

117 Baltimore Ave. - 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000

THE BALTIMORE TRANSIT COMPANY
VS
CHARLES H. DODD
CARL F. WOODEN
AND JAMES HODGES
being and constituting the
SOLDS OF ZONING APPEALS
OF BALTIMORE COUNTY

IN THE CIRCUIT COURT
FOR BALTIMORE COUNTY
FILE NO. 1441
Booklet 6, Page 11

This is an appeal from a decision of the Board of Zoning Appeals of Baltimore County dated May 3, 1956, denying an application for a Special Exception for a gasoline service station at the northeast corner of Edmondson Avenue and North Bend Road in the First Election District of Baltimore County. The property on which the service station is proposed is zoned "Business Local" and has been used for commercial purposes for a long period of time.

The Zoning Regulations provide that before a Special Exception shall be granted it must appear that such use will not be detrimental to the health, safety, or general welfare of the locality involved.

The Court has carefully considered the entire record and the vigorous and able argument of Counsel. The operation of a modern up-to-date gasoline service station would certainly be less objectionable than several other commercial uses for which the property can be used under its existing commercial classification. The record does not substantiate the contention of the Protestants.

The decision of the Board of Zoning Appeals of May 3, 1956 is reversed and the Special Exception granted.

Dated August 7, 1956

Michael Paul Smith

cc: John Green Turnbull, Esq.
A. Gordon Brown, Esq.
Board of Zoning Appeals

PETITION FOR ~~AN ORDER~~
SPECIAL EXCEPTION

To the Zoning Commissioner of Baltimore County:
Legal Owner and
Shell Oil Company, petitioners

BEGINNING for the same at the northeast corner of the intersection of Edmondson Avenue and North Bend Road, and running thence north forty degrees east one hundred and forty feet, thence South forty-nine degrees east one hundred and twenty feet, thence south forty degrees west one hundred and forty feet, thence north forty-nine degrees west one hundred and twenty feet to the point of beginning.

Property to be posted as prescribed by Zoning Regulations.

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

THE BALTIMORE TRANSIT COMPANY

Legal Owner
1515 Washington Avenue, Balto 30, Md.
Address

SHELL OIL COMPANY

By: *Carl F. Wooden*
Options (Real Estate Manager)
509 E. 22nd Street, Balto 18, Md.

IN THE MATTER OF
PETITION FOR RE-
CLASSIFICATION,
THE BALTIMORE TRANSIT
COMPANY, Petitioner

BEFORE THE
BOARD OF ZONING APPEALS
OF BALTIMORE COUNTY

OPINION

This is an appeal from the refusal by the Zoning Commissioner of a Special Exception for a gasoline service station at the northeast corner of Edmondson Avenue and North Bend Road in the First Election District.

The property is now owned by The Baltimore Transit Company and has been used for a number of years as a bus loop with a small waiting station and a taxicab stand.

The proposal is to use the perimeter of the property for a bus turn-around so that busses will enter from Edmondson Avenue and exit by way of North Bend Road. This will result in the busses passing very close to a convalescent home located just behind the property.

This convalescent home has been operated in this location for a number of years. The testimony shows that it houses a number of quite elderly people, many of whom are unable to move about and some of whom are confined to their beds.

The purpose of requiring a Special Exception for a gasoline service station was to make it possible to control the location of this type of business with respect to neighboring properties. We feel that to permit a gasoline service station at this location together with the bus turn-around in such close proximity to this convalescent home would make the use of the convalescent home almost impossible. There would inevitably be considerable noise, fumes from busses and the gasoline station itself, and additional risk from fire.

We have concluded that this convalescent home is entitled to be protected from such an operation in such close proximity to it and that the protection of the inmates thereof requires a refusal of the Special Exception.

For these reasons we will sign an Order denying the Special Exception.

Being the northeasterly corner at the intersection of Edmondson Avenue and North Bend Road, 120 feet x 140 feet in size, fronting 140 feet on Edmondson Avenue and 120 feet on North Bend Road - First Election District, Baltimore County, Maryland.
hereby petition ~~the Board of Zoning Appeals~~ ~~for a Special Exception~~ pursuant to the Zoning Law of Baltimore County, ~~under said Zoning Law and Zoning Regulations~~ for a Special Exception, under said Zoning Law and Zoning Regulations of Baltimore County, to use the above described property, for ~~an Automobile Filling Station~~

Property to be posted as prescribed by Zoning Regulations.

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

THE BALTIMORE TRANSIT COMPANY

Legal Owner
1515 Washington Avenue, Balto 30, Md.
Address

SHELL OIL COMPANY

By: *Carl F. Wooden*
Options (Real Estate Manager)
509 E. 22nd Street, Balto 18, Md.

ORDER

For the reasons as set forth in the foregoing Opinion, as is this day of May 3, 1956, by the Board of Zoning Appeals of Baltimore County, ORDERED that the Special Exception applied for herein be and the same is hereby denied.

BOARD OF ZONING APPEALS OF BALTIMORE COUNTY

John A. Brown
Carl F. Wooden
Charles H. Dodd

ORDERED that the Zoning Commissioner of Baltimore County this 23rd day of December, 1956, 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 23rd day of January, 1957, at 3 o'clock P.M.

Zoning Commissioner
of Baltimore County

Upon hearing on petition for a special exception to use the property described therein for Gasoline Service Station, and it appearing that by reason of location, the granting of the special exception would cause congestion in the roads and create a traffic hazard and be detrimental to the health, safety and the general welfare of the community involved, the special exception should be denied.

It is, therefore, this 23rd day of January, 1957, by the Zoning Commissioner of Baltimore County, that the aforesaid petition for a special exception, be and the same is hereby denied.

John A. Brown
Zoning Commissioner
of Baltimore County

IN THE MATTER OF
PETITION FOR RE-
CLASSIFICATION,
THE BALTIMORE TRANSIT COMPANY
Petitioner

BEFORE THE ZONING
COMMISSIONER OF
BALTIMORE COUNTY

APPEAL

Mr. Commissioner:

Please enter an appeal from your Order in the above entitled matter, dated January 26, 1956, to the Board of Zoning Appeals of Baltimore County.

TURNBULL & DREWSTER
By: *John Green Turnbull*

John Green Turnbull
24 West Pennsylvania Avenue
Towson 4, Maryland



3707 X

October 25, 1956

Hon. John Quaker Turnbull,
26 North Pennsylvania Avenue,
Towson 4, Maryland

Re: Baltimore Transit Company vs
Board of Zoning Appeals of
Baltimore County

Dear John:

I enclose a copy of petition which has been served
upon Board of Zoning Appeals which involves the petition for a
special exception at the northeast corner of Edmondson Avenue
and North Bend Road for a gasoline service station.

As you know Judge Smith returned the Board of Zoning
Appeals on August 7, 1956 and granted this special exception and
on October 6, 1956 a building permit was issued by the Building
Department.

It seems to me that this petition for re-hearing
comes too late. However, in any event the Board of Zoning Appeals
is not interested in opposing the requested re-hearing and for
that reason will not answer the notice. Thinking that you would
wish to know it I am bringing it to your attention and want
you to understand that the Board of Zoning Appeals will take no
further action in the matter.

Very truly yours

GDJ:jh Deputy County Solicitor

cc: Messrs. Ross & Ross,
213 N. Calvert Street,
Baltimore 2, Md.

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

#3707

District...
Date of Posting... 1-11-56
Posted for...
Petitioner: The Baltimore Transit Co.
Location of property...
Location of Signs...
Remarks...
Posted by... Date of return... 1-12-56

January 3, 1956

\$35.00

RECEIVED of John Quaker Turnbull, the sum
of Thirty-Five (\$35.00) dollars, being cost of
petition for Zoning Reclassification and Special
Exception to Zoning Regulations, advertising and
posting property Northeast corner of Edmondson
Avenue and North Bend Road, 1st. District of
Baltimore County, being property of The Baltimore
Transit Company.

Zoning Commissioner of Baltimore
County

HEARING:

Monday, January 23, 1956
at 3:00 P.M.

County Office Building
111 N. Chesapeake Avenue, Room 108
Towson 4, Maryland

PAID
JAN 5 - 1956
COUNTY COMMISSIONER
OF BALTIMORE COUNTY
BY

May 25, 1956

\$7.00

RECEIVED of Turnbull & Brewster, Attorneys, for The
Baltimore Transit Company, petitioner, the sum of Seven (\$7.00)
Dollars, being cost of papers filed in the matter of a special
exception for a gasoline service station - northeast corner of
Edmondson Avenue and North Bend Road, 1st District

Zoning Commissioner

01.023 Zoning Service Charge

RECEIVED
MAY 27 1956
COUNTY CLERK'S OFFICE
BY

3707

February 9, 1956

\$30.00

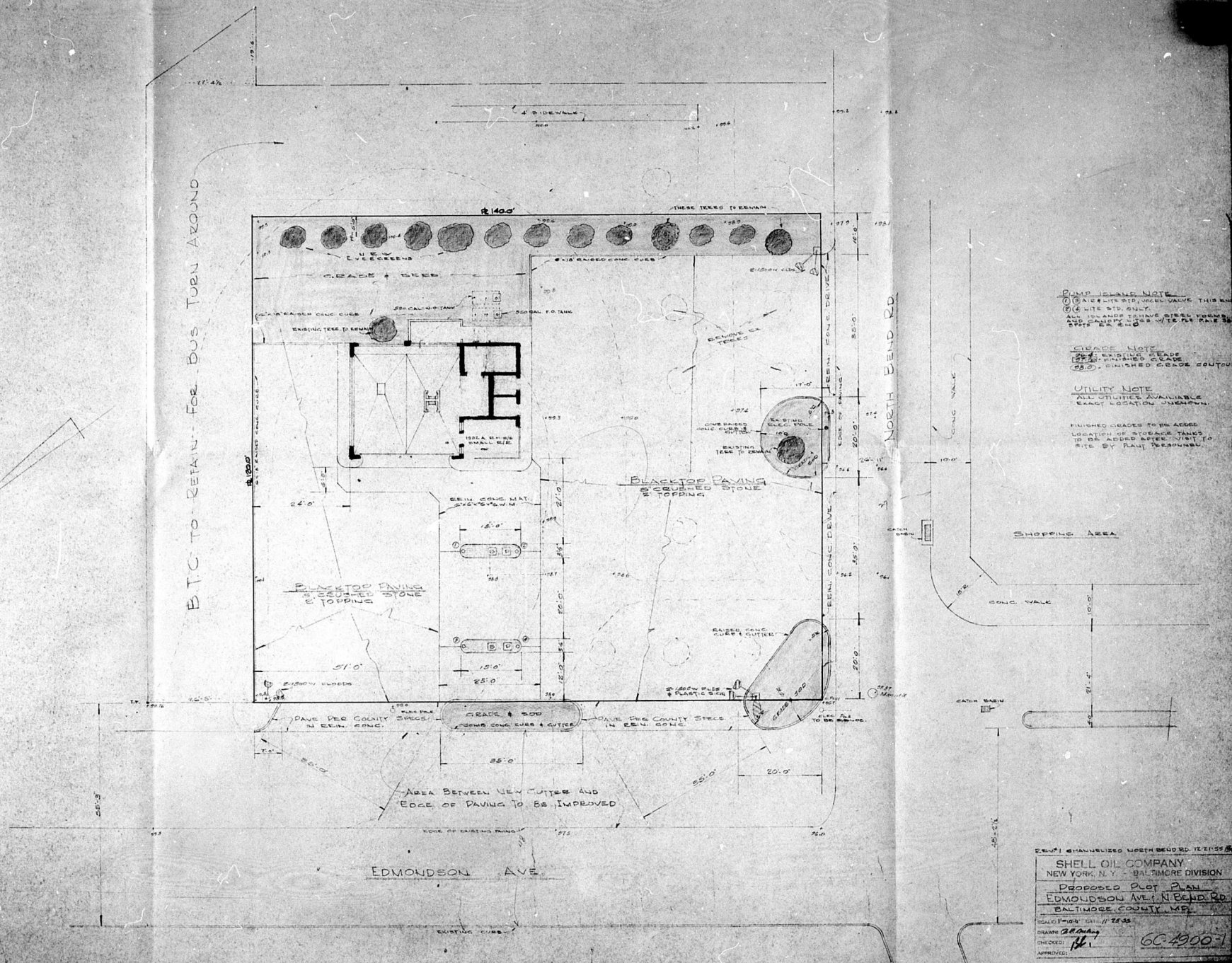
RECEIVED of Turnbull & Brewster, Attys. for The
Baltimore Transit Company, petitioner, the sum of Thirty
(\$30.00) Dollars, being cost of appeal to the Board of
Zoning Appeals from the decision of the Zoning Commissioner
denying the special exception for a special exception for
Gasoline Service Station, northeast corner of Edmondson
Avenue and North Bend Road, 1st District.

Zoning Commissioner

RECEIVED
MAY 10 1956
COUNTY CLERK'S OFFICE
740

EXHIBIT

B.T.C. TO - RETAIN - FOR BUS TURN AROUND



PUMP ISLAND NOTE
 (1) AIR & LIFE STD. VOGEL VALVE THIS END
 (2) LIFE STD. ONLY
 ALL ISLANDS TO HAVE STEEL FORMS
 AND CALOPI LITES W/TE FLE PAIR 38
 10/10/58

GRADE NOTE
 96.4 - EXISTING GRADE
 97.0 - FINISHED GRADE
 98.0 - FINISHED GRADE CONTOUR

UTILITY NOTE
ALL UTILITIES AVAILABLE
EXACT LOCATION UNKNOWN.

FINISHED GRADES TO BE ADDED
LOCATION OF STORAGE TANKS
TO BE ADDED AFTER VISIT TO
SITE BY PLANT PERSONNEL.

22501 CHANNELIZED NORTH BEND RD. 12/21/55
SHELL OIL COMPANY
NEW YORK, N. Y. - BALTIMORE DIVISION
PROPOSED PLOT PLAN
EDMONDSON AVE. N. BEND RD.
BALTIMORE COUNTY, MD.

RECALC 1-10-8 SAT 11 25 35
 DRAWN: *28.0000*
 CHECKED: *111*
 APPROVED: *60-4900-1*