

OK 11/10
7-21-58
MAP
#1-B
"X"

RE: PETITION FOR A SPECIAL
EXCEPTION FOR GASOLINE
SERVICE STATION - S. S.
Ogwyn Oak Ave., 127 feet
W. Gwynndale Ave., 1st Dist.
Edw. L. Rubin, Petitioner

BEFORE
COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY
NO. 3959-I

The petition in this case is for a special exception
for a gasoline service station on the north side of Ogwyn Oak Avenue,
127 feet west of Gwynndale Avenue, in the First District of Baltimore
County.

The Board heard the testimony of both the petitioner
and protestants and after carefully considering the evidence can only
conclude that the petitioner has successfully met the test set up in
Section 502.1 of the Zoning Regulations and shall be granted the
special exception, subject to the restrictions of Section 405 covering
gasoline service stations and giving additional assurance that he
will agree to adequate setbacks to accommodate future possible widening
of Ogwyn Oak Avenue without cost to the County.

The Board did consider the water control of the Ogwyn
falls watershed but must conclude that this is a problem for the
Department of Public Works of Baltimore County and will not be affected
by the land fill required for the construction of this project. The
Public Works Department approval was submitted in writing and fully
supported by a competent witness.

ORDER

For the reasons set forth in the foregoing Opinion it

is this 9th day of May, 1957 by the County Board of Appeals
ORDERED that the special exception herein filed be and the same is
hereby granted.

COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY

Notes: Mr. Spiro T. Agnew did not sit in the above case.

3274
Order of
Board affirmed
on 8/15/57

M. WILLIAM ADELSON
ATTORNEY AND COUNSELLOR AT LAW
ONE NORTHERN BUILDING
BALTIMORE 2, MARYLAND

December 4, 1956

Wilsie H. Adams, Zoning Commissioner
303 Washington Avenue
Towson 4, Maryland

Re: Petition for Special Exception
for Gasoline Service Station -
W.S. Ogwyn Oak Ave., 127 feet W.
Gwynndale Ave., 1st District -
Edward L. Rubin, Petitioner

Dear Mr. Adams:

Please enter an appeal in the above
entitled matter to the Board of Zoning Appeals.

I am enclosing herewith check in
amount \$30.00 covering the cost of same.

Respectfully yours,

M. William Adelson
M. William Adelson, Attorney
for Petitioner-Appellant

EPS:z



3/14/57
10:00 P.M.

MEMORANDUM

To: Mr. Wilsie Adams, Zoning Commissioner
From: Zoning Advisory Committee

Subject: Zoning Petition #3959-I, Special Exception
for Gasoline Service Station, 2nd District,
North side of Ogwyn Oak Ave., beginning 127 feet
West of Gwynndale Avenue.

- 1). The proposal was considered to be a possible nuisance
to the nearby residences and the tract was thought to be of
inadequate size for the use in this location.
- 2). The Committee agreed that if the reclassification is
granted, existing trees on the North and South border would
be of value as screening. These trees may be on adjacent
residential land or on the subject property. We would recommend
that the Petitioner be required to preserve those that are on
his property, if his plea is granted.

IN THE MATTER OF
Edward L. Rubin

PETITION FOR SPECIAL EXCEPTION
BEFORE THE
ZONING COMMISSIONER
OF
BALTIMORE COUNTY

For a Special Exception
To The Zoning Commissioner of Baltimore County

Edward L. Rubin Legal Owner
Contract Purchaser

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 1913, 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
Gasoline Filling Station

All that parcel of land in the First District of Baltimore County on
the North side of Ogwyn Oak Avenue, beginning 127 feet West of Gwynndale Avenue,
thence Westwardly and thence on the North side of Ogwyn Oak Avenue 200 feet;
thence North 5 degrees 30 minutes East 130 feet; thence North 89 degrees 15
minutes East 120 feet; thence South 53 degrees 23 minutes East 49.51 feet; thence
South 29 degrees 15 minutes East 127 feet to the place of beginning.

Contract Purchaser
Legal Owner

ORDERED BY the Zoning Commissioner of Baltimore
County this 21st day of Sept., 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 22nd
day of October, 1956, at 2:00 o'clock
P.M.

Zoning Commissioner
of Baltimore County

Pursuant to advertisement, posting of property and
public hearing on the within petition to use the property for
a gasoline service station and it appearing that by reason of
location, the safety, health and the general welfare of the
community being detrimentally affected, the said petition should
be denied, therefore:

It is this 28th day of November, 1956, by the
Zoning Commissioner of Baltimore County, ORDERED that the afore-
said petition for a special exception for a gasoline service station
be and the same is hereby denied.

William H. Adams
Zoning Commissioner
of Baltimore County

Department of Public Works
BUREAU OF LAND DEVELOPMENT
Inter-Office Correspondence

From: GEORGE R. LEWIS
To: WILLIAM H. ADAMS
Subject: Special Exception #12
Proposed Service Station
Ogwyn Oak Avenue near Gwynndale Avenue

This office has received the following comments from the Bureau
of Engineering in regard to the referenced Special Exception:

"The plan as submitted is acceptable to this office.
The storm drain control as indicated on the plan by
a 2:1 slope has been reviewed and is acceptable to
this department."

George R. Lewis
GEORGE R. LEWIS
Chief - Permit Section

GR:ls

December 6, 1956

\$30.00

RECEIVED of M. William Adelson, attorney for Appellant,
the sum of Thirty (\$30.00) Dollars, being cost of appeal to the
Board of Zoning Appeals of Baltimore County from the decision
of the Zoning Commissioner denying a special exception for
a gasoline service station, north side of Ogwyn Oak Avenue
127 feet west of Gwynndale Avenue, 1st District, Edward L.
Rubin, petitioner.

Zoning Commissioner

01-641 Zoning Service Charge

October 2, 1956

\$35.00

RECEIVED of Edward L. Rubin, the sum of Thirty-five (\$35.00) dollars, being cost of petition for Special Exception, advertising and posting property on the North side of Gaym Oak Avenue, beginning 127 feet West of Gaym Oak Avenue, First District of Baltimore County.

Thank you.

Zoning Commissioner
of Baltimore County

HEARINGS:

Monday, October 22, 1956
at 2:00 P. M.

Room 108
County Office Building
111 W. Chesapeake Avenue
Towson 3, Maryland

01.622 - \$10.00

01.623 - \$35.00

RECEIVED
OCT 2 1956
COUNTY CLERK

3957

August 7, 1957

\$7.00

RECEIVED of Messrs. Turnbull & Brewster, the sum of Seven (\$7.00) Dollars, being cost of certified copies filed in the matter of petition for a Gasoline Service Station on the northside of Gaym Oak Avenue 127 feet west of Gaym Oak Avenue, 1st District, Edward L. Rubin, petitioner.

01.621

RECEIVED
AUG 9 - 1957
COUNTROLLER'S OFFICE

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

3957

District 1st Date of Posting 10-10-56
Posted for: Special Exception for a Gasoline Service Station
Petitioner: Edward L. Rubin
Location of property: M.S. of Gaym Oak Ave. bet. 127 ft West of Gaym Oak Ave. and the 1st Dist.
Location of Signs: Northside of Gaym Oak Ave. 127 ft west of Gaym Oak Ave.
Remarks: George A. H. H. H.
Posted by: George A. H. H. H. Date of return: 10-16-56

NO PLAT
IN
THIS FOLDER