July 10, 1958

Advance Tool Company Joppa & Satyr Hill Road: Baltimore 14, Maryland

Attention: Mr. Philip V. Miceli

No: Petition for Special Exception for two Garoline Service Stations - SW. cor. Joppa & Satyr Rill Rds. - 9th Dist. - Philip V. Miceli, et al,

Dear Mr. Miceli:

€

In reply to your letter of July 8, 1958 requesting an extension of the special exception granted in the above matter on July 19th, 1957, please be advised that the special exception has been extended to expire July 19th, 1959.

Very truly yours.

ORDER

For reasons set forth in the aforegoing Opinion it is And of March, 1957, by the County Board of Appeals ORDERED that the record in this case be remanded to the Zoning Commissioner for further proceeding on the basis of the plats and development plans filed with this Board.

COUNTY BOARD OF APPEALS

HE: PETITION FOR SPECIAL EXCEPTION FOR GASOLINE SERVICE STATIONS FOR GASOLINE SERVICE STATIONS
S. W. COT. Jopps and Satyr Hill
Roads (Gut-Off) 9th District Phillip V. Micelli, Doris M.
Micelli, Edgar H. McCord, Sarah
M. McCord, Chas. E. McCord and
Line M. McCord, Phill towns.

ZONTING COMMITSSTONER OF BALTIMORE COUNTY

No.3914-X

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The above potition having been denied by the Zoning Commissioner for failure of the petitioner to provide an acceptable plan for the development of the subject property, an appeal hearing was held by the County Board of Appeals at which time several plans were submitted. The Board remanded the case to the Zoning Commissioner for further proceedings on the basis of the plats submitted to the Board at the time of the hearing. None of these plate were satisfactory.

However, the petitioner testified before the Zoning Commissioner that if granted the special exception for the gasoline service stations, he plans to raze the building shown on the plan marked "Advance Tool Company".

After careful consideration this exception is granted, provided that before the approval of building permits to erect either service station, a complete plan must be submitted for the approval of the Bureau of Land Development, Office of Planning and the Zoning Commissioner. Also the building shown as "Advance Tool Company" shall be rased or moved.

It is this Htle day of July, 1957, by the Zoning Commissioner of Baltimore County, ONDERED that a special exception, for two gasoline service stations, be and the same is hereby granted, subject, however, to compliance with the aforesaid

ORDERED BY the Zoning Commissioner of Baltimore

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

P. H.

Please enter an appeal to The Board of Zoning Anneals of Baltimore County in the above captioned case.

ZONINGE COMMISSIONER

Baltimore County

Re: Petition for Special Exception for Gasoline Service Stations -

S.W. Corner Joppa Road and Satyr Hill Cut-off, 9th District

Fhilip V. Miceli, Doris M. Miceli, Edgar R. McCord etal-Fetitioners.

ME 36 55 AM -

County this 25th day of July , 19 56,

Commissioner of Baltimore County, Maryland, on the 5th day of September __ 19 56 at 1:00 o'clock

Zoning Commissioner of Baltimore County

Pursuant to adventionment, possing of property and public hearing on the above potition, and the opening from the fasts presented at the hearing, the potitioner having falled to comply with Section 500,9 of the Soning Regulations pertaining to submission of plans for approval by the Bureau of Land levelopount, the said potition should be demined, therefore;

It is this 14 24 day of November, 1956, by the Zoning Commissioner of Balthree County, ORDEWD that the aforesaid petition for a special exception for a gasoline service station, should be and the same is hereby denied.

Mileie J. Colamo Zoning Comissioner of Baltimore County

RE: PETITION FOR A SPECIAL EXCEPTION FUR A GASOLINE SERVICE STATTON -S. W. Corr. Jopps Boad and Satyr Hill Cut-Off - 9th District -Fhilly V. Micelli, Doris N. Micelli, Edger H. McCord, Sarah M. McCord, Chas. E. McCord and

REKER COUNTY BOARD OF APPEALS No. 391 - I

OPINION

This is a petition for a special exception to permit two gasoline service stations in the triangle formed by Joppa Road, Satur Hill Road and the new Satur Hill Cut-off.

The Zoning Commissioner denied the petition because of the failure of the petitioner to file proper plats and develop ment plans in accordance with Section 500.9 of the Zoning Regulations. The petitioner appealed this decision to the Board and at the hearing before us he produced plats and plans giving much more detail than the plate he furnished to the Zoning Commissione and it would appear that the plats and development plans which he produced before this Board will meet the requirements of the Zoning

Although we are cognizant that we are not confined to the sources of evidence from which the Zoning Commissioner has made his determination, we nonetheless believe that a decision of the Commissioner, based solely upon Petitioner's failure to produce required plans, should not be overruled on the basis of such plans having been made available for the first time at the hearing before the Board. We think that in such cases the sensible approach is to remand the matter to the Zoning Commissioner, thereby allowing him the opportunity to grant or deny the Petition on its morits. It is not our intention to indicate by this Opinion that in all cases we will not consider testimony and documentary evidence which is produced for the first time before us. Rather, we will hold to the narrow delineation above set forth as constituting an exception to the general rule.

PETITION FOR SPECIAL EXCEPTION

IN THE MATTER OF

Philip V. Maceli, et al. hily Mil

For a Special Exemption Sorie M. Misking To The Zoning Countries of Baltimore Country Chulk E Mk Coal Colgan R. M. Bak anna M. Mc Cord SARAH M. MC CORD Legal Owner

PHILIP V. MICELI

hereby 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 be erected thereon) hereinafter described for CAS STATION

All ther parcel of lard in the Minth District of Battisbry County on the Southwest of Southwest Southwest

Not: 84

Chiles & Che Cond auna M. M. Cond

#39144

MAP

#9

"×"

BEFORE THE ZONING COMMISSIONER

OF FALTINGRE COUNTY

#39144 MAP PETITION FOR SPECIAL EXCEPTION "X" TN THE MATTER OF 8/24/56 OF PALTINORE COUNTY For a Special Sumption of Subject of Missel.

For a Special Sumption of Builtiness County

To the Society Constitutions of County

Much Children of Many Constitutions

Assure M. M. Co. Philip V. Miceli, et al.

SARAH M. MC CORD Legal Owner_

PHILIP V. MICELL

AND ARREST OF DESIGNATION OF SECURE ASSESSMENT OF DESIGNATION OF D

hereby petition for a Seastal Pa-

CHSLIN 613 Fork ad

Tily Mille Horis M. Miceli Edgar R. M. Bord Sarah Man me Cord wa M. M. Cond

Jenuary 20, 1058

Mr. Philip V. Miceli Res Preliminary plan for development of property, S/V Corner Joppa Road and Safyr Hill Cut-off.

Richary Consents (Continued)

Highway plane for the improvement will be the developer's responsibility. Hight of way, curb and gutter, and road improvements will be developer's responsibility.

Jopes Road shall be a h8' road on a 70' right of way. Right of way widering shall be the developer's responsibility. Right of way shall be set up 35' from the conterline of the existing road.

Location and size of entrances shall be subject to the final plans submitted. Construction of entrances shall be according to Baltimore County channelisation standards attached.

All drainage from this site must be carried to a suitable outfall approved by Baltimore County. Construction of required drainage system is the developer's responsibility.

Sanitary sewer is available in Joppa Road.

Nater is available adjacent to this site; however, this develop-ment is in an area where there is a water Area Connection Charge of 6155; per equivalent housing unit. The total area connection charge is determined upon valuation by the owner of the number and type of fixtures and the tomage of Air conditioning.

Water and Sever

Their present regulations, separate or non-communicating buildings require separate sever and water connections. The proposed plan would require 3 neters and 3 sever house connections.

It is suggested by this office that the plans to revised to conform to the present scoting and the above comments, along with othering and finished of the and when commentions, and proposed storm deviance. "you substitute the the revised plan, this office shall process for complete comments and/or argued than.

Very truly yours,

George R. Lewis Chief - Permit Section Division of Land Development

Department Of Bublir Works

August 17, 1956

BUREAU OF LAND DEVELOSMENT

Inter-On'ce Correspondence

From J. Fred Offutt

Wilsie Adams

Subject Special Exception - Philip N. Miceli

Reference is made to a Special Exception, 9th District, which is being applied for by Philip N. Miceli, which is located on the corner of Rew Satyr Hill Read and Joppa Read, #89 acre of land, for which he is applying for Special Exercise Teach Philips Content of the Philips

I think definitely before any Special Exception is granted on this property Mr. Miceli should have an approved plan by the Division of Engineering to show how samy station he proposes to put on this acreage and how they are getting their access.

It appears to me that Joppa Road should be widened and there is some contention as to the width of the Old Satyr Hill Road.

We have discussed this problem with him several times and until he has working drawings for this location we should hold off any such Exceptions.

J. FRED OFFUTT

Baltimore County Department Of Bubije Morks

January 20, 1958

Mr. Philip V. Miceli Advance Tool Company Joppa Road and Satyr Hill Hoad Haltimore 11, Maryland

Preliminary plan for development of property, S/M Corner Joppa Road and Satyr Bill Cut-off.

This office has received the following comments on this preliminary

plans

STATE ROADS CONCESSION CONCENTS

The proposal for 1-15' entrance into the property from Joppa Road is satisfactory to this office; however, when the plane are detailed it may be necessary to shift the entrance slightly to the west.

Existing soning of the property is N-L for the eastermost portion and B-L for the western section. The types of uses indicated are allowable in both somes; however, the settacks are incorract for the type of soning and

M-L Zoning requires the following:

(1) Front Yard (Section 238.1)

For commercial buildings, the front building line shall be not less than 50 feet from the front property line if on a dual bighwary and not less than 52 feet from the front property line and bless than 50 feet from the centerline of any other street, except as securified in forction 3012.

(2) Side and Rear Tards (Section 238.2)

For residences, as in Section 302; for other buildings,

B-L Zoning required the followings

For commercial buildings, the front building line shall be not less than 10 feet from the front property line and not less than 80 feet from the centerline of the street, except as specified in Region 30.9

REC. IV D of Philip V. Micelli, the sum of Thirty (200,00)

Dollars being cost of appeal to the Board of Zeming appeals of

Baltimore County from the decision of the Zoning Commissioner

denying a special exception for Casoline Service Station -

Joppa Hoad and Satyr Hill Cut-Off, 9th District.

For conserval buildings, none required on interior lots, except that where the lot shouts a lot in a rediffere once there required by the redifference on the remains of the redifference of the redifferent radiums of the redifference of a dealing on the shouting lot and on corner lets the redifference on the redifference of t

(3) Rear Yard (Sestion 232.3)

For commercial buildings, none required except that where the rear lot line abox on a residence some there shall be a rear yard not less than 20 feet deep.

Parking required is as follows:

Office Building - 1 space (9' x 18') for each 300 square feet of total ground floor area.

1 space (9' x 18') for each 900 square feet of total area of upper floors.

(Drive-In Bank in same category)

Service Station - No off-street parking.

No parking is allowed closer than 8' from a street right of way

Under the above regulations, 58 spaces are required for the office building, 3 for the bank, a total of 61 spaces. The referenced plan shows

Under the setbacks indicated above, there is no room to locate the Drive-In Back. This must be eliminated under the present acting for the

SURFAU OF ENGINEERING CONTENTS:

Satyr Hill head shall be a 2h' street on a lo' right of vay, one may sentheast, set up tentatively from the emissions of the existing read. Spon development of this site, the right of we define must be accurred and the improvements made to the read, including outs and eviter and paring.





THIS IS TO CERITFY, That the annexed advertisement was published in THE UNION NEWS, a weekly newspaper printed and published in Towson. Baltimore County, Md., once in each of _two_ successive weeks before the _ fifth day of ____August _____195_6_, the first publication appearing on the seventeeth .. day of .August.

The UNION NEWS

3914



Towson, Maryland

Date of Posting 8-22.56 Posted for Jacquel Bheyetian for an Saroling Served Station Petitioner: Assles V. mente Location of property & M. low of Jagra Al + later Hell list of all

Location of Signs: Ordiniers III les of Agent Acht Safer Hell Col III.

Sonday Completed oney

01,623 Zoning Service Charges

nw

Zoning Commissioner of Baltimore County

September 6, 1956

RECEIVED of Philip Miceli, petitioner, the sum

of Thirty-five (\$35.00) dollars, being cost of petition

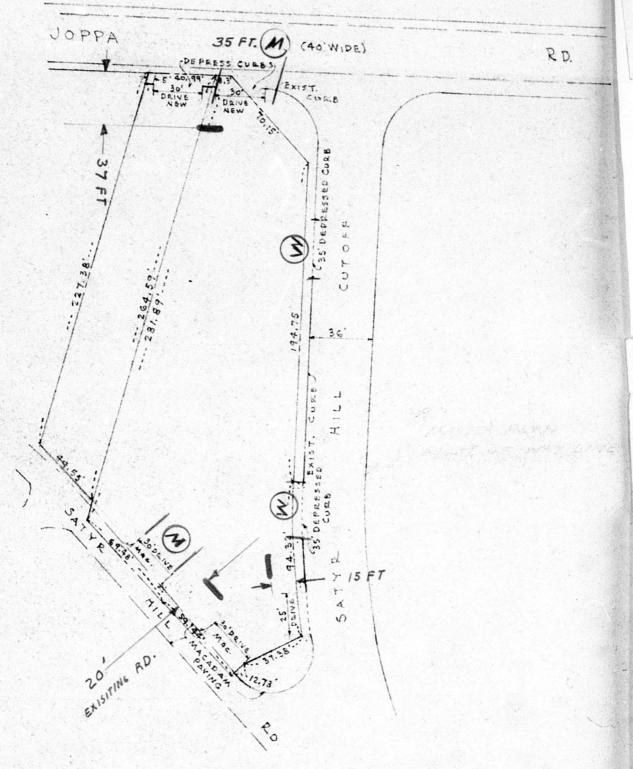
for a Special Exception, advertising and posting

Satyr Hill Cutoff, Ninth District of Baltimore

property on the Southwest corner of Joppa Road and

Thank you

01.622-\$10.00



PROPOSED DRIVES & PUMP ISLAND
JOPPA RD. & SATYR HIEL CUTOFF
SCALE 1": 50" DEC. 1956



