

3157-25  
MPP  
H-15-A  
E-1's  
9/10/54

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

To the Zoning Commissioner of Baltimore County:

I, or we, Christopher H. Delaine, Legal Owner  
County, on the north side of Gilmore Avenue, beginning 1711 foot east of Roseville Avenue, thence easterly and binding on the north side of Gilmore Avenue 160 feet; thence south 61 degrees 15 minutes west 160 feet; thence south 28 degrees 15 minutes east 360 feet to place of beginning, west 160 feet; thence south 28 degrees 15 minutes east 360 feet to place of beginning.

hereby 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 "C" 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 STORAGE FUEL OIL.

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.

*Christopher H. Delaine*

*Myrtle A. Delaine*

*1301 Schuler Ave.*  
Baltimore, Md.

*Back 6 M*

ORDERED by the Zoning Commissioner of Baltimore County this 13th day of August, 1954, 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 had in the office of the Zoning Commissioner of Baltimore County, Maryland, on the 15th day of September, 1954, at 3:30 o'clock P.M.

Zoning Commissioner  
of Baltimore County

Upon hearing on petition (1) for reclassification of the parcel of land described therein from an "A" Residence Zone to an "C" Commercial Zone and (2) for a special permit to use said property for the storage of fuel oil in its upper portion and the only means of access being in the center of a residential area and the only means of access to the property are over narrow residential streets, which would cause congestion and create traffic hazards, to grant the petition would be detrimental to the general welfare of the community and be "spot zoning", therefore, the petition should be denied.

It is this 20th day of September, 1954, ORDERED by the Zoning Commissioner of Baltimore County, that the aforesaid petition, the first for reclassification and the second for a special permit for a gasoline service station be and the same are hereby denied and the property remains and is continued as an "A" Residence Zone.

However, in accordance with the power and authority in me vested as Zoning Commissioner of Baltimore County, I hereby grant, to the petitioner, a special permit for the operation of a gas station's storage tank, provided that the area of such land so to be used and the setbacks of any buildings or structures to be erected shall be subject to approval of the Zoning Commissioner of Baltimore County.

*Shirley S. Delaine*  
Legal Owner

Zoning Commissioner  
of Baltimore County

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

To the Zoning Commissioner of Baltimore County:

I, or we, Christopher H. Delaine and Myrtle A. Delaine, Legal Owners  
County, on the north side of Gilmore Avenue, beginning 1711 foot east of Roseville Avenue, thence easterly and binding on the north side of Gilmore Avenue 160 feet; thence south 61 degrees 15 minutes west 160 feet; thence south 28 degrees 15 minutes east 360 feet to place of beginning, west 160 feet; thence south 28 degrees 15 minutes east 360 feet to place of beginning.

hereby 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 "C" 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 Storage of Fuel Oil.

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.

Legal Owner

Address

ORDERED by the Zoning Commissioner of Baltimore County this 13th day of August, 1954, 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 had in the office of the Zoning Commissioner of Baltimore County, Maryland, on the 15th day of September, 1954, at 3:30 o'clock P.M.

Zoning Commissioner  
of Baltimore County

Upon hearing on petition (1) for reclassification of the parcel of land described therein from an "A" Residence Zone to an "C" Commercial Zone and (2) for a special permit to use said property for the storage of fuel oil in its upper portion and the only means of access being in the center of a residential area and the only means of access to the property are over narrow residential streets, which would cause congestion and create traffic hazards, to grant the petition would be detrimental to the general welfare of the community and be "spot zoning", therefore, the petition should be denied.

It is this 20th day of September, 1954, ORDERED by the Zoning Commissioner of Baltimore County, that the aforesaid petition, the first for reclassification and the second for a special permit for a gasoline service station be and the same are hereby denied and the property remains and is continued as an "A" Residence Zone.

However, in accordance with the power and authority in me vested as Zoning Commissioner of Baltimore County, I hereby grant, to the petitioner, a special permit for the operation of a gas station's storage tank, provided that the area of such land so to be used and the setbacks of any buildings or structures to be erected shall be subject to approval of the Zoning Commissioner of Baltimore County.

Zoning Commissioner  
of Baltimore County

WRITER OF ZONING PETITION FOR RECLASSIFICATION  
AND SPECIAL PERMIT - 1954 INCL 25

Pursuant to petition filed with the Zoning Commissioner of Baltimore County for change of reclassification from an "A" Residence Zone to an "C" Commercial Zone of the property or use, hereinafter described and a SPECIAL PERMIT to use said property for STORAGE OF FUEL OIL, the Zoning Commissioner of Baltimore County, by authority of the Zoning Law and Regulations of Baltimore County, will hold a public hearing in the Board Room, in the basement of the Federal Building, Towson, Maryland.

On Wednesday, September 15, 1954

at 3:30 p.m.

to determine whether or not the following mentioned and described property should be changed or reclassified and special permit granted as aforesaid, to wit:

All that parcel of land in the Fifteenth District of Baltimore County, on the north side of Gilmore Avenue, beginning 1711 foot east of Roseville Avenue, thence easterly and binding on the north side of Gilmore Avenue 160 feet; thence south 61 degrees 15 minutes west 160 feet; thence south 28 degrees 15 minutes east 360 feet to place of beginning, west 160 feet; thence south 28 degrees 15 minutes east 360 feet to place of beginning. Being property of Christopher H. Delaine and Myrtle A. Delaine as shown on the plat plan filed with the Zoning Department.

By Order of  
Zoning Commissioner  
of Baltimore County.

September 20, 1954

Mr. Christopher H. Delaine,  
1301 Schuler Avenue,  
Baltimore 6, Maryland

Re: Petition for Reclassification from an "A" Residence Zone to an "C" Commercial Zone and a Special Permit for Storage of Fuel Oil - W.D. Gilmore Ave., 1711 ft. E. Roseville Ave., 15th Dist., Christopher H. Delaine and Myrtle A. Delaine, Petitioners

Dear Mr. Delaine:

I have today passed my Order denying the reclassification and a special permit, in the above matter. Your property is located in a residential area and the only means of access to the property are over narrow residential streets which would cause congestion and create traffic hazards. Also the use of your property for the storage of fuel oil would be detrimental to the general welfare of the community and be "spot zoning".

However, in accordance with the power and authority in me vested as Zoning Commissioner of Baltimore County, I hereby grant, to the petitioner, a special permit for the operation of a gas station's storage tank, provided that the area of such land so to be used and the setbacks of any buildings or structures to be erected shall be subject to approval of the Zoning Department.

You may take an appeal from this decision to the Board of Zoning Appeals of Baltimore County within ten days from the above date. The cost of appeal is \$20.00.

Very truly yours,

Zoning Commissioner

September 20, 1954

Mr. Myrtle A. Delaine,  
Gilmore Avenue,  
Roseville, Baltimore 6, Md.

Re: Petition for Reclassification from an "A" Residence Zone to an "C" Commercial Zone and a Special Permit for the Storage of Fuel Oil - W.D. Gilmore Ave., 1711 ft. E. Roseville Ave., 15th Dist., Christopher H. Delaine and Myrtle A. Delaine, Petitioners

Dear Mr. Delaine:

I have today passed my Order denying the reclassification and special permit, petitioned in the above matter.

However, in accordance with the power and authority in me vested as Zoning Commissioner, I have granted to the petitioner, a special permit for the operation of a gas station's storage tank, provided that the area of such land so to be used and the setbacks of any buildings or structures to be erected shall be subject to the approval of the Zoning Department.

You may take an appeal from this decision to the Board of Zoning Appeals of Baltimore County within ten days from the above date. The cost of appeal is \$20.00.

Very truly yours,

Zoning Commissioner

August 25, 1954

\$23.00

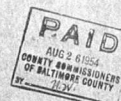
RECEIVED OF C. A. Delaine, petitioner, the sum of Twenty Three (\$23.00) Dollars being cost of petition for Reclassification and Special Permit, advertising and posting property, north side of Gilmore Avenue, beginning 1711 foot east of Roseville Avenue, 15th District, Baltimore County, Md.

Zoning Commissioner of Baltimore County

Hearing:

Wednesday, September 15, 1954  
at 3:30 p.m.

Boarding Building  
Towson, Md.



|                                                                                                                                                                                                                                                                                                                                                                                                     |                                                                 |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------|
| District: <u>15</u><br>Posted by: <u>Ans. Radoski, Route 610, Commercial for Storage, South<br/>         Wilmington, Delaware</u><br>Location of property: <u>N.S. of Newark, Del. on 474th St. of Forestall ave. same</u><br><u>8th building on N.S. of Forestall 100th St. S.W. of 8th</u><br>Location of property: <u>North side of Salome Avenue 544th. East of</u><br><u>Northside Avenue.</u> | Date of Posting: <u>7-2-54</u><br>Date of return: <u>9-2-54</u> |
| Remarks: <u>George B. Hummel</u><br>Posted by:                                                                                                                                                                                                                                                                                                                                                      |                                                                 |

Order 7. 4542 Rec. B 3416

ESSEX, MD. Sept. 20 1964

THIS IS TO CERTIFY, That the annexed advertisement was published in THE EASTERN ENTERPRISE, a weekly newspaper published in Essex, Baltimore County, Md., once in each of 2 successive weeks before the 15 day of Sept. 1954, the first publication appearing on the 8 day of August 1954.

THE EASTERN ENTERPRISE, INC.  
*E. Weston F. Hough*  
 Manager.

Petition No. 3157 District No. 15  
Comments by D. J. Stanton  
Hearing Scheduled: Wed., Sept. 15, 1954

Attention: Mr. Adams

Subject of Petition A to E and a Special Permit for Storage of Fuel Oil -  
N.S. Gilmore Ave. 1/4' E. of Rosedale Ave.

**Comments:**

It is recommended that the petition be denied as "spot zoning". The property is located in the center of a residential area and the only means of access to it are over narrow residential streets.

This section of the County has extensive areas of land already zoned for commercial and industrial use. The amount of land that is suitable for residential use is limited and ought to be reserved if a balance between working places and dwelling places is to be maintained.

Land Use studies indicate that the general area around the property in question should remain in residential use. The proposed use would constitute a hazard in a residential area and it is suggested that a suitable location could be found within the large commercial and industrial zones in the vicinity.

In 1902, a petition for reclassification of the property adjoining on the east, from "A" residential to "B" commercial was denied - but a special permit for the conduct of contractors storage yard for the storage of trucks and trailers and for the repair of amusement park equipment was granted. This use exists at present but due to the size of the tract of land and the nature of the use, does not appear to be a hazard or nuisance to the neighborhood as might be the case in the present petition.

2-2-54 b7c

NS Gilman Ave. by  
474' E of Rondale to the  
Cly & ending on the NS of  
Gilman Ave 160' then  
N 28° 45' W 362' "  
S 41° 15' W 160' "  
S 28° 45' E. 360' to place  
of by as etc.

1- Auto E  
1- Fuel Oil

We the undersigned residents and/or property owners of Rosedale, Baltimore County, Maryland, do hereby protest the installation of storage of fuel oil tanks by C. A. Deinlein at Gilmore Avenue between Rosedale and Chesaco Avenues.

We feel that said installation will become a fire hazard and will be detrimental to the property values in the immediate vicinity.

Therefore, we ask that the application for the said installation be denied.

Edward P. Mowbray  
Grace Mowbray  
Mrs. Helen Kaul  
Mrs. Stanley J. Burdick  
Clyde G. Burnett  
Clavin L. Lehman  
John Lehman Sr.  
Edward John Lehman  
Laurel F. Hummer  
Thomas J. Peterson  
Paul Telle  
Anthony J. De Jesus  
Joseph J. Lehman Sr.  
Mrs. Lawrence Lehman  
Charles Lehman  
Mrs. Catherine Lehman

Rosedale & Linton Ave.  
 6 Rosedale & Linton Ave.  
 1103 Rosedale Ave.  
 805 Rosedale Ave.  
 1115 Rosedale Ave.  
 1111/2 Chicago Ave.  
 1111 Chicago Ave.  
 1111 Chicago Ave.  
 3000 Duwell Ave.  
 8003 Duwell Ave.  
 8003 Duwell Ave.  
 1116 Chicago Ave.  
 1113 Chicago Ave.  
 1113 Chicago Ave.  
 1113 Chicago Ave.  
 1113 Chicago Ave.

We the undersigned residents and/or property owners of Rosedale, Baltimore County, Maryland, do hereby protest the installation of storage of fuel oil tanks by C. A. Deinlein at Oilmore Avenue between Rosedale and Chesser Avenue.

We feel that said installation will become a fire hazard and will be detrimental to the property values in the vicinity.

Therefore, we ask that the application for the said installation be denied.

Charles J. Hovel  
1119 Channing Ave  
Mrs. L. Miller  
Mrs. G. Mose  
Mrs. John A. Fisher, Jr.  
Mr. Abram S. Mark  
Mrs. William S. Schuler  
Mr. & Mrs. Roy Brownwood  
Mr. Frank M. Linders  
Mrs. Ada Slifker  
Mrs. & Miss Anne Kildner  
Mrs. Carrie Ironswell  
Mrs. Myrtle Rethers  
Mrs. Howard & Porter  
H. E. Foster, Jr.  
Miss Josephine Cuthbert

7945 Shirley Ave.  
1119 Chicago Ave.  
1109 Chicago Ave.  
1115 Chicago Ave.  
1116 Chicago Ave.  
8021 Duwall Ave.  
8023 Duwall Ave.  
8120 Old Philadelphia Rd.  
8025 Duwall Ave.  
8015 Duwall Ave.  
11321 Chicago Ave.  
8009 Duwall Ave.  
8009 Duwall Ave.  
1013 Chicago Ave.

We the undersigned residents and/or property owners of Rosedale, Baltimore County, Maryland, do hereby protest the installation of storage of fuel oil tanks by C. A. Deinlein at Gilmore Avenue between Rosedale and Chesaco Avenues.

We feel that said installation will become a fire hazard and will be detrimental to the property values in the immediate vicinity.

Therefore, we ask that the application for the said installation be denied.

Mrs. Ernest Rohrer  
 Mrs. Alice Ostle  
 Mrs. Catherine Swartz  
 Mrs. Mary Hunsler  
 Mrs. Mrs. Wm. Fischer  
 Mrs. & Wm. James Fischer  
 Mr. & Mrs. William Litzhardt  
 Mrs. Mrs. William Fischer  
 Mrs. Joseph Straut  
 Mrs. Mrs. John M. Namer  
 Mr. & Mrs. James C. High  
 Mrs. Anna Emelke  
 Geo. & Elizabeth  
 Freda M. Litzhardt  
 Mr. & Mrs. James D. Fisher  
 Mr. & Mrs. Daniel Sullivan  
 Mr. & Mrs. Charles Horner &  
 123 Chicago Ave.  
 Mrs. Clara Howard Karl

1014 Chicago Ave.  
 1015 Chicago Ave.  
 1017 Chicago Ave.  
 1019 Chicago Ave.  
 1025 Chicago Ave  
 1025 Chicago Ave  
 7951 Delrose Ave  
 7949 Delrose Ave  
 7938 Delrose Ave.  
 7937 Delrose Ave.  
 7937 Delrose Ave  
 7935 Delrose Ave  
 1028 CHICAGO AVE  
 1028 Chicago Blvd. Wd.  
 1026 Chicago Avenue East C  
 1026 Chester Ave.  
 1034 Delrose Ave.

# KELLER & KELLER

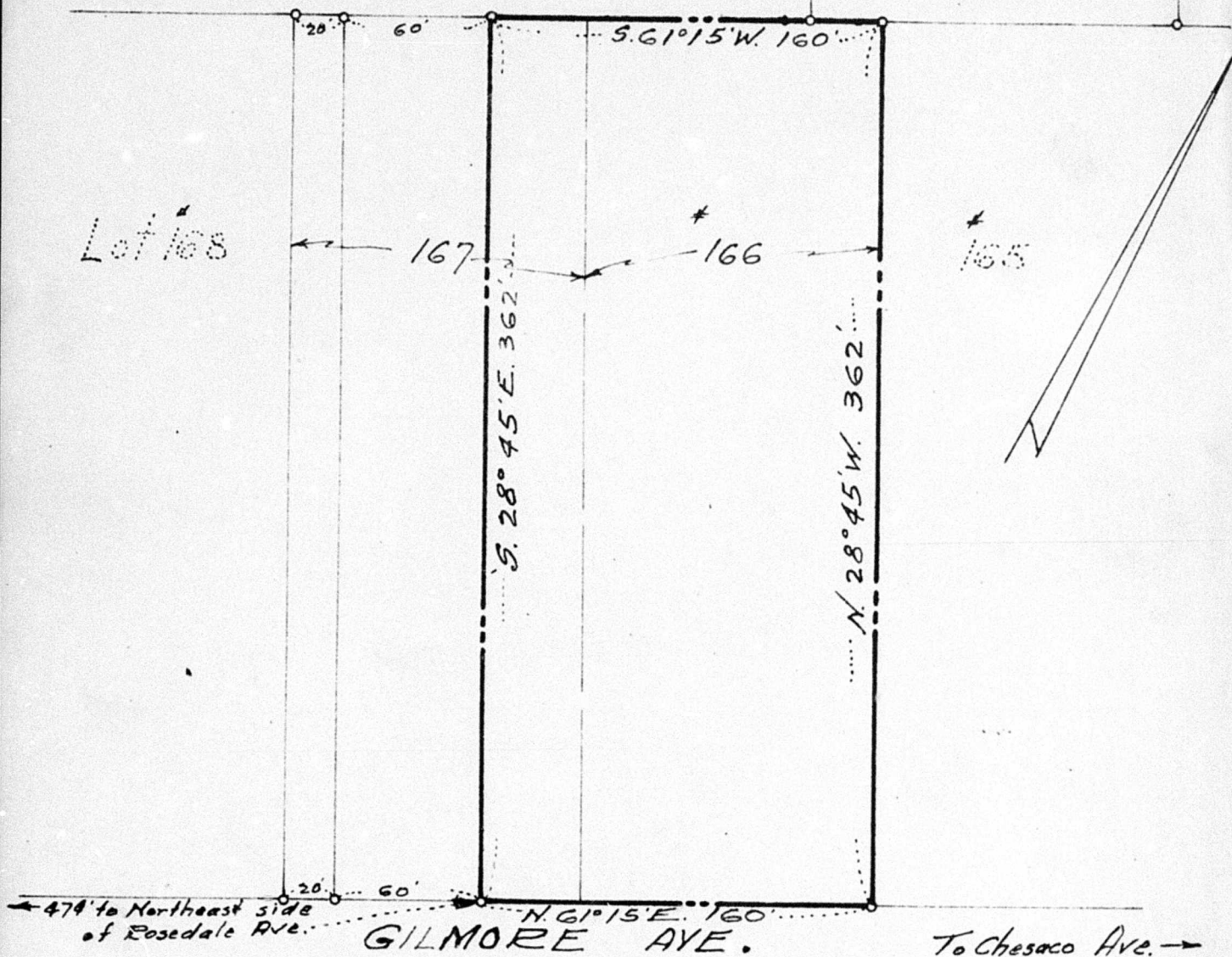
STATE REGISTERED LAND SURVEYORS

3914 WOODLEA AVENUE

BALTIMORE 6, MARYLAND

City, Farm and  
Topographical Surveys  
Land Subdivisions  
Earthwork Computations

Municipal Engineering  
Construction Supervision  
Road Location, Reports  
Plans and Specifications



This is to Certify that we have this day made a Field  
Survey of *Northeastern 40' of Lot 167 & all of Lot 165* Plan C Plat of Rosedale  
and that property lines are as shown on this Plat. *Terraces, Plat Book 3 folio 90*

Scale: 1"=60'

Date: June 1950

*Keller & Keller*