

5302-RX MAP #11+14A BL-X 4/9/61 PETITION FOR ZONING RE-CLASSIFICATION AND/OR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, ROBERT W. PUNK, legal owner, of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition (1) that the zoning status of the herein described property be reclassified, pursuant to the Zoning Law of Baltimore County, from an R-6 zone to an BL-X zone for the following reasons: Prior to World War II the applicant operated a general store and filling station on the subject premises. Because of the war he ceased operations due to rationing. In 1946, he attempted to reopen his business, but because of Zoning Laws in effect at that time, was prohibited. The tanks for gasoline are still on the premises and the store is still useable as a store. There was an original error in zoning in 1945, and there is a present need in the community for this operation.

SEE ATTACHED DESCRIPTION

and (2) for a Special Exception, under the said Zoning Law and Zoning Regulations of Baltimore County, to use the herein described property, for, Gasoline Station.

Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above re-classification and/or 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.

Robert W. Funk
Contract purchaser
Address: 9738 Maglietti Road
Baltimore County 34, Maryland

John J. Brennan
Petitioner's Attorney
Address: 305 W. Chesapeake Avenue (4)
Baltimore County, this 15th day of May, 1961.

ORDERED By The Zoning Commissioner of Baltimore County, this 15th day of May, 1961, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in a newspaper of general circulation throughout Baltimore County, that property be posted, and that the public hearing be held before the Zoning Commissioner of Baltimore County in Room 104, County Office Building in Towson, Baltimore County, on the 25th day of June, 1961, at 10:00 o'clock.

Zoning Commissioner of Baltimore County

1 Each
15.00 AM
6/28/61

INVOICE BALTIMORE COUNTY, MARYLAND OFFICE OF FINANCE Division of Collection and Receipts COURT HOUSE TOWSON 4, MARYLAND No. 4692 DATE 5/4/61

TO: Robert W. Funk, Maguire, Brennan and Cook
Attorneys-at-Law
305 W. Chesapeake Ave.
Towson 4, Md.

DEPOSIT TO ACCOUNT NO. 0162

QUANTITY DETACH UPPER SECTION AND RETURN WITH YOUR REMITTANCE

Petition for Reclassification & Special Exception for Robert Funk

50.00

IMPORTANT: MAKE CHECKS PAYABLE TO BALTIMORE COUNTY, MARYLAND MAIL TO DIVISION OF COLLECTION & RECEIPTS, COURT HOUSE, TOWSON 4, MARYLAND RETURN UPPER SECTION OF THIS BILL WITH YOUR REMITTANCE.

RE: PETITION FOR RECLASSIFICATION
From an "R-6" Zone to a "B-L" Zone and Special Exception for Gasoline Service Station - N.E. Side Maglietti Road .6 mile N. Joppa Road, 11th District - Robert W. Funk, Petitioner

Pursuant to the advertisement, posting of property and public hearing on the above petition for reclassification of the property described therein from an "R-6" Zone to a "B-L" Zone and a special exception to use said property for a gasoline service station, and it appearing that that the zoning of the subject property was erroneously zoned "R-6" instead of "B-L", the reclassification should be had.

The request for the special exception for a gasoline service station has been abandoned and therefore was withdrawn by counsel for the petitioner at the time of the hearing on June 28, 1961.

It is this 28th day of June, 1961, by the Zoning Commissioner of Baltimore County, ORDERED that the herein described property or area should be and the same is hereby reclassified from an "R-6" Zone to a "B-L" Zone, from and after the date of this Order.

John J. Brennan
Zoning Commissioner of Baltimore County

INVOICE BALTIMORE COUNTY, MARYLAND OFFICE OF FINANCE Division of Collection and Receipts COURT HOUSE TOWSON 4, MARYLAND No. 4889 DATE 6/26/61

TO: Mr. John J. Brennan
Attorney, Maguire, Brennan and Cook
Attorneys-at-Law
305 W. Chesapeake Ave.
Towson 4, Md.

DEPOSIT TO ACCOUNT NO. 0162

QUANTITY DETACH UPPER SECTION AND RETURN WITH YOUR REMITTANCE

Advertising and posting of property for Robert W. Funk

30.00

6-2961 1720 • • • 711- 70.00

6-2961 1720 • • • 711- 70.00

IMPORTANT: MAKE CHECKS PAYABLE TO BALTIMORE COUNTY, MARYLAND MAIL TO DIVISION OF COLLECTION & RECEIPTS, COURT HOUSE, TOWSON 4, MARYLAND PLEASE RETURN UPPER SECTION OF THIS BILL WITH YOUR REMITTANCE.

BEGINNING for the same in the center of the County Road at the beginning of the 98 or North 83-3/4 degrees East 1 perch line of that parcel of land which by deed dated November 14th, 1900, and recorded among the Land Records of Baltimore County, in Liber N. B. M. No. 250, folio 90 etc., was conveyed by Leonard Lang to John T. Simms and wife, running thence binding on said line and on the last or closing line of the above mentioned land North 83 degrees 15 minutes West 309 feet 9 inches to a stake, thence running for 7 inches to the center of the County Road and to intersect the 98 or North 43-3/4 degrees East 45-3/4 perches line of the County Road and on the aforesaid line North 42 degrees 45 minutes East 186 feet 4 inches to the place of beginning, containing 53/100 acres of land more or less.

Being the property of Robert W. Funk, as shown on plat plan filed with the Zoning Department.

I hereby certify this is a true copy of the description of property filed in the Land Records of Baltimore County in Liber W.P.C. 571 folio 389.

Charles D. Grace
CHARLES D. GRACE

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland No. 5302

District: 11th Date of Posting: 6-7-61

Posted to: Robert W. Funk

Petitioner: Robert W. Funk

Location of property: N.W. S. of Maglietti Rd. .6 mile N. of Joppa Rd. S. of 11th Dist. 9738 Maglietti Road

Location of sign: North side of Maglietti Road at Joppa Road

Remarks: Sign posted on property June 28, 1961

Posted by: John J. Brennan Date of return: 6-8-61

OFFICE OF PLANNING AND ZONING Inter-Office Correspondence Date: June 16, 1961

To: John G. Rose, Zoning Commissioner
From: John J. Brennan

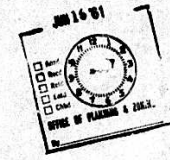
Subject: 5302-RX, R-6 to B-L, Special Exception
for gasoline station, N.E. side of Maglietti Road, .6 mile north of Joppa Road

11th District Hearing: 6/26/61 10:00 A.M.

The staff of the Office of Planning and Zoning has reviewed the subject petition and has the following advisory comment to make:

- Commercial use potentials or uses do not exist on adjacent properties. Creation of B-L zoning would recreate commercial uses which had been abandoned prior to the adoption of Zoning Regulations for Baltimore County. We do not believe that they would be in harmony with the uses of adjacent property in the neighborhood.
- With respect to the gasoline service station, we do not believe that the site has the possibilities of functioning in a reasonable proper manner. The two existing structures preclude setting-up a plan which adequately provides for off-street parking for the store and apartment uses and which also enables the gas station to function as such.

JDW/ag



CERTIFICATE OF PUBLICATION TOWSON, MD.

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., on each of the 15th day of June, 1961, the first publication appearing on the 15th day of June, 1961.

THE JEFFERSONIAN, Manager.

Cost of Advertisement, \$.

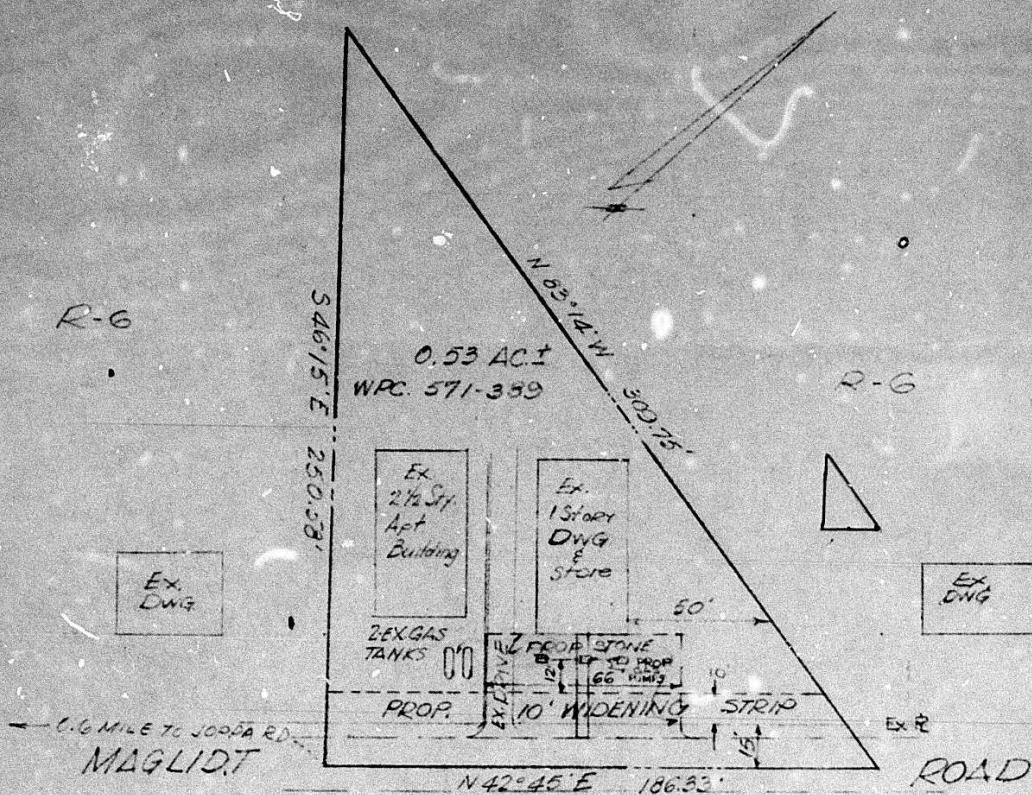
JOHN G. ROSE, Zoning Commissioner of Baltimore County

CERTIFICATE OF PUBLICATION TOWSON, MD.

THIS IS TO CERTIFY, that the annexed advertisement was published in THE COUNTY Paper, Inc., a weekly newspaper printed and published in Towson, Baltimore County, Md., on each of the 15th day of June, 1961, the first publication appearing on the 15th day of June, 1961.

THE COUNTY Paper, Inc. Manager.

JOHN G. ROSE, Zoning Commissioner of Baltimore County



PRESENT ZONING - R-6 (DWELLING & STORAGE)
 PROPOSED ZONING - B-L-SPECIAL EXCEPTION
 (GENERAL STORE & GAS SALES)

11TH ELECTION DIST. APRIL 10, 1961
 Scale 1"=50'

PROPERTY OF
 R.W. FUNK
 9738 MAGLIDT RD
 BALTO. 34 MD.

NOTE: LOCATION OF HOUSES, DRIVE &
 GAS TANKS FURNISHED BY OWNER

#5302RX

MAP
 #1114A

BL-X

CHARLES D GRACE
 ENGINEER & SURVEYOR
 121 ALLEGHENY AVE
 TOWSON 4 MD.