

RE: PETITION FOR SPECIAL EXCEPTION : BEFORE
for Gasoline Service Station : COUNTY BOARD OF APPEALS
SW/Corner Carroll Island and : OF
Bowleys Quarter Roads : BALTIMORE COUNTY
15th District :
Carroll A. Frederick et al :
Petitioners :
No. 5506-X

AMENDMENT TO OPINION

WHEREAS the Baltimore County Board of Appeals on the 18th day of December, 1962 granted the above captioned special exception for a gasoline service station on the SW/Corner Carroll Island and Bowleys Quarter Roads, and

WHEREAS the Baltimore County Board of Appeals now wishes to clarify the said order by amending the last paragraph of the said order to read as follows:

For the reasons set forth in the foregoing Opinion it is this 18th day of December, 1962 by the County Board of Appeals, ORDERED that the special exception as per the description attached and amended at the time of the hearing, be and the same is hereby granted.

Any appeal from this decision must be in accordance with Chapter 1100, subtitle 8 of Maryland Rules of Procedure, 1961 edition.

COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY

John H. Hoffman
CHAIRMAN

Charles H. Hoffman

RE: PETITION FOR SPECIAL EXCEPTION : BEFORE
for Gasoline Service Station : COUNTY BOARD OF APPEALS
SW/Corner Carroll Island and : OF
Bowleys Quarter Roads : BALTIMORE COUNTY
15th District :
Carroll A. Frederick et al :
Petitioners :
No. 5506-X

OPINION

The petitioner in the instant case seeks a special exception for a gasoline service station on the southwest corner of Carroll Island and Bowleys Quarter Roads in the Fifteenth Election District of Baltimore County.

The petitioner owns a tract of ground running 191 feet along Carroll Island Road and 213 feet along Bowleys Quarter Road, with a depth generally of 280 feet. The property, at the present time, is zoned "Business Local" and is situated in a locale generally devoted to business, commercial and industrial enterprises. The petitioner purposes a two bay, six pump gasoline station to service a neighborhood which, at the present time, has limited modern automobile service facilities.

Voluminous testimony indicated to the satisfaction of the Board that a special exception granted in this case would not violate any of the provisions of Section 502.1 of the Baltimore County Zoning Regulations, subject to the restrictions hereinafter stated. However, the Board takes note of the unusual situation which exists on certain days during the summer months in regard to the traffic flow at this intersection. The Board feels that this unusual situation; i.e., heavy traffic at certain hours on the week-ends, is not sufficient to violate that section of the Regulations pertaining to traffic in the above stated code. The Board is unanimous in its opinion that a special exception for a gasoline service station should be granted with the following restrictions:

1. That the building must be built in the general conformity with the plans submitted at the hearing on this case, and any deviation from those plans should be approved by the Baltimore County Planning Department
2. That evergreen must be planted on the southern boundary of the subject property from the rear lot line in a westerly direction from Bowleys Quarter Road for a depth of 127 feet, at least five feet in height at the time of planting and no less than six feet apart, to shield the residential property directly to the south
3. That all outside flood-lights shall be focused in such a manner that the glare of such flood-lights will not be focused on any of the surrounding properties

4. That a trash enclosure shall be built on the rear of the building with a construction in conformity with the nature of the construction of the service station
5. That the hours of said service station will be as follows:
Opening time shall not be before 7 a.m. and closing time not later than 11 p.m. with the exception that on Sunday afternoons during the months of July and August, and on Memorial Day and Labor Day, the said service station shall close at 2 p.m., and in addition, the said service station shall close at 2 p.m. on those legal holidays which do not fall on Sunday in the above stated months

ORDER

For the reasons set forth in the foregoing Opinion, it is this 18th day of December, 1962 by the County Board of Appeals, ORDERED that the special exception petitioned for, be and the same is hereby granted.

Any appeal from this decision must be in accordance with Chapter 1100, subtitle 8 of Maryland Rules of Procedure, 1961 edition.

COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY

John H. Hoffman
CHAIRMAN

Charles H. Hoffman

John H. Hoffman

PETITION FOR ZONING RE-CLASSIFICATION #5506-X
AND/OR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:
Carroll Alfred Frederick and
I, or we, *Carroll Alfred Frederick*, his 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 *15-C* 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 service 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.

Contract purchaser

Address

John H. Hoffman

John H. Hoffman, III

Petitioner's Attorney

Address Campbell Building, Towson 4, Maryland

John H. Hoffman

John H. Hoffman

ORDERED By The Zoning Commissioner of Baltimore County, this _____ day

of _____, 1962, 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 _____ day of _____, 1962, at _____ o'clock

P. M.

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CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
 Towson, Maryland

#5506

District: 15th Date of Posting: 2-22-62
 Posted for: Special Exception for Caroline Service Station
 Petitioner: Carroll A. and Ruth A. Frederick
 Location of property: at corner of Carroll Island & Bowley Quarter Roads
 Location of Signs: One sign 100 ft. north of Bowley Quarter Rd. on the S.S. of Carroll Island Road, another sign 100 ft. south of Carroll Island Rd. on the W.S. of Bowley's Quarter Road.
 Remarks: George H. Hummel
 Posted by: George H. Hummel Signature Date of return: 2-23-62

PUBLIC HEARING
SPECIAL EXCEPTION
15th DISTRICT
 ZONING: Petition for Special Exception for Gasoline Service Station.
 LOCATION: Southwest corner of Carroll Island & Bowley's Quarter Roads.
 DATE AND TIME: WEDNESDAY, MARCH 14, 1962 AT 4:00 P.M.
 PUBLIC HEARING: Room 105, 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 Fifteenth District of Baltimore County.
 BEGINNING for the same at a point, which is intended to be the centerline intersection of Carroll Island Road and Bowley's Quarter Road, said point of beginning have coordinate values: North 143°15' and East 4162.43, referred to the Baltimore County Metropolitan District Survey, running from said point of beginning and binding on or near the centerline of Bowley's Quarter Road, South 11 degrees 22 minutes 24 seconds East 19.66 feet, thence leaving said Bowley's Quarter Road, South 42 degrees 21 minutes 16 seconds West 182.25 feet and North 41 degrees 18 minutes 24 seconds East 196.12 feet to the easternmost side of a 50 foot right-of-way there (thence the running and binding on the easternmost side of said right-of-way North 12 degrees 12 minutes 56 seconds East 296.66 feet to a point in or near the centerline of Carroll Island Road, thence running and binding on or near the centerline of Carroll Island Road, South 42 degrees 21 minutes 24 seconds East 196.00 feet to the place of beginning. Containing 1.14 acres of land, more or less.
 Being the property of Carroll A. and Ruth A. Frederick as shown on plat plan filed with the Zoning Department.
 BY ORDER OF
 JOHN G. ROSE,
 Zoning Commissioner of Baltimore County.
 2-22-62

CERTIFICATE OF PUBLICATION

February 22 19 62
 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., once in each of 009 successive weeks before the 11th day of March 19 62, the first publication appearing on the 22nd day of February 19 62.

The COUNTY Paper, Inc.

Manager

TELEPHONE
 VALLEY 3-3000

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

No. 11551
 DATE 3/15/62

To: John W. Hessian, 3rd, Esq.
Campbell Building
Towson 4, Md.
 BILLED BY: Zoning Department of Baltimore County

DEPOSIT TO ACCOUNT NO. <u>01622</u>		TOTAL AMOUNT
QUANTITY	DETACH UPPER SECTION AND RETURN WITH YOUR REMITTANCE	COST
3	Advertising and posting of property for Carroll Frederick	32.00 -
		3-15-62 1712 * * * TIL - 32.00

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.

TELEPHONE
 VALLEY 3-3000

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

No. 11640
 DATE 5/9/62

To: Messrs. Prector, Rayston & Muller,
Campbell Bldg.,
Towson 4, Md.
 BILLED BY: Office of Planning & Zoning
119 County Office Bldg.,
Towson 4, Md.

DEPOSIT TO ACCOUNT NO. <u>01622</u>		TOTAL AMOUNT
QUANTITY	DETACH UPPER SECTION AND RETURN WITH YOUR REMITTANCE	COST
3	Cost of appeal to Board of Appeals	\$70.00
		No. 5506
		5-10-62 4855 * * * TIL - 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.

TELEPHONE
 VALLEY 3-3000

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

No. 10333
 DATE 2/8/62

To: John W. Hessian, 3rd, Esq.
Campbell Building
Towson 4, Md.
 BILLED BY: Zoning Department of Baltimore County

DEPOSIT TO ACCOUNT NO. <u>01622</u>		TOTAL AMOUNT
QUANTITY	DETACH UPPER SECTION AND RETURN WITH YOUR REMITTANCE	COST
3	Petition for Special Exception for Carroll A. Frederick	\$50.00 -
		2-9-62 647 * * * TIL - 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.

