5314-X

RE: PETITION FOR SPECIAL EXCEPTION
for a Gasoline Service Station
SE Corner of Church Lane and
Hendon Road
Second District
Lee M. Cohen et al,
Petitioners

BEFORE
COUNTY BOARD OF APPEALS
OF
BALTIMORE COUNTY
No. 5314-X

: : : : : : : : : : : :

OPINION

This is a petition for a special exception for a gasoline service station on property located on the southeast corner of Church Lane and proposed Hendon Road in the Second District of Baltimore County.

Mr. Gilbert M. Nelson, Acting Chief of the Traffic and Planning Division of Baltimore County, was the first witness for the petitioner. His testimony was to the effect that the granting of this special exception for a gasoline service station was not desirable as Church Lane in its present condition is inadequate, and that any additional ingress or egress to or from Church Lane, or any additional traffic on Church Lane would be highly undesirable at this time. At the conclusion of Mr. Nelson's testimony, the attorney for the petitioner was asked by the Board if he had any other witnesses to present to the Board who would be testifying on the matter of traffic. He advised the Board that he would not present any additional testimony on the subject of traffic. The Board advised the petitioner that it was unanimous in its opinion that the testimony presented by the petitioner's traffic expert clearly indicated that Section 502.1, Paragraphs A and B, could not be complied with and that for this reason the Board was denying the special exception.

ORDER

For the reasons set forth in the aforegoing Opinion, it is this 15th day of April, 1963 by the County Board of Appeals, ORDERED that the special exception petitioned for, be and the same is hereby denied.

Any appeal from this decision must be in accordance with Chapter 1100, subtitle B of Maryland Rules of Procedure, 1961 edition.

COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY

CHAIRMAN

5314-X

LEE M. COHEN, ET AL
S/S of Hendon Rd. & Church Lane 2nd
#5314-X

LAW OFFICES
SMITH AND HARRISON
THE JEFFERSON BLDG.
TOWSON 4, MARYLAND

MICHAEL PAUL SMITH
W. LEE HARRISON
RICHARD C. MURRAY
GEORGE BARRETT JOHNS
FRANK E. CICONE

TELEPHONES 823-8600
823-4334

October 26, 1961

Mr. John G. Rose
Zoning Commissioner
County Office Building
111 W. Chesapeake Ave.
Towson 4, Maryland

Re: Petition for Special Exception for a Gasoline Service Station - S.E. Cor. Church Lane and Hendon Road, 2nd Dist., Lee M. Cohen, et al, Petitioners - No. 5314-X

Dear Mr. Rose:

Please enter an appeal in the above entitled case to the County Board of Appeals from the Order of the Zoning Commissioner dated October 10, 1961.

Enclosed is check in amount of $70.00 covering cost of this appeal.

Very truly yours,

SMITH AND HARRISON

By Frank E. Cicone
Frank E. Cicone

FEC/jc
encl:

OCT 26 '61 AM
Acad
Recd
Rate
Entd
Chkd
ZONING DEPARTMENT
By

RE: PETITION FOR A SPECIAL EXCEPTION
FOR A GASOLINE SERVICE STATION
S.E. Cor. Church Lane and Hendon
Road, 2nd Dist., Lee M. Cohen, et al,
Petitioners

BEFORE
ZONING COMMISSIONER
OF
BALTIMORE COUNTY
No. 5314-X

: : : : : : : : : : : : : : : :

The petitioners have requested that a special exception for a gasoline service station be granted on a portion of the tract of land zoned for commercial uses.

The Office of Planning & Zoning by Edward L. Gurnio testified that no site plan for a shopping center had been received.

The present petitioners in asking that one portion of the shopping center be considered without the benefit of a planned treatment of the entire center is contrary to the health, safety and the general welfare of the locality involved.

For the above reasons the special exception is denied.

It is this 10th day of October, 1961, by the Zoning Commissioner of Baltimore County, ORDERED that the aforesaid special exception should be and the same is hereby denied.

Zoning Commissioner of
Baltimore County

PETITION FOR ZONING RE-CLASSIFICATION AND/OR SPECIAL EXCEPTION

#5314-X

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, Lee M. Cohen, et al 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 re-classified, pursuant to the Zoning Law of Baltimore County, from an ____ zone to an ____ zone; for the following reasons:

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.

X Lee M. Cohen
X Ida Cohen
X Howard Cohen
X Muriel Coplan
X Carol Coplan

Contract purchaser

Address Smith & Harrison
Towson 4, Md.

Legal Owner

Address 3120 St. Paul St
Balto 18, Maryland

Frank Crome
312 Washington Ave
Towson 4, Md.

Petitioner's Attorney

Address

Lloyd Wilson Lambdin Jr.
3706 Wilton Ave - 7
Md. Sec Protestants

ORDERED By The Zoning Commissioner of Baltimore County, this 7th day of June, 196 1 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 had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 10th day of July, 196 1, at 1:00 o'clock P.M.

JUN 7 '61

Zoning Commissioner of Baltimore County.

(over)

OFFICE OF PLANNING & ZONING

OFFICE OF PLANNING AND ZONING
Inter-Office Correspondence

Date June 30, 1961

To: John G. Rose, Zoning Commissioner
From: George E. Gavrelis, Deputy Director
Subject: #5314-X, Special Exception for Gasoline Station.
S/S/S of Hendon Road and Church Lane.
Being property of Lee M. Cohen et al.
2nd District

Hearing: Monday, July 10, 1961 (1:00 P.M.)

On July 11th, the County Council will hold a public hearing on the zoning plan for the Western Planning Area prior to taking legislative action with respect to the adoption of a new Zoning Map for this area. Based on recommendations of the Planning Board, the commercially zoned frontage along Church Lane is now proposed for revision from BM to R-6 zoning. Since adoption of the new Zoning Map by the Council now is imminent, it is recommended that action on the petition be withheld pending decision on the appropriateness of BM zoning here by the County Council.

The proposed location sought for the gasoline service station is not in accordance with the land use objectives of the Western Planning Area Master Plan and is inappropriate. The plan itself bears no correlation to an overall development for the large commercial area of which it is a part and will tend to cause problems of traffic congestion and hazard. The most appropriate location for a service station would be proposed elsewhere within the same overall ownership.

GE:pd

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

#5314

District 2nd Date of Posting 6-21-61

Posted for: Special Exception - Gasoline Service Station

Petitioner: Lee M. Cohen, et al

Location of property: S/S of Hendon Rd. & Church Lane, Inside

Location of Signs: One sign 10'x5' ft. facing Hendon Rd. 205' ft. West of Old Court Road on the S/S of Church Lane

Remarks:

Posted by George R. Hammond Date of return: 6-22-61
Signature

INVOICE
TELEPHONE VALLEY 3-3000
BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE
Division of Collection and Receipts
COURT HOUSE
TOWSON 4, MARYLAND

No. 4852
DATE 6/8/61

To: Smith & Harrison
Attorneys
212 Washington Ave.
Towson 4, Md.

BILLED BY: Zoning Department of Baltimore County

DEPOSIT TO ACCOUNT NO. 01622

QUANTITY	DETACH UPPER SECTION AND RETURN WITH YOUR REMITTANCE	COST
—	Petition for Special Exception for Gasoline Station for Lee M. Cohen, et al	50.00

TOTAL AMOUNT $50.00

PAID — Baltimore County, Md. — Office of Finance

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.

PETITION FOR ZONING SPECIAL EXCEPTION

ZONING: Special Exception for Gasoline Station
LOCATION: Southeast side of Hendon Road and Church Lane
DATE AND TIME: Monday, July 10, 1961, at 1:00 P. M.
PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland.

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing concerning all that parcel of land in the Second District of Baltimore County:

Beginning for the same at a point in Church Lane where the easternmost side of Hendon Road, as laid out 70 feet wide, intersects the northern boundary of the whole tract of land of which the lot now being described is a part, and running thence binding on said easternmost side of Hendon Road 210.00 feet in a southeasterly direction along the arc of a curve to the right having a radius of 210.00 feet, said arc being subtended by a chord bearing South 11° 34' 42" East 218.47 feet, thence leaving Hendon Road and running for new lines of division now drawn the following courses and distances, viz: (1) North 72° 25' 30" East 200.00 feet and (2) North 14° 29' 30" West 241.42 feet to a point in Church Lane in the northern boundary of the whole tract, thence binding on said northern boundary of Church Lane South 74° 12' 45" West 182.44 feet to the place of beginning, containing 0.89 acre of land, more or less. Being the property of Lee M. Cohen, et al, as shown on plat plan filed with the Zoning Department.

By Order of
JOHN G. ROSE,
Zoning Commissioner of
Baltimore County.

June 22.

JUN 26 '61

5314

CERTIFICATE OF PUBLICATION

TOWSON, MD., June 23, 19 61

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., ~~once in each~~ ~~of~~ 1 time ~~successive weeks~~ before the 10th day of July, 19 61, the first publication appearing on the 23rd day of June, 19 61.

THE JEFFERSONIAN,
Frank Manchester
Manager.

Cost of Advertisement, $

INVOICE
TELEPHONE VALLEY 3-3000
BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE
Division of Collection and Receipts
COURT HOUSE
TOWSON 4, MARYLAND

No. 7402
DATE 7/10/61

To: Court Plaza Realty Co.
3120 St. Paul Street
Balto. 18, Md.

BILLED BY: Zoning Department of Balto. County

DEPOSIT TO ACCOUNT NO. 01622

QUANTITY	DETACH UPPER SECTION AND RETURN WITH YOUR REMITTANCE	COST
—	Advertising and posting of property for Lee M. Cohen, et al	43.00

TOTAL AMOUNT $43.00

PAID — Baltimore County, Md. — Office of Finance

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.

INVOICE

TELEPHONE VALLEY 3-3000

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE

Division of Collection and Receipts
COURT HOUSE
TOWSON 4, MARYLAND

No. 9711

DATE 11/27/61

TO: Messrs. Smith & Harrison,
Jefferson Building
Towson 4, Md.

BILLED BY: Zoning Department
113 County Office Bldg.,
Towson 4, Md.

DEPOSIT TO ACCOUNT NO. 01.622

QUANTITY	DETACH UPPER SECTION AND RETURN WITH YOUR REMITTANCE	TOTAL AMOUNT COST
—	Cost of posting property of Lee M. Cohen for appeal hearing	—
	2 signs	$10.00
	No. 531h-X	
	12361 ...	10.00
3		

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.

INVOICE

TELEPHONE VALLEY 3-3000

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE

Division of Collection and Receipts
COURT HOUSE
TOWSON 4, MARYLAND

No. 8195

DATE 10/27/61

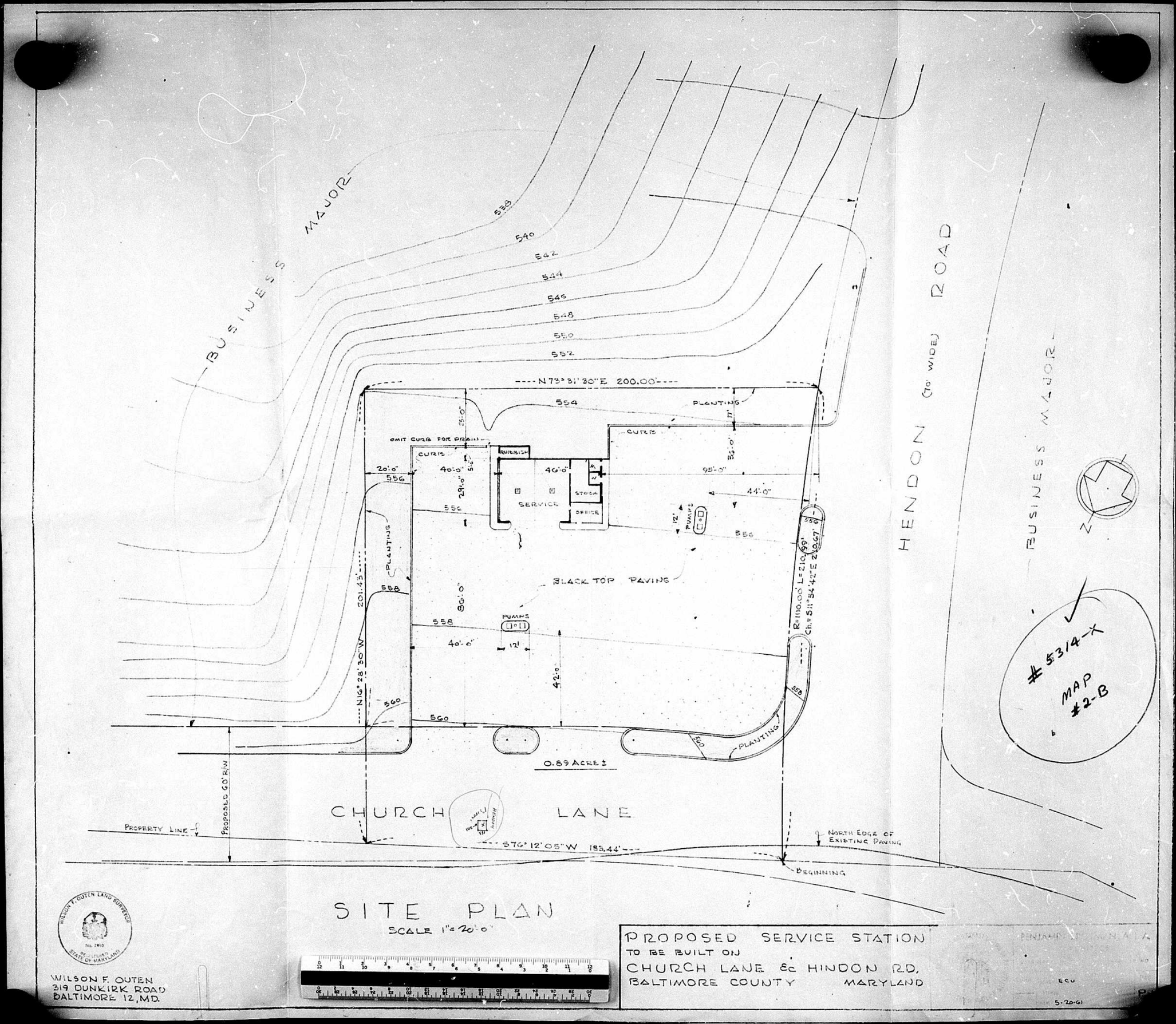
TO: Messrs. Smith & Harrison
Jefferson Building
Towson 4, Maryland

BILLED BY: Zoning Department of
Baltimore County
113 County Office Bldg.,
Towson 4, Md.

DEPOSIT TO ACCOUNT NO. 01.622

QUANTITY	DETACH UPPER SECTION AND RETURN WITH YOUR REMITTANCE	TOTAL AMOUNT COST
—	Appeal to County Board of Appeal	$70.00
	No. 531h-X	
	10361 ...	70.00
3		

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.



SITE PLAN

SCALE 1" = 20'-0"

PROPOSED SERVICE STATION
TO BE BUILT ON
CHURCH LANE & HINDON RD.
BALTIMORE COUNTY MARYLAND

WILSON F. OUTEN LAND SURVEYOR
No. 2903
REGISTERED
STATE OF MARYLAND

WILSON F. OUTEN
319 DUNKIRK ROAD
BALTIMORE 12, MD.

ECU

5-20-61