E. C. Chaney
E. C. Chaney
District Engineer

DEC/50

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 4th Date of Posting: 12-21-52
Posted for: Smith Brothers Builders
Petitioner: Smith Brothers Builders
Location of property: S. E. Cor. Hanover & Old Hanover Roads, 4th District, Baltimore County
Location of Sign: Southwest Corner of Hanover & Old Hanover Roads
Remarks: George P. Thomsen
Posted by: George P. Thomsen Date of return: 12-21-52

NOTICE OF ZONING PETITION
The following petition was filed with the Zoning Department of Baltimore County on December 10, 1952, for reclassification from an "A" Residence Zone to an "B" Commercial Zone and a Special Permit for a Gasoline Service Station. The property is located at the southeast corner of Hanover Road and Old Hanover Road, 4th District, Baltimore County. The petition was posted on the property on December 10, 1952, and a public hearing was held on January 21, 1953, at 1:00 P.M. in the office of the Zoning Commissioner. The petition was denied on January 21, 1953.

OFFICE OF
THE BALTIMORE COUNTIAN
THE COMMUNITY PRESS
Baltimore, Md.
No. 1 Newburg Avenue CATONSVILLE, MD.
January 4, 1953
THIS IS TO CERTIFY that the annexed advertisement of Augustine J. Muller, Zoning Commissioner of Baltimore County was inserted in THE BALTIMORE COUNTIAN, a group of three weekly newspapers published in Baltimore County, Maryland, once a week for successive weeks before the 22nd day of January, 1953, that is to say December 19 and 20, 1952.
THE BALTIMORE COUNTIAN
By P. J. Morgan
Editor and Manager.

RECEIVED of Smith Brothers, Builders; the sum of Twenty nine (\$29.00) Dollars, being cost of petition for reclassification and special permit, advertising and posting of property southeast corner of Hanover Road and Old Hanover Road, 4th District of Baltimore County.

Hearings:
Monday, January 5, 1953
at 1:00 P.M.
Room 201 of the Richard Building
Towson, Maryland

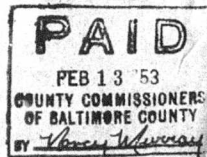
PAID
DEC 1 1952
COUNTY COMMISSIONERS
OF BALTIMORE COUNTY

February 13, 1953

\$22.00

RECEIVED of Smith Brothers the sum of Twenty Two (\$22.00) Dollars being cost of appeal to the Board of Zoning Appeals of Baltimore County from the decision of the Zoning Commissioner denying the reclassification and a special permit for a gasoline service station at the southeast corner of Hanover and Old Hanover Roads, 4th District.

Zoning Commissioner



NO PLAT
IN
THIS FOLDER