

To the Zoning Commissioner of Baltimore County:

I, or we, Samy J. Klein } 2010 } Charles B. Klein Legal Owner
Barbara C. Klein } } Thordis O. Kilde

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.

(2010) ✓ Wm J. Pines Robert J. White (2012)
Legal Owner Legal Owner
(2010) ✓ Barbara C. Brown Shirley Barnes (2012)
Legal Owner Legal Owner

Lisa P. Brown & d 2010 + 2012 Eastown Blvd. Calto, MO
Missouri Address

11/15/17

All that parcel of land in the Fifteenth District of Baltimore County on the Northwesternmost corner of Eastern Blvd. and Hawthorne Rd. thence running Westerly and binding on the North side of Eastern Blvd. 138 feet; thence North 22 degrees 40 minutes West 116.96 feet; thence North 48 degrees 38 minutes East 89.59 feet to the West side of Hawthorne Rd. thence Southerly and binding on the West side of Hawthorne Rd. 130 feet to the place of beginning.

RE: PETITION FOR DECLASSIFICATION AND
SPECIAL EXCEPTION FOR A GASOLINE SERVICE
STATION - NORTHEAST CORNER EASTERN BLVD.
AND HANTHORNE ROAD - FIFTEENTH DISTRICT
HENRY J. FLEINER AND CAROLIN A. FLEINER
AND ARLEN D. MILES AND THOMAS C. MILES,
PETITIONERS

BEFORE THE
ZONING COMMISSIONERS
FOR
BALTIMORE COUNTY

NOTICE OF APPEAL

Mr. Clark:

Please enter an Appeal in the above entitled matter to the Board of Appeals' for Baltimore County.

E. Scott Moore
Duncan Bldg.
Towson 4, Md.
Valley 5-8511
Attorney for Petitioners

SFD 30

☐ Acid
☐ Reed
☐ Reif
☐ Enlf
☐ Chkd

Continued REFORMULATION

PETITION FOR A RECLASSIFICATION
AND SPECIAL EXCEPTION FOR A
GASOLINE SERVICE STATION - N.W.
Cor. Eastern Boulevard and Hawthorne Road, Fifteenth District -
Property owned by Arden and
Thordis Miles and Henry J. and
Carolyn A. Fleiner, Petitioners

BEFORE
COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY
No. 1200-EX

OPINION

This petition seeks a reclassification and Special Exception for a gasoline service station on land located on the northwest corner of Eastern Boulevard and Hawthorne Road in the Fifteenth District of Baltimore County.

Testimony at the original hearing and at the special hearing called at the request of the Board for the purpose of receiving testimony from Mr. Malcolm Mill, Director of the Office of Planning of Baltimore County, clearly shows that the property adjacent to and southwest of the property in question, was zoned from residential to commercial on July 30, 1953.

While testimony shows that the purpose being requested for the adjacent property was for use as a Union Hall, many other uses are allowable under its now existing commercial classification and even though the property remains unused, it can be used for any of the permitted uses under a "B-1" (business local) zoning.

Mr. Bill, in his testimony, described the now existing commercial property as low land, requiring fill, and stated that it would be very difficult to use the property for residential development.

October 2, 1957

150.00

RECEIVED of E. Scott Moore, attorney for Henry J. Fleiner, et al, petitioners, the sum of Fifty (\$50.00) Dollars being cost of appeal to the Board of Appeals of Baltimore County from the decision of the Zoning Commissioner denying the reclassification and special exception for a gasoline service station, northwest corner of Eastern Boulevard and Northeastern Road, 15th District.

Zoning Commissioner

01.622

RECEIVED
OCT 2 - 1957
COMPTROLLER'S OFFICE

Mr. Mill further testified that it would be the recommendation of his Department at the time of the adoption of the new land use map for the Fifteenth District, that this property be reclassified back to residential.

It is the opinion of the majority members of the Board that such reclassification would be equal to confiscation, the property being admittedly unfit for residential use, and, therefore, testimony with regard to the possible reclassification of this property is not being considered in our decision.

The property, for which the reclassification and Special Exception is being sought, is bounded by the new commercial property on the south and Hawthorne Road on the north. It certainly seems that the natural boundary for commercial use to cease in this area would be Hawthorne Road and that a refusal to grant reclassification asked for in this petition would constitute spot zoning of the adjacent property and would be completely unfair to its present

The reclassification of a new commercial property on the southwest in July 30, 1953 certainly constitutes a change in the immediate neighborhood and for this reason the reclassification asked for is granted by the majority members of the Board.

With regard to the Special Exception, the petitioner seems to meet all the requirements of Section 502.1

The granting of this Special Exception will not be detrimental to the health, safety or general welfare of the locality involved, does not tend to create any congestion in the roads, streets or alleys therein, nor does it tend to create a potential hazard from fire, panic or other dangers, nor will it tend to overcrowd land and cause undue concentration of population, nor

ORDERED BY the Zoning Commissioner of Baltimore County this 19th day of July, 19 57 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 14th day of August, 19 57, at 11 o'clock

A. M.

Zoning Commissioner
of Baltimore County

Upon hearing on the above petition for reclassification from an "R-5" Zone to a "B-1" Zone and a special exception for a gasoline service station, from the facts and testimony presented at the hearing, to grant the petition would be detrimental to the general locality and would increase what is already one of the worst traffic congested areas in Baltimore County, therefore, the petition should be denied.

It is this 22nd day of September, 1957, by the Zoning Commissioner of Baltimore County, ORDERED that the aforesaid petition, the first, for reclassification from an "R-6" Zone to a "B-L" Zone and, second, for a special exception for a gasoline service station, be and the same is hereby denied.

It is this 25th day of January, 1963, by the Zoning Commissioner of Baltimore County, ORDERED that the aforesaid special exception is extended from March 26, 1959 to March 26, 1964.

will it interfere with adequate provisions for schools, parks, water, sewerage, transportation or other public requirements, conveniences or improvements, nor will it interfere with adequate light and air.

Inasmuch as the petitioner meets the requirements for a Special Exception, the majority of the Board approves the granting of the Special Exception on the property in question.

ORDER

For the reasons set forth in the foregoing Opinion, it is this 26th day of March, 1958 by the County Board of Appeals ORDERED that the aforesaid reclassification and Special Exception for a gasoline service station, be and the same is hereby granted.

COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY

Nathan N. Kungu
Spice & Sugar

CHARLES G. IRISH, CHAIRMAN - DISSENTING

The undersigned member of this Board dissents from the conclusions of the majority and comments that one bad example of "Spot" zoning should not be used as the grounds for citing a change in the character of the neighborhood under the circumstances obtaining here.

A strictly residential neighborhood was "Spot" zoned in 1953 for a Union Hall, which project, because of traffic and other problems, was later abandoned. This rezoned property lying to the Southwest of the subject property is completely undeveloped and in fact undesirable for either commercial or residential use in its present state.

The majority opinion holds that this previous reclassification constitutes a change in the neighborhood, a fact apparent only on the map and grants reclassification from "R.6" to "R.L." and further grants a Special Exception for the erection of a Gasoline Station, thus extending the commercial frontage to the detriment of the homes of "Homeland".

Mr. Dill, head of County Planning, testified that a new Land Use Map covering this area was nearing completion, that it would be presented to the Planning Board by June 15th, of this year, and subsequently reviewed and the subject of public hearings before the Zoning Commission and the County Council. He further testified that such a situation as this could be reviewed and under due process the zoning for the Union Hall set aside and revert to its original zoning classification.

The Zinn case clearly would recommend the withholding of this present extension of commercial zoning until such time as this new Land Use Map is approved. To do otherwise would be to commit the residents whose property is in the immediate vicinity to severe depreciation and prevent the natural enjoyment of their small residential area which has no other business encroachment.

CHALICE

DATE March 26/1958

June 28, 1957

\$38.00

RECEIVED of Leo Paul Blondell, petitioner, the sum of Thirty-Eight (\$38.00) dollars, being cost of petition, posting and advertising of property situate Eastern Boulevard and Hawthorne - 15th District of Baltimore County.

Thank you.

Zoning Commissioner
of Baltimore County

RECEIVED

JUN 28 1957

COMPTROLLER'S OFFICE

By

01.622 - \$38.00

Order A 7923 Req H 299

AUG 8 1957

42-00

Certificate Of Publication

ESSEX, MD., August 7th., 1957

THIS IS TO CERTIFY, That the annexed advertisement was published in THE EASTERN ENTERPRISE, a weekly newspaper published in Essex, Baltimore County, Md., once in each of 2 successive weeks before the 14th day of August, 1957, the first publication appearing on the 14th day of July, 1957.

THE EASTERN ENTERPRISE, INC.

Helene G. Shalden
Manager.

Thursday, July 25, 1957

Sales & Legal Notices

BOARD OF IMPROVEMENT
BALTIMORE COUNTY
PETITION FOR ZONING RECLASSIFICATION AND SPECIAL EXEMPTION - 15th DISTRICT

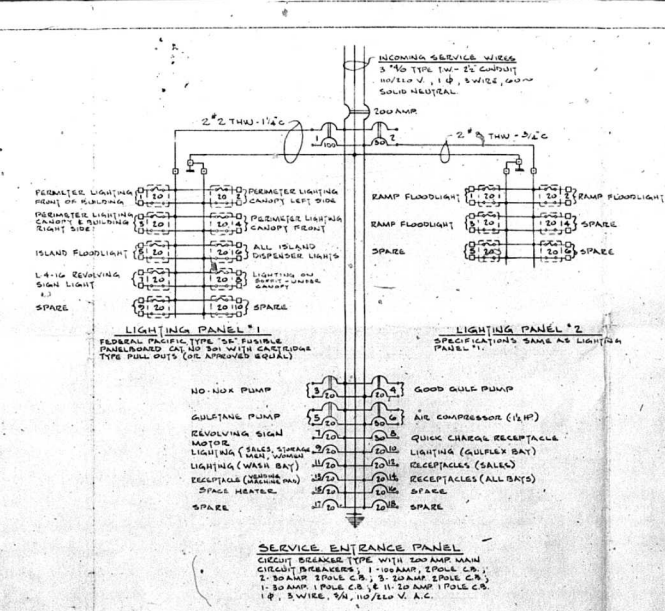
Pursuant to petition filed with the Zoning Commissioner of Baltimore County for change or reclassification from an R. 4 Zone to a R. 1 Zone and a Special Exception to use the property hereinafter described for a Gasoline Service Station, the Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Room 105 County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland:

On Wednesday, August 14, 1957 at 11:00 P.M.

to determine whether or not the following mentioned and described property should be changed or reclassified and whether a Special Exception for a Gasoline Service Station should be granted to it:

All that parcel of land in the Fifteenth District of Baltimore County on the Northwest corner of Eastern Boulevard and Hawthorne Road; thence running Westerly and binding on the North side of Eastern Boulevard 145 feet; thence North 22 degrees 40 minutes West 116.94 feet; thence North 45 degrees 25 minutes East 42.59 feet to the West side of Hawthorne Road; thence Southerly and binding on the West side of Hawthorne Road 125 feet to the place of beginning as shown on plat plan filed with the Zoning Department, being property of Arden B. Miles et al.

By Order of
Walter H. Adams
Zoning Commissioner



REFERENCE DRAWINGS	
SURVEY (JOHN A. DIVEN APRIL 24, 1951)	EE-PH-161
PERMIT DRAWING	EE-PH-162
INTERIOR PLUMBING AND HEATING PLAN, ELEVATIONS & SECTION	EE-102
INTERIOR ELECTRIC	EE-103
INTERIOR PLUMBING AND HEATING STANDARD BUILDING DETAILS	EE-109
STANDARD DETAILS-REPAIRS PUMP INSTALLATION	EE-111
MISCELLANEOUS DETAILS	EE-111
STANDARD DETAILS	EE-112
PERMITS AND LIGHTING INSTRUCTIONS	EEPH-168
CANOPY DETAILS	EE-128
CANOPY LIGHTING DETAILS	EE-130

GENERAL NOTES

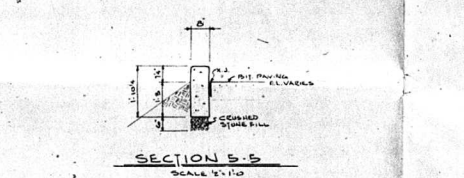
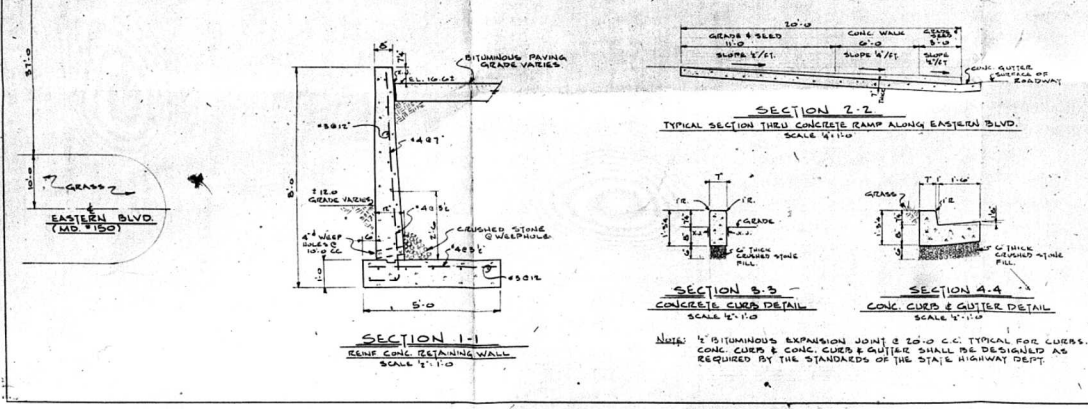
- [illegible]

ELECTRICAL NOTES

- [illegible]

SPECIAL REMARKS
1. ALL WIRE TYPES SHALL CO

- AREA WITHIN PROPERTY LINES TO BE CLEARED OF ALL OBSTRUCTIONS
- NOTE: WHERE THE TOPOGRAPHICAL SURVEY INDICATES THAT A MINORATION DEPTH GREATER THAN 5'-6" MINIMUM REQUIREMENT CALLED FOR ON THE STANDARD BUILDING PLANS & SPECIFICATIONS WILL BE REQUIRED, IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO INCLUDE THE ADDITIONAL DEPTH REQUIRED IN HIS BID PRICES.



DATE	BY		
DATE	BY		
DATE			
APPROVED			

GULF OIL CORPORATION

EASTERN REGION - ENGINEERING & CONSTRUCTION

GULF BUILDING - CITY AVE. AT SCHUPLER EXPRESSWAY - PHILADELPHIA, PA.

MIDDLE RIVER, BALTIMORE MD
 NWCC EASTERN BLVD. & HAWTHORNE RD

GENERAL CONSTRUCTION PLAN

TITLE SCALE 1" = 10' - 0" 4 SHEETS - 4	DRAWN BY: J. C. Koss CHECKED BY:	DATE: 12/2/68	ER-PH-163
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