

Morris Baldwin - Baltimore

Lee L. Little Jr. - Red Mt. Rd.  
6000 Perryman Ave. - Baltimore 28 Co.

Grand B. & at present time.

would have certain effects on nearby residents  
values.  
150' x 135' from Register Ave.

Lee L. Little Jr. - Red Mt. Rd.  
6000 Perryman Ave.

then plants from 15' from Register along alleys 6' high.  
1954 Little Rd. from at Little Co. is shown of  
22,000 vehicles in 24 hr. period.

Ann L. Baldwin - Insurance Agent  
21 St. Johns Ave.

Ann R. Price Atty.  
1502 Fidelity Bldg.

John M. Mudd Atty.  
Jupiter Bldg. Towson Md.

Wm. J. V. Selby - 2 homes from proposed station  
425 Register Ave.

Wm. Walter Parke - Land line 1942  
404 Mendenhall Rd.

John T. Burns - Prop. Rogers Forge Co. Case.  
197 Stannard Rd.

W. B. Shaw - Sewer lines 1942. 1954 to 1953 city gring R.  
400 Mendenhall Rd.

IN THE MATTER OF PETITION  
FOR A SPECIAL EXCEPTION  
FOR GASOLINE SERVICE STATION -  
S. W. Cor. York Road and  
Register Avenue, 9th District -  
Helen L. Keely, et al.,  
Petitioners

BEFORE  
THE BOARD OF ZONING APPEALS  
OF BALTIMORE COUNTY

This is a petition for a special exception to use the parcel  
of land some "L.L." (business local) for a gasoline service station  
at the southwest corner of York Road and Register Avenue, in the  
Ninth District of Baltimore County.

After hearing all the facts and evidence presented at the  
hearing and after considering the following decisions of the Circuit  
Court for Baltimore County and the Maryland Court of Appeals, it is  
the opinion of the Zoning Commissioner that the granting of the  
special exception will not be detrimental to the health, safety  
and the general welfare of the community involved:

1. The Circuit Court of Baltimore County in the case of  
Mary P. Stiple vs Board of Zoning Appeals of Baltimore, September  
1955, stated as follows:

"Service Stations - particularly those operated  
by the large companies are more sanitary and  
desirable in a commercial area than many other  
businesses."

2. In the case of Abraham Herben and Harry Levine vs  
Board of Zoning Appeals of Baltimore County, January 1955, the  
Circuit Court stated as follows:

"Neither the Zoning Board nor the Court is capable  
of passing upon the necessity of a service station.  
A large oil company with its trained personnel and  
having every reason to spend its money with caution  
and with an eye to profit is in a better position  
to judge a need of this kind than persons who  
have little or no knowledge or experience in the  
distribution of oil products."

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FOR A SPECIAL EXCEPTION  
FOR GASOLINE SERVICE STATION -  
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Petitioners

BEFORE  
THE BOARD OF ZONING APPEALS  
OF BALTIMORE COUNTY  
Case No. 3781-X

#### OPINION

This is a petition for a Special Exception for a Gasoline  
Service Station at the southwest corner of York Road and Register Avenue  
in the south Towson community.

The property has been used commercial since original  
zoning in 1945 and has remained undeveloped. Those who have purchased  
homes in the vicinity are assumed to have had knowledge of the fact  
that this land was zoned for commercial use and it was obviously  
received by the developers of Rogers Forge for eventual commercial  
development. It could now be used for any of the various commercial  
uses permitted in a "Business Local" Zone without any application to  
the Zoning authorities.

A large group of protesters appeared before us. Their  
principal contention is that a service station at this intersection will  
increase traffic congestion. We are not impressed with their objection  
since, in our opinion, a group of retail stores would attract even more  
customers than a service station. There are hundreds of service stations  
in the Baltimore Metropolitan area. They are usually found at heavily  
travelled intersections and we know of no instance in which they have  
any appreciable effect on traffic movement.

3. In the case of Hamner vs Tribbett, 150 Md the Court  
of Appeals stated as follows:

"A filling station need not be a universal blessing  
or a public nuisance; it is a lawful private business,  
not the exercise of a franchise. It is sufficient  
if it does not adversely affect the general welfare,  
safety, health, morals or comfort."

For the above reasons the aforesaid petition should be  
granted.

It is this 1st day of June, 1956, ORDERED by the  
Zoning Commissioner of Baltimore County, that the aforesaid petition  
for a special exception for a gasoline service station, be and the  
same is hereby granted, subject, however, to compliance with the  
outlooks for the islands for the gasoline pumps and the service  
building to be erected as shown on plot plan filed with the Zoning  
Department.

John T. Burns  
Zoning Commissioner  
of Baltimore County

While we understand the desire of this community to have  
this land remain in its present condition we can find no sound reason  
to refuse the owner the right to use his land for this reasonable  
business use. There was no proof that such an operation would in  
any manner adversely affect the health, safety or general welfare  
of the community.

#### ORDER

For the reasons set forth in the foregoing Opinion  
it is this 10th day of August, 1956, by the Board of Zoning  
Appeals of Baltimore County, ORDERED that a Special Exception for a  
Gasoline Service Station be granted as requested in the petition  
filed herein, subject to compliance with the outlooks as provided  
in the Order of the Zoning Commissioner.

BOARD OF ZONING APPEALS  
OF BALTIMORE COUNTY

Carl F. Mudd  
Chairman

#### PETITION FOR SPECIAL EXCEPTION

IN THE MATTER OF THE SOUTHWEST  
CORNER OF YORK RD. & REGISTER  
AVE., SOUTH 235 FT. TO MURDOCK  
RD. AND WESTERLY AN EVEN DIS-  
TANCE AT ALL POINTS 130 FT.

BEFORE THE  
ZONING COMMISSIONER  
OF  
BALTIMORE COUNTY

For a Special Exception

To The Zoning Commissioner of Baltimore County  
NORA L. KEELY, widow, JAMES KEELY, JR., LOUISE H. KEELY, AGNES  
KEELY PETERS, CHARLES PETERS, EILEEN KEELY SMITH, THOMAS C. SMITH,  
CATHERINE KEELY LOCKE, JOHN D. LOCKE, LOUETTE KEELY, et al. Owners  
COSTA, RALPH E. COSTA and JOSEPH S. KEELY, by N. William Adelson, their  
attorney in fact.  
TIDE WATER ASSOCIATED OIL COMPANY  
Purchaser

herby petition for a Special Exception, under the Zoning Regulations  
and Restrictions passed by the County Commissioners of Baltimore  
County, agreeable to Chapter 877 of the Acts of the General  
Assembly of Maryland of 1943, for a certain permit and use, as  
provided under said Regulations and Act, as follows:

A Special Exception to use the land (and improvements now  
or to be erected thereon) hereinafter described for a filling station  
and incidental uses.

All that parcel of land in the 9th District of Baltimore County on the  
Southwest corner of York Road to Register Avenue; thence southerly and binding  
on the West side of York Road 150 feet; thence easterly 130 feet to the East  
side of a 15 foot alley; thence northerly and binding on said alley 150 feet  
to the South side of Register Avenue; thence southerly and binding on the South  
side of Register Avenue 130 feet to the place of beginning,  
or Register Avenue to the point of beginning.

Assigned to  
TIDE WATER OIL COMPANY  
BY  
Contract Purchase  
Authorized Agent

N. William Adelson  
Legal Owner  
M. William Adelson, attorney in  
fact for Petitioners and Legal  
Owners  
1516 Matheson Bldg.

4/4/56  
11/15 AM

JOHN E. MUDD  
ATTORNEY AT LAW  
TOWSON 4, MD.  
VALLEY 9-2026  
June 7, 1956

Buildings and Zoning Dept.  
303 Washington Ave.  
Towson 4, Md.  
Re: Petition for a Special  
Exception for Gasoline  
Service Station - S.W. Cor.  
York Rd. and Register Ave.  
9th Dist., Nora Keely,  
et al., Petitioners

Gentlemen:

On behalf of Rogers Forge Community, Inc.  
and others, Protestants, please enter an appeal  
to the Board of Zoning Appeals of Baltimore  
County, from the order of the Zoning Commissioner,  
dated June 1, 1956, on the above titled petition.

I am enclosing a check in the amount of  
\$50.00 to cover the cost of appeal.

Sincerely yours,  
Carl F. Mudd  
Chairman  
of Counsel for Protestants

JEM/ann  
Enc.



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Legal Owner  
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Owners  
1516 Matheson Bldg.

4/4/56  
11/15 AM

Zoning Commissioner  
of Baltimore County

Zoning Commissioner

01.623 Zoning Service Charge

RECEIVED

COMPTROLLER'S OFFICE

March 28, 1956

**\$5.00**

Thank you.

Zoning Commission  
of Baltimore County

RECEIVED

COMPTROLLER'S OFFICE

970

March 14, 1938

835.00

Zoning Commissioner  
of Baltimore County

HEARTING:

Wednesday, April 4, 1956  
at 11:15 A. M.

COUNTY OFFICE BUILDING  
111 W. Chesapeake Avenue  
Room 703  
Towson 4, Maryland

RECEIVED

MAR 14 1968

6/11/70

NY

# 3781

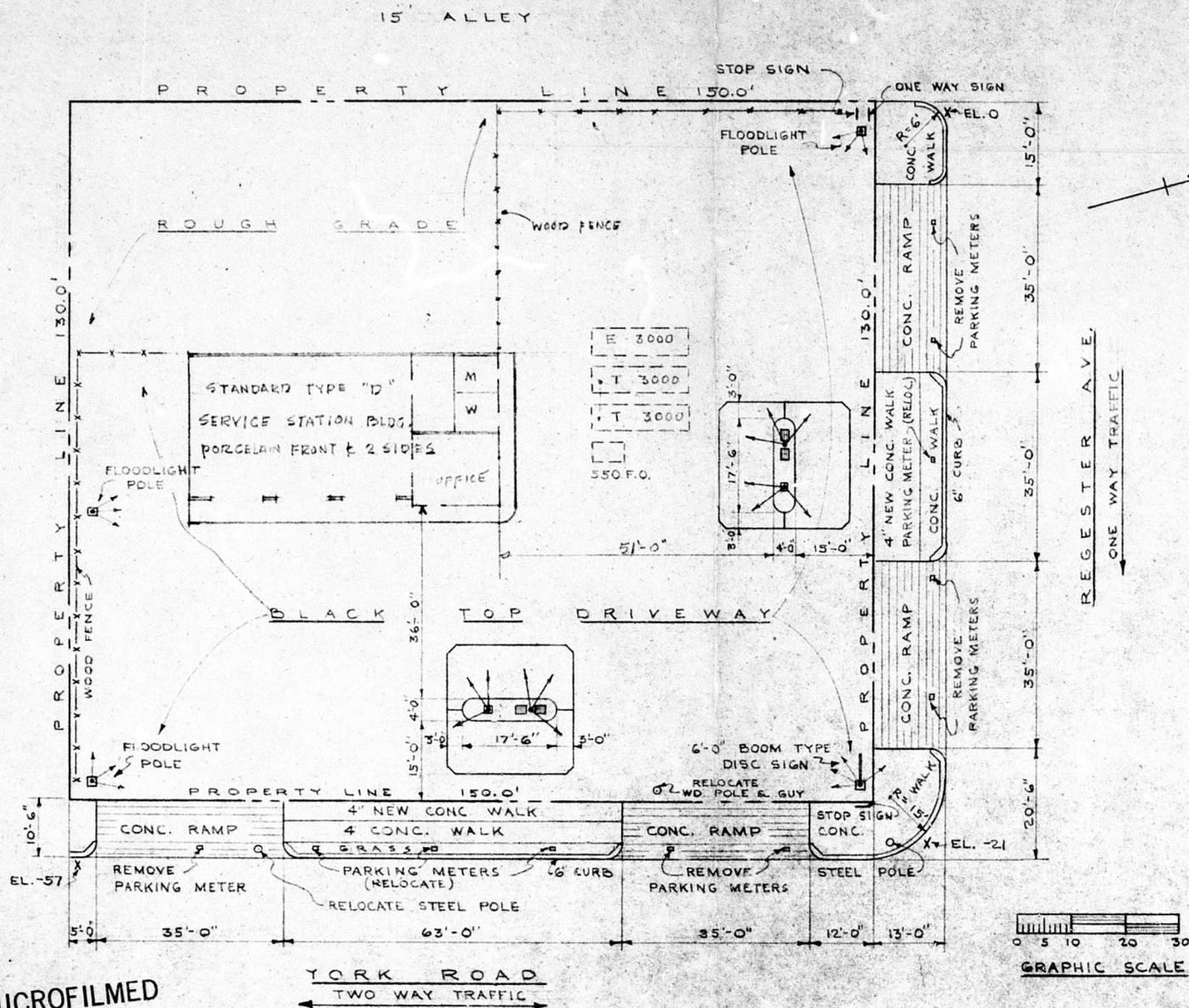
District: 9<sup>th</sup> Date of Posting: 3-21-56  
 Special Registrar for: Johnston Station  
 Position: Inspector, 1st, 1st  
 Location of property: Southwest corner of Aguirre Avenue and York Street  
 Name: Johnston  
 Location of Sign: Southwest corner of Aguirre Avenue and York Street  
 Remarks:  
 Posted by: George A. Zimmerman Date of return: 3-22-56

TOWSON, MD.....March 23, 1956

THIS IS TO CERTIFY, That the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., ~~for 2 times~~ for 2 times before the 1st day of April, 1956, the first publication appearing on the 16th day of March 1956.

THE JEFFERSONIAN,  
R. Smith

Cost of Advertisement, \$.....



# CONSTRUCTION ENGINEER'S REMARKS

PRIMARY ST.  
SECONDARY ST.

## RESTRICTIONS

BUILDING SETBACK FROM P.L. IN FEET

| NORTH | SOUTH |
|-------|-------|
| EAST  | WEST  |

PUMP ISLAND SETBACK FROM P.L. IN FEET

PRIMARY ST.  
SECONDARY ST.

LENGTH OF CURB CUTS IN FEET

PRIMARY ST.  
SECONDARY ST.

DISTANCE BETWEEN RAMPS IN FEET

PRIMARY ST.  
SECONDARY ST.

OTHER REMARKS:

CONST. ENG. DATE

## DISTRICT APPROVALS

|                      | DATE |
|----------------------|------|
| SALES SUPER.         |      |
| ZONE SUPER.          |      |
| S.S. PLANNING SUPER. |      |
| RETAIL SALES SUPER.  |      |
| DISTRICT ENG.        |      |
| DISTRICT MGR.        |      |

## DIVISION APPROVALS

|                      | DATE |
|----------------------|------|
| S.S. PLANNING SUPER. |      |
| RETAIL SALES MGR.    |      |

TIDE WATER ASSOCIATED OIL CO.  
DISTRICT

DRAWN BY: GEO. M. EWING CO.

SCALE: 1" = 20'-0" DATE: 7-29-55

LOCATION:

REGISTER & YORK RD.  
TOWSON, MD

PRELIMINARY PLOT PLAN