RE: PETITION FOR RECLASSIFICATION AND SPECIAL SECEPTION FOR a Gasoline Service Station -S/S Berkshire Road 454.81 5/5 GERKSHITE ROAD 454.81' 5. of Old North Point Road, 12th District -The Prudential Company, Petitioner - No. 5693-RX-

/ day of December, 1964, by the It is this Zoning Commissioner of Baltimore County, ORDERED that the aforesaid special exception granted on February 14, 1963, be and the same is extended for a period of three (3) years, beginning February 14, 1965 and ending February 14, 1968.

> 1 acle Zoning Commissioner of

LAW OFFICES

December 13, 1962

- DEC 1 30820M A. MARYLAND

*5693 RX

Baltimore County Office of Planning and Zoning County Office Building Towson 4, Maryland

Attention: John G. Rose, Zoning Commissioner

Re: Petition for Reclassification from an "R-G" Zone to "B-Tw. Zone and Special Exception for a Gascline Service
Station - S. S. Berkshire Road 454.81' S. of Old North
Point Road, 12th District - The Prudential Company,
Petitioner - No. 5693 - RX

Please enter an appeal to the County Board of Appeals from your order dated November 21, 1962 denying the re-classification in the above matter from an "R-G" to a "B-L" zone and a special exception for a gasoline service station.

Enclosed herewith is a check in the amount of \$70.00 to cover

Very truly yours

Leyen & Rock e G. Ricks

EGR:q

THE COUNTY BOARD OF APPEALS

DELATIVE to Come No. 5493-8X

on FOR RECLASSIFICATION
"R-G" Zone to a "B-L"
and SPECIAL EXCEPTION for
his Service Station, 5/5
a Read, 454.81 south of
rish Point Read, 12th District

ons. With regard to restriction #1, the lest line of this restrict

tion #1 - which road and is hereby amended to read

COUNTY BOARD OF APPEALS OF BALTIMORE COUNTY

Charles Steinbock, Jr.

DATE: February 28, 1963

#5693 RXA

THE COUNTY BOARD OF APPEALS

relative to Case No.5693-RX

PETITION FOR RECLASSIFICATION from an "R-G" Zone to a "B-L"
Zone, and SPECIAL EXCEPTION for
a Gasoline Service Station, 5/5
Berkshire Road, 454.81' south of
Old North Point Road, 12th District
The Prudential Co. - Petitioner

The Board granted the special exception in the above case subject to three restrictions. With regard to restriction 11, the last line of this restriction was omitted by error.

Restriction #1 - which read and is hereby amended to read:

In accepting this special exception, the property owner ogrees to limit the use of the property to the sale of gas, oil and other commodities normally found in a service station. Other uses permitted in the "B-L" Zone ore prohibited. However, at any time that the special exception is debradancy of there uses permitted in a "B-L" Zone would again be permissible.

COUNTY BOARD OF APPEALS OF BALTIMORE COUNTY

DATE: Feb. 28 1963

.

The Prudential Company

Twelfth District of Baltimore County.

completely unsuitable for "R-G" development.

PE. PETITION EOR RECLASSIFICATION

from an "R-G" Zone to a "B-L" Zone, and SPECIAL EXCEPTION for a :

Gasoline Service Station -5/5 Berkshire Road, 454.81' south of Old North Point Road, 12th District

PETITION FOR ZONING RE-CLASSIFICATION # 5 29 2 PC map > AND/OR SPECIAL EXCEPTION

appeared on May 1, 1956 when the zoning map for this area was adopted.

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY

#12 I, or we, The Prudential Company legal owner of the property situate in Baltimore Ec. 4B 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 R-G 11/1/62 B-L ...zone; for the following reasons

changes occurring since the adoption of the 12th District men

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 Baltim

Smith & Harrison by course & flicke

Jefferson Building Towson 4, Maryland Address ...

ORDERED By The Zoning Commissioner of Baltimore County, this 19th day of September , 196.2, 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 Baltimere County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 108, County Office Building in Towson, Baltimore lith day of November 195 2 at 1x00 clock County, on the 19 62

Pe M Retor (9) OFFICE OF PLANNING & ZONING

Zoning Commissioner of Baltimore County.

THE PRUDENTIAL COMPANY

Address 1225 Cathedral Street

Baltimore 1, Maryland

Hamuffikal President

1:00 17/11

the special exception subject to the following restrictions.

#5693-RXA

SEC. 48

BL-X1

BEFORE

OF

BALTIMORE COUNTY ME

COUNTY BOARD OF APPEALS

.

This is a petition for reclassification from an "R-G" Zone to a "B-L" Zone, and a special exception for a Gasoline Service Station on property located on

The testimony of Mr. Joseph T. Wallace, representing the Prudentia

OPINION

the south side of Berkshire Road, 454.81 feet south of Old North Point Road in the

Company, was to the effect that the Company has owned the property since June 2,

1947. The Company also owned adjacent property behind the subject property upon

which "R-G" housing has been developed. The particular piece of property which is

the subject of this petition has a frontage of approximately 210 feet on Berkshire Road

and approximately 214 feet on Merritt Boulevard. At the northwest corner of Merritt

Roulevard and Old North Point Road the Company also owns property which is zoned

"B-L". During the 1958-1959 period Merritt Boulevard was cut through the subject

property. In fact, part of the property is now on one side of Merritt Boulevard and part is on the other. At about the same time a 24" or 26" gas transmission line was

constructed cutting across the property from the west through to Merritt Boulevard.

The Company granted easement rights for the transmission lines as well as overhead

the petitioner unusable. The typography and shape of the subject property make it

power lines. The radius of Old North Point Road and Merritt Boulevard plus the existence of the underground gas transmission lines, have made the "B-L" property owned by

The Board is unanimous that the construction of Merritt Boulevard and the installation of the power lines and the transmission lines have caused sufficient change in the character of the subject property to justify the reclassification from an "R-G" to a "B-L". The property certainly does not resemble the property as it

With regard to the request for a special exception for a Gasoline Service Station, the Board is unanimous that the granting of this special exception will not violate Section 502.1 of the Baltimore County Zoning Regulations, and therefore, grants In accepting this special exception, the property owner agrees to limit the use of the property to the sale of gas, all and other commodities normally found in a service station. Other uses that may be permitted in the "B-L"

SEL 4B There may be no leasing of trucks, trailers or automobiles

Plans for the development of this property as well as the ingress and egress locations must be approved by the Department of Planning and Zoning of Baltimore County

ORDER

For the reasons set forth in the aforegoing Opinion, it is this 1472 day of February, 1963 by the County Board of Appeals, ORDERED that the reclassification and special exception petitioned for, be and the same is hereby granted, whilest to the aforementioned restrictions.

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

COUNTY BOARD OF APPEALS OF BALTIMORE COUNTY

mitchell aux

#5693-RXA

BL-XA

Pursuant to the advertisement, posting of property, and public hearing on the above exittion and it appearing that by reason of the above Reclassification should be had; and it further appearing that by reason of----IT IS ORDERED by the Zoning Commissioner of Bultimore County this, 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

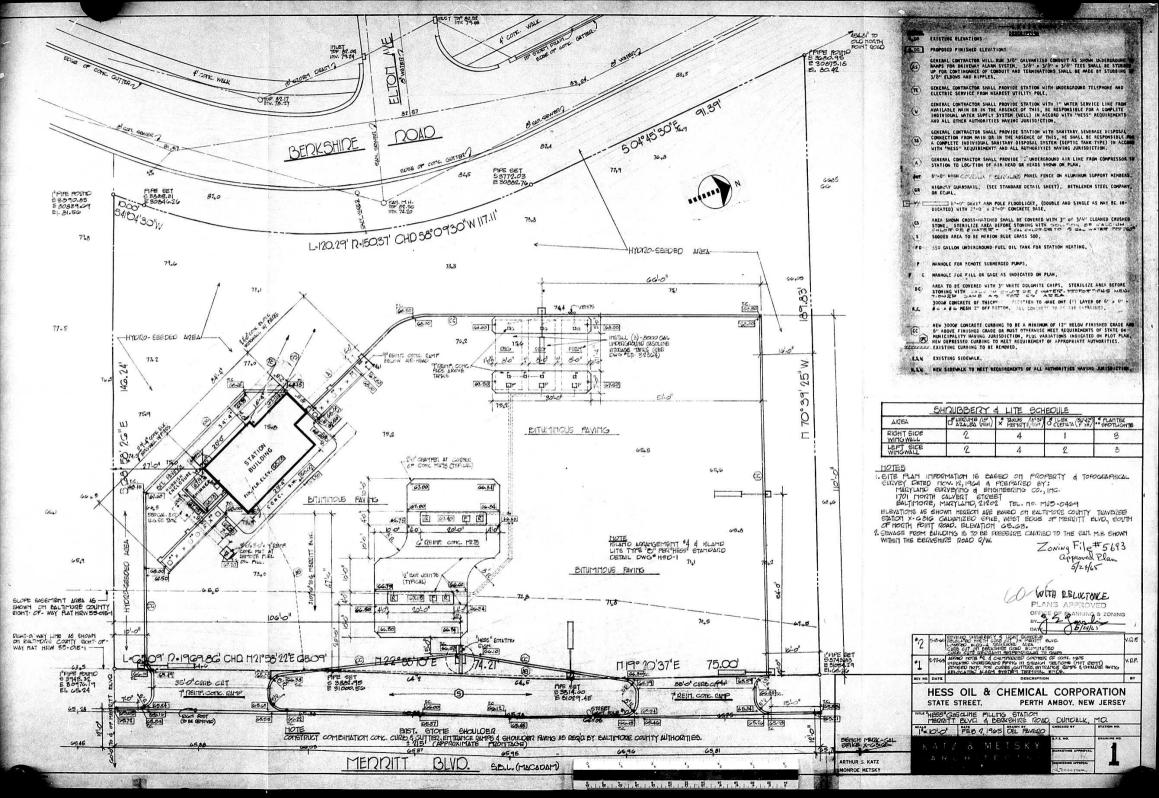
Zoning Commissioner of Baltimore County

Pursuant to the advertisement, posting of property and public hearing on the above petitio and it appearing that becomes most there have been no reclassifications or changes along Merritt Boulevard between Old North Point Road and German Hill Road, therefore, there has not been sufficient change in the area nor is there an error in the map which would warrant changing the classification,

the above re-classification should NOT BE HAD, and the Special Exception should NOT BE GRANTED

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 21st day DENIED and that the above described property or area be and the same is hereby continued as and to remain a n "ReG" Gasoline Service Station

MICROFILMED



J.L. C. CLU. Associates George W. Bushley Robert W. Caulan Norman F. Herry Paul S. Surtes

Z. CHILDS & ASSOCIATES, INC Engineers - Surveyors - San PL

2129 N. Charles St. - Baltimere 13, Maryland 110 pline 7-5700

DESCRIPTION

1.0438 ACRE PARCEL TO BE REZONED FROM RG TO

BL - MERRITT BOULEVARD, TWELTH ELECTION DIS-

TRICT, BALTIMORE COUNTY, MARYLAND

SEC.4B Beginning for the same at a point on the east side of Berkshire Road, 50 feet wide, at the distance of 454, 81 feet measured southerly from its 11/1/62 intersection with the southwest aide of North Point Road, 80 feet wide, thence running S. 70° 39° 25° E.. 189,83 feet to intersect the northwest side of Merritt Boulevard, variable width, thence binding thereon the three following courses and distances: (1) S. 19° 20' 35" W., 75.00 feet. (2) S. 22° 55' 10° W., 74.21 feet, and (3) southwesterly by a line curving to the left with a radius of 1969, 86 feet the distance of 189, 16 feet, thence leaving said Merritt Boulevard N. 48* 55' 30" W.; 68.56 feet to the southeast side of a 15 foot alleythere situate, thence binding thereon and on the northeast side of another 15 foot alley the two following courses and distances (1) N. 41° 04' 30" E., 15,00 feet and (2) N. 48° 55' 30" W., 115,00 feet to the southeast side of the aforementioned Berkshire Road, thence binding thereon the three following courses and distances (1) N. 41° 04' 30" E., 60,00 feet, (2) northeasterly by a line curving to the left with a radius of 150.37 feet the distance of 120, 29 feet and (3) N. 04° 45' 30" W., 91, 39 feet to the place of heginning. Containing I. 0438 acres of land.

EHS: hbr

8/14/62

J. O. #62159



ALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO Ur. John G. Boss, Zoning Spreningtoner Date. Hovember 2, 1962

FROM. Mr. George E. Dayrelis, Deputy Director

SUBJECT #592-30. R-0 to B-L and Septial Exception for Gas Station.
South side of Barkshire Head 55% of Feet South of Old Morth Point Road. Seing property of The Prudential Company.

12th District

Medneaday, November 14, 1952 (1:00 P.M.)

The staff of the office of Flamming and Zoning has reviewed the subject potition for reclassification from Red to D-L soming the top the special exception for a gazoline service station. It has the following advisory communits to make with respect to pertinent planning factors:

- The Beclassification

 1. The subject property is surrounded or is across the
 street from properties with there residential use
 street for the properties with the residential use
 of the properties with the properties
 with commercial use potentials. We note that the subject
 spittion is not an extension of Zona IP Bi.-1. Rather
 there is an intervening parcel of land which is some
 R-0. Creation of commercial sozing for the properties
 would establish land use potential to the grossly out
 of character with those of adjects properties.
 - 2. The Planning staff notes also that there is as yet un-developed commercial property at the southwest corner of Merritt Sollevard and Old South Point Road which is believed to Planning the Point Road which is overly to Planning Visepoint; it would appear that we have a property of the property of the property of the set there or on other properties which are somed for commercial purposes.
- B. The Special Ecoption.

 1. The Planning staff recommends spatist any granting of the special acception in the one-that the conservat sening special acception in the result. It points out that the subject property is or was part of a larger tract and that an overall plan for a development of such tract has part, been reviewed or approved, so effort has been assigned to petitionec to secure plans approved for the overall plant for the overall fract.
 - From a planning viewpoint the staff is of the opinion that the location of a gasoline service station as as requested in this petition is illogical, inappropriate, and wrong and would violate the conditions listed in Section 50221-2, jet. and e of the Zoning Regulations. Furthermore, the spe

Lester Mate John C. Childs Associates George W. Bushley Robert W. Cushun Leanard M. Glass Norman F. Herrisa Paul Lee Paul S. Surton

Highway.

#5693RX

MAP V

#12

Z. CHILDS & ASSOCIATES, INC or - Serveror - Site Planners 2129 N. Charles St. - Baltimore 18, Naryland 110 phine 7-5700

DESCRIPTION

0,7401 ACRE PARCEL TO BE GRANTED A SPECIAL

EXCEPTION, MERRITT BOULEVARD, TWELTH ELECTION DISTRICT, BALTIMORE COUNTY, MD.

SEC.4-B Beginning for the same at a point on the east side of Berkshire BL-X Road, 50 feet wide, at the distance of 454.81 feet meausred southerly 11/1/62 from its intersection with the southwest side of North Point Road, 80 feet wide, thence running S. 70° 39' 25" E., 189.83 feet to intersect the northwest side of Merritt Boulevard, variable width, thence binding thereon the three following courses and distances; (1) S. 19° 20° 35" W., 75.00 feet, (2) S. 22° 55' 10" W., 74.21 feet, and (3) southwesterly by a line curving to the left with a radius of 1969, 86 feet the distance of 65, 09 feet, thence leaving said Merritt Boulevard N. 68° 58' 26" W., 146,24 feet to the southeast side of the aforementioned Berkshire Road, thence binding thereon the three following courses and distances; (1) N. $41^\circ~04^\prime~30^\prime\prime~E.$, 10,00 feet, (2) northeasterly by a line curving to the left with a radius of 150, 37 feet the distance of 120, 29 feet and (3)

Containing 0.7401 acres of land.

N. 04° 45' 30" W., 91.39 feet to the place of beginning. EHS: sbr

J. O. #62159



INTER-OFFICE CORRESPONDEN Baltimore County, Margland Towson, Marylane

Mr. Halcolm W. Derr

#5293 RXA March 1, 1963

MAP

TO: John G. Rop

Poultions #s 5693 and 5166

56C.4B The Board @Appeals has granted petition No. 5693 which is the first commercial break on the west side of Merritt Boule ward. Thursday, February 28, 1963, the Board was to hear petition No. 5116, Brill and Prackin, that would be the second break. Petition No. 5116

Zoning Commissioner

0

5693 RX

#5693FX

(MAP)

4:2

INTER-OFFICE CORRESPONDENCE

Mr. John G. Rose

Date November 2, 1962

FROM Mr. George E. Gavrelis

SUBJECT #5693-W. R-G to B-L and Special Exception for Gas Station, South side of Berkshire Road hSL,81 feet South of Old North Point Road, Being property of The Prudential Company.

ALTIMORE COUNTY, MARYLAND

12th District

HEARING: Wednesday, November 14, 10'2 (1:00 P.M.)

page -2- (cont.)

exception for a gasoline service station here would be premature in the absence of a coordinated plan for the development of the overall tract.

3. In addition to the standards set forth for a special In addition to the standards set forth for a special exception in the Zoning Regulations the Planning staff believe that special exception should be judged on the basis not of comparing agas station with other uses permitted in the 3-1 zone, but zero specifically whether or not the gas station will implie on the right of the properties of the propertie TIMORE COUNTY, RYLAND

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

No. 15306 DATE11/8/62

The Prudential Co. 1225 Cathedral Street Baltimore 1, Md.

Baltimore County

QUANTITY	DETACH UPPER SECTION AND RETURN WITH YOUR RENITANCE	650-95
	Advertizing and posting of property for Pet. #5693-RX	50.95
	Eng.	
	12-962 2415 • • 1111-	90.95
9	B	

C HEARING: Room 201 ty Office Building, 111 Seespeake Avenue, Tow-

LEASE RETURN UPPER SECTION

Cventy Office Building, 111
W. Chesapsake Avenue, Towsen, Maryland.
W. Chesapsake Avenue, Towsen, Maryland.
Sallimers Chouse, by authority
of the Zening Act and Reguiesens of Beithrone County, will
old a Public hearing!
Cho. sensing all that parcel of
and in the Twelfin District
of Battimore County.
Beatinning for the same and
point of the want side of

Hoad, 10 feet wide, intance of this i feet i acutherly from its ito with the acuther of North Point Road, wide, three cuming to no northwest side of Boulevard, variable thence binding theres following courses an ing 0.7661 acres of

MAIL TO DIVISION OF COLLECTION & RECEIPTS, COURT HOUSE, TOWSON 4, MARYLAND OF THIS BILL WITH YOUR REMITTANCE.

CERTIFICATE OF PUBLICATION

TOWSON, MD., 25th Oct, 19 62 THIS IS TO CERTIFY. That the annexed advertisement was published in THE COUNTY NEWS WEEK, a weekly newspaper printed and published in Towson, Baltimore County, Md., once in each of .QDR ... successive weeks before the

14th day of November 19.62, the first publication appearing on the 25th day of Oct. 19 62.

> THE COUNTY NEWS WEEK F. Keyser

TELEPHONE VALL'Y 3-3000

0

BALTIMORE COUNTY, MARYLAND

OFFICE OF FINANCE

Pivision of Collection and Receipts TOWSON 4. MARYLAND

The Fruddential Company 1225 Cathedral St. Baltimore 1. Kd.

Baltimore County

DAT#/19/62

DEPOSIT TO ACCOUN	т но. 01622	18:50.00 UNT
QUANTITY	DETACH UPPER SECTION AND RETURN WITH YOUR REMITTANCE	COST
- 1	Pet on for Reclassification & Special Exception	50.00 -
	0	
	9-19-62 220 · • 12P	50.00
3		

MAIL TO DIVISION OF COLLECTION & RECEIPTS, COURT HOUSE, TOWSON 4, MARYLAND PLEASE RETURN UPPER SECTION OF THIS BILL WITH YOUR REMITTANCE.

CERTIFICANE OF PUBLICATION

OFFICE OF The Community Press

The Predented Co

10-24-62

Stromberg Publications, Inc.

Bethy I were

successive weeks before the

19 62; that is to say,

Publisher.

Y, NOVEMBER 14, 1962 at 50 P.M. UBLIC HEARING: Room County Office Building, 111 Chesapeake Avenue, Towson,

THON FOR TONING
TECHNICAL EXCEPTION
THE DISTRICT AND THE DUNDALK, MD., HIS IS TO CERTIFY, that the annexed accrtisement of isertal in THE COMMUNITY PRESS, a weekly newspublished in Bactimore County, Maryland, once a week

Consequence Array, Coverson, Coverso

rudential Company, as shown on lat plan filed with the Zoning BY ORDER OF

ZONING COMMISSIONER OF BALTIMORE COUNTY

TELEPHONE No. 14144

INVOICE BALTIMORE COUNTY, MARY AND OFFICE OF FINANCE

No. 14290 DATE 12/1 /1962

Division of Collection and Receipt COURT HOUSE TOWSON 4 RYLAND

No sero. Smit a & Harrison,

The Jefferson Building

Office of Planning & Zoning BILLED 119 County Office Bldg., Towson b, Me.

TOTAL AMOUNT \$70.00 Cost of appeal to Board of Appeals, The Predential Co. No. 5693-KX 121962 3913 = 0 0 HL-

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

> CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY

Towson, Maryland

Date of Posting. 10-25 62 Posted for an sit y to los is to jant to San Station

tocation of property I S. of Sect State St. 43 4 81ft Jane Hyllet? Location of Signatural Lines & of Butholine Konel 5 exft South of alderine the Jant Novel

Posted by All 9 Sonates Date of return 10 26 62

5693

