

4075-X

IN THE MATTER OF
C. E. Ervin

For a Special Exception
To the Zoning Commissioner of Baltimore County

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 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 Gasoline Service Station

All that parcel of land in the Eleventh District of Baltimore County, beginning for the same at a point on the Northwest side of the Manor Road, North 33 degrees 38 minutes East 50.25 feet from the point of intersection of the Northwest side of Manor Road and the Northeast side of the Long Green Road; thence running and binding on the Northwest side of Manor Road, North 33 degrees 38 minutes East 125 feet; thence running North 15 degrees 45 minutes West 110 feet; thence running South 33 degrees 38 minutes West 125 feet; thence running South 15 degrees 45 minutes East 110 feet to the point of beginning.

Contract Purchaser

Address

ORDERED BY the Zoning Commissioner of Baltimore County this 2nd day of January, 1957, 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 6th day of March, 1957, at 8 o'clock P. M.

Zoning Commissioner of Baltimore County

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY TOWSON, MARYLAND

District 11 Date of Posting 2-1-57
Posted for Special Exception for a Gasoline Service Station
Petitioner: Charles E. Ervin
Location of property: N.W. 1/4 of Manor Road and N.E. 1/4 of Long Green Road, etc. see plat
Location of Signs: Northwest side of Manor Road, Northeast side of Long Green Road
Remarks: George A. Jefferson
Posted by George A. Jefferson Date of return: 2-2-57

CERTIFICATE OF PUBLICATION

TOWSON, MD. February 22, 1957.
THIS IS TO CERTIFY That the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md. JUNE 2, 1957.
JES. 2. 11992. RESSAONCE WAGGERS before the 6th day of March, 1957, in 87, the first publication appearing on the 11th day of February 1957.

THE JEFFERSONIAN
Manager

Cost of Advertisement, \$.

HOLMAN C. SCHOENBERGER
ATTORNEY AT LAW
22 WEST PENNSYLVANIA AVENUE
TOWSON 4, MARYLAND
March 21, 1957

Willsie H. Adams
Zoning Commissioner for Baltimore County
303 Washington Avenue
Towson 4, Maryland
Re: Charles E. Ervin, Petitioner
for a Special Exception for
Gasoline Service Station
N.W. side Manor Road and
N.E. side of Long Green Road
11th District

Dear Mr. Adams:

Please be advised that in accordance with your Order passed on March 15, 1957 in the above captioned Petition, that we desire to file an Appeal and respectfully request that you transmit all records in the matter to the Appeals Board of Baltimore County, Maryland.

Very truly yours,

Holman C. Schoenberger
Holman C. Schoenberger

Ol: Maurice Baldwin, Esquire
21 W. Funderburk Avenue
Towson 4, Maryland

\$30.00

RECEIVED of Messrs. Schoenberger and Walsh, Attorneys for Charles E. Ervin, petitioner, the sum of Thirty (\$30.00) Dollars being cost of appeal to the County Board of Appeals from the decision of the Zoning Commissioner denying a special exception for gasoline service station, Northwest side of Manor Road and Northeast side of Long Green Road, 11th District.

Zoning Commissioner

01.621

RE: PETITION FOR A SPECIAL EXCEPTION FOR GASOLINE SERVICE STATION - N. W. Side Manor Road and Northeast side of Long Green Road, 11th District - C. E. Ervin, Petitioner
BEFORE
ZONING COMMISSIONER OF BALTIMORE COUNTY
No. 1675-X

Pursuant to the advertisement, posting of property and public hearing for a special exception to use the property described in the within petition for a gasoline service station, under the sub-division Regulations of Baltimore County a minimum of 20,000 square feet is necessary before a building permit could be issued for the erection of a residence where water and sewer are not available.

The protestors in this case strongly objected to the granting of a special exception for a gasoline service station on 13,000 square feet, without water and sewer available, when it is required to have 20,000 square feet for a residence.

From the testimony before me, it is the opinion of the Zoning Commissioner that since 20,000 square feet are required for a residence, the same requirements should apply to any commercial building, therefore, the granting of the special exception would be detrimental to the health, safety and the general welfare of the community.

For the reasons set forth above the petition for the special exception should be denied.

It is this 15th day of March, 1957, by the Zoning Commissioner of Baltimore County, ORDERED that the aforesaid 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

RE: PETITION FOR A SPECIAL EXCEPTION FOR GASOLINE SERVICE STATION - N. W. Side Manor Road and N.E. Side Long Green Road, 11th Dist., C. E. Ervin, Petitioner
BEFORE
COUNTY BOARD OF APPEALS
No. 1675-X

OPINION

This petition for a special exception for a gasoline service station presents a combination of factors which must be weighed in the light of explicit instructions of Section 502.1, that before any special exception shall be granted it must appear that it will not be detrimental to the health, safety or the general welfare of the locality nor tend to create congestion in the roads, streets or alleys and so forth.

The Board finds that the petitioner did not qualify his request because of the inadequacy of sanitation and vast water disposal, a vital factor in Section 502.1-a. In addition the location of the main building on his adjoining property and the topography of both parcels of land failed to satisfy the requirements of Section 502.1-b, consequently the request for the special exception is denied.

ORDER

For reasons set forth in the foregoing Opinion, it is this 15th day of June, 1957, by the County Board of Appeals, ORDERED that the petition for a special exception for a gasoline service station be and the same is hereby denied.

COUNTY BOARD OF APPEALS

Charles E. Ervin
George A. Jefferson
Petitioner

February 28, 1957

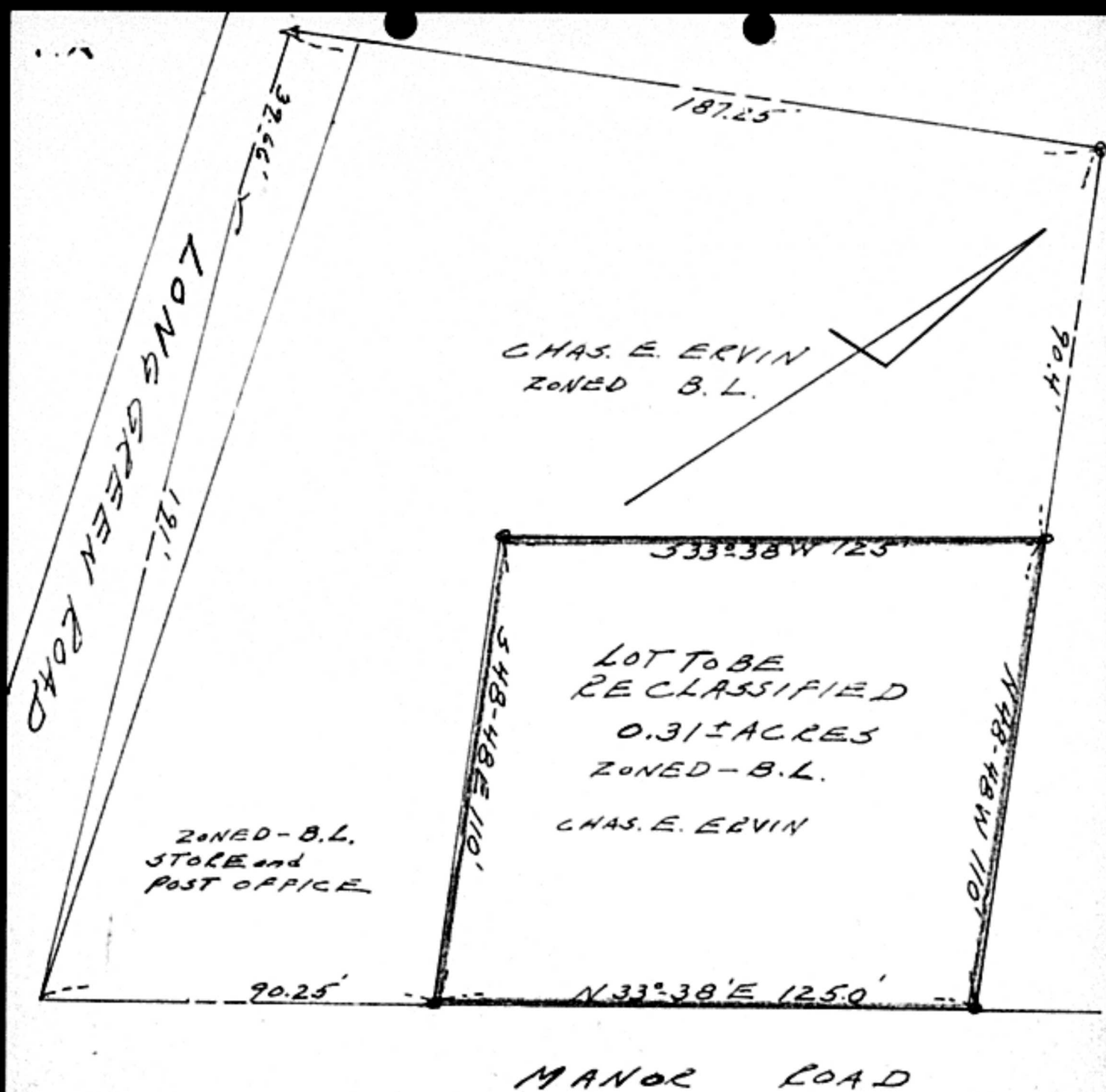
\$5.00

RECEIVED of Charles E. Ervin, petitioner, the sum of five (\$5.00) dollars to cover cost of advertising the property located on the Northwest side of Manor Road, and the Northeast side of Long Green Road, Eleventh District of Baltimore County.

Thank you.

Zoning Commissioner of Baltimore County

RECEIVED
FEB 28 1957
COMPTROLLER'S OFFICE



Plat of Land owned by Charles E. Ervin & wife.

Recorded in Liber G.L.N. No. 2331 folio 200 etc.

Long Green, Eleventh District, Balto. Co., Md.

Scale 1 in. to 30 ft. Dec. 4, 1956

Robert C. Morris, Reg. Surveyor
Old Court Road, Balto. # 7, Md.