

PETITION FOR RECLASSIFICATION  
From an "R-6" and "R-10" Zone to a  
"B-L" Zone - S/S Seminary Avenue  
188.02' west of York Road  
9th District  
Humble Oil Company - Petitioner

BEFORE  
COUNTY BOARD OF APPEALS  
OF  
BALTIMORE COUNTY

No. 5508

ORDER OF DISMISSAL

Petition of Humble Oil Company for reclassification from an "R-6" and an "R-10" Zone to a "B-L" Zone on the south side of Seminary Avenue, 188.02' west of York Road, in the Ninth District of Baltimore County.

Whereas the Board of Appeals is in receipt of a letter dated July 26, 1962 from the petitioner in the above entitled matter.

Whereas the said attorney for the said petitioner requests that the appeal filed on behalf of said petitioner, be dismissed and withdrawn, as of July 26, 1962.

It is hereby ORDERED this 31<sup>st</sup> day of July, 1962, that said appeal be dismissed with prejudice as of the aforementioned date.

COUNTY BOARD OF APPEALS  
OF BALTIMORE COUNTY

*William W. Harrison*  
CHAIRMAN

*H. Mitchell Austin*

*Charles H. ...*

5508

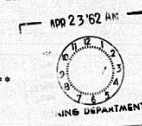
HUMBLE OIL & REFINING CO.  
805 S. of Seminary Ave., 187'02" W. of York Road, 9th District

HUMBLE OIL & REFINING CO.  
and  
Nick Kurtinec, Contract Purchaser  
Petitioners

Before the  
ZONING COMMISSIONER  
FOR  
BALTIMORE COUNTY

PETITION FOR RECLASSIFICATION  
From R-6 to R-10 zones to a  
B-L zone - S.S. Seminary Ave.,  
188.02' W. of York Road,  
9th District

NOV 23 1962 AM



ORDER FOR APPEAL

Mr. Commissioner:

Please enter an appeal from your order dated March 22, 1962 denying the reclassification from R-6 zone and R-10 zone to B-L zone on the S.S. Seminary Avenue, beginning 188.02 ft. west of York Road in the 9th District, being the petition of Humble Oil and Refining Company - Nick Kurtinec, contract purchaser, your petition number 5508.

Attached is a check in the amount of \$70.00 covering appeal costs.

SMITH AND HARRISON

By *Eugene G. Ricks*  
Eugene G. Ricks  
The Jefferson Building  
Townson 4, Maryland  
VA. 3-6200

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

#5508

TO: Mr. John G. Rose, Zoning Commissioner Date: March 9, 1962

FROM: Mr. George M. Saville, Deputy Director

SUBJECT: #5508. R-6 and R-10 to B-L. Southside of Seminary Avenue 187.02 feet West of York Road Being property of Humble Oil and Refining Co.

9th District

HEARING: Wednesday, March 21, 1962 (11:00 A.M.)

The staff of the Office of Planning and Zoning has reviewed the subject petition for reclassification from R-6 and R-10 to B-L zoning. It has the following advisory comments to make with respect to pertinent planning factors:

- The Zoning Map embracing York Road created or affirmed a node of commercial zoning at the intersection of York Road and Seminary Avenue. The intent of the map was to recognize the commercial nature of this portion of York Road and to provide for the commercial uses fronting on York Road.
- Extension in depth of commercial zoning in accordance with the request of this petition would create an extraordinary depth of such zoning which would not be in harmony with the residential zoning on three sides of the subject property. The present development for gas station purposes at York Road prevents the creation of interior circulation pattern wherein the use to the rear can be oriented to York Road.
- The effect of granting this petition inevitably would be the further extension of commercial zoning westerly along both sides of Seminary Avenue. Such an extension would be contrary to the spirit and intent of the 9th District Zoning Map as it applies to this area.

GD:hm



PETITION FOR ZONING RECLASSIFICATION  
FROM: R-6 and R-10 Zone to B-L Zone  
LOCATION: South side of Seminary Avenue 187.02 feet West of York Road  
DATE AND TIME: Wednesday, March 21, 1962, 11:00 A.M.  
PUBLIC HEARING: Room 118, County Office Building, 111 W. Chesapeake Avenue, Towson, Md.  
The Zoning Commissioner of Baltimore County by authority of the Planning and Zoning Act and Ordinance of Baltimore County will hold a public hearing on the above petition for reclassification from R-6 and R-10 zones to a B-L zone on the south side of Seminary Avenue, 187.02 feet west of York Road, in the 9th District of Baltimore County. The hearing will be held on Wednesday, March 21, 1962, at 11:00 A.M. in Room 118, County Office Building, 111 W. Chesapeake Avenue, Towson, Md. All interested parties are invited to attend the hearing and to present their views on the petition. The hearing will be held in accordance with the provisions of the Planning and Zoning Act and Ordinance of Baltimore County. The Zoning Commissioner reserves the right to deny the petition if it is determined that the proposed reclassification is not in the public interest. The Zoning Commissioner's decision will be final and subject to appeal to the County Board of Appeals.

CERTIFICATE OF PUBLICATION

TOWSON, MD., March 19 1962  
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 successive weeks before the 21st day of March 1962, the first publication appearing on the 1st day of March 1962.

THE COUNTY Paper, Inc.  
*W. F. Harrison*  
Manager

TELEPHONE VALLEY 3-3000

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

No. 11564  
DATE 1/2/62

To: Messrs. Smith & Harrison  
The Jefferson Building  
Townson 4, Md.

BILLED BY: Zoning Department of Baltimore County

DEPOSIT TO ACCOUNT NO. 01622	QUANTITY	DETACH UPPER SECTION AND RETURN WITH YOUR REMITTANCE	TOTAL AMOUNT
Advertising and posting of property for Humble Oil Company at York & Seminary Ave.	1		30.00
			30.00

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.

CERTIFICATE OF POSTING  
ZONING DEPARTMENT OF BALTIMORE COUNTY  
Towson, Maryland

District: 9<sup>th</sup>  
Date of Posting: 7-24-62

Posted by: *George R. Harrison*

Petitioner: *Humble Oil & Refining Co.*

Location of property: *S.S. Seminary Ave. 188.02 ft. W. of York Road, etc. See Plat.*

Location of Sign: *South side of Seminary Avenue 188.02 ft. west of York Road.*

Remarks: *George R. Harrison*

Date of return: 7-25-62

PETITION FOR ZONING RECLASSIFICATION  
FROM: R-6 and R-10 Zone to B-L Zone  
LOCATION: South side of Seminary Avenue 187.02 feet West of York Road  
DATE AND TIME: Wednesday, March 21, 1962, 11:00 A.M.  
PUBLIC HEARING: Room 118, County Office Building, 111 W. Chesapeake Avenue, Towson, Md.  
The Zoning Commissioner of Baltimore County by authority of the Planning and Zoning Act and Ordinance of Baltimore County will hold a public hearing on the above petition for reclassification from R-6 and R-10 zones to a B-L zone on the south side of Seminary Avenue, 187.02 feet west of York Road, in the 9th District of Baltimore County. The hearing will be held on Wednesday, March 21, 1962, at 11:00 A.M. in Room 118, County Office Building, 111 W. Chesapeake Avenue, Towson, Md. All interested parties are invited to attend the hearing and to present their views on the petition. The hearing will be held in accordance with the provisions of the Planning and Zoning Act and Ordinance of Baltimore County. The Zoning Commissioner reserves the right to deny the petition if it is determined that the proposed reclassification is not in the public interest. The Zoning Commissioner's decision will be final and subject to appeal to the County Board of Appeals.

CERTIFICATE OF PUBLICATION

TOWSON, MD., March 21 1962  
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 successive weeks before the 21st day of March 1962, the first publication appearing on the 2nd day of March 1962.

THE JEFFERSONIAN  
*W. F. Harrison*  
Manager

TELEPHONE VALLEY 3-3000

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

No. 10309  
DATE 2/2/62

To: Messrs. Smith & Harrison  
The Jefferson Building  
Townson 4, Maryland

BILLED BY: Zoning Department of Baltimore County

DEPOSIT TO ACCOUNT NO. 01622	QUANTITY	DETACH UPPER SECTION AND RETURN WITH YOUR REMITTANCE	TOTAL AMOUNT
Petition for Reclassification for Humble Oil & Refining Co.	1		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.

CERTIFICATE OF POSTING  
ZONING DEPARTMENT OF BALTIMORE COUNTY  
Towson, Maryland

District: 9<sup>th</sup>  
Date of Posting: 2-28-62

Posted by: *George R. Harrison*

Petitioner: *Humble Oil & Refining Co.*

Location of property: *S.S. Seminary Ave. 188.02 ft. W. of York Road, etc. See Plat.*

Location of Sign: *South side of Seminary Ave. 188.02 ft. west of York Road.*

Remarks: *George R. Harrison*

Date of return: 3-1-62

PETITION FOR ZONING RECLASSIFICATION  
FROM: R-6 and R-10 Zone to B-L Zone  
LOCATION: South side of Seminary Avenue 187.02 feet West of York Road  
DATE AND TIME: Wednesday, March 21, 1962, 11:00 A.M.  
PUBLIC HEARING: Room 118, County Office Building, 111 W. Chesapeake Avenue, Towson, Md.  
The Zoning Commissioner of Baltimore County by authority of the Planning and Zoning Act and Ordinance of Baltimore County will hold a public hearing on the above petition for reclassification from R-6 and R-10 zones to a B-L zone on the south side of Seminary Avenue, 187.02 feet west of York Road, in the 9th District of Baltimore County. The hearing will be held on Wednesday, March 21, 1962, at 11:00 A.M. in Room 118, County Office Building, 111 W. Chesapeake Avenue, Towson, Md. All interested parties are invited to attend the hearing and to present their views on the petition. The hearing will be held in accordance with the provisions of the Planning and Zoning Act and Ordinance of Baltimore County. The Zoning Commissioner reserves the right to deny the petition if it is determined that the proposed reclassification is not in the public interest. The Zoning Commissioner's decision will be final and subject to appeal to the County Board of Appeals.

CERTIFICATE OF PUBLICATION

TOWSON, MD., March 19 1962  
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 successive weeks before the 21st day of March 1962, the first publication appearing on the 1st day of March 1962.

THE COUNTY Paper, Inc.  
*W. F. Harrison*  
Manager

RE: PETITION FOR RECLASSIFICATION  
 FROM "R-6" and "R-10" ZONES TO  
 a "B-1" Zone - S. S. Seminary  
 Ave., 185.02' W. of York Road,  
 9th District - Humble Oil &  
 Refining Co., Petitioner -  
 Nick Kurtinecz, Contract  
 Purchaser,  
 BEFORE  
 ZONING COMMISSIONER  
 OF  
 BALTIMORE COUNTY  
 No. 5508

Pursuant to the advertisement, posting of property and public hearing on the above petition for reclassification, from an "R-6" Zone and an "R-10" Zone to a "B-1" Zone, of property on the south side of Seminary Avenue, 185.02' east west of York Road, in the Ninth District of Baltimore County, a representative of the Humble Oil & Refining Company who attended the hearing has been in his present position about three years and is not personally acquainted with the zoning on the subject property. His belief is that the Humble Oil & Refining Company should have asked for zoning in the whole area when the property was purchased in the first place. This would indicate that the Humble Oil & Refining Company's present position was caused by that Company's action.

The subject property was zoned on the Ninth District Land use Map on November 14, 1955. The representative did not indicate in any way that the map was in error.

The contract purchaser would like to purchase the property but he spoke of no change in the area warranting the granting of this petition.

As the petitioner did not prove an error as indicated in the petition, the reclassification is denied.

It is this 22nd day of March, 1962, by the Zoning Commissioner of Baltimore County, ORDERED that the above reclassification 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 "R-6" and "R-10" Zones.

*[Signature]*  
 Zoning Commissioner of  
 Baltimore County

PETITION FOR ZONING RE-CLASSIFICATION  
 AND/OR SPECIAL EXCEPTION #5508

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY.  
 Company

~~XXX~~ we, Humble Oil & Refining, 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, R-10 Zone zone to an B-1 zone; for the following reasons:

Orderly extension of existing B-1 zone and ~~error in~~ adoption of 9th District Map.

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.....

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

<i>[Signature]</i> Nick Kurtinecz Address 1426 Providence Road Baltimore 4, Maryland	Contract purchaser	Humble Oil & Refining Company	Legal Owner
<i>[Signature]</i> Eugene G. Ricks	Petitioner's Attorney	<i>[Signature]</i> James T. Ramsey	Service Station Development Manager
		Address 7750 York Road	Baltimore 4, Maryland
		<i>[Signature]</i> W. H. Parker	Atty. for Petitioner.

ORDERED By The Zoning Commissioner of Baltimore County, this 2nd day of FEBRUARY 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 21st day of March, 1962, at 11:00 o'clock A.M.



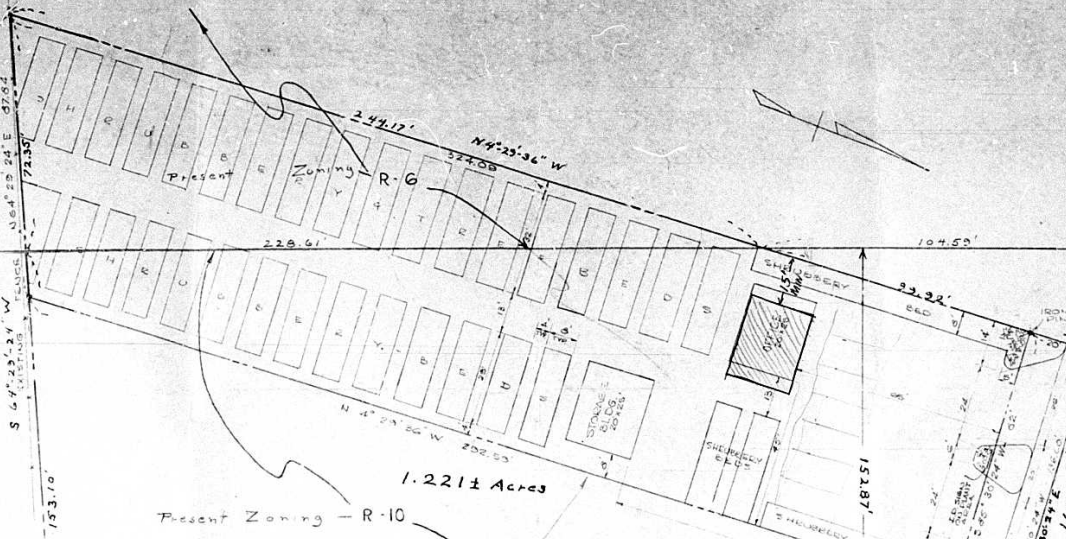
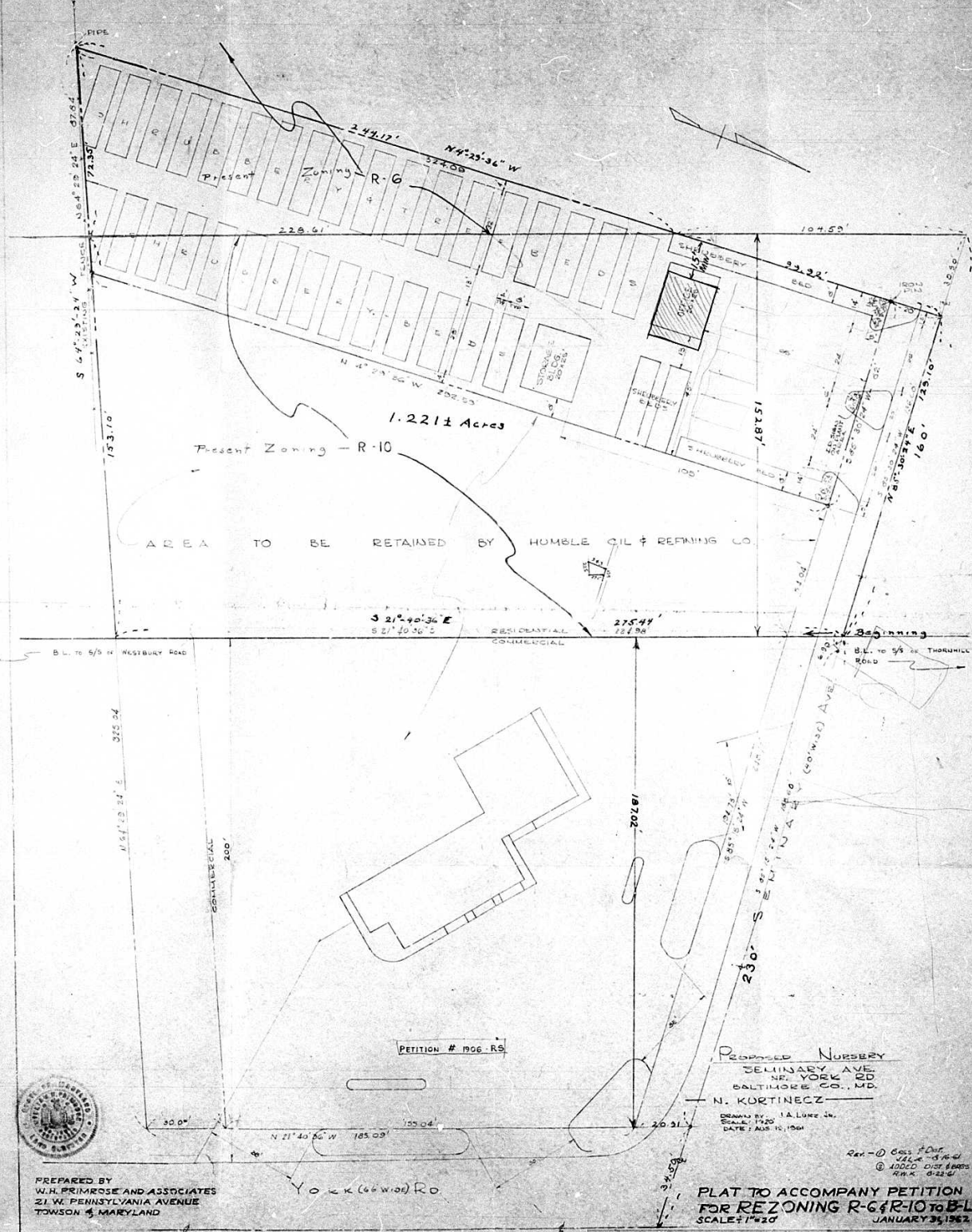
*[Signature]*  
 Zoning Commissioner of Baltimore County.  
 (over)  
 11:00 A.M.  
 3/21/62  
 1-0-0-0

OFFICE OF W. H. PRIMESE January 30, 1962

DESCRIPTION OF PARCEL EMBRACED BY APPLICATION FOR B-1 ZONING

All that parcel of land lying in the 9th Election District of Baltimore County on the south side of Seminary Avenue situate 187.02 feet west of the west side of York Road and more particularly described as follows:  
 Beginning for the same at a point in the center line of Seminary Avenue, 40 feet wide located 230 feet westerly as measured on the centerline of Seminary Avenue from the centerline of York Road, 66 feet wide, and running thence South 21° - 40' - 36" East parallel to York Road and 187.02 feet westerly from the west side thereof measured at a right angle for a distance of 275.44 feet; thence south 64° - 29' - 24" west 153.10 feet to the dividing line between the B-10 and B-6 Zoning boundaries as described in "Resolution and descriptions of boundaries of Zoning Districts", recorded on page 34, R-10-19 on file in the Zoning Commissioner's Office and thence continuing the same course South 64° - 29' - 24" west 72.35 feet; thence north 4° - 29' - 36" west 244.17 feet to intersect the above mentioned dividing line between B-10 and B-6 Zoning and continuing the same course north 4° - 29' - 36" west 99.92 feet to the centerline of Seminary Avenue and thence binding thereon north 85° - 30' - 24" east 129.10 feet to the place of beginning.  
 Containing 1.221 acres of land more or less.

*[Signature]*  
 W. H. Primese



PREPARED BY  
 W.H. PRIMROSE AND ASSOCIATES  
 21 W. PENNSYLVANIA AVENUE  
 TOWSON 4, MARYLAND

PROPOSED NURSERY  
 PENNSYLVANIA AVE.  
 NE. YORK RD  
 BALTIMORE CO., MD.

N. KURTINECZ  
 DRAWN BY I.A. LUNZ JR.  
 SCALE: 1"=20'  
 DATE: AUG 15, 1964

REV-D CORR F.D.T.  
 111.A-1176-61  
 © ADDED DIST. 8/20/65  
 H.M.K. 0-22-61

PLAT TO ACCOMPANY PETITION  
 FOR REZONING R-6 & R-10 TO B-L  
 SCALE: 1"=20' JANUARY 31, 1962

*W.H. Primrose*  
 Plan must be approved by planning & zoning commission (Seal)

