#431414 BEFORE THE DEPUTY ZONING COMMESSIONER

RE: PETITICH FOR SPECIAL EXCEPTION FOR A CASCAINE SERVICE STATUS H.S. Timentum Rose 225' Mark of Adgeonor Rose, Set histarian The Star Construction Company Los Homes, No., 1 The Los Construction Company; Belanch Ho. h31h-X

> MAP SUPPLEMENTARY CROSS

The following conditions are mandatory:

# 4 1. States Compliance with the site plan as amended SE (3.D)

Strice compliance will we made concerning and planting, including the 150 feet heallook screen adjacent to the residential lots at Tisonium Road or Edgesoor Road, will be in place.

Strict compliance will be made consorring the sign regulations within the Zening Regulations of Balticore County. No outlade self-service dis-pending structures for sale of milk, ice, etc., will be permitted.

he. Povision of scooms to the balance of the center will be in scoomster. It find plann to be approved by Matthews above or this supplies the properties of the properties of the applies the specifically, endersound her is contistence upon previations of light for the attentive with the charge understanding that the state of the properties of the properties of the other consecution used to be almost on this content of the properties of the state of the that 20 feet comments in some via the contents of the things of the contents of the state of the state of the contents of the state of the state of the state of the contents of the state of the state

day of August, 1961, by the Zoning

Commissioner of Baltimore County ONDERED that the aforegoing is made a part of the original order of the Deputy Zoming Commissioner, dated 11th day of March, 1958 and the patitioners and the WassignS reset comply strictly with the above provisions.

THOSE COUNTY

March 21, 1960

Re: Petition for Special Exception for Gaseline Service Station -M. S. Timonium Road 225' West of idegenor Road, Sth District -The Star Construction Co., et al,

Fequesting an extension of the special econtion granted on June 1, 1959, in the above matter, please be advised that I laws today granted an extension for a period of one year from June 1, 1950 to dwne 1, 1951.

Very truly yours

Zoning Comissioner

nobel sil 6- 1914 Josh Chale It

#4314XA

Robert J. Dougherty, Esq. 24 W. Ferma. Avenue Torson b. Maryland

Re: Patition for Special Exception for a Capoline Service Station, N.S. Timorium Rd. 225' W of Edgemoor Road, for The Star Construction Co., et al - 8th District & Physics

JOR Ann

Ne. Utlata H. Adams kr. Wilsie H. Adams Zoning Commissioner County Office Building 111 West Chesapeake Avenue Towson 4, Maryland

et al.

We are enclosing a copy of Supplementary Order, on the above petition, for your records.

March 18 , 1960

Re: Service Station Site
NV Side Timonium Road
near Edgemoor Road Saltimore County, Maryland

Under date of June 4, 1959, you granted a special exception the erection of a service station on my property located at the above

I am by copy of this letter requesting an extension of the above subject permit. Your kind attention to this matter will be greatly appreciated.

Awaiting an early reply, I am,

Yours very truly,

JOHN OF HORE

Mr. Frank Ollawiler Real Estate Division Mobil Oil Co. 191h M. Charles St. Baltimore 18, Maryles

July 17, 1961

D COMMUNITY ASSOCIATION - MONITON, MARYLAND

ZONING DEPARTMENT

JUL 40 61 AM

Dear Mr. Ollweilers

This letter is a confirmation of my understanding with you in our phone, conversation of Friday, July 11, 1961, in reference to the opening of the service station located on Theoriem Rend, "Meanism, Md.

In reference to the Letter of Lymary 27, 1908, Office of Planting, Mallillows in reference to the Letter of Lymary 27, 1908, Office of Planting, applicant Rodal (91 On, 1921) Horiz Gurdan St., Miller, M. et al. 1970, applicant Rodal (91 On, 1921) Horiz Gurdan St., Miller, M. et al. 1970, applicant Rodal (1970) Horiz Gurdan St., Miller, M. et al. 1970, application by the Lymary 1970, application by the Lymary 1970, application by this office is consistence of the band of the St. 1970, and Mr. shread (representing South), approved of the band of the St. 1970, and Mr. shread (1970) Horizon St. 1970, and 1970, an

Information has reached me to the effect that the station would be opening on Tuesday, July 18, 1961. Living near the site, I found no planting to be in place. This prompted my call to you.

Yet stated that the station would not be opened for husiness until all of the agreed plantings are in place. By understanding is that the planting was in place. By understanding is that the planting would not be one constraint and incomplete and the weather conditions would not be one compared to the plantings and firsther the plantings would not be given prepare care also no occupancy of the site at this time.

proper case use to no company on the title at time time,
in the laure yes to shiftly to the latter the apresents contained
in the laure per to charm to the control and appear to the control and
sent information in copy from to the laure of the precises, lies
sent information in copy from to the laure of the laure three times
to the laure the laure to the laure of the laure three times
throughton and not that you close to enter the control into the residential
proving of the abstract proportion is minimized. If or when may then it
private of the abstract proportion is minimized. If or when may then it
all recourse plants are the control to the control to the control to the
protect our rights for the general welfare of the neighborhood.

May I have the enclosed copy of this letter returned with your signature as certification of our discussion and agreement on the matters contained herein. A self addressed envelop is enclosed for your convenience.

Very cordially yours, The water of

STAR CONSTRUCTION COMPANY, ET AL

IN THE CIRCUIT COURT

VS BOARD OF APPEALS OF BALTDICKS COUNTY, ST AL .

In this case the objection on the part of the property owners in the general area of the proposed service station is largely an

objection to commercial use of the property. The county Board of Appeals denied the special exception because of the alleged impossibility to be able to know what congestion in the roads and streets will take place upon the completion of the proposed shopping center. The Board, in its opinion,

"Under Section 502.1 the Zoning Regulations provide that before any Special Exception shall be granted, it must appear that the tune for which the Special Exception is requested will not:

b. Tend to create congession in roads, streets or alleys therein.

It seems to this Board to be an absolute impossibility to be able to know what congestion in the roads and structs will take place upon the completion of the proposed shopping center and it is falt that any use of this ground, prior to the exection of the shopping center, would be pressure.

It was felt by members of the Board that "any use of this ground prior to the erection of the shopping center would be premature". (Emphasis added). The Board would seem to deny any use of the lot by the owner for an indefinite period.

It is impossible to see from this record that a service station would create any more of a traffic hazard or have any other more objectionable effect than other commercial uses allowed under the present soning. An stated, the objection of the property owners seemed to be to any commercial

For the reason given the Board will be reversed and the special exception allowed.

June li, 1959

John B. Gontrum, Judge

BALTIMORE COUNTY, MARYLAND INTER-OFFICE CORRESPONDENCE

FROM Malcolm H. DIII

Date Jonuary 24, 1961

It is this 2/ M. day of March, 1960, by the Zoning Commissioner of Baltimore County, ORDERED that the special exception

Zoning Commissioner of Baltimore County

granted in the subject matter on June 4, 1959, has been extended

for a period of one year from June 4, 1960 to June 4, 1961.

TO Mr. Charles B. Wheeler, Chief, Permits and Licenses Department SUBJECT Filling Station on Timonium Road

913 feet east of York Road.

The Ciffice of Planesting and Zonling is utilishedding andersement of Building Permit No. 5-01 for a IIIIng station on Timothous Josed, 713 feet seat of York Road. This No. 5-01 for a IIIIng station on Timothous Josed, 713 feet seat of York Road. This call to be large that the property of the Permit III. The plane of the IIIII guardien, as proposed, above a frontage of "approximately Information Feet and III of a 20 feet "interpret generation and the state own yrican York Road. Under Section 230, 12-e of the Zonling Regulations on the side owny from York Road. Under Section 230, 12-e of the Zonling Regulation in the property and the occasioned in Intelline to the entire shapping center struct, with the property and the occasioned in Intelline to the entire text, which approved the relationship of the III of II

We suggest that the proposed developer get in touch with this office for the purpose of clarifying this very ambiguous situation.

C.C. -- Mr. Louis W. Miller Mobil Oil Company
Panitz Brothers
George Lewis Malcolm H. Dill, Director Office of Planning and Zaning

RS: POTITION FOR SPECIAL EXCEPTION I FOR OASOLINE SERVICE STATION N. S. Timonium Road 225 'Woot : of Edgmoor Road, 8th District -The Star Construction Company, et al., Putitioners

BEFORE
COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY

No.4314-X

OFINION

The politicans in the above cate mesks a special exception For a gasoline pervice station. This property is part of a twenty are tract, the main frontage of which is on the York Road opposite the Thomatum Fair Grounds.

Testimony in this case indicates that the major part of the twenty acre tract will be used for a large shopping center, where a food market, bowling alloy, and other stores are contemplated.

Testinosy was to the effect that ingress and egress from this shopping conter would use both the York Roads and the portion of the property frenting on Timothum Road on which the special exception has been requested. It was also pointed out that the sources atstict not been relocated at the request of the Maltimore County Office of Flanning so at so allow for better improve and egress to the shopping conter.

Und: Section 502.1 the Zoning Regulations provide that before any Special Exception shall be granted, it must appear that the use for which the Sectial Exception is requested will not:

b. Tend to create congestion in reads, streets, or alleys therein.

It seems to this Moord to be an absolute impossibility to be able to know that comparation in the roads and streams will take place upon the completion of the proposed shopping conter and it is folt that any use of this ground, prior to the erection of the shopping conter, would be pressure.

the "locality involve" and those of the Potitiorus, those is a finding against the Potitionus, then the Zoning Consistionus may be thought to have based this decision on a "pablocative of the people". A different Year was appressed in Nation vs. County Consistion re 212 Me at page 364:

"Overloodly, an exercise of the police power cannot be mice to depend upon a count of mose, but on the other hand, the way fact that a public learning is an exercise to the mice of the contraction of a marker plan interest police in reconstituent of a marker plan interest police in the country of the country proposal is not wholly furtherward. The foring authorities are by no mean bound to regard the wishes of reporty contract, but their decision is not to be considered to the country of the coun

It is not proper that residents of a fine neighborhood should be subjected to the aggrandisement of the owner of cornerial property who utilizes and overloads a portion of his land, that although smood for exceptial use, should, under proper planing, be used simply as a corridor.

To under this proposed gaseline mrvice station in the area adjacent to the residential "locality involved" is a partial defeat for proper planning in the Righth District of Baltimore County.

Granting the Special Exception would not be in harmony with the general purposes and intent of the Zoning Segulations of Baltimore County.

For the above reasons it in this 14th day of March, 1556, by the Dupity Zoning Commissions of Baltimore County, ORDERIO that the aforesaid potition for a special exception be and the man is hareby denied.

Deptty Zoning Commission r

For the above mentioned reasons, this Foard is unanisous in its opinion that the special exception requested should be decided.

#### ORDER

For the reasons set forth in the foregoing Opinion, it is this  $\frac{f_{i}^{*}}{2}$  day of Ostober, 1958, by the County Board of Appeals, GERGERD that the special exception petitioned for be and the

COUNTY BOARD OF APPEALS OF BALTENORS COUNTY

STAR COMPUTATION TO CO., ET AL,

THE TAS

THE TAS COMPUTATION TO COMPUTATION AND COMPUTATION A

.........

ANSWER TO WHIT OF CERTIONAL AND ORIGINAL AND CRATTFIED COPIES OF PROCESTIONS REFORE THE COMING COMMISSIONER AND THE COUNTY BOARD OF APPRALS OF BALTMONE COUNTY.

Mr. Clarks

Flease file, &c.

Secretary to County Board of Appeals of Baltimore County E: FATTION FOR SPECIAL EXCEPTION |
JOR A SUSCILIE SERVICE STATION |
N. S. THOMIN Rood 255' Und |
of Edgemeer Root, 6th District
For Los Community |
De Nomes, Los, 8 Salmont Belliding Company and the Monthloll
Roalty Company, Petitioners

DEPUTY ZONING COMMISSIONER
OF BALTIMORE COUNTY
NO. 1831-14

..........

The Petitionars have requested that a special exception for a gasoline service station be granted on the subject property.

On April 12, 1956 the Zoning Commissioner of Baltimore County granted a reclassification from an "A" Banidemon Zone to an "E" Commercial Zone and a special exception to use the property for a gasolime service station subject, becomes, to the approval of plans for the development of the property by the Baltimore County Planning

Eighteen months passed and the gasoline service station was not constructed and a plan for development approved by the Baltimore County Flanning Cormission nover materialized,

In the mention the property adjoining which is not count conserval was developed into a very placant residential magabacheed. The whole situation has changed from the time objects mentas or more age when the Zoning Commissioner made his decision. Swents proved that the Petitioner was in no hurry to plan the use of the coveredal souther emanded and 12, 19(4).

Personal inspection of the proposed service station site in cospany with the Director of Finning correborated the opinion of the Deputy Director of Finning that: "The placement of a gaseline service station 250 fast south of Edgener Root would be, in fast, an intrusion of an active commercial-use into a residential area. It is continue to encounted the second of the active resulting in the maximum protection for the active resulting in the maximum protection for the active resulting in the maximum protection for the active resulting in the residential on approval. For the cornel it rest would recommend that the projection of utilities seemed and setteding to Timonium Root by the second and setteding to Timonium Root by particing, and most important in Proposed control, for particing, and most important protection from convertible residential to end.

Section 502.1 Special Exceptions - Baltimore County Zoning Regulations specifically sots forth the responsibilities of the Zoning Commissioner concerning Special Exceptions. He is to

determine whether or not the Special Exception will

 Be detrimental to the health, safety, or general welfare of the locality involved.

Has enough consideration in Special Exception cases been given to the "locality involved"? I think not.

There are five other points to consider under Section

502.21

b. Fond to create congestion in roads, streets or alleys therein:

c. Croate a potential hazard from fire, panic or

d. Tend to overcrowd land and cause undue concentration of population:

e. Interfere with adequate provisions for schools, parks, water, cowerage, transportation or other public requirements, conveniences, or improve-

public requirements, conventences, or improvements;

f. Interfere with adequate light and air.

Not the first point, if it is involved in a particular case, far catweighs the other five points.

If after listening to the views of the residents of

TAR CONSTRUCTION CC., ET AL.,

THE THE STRUCT COURT
SPIROT, ANDREW, Jr.,
and Charles Setamones, constituting the County Board of Appeals
County Board of Appeals
County Board of Appeals

TO THE HONORABIE, THE JUDGE OF SAID COURT:

And now come Opino T. Agraw, Nathan N. Kaufans, Jr., and Charles Steinhold, Jr., constituting the County Sound of Appeals of Balthares Commission and in answer to the writ of certiforal directed against them in this case, hereafth rourn the record of proceedings had in the above entitled matter, consisting of the following certified copies or original paper on file in the office of the Zoning Espartment of Balthares County:

Trendritting.

No. 11, 157

Nov. 11, 157

Nov

Coder of Loning Commissions directing assertion man and posting of property - date of hearing set for heavants 11, 1950 at 2000 pas. 25, \*\* Certificate of posting of property on Revember 25, 1959, City

" 29, " Certificate of publication in muspaper, filed.

Dec. 21, 1957 At 2:00 p. m. hearing held on petition by Deputy Zoning Commissioner, case held sub curis.

March 1h, " Order of Teputy Zoning Commissioner denying the special exception for a gasoline service station

2h, " Order of appeal to the County Board of Appeals of Baltimore County, filed.

t. 9, . Bearing on appeal before the County Board of Appea 3.

\* 16, \* Order of County Board of Appeals denying the special exception, filed.

Writ of certifrari and appeal to the Circuit Court for Baltimore County served on the County Board of Appeals.

Transcript of testimony takes at the appeal hearing, filed. Flate filed as Petitioner's Exhibits Nos. 1, 2, 3 and h.

Letter from St. Timothy Lutheran Church filed as Protestants Exhibit No. 1.

8 photographs with descriptions on back filed as Protestants' Exhibits No. 2.

1/15/5 Theore of proceedings filed in the Circuit Court for

metered of proceedings pursuant to which said Order was enlared and said bornd sector are pursuants records of the Souning Deparment of Baltimore County as are also the use district maps and your Responsional respectively suggest that it would be inconvenient and appropriate to it in this proceeding, but your Responsional springeries by it is the case in this proceeding, but your Responsional will produce any and all such rules and regulations together with the souning use district maps at the hearing on this patition or wherever diversat is one by this Court.

Respectfully submitted

Secretary to the County Mard of Appeals of Baltimore County

Faled 11/20/50 STAR CONSTRUCTION COMPANY et.al. CIRCUIT COURT

IN THE

POR

SPINO T. ACREM, HATHAN H. EAUTHAN, JR. and CRUMLES STEINHOCK, constituting the County Board of Appeals BALLPINGER COURTY 1 1 1 1 1 1 1 1 1 1 1 1 1 PETITION FOR WELT OF CHRITORARI

TO THE HOMORANIE. THE JUDGES OF SAID COURTS

The Petition of STAR CONSTITUTION COMPANY, THE LIES CONSTRUCTION COMPANY LEE HOUSE, INC., BELFORT BUILDING COMPANY and THE HONTERIL REALTY COMPANY, all boiles corporate of the State of Maryland, Petitioners herein, by John Warfield Arminer and Robert J. Dougherty, their attorneys, respectfully re-

- 1. That your Petitioners are property owners, tax payers and reside of Bultimore County, State of Maryland,
- 2. That your Petitioners are apprieved by an Order named by the Dofundants, constituting the County Board of Appeals of Saltimore County on October 16, 1953, by which said Board denied a Special Exception for a gasoline filling station on the Petitioners preparty, situate on the north side of Timonium Road 225 feet west of Edgemore Road in the Highth Election District of laltinore Country.
- 1. That the aforesaid Order of the said County Board of Austala of Bultimore County, should be reversed, set saids and annulled by this Henoral Court, because said Order is arbitrary, illegal, unreasonable, and cayricio and a gross abuse of administrative discretion, for the following reasons:
- (a) That the evidence before the said Board showed that the granting of the aforesid Special Expection conformed in all respects to the soning plan formulated by the Planning Commission of Bultimore County for the particular section of the County in which the said exception was requested.

John Warfield traiger, Esq., 26 West Pennsylvania Avenue Townen h. Maryland

........

Cost of certified copy of position and other papers filed in the matter of position for a special exception for a Ganciem Service Station - H. S. Timeotham Back 25° work Edgesor Prad, 8th Electric, The Star Construction Com., et al, positions:

Nov. 21, 1958

(b) That the evidence before the said Board conclusively showed that the greating of the said Special Exception would not create a traffic hazard nor impide the normal flow of truffic to the detriment and inconvenience of the regions of the community involved and other users of adjacent highways

- (e) that the evidence before the said Board conclusively showed that the granting of the said Special Exception would not tend to disrupt the pea and quiet of the community nor interfere with the quiet and percental enjoymen of the residential property nor be detrimental to the health, safety, northe and general welfare of the community.
- (d) That the evidence before the said Board conclusively showed that the Positioners had followed the procise regulations of the Baltimore County Office of Planning in locating the site of the proposed pasoline filling station and the said station when erected, would fully comply with all existing Baltimore County and State of Maryland regulations applicable thereto.
- (e) That the said Board passed its spinion solely upon speculation with regard to possible future conditions that might occur in the adjacent streets and reads when preparty, other than that involved in the subject ear is fully developed.

MERRICRE, your Petitioners pray:

LAW OFFICES COM WARFIFED ATMIC TOWNSON, MARTILAND

- 1. That a Writ of Cortiorard be issued by this Honorable Court director to the County Board of Appeals of Baltimore County and prescribing a time within which a return ti rete must be made.
- 2. That this Honorable Court reverse, set aside and annul the Order of the County Board of Appeals of Baltimore County dated Cotober 15, 1958.
- 3. That the County Board of Appeals of Baltimore County be required to return to this Honorable Court the original papers acted upon by it, or certified or seem copies thereof, together with a transcript of the testimony taken at the time of the hearing before the said Board and copies of craibits and that such return shall get forth such other fact or facts as may be portinent and material to show the ground upon which the Order appealed from was

-2-

he That your Petitioners may have such other and further relief as nature of their sause may require.

AND AS IN DUTY BOUND, ETC.

C

P

John Warfield Andrer Robert J. Courberty Attorneys for the Petitioners

1958, by the Circuit Court for Baltimore County ORDERED that a Writ of Cer-

riorari be issued, directed to the County Board of Appeals of Baltisore County, to reverse the decision of the County Board of Appeals of Baltimore runty dated October 16, 1958, and it is further ORDERED that the County Board of Appeals of Baltimore County be end it

ORDER

Upon the aforegoing Petition, it is this 14th day of November.

is hereby required to return to this Court the original papers acted upon by it, or certified or sworn copies thereof, together with a transcript of the testimony taken at the hearing before said Board, exhibits filed before it, and concisely setting forth such facts as may be pertinent and material to show the grounds of the decision and Order appealed from-

Lester Z. Banett

IN THE

CIRCUIT COURT

FOR

BALTTHORE COUNTY

True Copy Test GEORGE L. BYERLY, Clerk Per W. H. Foster

STAR CONSTRUCTION COMPANY et.al.

SPINO T. ACHEM, MATHAN N. KAUPMAN, JR. and CHANLES STETHBOOK

LAW OFFICES

POR GASOLINE SERVICE STATICE No. 5. Character Soud 25' West & of Dignor Road, 6th Literiot - The Star Comstruction Company, 5 et al, Patitioners

COUNTY BOARD OF APPEALS OF BALTINGS SCHOOL No-h31h-K

....... OPINION

The notitioner in the shows cars seeks a special extention for a gasoline service chatlon. This property is part of a teenty sere tract, the main fronts o of which to on the York Sand opposite the Timesias Fair Grounds.

Destinony in this case indicates that the major part of the twenty sere tract will be used for a large shopping center, where a food market, bouling allay, and other stores are contemplated.

Testimony was to the offset that ingress and agress from this shopping center would use both the Nork Serie and the portion of the presenty froming on Timenium food on which the special exception has been requested. It was also pointed out that the service station had releasted as the request of the Saltimore County Office of Planning so as to allow for botter ingress and egrees to the shopping conter.

Under Section 502-1 the Jeeling Regulations provide that ore any Special Assoption shall be great 1: \$5 must appear that the un for which the Special Sucception is requestes will met

to find to oreste competion in rosts, streets, tr

It means to this Board to be an absolute impossibility to be able to have what comparties to the route and absorbe will belo then were the completion of the proposed shapping contex and it is hill that my use of this ground, prior to the exection of the shopping maker, would be presentere.

For the above mentioned reasons, this Board is unanimous in its opinion that the special exception requested should be denied.

ORDER

For the seasons set forth in the foregoing Opinion it is this 16th day of Gatober, 1958, by the County Beard of Appeals, ORDERED that the special exception petitioned for be and the same is hereby denied.

COUNTY BOARD OF APPRAIS Spire T. Agnew Nathan N. Kaufman, Jr. Charles Steinbock, Jr. system in the second

EVEREN

For the share mention of resecut, this found is unanimous in its coinion that the account exception requested should be demied.

ORDES

For the reasons out forth in the foregoing Orinion, day of October, 1958, by the County Reard of appeals, CHESTED that the special exception petitioned for be and the sume is hereby desired.

COUNTY BOARD OF APPEALS OF BALVIMONE COUNTY

to chart commercial

For the above mentioned reasons, this Board is unanimous in its opinion that the special exception requested should be denied.

#### ORDER

For the manoons set forth in the foregoing Cointon. it is this \_\_\_\_\_ day of Cotober, 1958, by the County Board of Appeals, GURRED that the special acception potitioned for be and the

OCCUPY EGAD OF APPEALS OF BALTINGS COUNTY

June 9, 1958

John T. Welsh, Esquire 709 Washington Avenue Towson h. Maryland

No: Fetition for Special Exception for Casolino Service Station, M/s of Timonium Rd. 225' M. of Adjacor Rd., Sth Ent. - The Star Construction Co. et al - Fetitioners

Dear Mr. Welsh:

hearing scheduled for Thursday, May 17, 1958 at 10:00 a.g. on an appeal filled in the above matter. Hearing will be baid in Room 105, county cutton building, 111, theseposks avenue, Touson, Maryland.

The to meanthy for posting property, cancellation less than 15 days prior to hearing date will not be granted, except in cases of extreme emergency.

Wary truly yours,

Spiro T. Agnew - Chairman

Nov. Richard A. Cast St. Timothy Lathers Church E. Timothy Road & Greenwadow Dr. Timonium, Maryland

PETITION FOR SPECIAL EXCEPTION FOR GASOLINE SERVICE STATION - K. S. TIMONIUM ROAD 225' WEST OF EDGENOR ROAD, 6th DISTRICT THE STAR CONSTRUCTION CUMPANY,

ZONTHO DEPARTMENT OF BALTINOUS COUNTY

Petitioners

APPEAL

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

Robert J. Dougherty 26 W. Pennsylvania Avenue Towson b, Maryland Valley 5-1753 Attorney for Petitioners

Robert J. Dougherty Attorney for Petitioners

BEFORE THE

I HERESY CERTIFY that a copy of the aforegoing Appeal was mailed to John Thomas Welsh, 709 Washington Avenue, Towson 4, Maryland, attorney for the Protestants.

- Yak2 4 5% SAME OF THE SAME O

June 9, 1958

Robert J. Dougherty, Esquire 26 West Pennaylvania Avenue Towson h, Maryland

Re: Patition for Special Exception for Casoline Service Station, N/s of Timonium Ha. 225' W. of Edgmoor Md., 5th Dist. - The Star Construction Co. et al - Potitioners

Dear Mr. Dougharty:

hearing scheduled for <u>Thursday</u>, July 17, 1958 at 10:00 atm on an appeal filed in the above matter, issing will be held in Ecce 108, County Office Building, 111 %. Chasapeake Avenne, Toeson, Maryland.

cancellation less than 15 days prior to hearing date will not be granted, except in cases of extreme emergency.

Very truly yours,

Spiro T. Agrew - Chairman

AND WESTERN INSTRUCTION WITH

September 9, 1958

John Warfield Armiger, Esquire 26 West Pennsylvania Avenue Towson, & Maryland

Re: Petition for Special Exception for Gasoline Service Station, M/s of Timonium Hd. 225' M. of Edgesor Rd., 8th Dist. - The Star Construction Co., et al - Petitioners

This is to advise you of a continued hearing on an appeal, in the above matter, scheduled for Thursday, October 9, 1958 at 10:00 a.m., Boom 108 County Office Building, Towson, Maryland.

Very truly yours,

Spiro T. Agnew - Chairman County Board of Appeals

cc: Robert J. Dougherty, Esquire

September 9, 1958

Re: Petition for Special Exception for Gasoline Service Station, My or Timonical 2525 W. or Magnoor Mr. 6th Digit. - The Star Construction Co., et al. - Petitioners

Dear Mr. Welsh:

on an appeal, in the above matter, administ for Thursday, outdoor 9, 1959 at 10:00 a.m., Som 106, County Office building, Touron, Nappear 1, 1959

We / truly yours,

Spiro T. Agnew - Chairman County Board of Appeals

co; Rev. Michard A. Gast St. Timothy Letheran Church E. Timonium Rd. & Greenmeade Timonium, Maryland

M's. Elizabeth H. Moors, Pres. The Woman's Club of Timonium Timonium, Maryland

JOHN THOMAS WELSH ATTORNEY AT LAW 700 WASHINGTON AVENUE TOWSON 4. MD. VALUE: 3-1878

Nay 19, 1958

Hon Spiro T. Agnew Chairman County Board of Appeals County Office Building 111 W. Chesapoake Avenue Towson by Maryland

ResPetition for Special ..xception for Gasoline Service Station N.S. Timonium Read 225' West of Edgmoor Road, 6th District The Star Construction Company, et al, Petitioners

Dear Mr. Agnew:

Thank you very much for postponement of hearing scheduled on the above matter. I have the following scheduled on the above matter. I have the following county, on the 27th-denor vs. Satisions County, on the 18th-Based vs. Jones, on June 18th-The State Bar Convention states in Allantic City.

Please let me have the new date set for hearing in the above matter at your earliest convenience.

JTW/t

cc: Robert J. Dougherty, Esq. 26 W. Pennsylvania Avenue Towson L, Maryland

ATTORNEY AT LAW 26 WEST PENNSYLVANIA AVENUE TOWSON 4 MARYLAND July 16, 1958

Hon. Spiro T. Agnew Baltimore County Board of Appeals Baltimore County Office Building Towson h, Naryland

In re: Petit'r , for Special Exception for Potit' A for Special Exception for Gasoline Station, Northwest Timonium Road - 225' West of Edgemoor Road -Stn District, Saltimore County - Starr Construction, et al Petitioner Case No. 4314 X.

Dear Teils

Conformably with this aftermoon's conversation, I ereby request a postponement of the above entitled matter, sheduled to have been heard July 17th at 10 A.K.

John Thomas Welsh, Attorney for the protestants has given his prior ascent to the postponenent hereby requested.

Cordially yours. John John Marfield Amiger

JWA:fa

Upon receipt of the invoice from the Office of Cantral Services, we wish to notify you that there is a balance of Five Dallars (85.00) due to correct cot of advance of Five Dallars (85.00) due to correct cot of Tissuing the property situate on the Northwest side of Tissuing Ross, 900 feet East of Fire Ross, 8th District of Maltimore Country, The Star Construction Company, et al,

May we please have your check payable to the Treasurer of Baltimore County, Maryland, for the same.

Very truly yours,

November 27, 1957

Wilsie H. Adams Zoning Commissioner of Baltimore County

Catober 16, 1958

Robert J. Dougherty, Esq., 26 Mest Pennsylvania Avenue, Towsen A, Maryland

No: Putition for Special Exception for Gasoline Service Station N.S. Timonium Road 225' W. of Edgmoor Road, St M. Tistrict -The Stor Construction Co., et al,

The County Board of Appeals of Baltimore County passed an Order today denying the special acception, in the above matter, for reasons stated in the attached copy of Opinion of the Board.

Very truly plure,

Chalring

May 13, 1958

Robert J. Dougherty, Esq., 26 West Pannsylvania Avenue, Towson h, Naryland

Re: Petition for Special Exception for Questine Service Station N. S. Tinonium Road 225' West of Edgmoor Road, 8th District The Star Construction Company, et al, Petitionars

Dear Mr. Dougherty:

Mr. John N. Malsh, commed for the protestants, in the above matur, has requested a continuance of the appeal baring scheduled for Thracely, My 22 1955. Please beautiesd that the case has been continued to a later date at which time you will be only notified.

Very truly yours.

Chairman

October 16, 1956

John T. Welsh, Esquire, 709 W.shington Avenue, Towson h, Maryland

No. Petition for Special Exception for Casoline Service Station -N.3. Theofilm Road 225' W. of Edgmoor Road, 8th District -The Star Construction Co., et al, Petitioners

The County Board of Appeals of Baltimor. County passed an Order today denying the special exception patticeed in the above matter. Attached is copy of Cyinton and Order of the Board.

Very truly yours,

Chairman

May 13, 1958

SPANCELLOW MAKE A THE John T. Welsh, Esq., 709 Washington Avenue, Towson L, aryland

No: Petition for Special Exception for Gamelian Service Station -N. S. 7 Imenium Read, 6th District 225' W. Edgemoor Road, The Star Construction Company, et al, Setitionary

Dear Mr. Welsh:

Complying with your request for a continuance of the appeal hearing scheduled in the above matter for Thursday, May 122, 1550, please be saviced that the nation will be heard at a later date at which time you will be duly notified.

Very truly yours.

Chairman oc: Rev. Richard A. Gast, St. Timothy Lutheran Church E. Timonium Road & Greenmoad Drive, Timonium, Heryland

M's. Elizabeth H. Moore, Pres., The Woman's Club of Timenium, Timenium, Maryland

Appeals.

PATITION FOR SPECIAL EXCEPTION FOR GASOLINE SERVICE STATION -N. 3. THOSTUR ROAD 225 WEST OF EDGESOOR ROAD, 6th DISTRICT THE STAR CONSTRUCTION CUIPANY, ET AL, OF BALTIHORE COUNTY

Patitioners

APPEAL

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

Robert J. Dougherty 26 W. Pennsylvania Avenue Towson b. Maryland Valley 5-1753 Attorney for Petitioners

BEFORE THE ZONING DEPARTMENT

I HEREBY CERTIFY that a copy of the aforegoing Appeal was mailed to John Thomas Welsh, 709 Washington Avenue, Towson h, Haryland, attorney for the Protestants.

Robert J. Dougherty Attorney for Petitic ers

May 2, 1958

Notified of appeal hearing on May 22, 1958 at 1:30

County Board of Appeals

Robert J. Dougherty counsel for petitioner John T. Welsh

" " protestant M's. Elizabeth H. Moore, Pres. The Woman's Club of Timonius protestant

Rov. Richard A. Gust

December 3, 1957

\$5.00

RECEIVED of John W. Armiger, attorney for petitioner, The Star Construction Company, the sum of Five Dollars (\$5.00), to cover cost of advertising the property situate on the Northwest side of Timonium Road, 900 feet East of York Road, 8th District of Baltimore County.

Thank you.

Zoning Commissioner of Baltimore County

01.622-45.00



John T. Welsh, Esq., 709 Washington Avenue, Townen L. Maryland

No: Patition for Special Exception for Quoline Service Station -N. S. Timentum Nond 225' West of Edgemoer Road, 8th District -The Star Comstruction Company, et al, Fetitioners

Dogr Mr. Wolsht

I have today passed my Order demying the special exception in the above matter.

Attached here to is a copy of said Order.

Very truly yours,

Daputy Zonine Commissioner

on: New, Richard A. Gast, St. Timothy Lutheren Church E. Timonium Houd & Greenwadow Drive, Timonium, Maryland

N's. Elizabeth H. Moore, Pres., The Woman's Club of Timenium, Timenium, Paryland

ZONING DEPARTMENT OF RALF INGRE COUNTY PETITION FOR SPECIAL EXCEPTION 8th DISTRICT

Furnant to position filed with the Zoning Constantows of Baltimore Goody for 1 Postal Computer to use the property bretinafter described for a Dealth of the Constant of Constant of Constant of Baltimore of Baltimore Country, by subtority of the Zoning at and Englands of Country of the Constant of Country Office Suiteding, 111 Wo Constants from a Tenson, Natural, Tenson, Tens

On Wednesday, December 11, 1957

at 2:00 P. H.

to determine whether or not the special Emergine petitioned for as aforesaid should be granted, the property in said petition being particularly described as follows:

All that percel of leaf in the Righth District of hittiener county on the broken of Thomium Bond, beginning 235 feet theat of Linguistee Road; there have been a county on the county of the county of

Narbh 1he 1958

Hobert J. Bougherty, Esq., 26 West Pennsylvania Avenue, Touson h, "avyland

He : Autition for Special Exception for Agnoline Service Station -N. S. Thronton Soco (25) West of Edgemoor Rood, 6th District The Star Comstruction Company, et al. Feitigners

Pour Mr. Dougharty:

I have today person my Order denying the special exception, in the above natter, for reasons stated in the attached copy of enid Order.

Very truly yours,

Deputy Zending Consisted over

Movember 19, 1957

\$35.00

RECEIVED of JOHN W. Armiger, attorney for retitioner, The Star Construction Company, et al, the sum of Th -y-five Dollars (\$35.00), being cost of petition, advertising and posting the property situate on the North side of Tomonium Road, beginning 225 feet West of Edgemoor Road. Thank you.

Zoning Commissioner of Baltimore County

HEAR ING

Wednesday, December 11, 1957 at 2:00 P. M.

Room 108 County Office Building 111 %. Chesapeake Avenue Towson h, Maryland

NOV 21 1957 COMPTROLLER'S OFFICE

01.622-#35.00

March 27, 1958

4314

\$30,00

HECEIVED of Robert J. Dougherty, Attorney for Star Construction Company the sum of Thirth (\$30.00) Dollars being cost of appeal to the County Board of Appeals from the decision of the Deputy Zoning Commissioner denying the special exception for a gasoline service station on north side of Pinonium Soud 225 west of Edgemoor Road, 8th District.

Deputy Zoning Commissioner

nd Timoneum Pol leg Wol of Edgemore no There 1 860 56 # 192' 360 41 1 270' 530431 6-150 by asete.

JOHN THOMAS WELSH

May 13, 1958

The Board of Appeals Baltimore County Towson 4, Md.

timenu, dd. Rei N.S. Timonium hoad Nr. Edgemoor Rd.
Gentlemens Start Construct, Timonium, Maryland
Start Construct, Co. Feitlicher
I represent the pretentiate in the Doce matter, a hearing
has been scheduled for Timorday May 27, 35% at 1.55 Nd.

request a posignoment of the above hearing and the properties of the posignoment of the above hearing and the properties of the above hearing and the properties of difficulty with the assignment of cases and it has been then their cases of difficulty with the assignment of cases and it has been the subject for difficulty with the assignment of cases and it has been the subject for difficulty with the properties of the prop

Essentile i received notice of the appeal on the case of any cits expected the appeal on the case of some SOD protectants in this matter was impossible, while we were proparing for a meeting (field Friday May 78h) I received a card from the Bugd van Lepmant case a first that the state of the size of the state of the size of the

At this point I received notice that the new call of the docket is set for 1:00 P.M. Friday May 10th at which time I as to be prepared to set a date for the trial of two jury cases during the paried time 2 to June 15.

After discussing this with counsel for the Petitioner ; respectfully, with his permission, request a postponement of this appeal, which we both feel will take the befor part of a day to try. Yours very truly.

CC: Robert J. Dougnerty, Esq. 26 W. Pennsylvania Ave. Counsel for Petitioner.

January 7, 1958

Robert J. Dougherty, Esquire 26 W. Pennsylvania Avenue Towson h, Maryland

Dear Mr. Doughertys

This is to notify you that The Star Construction Company, et al, hearing has been rescheduled for Wednesday, January 29, 1958 at 2:00 P. M. in Room 108, County Office Building, 111 W. Chesapeake Averse, Towson, Maryland.

Very truly yours.

Wilsie H. Adame

INSTRUCTIONS TO PETITIONERS FOR RECLASSIFICATION, SPECIAL EXCEPTIONS, VARIANCE AND SPECIAL HEARINGS BEFORE THE ZON-ING COMMISSIONER OF BALLINDRE COUNTY

These instructions must be strictly followed:

1. Petition forms for all types of hearings will be supplied by the Zoning Dupartment. The information to be filled in the blank spaces provided must be typed or printed and must be complete in every death. \_instrinces may be be in aking out the necessary petition by applying to this department of the property to be a property to the property to the property of th

Petitions must be signed by the legal owner or owners of the proper described in petitions or his or their authorised agent under power of attorney in writing and filed with the petition.

when the pattion with the pattion.

3. In this must be accompanied by each, check, or money order, make pumble to the Treasurer of Baltimere County, Neryland. The ansumi is based upon the 511-0ding charges in Commissioner:

(a) For a Decial Commissioner:

(b) For a Decial Exception

(c) For a Decial Exception

(d) For a Commissioner:

(d) For a Commissioner:

(e) For a Decial Exception

(f) For a Commissioner:

(g) For a Decial Exception

(h) Appears to Board of Appeals

(g) For a Decial Exception

(h) Appears to Board of Decial

Additional cost of advertising, if any, will be added to the above minimum charges. Each additional sign required will be \$5.00.

QUESTIONNAIRE TO BE SUBMITTED WITH ZONING PETITION FEELD NO. Note: Please answer all questions that apply

Election District Number: 3th

1. Property Location: Northwest side of Minonium Road in development of (Street mane and house No. if any; North, East, South or West

Haveford, 970 feet east of York Road side of street; North, East, South or West from nearest intersection of St. or 2. Interior lot or corner lot? will be corner lot 3. Date property acquired by present owners July 30, 1952 4. Name of legal owner, if other than petitioner: See re erse side . 6. What will be the maximum height of the building or buildings? 15 feet 7. Approximate number of square feet of total floor area:\_ 8. Number of employees: (present) 3 Future: 5 9. Has a petition been denied by any of the following in the past 18 months? (yes or no) wa or no) No
Zoning Cornissioner No Board of Zoning Appenls No
Circuit Court No Court of Appeals No

1957

THIS FORM MUST BE SUBMITTED IN DUPLICATE

ORDERED BY the Zoning Commissioner of Baltimore County this 11th day of November , 19 57, that the subject matter of this petition be advertised in

a newspaper of general circulation throughout Faltimore County and that the property be posted, as required by the Zoning Regulations and Act of Assembly aforemaid, and that a public hearing thereon be had in the office of the Zoning

Commissioner of Baltimore County, Maryland, on the 11th \_\_\_\_ 1957\_, at \_ 2\_\_o'clock P. M.

# PARITZ PB BROTHERS BUILDERS & DEVELOPERS

February 2, 1961

Mr. Malcolm H. Dill Mr. Malcolm H. Dill Director of Planning Balto. County Office Bldg., Towns.4. Maryland.

Re: Building File #5-61, West side of Timonium Road-913.33 East of York Read

Dear Mr. Dill:

-e have received copies of interoffice menos regarding the captioned application. We have no interest in the gas station permit as this property was cold by us without any contingencies. Apparently, the permit that is being issued to the applicant contains certain requirements with which the applicant is smalle to easily since requirements involved in the set bought and which is estill in our title.

For the record, we wish to advise you that the applicant described herein is not in a position to commit with respect to the \$1.52' strip of land which parallels the easterment property line being the same line which is common with the rear of the Edgenore Road

I night point out that when we were issued a building permit for the Acms store, we were required to produce a plat with a layout covering the entire tract of connectial land, which plat shows an entrance in conformity with the one shown in the Mobile application.

The only reason for writing this letter is to clarify the fact that we were not a party to agreeing that our 31.52' strip be committed for any particular use at this time.

Very truly yours.

PANITZ BROTHERS Em Maris

> RECEIVE FEB 3 - 1961 BALTIMORE C OFFICE OF PLAN

## PETITION FOR SPECIAL EXCEPTION

IN THE MATTER OF THE STAN CONSTRUCTION COMPANT, THE LEE CONSTRUCTION COMPANT, LEE HOMES, INC., BELMONT BUILDING COMPANT and THE MONTBELL REALTY COMPANY, all

BEFORE THE ZONING COMMISSIONS OF BALTIMORE COUNT

# 4314-XA

MAP

12/6/57

For a Special Exception for a Filling Station To The Zoning Commissioner of Balt more County

THE STAR CONSTRUCTION COMPANY, THE LEE CONSTRUCTION COMPANY, LEE HOMES, INC. BELMONT BUILDING COMPANY and THE MONTSELL EXALTY Logal Oriers

BRANDIWINE DEVELOPMENT CORPORATION, a body corporate

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 a paroline filling station

All that parcel of land in the Highth District of Baltimer County as the borth 14s of Thornium Road, beginning 257 feet West of Edgemoor Road theme. Moster 14st of 15st of 15

Contract Purchaser

PETITION FOR SPECIAL EXCEPTION

THE STAN CONSTRUCTION COMPANY, THE THE STAN CONSTRUCTION COMPANY, LEE HOMES INC., BELMONT BUILDING COMPANY and THE MONTBELL REALTY COMPANY, al.

#4314-1

12/6/57

For a Special Exception for a Filling Station.

To The Zoning Commissioner of Balt more County

THE STAR CONSTRUCTION COMPANY, THE LEE CONSTRUCTION COMPANY, LEE HOMES INC. BELIEVES BUILDING COMPANY and THE MONTBELL REALT \_\_LOGAL OWNERS.

BRANDININE DEVELOPMENT CORPORATION, a body corporate

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 a gasoline filling station.

BEDINTING for the same on the northwest side of Tanonius Read at the solutions of the same on the northwest side of Tanonius Read at the solutions of corner of that parasited of land shown on an unrecorded plate smittled corner of the parasited of land shown on an unrecorded plate smittled obergary Millian Stephens, Jouler smitter, dated Secondary, 1933, and prepared by George Millian Stephens, Jouler smitter, dated Secondary, 1933, and prepared by George Millian Stephens, Jouler smitter, and the same of the same of

satisfaction on Monday. Jack Phyllis and I have spent a little over an hour talker Now! Dvery badly with Mr. Bunnell, of wield! after much discussion and attempted evasion on his part, mr. Bunnell agreed

to send out a representative to talk to us on Monday, any 7. ground. the made our felinge known - primarily about effective), lighting (an overabundance), and signs (3

more than they chamised ), and Mr. Eurobell charly got the sicture to the extent

of conjung things would

Men Ocaral No. 6 Cu 1+ 1995

and allowing the special Exception -

Darrelio

....

VI com

Star Cowell . #1995 Oage 146

County Bd of appeals.

June 4, 1959 - order

of court reversing the

- 1, - "-

action of the Board

need a picture of what we candor. They is starting to do something, and I do not want to lose one Could you call me any time this wening, or Tomorrow. Mr. Gunsellis was to meet me today, but is in conference. I'd like to know the results of tion work concerning the station and what our next move might be.

Thanks very much for

your help . 88 Jim Kopelhe

TMENT OF BALTIMORE COUNTY # 4314 11-26-57 wall by 225 H W of Rolymon Ad Pooled by Stategal A Militarion Date of return: 11-27-57

CERTIFICATE OF POSTING

Some fit light & Eight for long travels on All parts from sless walk there TXF Grades Blaced to south side of trees 5 from supposed Curb. the foot of ground. nature wood 2. How Operation

Thomas & water - no Plat 122 Jun 80, sentemble, mt. Blon. Shelch not I Lewis Rev. Last Holde I wayer . mes. move - no Bat melvinarrold

James Kopethe - no Plat Lutterille Po.

m.S. Koch HEdgemon Rd

Rob. J. Dougherty mobil oil Burnell - wm A Bunnell

1914 n. Charles St

Star Court Company

is made a port of the original order

7 Copin Plat -)

### BALTIMORE COUNTY, MARYLAND

### INTER-OFFICE CORRESPONDENCE

Date Feb. 2h, 1961

Exhibits filed in matter of Special Exception for Gasolin Service Station - N.S. Timoni Road 225 W. Bigumsor Road, 8th District - The Star Con-struction Co., Patitioners

As requested by you on February 15, 1961, attached is a

list of the exhibits filed in Court in the above matter;

Plats - Patitioner's Exhibits Nos. 1, 2, 3 and 4. From St. Timothy's Lutheran Church, Protestants' Exhibit No. 1.

Eight (8) photographs - Protestants' Exhibit

Letters and petitions of protest, also postcards.

Zoning Commissioner

Baltimore County, Margland

OFFICE OF LAW

Pursuant to our conversation of January 31, 1961, relative to the above captioned, please forward to me the items that were marked as exhibits on the Circuit Court case so that the Petition and Order to be signed by the Court indicate exactly those tiems to be

Sa William E. Hammond Assistant County Solicitor

As soon as I have received this list, I will be pieased to prepare and submit such Petition and Order for the return of the exhibits,

Date February 15, 1961 ....

WEH: pek

FROM. William E. Hamm SUBJECT:

Petition for Special Exception for Gasoline Service Station-North side Timonium Road - 225' West of Edgemoor Road, Eighth District - The Star Construction Company, et al,

MECHIVED of John Warffeld Armiger, Attorney for the truction Company, the sum of Ten (\$10.00) Dollars cost of certified copy of papers filed in the matter of a special exception for gasolina service station, N. S. Timentum Road 225' west of Edgmoor head, 8th District.

Zoning Commissie or

PAID - Baltimore County, Mid. - Office of Finance

ADD 26 62 .

12-11-58 4527 · · · IXL-

01.622

29+h - Haverford Community Association September 15, 1961



Re: Mobil Service Station Timonium Road Timonium, Maryland

Dear Mr. Roses

The general meeting of the Haverford Community Association was held on September 19, 1961 at Se. Thouty Luthern Church, Timontum, Earyland, Mr. 18 fa. Brachl, Beat Estate Representative, Secony 1661 101 Company, Inc. and Community of the Second 1661 101 Company, Inc. and the servening at the service station.

Er. Rummell informed us that he had asked for a meeting with year office to discuss the problems. You were quite busy at that time and a meeting could not be conventionly arranged, Since both the company manner of the Association have not together to air the problems, now seems to be that time to get together they war office to resolute them.

We request that a meeting be arranged by you with the representatives of liabil, famits Bros, this association's representatives, and members of your office to discuss and resolve the problems to be presented. This meeting should be held as soon as mutually convenient shills the subjects are fresh to everyone.

Pive points were discussed:

1. Screening to the north and east of station. 2. Hours of operation
3. "For Cale" vehicles
4. Major repairs to vehicles
5. Lights

The plantings for screening are inadequate. They will be so for several years to come. A temporary type screening should be provided now. Types of fencing and their soning requirements is the major problem.

We would appreciate advance notice as to the meeting date. We trust our request will be granted at your earliest convenience.

Cel Panitz Bros

Fo7-9252

Very cordially yours,

Thomas Leo Walson,

President Cl 2-1966

Mrs. Harris Mr. Rose said that

this was to be put in a certain file and That you would Know which one

Thanks.

Carolyn

9/27/62

3445 Fairfield Rd., Beltimore 26, Md.

April 25. 1962

Mr. T. Leo Matson, President Haverford Community Association 122 Timonium Road Timonium, Maryland

SE-243 Timenium Road Timenium, Maryland

We centifie to held sheek No. 1911 dated October 10, 1961 of Mobil OHI Company in the amount of 8075, and cheek No. 1978 dated November 29, 1901 of Stratford in the amount of 5225, bath bayable to the order of Harerford Commanity of the amount of 5225, bath bayable to the order of Harerford Commanity of the strategy of the are being held for delivery to you work now part of the strategy of the s

After consultation with Mr. Posits and with Mr. John G.
ter consultation with Mr. Select or greenest ferwards
to you with my least the letter agreement ferwards
to you with my least the select of the select of
and returned to as within thirty days from him duted
it shall become commercery for us to withdraw our offer of
payment of the Si,000, to you.

Please let us hear from you.

Very truly yours,

Am A Bushell Root Estate Representative

cc-John G.Rose, Zoning Commissioner -Leon Panitz - 1606 Kelly Avenue

omber 26, 1961

In roply to your latter of deplement 15, 1961, concentrate discussion of five points ensured in your latter partialing to the speciation of the Boosey World 101 Company on promety on Thomass Road, 5th District of Baltimore Chemys, a metting have nobelemient on Fisher, Superbary 79, 1961, at 115 p. n. in Sons 186 in the County of the Building, 111 black Chempaign Avenue, Fournell, Surphark.

Very truly yours

Zoning Countsaloner

1605 Felly Avenues Baltimor 5, Md. Secony Nobil Gil Company, Inc., 191h M. Charles Street, Baltimore 18, Md.

4314

m.

October 31, 1961

Dear Jacks

Enclosed is the suggested agreement sent by Mobile and Panits. We reject this on three counts:

- 1. Last 2 paragraphs should be deleted.
- 2. Signatures are overdone.
- 3. The basic agreement was only concorning

150 ft. fence funds or fence itself. No maintenance, etc. was discussed.

Revise this agreement in shape for our review.

Sincerely yours

Lou Miller



November 13, 1961

Mr. Wm. A. Bunnell Mr. Stanley Panitz Gentlement

Attached you will find the agreement as discussed. Your check in the amount of \$1,000 will signify your acceptance of these arrangements. We will execute this agreement upon receipt of your check.

T. Leo Watson, Jr. President

# Haverford Community Association 122 Timonium Road Timonium, Maryland

October

1961

Mobil Oil Company 3445 Fairfield Road Baltimore 26, Maryland

Attention: Mr. Wm. A. Bunnell Real Estate Representative

In the planning stage of your gradine service station on the morth-wasterly side of limentum Road in Timonium, Maryland, construction of which this Association and a majority of its members opposed, it was agreed between us, with the concurrence of the County Zoning and screening with should be a certain plan of construction and of screening with should be at certain plan of construction and of have carried out in detail which, in the construction of the country and its individual members, has added immessurably to the general appearance and accept billity of the service station into our neigh-borhood.

When the service station was completed in July of this year, it was strongly felt by mambers, and especially those living in close a strongly felt by mambers, and especially those living in close and the strongly manufactured in the service station of the strongly agreed. You were requested to construct a screening previously agreed. You were requested to construct a screening previously agreed. You were requested to construct a screening of the limit morthwasterly side of the service station on lands of the limit continued to the service station. We recognize that neither along the southeasterly side of Timonium Road for a distance of about 300° appoint the service station. We recognize that neither low. Had, nor have any legal libility to hence our requests.

This matter has been thoroughly discussed among our members, with John G. Rose, Zoning Commissioner, with George Gavuelia, Deputy Director of Planning, with the Messis, Panitr of Timonium Shopping Center, with representatives of Mobil Oli Company.

This Association, with the concurrence of its individual members, has agreed to accept a contribution of \$325, from the owners of Timonium Shopping Center, and a contribution of \$975, from Mobil Oliocompany, which total sum of \$1000, will be used by this Association to-which total sum of constructing a fame screen along the

# HAVERFORD COMMUNITY ASSOCIATION c/o 122 Timonium Road Timonium, Maryland

November 13, 1961

Att: Mr. Wm. A. Bunnell Real Estate Representative

Gentlemen:

In the planning stage of your gasoline service station on the planning stage of your gasoline service station on the stage of the planning had in Tiscolius, Serviland, construction of which this Association makes the concurrence of the County County and Flanning Authorities, that a certain plan of construction and of Flanning Authorities, that a certain plan of construction and the planning Authorities, the construction of the Association and a communities of its members, has added immassurably to the general accommunities of its members, has added immassurably to the general

when the service station was completed in July of this year, it was to move the service and especially those thring in close proximity to your station members, and especially those thring in close proximity to your station members, and especially those thring in close proximity to your station members, and the service of the service station into the station into the station of the service station into the station into service service station into the station into the station into the station into service service station into the station into the station into the station into service service station into the station into the station into the station into service service station into service station into the station into the station into service service station into the station into service service station into the station into the station into service service station into the station into service service

This matter has been thoroughly discussed among our members, the adjacent property owners, John O. Rose, Zoning Commissioner, George Gavrelis, Deputy Director of Flanning, Nears Panits of Timonium Shopping Center, and with representatives of Mobil Oil Company.

It was agreed by those above and a committee of nembers of this Association and with the concurrence of the adjacent property owners to the site, that you would contribute \$1,000.00, such sus to be made to the site, that you would contribute \$1,000.00, such sus to be made to the site of the si

Upon receipt of this contribution this Association will errect much screening. This shall constitute agreement by the Timonium Shopping Center for the placement of such screening on their property to the next the screening and their property to the service station in conformance with the county building morthwest of the service station in conformance with the county building screening that is because the responsibility of this Association. Muinted screening now in place shall remain that of Mobil Oil Company and Timonium Shopping Center.

PAGE 2

Louis W. Miller 44 Timonius Road Maryles H. Miller 44 Timonium Road Phyllis B. Konelke 42 Timontum Road James R. Kopelke 42 Timonium Road Ruth Z. Ocata 16 Edgemoor Road Charles Ogatu 16 Edgemoor Road Grace Arnold 19 Edgemoon Road Melvin Arnolo 19 Edgemoor Road Moses S. Koch 4 Edgemoor Road 33 Timonium Road John Mannion, Jr. 37 Timonium Road T. Leo Watson, Jr. 122 Timonium Road

southwesterly side of the Kopelke home at 42 Timonium Road, and a tree screen along the southeasterly side of Timonium Road.

The fence and the acreening will be erected and completed at the sole cost and expense of the Association. Upon receipt of this \$1000, we agree to assume complete responsibility for any and all of the gaseline service station acreening that may now or at any time hereafter be desired by residents of this community.

On behalf of ourselves individually and the Association, we hareby generally release and discharge Mobil Oil Company, owens of the garoline service. The Star Construction Company, less Romes, Inc., Belmont Building Company, Inc. Montbel Realty Company, Hanbal Homes, Inc., mad Bristol Building, inc., owners and/or managers of Timonium Shopping Center from all claims or demands whatewer, including but not limited to those pertaining to land us and developmental of example and increased the service of structures, operations, uses, and open areas.

HAVERFORD COMMENTTY ASSOCIATION

President

Dr. Moses S. Koch, Jr.	4 Edgemoor Road
W. L. Newman	112 Greenmeadow Drive
Walter M. Mozris	107 Greenmeadow Drive
Elizabeth B. Rhodes	102 Greenmeadow Drive
M. F. Monaham	120 Greenmeadow Drive
Charles N. Ogata	16 Edgemoor Road

-3-Ruth E. Ogata 16 Edgemoor Road Moses S. Koch 4 Edgemoo: Road Roth Kach 4 Edgemoor R. Phyllis B. Kepelke 42 Timonium Road James R. Kopelke 42 Timonium Road R. B. Zahelka 114 Greenmeadow Drive Lincoln F. Johnson, Jr. 122 Greenmeadow Drive Marguerite W. Foster 101 Greenmeadow Drive Wm. K. D. Shaub 118 Greenmeadow Drive Jean N. Walters 108 Greenmeadow Drive Mary G. Atherton 104 Greenmeadow Drive Mrs. Paul McCray 105 Greenmeadow Drive Mrs. Heverly Martin 103 Greenmeadow Drive Mrs. Roeves P. Dance

100 Greenmeadow Drive

Mr. Charles Wheeler, Bureau of Licenses Baltimore County Office Building Townon 4. Maryland

Dear Mr. Wheelers



We the undersigned wish to inform you of our continuing objection to the erection of a gasoline service station on the plot of ground known as that area on the northwest side of Timonium Road - two hundred twenty five feet west of Edgemoor Road, Eighth District, Bultimore County. This objection is well documented in Case No. 4314-Y before the County Board of Appeals for Baltimore County, dated October 9, 1958 and further in the records of the Circuit Court of Baltimore County.

At hearings before the Teputy Zoning Commissioner of Baltimore County in March 1958, our objections were documented. The Deputy Vining Commissioner denied the Special Exception for the above named property. At hearings before the County Board of Appeals for Baltimore County our objections were again documented. The County Board of Appeals denied the granting of a special exception and upheld the decision of the Kning Commissioner. However, before Judge Contrus of the Circuit Court, the decisions of the board and Zoning Commissioner were overruled. We felt we did not receive proper justice at that time.

Due to the newness of the Community and the limitations of funds, we could not elect to pursue the matter further to the Maryland Court of Appeals although we desired to do so.

We are sending copies of this letter to the Moning Commissioner and Director of Planning for Baltimore County. Specifically, now that we have no recourse to black the building of the service station, our recourse seems to be to make such building be in conformity with all the plans, regulations and current restrictive rules congruent with proper planning of the area so insure a proper transition and protection of the regidential properties located on three sides of the property.

Making reference to the records of the County Board of Appeals Case No. 4314-X, page 15-comment of Mr. Agnew, Chairman of the Board,

"I would like to interrupt just a moment to point out at this juncture, since the petitioner has indicated through this witness his desire to conform with the neighborhood and conf truct a colonial type station, that the Board would, in all probability, should they grant this special exception, absolutely require such conformity dr. Charles Wheeler

January 18, 1961

which we have the power to do."

and further: page 45 - comment of Mr. J. Maudit Berry, "The first plot plan showed a single entry from Timonium Road into the Business Local Zoning. Question: Mkor, sobsequent to the plan that you had originally drawn up, has there been any other plan that you have drawn up? Answer: Yes, Sir. Question: And, what was the reason for drawing up this second plan? Answer: If I recall correctly, the Zening Commissioner, in conjunction with the Planning Commission Office, requested a different location for the building, a different ingress and exress. I contacted Mr. Gavrelia, the Deputy Planning Director, and in conjunction with him, worked out a scheme for the relocation, and the relocation of ingress and egress."

- 2 -

- and further; page 46 comments of Mr. Maudit Berry; "This plan. as requested by the Planning Commission, has a fifteen foot acreen planting strip between the R-6 gound, a twenty four foot driveway which would be an in-drive to the so called shopping center, a one hundred forty foot piece of ground by one hundred fifty feet deep that would to to another driveway which would be an out-drive and which is twenty four feet wide. Then there is a smaller and triangular piece which is again called screen planting. This plan was developed from Mr. Gayrelin' sugrestions.
- and further: page 53 comments of George E. Gavrelis: "If you will allow me to proceed, my recommendation with respect to this plan was preceded by the statement that these recomme endations were made, nevertheless with the objections of the Office of Planning to the granting of the Special Exception. Mow, going on from there, when the Zoning Commissioner, the Deputy Moning Commissioner took this petition under consideration, we pointed out to him that if the Special Exception for the gus station were granted, that certain things should be done to ameliorate and improve the granting to the point that this petition to us represented an intrusion of an active commercial use into a residential area, that the Special Exception was part of a larger site, and the fact that we felt t' t tois corner of frontage along Timonium Road should be used exclusively for residential. That all went into the recommendations. When we got the specifications of a site for this gas station, we recommended to the Zoning Commissioner, first of all, that he consider this as part of a subdivision, which it is, and it comes into the purview of the Planning Office not only from the point of making zoning recommendations, but also from the point of approving plans. We pointed out to the Deputy Zoning Commissioner, of course, that part of the planning of the planning approval process, had not been met and recommended, at least for this gas station site, if granted, that the plan be revised to

Mr. Charles Wheeler

January 18, 1961

substantially correspond to this Exhibit No. 3, I believe it is. (Mr. Steinbook of the Board said No. 2.

- 3 -

- and further; comments Nr. Gavrelis page 56: "The position of the Office of Planning was and still is that we are opposed to a granting of a Special Exception for a gasoline service station on this site."
- and further; comments Mr. Gavrelis page 56: "The substance of our comments to the Zoning Commissioner were as follows: 'The placement of a gasoline service station 250 feet south of Edgemoor Road would be, in fact, an intrusion of an active commercial-use site into a residential area. It is contrary to our concept of developing this commercial site in a manner resulting in the maximum protection for the abutting residential properties. The Office of Planning in it; subdivision approval for the overall tract would recomment that the projection of commercially soned land extending to Timonium Road be utilized only for access to the proposed center, for parking and most important, for screening and buffering to achieve an orderly transition from commercial to residential use, "
- and further: comments Mr. Gavrelis page 62: "I would like to point out, however, that this is part of larger commercial development which would require plan approval by Baltimore County."
- and further: comments Mr. Kaufman, member of the Board, page 93: "You do realize that if a Special Exception were granted this Board would have the right to make certain restrictions. I will speak as an individual, and I would also say that the record will show that the Board, in granting any Special Exception for a gasoline station anywhere close to a residential area, has completely outlawed repairing of any kind in a gas station. Now, did you realize that this Board has that power to restrict the uses of a gas station?"
- and further: comments Ar. Harl Brank Sadler, page 123: "The location of the proposed gasoline service station, as I said before is about two to three hundred feet from my home. I am on a downgrade from this location. Now even though the lights will probably, as has been stated before, be directed toward the ground, they will be directly in the rear of my home, and I feel that this definitely is detrimental to my health and welfare."

Now, Mr. Wheeler, all of the above comments I am sure were made in good faith and are true. Before any permit for construction is granted to the petitioners for the use of this ground for the service station, we the undersigned wish the consideration of reviewing same for the purpose of seeing that all restrictions are adhered to in the building plans and are made part of such plans so that if such is not the case in the future, the burden of demanding adherence is on the County and not the residents of this community.

Mr. Charles Wheeler

January 18, 1961

We also feel that the permit should not be granted until the plans for the entire tract of land have been approved and with some justification that such plans are firm.

You may contact any of the undersigned with reference to this letter and we would be . set happy to be available at your convenience for a personal discussion. We the undercimed are property owners in the immediate area of the service station.

Cordially yours,

Ce 3. 8000 . ut . 241 Louis W. Miller 44 Timonium Road Timonium, Macyland

opelho

CC: Mr. John Rose, Zoning Commissioner Mr. Malcolm Dill, Director of Planning File - Haverford Community Association, Yimonium, Maryland

Thomas Leo Watson, Jr. 122 Timonium Road Timonium, Maryland

Narry Narman Harry Harman 52 Timonium Road Timonium, Maryland

Kenneth Trail 56 Timonium Road Timonium, Maryland

James Kopelke

42 Timonium Road

Timonium, Maryland















