

PETITION FOR (1) ZONING RECLASSIFICATION
(2) SPECIAL EXCEPTION
To the Zoning Commissioner of Baltimore County:
1. Walter F. J. Monmonier Legal Owner

See attached description

herely petition (1) that the zoning status of the above described property be reclassified, pursuant to the Zoning Law of Baltimore County, from an R-6 Zone to an BL Zone; and
(2) for a Special Exception, under said Zoning Law and Zoning Regulations of Baltimore County, to use the above described property, for Gasoline filling station

Property to be posted as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of the above reclassification and 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.

Walter F. J. Monmonier
Legal Owner
1700 Edmondson Ave. Catonsville, Md.
Address

Description for a lot on the corner of Edmondson and Oakdale Avenues, Catonsville, Baltimore County, First District

BEGINNING for the same at the point of intersection of the North side of Edmondson Avenue and the west side of Oakdale Avenue, thence running westerly along the North side of Edmondson Avenue, 135.0 feet, thence running perpendicular to Edmondson Avenue, Northerly 216 feet, thence running Easterly 155.4 feet to intersect a point on the west side of Oakdale Avenue at the distance of 223 feet measured Northerly along the West side of said avenue from the North side of Edmondson Avenue, thence running southerly along the west side of Oakdale Avenue for a distance of 223 feet to the point of beginning.

BEING all of the land on the northwest corner of Edmondson and Oakdale Avenues, owned by Helen F. Monmonier.

1- R-6 to BL
1- GAS STA

1ST

OFFICE
THE BALTIMORE COUNTIAN
THE COMMUNITY NEWS
Catonsville, Md.
No. 1 Newburg Avenue CATONSVILLE, MD.

March 9 1956
THIS IS TO CERTIFY, that the annexed advertisement of Walter F. J. Monmonier of Baltimore County was inserted in THE BALTIMORE COUNTIAN, a group of three weekly newspapers published in Baltimore County, Maryland, once a week for 2 successive weeks before the 3rd day of March, 1956, that is to say the same was inserted in the issues of

THE BALTIMORE COUNTIAN

By Paul J. Morgan
Editor and Manager

ZONING DEPARTMENT
OF BALTIMORE COUNTY
PETITION FOR
ZONING RECLASSIFICATION
AND SPECIAL EXCEPTION
To the Zoning Commissioner of Baltimore County for change of zoning from an R-6 Zone to a Special Exception, for a Gasoline Filling Station, the Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, has held a public hearing in Room 108, County Office Building, 111 W. Calver Avenue, Towson, 4, Maryland, on Wednesday, March 16, 1956 at 4:00 P.M. He determined whether or not the following described and described property should be changed or reclassified and whether a special exception for a Gasoline Filling Station should be granted to wit: All that parcel of land in the 1st District of Baltimore County, beginning on the corner of the West side of Edmondson Avenue and the West side of Oakdale Avenue, thence running westerly along the North side of Edmondson Avenue, 135.0 feet, thence running perpendicular to Edmondson Avenue, Northerly 216 feet, thence running Easterly 155.4 feet to intersect a point on the West side of Oakdale Avenue at the distance of 223 feet measured Northerly along the West side of said avenue from the North side of Edmondson Avenue, thence running southerly along the West side of Oakdale Avenue for a distance of 223 feet to the point of beginning, as shown on the plat plan filed with the Zoning Department, being property of Helen F. Monmonier.

By Order of
WALTER H. ADAMS,
Zoning Commissioner
of Baltimore County.
P.A. 25 March 2

March 12, 1956

\$108.00
RECEIVED from J. Carroll Monmonier for three zoning matters, the sum of One Hundred and Eight (\$108.00) dollars, for petitions, advertising and posting property.
Thank you.

Zoning Commissioner
of Baltimore County

Carroll B. Gathright - \$35.00
Helen F. Monmonier - \$33.00
Walter F. Monmonier - \$40.00

500.9 of the Zoning Regulations.

The First Election District of Baltimore County is presently being studied by the Planning Board for Baltimore County for proper and logical land use, this study in effect will become in time the Zoning Map for that area.

As was stated in a recent decision of the Court of Appeals in the matter of Whitman Elm vs the Board of Zoning Appeals, quoting the last portion of the final paragraph, "For the solution of problems like these it would seem that the County Commissioners should bear the chief responsibility, through the utilization of a Planning Commission setup to deal with the overall picture in a more objective way. We understand that such a study is in progress. In the meantime, reclassifications or special exceptions should not be granted except where there is a clearer showing of original mistake or subsequent change than appears from the record. We find it unnecessary to discuss the other points argued."

It is because of these reasons and also because there was no need shown for such reclassification. On the contrary there isn't any need as was stated on petitions signed by 310 persons and the 89 protestants who were at the hearing and also because of the many gas stations and ultra-modern shopping centers built in this area, and, further, the petitioners failed to comply with Section 500.9 of the Zoning Regulations.

It is, therefore, this 28th day of March, 1956, ORDERED by the Deputy Zoning Commissioner of Baltimore County, that the aforesaid petition be and the same is hereby denied.

James P. Heston
Deputy Zoning Commissioner
of Baltimore County

RE: PETITION FOR RECLASSIFICATION AND SPECIAL EXCEPTION FOR GASOLINE SERVICE STATION - P. W. Cox, Edmondson and Oakdale Avenues, 1st District - Helen F. Monmonier, Petitioner.

Upon hearing on the above petition (1) for reclassification, from an R-6 Zone to a "P. L." Zone and (2) for a special exception to use said property for a gasoline service station, from the facts and testimony presented at the hearing, it is the opinion of the Deputy Zoning Commissioner that to remove the subject property and be in keeping with the highest standards in zoning and also according to the Courts, I shall refer to the case of Wemink vs Board of Zoning Appeals, 205 Md 549 in which Judge Delaplaine, for the Court, said:

"It is an established rule that where an application is made for reclassification of a tract of land from one zone to another, there is a presumption that the zones established by the original ordinance were well planned and arranged and were intended to be more or less permanent, subject to change only when there are genuine changes in conditions. Thus, before a Zoning Board removes a property, there should be proof either that there was some mistake in the original zoning or that the character of the neighborhood had changed to such an extent that the reclassification ought properly to be made."

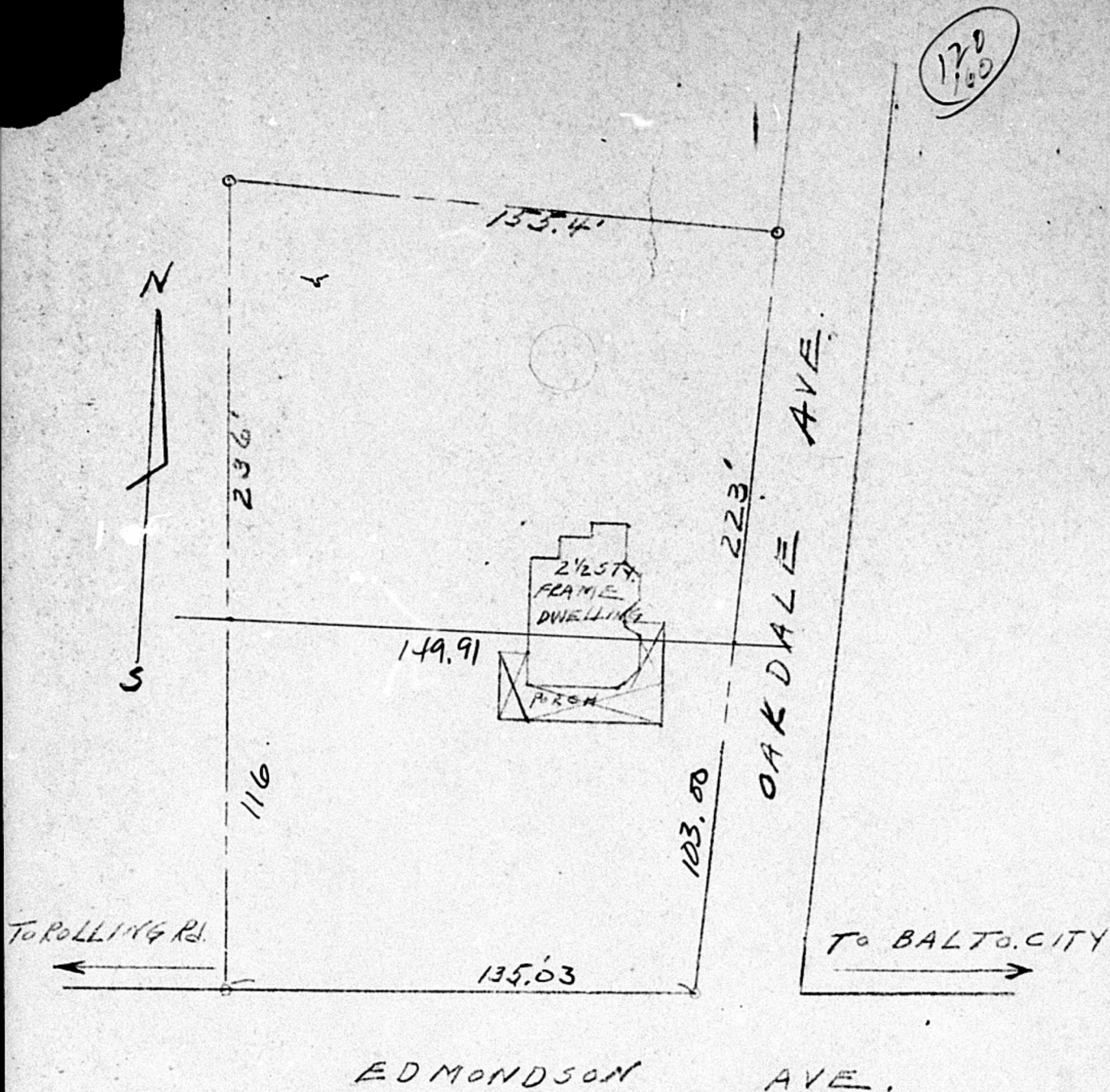
It is my firm conviction that the character of the neighborhood has not changed to the extent that a reclassification should be granted, nor, has there been any changes in conditions. There was no persuasion, or case, by the petitioner to convince the Board, or have the Board believe otherwise as was stated by Judge Delaplaine in his opinion.

It is also my opinion that the above described petition is premature and completely lacking in place as is stated in Section

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District 1st Date of Posting 2-28-56
Posted for Walter F. J. Monmonier
Petitioner: Helen F. J. Monmonier
Location of property: By public notice at Maryland Department of the 1955 of Edmondson Ave. at the point, south of Oakdale Ave. at 445 ft.
Location of Sign: Northwest corner of Oakdale & Edmondson Avenues.

Remarks: George R. Heston Date of return: 3-1-56
Posted by George R. Heston



Plat of lot owned by Mrs. Helen F. Monmonier
Catonsville Junction, First District, Balto. Co., Md.

Scale 1 in. to 40 ft. Oct. 13, 1955

Robert C. Morris, Reg. Surveyor
Old Court Road, Balto. Md.

3761-X
MAP
#1-A

