

IMPORTANT: MAKE CHECKS PAYABLE TO BALTIMORE COUNTY, MARYLAND MAIL TO DIVISION OF COLLECTION & RECEIPTS, COURT HOUSE, TOWSON 4, MARYLAND		NO. 8101 DATE 9/6/62	
INVOICE BALTIMORE COUNTY, MARYLAND OFFICE OF FINANCE <i>Division of Collection and Receipts</i> COURT HOUSE TOWSON 4, MARYLAND		BILLED BY: Zoning Department of Baltimore County 113 County Office Bldg., Towson 1, Md.	
TELEPHONE VALLEY 3-3000			
TO: The Atlantic Refining Co., P.O. Box 7258 Philadelphia 1, Pa.			
DEPOSIT TO ACCOUNT NO. 01622		TOTAL AMOUNT DUE	
QUANTITY	DETACH UPPER SECTION AND RETURN WITH YOUR REMITTANCE		COUNT
Cost of posting property of W.R. Wolfoly, City of Johns-bath and Rolling Road, No. 532 2 signs			\$10.00
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.			

RE: PETITION FOR SPECIAL EXCEPTION
for a Gasoline Service Station
Southwest side of Johnnycake Road
and Rolling Road - 1st District
William E. Wolff - Petitioner

BEFORE
COUNTY BOARD OF APPEALS
OF
BALTIMORE COUNTY
No. 5332-X

WESTERN
AREA
HAMP
XA
IN

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OPINION

This is a petition of William E. Wolfel for a special exception for a gasoline service station on the southwest side of Johnnycake Road and Rolling Road in the First District of Baltimore County.

The above petitioner seeks a special exception for a gasoline service station on a property that has been zoned "B-1" (Business Local) since 1945. Dr. Walter Worthington Eweel, a qualified traffic expert, testified that, in his opinion, the construction of a gasoline service station on the subject property would in no way tend to create a traffic problem in this area. He gave figures to illustrate that the traffic on Rolling Road had decreased greater than 50% since the opening of the Baltimore County Beltway on the 1st of July, 1962.

Testimony was received from Mr. George E. Gavrelis, Deputy Director, Office of Planning and Zoning of Baltimore County questioning the desirability of a gas station at this location based on the eventual development of future highways in the area.

Dr. Samuel Bessman, a physician, spoke for himself and the North Rolling Road Improvement Association calling attention to traffic conditions in the area and possible hazards that could result in the granting of this special exception.

The Board does not feel that it can take into consideration the possible effect of any future highways on the subject property. No plans are available to show the exact location of new roads in the area, and until such time that final plans have been developed and approved, any assumption as to what may exist on a future date is speculative.

The Board is unanimous in its decision that the granting of this special exception for a gasoline service station does not in any way violate Section 502.1 of the Baltimore County Zoning Regulations and, therefore, orders this special exception be granted subject to the following restrictions:

1. The hours of operation for said station shall not be before 7 a.m. in the morning, nor later than 11 p.m. in the evening.

#5332-X

**PETITION FOR ZONING RE-CLASSIFICATION
AND/OR SPECIAL EXCEPTION**

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, _____, 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 Filling 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.

Stirling Corporation
The Atlantic Refining Company, Agent
Wm. E. Davis, Jr., President
James L. Larkin,
Local Sales Representative

Contract purchaser

Address - **260 S. Broad Street**

William E. Wolfe
702 Old Frederick Rd.
Baltimore City, Md.

Legal Owner
Address - **702 Old Frederick Rd.**
Baltimore City, Md.

J. Edgar Bartlett, Petitioner's Attorney
Address - **112 W. Madison St.**

ORDERED By the Zoning Commissioner of Baltimore County, this 7th day of JUNE, 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 had before the Zoning Commissioner of Baltimore County in Room 106, Corby's Office Building in Towson, Baltimore County, on the 31st day of July, 1961, at 9:30 o'clock A. M.

☐ And _____
Zoning Commissioner of Baltimore County

MICHAEL PAUL SMITH
 W. LEE HARRISON
 BILLYE B. HARRISON
 GEORGE BARRETT JOHNS
 FRANK E. CLINE
 JOHN W. HENNEGAN

LAW OFFICES
 SMITH AND HARRISON

TELEPHONE: TRINITY 7-8611
 1000 NORTH AVENUE
 TOWSON, MARYLAND

August 18, 1961

Mr. John G. Rose
 Zoning Commissioner
 111 W. Chesapeake Avenue
 Towson 4, Maryland

Dear Mr. Rose:

Please enter an appeal to the County Board of Appeals from your Order of August 2, 1961 in the above entitled matter. I enclose herewith our check for \$70.00 to cover the cost of appeal.

Very truly yours,
W Lee Harrison
 W. Lee Harrison
 Attorney for Petitioner

cc: J. Kemp Bartlett, Jr., Esq.
 34 U. S. F. & G. Bldg.
 Baltimore 2, Md.
 Mr. James L. Larkin
 Atlantic Refining Co.
 260 S. Broad Street
 Baltimore, Maryland

AUG 22 '61 AM
 8 AM
 9 AM
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 2 PM
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 7 PM
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 ZONING DEPARTMENT

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 11 PM
 12 AM
 ZONING DEPARTMENT

Pursuant to the advertisement, posting of property, and public hearing on the above petition and it appearing that by reason of _____

the above Reclassification should be had; and it further appearing that by reason of _____

a Special Exception for a _____ should be granted.

IT IS ORDERED by the Zoning Commissioner of Baltimore County this _____ day of _____, 196____, that the herein described property or area should be and the same is hereby reclassified; from a _____ zone to a _____ zone, and/or a Special Exception for a _____ should be and the same is granted, from and after the date of this order.

Zoning Commissioner of Baltimore County

Pursuant to the advertisement, posting of property and public hearing on the above petition and it appearing that by reason of this petition is premature, the present road pattern is antagonistic and would violate Section 502.1 - (a) and (b) of the Baltimore County Zoning Regulations

the above ~~RECLASSIFICATION SHOULD BE GRANTED FOR THE~~ Special Exception should NOT BE GRANTED.

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this _____ day of August, 1961, that the above re-classification be and the same is hereby DENIED and that the above described property or area be and the same is hereby continued as and to remain a _____ zone, and/or the Special Exception for Gasoline Filling Station be and the same is hereby DENIED.

Zoning Commissioner of Baltimore County

OFFICE OF PLANNING AND ZONING
Inter -Office Correspondence

#5 332-X

Date: July 26, 1961

To: John D. Bure, Acting Commissioner
From: George A. Cavallaro, Acting Director
Subject: #5332-X Special exception for Gasoline Service Station
334/2 Commercial and Retail Autos
William H. Wolfel et al.

Let - latered 7/21/61 2:30 A.M.

MAP
#1-B
'X'
7/21/61

The staff of the Office of Planning and Zoning has reviewed the applicant's petition for special exception and has the following advisory comments to make with respect to pertinent planning factors:

1. On July 11, 1961, the County Council held a public hearing on the proposed Zoning Map covering this portion of the 1st District. Among the verbal requests made at that hearing was one by a local community organization which sought to have the subject property—the Wolfel property, reclassified from commercial to residential zoning. This request was taken under advisement by the Council and may or may not affect the outcome of the subject request for special exception.
2. Interstate Route 70-N will be constructed just to the north of Johnnykake Road opposite the subject property. A location is planned for rolling road adjacent to the subject property in order to provide an underpass at Route 70-N. The effect of the proposed location of rolling road ~~will~~ be accomplished after 1965, ~~and~~ to remove it from its present corner position and make it an intertie lot. The old portion at Rolling Road westerly from Johnnykake, will be abandoned and obliterated. The planning staff questions the desirability of a gas station at this location when it would become removed from contact with the main stream of traffic flowing in this area.

It is to be noted that Johnnykake Road to the West of the subject property also will be severed by Route 70-N and will serve only a small residential area, rather than a much larger area westerly to the Riasago. The projected change in the function or location of both Johnnykake Road and Rolling Road makes a service station inappropriate on the subject site.

0901ba

INVOICE
BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE
Division of Collection and Receipts
COURT HOUSE
TOWSON 4, MARYLAND

No. 7456

DATE 8/10/61

TO: The Atlantic Refining Company
Sibaroo Corp.
P.O. Box 1695
Balto. 3, Md.

BILLED BY: Zoning Department of
Baltimore County

DEPOSIT TO ACCOUNT NO.	01622	TOTAL AMOUNT
QUANTITY	DETACH UPPER SECTION AND RETURN WITH YOUR REMITTANCE	COST
Advertising and posting of property for William E. Wolfel		56.00-
		56.00

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.

INVOICE
BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE
Division of Collection and Receipts
COURT HOUSE
TOWSON 4, MARYLAND

No. 4849

DATE 6/8/61

TO: Smith & Harrison
Attorneys
212 Washington Ave.
Towson 4, Maryland

BILLED BY: Zoning Department of
Baltimore County

DEPOSIT TO ACCOUNT NO.	01622	TOTAL AMOUNT
QUANTITY	DETACH UPPER SECTION AND RETURN WITH YOUR REMITTANCE	COST
Petition for Special Exception for Gasoline Station for Sibaroo Corp.		50.00
		50.00

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.

PETITION FOR
SPECIAL EXCEPTION

ZONING: Petition for Special Exception for Gasoline Filling Station.

LOCATION: Southwest side of Johnnycake and Rolling Roads.

DATE AND TIME: MONDAY, JULY 31, 1961 at 9:30 A.M.

PUBLIC HEARING: Room 108, 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 First District of Baltimore County.

BEGINNING for the same at a point in Johnnycake Road and Rolling Road said point of beginning being also at the beginning of the twentieth or N-35-28-W 16 ft. line of land which deed dated June 16, 1925 and recorded among The Land Records of Baltimore County in Liber W.P.C. 618 Folio 88 was conveyed by Alice T. Appold to William E. Wolfel and wife, running thence and binding on the last mentioned line in aforesaid deed and in Johnnycake Road as now surveyed N. 2-42-20-W 16.00 ft. to the North side of Johnnycake Road (30 ft. wide) running thence and binding on the aforesaid North side of Johnnycake Road and on the twenty-first and twenty-second lines and part of the twenty-third line of aforesaid deed the three following courses and distances as now surveyed (1) S-70-40-40-W 76.42 ft. (2) S-80-45-40-W 97.7 ft. (3) N-88-17-20-W 40.1 ft. thence leaving the aforesaid twenty-third line of aforesaid deed and the aforesaid North side of Johnnycake Road and running for lines of division the two following courses and distances (1) S-0-57-20-F 180.03 ft. (2) N-64-55-30-F 185.43 ft. to intersect the eighteenth line of aforesaid deed and to the center line of Rolling Road (30 ft. wide) running thence and binding on part of the eighteenth line and all of the nineteenth line of aforesaid deed and on the aforesaid center line of Rolling Road the two following courses and distances as now surveyed (1) N-0-57-20-W 90.00 ft. (2) N-27-02-40-E 116.00 ft. to the place of beginning.

CONTAINING 0.751 Acres of land, more or less.

SUBJECT, however, to the public use of the existing Rolling Road and Johnnycake Road.

BEING part of land which by deed dated June 16, 1925 and recorded among The Land Records of Baltimore County in Liber W.P.C. 618 Folio 88 was conveyed by Alice T. Appold to William E. Wolfel and wife.

By Order Of:
JOHN G. ROSE
Zoning Commissioner Of Baltimore County

CERTIFICATE OF PUBLICATION

OFFICE OF PUBLICATION
BALTIMORE COUNTY, MD. July 17, 1961

THIS IS TO CERTIFY that the annexed advertisement was published in THE TIMES, a weekly newspaper printed and published in Baltimore County, Md. once in each of one successive weeks before the 31st day of July, 1961, the first publication appearing on the 13th day of July 1961.

THE TIMES.

Manager.
John M. Martin

Cost of Advertisement, \$ 26.00
Purchase order-Q 4032
Requisition no. L 4039

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 1st Date of Posting: 7-12-61
Posted for: Special Exception Gasoline Filling Station
Petitioner: William E. Wolfel
Location of property: S.W.S. of Johnnycake Road & Rolling Road, etc. see map
Location of Signs: Signs placed 70 feet west of Rolling Road on the S.S. of Johnnycake Road and the signs S.S. of Johnnycake Road on the S.S. of Rolling Road.
Remarks: George R. Harrison
Posted by: George R. Harrison Date of return: 7-13-61
Signature

JOHNNYCAKE

5 B.L. 5 RD.

588°17'20"E 40.17

N 80°45'40"E 97.17

N 70°40'40"E 16.92

542°42'30"E 16.00

JOHNNYCAKE RD. 1/2 TENT. LOC.

Future

1/2 TENT. LOC. OF COLLING RD.

RD.

ROLLING

N 0°57'20"W 180.03

150.03

20

165'

N 84°5'30"W 165.43

35'

93'

35'

94.81

50°57'20"E 94.00

25.55

35'

81.81

47.61

107.69 35'

41.65

35'

8

2

PROPOSED

PROPOSED

PROPOSED

PROPOSED

PROPOSED

PROPOSED

PROPOSED

PROPOSED

PROPOSED

PROPOSED

PROPOSED

PROPOSED

PROPOSED

PROPOSED

PROPOSED

PROPOSED

AREA OF PROP. B.I. 0.632 AC.
R-6 0.119 AC.

WOLFEL PROP. 2
R-6 - VACANT

APPROVED FOR FILING
Reviewed By LEO
Date 6/7/61

PLAT TO ACCOMPANY ZONING PETITION
FOR SPECIAL EXCEPTION

1ST ELECT. DIST. BALTO. CO., MD.

SCALE 1" = 50' MAY 25, 1961

MULLER, RAPHEL & ASSOCIATES
PROFESSIONAL ENGINEERS & LAND SURVEYORS.
201 COURTLAND AVE.
TOWSON 4, MARYLAND

#5332-X

MAP
#1-B

R-6 VACANT
2 WOLFEL PROP. 2

0 2 4 6 8 10 12 14 16 18 20 22 24 26 28 30
30 28 26 24 22 20 18 16 14 12 10 8 6 4 2 0

0 1 2 3 4 5 6 7 8 9 10 11 12
12 11 10 9 8 7 6 5 4 3 2 1 0