5218 RX MAPU PETITION FOR (1) ZOHING RECLASSIFICATION
(2) SPECIAL EXCEPTION SEC.2-A To the Zoning Commissioner of Baltimore County: Bosse we, WH. M. Seabold, Esther J. Seabold, Frederick Hanf and · BL-X See description attached

hereby petition (1) that the zoning status of the above described property be reclassified, pursuant to the Zoning Law of Baltimore County, from an R-6 Zone; and (2) for a Special Exception, under the said Zoning Law and Zoning Regulations of Baltimore County, to use the above described property, for /7MS STATION

Property to be posted as prescribed by Zoning Regulations.

lipse 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

Welliam M Serteld

5400 Commission Cus. 5919 Charlument Ca SOCONY MOBILE OIL COMPANY, Inc.

Edmondoon Avenue and Marian Avenue and A TIME: WEDNISSIDAY S. 1881 AV 10-96 A.M. C. HEARING: Room 108. Diffice Building, 111 W. les Avenue, Towwen, Mc. oning: Commissioner of County, by authority of County, by authority of g. Act. and Regulations sore County, will hold searing:

MAOI

By D. K. Suffeth Juld Engineer Contract Frehaser 1914 N. Charles Street

Baltimore 18r Naryland 1- EACH

Smith+ Harrison

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52/8 RK Date of THE COMMUNITY NEWS THE COMMUNITY NEWS THE COMMUNITY NEWS THE COMMUNITY NEWS ZOS TO SERVICE CATONSVILLE MD.

February 17, 1961.

THIS IS TO CERTIFY, that the annexed advertisement of John G. Pose, Zoning Commissioner of Baltimore County

was inserted in THE BALTIMORE COUNTIAN, a group of three weekly newspapers published in Baltimore County, Maryland, once a week for One assessment weeks before 17th day of February, 1981 , that is to say the same was inserted in the issues of February 16, 1961.

THE BALTIMORE COUNTIAN

By Paul J. Mor Editor and Manager! HE: PETITION FOR RECLASSIFICATION PARTITION FOR REGILESTIFICATION and SPECIAL EXCEPTION FOR DASCLICE SERVICE STATION Notice and Orphiston Road -ist Dist. William J. Seabold et al;

RECEORS COUNTY BOARD OF APPRAIS

BATATIMORE COUNTY

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The patitioner seeks reclassification of a rectangular tract of ground on the northwest corner of Edmondson Avenue and Orpington Road in the First District of Baltimore County, from a now existing "R-6" classification to a "B-L" classification with a Special Exception for a Gasoline Service Station. The Socony-Mobil Oil Company being the contract purchaser

The Board is unanimous in its opinion that the Baltimore County Council had the opportunity to inspect the instant preperty as evidenced by ample testimony presented at the hearing. The Board feels There have been no substantial changes since the adoption of the Land Use Map by the Baltimore County Council to alter this "R-6" classification as

The potitioner was unable to present any testimony to contravene the present map, and contrary, the petitioners own expert witness admitted under questioning that in the event that the property were reclassified to Business Local, that some of the permitted uses under the Business Local category could be detrimental to the health, safety and general welfar of the community-specifically this witness testified that the use of the subject property for a Drive-In Restaurant, a permitted use under "B-L" category without a special exception, could be detrimental to the health, safety, and general welfare of the community.

CONTINUESTE OF BOSTON ZOMING DEPARTMENT OF BALTWORE COL

#5218 2-15-61 Posted for and B-6 jan to an B-1 jan + Janelul dessent the born Pretitioner William M. Jeanosel, J. a. Loosen a proporty 4. Easewer of Salmondhur Will & Organizan Societ. Location of say Merthwest Course of Edmarkback Went and Open for Hoad Date of return: 2-16-61

/ It is the unanimous opinion of the Board of Appeals that there have been no changes which warrant a reclassification-further as the Board has held in other opinions the Land Use Mans of Baltimore County adopted by the County Council must be upheld, unless there is substantial testimony to show an error in original zoning. The Board can find no such error in the testimony presented by the netitioners in the instant

ORDER

For the reasons set forth in the aforegoing Opinion, it is day of December, 1961, by the County Foard of Appeals, ORDERED that the reclassification and spedial exception petitioned for be and the same is hereby denied.

Any appeal from this decision must be in accordance with Rule No. 1101 of the Rules of Practice and Procedure of the Court of Appeals of Muryland.

COUNTY BOATD OF APPEALS

Oration Ok

B. Mithell Bustin

NOTE: Mr. Charles Steinbock, Jr. did not sit at hearing.

RS: PATTICH FOR REGLASSIFICATION FRCM an "R-6" Zone to a "B-L" Zone and a Special Exception for Geolline service Station -N. W. Cor. Edmondson Ave. and Orington Road, 1st Histrict -Wes. J. Seaheld, Esther J. Seah ZOTTHO COMTSSTORR BALTTHORE COINTY

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BUTTON

OF

No.5218-RX

The potitioners in the above captioned matter are requesting a reclassification of property from an "R-6" Zone to a "B-1" Zone on the subject property.

Ethondson Avenue from the Baltimore City Line to Gld Frederick Ros. is predominantly a residential street. At several locations along its length small commercial areas have existed for many years. These locations sorre local mosts.

At Experison twomes and Marlen Lane an additional correctial area was created for local meeds. Instead of locating stores on the property take fulling stations were erected. The drug store on the site was equested/by the granting of a variance.

Testimony indicated that the Hanf property has been a residence and an apartment for approximately thirty years. The Seabold property has been used as a dector's office for fifteen or twenty years. The Haltimon County Council observed these uses and thought the present soning proper.

Scattered non-nonconforming uses in the neighborhood have he neighborhood but have been a part of it for approximately

The proposed change in zoning could well lead to the change ondson Avenue into another commercial area such as Baltimore National

There has not been sufficient change in the neighborhood to warrant a change to "B-L" zoning and the Zoning Map of the First Election Eistrict approved on April 5, 1960 is not in error insofar as the Politicant's request is concerned.

For the above reasons the reclassification should be denied.

Commissioner of Baltimere County, Edizab that the aforested reclassification and special exception for a gasoline service station, be and the same are herby denical.

Ma 9164 Zoning Correissioner

February 23, 1961

OFFICE OF PLANNING

Inter-Office Correspondence

From G. E. Gavrelis, Deputy Director

To John G. Rose, Zoning Commissioner

#5218-RX R-6 to B-L, Special Exception for Gasoline Station, N.W. corner Edmondson Avenue and Orpington Rd. William Scabold

1st District 10:00 A.M.

5218

The staff of the Office of Planning and Zoning has reviewed the subject potition for monthing reclassification and special exception. Ithus the following advisory comment to make with respect to pertinent planning factors:

l. In it's recommendations for comprehensive resoning of the southern portion of the list District, the Flamming Board proposed B-L soning for the frontier, the Flamming Board proposed B-L soning for the frontier, the content of th

(B) Special Exception for Gasoline Station

1. If, after hearing the case, it is decided to grant the reclassification and special exception, it is requested that the special exception be conditioned upon approval of a site plan by the Office of Planning and the Departs of a site plan by the Office of Planning approval while forces, 'mhaded in the site planning approval would be solution to problems such as, extent of screening required along the residential rear and size lot lines, extent of streening for Orpington Hoad and Edmondson Avenue

GEG-be

FEB 23 '61 AM

LAW OFFICES

SMITH AND HARRISON

April 5, 1961

County Board of Appeals County Office Building Towson 4. Maryland

County Office Building Towson 4, Maryland

> Re: PETITION FOR RECLASSIFICATION FROM an "R-6" Zone to a "B-L" Zone and a Special Exception for Edmondson Avenue and Orplngton Road, 1st District - Wm. J. Seabold, Esther J. Seabold, Frederick Hanf and Anna E. Hanf, Petitioners.

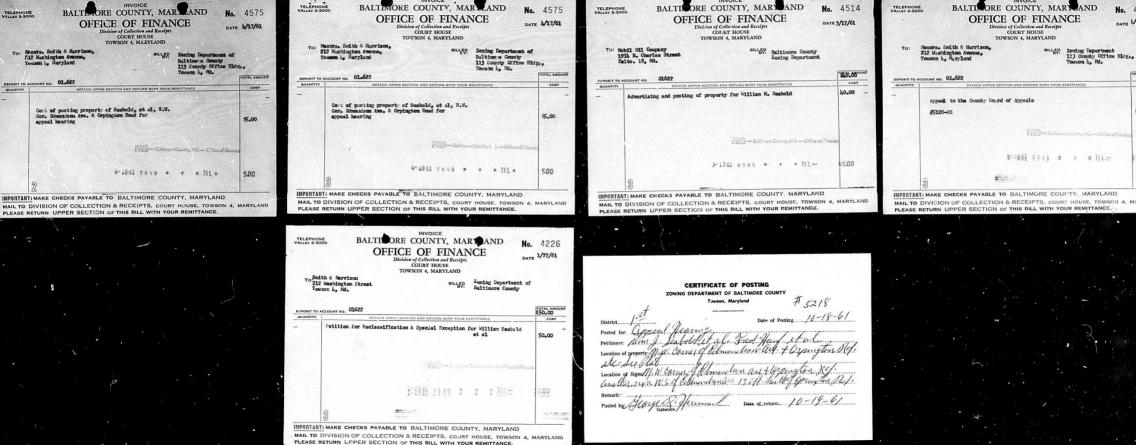
Please note an appeal by the Petitioners from the Order riesse note an appear by the retitioners from the Order of the Zoning Commissioner of Bakimore County in the above entitled matter passed the 13th day of March, 1961. Our check for filling fee is enclosed herewith.

Very tru, yours,

SMITH AND HARRISON

By George Barrett Johns

GBJ:k



INVOICE

BALTI ORE COUNTY MARY AND

No. 4546 DATE 1/5/61

TOTAL AMOUNT

CORE

170.00

Torson le M.

OFFICE OF FINANCE

MAIL TO DIVISION OF COLLECTION & RECEIPTS, COURT HOUSE, TOWSON 4, MARYLAND DI EASE RETURN LIPPER SECTION OF THIS BILL WITH YOUR REMITTANCE.

